

REPORT SUMMARY

REFERENCE NO: - 23/500671/FULL		
APPLICATION PROPOSAL: Erection of a single-storey rear and a two-storey side extension including a new vehicle crossover.		
ADDRESS: 24 Meadow View Road, Boughton Monchelsea, Maidstone, Kent, ME17 4LJ		
RECOMMENDATION: GRANT PLANNING PERMISSION subject to the planning conditions set out in Section 8.0 of the report		
SUMMARY OF REASONS FOR RECOMMENDATION: For the reasons set out below it is considered that the proposed development would be acceptable and would not cause significant visual harm, harm to neighbouring amenity or highway safety nor be unacceptable in terms of any other material planning considerations such that the proposed development is considered to be in accordance with current Development Plan Policy and planning guidance.		
REASON FOR REFERRAL TO COMMITTEE: The application has been called in by Boughton Monchelsea Parish Council by reason of the recommendation being contrary to their comments (see report below for reasons).		
WARD: Boughton Monchelsea And Chart Sutton	PARISH/TOWN COUNCIL: Boughton Monchelsea	APPLICANT: Mr Josh Head AGENT: Keith R Hammond Ltd
CASE OFFICER: Angela Welsford	VALIDATION DATE: 16/02/23	DECISION DUE DATE: 30/06/23
ADVERTISED AS A DEPARTURE: NO		

Relevant Planning History

22/503878/PNEXT

Prior notification for a proposed single storey rear extension which: A) Extends by 4.4 metres beyond the rear wall of the original dwelling. B) Has a maximum height of 3.7 metres from the natural ground level. C) Has a height of 2.4 metres at the eaves from the natural ground level.

Prior Approval Granted 14.09.2022 (*Not yet implemented*)

71/0230/MK3

Erection of porch.

Approved 25.06.1971

MAIN REPORT

1. DESCRIPTION OF SITE

- 1.01 The application site is a semi-detached, two-storey dwelling located in a cul-de-sac on Meadow View Road, within the village settlement boundary of Boughton Monchelsea. The majority of properties surrounding the application site are of a similar scale, with many benefiting from front, side and rear extensions.
- 1.02 The area is identified as having the potential for discovery of archaeological remains.

2. PROPOSAL

- 2.01 The application seeks permission to extend the existing dwelling by way of a two-storey side extension and single-storey rear extension. Matching materials are proposed.
- 2.02 The two-storey side extension would be built partially above the existing garage and partially behind it. The front building line of its first floor would be stepped back 1m from the front building line of the host dwelling, which would mean the extension ridge line would be dropped down approximately 0.5m below the main ridge line. The extension would protrude approximately 2.3m from the existing flank wall. Its first floor would not be built right up to the common side boundary with the non-attached neighbouring dwelling. This would allow a 3m gap to remain between the roof verges and a slightly larger gap wall to wall at first floor level.
- 2.03 The single-storey extension would protrude 4.4m from the original rear wall of the dwelling and would run right across the rear elevation of both the existing house and the proposed two-storey side extension. It would have a shallow-pitched, lean-to style roof with eaves approximately 2.4m and a maximum height of 3.7m.
- 2.04 The part of the single-storey extension that would be built behind the existing dwelling is the same as that granted Prior Approval under 22/503878/PNEXT and has mistakenly been shown on the 'Existing' drawings as being in existence even though it has not been built out yet. However, it is considered that this does not prejudice determination of the application in any way because the description does clearly refer to a single-storey rear extension in any case, without making any reference to its size. Moreover, it is quite plain from an inspection of the site that that extension does not yet exist and as it is clearly shown on the proposed plans and elevations as an integral part of the resulting development, the occupiers of adjoining properties can be in no doubt as to what is proposed.
- 2.05 The proposal also includes a new vehicle crossover to extend the existing dropped kerb and so enable parking in front of the dwelling as well as on the existing driveway. However, as Meadow View Road is not a classified road, that does not require planning permission.

