

APPLICATION: MA/10/1322 Date: 5 August 2010 Received: 19 November 2010

APPLICANT: Mr & Mrs Russell

LOCATION: 110, LOOSE ROAD, MAIDSTONE, KENT, ME15 7UB

PARISH: Maidstone

PROPOSAL: Single storey side infill extension with bay window to replace carport, single storey rear extension, two storey rear extension with accommodation in roof, addition of 2no. dormers and raising of main ridge height as shown on site location plan, block plan and unnumbered drawings received 28/07/10 and 18/11/10 and drawing no. R/PPS B108/112PE/110LRM RECEIVED 19/11/10.

AGENDA DATE: 16th December 2010

CASE OFFICER: Kathryn Altieri

The recommendation for this application is being reported to Committee for decision because:

- Councillor Mortimer has called the application in to Planning Committee

1. POLICIES

Maidstone Borough-Wide Local Plan 2000: H18

Government Policy: PPS1 - Delivering Sustainable Development, PPS3 - Housing

2. HISTORY (1974+)

MA/08/2046 - Erection of a single storey rear extension – approved/granted with conditions

MA/88/0721 - First floor extension over existing garage & hardstanding to provide two additional bedrooms - approved/granted with conditions

3. CONSULTATIONS

3.1 KCC Archaeological Officer; Raises no objection subject to condition shown below;

"The application site lies along the alignment of the Roman road linking Maidstone and Hastings. This was thought to have been a major thoroughfare and a number of finds and features are recorded along its route, including a coin c.185m south-west of the

proposed development. In addition, a number of World War II defences are present in the vicinity, including anti-tank traps in the form of ditches c.260m to the west and c.370m to the north of the proposed development.

Remains associated with the construction and use of the road may be revealed during the proposed groundworks and I recommend that the following condition be applied to any forthcoming consent:

The developer shall afford access at all reasonable times to any archaeologist nominated by the Local Planning Authority and shall allow him/her to observe the excavations and record items of interest and finds. The developer shall inform the County Archaeologist of the start date of construction works on site not less than two weeks before the commencement of such works.

Reason: To ensure that features of archaeological interest are properly examined and recorded."

3.2 Landscape Officer: Raises no objections subject to conditions;

"I have looked at the proposals and inspected the mature Norway Maple form the adjacent garden and taken some measurements of the tree. I am satisfied that, with sufficient care, the proposal can be constructed without detriment to the health of the tree.

I therefore raise no objection to the application on arboricultural grounds, subject to conditions requiring the submission and approval of an arboricultural method statement and tree protection plan in accordance with BS5837:2005 and a condition relating to implementation of the approved tree protection details."

4. REPRESENTATIONS

4.1 Councillor Mortimer commented;

"I wish to call in the application for committee regarding 110 Loose Road. I have received objections from both residents (108 & 112) with concerns to the size of the development, overlooking windows and possible boundary concerns regarding footings close to existing properties."

4.2 Neighbours: 2 neighbours have submitted four letters of objection, raising concerns over the scale of the development, loss of privacy, impact upon the streetscene, impact upon existing trees and any future change of use.

5. CONSIDERATIONS

5.1 Site description

5.1.1 The application site relates to a rectangular shaped residential plot currently occupied by a detached two storey dwelling with integral garage, carport and private driveway. The extension approved under MA/08/2046 has never implemented. The property is raised up and set back some 10m from Loose Road, 30m to the south-east of the junction with Armstrong Road and is within the urban area of Maidstone. The street scene is generally made up of residential properties of differing style, age and scale.

5.1.2 The site is within an 'Area of Archaeological Potential' but does not fall within any other special designated areas, as shown by the Maidstone Borough Wide Local Plan 2000.

5.2 The Proposal

5.2.1 The proposal is for the erection a single storey infill extension with a bay window at ground and first floor level to replace the carport, a single storey rear extension, a two storey rear extension with accommodation in the roof, the addition of two dormer windows and for the raising of the main ridge height to the roof. The existing single storey extensions at the rear would be removed.

5.2.2 This would provide the occupants with a play room, a larger kitchen/dining area, a larger living room and would see the property go from a five bedroom property to a six bedroom property with additional ensuite facilities.

5.2.3 With the existing carport filled in, the two storey bay window would project 1m from the front building line and with its pitched roof, would equal the height of the existing front bay window, that being some 6.7m in height. The main ridge line to the property would also be raised 0.7m in height, going from 7.5m to 8.2m.

5.2.4 At the rear of the property, the single storey dining room extension would project 3.4m from the original flank, measure 4.3m wide and with its flat roof, stand some 3m in height from ground level.

5.2.5 The larger two storey element of this proposal to the rear would project 5.9m from the original flank of the house and measure 8.1m wide. At first floor level, the proposal would be stepped in 1.3m from the shared boundary with 108 Loose Road and from its ridge to ground level it would stand 8.2m in height. Its eaves height would match the main house (5.2m).

