

REPORT SUMMARY

REFERENCE NO: - 22/505347/FULL		
APPLICATION PROPOSAL: Demolition of existing rear extension and erection of single storey side and rear extensions with first floor balcony above (Revision to Planning Application ref: 22/501459/FULL)		
ADDRESS: 143 Hockers Lane Thurnham Kent ME14 5JY		
RECOMMENDATION: GRANT – subject to the planning conditions set out in Section 8.0 of the report.		
SUMMARY OF REASONS FOR RECOMMENDATION: For the reasons set out above it is considered that the proposed single storey side/rear extension would be acceptable and would not cause significant visual harm, harm to neighbouring amenity nor would it be unacceptable in terms of any other material planning considerations. The proposed developments are considered to be in accordance with current policy and guidance.		
REASON FOR REFERRAL TO COMMITTEE: The recommendation is contrary to the views of Thurnham Parish Council who have requested the application be presented to the Planning Committee.		
WARD: Detling And Thurnham	PARISH/TOWN COUNCIL: Thurnham	APPLICANT: Mrs Emily Hale AGENT: EK Planning Ltd
CASE OFFICER: Chloe Berkhauser-Smith	VALIDATION DATE: 09/11/22	DECISION DUE DATE: 07/04/23 (EOT)
ADVERTISED AS A DEPARTURE: NO		

Relevant Planning History

22/501459/FULL : Demolition of existing rear extension and erection of a single storey side and rear extensions with first floor balcony above. Refused 19.05.2022

87/1639 : Garage. Approved 26.01.1988

80/0476 : Conservatory at rear. Approved 02.05.1980

80/0268 : Single storey rear extension to approved cloakroom, as amended by the agent in blue on the submitted plan on 12/3/80 Approved 02.04.1980

79/0195 : First floor extension to provide 2 bedrooms and single storey rear extension to form washroom. Approved 02.05.1979

76/0680 : Single storey side extension. Approved 27.08.1976

MAIN REPORT

1. DESCRIPTION OF SITE

1.01 The application relates to a detached, two-storey property located outside the settlement boundaries, within the Parish of Thurnham, Maidstone. The existing materials of the dwelling comprise of tiles for the roof, rough cast render for the walls and uPVC for the windows and doors.

1.02 The property is a residential dwelling, and the site is not situated within a conservation area, or an area of outstanding natural beauty. Additionally, there are no restrictions on the permitted development rights to extend or alter the dwelling house.

2. PROPOSAL

2.01 The proposal is for the demolition of existing rear extension and erection of single storey side and rear extensions.

Single-Storey Rear/Side Extension

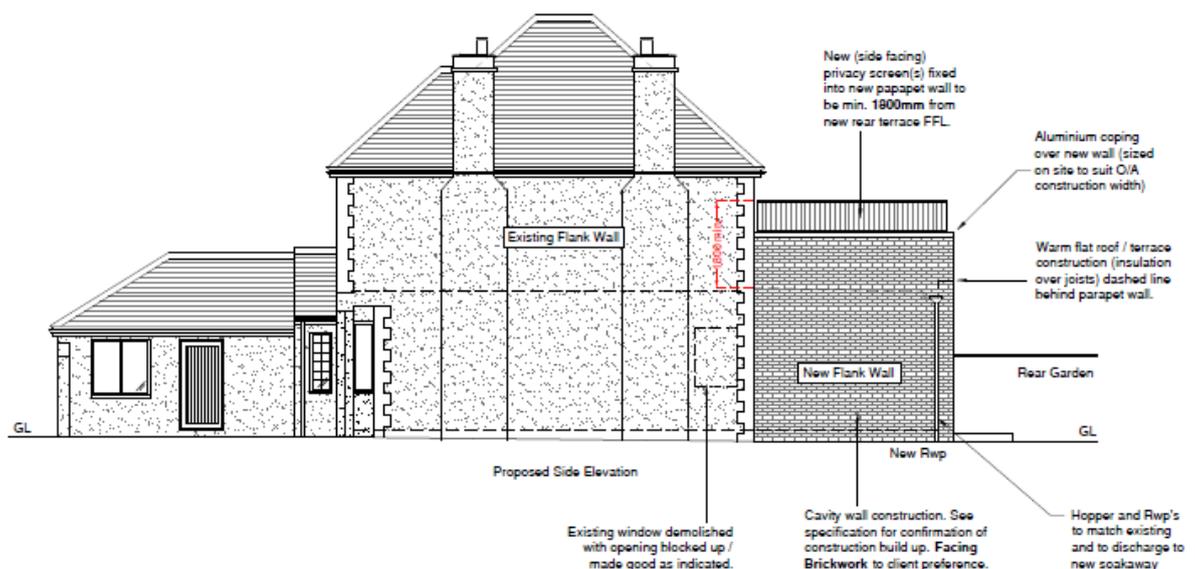
2.02 The proposed single storey rear extension would have an approximate width of 8.6m, a depth of 3.4m on the north-east side elevation and a depth of 4m on the south-west side elevation. It would have a part flat roof at the rear and part mono-pitched roof to the side. The flat roof would have an approximate eaves height of 3.3m. The proposed mono-pitched roof would have an approximate eaves height of 2.9m and a ridge height of 3.9m.