3. POLICY AND OTHER CONSIDERATIONS

Maidstone Borough Local Plan (2011-2031): Policies DM1, DM9, DM23

Emerging Policies: Maidstone Borough Council – Local Plan Review Regulation 22 Submission. The Regulation 22 Submission comprises the draft plan for submission (Regulation 19) dated October 2021, the representations and the proposed main modifications. It is a material consideration and some weight must be attached to the document because of the stage it has reached. This weight is limited, as it has yet to be the subject of an examination in public.

Policy LPRSP15 – Principles of Good Design

LPRHou 2 – Residential extensions, conversions, annexes and redevelopment in the built-up areas

Policy LPRTRA4 - Parking Matters

Neighbourhood Plan: Boughton Monchelsea Neighbourhood Development Plan - Policies PWP7, PWP8, PWP12

The National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

Supplementary Planning Documents: Residential Extensions SPD (adopted May 2009)

4. LOCAL REPRESENTATIONS

Local Residents: No representations received from local residents.

5. CONSULTATIONS

Boughton Monchelsea Parish Council

5.01 Response to original proposal:

"The Parish Council wish to see the application refused for the following planning reasons. If MBC are minded to approve it then the application should be reported to planning committee for decision.

- The two storey side extension would create a terracing effect in a row of semi-detached houses, contrary to policy DM9 of the adopted MBC Local Plan and the adopted Residential Extensions SPD and would result in an incongruous form of development which is harmful to the character and appearance of the street scene
- If this proposal were approved then it would take away the right of the neighbour to do a similar extension. MBC's adopted Residential Extensions SPD makes it clear that the pattern of gaps between the properties in a street scene should be maintained and that 'there should normally be a minimum gap of 3 metres between side wall of the two-storey side extension and the adjoining property for the full height of the extension'
- Constructing and maintaining the proposal would not be possible without access onto neighbouring property [*Officer comment: This would be a civil issue between the parties; it is not covered by planning legislation and is not therefore a material planning consideration.*]
- The single storey rear extension substantially increases the footprint of the property"

Response to amended proposal:

"The Parish Council's original objections still stand. We wish to see the application refused and if the officer is minded to approve it, reported to planning committee for decision."

KCC Archaeological Advisor

5.02 No response to consultation.

6. APPRAISAL

The key issues are:

- Visual impact
- Impact on residential amenity

Principle of Development/Policy Context

6.01 Policy DM1 sets out the principles of good design. In particular, proposals should respond positively to local character and particular regard should be paid to scale, height, materials, detailing mass and bulk.

- 6.02 More specifically, Policy DM9 sets out the criteria for domestic extensions within built up areas. It states that proposals should be permitted if:
- i. *"The scale, height, form, appearance and siting of the proposal would fit unobtrusively with the existing building where retained and the character of the street scene and/or its context;*
 - ii. *The traditional boundary treatment of an area would be retained and, where feasible, reinforced;*
 - iii. *The privacy, daylight, sunlight and maintenance of a pleasant outlook of adjoining residents would be safeguarded; and*
 - iv. *Sufficient parking would be provided within the curtilage of the dwelling without diminishing the character of the street scene."*
- 6.03 The Supplementary Planning Document Residential Extensions (2009) provides further guidance which includes (points summarised):
- Extensions should respond sensitively to the positive features of the area which contribute to the local distinctive character and sense of place in terms of scale, proportion and height. It is also desirable that the form, proportions, symmetry and detail of the original building should be respected. The scale, proportion and height of an extension should not dominate the original building, should be subservient to the original house and should fit unobtrusively with the building and its setting. The form of an extension should be well proportioned and present a satisfactory composition with the house (paragraphs 4.37 – 4.42).
 - The infilling of spaces between detached and semi-detached dwellings with two-storey extensions could create a terraced appearance at odds with the rhythm of the street scene. Where there is a pattern of gaps, as a guide a minimum gap of 3m should be retained between the side wall of an extension and the that of the adjoining property. A side extension built flush with the front elevation of the existing house may also affect the symmetry of a semi-detached pair with adverse impact on the street scene, so a side extension should be subordinated to the original building (paragraphs 4.16, 4.17 & 4.18).
 - Extensions should respect the amenities of adjoining properties in terms of privacy, daylight and sunlight and should maintain an acceptable outlook from a neighbouring property (paragraphs 4.70 – 4.79).
- 6.04 The Boughton Monchelsea Neighbourhood Development Plan contains a number of parish-wide policies of relevance:
- PWP8 – development should incorporate energy efficiency/renewable energy measures;
- PWP12 - all new development should incorporate measures to maintain and improve biodiversity.
- 6.05 The application site is situated in a sustainable location within the Boughton Monchelsea Larger Village Settlement Boundary and as such, the principle of development in this location is considered acceptable subject to the material planning considerations discussed below.
- Visual Impact**
- 6.06 Looking first at the impact on the host dwelling, the design of the two-storey side extension incorporates measures from the design guidance in the adopted Residential Extensions SPD to subordinate it to the host building. It would be stepped back 1m from the front building line of the host dwelling and its ridge line

