

REPORT SUMMARY

REFERENCE NUMBER: 23/505768/FULL		
APPLICATION PROPOSAL: Erection of a first-floor side extension and alterations to the roof of existing two storey rear extension.		
ADDRESS: 67 Robins Close Lenham Kent ME17 2LE		
RECOMMENDATION: GRANT PLANNING PERMISSION subject to conditions.		
SUMMARY OF REASONS FOR RECOMMENDATION: The proposed development is acceptable regarding the relevant provisions of the Development Plan, Residential Extensions SPD, the NPPF and all other material considerations such as are relevant.		
REASON FOR REFERRAL TO COMMITTEE: This application was called-in by the Lenham Parish Council for the reasons in section 4 of this report.		
WARD: Harrietsham And Lenham	PARISH/TOWN COUNCIL: Lenham	APPLICANT: Mr Craig Sharp AGENT: Kent Design Studio Ltd
CASE OFFICER: Gautham Jayakumar	VALIDATION DATE: 02/01/24	DECISION DUE DATE: 25/04/24
ADVERTISED AS A DEPARTURE: No		

Relevant Planning History

15/508193/FULL

Erection of single storey side extension with insertion of rooflights, porch roof extension, removal of chimney and erection of two storey rear extension.
Approved 12.02.2016

23/504690/FULL

Erection of proposed front and rear single storey extension.
Approved 18.12.2023

79/2172

Porch over front entrance
Approved 08.02.1980

82/0944

Single storey extension on rear, as validated on the 15/07/82 and also by the agent's letter dated 13/07/82.
Approved 27.07.1982

79/1726

Porch
Withdrawn 29.10.1979

81/0902

Garage
Approved 13.07.1981

MAIN REPORT

1. DESCRIPTION OF SITE

- 1.01 67 Robins Close is a semi-detached two-storey dwelling located within the Lenham Settlement Boundary. The property sits among a cluster of semi-detached dwellings to the west of Robins Close which runs parallel to Lenham High Street.
- 1.02 The application property and its adjoining pair are set further forward than the neighbouring properties to their north. The land opposite the application site is public amenity land with mature trees. The streetscene is regular with a pattern of semi-detached houses spaced with similar gaps at the first-floor level. The land within which these properties lie is fairly flat.
- 1.03 The application site is within the Lenham Neighbourhood Plan Area and is subject to the Lenham Neighbourhood Plan (2017-2031). The application site is significantly away from the Lenham Conservation Area, there are no other land designations relating to the site. There are no listed buildings or TPO's within the vicinity of the application site.

2. PROPOSAL

- 2.01 This property has been previously extended following the grant of planning application 15/508193/FULL for a single storey side extension with insertion of rooflights, porch roof extension and erection of two storey rear extension, and recently planning permission was obtained for a front and rear single storey extension under 23/504690/FULL.
- 2.02 The proposal relates to the erection of a first-floor side extension above the previously approved single storey side extension under 15/508193/FULL and alterations to the roof of existing two storey rear extension which was erected under the same application.
- 2.03 The proposed first floor side extension would have the same width as the existing ground floor side extension below it at approx. 1.8m and length spanning approx. 9.7m with the front wall set slightly behind the principal elevation of the original dwelling by approx. 0.3m. The proposed side extension would have a lean-to roof similar to the existing single storey side extension at a height of approx. 4.8m above ground level for the eaves and 6.4m above ground level for the ridge. The ridge of this extension would be set below the main ridge of the dwelling by approx. 1.36m. The roof of the proposed first floor side extension at this ridge height would continue along the side elevation of the dwelling for a span of approx. 3.7m. The remaining length of the extension would have a roof that increases in height by approx. 0.73m for a span of approx. 2.8m and merge with the existing two storey rear extension to form a bulkier extension at the rear.
- 2.04 The proposed roof alteration would change the form of the roof of the existing two storey rear extension from fully pitched to semi-pitched with a flat roofed portion spanning a width of approx. 2.1m at the rear. This would lead to an increase of volume of the existing roof of the two-storey rear extension. The eaves height of the roof at the rear and side would match the existing eaves height of the main roof of the dwelling.
- 2.05 The proposed first floor side extension comprises a window at the front which would match the existing front facing window on the ground floor. No windows or rooflights are proposed to the side elevation and rear elevation of the proposed extensions.

3. POLICY AND OTHER CONSIDERATIONS

Maidstone Borough Local Plan 2017:
Policies DM1, DM9.

