

## REPORT SUMMARY

<b>REFERENCE NUMBER:</b> 24/502975/FULL		
<b>APPLICATION PROPOSAL:</b> Erection of a two-storey front and a single-storey rear extension including changes to fenestration.		
<b>ADDRESS:</b> 75 Roseacre Lane, Bearsted, Maidstone, Kent, ME14 4JG		
<b>RECOMMENDATION:</b> GRANT – subject to the planning conditions set out in Section 8.0 of the report.		
<b>SUMMARY OF REASONS FOR RECOMMENDATION:</b> For the reasons set out below it is considered that the proposal is acceptable and would not cause 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.		
<b>REASON FOR REFERRAL TO COMMITTEE:</b> The applicant is an elected Member of Maidstone Borough Council.		
<b>WARD:</b> Bearsted And Downswood	<b>PARISH/TOWN COUNCIL:</b> Bearsted	<b>APPLICANT:</b> Ciaran Oliver <b>AGENT:</b> KHD Architecture Ltd
<b>CASE OFFICER:</b> Ms Angela Welsford	<b>VALIDATION DATE:</b> 26/07/24	<b>DECISION DUE DATE:</b> 31/10/24
<b>ADVERTISED AS A DEPARTURE:</b> No		

### Relevant Planning History

14/503911/FULL

Roof extension with raised ridge height, front and rear dormers and first floor front extension.

Approved 14.04.2015 (*Lapsed without implementation*)

MA/13/1047

Erection of a first floor front extension and conversion of garage to habitable room

Approved 05.08.2013 (*Lapsed without implementation*)

MA/03/0235

Erection of rear conservatory

Approved 24.03.2003

### MAIN REPORT

#### 1. DESCRIPTION OF SITE

- 1.01 The application site is located within the defined urban area of Maidstone, within a ribbon of residential development on the western side of Roseacre Lane, in Bearsted parish. The area is identified as an Air Quality Management Area.
- 1.02 The site contains a two-storey detached dwelling with an integral garage housed in a front projection, and a box dormer in the cat-slide section of roof above the garage. A conservatory and flat-roofed, single-storey extension run across the full width of the rear elevation.

- 1.03 The street-scene here is made up of detached dwellings of mixed character and design, although there is a notable prevalence of forward-projecting gables. The application building is the only dwelling along this stretch to feature a flat-roofed dormer on its front elevation.

## **2. PROPOSAL**

- 2.01 The application seeks planning permission for a two-storey front and a single-storey rear extension. It is also proposed to change the design of the existing windows to a more modern appearance with panes of a vertical emphasis, to tie in with the fenestration of the proposed extensions, plus a roof light would be inserted into the front-facing roof slope.
- 2.02 The two-storey front extension would rise up off of the existing garage projection, with an additional new ground floor section beside it (north side), to form a forward-projecting gable with eaves and ridge heights to match those of the existing building. It would not project any further forward than the existing garage.
- 2.03 The single-storey extension would run across the rear elevation, replacing the existing conservatory and single-storey rear element. It would protrude approximately 1.6m further than the existing single-storey rear extension and 1m less than the conservatory. In terms of height, it would stand approximately 0.2m taller than the existing extension and 0.3m lower than the ridge of the conservatory (although the roof and uppermost section of that structure are glazed).
- 2.04 Proposed materials are matching brickwork for the rear extension and, for the two-storey extension, mostly matching brickwork with feature recessed panels of contrasting brickwork (dark brown/blue bricks, laid as uprights instead of in horizontal courses) and a slate roof. (The concrete interlocking tiles of the existing roof would also be replaced with slate.) All windows and doors would be aluminium.

## **3. POLICY AND OTHER CONSIDERATIONS**

Maidstone Borough Local Plan Review (adopted 20 March 2024):

LPRSP15 – Principles of Good Design

LPRHOU2 – Residential extensions, conversions, annexes, and redevelopment in the built-up area

The National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

Supplementary Planning Documents: Residential Extensions SPD.

## **4. LOCAL REPRESENTATIONS**

No representations have been received either objecting to the application or supporting it.

## **5. CONSULTATIONS**

Bearsted Parish Council

Do not wish to comment.

## **6. APPRAISAL**

- 6.01 The key issues are:

- Visual Impact
- Residential Amenity

6.02 The site is located within the urban area where the principle of residential extensions is considered acceptable and proposals should be approved, provided they do not have a harmful visual impact, do not harm the residential amenities of neighbours and are acceptable in terms of all other material planning considerations.

### **Visual Impact**

6.03 Local Plan Review Policy LPRHOU2 states, amongst other things, that extensions to dwellings in the urban area will be permitted if the scale, height, form, appearance and siting of the proposal would fit unobtrusively with the existing building and the character of the street scene and/or its context. Policy LPRSP15 advocates good design and requires proposals to respond positively to, and where possible enhance, the local character of the area.

6.04 The proposed two-storey front extension would materially alter the appearance of the host dwelling, by replacing the unattractive, flat-roofed dormer with a forward-projecting gable, but it is considered that that would be an enhancement to the street-scene since the extended building would fit unobtrusively into the predominance of forward projecting gables found there. The scale, height and form of the addition are considered appropriate to their context, plus the general character of the host building as a detached two-storey dwelling would still remain. The use of contrasting brick panels would help to break up the mass of the building, as would the modern twist to the fenestration design. The use of slate for both the extension roof and to recover the existing main roof would not be out of keeping, for although clay tiles are prevalent here, there are other examples of slate roofs interspersed along the street-scene.

6.05 The single-storey rear extension would be clearly subservient to the host dwelling in terms of both its position and its scale. The use of matching brickwork would ensure a sympathetic finish. Being situated behind the dwelling, it would not have any impact on the street-scene.