would therefore be dropped down approximately 0.5m below the main ridge line. At only 2.3m wide, its proportions are considered acceptable and would be clearly less than half the width of the host dwelling. It would therefore appear subservient and fit unobtrusively with the host property. The use of matching materials would give a sympathetic finish and help the development to blend with the host building.

- 6.07 The single-storey extension would appear subordinate because of its significantly lower height and its position behind the host dwelling. These factors would offset the increase in footprint. It should also be remembered that the part of the single-storey extension that would be positioned behind the existing dwelling could already be built in any case, as it has been granted Prior Approval under reference 22/503878/PNEXT. This accounts for more than two-thirds of the footprint of the single-storey extension now proposed.
- 6.08 Turning to the impact on the street-scene, the proposed side extension would significantly narrow the gap at first floor level between the host property and the next door property No.26, however, the submitted drawings demonstrate that a gap of 3m would remain between the roof verges and a slightly larger gap would remain wall to wall at first floor level. This complies with the design guidance in the adopted Residential Extensions SPD, which states that the pattern of gaps between the properties in a street scene should be maintained and that *"there should normally be a minimum gap of 3 metres between the side wall of the two-storey side extension and the adjoining property."* As such, it is considered that an adequate gap would remain between the properties at first floor level to prevent a terracing effect. The proposed extension would meet the requirements set out in the adopted SPD, and thereby those of Local Plan Policy DM9 with regard to visual impact, and is not considered to be harmful to the character or appearance of the street-scene.
- 6.09 Furthermore, it is considered that the development would not be out of keeping or incongruous to its surroundings. Meadow View Road is predominately made up of two storey semi-detached dwellings of a similar design to the application property and chalet-style bungalows of a similar period. The site visit showed that a number of properties both in the immediate vicinity and in the surrounding estate have had two-storey side extensions, including some that appear to extend close to the property boundary and some that are not subordinated. Whilst three properties in the same cul-de-sac as the application site have had such extensions, all three of those are 'end' properties without another house directly beside them. However, 10 Meadow View Road is an 'in line' property of the same design, located just seven doors away, which has a two-storey side extension that was recently granted on appeal (20/505546/FULL). Whilst each case must always be decided on its own merits, it is considered that there are a number of strong similarities between that case and the current application in terms of the design and situation of the host dwelling and its juxtaposition with the neighbour, the scale and design of the proposed two-storey side extension, the key issue being visual impact and the relevant planning policies. As such, it is considered that the Planning Inspector's findings and granting of that permission are material considerations in the determination of the current application. A particularly pertinent point is that, in that case, the retained gap was only 2.9m and not the 3-3.2m (approx.) currently proposed. Another is that the current proposal incorporates a greater degree of set-back of the front elevation and lowering of the ridge than the scheme granted on appeal, so the current extension would be proportionally smaller and more subordinate. The Planning Inspector concluded that the development now constructed at 10 Meadow View Road would not harm the character or appearance of the host property or the street scene, and it is considered that the two-storey side extension now proposed at No.24 would not do so either.
- 6.10 Boughton Monchelsea Parish Council has raised concern that if this proposal were to be approved, it would take away the right of the neighbour to do a similar

extension because to do so would result in a terracing effect. The Planning Inspector also considered this point in relation to the appeal extension at No.10 and concluded that "*While I recognise that such a scenario might not appear fair, I must determine the appeal on the basis of the information before me. I have no substantive information about the prospect, timing and nature of any proposal to extend No.8 and therefore I cannot attach any significant weight to this consideration*". Since that appeal decision is a material consideration, the same approach should be applied to the current application and as there is no substantive information about the prospect, timing and nature of any proposal for a two-storey side extension to No.26, it is considered that no significant weight can be attached to this consideration.

