

REPORT SUMMARY

REFERENCE NUMBER: 24/500681/FULL		
APPLICATION PROPOSAL: Demolition of garage and side extension, creation of front canopy and external alterations. Erection of 1no. detached dwelling, including access, parking and landscaping.		
ADDRESS: 78 Glebe Lane Maidstone Kent ME16 9BA		
RECOMMENDATION: GRANT PLANNING PERMISSION subject to planning conditions in Section 8 of this report.		
SUMMARY OF REASONS FOR RECOMMENDATION: The proposed dwelling would not result in harm to the character and appearance of the street scene or the wider area. The proposal would not impact residential neighbouring amenity, nor would it impact parking at the site or the wider highway network. The proposal is found to be acceptable and in accordance with the Maidstone Borough Local Plan Review 2024 and the NPPF 2023.		
REASON FOR REFERRAL TO COMMITTEE: The application has been called by Cllr Paul Harper for the following reasons: <ul style="list-style-type: none"> • Inappropriate and over development, • Environmental sustainability, • Impact on street scene, • Level of concern in Glebe Lane from residents. 		
WARD: Fant	PARISH/TOWN COUNCIL: N/A	APPLICANT: Mr Danny O'Loughlin AGENT: WS Planning & Architecture
CASE OFFICER: Chloe Berkhauser-Smith	VALIDATION DATE: 22/02/24	DECISION DUE DATE: 31/05/24
ADVERTISED AS A DEPARTURE: No		

Relevant planning history

22/502583/FULL: Change of use of commercial unit to habitable space associated with existing residential dwelling, and erection of a detached three bedroom dwelling. Demolition of existing detached garage.
Approved 25.07.2022

22/505353/SUB: Submission of details to discharge conditions 3 (Materials), 4 (Landscape scheme), 7 (Biodiversity scheme), 8 (Boundary treatments), 9 (Refuse bins), 10 (Energy requirements) of planning application 22/502583/FULL.
Approved 08.05.2024

MAIN REPORT

1. DESCRIPTION OF SITE

- 1.01 The application site is in the urban area. The site is on the corner of Glebe Lane and Rectory Lane and currently occupied by a two-storey detached building with a commercial use at ground floor and residential accommodation at first floor. The large hardstanding parking area to the front of the building is surrounded by a dwarf brick wall with vehicle access from Rectory Lane. The site includes single storey garages to the east (adjacent to 96 Glebe Lane) and to the west (Rectory Lane) of the main building.
- 1.02 The extant permission granted under reference 22/502583/FULL is for the change of use of the ground floor of the existing building to residential. The permission also includes the demolition of the detached garage on the Rectory Lane (west) side of the existing building and erection of a second detached dwelling.

- 1.03 Beyond the application site, the area is residential in character with detached and semi-detached, predominantly two-storey dwellings, situated on rectangular shaped plots with long gardens to the rear and parking provision to the front. The urban area boundary runs to the rear of the application property and properties on the south side of Glebe Lane

2. PROPOSAL

- 2.01 The application seeks the demolition of the attached garage to the east (adjacent to 96 Glebe Lane) of the existing dwelling and the existing side extension. The application includes provision of a detached dwelling, including access, parking, and landscaping.
- 2.02 The proposed dwelling would be two-storey in height with a hipped roof, and a two-storey front gable projection on the right-hand side of the building. The building would have an eaves height of approximately 5.7m and a ridge height of 7.9m. The front gable projection would be set down, with a ridge height of approximately 6.7m. The proposed dwelling would have a width of approximately 5.6m and depth of 9.7m.



