

REPORT SUMMARY

REFERENCE NO: - 24/501514/FULL		
APPLICATION PROPOSAL: Erection of single storey rear extension including 1no. rooflight and partial garage conversion.		
ADDRESS: 78 Sandling Lane Penenden Heath, Kent ME14 2EA		
RECOMMENDATION: GRANT – subject to 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 single storey rear extension including 1 no. rooflight and partial garage conversion 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 development is considered to be in accordance with current policy and guidance.		
REASON FOR REFERRAL TO COMMITTEE: The applicant is an employee of the Council.		
WARD:	PARISH/TOWN COUNCIL:	APPLICANT: Debbie Fallis AGENT: Mr John Tomlin
CASE OFFICER: Sema Yurtman	VALIDATION DATE: 10/04/2024	DECISION DUE DATE: 05/07/2024 (EOT)
ADVERTISED AS A DEPARTURE: NO		

Relevant Planning History

98/0082 Erection of a single garage with pitched roof to side of dwelling, as shown on drawing no. RET/1/98 received on 21.01.98. Approved.

07/2247 Loft conversion including alterations to the roof form and a rear flat roof dormer as shown on existing drawing and drawing number 2737 received on 31st October 2007. Approved.

MAIN REPORT

1. DESCRIPTION OF SITE

- 1.01 78 Sandling Lane is a semi-detached two-storey dwellinghouse with attached garage to the side and situated to the northern side of the Sandling Lane in the urban area of Maidstone.
- 1.02 The property is a residential dwelling, and the site is not situated within a conservation area, or a national landscape.

2. PROPOSAL

- 2.01 The proposal is for the erection of single storey rear extension including 1no. rooflight and partial garage conversion. The garage has been built under reference 98/0082.
- 2.02 There is existing rear extension which consists of a kitchen with 3.4m depth and 3m width, 2.76m eaves height and 3.8m ridge height. The proposed rear extension would have same depth of the existing rear extension with 3.4m, 3.1m width, 2.76m eaves height and 3.8m ridge height. The proposed extension would consist of kitchen and dining room with a bi-fold door to the rear and a rooflight. It would infill the gap between the existing extension and the boundary.

- 2.03 The proposal also includes partial garage conversion. Part of the existing garage towards the rear would be converted to a utility room. The single door to the rear would be replaced with a double door. The front part of the garage would be remained same.
- 2.04 There is an existing closed boarded timber fence to the boundary neighbouring properties number 76 Sandling Lane and number 80 Sandling Lane. This would not be altered.

3. POLICY AND OTHER CONSIDERATION :

The Maidstone Borough Local Plan Review (LPR) was adopted by the Council on 20th March 2024. There have been two strategic level challenges to adaptation.

Maidstone Borough Council Local Plan Review (2024):

- Policy LPRSP15 – Principles of Good Design
- Policy LPRHOU2 – Residential extensions, conversions, annexes, and redevelopment in the built-up area
- Policy LPRTRA4 – Parking

The National Planning Policy Framework (NPPF):

National Planning Practice Guidance (NPPG):

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

4.0 LOCAL REPRESENTATIONS

Local Residents: 8 neighbours consulted; no comments received.

5.0 CONSULTATIONS

Not applicable

6.0 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 The application site is located within the Maidstone Urban Area.
- 6.02 Policy LPRSP15 (ii) in terms of design refers to developments responding positively to, and where possible enhance, the local, natural, or historic character of the area, with particular regard should be paid to scale, height, materials, detailing, mass, bulk, articulation and site coverage. LPRSP15 (v) re-iterates consideration to be paid to occupiers of neighbouring properties and uses and provide adequate residential amenities for future occupiers of the development. LPRSP15 (xiv) refers to being flexible towards future adaptation in response to changing life needs.
- 6.03 Policy LPRHOU2 refers to residential extensions, conversions, annexes, and redevelopment within the built-up area. LPRHOU2 states that on land outside of the countryside, proposals

for the extension, conversion and redevelopment of a residential property, design principles set out in this policy must be met. LPRHOU2 states:

- (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 and/or its context;*
- (iii) *Adjoining residents would avoid unacceptable loss of privacy, outlook or light and would avoid unacceptable intrusion from noise or odour; and*
- (iv) *Sufficient parking would be provided within the curtilage of the dwelling without diminishing the character of the street scene.*

6.04 The Residential Extensions SPD in relation to this proposal sets out the following:

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.