- 6.11 The proposed single-storey rear extension would not affect the street-scene.
- 6.12 It is therefore concluded that the proposed development would not harm the character or form of the host dwelling or the character or appearance of the street-scene.

Residential Amenity

22 Meadow View Road

- 6.13 This is the attached house and is positioned to the west. It has patio doors on the ground floor rear elevation closest to the common boundary. These are understood to serve a habitable room.
- 6.14 The proposed single-storey rear extension would fail the 45° BRE loss of light test described in the adopted SPD in relation to the neighbour's patio doors, however, given that that part of the proposal can already be constructed as it has been granted Prior Approval (21/503878/PNEXT), it is not considered that this is a sustainable ground of refusal. Overall, taking account of the orientation, the roof design and the permitted development fall-back position, the impact of a rear extension of the proposed depth and height on the levels of light and outlook enjoyed by this neighbour was previously judged to be acceptable and there are not considered to be any grounds to reach a different conclusion now.
- 6.15 The two-storey side extension would not affect this neighbour as it would be screened by the existing house.
- 6.16 No new openings are proposed in a position to cause a harmful loss of privacy to this neighbour.

26 Meadow View Road

- 6.17 This is the non-attached house and is positioned to the east. It has a single-storey side/rear extension set in approximately a door's width from the common boundary. This extension has a door and what appears to be a secondary window in its flank elevation facing the application site (main window faces rearwards). There is also a first floor flank window on the original part of the dwelling, which is understood to serve a non-habitable room.
- 6.18 The proposed extensions would run in direct line of sight of the side-facing openings at No.26, and in close proximity to those in its single-storey extension. However, none of those openings appear to be primary openings to habitable rooms and no objections have been received from this neighbour indicating otherwise. In these circumstances, it is not considered that the proposal could be judged to have a sufficiently harmful impact on levels of light and outlook such that a refusal of planning permission is justified, even though the impact on those particular openings themselves is likely to be significant.

- 6.19 Again, it is not considered that the proposal would create any significantly harmful new views over this property.

Other Matters

- 6.20 As pointed out in section 2.05, the proposed new vehicle crossover to extend the existing dropped kerb does not require planning permission. There are not considered to be any other highways impacts associated with this proposal.
- 6.21 The site is in an area identified as having the potential for discovery of archaeological remains, however, in the absence of advice from the County Archaeological Advisor and taking account of the relatively limited groundworks proposed (much of which can already be carried out under the granted Prior Approval 22/503878/PNEXT), it is not considered that a condition requiring archaeological mitigation measures is justified.
- 6.22 There are no significant trees that will be detrimentally impacted by this development.
- 6.23 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.*' Due to the nature and relative scale of the proposal and the existing residential use of the site, it is not considered appropriate/necessary to require any ecological surveys. However, both the NPPF and the NDP encourage the enhancement of biodiversity in the interests of sustainable development and consequently, it is considered appropriate to attach a condition requesting that some form of on-site enhancement is provided. This should be provided both on the extended dwelling and within the curtilage.
- 6.24 The NPPF, Local Plan, NDP and Residential Extensions SPD all seek to promote the use of renewables and energy efficient buildings. This matter has been discussed with the applicant, who has expressed a willingness to accept a condition securing a small-scale renewable energy installation as part of the development (such as solar panels on the single-storey extension roof and/or provision of an electric vehicle charging point). It is considered that a condition securing a small-scale renewable energy installation would not be unreasonable to offset the environmental impact of the building works and the resultant larger building.