Proposed Street Scene

3. POLICY AND OTHER CONSIDERATIONS

Maidstone Borough Local Plan Review 2024

The Maidstone Borough Local Plan Review was adopted by the Council on the 20 March 2024. There have been 2 strategic level challenges to adoption. The relevant Maidstone Borough Local Plan Review (March 2024) policies are as follows:

- LPRSS1 – Maidstone borough spatial strategy
- LPRSP2 – Maidstone urban area
- LPRSP10(A) – Housing mix
- LPRSP11 – Economic development
- LPRSP12 – Sustainable transport
- LPRSP14(A) – Natural environment
- LPRSP15 – Principles of good design
- LPRHOU2 – Residential extensions, conversions, annexes and redevelopment within the built-up area
- LPRTRA2 – Assessing the transport impact of development.
- LPRTRA4 – Parking
- LPRQD1 – Sustainable design
- LPRQD6 – Technical standards
- LPRQD7 – Private open space standards

The National Planning Policy Framework (NPPF):
National Planning Practice Guidance (NPPG):

4. LOCAL REPRESENTATIONS

Local residents

- 4.01 6 representations received objecting to the application for the following (summarised) reasons:

- Parking and highway concerns
- Overdevelopment
- Design and visual appearance
- Out of character
- Cramped appearance
- Overshadowing
- Loss of privacy
- Increase in noise.
- Bin storage
- Problems arising from the construction period.
- Loss of view

Councillor Harper

4.02 Committee call in on the following grounds:

- Inappropriate and over development,
- Environmental Sustainability,
- Impact on street scene,
- Level of concern in Glebe Lane from residents.

5. CONSULTATIONS

(Please note that summaries of consultation responses are set out below. Comments are discussed in more detail in the appraisal section where considered necessary)

MBC Environmental Health

5.01 No objection subject to informatives.

KCC Highways

5.02 No objection - does not meet the criteria to warrant involvement from the Highway Authority.

KCC Archaeologist

5.03 No comment.

6. APPRAISAL

6.01 The key issues are:

- Sustainability of location
- Character, appearance and neighbour amenity policy LPRHOU2
- Standard of accommodation
- Parking/highways
- Other matters

Sustainability of location

6.02 The site is located within the designated Maidstone urban area. Local Plan policy LPRSS1 (Maidstone Borough spatial strategy) states that the main focus for new development in the borough will be Maidstone's urban area (as the largest and most sustainable location). Policy LPRSS1 states 'Best use will be made of available sites within the urban area'.

6.03 Policy LPRSP12 (sustainable transport) encourages development which would have a positive impact in terms of sustainable travel. The proposal site is in a sustainable location, where future occupiers will be able to meet daily needs without use of a private car. The location is therefore generally suitable for new residential accommodation subject to the consideration of other adopted planning policies.

Character, appearance, and neighbour amenity policy LPRHOU2

6.04 Policy LPRHOU2 (Residential extensions, conversions, annexes, and redevelopment within the built-up area) permits development which meet a number of criteria, and these are considered below:

LPRHOU2 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.