2.03 The application follows a previous refusal (reference 22/501459/FULL). The previous reason for refusal is as follows:

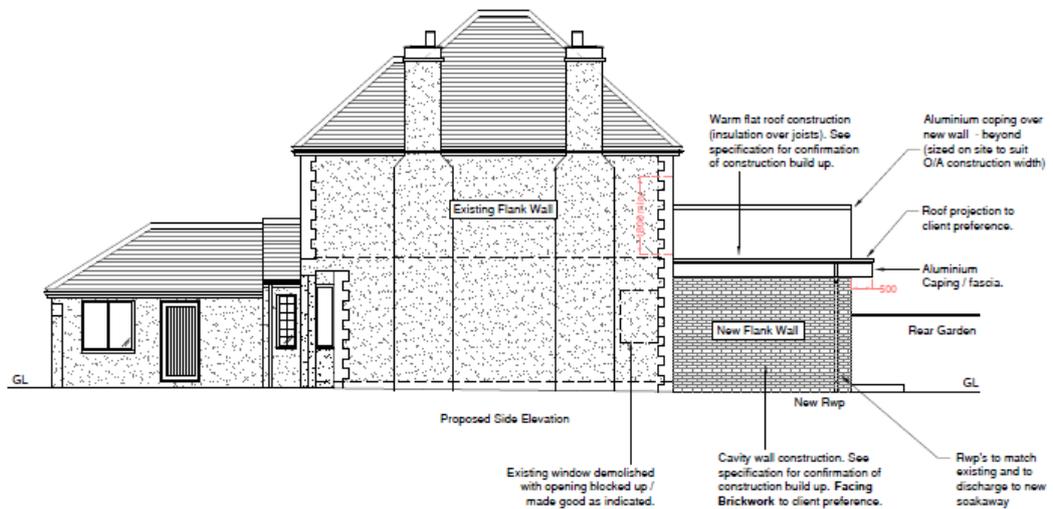
(1) The proposed extension, by reason of its depth, height, siting, scale and proximity of the extension to the boundary would result in an unneighbourly form of development by reason of having an overbearing impact on the amenity/garden space of the occupiers of No.145 Hockers Lane's. To permit the proposal would therefore be contrary to the National Planning Policy Framework 2021, Policy DM1 of the Maidstone Borough Local Plan 2017 and the design guidance set out in the Council's adopted Residential Extensions Supplementary Planning Document.

2.04 This application has removed the proposed balcony from the scheme which consequently has reduced the height of the brick wall and removed the privacy screening above. Extract comparison plans are shown below, indicating the elevation facing towards 145 Hockers Lane.

Previously refused scheme



Proposed



3. POLICY AND OTHER CONSIDERATIONS

Maidstone Borough Local Plan (2011-2031): DM1, DM30 and DM32

Maidstone Borough Council – Local Plan Review, draft plan for submission (Regulation 22): LPRSP15, LPRQ&D4 and LPRSP9

The National Planning Policy Framework (NPPF):

National Planning Practice Guidance (NPPG):

Supplementary Planning Documents: Maidstone Local Development Framework: Residential Extensions SPD

4. LOCAL REPRESENTATIONS

Local Residents: No representations have been received from local residents.