PUBLIC SECTOR EQUALITY DUTY

- 6.25 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 development would be acceptable and would not cause significant visual harm, harm to neighbouring amenity or highway safety nor be unacceptable in terms of any other material planning considerations such that the proposed development is considered to be in accordance with current Development Plan Policy and planning guidance. Subject to appropriate conditions, therefore, approval is recommended

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

Site location plan and drawing number 290722/07 received on 06/02/2023, and drawing numbers 290722/01 Rev B, 290722/02 Rev B, 290722/03 Rev B, 290722/04 Rev B and 290722/06 Rev B received on 17/04/2023;

Reason: To clarify which plans have been approved.
- 3) The materials to be used in construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Reason: To ensure a satisfactory appearance to the development.
- 4) The development shall not proceed above damp-proof course 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 integrated 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 extensions 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 proceed above damp-proof course level until details of how decentralised and renewable or low-carbon sources of energy will be incorporated into the development, have been submitted to and approved in writing by the local planning authority. The approved details shall be installed prior to first occupation of the development and shall be retained and maintained thereafter;

Reason: To ensure an energy efficient form of development. Details are required prior to commencement as these methods may impact or influence the overall appearance of development.

INFORMATIVES

- 1) Details pursuant to Condition 4 should show, on a scaled drawing, the type and number of the proposed ecological enhancements as well as their intended positions, including, where appropriate, the height above ground level to demonstrate that this would be appropriate for the species for which it is intended. Any bird boxes should face north or east and bat boxes and bee bricks should face south. Where planting is proposed, please also supply details of the

number of plants of each species as well as the intended size on planting (eg: pot size in litres). Some helpful advice may be found at:

<https://www.rhs.org.uk/science/conservation-biodiversity/wildlife/plants-for-pollinators>

<https://www.rspb.org.uk/birds-and-wildlife/advice/how-you-can-help-birds/>

<https://www.bats.org.uk/our-work/buildings-planning-and-development/bat-boxes>

<https://www.wildlifetrusts.org/actions/how-build-hedgehog-home>

<https://www.woodlandtrust.org.uk/blog/2019/09/how-to-build-a-bug-hotel/>

- 2) 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.
- 3) Planning permission does not convey any approval for construction of the vehicular crossing, or any other works within the highway, for which a statutory licence must be obtained separately. Applicants should contact Kent County Council Highways (www.kent.gov.uk or 03000 41 81 81) for further information.
- 4) 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.
- 5) Your attention is drawn to the following working practices which should be met in carrying out the development:
 - Your attention is drawn to Sections 60 & 61 of the COPA 1974 and to the Associated British Standard COP BS 5228: 2009 for noise control on construction sites. Statutory requirements are laid down for control of noise during works of construction and demolition: if necessary you should contact the Council's environmental health department regarding noise control requirements.
 - Clearance and burning of existing woodland or rubbish must be carried without nuisance from smoke etc. to nearby residential properties. Advice on minimising any potential nuisance is available from the Council's environmental health department.
 - Plant and machinery used for demolition and construction should only be operated within the application site between 0800 hours and 1900 hours on Mondays to Fridays and between 0800 hours and 1300 hours on Saturdays and at no time on Sunday and Bank Holidays.
 - Vehicles in connection with the construction of the development should only arrive, depart, be loaded or unloaded within the general site between the hours of 0800 hours and 1900 Mondays to Fridays and 0800 to 1300 hours on Saturdays and at no time on Sundays and Bank Holidays.
 - The importance of notifying local residents in advance of any unavoidably noisy operations, particularly when these are to take place outside the normal

working hours is advisable. Where possible, the developer shall provide residents with a name of a person and maintain dedicated telephone number to deal with any noise complaints or queries about the work.

- Adequate and suitable provision in the form of water sprays should be used to reduce dust from the site.
- It is recommended that the developer produces a Site Waste Management Plan in order to reduce the volumes of waste produced, increase recycling potential and divert materials from landfill. This best practice has been demonstrated to both increase the sustainability of a project and maximise profits by reducing the cost of waste disposal.
- Adequate and suitable measures should be carried out for the minimisation of asbestos fibres during demolition, so as to prevent airborne fibres from affecting workers carrying out the work, and nearby properties. Only contractors licensed by the Health and Safety Executive should be employed.

If relevant, the applicant must consult the Environmental Health Manager regarding an Environmental Permit under the Environmental Protection Act 1990.

Case Officer: Angela Welsford

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