- 6.05 Policy LPRSP15 (Principles of good design) outlines the importance of high-quality design for any proposal. This includes considering the scale, height, materials, detailing, mass, bulk, articulation, and site coverage. The character of the area is formed of semi-detached and detached, two-storey dwellings. The proposed detached, two-storey dwelling is in keeping with the pattern of development in the area.
- 6.06 The design of the proposed dwelling would be in keeping with the character of the street scene. The existing dwellings along Glebe Lane vary in design, however predominantly they feature pitched or hipped roofs with a few featuring two-storey front facing gable ends. The design of the proposed dwelling would feature a hipped roof with a two-storey front facing gable end which is in keeping with the character of the area. The scale, height, form and appearance of the proposal would fit unobtrusively with the character of the street scene and its context.
- 6.07 Comments have been received raising concerns about overdevelopment of the site and a cramped appearance. Whilst the width of the proposed dwelling would be slightly smaller than the existing property (approximate width of 6.2m), the proposed dwelling would have an approximate width of 5.6m which is the same width as the previously approved dwelling (reference 22/502583), therefore creating a symmetry between the dwellings.
- 6.08 Furthermore, there would be a similar distance between the dwellings on the site of approximately 2m, with a larger distance of approximately 5.4m between the proposed dwelling and No.96 Glebe Lane at first floor level. Whilst not directly relevant, the Residential Extensions SPD 2009 sets out at paragraph 4.17 that as a guide, a minimum of 3m between each property is normally desirable. The gap between the proposed dwelling and No.96 would exceed this guidance.
- 6.09 Overall, the proposal would follow the local pattern of development. The design of the proposed dwelling would be in keeping with the character and appearance of the street scene. The proposed dwelling would match the width of the existing permitted dwelling (reference 22/502583) and there is sufficient space between the dwellings to ensure the proposal does not appear cramped. The proposal would be visually acceptable and would not result in harm to the character and appearance of the street scene or the wider area.
- 6.10 Paragraph 135 of the NPPF sets out that planning policies, and decisions should ensure that developments are sympathetic to local character and history, including the surrounding built environment. In this instance, grey windows and cladding and the use of zinc is not a material which is commonly used along Glebe Lane, however considering these a minor material details and considering the design of the proposed dwelling would be in keeping with design of other dwellings in the area, the development would not appear as a discordant addition in the street scene.
- LPRHOU2 ii. The traditional boundary treatment of an area would be retained and, where feasible, reinforced.
- 6.11 The existing boundary treatment consists of close boarded fencing to the rear and eastern boundary. It is proposed that existing fencing will be retained and a new close boarded fence is proposed along the western boundary to divide the rear amenity area of the proposed dwelling and the host dwelling. The front boundary treatment consist of a low brick wall would be retained.
- LPRHOU2 iii. Adjoining residents would avoid unacceptable loss of privacy, outlook or light and would avoid unacceptable intrusion from noise or odour.
- 6.12 Local Plan policy LPRSP15 states that proposals will be permitted which create high quality design and where they respect the amenities of occupiers of neighbouring properties. Development should not result in, excessive noise, vibration, odour, air pollution, activity or vehicular movements, overlooking or visual intrusion. Built form should not result in an unacceptable loss of privacy or light enjoyed by the occupiers of nearby properties.
- 6.13 The closest neighbouring properties are 96 Glebe Lane (approximately 4.4m east of the boundary), and Applefields, Rectory Lane (approximately 0.8m south from the boundary and a further 8.9m from the proposed dwelling).

Daylight/sunlight

- 6.14 Given the orientation of the site, the proposal would not impact Applefields in terms of overshadowing or a loss of light. In regard to No.96, there is an existing single storey garage that runs along the boundary in the curtilage of No.96 and No.96 is approximately 4.4m from the proposed dwelling. Considering this and the orientation of the site, the proposal would not impact the residential amenity of No.96 in terms of a loss of light or overshadowing.

Privacy/overlooking

- 6.15 The proposal would incorporate a ground floor window on the east side elevation that would serve the living room which would look towards No.96. However, given the window is situated at ground level and there is an existing boundary treatment consisting of the neighbours external wall, the proposed window would not result in a loss of privacy or overlooking towards No.96.
- 6.16 There is another window proposed on the west side elevation that would be located at first floor level, however this window would serve a hallway which is not a habitable space. The window would look onto the blank flank wall of the host property and therefore would not result in any overlooking or loss of privacy.
- 6.17 There are two first floor windows situated on the rear elevation that would look onto the rear amenity space of Applefields. One of these windows would serve the bathroom which is not a habitable room which therefore would not impact residential amenity, additionally a condition will be added requiring the window to be obscure glazed and non-opening below 1.7m from finish floor level.
- 6.18 The other window would serve a bedroom which is a habitable space. The Council seeks a minimum separation distance of 20m between directly opposing first floor habitable windows. This standard is achieved as the north flank of Applefields is a blank wall, with no windows. Furthermore, there are existing first floor habitable windows on the rear elevation of the existing property, whilst these views would be at an angle, they would offer similar views to the proposed window.
- 6.19 The distance from the proposed bedroom window to the rear amenity area of Applefields would be approximately 8.9m. This distance and the existing windows is considered acceptable in relation to overlooking and privacy.