Neighbourhood Plan: Lenham
The National Planning Policy Framework (NPPF):
National Planning Practice Guidance (NPPG):
Supplementary Planning Documents: Residential Extensions SPD 2009

The Regulation 22 Local Plan Review: The Maidstone Borough Local Plan Review was adopted by the Council on the 20 March 2024. It is highlighted that LPR polices now have 'substantial' weight (but not 'full' weight) in the 6 week Judicial Review period following adoption (ending 1 May 2024). The relevant Maidstone Borough Local Plan Review (March 2024) polices are as follows:

Policy LPRSP15 – Principles of Good Design
Policy LPRHOU 2 - Residential extensions, conversions, annexes and redevelopment in the built-up area.

4. LOCAL REPRESENTATIONS

Local Residents:

4.01 5 Neighbours were consulted. No objections were received.

Parish Council

4.02 Lenham Parish Council was consulted and did not object or support the application instead made the following comments on the application:

1. The previously approved allocation for an extension to this property (23/504690/FULL | Validated: Tue 24 Oct 2023 | Status: Decided - approved) has yet to be built.

2. The block plan for this application is confusing and was clearly drawn up (by the same architects as 23/504690) to encompass both applications - the parish council wishes to note that if the sum total of both the previous application and this current application were submitted as one, that enlargement of the home would probably exceed the permitted development footprint. The parish council wished to record that it feels this is a blatant example of "salami slicing".

3. If approved this additional application would severely impact on the existing street scene by delivering a rather over dominant development in what is currently an impression of terracing of semi-detached dwellings.

4. The proximity of this application to the neighbouring property might preclude the owner of that property from undertaking an extension should that be required in the future.

The Parish Council later confirmed that they wished to call-in this application to planning committee on email dated 01.03.2024.

Officer comments: The development would not be assessed under permitted development rights as the applicant has applied for a planning application and not a lawful development certificate, as such, the comments from Parish Council regarding the enlargement exceeding the permitted development footprint is not relevant to this application.

The proposed extensions precluding the owner of the neighbouring property from undertaking a two-storey side extension is not a planning consideration. Applications are considered in these regards on a first-come-first-served basis, as such, the application cannot be appraised on the grounds of precluding the

neighbour from undertaking their own extensions at a later stage. Each application must be assessed on its own merits.

5. CONSULTATIONS

No external consultations were made

6. APPRAISAL

6.01 The key issues are:

- Site background/Principles of Development/Policy Context
- Residential Amenity
- Visual Impact
- Parking/Highway Safety
- Other Matters

Site Background/Principle of Development/Policy Context

6.02 67 Robins Close is a two-storey semi-detached dwelling which has previously been extended following permission granted under application 15/508193/FULL for a single storey side extension, porch roof extension and two storey rear extension. The property has recently been granted planning permission for the erection of a single storey rear extension under 23/504690/FULL which has not yet been implemented.

6.03 The current proposal seeks to add an additional floor above the existing single storey side extension granted under 15/508193/FULL and the alteration to increase the width of the roof of the two-storey rear extension constructed under the same application. The assessment of this application will consider the cumulative impact of the implemented extensions under 15/508193/FULL and the new permission under 23/504690/FULL. The cumulative bulk and mass of the proposed extensions along with the previously approved extensions would become a substantial addition to the original dwelling; however, policy does not set out any limits to extensions to dwellings within settlement boundaries, instead proposals are judged on the impact on neighbouring residential amenity, visual amenity and other material considerations. In relation to the proposed development, the following policies are considered:

6.04 The application site is located within the Lenham settlement boundary, as such, the acceptability of the proposal is judged in accordance with the criteria set out in policies DM1 and DM9 of the Local Plan.

6.05 Policy DM9 of the Local Plan allows for residential extensions provided that:

- 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.

- 6.06 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.
- 6.07 The Residential Extensions SPD in relation to the proposal sets out the following:

Scale and Form

The scale and form of an extension are important factors in achieving a successful design. The extension 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.

An extension should not dominate the original building or the locality, and should be subservient to the original dwelling.

A range of devices are available to subordinate an extension such as setbacks, lower roofs, changes in materials or detailing.

The form of an extension should be well proportioned and present a satisfactory composition with the existing property. The respective forms of the existing property and extension should be in harmony; their combination not discordant.

Side Extensions

When the proposal is for a two-storey extension, the loss of space will be more apparent. In a street of traditional detached and semi-detached houses, the infilling of the spaces between with two-storey extensions could create a terraced appearance at odds with the rhythm of the street scene when the gaps, often with associated landscaping or allowing longer views, are important elements. A side extension built flush with the existing front elevation of the house may also affect the symmetry of a pair of semi-detached properties with adverse impact on the street scene.