6.06 The proposal is therefore considered acceptable in terms of its visual impact upon the host dwelling, the Roseacre Lane street-scene and the surrounding area. In this respect it complies with Local Plan Review Policies LPRSP15 and LPRHOU2 as well as the aims of the adopted Residential Extensions SPD in furthering good design.

### **Residential Amenity**

6.07 Local Plan Review Policies LPRSP15 and LPRHOU2 state, amongst other things, that extensions should not cause adjoining residents to suffer an unacceptable loss of privacy, outlook or light, visual intrusion or intrusion from noise or odour.

6.08 The proposed two-storey front extension passes the 45° BRE loss of light test described in the Council's adopted Residential Extensions SPD in relation to the habitable room windows of No 73 Roseacre Lane, so would not have a significantly detrimental impact on the levels of light enjoyed by that neighbour. That view is reinforced by the orientation, because the extension would be to the north of No 73. Although it would protrude approximately 1.5m further forward, it would be set more than 3.5m away from this neighbour's bay windows, so would not be overbearing or harmful to outlook. One new first floor window is proposed facing towards the solid flank wall of No 73, so would not cause a loss of privacy and this window would also be serving a non-habitable ensuite bathroom.

- 6.09 The proposed two-storey front extension also passes the 45° BRE loss of light test described in the Council's adopted Residential Extensions SPD in relation to the main habitable room windows of No 77 Roseacre Lane, so would not have a significantly detrimental impact on the levels of light enjoyed by that neighbour either, despite being located to the south. It would be set approximately 4m away from the neighbouring dwelling, plus No 77 stands on higher ground, therefore it is not considered that it would be overbearing or cause a loss of outlook. No first floor windows are proposed facing this neighbour, so there would be no loss of privacy.
- 6.10 The single-storey rear extension passes the 45° BRE loss of light test described in the Council's adopted Residential Extensions SPD in relation to both neighbouring dwellings, so would not cause a harmful loss of light. It would be of modest height, due to the parapet-style flat roof, and set away from the boundary with No 73, whilst No 77, which has a single-storey part immediately adjoining the boundary, stands on higher ground. In these circumstances it is not considered that this extension would be overbearing or cause a harmful loss of outlook to either neighbour. The sliding doors would afford views down the applicant's own garden, at too great a distance to be harmful to the privacy of No 130 The Landway, to the rear. Likewise, that property would not suffer a loss of light or outlook.
- 6.11 The development could not be said to result in intrusion through noise or odour, and the front-facing roof light would not cause a loss of privacy. The proposal is therefore considered acceptable in terms of the impact on residential amenity.

#### **Other Matters**

- 6.12 **Parking:** The nature of the proposal is such that it does not significantly affect highway safety/parking provision. The existing garage would be retained, plus there is parking for at least two further vehicles within the curtilage.
- 6.13 **Trees:** There is a mature tree which contributes to the visual amenity of the street-scene on the frontage of No 77, but the development would not come beneath its canopy, plus as that property is on higher ground, its roots are unlikely to be at the level where the development would take place. Another key mature tree stands at the application site driveway entrance, too far from the development area to be impacted by the groundworks, but nevertheless this should be protected during development by a condition preventing storage of plant and materials beneath its canopy. No other important trees are in a position to be significantly detrimentally impacted.
- 6.14 **Ecology:** Policy LPRSP15 of the Local Plan Review sets out 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, the Local Plan Review, the adopted SPD and the NPPF all 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 both integrated into the new building work and also within the curtilage.
- 6.15 **Biodiversity Net Gain:** Paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 (as amended) sets out that every planning permission granted for the development of land in England shall be deemed to have been granted subject to the 'general biodiversity gain condition'. However, the 'general biodiversity gain condition' does not currently apply in relation to planning permission for a development which is the subject of a householder application, within the meaning of Article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended), provided such exemption is confirmed by the applicant or agent when making a householder

planning permission application. Such confirmation has been provided on the submitted application form and therefore a Biodiversity Gain Plan will not be required.

- 6.16 **The NPPF, Local Plan and residential extensions SPD all seek to promote the use of renewables and energy/water efficient building:** 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 as construction, or renewables or water efficient measures such as water butts. To secure such measures, a condition is considered reasonable to ensure that the development incorporates appropriate measures.

#### **PUBLIC SECTOR EQUALITY DUTY**

- 6.17 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 proposal would be acceptable and would not cause any visual harm or harm to neighbouring amenity nor would it be unacceptable in terms of any other material planning considerations. Subject to appropriate conditions, the proposal is considered to be in accordance with current Development Plan and national planning policy and the aims of the Council's adopted Residential Extensions design guidance SPD.

### **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.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans:  
  
LP-01 and GA-01 received on 18/07/2024 and GA-02 received on 26/09/2024.  
  
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.  
  
Reason: To ensure a satisfactory appearance to the development.
- 4) The extensions 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 at least one method integrated into the design and appearance of the extensions by means such as swift bricks, bat tubes or bee bricks, and also through provision within the site curtilage such as bird boxes, bat boxes, bug hotels, log piles, hedgehog houses, wildflower/native planting and small mammal corridors. The development shall be implemented in accordance with the approved details prior to first use of the extensions and all features shall be permanently retained and maintained thereafter.

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

- 5) No equipment, plant, machinery or materials shall be stored or placed, nor fires lit, beneath the canopy of the mature tree at the south side of the driveway entrance to the application site.

Reason: To prevent harm to this tree, which contributes to the visual amenity of the street-scene.

- 6) 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) 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) 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: 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.