5. CONSULTATIONS

Thurnham Parish Council

5.01 Object to this application for the following reasons:

- Overdevelopment of the site
- Design out of keeping with the area
- The proposals would be intrusive to the neighbouring properties
- We would therefore wish to see this application refused

6. APPRAISAL

The key issues are:

- Site background/Principles of Development/Policy Context

- Visual Impact
- Residential Amenity
- Parking/Highway Safety
- Other Matters

Site Background/Principle of Development/Policy Context

- 6.01 This application follows a refused application. This application seeks to resolve the reason for refusal by removing the proposed balcony from the scheme and consequently reducing the height of the brick wall along the boundary with No.145 Hockers Lane and removing the proposed privacy screening above.
- 6.02 The application site is located in the countryside, as defined in the Local Plan, Policy DM32 of the local plan allows for residential extensions provided that:
- i). The proposal is well designed and is sympathetically related to the existing dwelling without overwhelming or destroying the original form of the existing dwelling;
 - ii) The proposal would result in a development which individually or cumulatively is visually acceptable in the countryside;
 - iii) The proposal would not create a separate dwelling or one of a scale or type of accommodation that is capable of being used as a separate dwelling; and
 - iv) Proposals for the construction of new or replacement outbuildings (e.g. garages) should be subservient in scale, location and design to the host dwelling and cumulatively with the existing dwelling remain visually acceptable in the countryside
- 6.03 Policy DM1 (ii) in terms of design refers to developments responding positively to the local character of the area, with regard being paid to scale, height, materials, detailing, mass, bulk, articulation and site coverage. DM1 (iv) re-iterates consideration to be paid to adjoining neighbouring amenity.
- 6.04 Policy DM30 refers to design principles in the countryside, where development is proposed in the countryside the design principles set out in this policy must be met. DM30 (v) states:
- Where an extension or alteration to an existing building is proposed, it would be of a scale which relates sympathetically to the existing building and the rural area; respect local building styles and materials; have no significant adverse impact on the form, appearance or setting of the building, and would respect the architectural and historic integrity of any adjoining building or group of buildings of which it forms part*
- 6.05 The Residential Extensions SPD in relation to this proposal sets out the following:
- An extension should be modest in size, subservient to the original dwelling and should not overwhelm or destroy its original form.*
- An extension should cause no adverse impact on the character or openness of the countryside*
- Windows, roof terraces, balconies (including Juliet balconies) and verandas in an extension should not directly overlook the windows or private amenity space of any adjoining dwelling where this would result in an unreasonable loss of privacy*

An extension should respect the amenities of adjoining properties in respect of daylight and sunlight and maintain an acceptable outlook from a neighbouring property.

- 6.06 The residential extensions SPD in relation to extension within the countryside sets out that any proposed extensions should not adversely impact on the form and character of the original building or the character of the countryside. Additionally, the SPD states where an extension is acceptable in principle, its form should be well proportioned and present a satisfactory composition with the house. The roof shape is critical to creating a successful built form. The SPD in relation to screening also sets out that existing mature screening can help assimilate a modest extension into the rural landscape. The SPD also states:

In considering an extension to a residential dwelling in the countryside, the Local Planning Authority would normally judge an application as modest or limited in size if, in itself and cumulatively with previous extensions, it would result in an increase of no more than 50% in the volume of the dwelling. Proposed new garages and outbuildings within 5 metres of the existing dwelling will be calculated as part of this volume. The gross volume will be ascertained by external measurement taken above ground level and include the volume of the roof. (Para 5.18)

- 6.07 The principle of extensions to existing dwellings within the countryside can be acceptable, provided that the material planning considerations discussed below would be acceptable.