Where there is a pattern of gaps between properties within a street, as a guide, a minimum of 3 metres between the side wall of a two storey side extension and the adjoining property for the full height of the extension is normally desirable. This will allow a pattern and rhythm of gaps in the street. This gap may need to be wider depending on the context. A side extension should be subordinate to the original building.

The use of, for example, a set back from the front elevation of the original house and lower roof can assist in assimilating the development where it is desirable that the form, proportions or symmetry of the original building are respected.

Rear Extensions

The scale and form of an extension should fit unobtrusively with the building and its setting and be compatible with the surrounding properties.

An extension should not dominate the original building or the locality, and should be subservient to the original dwelling.

Extensions should not cause significant harm to the amenity of adjoining occupiers.

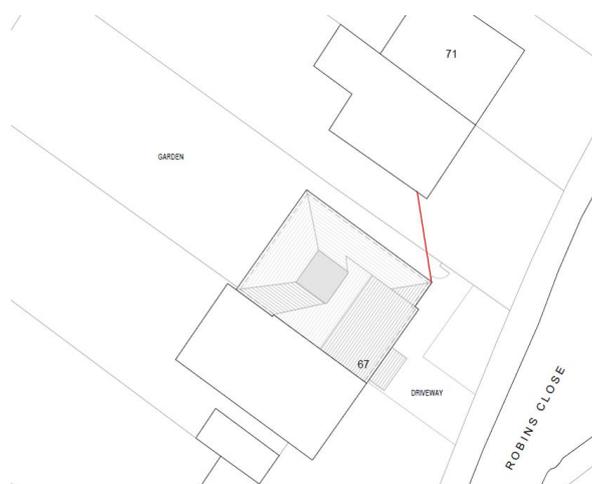
An extension should not cause any significant loss of daylight or the cutting out of sunlight for a significant part of the day to principal rooms (including lounge, dining room, kitchen and bedrooms) in neighbouring properties or private amenity space.

- 6.08 The principle of extensions to existing dwellings within the urban settlement boundary is acceptable provided that they accord with the policies above. In order to understand the acceptability of the current proposal, an assessment is made on its impact on neighbouring residential amenity, visual amenity, parking and other material considerations.

Residential Amenity

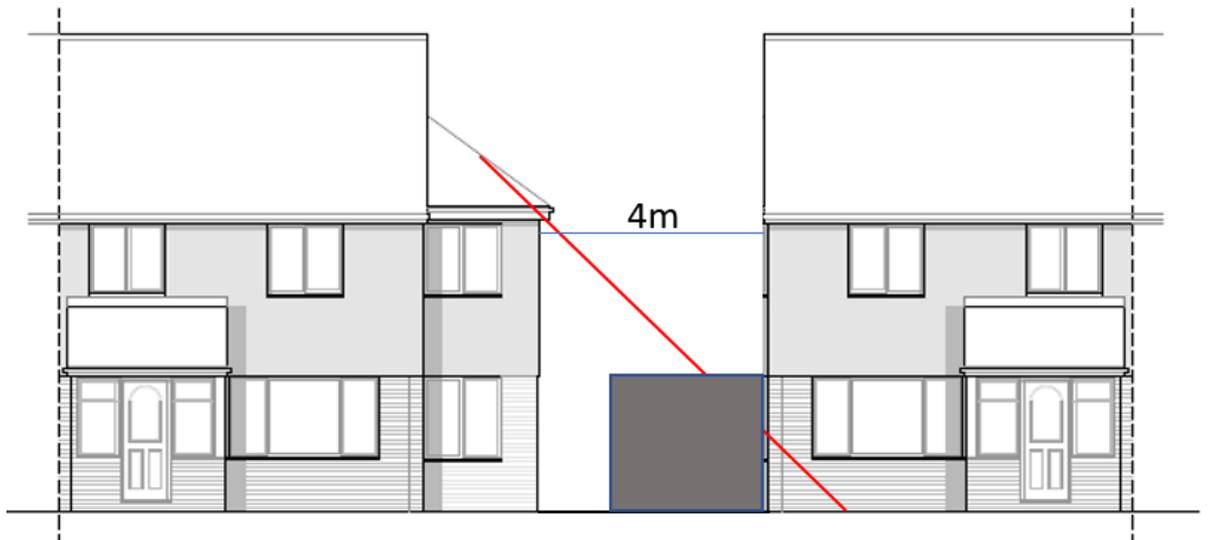
- 6.09 Regarding the impact of the proposal on the neighbouring residential amenity, the main considerations are its impact on the adjoining neighbour to the south of the application site at no.65 Robins Close and the adjacent neighbour to the north of the application site at no. 69 Robins Close.
- 6.10 When assessing the impact of the proposal on no. 65, the impact would almost be negligible as the development would be predominantly to the north elevation of the application property, as such, the existing dwelling would screen the proposed extensions from no. 65. Therefore, the proposal would not be overbearing, cause loss of light, outlook or privacy to the present and future occupants of no.65 Robins Close. No objections have been received from this property.
- 6.11 Contrary to the above, the property at no.69 Robins Close would be closest to the proposed extensions. Due to the existing relationship between no.69 and the application property in terms of siting, the existing rear elevation of no.69 is significantly further forward than the existing two storey rear extension to the application property. As the proposed side extension would not project further than the depth of the existing two storey extension, it would be at similar distance from the rear elevation of the property at no. 69. Therefore, the proposal would not cause any negative impact in terms of loss of light, outlook or be overbearing on no.71 when viewed from the rear elevation or private amenity area of this property.
- 6.12 The proposed first-floor side extension would, however, project further than the front elevation of property at no.69 due to the nature of the original dwelling at the application site being placed ahead of the property at no.69. The main considerations in relation to the impact of the proposal from the front windows of no.69 would be whether it would cause loss of light, loss of outlook or be unduly overbearing.
- 6.13 In assessing loss of light to the front windows at no.69, the 45-degree BRE Light Test was carried out and the following results were computed:

Plan test:



The proposal passes the plan test

Elevation test:



The proposal passes the elevation test

- 6.14 As the application property is to the south of the neighbouring property at no.69, further assessment was carried out to identify the shadow path of the proposed development and it was found that the shadow falling from the proposed extension onto no. 69 would be lower than the shadow cast by the roof of the existing dwelling (Image 1).



Image 1: Indicative image showing assessment of shadow cast by the proposed side extension onto no.69 Robins Close

- 6.15 Considering all of the above assessments, I am satisfied that the proposal would not cause significant loss of light or overshadow the property at no.69 Robins Close.

- 6.16 Similarly, due to the distance from the front window of no.69 being more than 4m away from the side wall of the proposed first floor side extension and the depth of the extension being approx. 3.3m from the front elevation of no.69, no loss of outlook would result to the present and future occupiers of no.69 Robins Close from the front window of this property due to the proposed extension. For similar reasons, the proposal would not be unduly overbearing on no.69.
- 6.17 Additionally, the proposal does not include any windows on the side facing no.69 Robins Close, the windows proposed would be to the front, overlooking the parking area and the street of Robins Close. As such, no loss of privacy would arise from the proposed development. Again, no objections have been received.
- 6.18 Overall, I am satisfied that the proposal would not be detrimental to the neighbouring residential amenity of the neighbouring properties at no.65 and no.69 Robins Close. All other properties are a significant distance away to be unaffected by the proposal.

Visual Impact

- 6.19 When assessing the visual impact of the proposal, the impact of the proposed extensions on the character of the existing dwelling and streetscene are the main considerations.
- 6.20 The proposed extensions by virtue of its additional bulk and massing would appear as a substantial addition to the existing dwelling. The cumulative impact of the proposed extensions with the existing extensions and recently approved extensions would significantly increase the volume of the existing dwelling. However, as there is no particular limit to increase of volume to a residential property within the settlement boundary, the impact of the proposal on the character of the existing dwelling and comparison of the proposed extensions as a cumulative is assessed (Image 2) to determine whether the harm caused would erode the original character of the dwelling.



Image 2: Bulk comparison between the original dwelling and cumulative of the proposed extensions with the existing and previously approved extensions.