Noise/Activity

- 6.20 Concerns have been raised regarding increase in noise as a result of the development. The proposal is for a new residential dwelling that is situated within a residential area. I do not consider the proposal to impact residential amenity due to increase noise or activity as the residential use of the site is already established and the site is situated within a residential area. Furthermore, Environmental Health have been consulted on the application and raised no objection to the application in terms of noise, lighting and air quality.
- 6.21 Overall, the proposal would not result in harm to the residential amenity of neighbouring properties in terms of a loss of light or overshadowing, a loss of privacy or overlooking or in regard to an increase in noise or activity.

LPRHOU2 iv. Sufficient parking would be provided within the curtilage of the dwelling without diminishing the character of the street scene.

- 6.22 The frontage of the application site is currently all hardstanding providing an informal parking area. The current application includes the provision of 6 formal car parking spaces (2 each for existing, previously approved and currently proposed dwellings). In addition to the formal car parking the proposal includes the introduction of landscaping. This landscaping represents an improvement to the building setting. A condition is recommended seeking as much landscaping as possible to the front of the building.

Standard of accommodation

- 6.23 Local Plan policy LPRSP15 and paragraph 135 of the NPPF states that proposals will be permitted where they create high quality design and provide adequate residential amenities for future occupiers of new development. Adequate residential amenities for future occupiers should be achieved by ensuring that development is not exposed to excessive noise,

vibration, odour, air pollution, activity or vehicular movements, overlooking or visual intrusion.

- 6.24 LPRQ&D6 (technical standards) sets out that proposed development will be expected to meet the new technical standards. For a 3-bedroom, 2-storey dwelling, the minimum national space standard is 84m². The proposed dwelling would have an approximate internal area of 90m², which therefore meets the minimum requirement.
- 6.25 LPRQ&D7 (private amenity space standards) requires all new dwellings to have a private amenity space that is located adjacent to the dwelling, has an external private access and for houses, the rear garden is at least equal to the ground floor footprint and not triangular in shape. The dwelling would have a suitable rear amenity area that meets this criteria.
- 6.26 Overall, the proposed dwelling would meet the minimum space standards and it would have a suitable rear amenity area. I am therefore satisfied that the proposed dwelling would not result in harm to the residential amenity of future occupiers.

Parking/highways

- 6.27 Local Plan policy LPRSP15 states that proposals which create high quality design will be permitted, where they safely accommodate the vehicular and pedestrian movement generated by the proposal on the local highway network and through the site access. Local Plan policy LPRTRA2 seeks to ensure that the vehicle trips generated by a use can be adequately accommodated on the road network.
- 6.28 The Kent and Medway Structure Plan 2006 sets out that a 3-bedroom dwelling should have a maximum of 2 spaces per unit. The proposal would incorporate 2 independently accessible parking spaces for the proposed dwelling, the proposal therefore would not detrimentally impact parking at the site or the wider highway network.
- 6.29 Furthermore, KCC Highways were consulted on the application, and they did not raise any objections.

Other matters

- 6.30 Local Plan policy LPRSP14(A) states: *"To enable Maidstone borough to retain a high quality of living and to be able to respond to the effects of climate change, developers will ensure that new development protects and enhances the natural environment ...where appropriate development proposals will be expected to appraise the value of the borough's natural environment through the provision of...an ecological evaluation of development sites...to take full account of the biodiversity present, including the potential for the retention and provision of native plant species"*.
- 6.31 The development will need to demonstrate that it provides biodiversity enhancements and, this could be achieved by placing bird boxes, bat boxes, bug hotels, log piles, wildflower planting and hedgehog corridors around the site, and incorporating bat and bee bricks into the building itself, and this can be requested by way of condition if permission is granted.
- 6.32 Concerns have been raised regarding bin storage. A condition will be added requiring details to be submitted in regard to refuse and cycle storage, that will be required to be in place before the first occupation of the dwelling.

PUBLIC SECTOR EQUALITY DUTY

- 6.33 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.