Visual Impact

- 6.08 The application property is set back from the road with a large parking and amenity area in front of the dwelling. The application site is within the open countryside as defined by the Local Plan, but does form part of linear development along Hockers Lane and is approximately 100m north of the urban settlement boundary.
- 6.09 The proposed extension would be located at the rear of the property and therefore would not be visible along Hockers Lane or from any public views.
- 6.10 The scale of the proposed extension is considered to be subservient to the original property. The depth of the proposed extension is in line with the guidance set out within the Residential Extensions SPD. The proposed flat roof is not in keeping with the roof form of the main dwelling, however considering the single storey nature of the proposal and that it would not be visible from any public views as it is situated at the rear of the property, it is considered on balance, that the proposed single storey rear/side extension would not detrimentally impact the character and appearance of the host dwelling.
- 6.11 The proposed materials would consist of reclaimed stock bricks for the walls, zinc for the roof, and aluminium for the windows and doors. The proposed materials would not match the materials used in the existing property, however considering the proposal is located at the rear of the property, not visible from any public views, it is considered that this would not harm the overall character of the host dwelling.
- 6.12 Concerns have been raised by the Parish Council that the proposal would result in overdevelopment of the site. The dwelling has been extended previously by a first floor extension to the side, single storey rear and side extensions, together with an attached extension to the front of the dwelling (to provide a garage). The proposal would replace an existing single storey rear extension and enlarge the footprint of the extension. The depth of the resultant extension is proposed to be approximately 4m and single storey which is not considered unacceptable in terms of the impact on the host dwelling or the wider countryside. The extension would be to the rear, would not dominate the site nor appear as out of character. The

resultant dwelling as proposed to be extended would not result in the overdevelopment of the site.

Residential Amenity

6.13 Parish Council concerns have been raised that the proposal would be intrusive to the neighbouring properties. The scheme has been amended to remove the proposed balcony, it is now considered that the proposal would not result in harm due to a loss of privacy or overlooking to neighbouring properties, nor would any other significant harm result to neighbouring amenity as discussed below.

6.14 No.141 Hockers Lane

No.141 is the neighbouring property to the north-east of the site. The proposed extension would be approximately 0.2m from the boundary with No.141 and the boundary treatment consist of close-boarded fencing. No.141 is situated approximately 1.6m from the boundary. Considering the roof pitch would slope away from the boundary with No.141, the single storey nature of the proposal and the existing boundary treatment, it is considered that the proposed extension would not adversely affect the residential amenity of No.141 by causing a loss of light or overshadowing.

The proposed extension would not incorporate any new windows on the north-east side elevation, other than a roof light. However, given the roof light would be situated above 1.7m from finish floor level, it is considered that no loss of privacy or overlooking would result. The proposed windows on the rear elevation would look across the rear garden and therefore any views toward No.141 would be oblique, and considering they would be located at ground floor level and considering the existing boundary treatment, they would not impact the residential amenity of No.141 by causing a loss of privacy or overlooking.

6.15 No.145 Hockers Lane

No.145 is the neighbouring property to the south-west of the application site. The proposed extension would be approximately 0.3m from the boundary with No.145. The boundary treatment consists of tall close-boarded fencing. The single storey rear extension has a maximum height of 3m which is in line with the guidance set out within the Residential Extensions SPD. Considering this, the orientation of the site and the existing boundary treatment, it is considered that the proposed extension would not adversely affect the residential amenity of No.145 by causing a loss of light or overshadowing.

There are no windows proposed on the south-west side elevation and the windows proposed on the rear elevation would look across the rear garden and therefore any views toward No.145 would be oblique, and considering they would be located at ground floor level and considering the existing boundary treatment, it is considered that the proposal would not result in a loss of privacy or overlooking towards No.145.

6.16 Overall

The proposals would not result in a significant harm to neighbouring residential amenity that would warrant a refusal. It would be appropriate to secure a condition to restrict the use of the flat roof such that it would not be used as a balcony, veranda or similar, to protect future amenity from overlooking or loss of privacy.

Parking/Highway Safety

- 6.17 The existing parking provisions at the site would remain and the proposal does not add any additional bedrooms to the property. It is therefore considered that the proposal would not impact upon parking at the site or the wider highway network.

Other Matters

- 6.18 Biodiversity/Ecological Enhancements: Due to the nature and relative scale of the development and the existing residential use of the site, it is not considered that any ecological surveys were required.

Policy DM1 of the Local Plan sets out, at point viii, that proposals should '*protect and enhance any on-site biodiversity and geodiversity features where appropriate, or provide mitigation.*' This is in line with the NPPF and advice in the Residential Extensions SPD. Consequently, it is considered that a condition should be attached requiring biodiversity enhancement measures are provided integral to the proposed extensions and within the curtilage of the dwellinghouse.