- 6.21 From the image above, it can be noted that the increase in visual bulk to the front and rear of the original dwelling are minimal; the majority of visual bulk lies to the side elevations of the dwelling. Overall, the proposed additional side extension would be subservient when viewed from the street scene, as it would be very narrow with a much lower ridge height. Considering this, the proposal would not be substantial enough to cause significant harm to the character of the original dwelling. Another factor to consider is the design principles of the proposed extensions; from my assessment and as shown in the image above, it is clear that the proposed extensions would pose similarities to the design principles of the existing dwelling and its form would not be discordant with the main dwelling. It is understood that the current proposal would alter the roof form at the rear to contain a portion which is flat roofed; however, considering its dimensions, height and siting to the rear, it would not be detrimental to the character of the main dwelling and would not be widely visible.
- 6.22 As a result of the 15/508193/FULL permission, the original garage was removed and a single storey side extension was erected with a depth lesser than the garage which it replaced equating to approx. 1.8m. This increased the gap between the property at no. 69 and the application property at the ground floor level. The streetscene to the west of Robins Close is comprised of semi-detached properties predominantly with attached garages at the ground floor adjoined to the neighbouring property creating a similar gap at the first-floor level. The properties at no.69 and the application site currently have a different relationship than the other properties within this streetscene due to the existing single storey side extension. Considering that the first-floor side extension would only have a depth of approx. 1.8m, there would be sufficient gap between the side wall of the proposed extension and the side wall of no.69. Having measured this gap, it was identified to be more than 3m at approx. 4m. Therefore, considering the context of the development, the openness of the streetscene would be maintained by the proposal and **no terracing effect** would occur.
- 6.23 Due to the gap that exists between no.69 and the application property, the bulk of the proposed first-floor side extension and rear roof alteration would be easily visible from the streetscene. However, considering that the extension would be set back from the principal elevation of the dwelling, set well below the ridge height of the main roof including the increased ridge height to the rear, and by virtue of the depth of the extension to the side, the proposal would not appear incongruous or over dominant on the form of the existing dwelling. Therefore, the proposal would not be significantly harmful to the streetscene.
- 6.24 The materials proposed are stated on the application form as brickwork, render and cladding and have been depicted in the amended drawing "1347 - 12 Rev B Proposed Elevations" (Received 08/04/2024). The existing dwelling comprises of brickwork and cladding with the brickwork on the ground floor and cladding on the first floor; the proposed render to the front elevation at the first floor would be a new material introduced, however, would not look out of place as it would appear similar to the existing cladding. A condition will be imposed to ensure that the proposed materials would be as indicated on the approved plans.
- 6.25 In overall, considering the cumulative bulk of the existing, previously approved and proposed extensions, the proposal would fall within the limit of what is considered to be acceptable as extensions to the main dwelling. In my opinion, any further extensions to this property in addition to the extensions considered within this application, would tip the balance towards overdevelopment. At this stage, the

cumulative increase caused by the extensions is not considered to be overdevelopment or harmful and substantial enough to justify a reason for refusal.

Parking/ Highway Safety

- 6.26 The existing parking provisions at the site would remain and no additional bedrooms have been proposed, as such, I am satisfied that the proposal would not impact upon highway safety or parking at the site.

Other Matters

- 6.27 Biodiversity/Ecological Enhancements: Due to the significant increase of bulk to the existing dwelling that would be caused by the proposed extensions, biodiversity enhancements are required to compensate for the scale of the development and operational biodiversity loss. As a result, biodiversity enhancements requiring integrated and on-site enhancements has been imposed as a condition.
- 6.28 Renewables: The NPPF, Local Plan and residential extensions SPD all seek to promote the use of renewables and energy/water efficient buildings. Considering that this application does increase the bulk of the property, it would be expedient to impose conditions regarding the incorporation of renewables to the main dwelling to boost the acceptability and sustainability of the scheme and offset any negative impacts of the development.

PUBLIC SECTOR EQUALITY DUTY

- 6.29 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 in the appraisal above, on balance, the proposal is considered to be acceptable in terms of its impact on the visual amenity of the area, in particular to the character and form of the original dwelling. The proposed extensions cumulatively with the existing and previously approved extensions would be at the limit of what is considered acceptable as an extension in relation to the character and context of the application property. Due to existing relationship between the application property and no.69 Robins Close and the gap at first floor level which would be maintained at greater than 3m, the narrow proposal is not considered to cause any terracing effect that would be detrimental to the character of the streetscene.
- 7.02 The proposal would not have a significant negative impact on the neighbouring residential amenity in terms of loss of light, loss of outlook, loss of privacy or be unduly overbearing. The proposal would also not have any significant negative impact on highway safety or parking.
- 7.03 In overall, 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 and/or informatives 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:

Drawing no. 1347 - 10 Rev D Proposed Block Plan – Received 20/12/2023
Drawing no. 1347 - 11 Rev E Proposed Plans – Received 20/12/2023
Drawing no. 1347 - 12 Rev B Proposed Elevations – Received 08/04/2024

Reason: To clarify which plans have been approved.

- 3) The materials to be used in the construction of the external surfaces of the building(s) hereby permitted shall be as indicated on the approved plans;

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 decentralised and renewable or low-carbon sources of energy will be incorporated into the development hereby approved to provide at least 10% of total annual energy requirements of the development, have been submitted to and approved in writing by the local planning authority. The approved details shall be installed prior to first use of the approved development and maintained thereafter;

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

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.

3)

Case Officer: Gautham Jayakumar

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