6.05 The principle of erection of a single storey rear extension including 1 no. rooflight and partial garage conversion within settlements is therefore considered acceptable, provided that the material planning considerations discussed below would be acceptable.

Visual Impact

6.06 As mentioned, the building has an existing rear extension. The proposed extension would be an in fill extension with the same depth and height as the existing extension. As the proposed extension would be located to the rear it would not be visible from the street scene. Therefore, it would not have a detrimental impact on the streetscene and character of the area.

6.07 The proposal would include partial garage conversion, with only rear part of the garage and would be converted to a utility room. This part of the garage also would not be visible from the streetscene.

Figure 1: View from rear garden



6.08 The proposed materials consist of brickwork for the walls, concrete tiles for the roofing with pitched roof design, Upvc windows and doors, all of which would match the host dwelling. Therefore, the overall design and materials proposed are considered to be visually acceptable and be in keeping with host building and existing materials. It would not detrimentally impact the character and appearance of the host dwelling. It would appear as a subservient outbuilding in line with local plan policies and guidance.

- 6.09 Overall, the proposed single storey rear extension including 1no. rooflight and partial garage conversion is not considered to have a detrimental impact on the streetscene or character of the area, as such rear extensions would have least impact on the streetscene.

Residential Amenity

- 6.10 The nearest neighbouring properties are to the east number 76 Sandling Lane and to the west number 80 Sandling Lane. All other neighbouring properties are considered to be a significant distance away and to be unaffected by the proposal.



Figure 2: Neighbouring properties

- 6.11 Number 76 would be the closest neighbouring property to the proposed rear extension. The proposal would protrude further forward than the neighbour. The proposed extension would not include any side window towards number 76 Sandling Lane and there is existing boundary treatment between the two properties. The light test has been done for number 76 and it is considered that the proposed rear extension would have a minimal impact on the neighbour. Therefore, it is considered that no significant impact on neighbouring amenity in terms of loss of light or overshadow would result. The partial garage is located in a reasonable distance from main dwelling and the neighbour would be unaffected by the garage conversion.
- 6.12 Regarding Number 80 Sandling Lane, the proposal would be located to the opposite side of number 80 and the proposal would not be extending further forward than the existing extension. Due to low height of the proposal, separation distance involved, existing boundary treatment and not protruding further forward than the existing extension I do not deem that the proposed extension would result in loss of privacy, overlooking or overbearing impact. As partial conversion of the garage does not include any enlargement in footprint the neighbouring property would not be affected detrimental by the proposal.
- 6.13 Taking the above into consideration, it is considered that the proposal will not cause unacceptable harm to the residential amenity of the adjoining properties that would warrant a refusal.

Parking/Highways

- 6.14 The proposal would add an extension to the rear of the dwellinghouse and would partially convert the existing garage. There will be still enough space for two parked cars to the front driveway. Therefore, there would not be undue impact upon highway safety or parking. As required by the KCC's Interim Guidance Note 3

(IGN3) parking standards the property provides sufficient parking for 2 cars. No harm highway safety/parking provision would result.

Other Matters

- 6.15 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.
- 6.16 Policy LPRQD1 Sustainable Design of the Local Plan Review sets out, at point viii, that proposals should 'incorporate into the fabric of the building bird, bat and bee habitats, and shall provide habitats for insects and invertebrates where appropriate.' 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 rear extension and within the curtilage of the dwellinghouse.
- 6.17 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 extensions to an existing dwelling such that it would be unreasonable to seek to secure such measures which do not accord with the scale of the development. Energy efficiency can be secured through measures such construction, or renewables 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

- 6.18 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.

7.0 CONCLUSION

- 7.01 For the reasons set out above it is considered that the proposed erection of single storey rear extension including 1 no. rooflight and partial garage conversion 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.

8.0 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 - Received 08/04/2024.

Drawing number: 7658-P-01 Rev B – Existing and Proposed Plans and Elevations – Received 08/04/2024.

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 application form with brickwork for the walls and concrete tile for the roof.

Reason: To ensure a satisfactory appearance to the development

- 4) The extension hereby approved shall not commence above slab level until details of a scheme for the enhancement of ecology on the site have been submitted to and approved in writing by the Local Planning Authority. The scheme shall consist of the enhancement of ecology through integrated 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 permanently 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. have been submitted to and approved in writing by the local planning authority. The approved details shall be installed prior to first occupation 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.

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: Sema Yurtman

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