Community Infrastructure Levy

- 6.34 The proposed development is CIL liable. The Council adopted a Community Infrastructure Levy on 25 October 2017 and began charging on all CIL liable applications approved on and from 1 October 2018. The actual amount of CIL can only be confirmed once all the relevant forms have been submitted and relevant details have been assessed and approved. Any relief claimed will be assessed at the time planning permission is granted or shortly after.

7. CONCLUSION

- 7.01 The site is located within the defined boundary of the Maidstone Urban area and Local Plan policy LPRSS1 (Maidstone Borough spatial strategy) states that the main focus for new development in the borough will be Maidstone's urban area (as the largest and most sustainable location). The site is located in a sustainable location, where future occupiers will be able to meet daily needs without use of a private car. The proposal is therefore in accordance with Local Plan policies LPRSS1 and LPRTRA4.
- 7.02 Due to the design, scale, height and form of the proposed dwelling, the proposal would fit unobtrusively with the character of the street scene and its context. The proposal would not result in harm to the character and appearance of the street scene or the character and appearance of the wider area. The proposal is therefore in accordance with Local Plan policies LPRSP15 and LPRHOU2.
- 7.03 The proposal would not result in harm to the residential amenity of neighbouring properties in terms of a loss of light or overshadowing, a loss of privacy or overlooking or due to increase noise or activity, in accordance with LPRSP15 and LPRHOU2.
- 7.04 The proposed dwelling would meet the minimum national space standards and the proposal would provide a suitable rear amenity area in accordance with Local Plan policies LPRQD6 and LRPQD7.
- 7.05 The proposal would provide sufficient parking provision on site and would not detrimentally impact parking or the wider highway network.
- 7.06 The proposal is therefore found to be acceptable and in accordance with the Maidstone Borough Local Plan Review 2024, and the NPPF 2023. As such it is recommended that permission be granted.

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.

- 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:
Application Form – Received 22/02/2024
Proposed Site Block Plan – Drawing No. 10 J004652-DD-09-A – Received 16/02/2024
Proposed Site Plan – Drawing No. 11 J004652-DD-10-B – Received 16/02/2024
Proposed Ground Floor Plan – Drawing No. 12 J004652-DD-14 – Received 16/02/2024
Proposed First Floor Plan – Drawing No. 13 J004652-DD-15 – Received 16/02/2024
Proposed Roof Plan – Drawing No. 14 J004652-DD – Received 16/02/2024
Existing and Proposed Street Scenes – Drawing No. 18 J004652-DD-20 – Received 16/02/2024
Proposed Elevations – Drawing No. 15 J004652-DD-17A – Received 22/02/2024
Proposed Elevations – Drawing No. 16 J004652-DD-18-A – Received 22/02/2024
Proposed Elevations New Dwelling – Drawing No. 17 J004652-DD-19 – Received 22/02/2024
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 and application form.
Reason: To ensure a satisfactory appearance to the development
- 4) The development 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 integrated methods into the design and appearance of the dwelling 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 maintained thereafter.

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

- 5) At the end of the first planting season (October to February) following first occupation of the approved dwelling landscaping shall be in place, and this landscaping shall be in accordance with a landscape scheme that has previously been submitted to and approved in writing by the Local Planning Authority. The landscaping shall be designed in accordance with the principles of the Council's landscape character guidance (Maidstone Landscape Character Assessment Supplement 2012). The landscaping shall include:
- a) details of all existing trees, hedgerows and blocks of landscaping on, and immediately adjacent to, the site and indicate whether they are to be retained or removed.
 - b) Notwithstanding the submitted drawings, maximum provision of soft landscaping and minimum areas of hardstanding in the car parking area.
 - c) details of the number, size, species, maturity, spacing and position of proposed trees and landscaping. (Including species, spacing, maturity and quantities) *with new hedging at approximately 45cm spacing with 30cm between rows and consisting of 70% Hawthorn or Blackthorn, 5% Dogwood, 10% Field Maple, 10% Hazel, 2.5% Holly and 2.5% Wayfaring Tree*
 - d) a timetable of implementation of the approved scheme and
 - e) a five [5] year landscape management plan (Only non-plastic guards shall be used for the new trees and hedgerows, and no Sycamore trees shall be planted).