- 6.19 Renewables: The NPPF, Local Plan and residential extensions SPD all seek to promote the use of renewables and energy/water efficient buildings. The proposals by their nature are fairly modest, such that it would be unreasonable or inappropriate to seek to secure such measures for an extension to the dwelling, due to the minimal increase in footprint proposed. However, energy efficiency can be secured through construction or water efficient for use of measures such as water butts, as such to secure such measure a condition is considered reasonable to ensure that the development incorporates appropriate measures.

PUBLIC SECTOR EQUALITY DUTY

- 6.20 Due regard has been had to the Public Sector Equality Duty, as set out in Section 149 of the Equality Act 2010. It is considered that the application proposals would not undermine objectives of the Duty.

7. CONCLUSION

- 7.01 For the reasons set out above it is considered that the proposed single storey side/rear extension would be acceptable and would not cause significant visual harm, harm to neighbouring amenity nor would it be unacceptable in terms of any other material planning considerations. The proposed developments are considered to be in accordance with current policy and guidance.

8. RECOMMENDATION

GRANT planning permission subject to the following conditions

with delegated powers to the Head of Planning and Development to be able to settle or amend any necessary planning conditions in line with the matters set out in the recommendation and as resolved by the Planning Committee.

CONDITIONS:

- 1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission;

Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.Plans

- 2) The development hereby permitted shall be carried out in accordance with the following approved plans:

Proposed Ground Floor Plan – Drawing No. 1310 - 04 Rev A – Received 09/11/2022

Proposed Site and Block Plan – Drawing No. 1310-010 – Received 25/01/2023

Proposed Elevations – Drawing No. 1310-03 Rev B – Received 25/01/2023

Proposed First Floor Plan – Drawing No. 1310-05 Rev B – Received 25/01/2023

Reason: To clarify which plans have been approved.

- 3) The materials to be used in the development hereby approved shall be as indicated on the approved plans unless otherwise approved.

Reason: To ensure a satisfactory appearance to the development

- 4) The extension/s hereby approved shall not commence above slab level until details of a scheme for the enhancement of biodiversity on the site have been submitted to and approved in writing by the Local Planning Authority. The scheme shall consist of the enhancement of biodiversity through methods into the design and appearance of the extension by means such as swift bricks, bat tubes or bee bricks, and through the provision within the site curtilage such as bird boxes, bat boxes, bug hotels, log piles, wildflower planting and hedgehog corridors. The development shall be implemented in accordance with the approved details prior to first use of the extension/s and all features shall be retained and maintained thereafter.

Reason: To enhance the ecology and biodiversity on the site in the future.

- 5) The development shall not commence above slab level until details of how the proposal hereby approved shall be constructed to secure the optimum energy and water efficiency of the extension/building have been submitted to and approved in writing by the local planning authority. The approved details shall be installed prior to first use and retained and maintained thereafter; The details shall demonstrate that consideration has been given to incorporating small scale renewable energy generation options have been considered first and shall only be discounted for reasons of amenity, sensitivity of the environment or economies of scale, installing new energy efficient products, such as insulation, energy efficient boilers, low energy lighting shall be considered as a secondary option if the use of renewables has been demonstrated to not be appropriate.

Reason: To ensure an energy efficient form of development.

- 6) The flat roof area of single storey rear extension hereby permitted shall not be used as a veranda, balcony, roof garden or similar amenity area. Furthermore, no balustrades, railings or other means of enclosure shall be erected and access to this flat roof area shall be restricted solely for the purpose of future maintenance of the extension/dwelling and for no other purpose.

Reason : To protect neighbouring amenity

INFORMATIVES

- 1) It is the responsibility of the developer to ensure, before the development hereby approved is commenced, that approval under the Building Regulations (where required) and any other necessary approvals have been obtained, and that the

details shown on the plans hereby approved agree in every aspect with those approved under such legislation.

- 2) The grant of this permission does not convey any rights of encroachment over the boundary with the adjacent property in terms of foundations, eaves, guttering or external cladding, and any persons wishing to implement this permission should satisfy themselves fully in this respect. Regard should also be had to the provisions of the Neighbour Encroachment and Party Wall Act 1995 which may apply to the project.

Case Officer: Chloe Berkhauer-Smith

NB For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council's website.