Reason: In the interests of landscape, visual impact, and amenity of the area and to ensure a satisfactory appearance to the development.

- 6) Any landscaping which fails to establish or any existing or proposed trees or plants which, within five years from planting are removed, die or become so seriously damaged or diseased that their long-term amenity value has been adversely affected shall be replaced in the next planting season with plants of the same species and size as detailed in the approved landscape scheme.

Reason: In the interests of landscape, visual impact, and amenity of the area and to ensure a satisfactory appearance to the development.

- 7) Before the dwelling hereby permitted is first used, the proposed window on the first floor, south elevation, serving the bathroom shall be obscure glazed to not less than the equivalent of Pilkington Glass Privacy Level 3, and this window shall be incapable of being opened except for a high level fanlight opening of at least 1.7m above inside floor level and shall subsequently be maintained as such.

Reason: To prevent overlooking of adjoining properties and to safeguard the privacy of neighbouring occupiers.

- 8) Prior to the first occupation of the dwelling hereby approved, facilities for (a) the storage and screening of refuse bins, and (b) the collection of refuse bins, and (c) secure bicycle storage shall be in place that are in accordance with details that have previously been submitted to and approved by the Local Planning Authority. These details will be maintained as such thereafter.

Reason: In the interests of amenity, to promote sustainable travel choices and the reduction of CO2 emissions.

- 9) 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 occupation of the approved dwelling and maintained thereafter. Reason: To ensure an energy efficient form of development.

- 10) Any external lighting installed on the site (whether permanent or temporary) shall be in accordance with details that have previously been submitted to and approved in writing by the Local Planning Authority. The details shall include a layout plan with beam orientation and a schedule of light equipment proposed (luminaire type; mounting height; aiming angles and luminaire profiles) and an ISO lux plan showing light spill. The approved details shall be in accordance with bat conservation trust guidelines and the Institute of Lighting Obtrusive Light Limitations for Exterior Lighting Installations for Environmental Zone E1. The scheme of lighting shall be installed, maintained and operated thereafter in accordance with the approved scheme. Reason: In order to prevent undue light pollution and to protect wildlife.

- 11) The development hereby approved shall meet the higher level of water efficiency of 110 litres per person, per day as set out under the building regulations Part G2 or any superseding standard. The building shall not be occupied unless this standard has been met and this standard shall be maintained thereafter. Reason: To ensure a sustainable form of development.
- 12) The development hereby approved shall meet the accessible and adaptable dwellings building regulations Part M4(2) standard or any superseding standard. The dwelling shall not be occupied unless this standard has been met and the dwelling shall be thereafter retained as such.
Reason: To ensure the development is in accordance with local and national policy and meets acceptable standards of accessible and adaptable dwellings.
- 13) The development shall not commence above slab level until, details of all fencing, walling and other boundary treatments have been submitted to and approved in writing by the Local Planning Authority (to include gaps at ground level in the boundaries to allow the passage of wildlife) and the development shall be carried out in accordance with the approved details before the first occupation of the approved building and maintained as such thereafter.
Reason: To ensure a satisfactory appearance to the development and to safeguard the enjoyment of their properties by existing and prospective occupiers and for the passage of wildlife.
- 14) Notwithstanding the provisions of the Town and Country Planning General Permitted Development (Amendment) (England) Order 2015 (or any order revoking and re-enacting that order with or without modification), no development within Schedule 2, Part 1, Classes A, B, C, D, E and F; and Schedule 2, Part 2, Class A, to that Order shall be carried out.
Reason: To ensure a satisfactory appearance to the development.

INFORMATIVES

- 1) Asbestos
- 2) External lighting
- 3) Construction