5.2.6 One dormer window would look out onto the rear garden of the application site and one dormer window would look southwards; both of these would have a flat

roof and measure 2.3m wide and 1.3m in height. Five rooflights would be inserted and three new first floor side windows would be inserted into the northern elevation of the main house. The dormer windows would be to the rear and would not be visible from Loose Road.

5.3 Planning Issues

5.3.1 The specific policy under the Maidstone Borough-Wide Local Plan 2000 relating to housing extensions within the urban area is Policy H18, which states;

"THE BOROUGH COUNCIL WILL PERMIT EXTENSIONS AND ADDITIONS TO RESIDENTIAL PROPERTIES PROVIDED THAT THE PROPOSAL:

- (1) IS OF A SCALE AND DESIGN WHICH DOES NOT OVERWHELM OR DESTROY THE CHARACTER OF THE ORIGINAL PROPERTY; AND
- (2) WILL COMPLEMENT THE STREET SCENE AND ADJACENT EXISTING BUILDINGS AND THE CHARACTER OF THE AREA; AND
- (3) WILL RESPECT THE AMENITIES OF ADJOINING RESIDENTS REGARDING PRIVACY, DAYLIGHT, SUNLIGHT AND MAINTENANCE OF A PLEASANT OUTLOOK; AND
- (4) ENSURES THAT ADEQUATE CAR PARKING PROVISION WITHIN THE CURTILAGE OF THE DWELLING IS PROVIDED, IN ACCORDANCE WITH THE ADOPTED CAR PARKING STANDARDS.

SUCH DEVELOPMENT WILL BE GUIDED BY SUPPLEMENTARY PLANNING GUIDANCE WHICH HAS BEEN APPROVED BY THE BOROUGH COUNCIL."

I will consider the proposal against the criteria set out in this policy.

Impact upon the property

5.3.2 Although the proposal would more than double the footprint of the property, a section of it would be infilling the carport, under the first floor level of the house and as such would not significantly increase the property's overall bulk, furthermore, it would only compliment the original property by using matching external materials. So whilst the proposal would involve a marked increase in the bulk of the roof, it would still respect the original property's eaves height and hipped roof design whilst not widening the property any further at two storey level. In addition, the development would involve modestly scaled single storey elements and the proposed bay window would aesthetically balance the visual appearance of the front elevation.

5.3.3 I therefore believe that this proposal would remain subordinate and ancillary to the existing house and as such would not overwhelm or destroy the character of the existing property.

Impact upon the streetscene

- 5.3.4 The bulk of the development would be to the rear of the property and not visible from Loose Road. The elements that would be visible would remain set back from the main road by 10m, the bulk of it would not extend beyond the main building line of the house and the 1m projection of the bay window is considered to be modest and if anything, would visually balance the property by replicating the window design already there.
- 5.3.5 The streetscene is a mixture of differently scaled properties with differing ridge heights, largely consisting of substantial two storey houses. The proposed roof extension would see the ridge line go from 7.2m in length to 5.8m and I do not believe that the modest 0.7m increase in the ridge height would have a significant detrimental impact upon the character of the surrounding heavily built up urban area.
- 5.3.6 There is a playing field to the rear of the site, but the site's rear boundary is made up of dense, mature trees and vegetation that largely screens the property from view and the development would remain more than 35m away from this public open space. Considering this boundary treatment and separation distance, I do not believe that this proposal would have detrimental impact upon the visual amenity of the area.
- 5.3.7 I therefore believe that this proposal would not significantly affect the character and appearance of the area or adjacent buildings.

Impact upon the neighbours

- 5.3.8 The proposed rear extensions would project more than 3m from the rear elevation, so in accordance with the Council's 'Supplementary Planning Document – Residential Extensions', the BRE daylight elevation and plan tests were carried out. This was to see if there would be any impact upon the neighbours either side of the application site (108 & 112 Loose Road) in terms of loss of daylight. For both neighbours, the proposal passed both the BRE daylight plan and elevation tests. Furthermore, the proposal would remain 3m away from either neighbour, with the two storey element set in an additional 1m from the shared boundary with 108 Loose Road to the north, giving a separation gap of more than 4m. It should also be noted that the only opening in the southern flank of 108 Loose Road is an obscure glazed window (likely to serve a bathroom); and so whilst the proposed two storey element would extend a further 3.5m towards the rear, it would not significantly impact upon the outlook from this neighbour's opening given its nature. On balance, I therefore believe that this proposal, with its hipped roof design only further reducing its overall visual impact, would not have an overwhelming impact upon any neighbour.

5.3.9 Currently, the applicant's property has no first floor side openings but this proposal would see three first floor windows being inserted into the property's northern flank. Two would serve ensuite facilities and the rearmost window that is most likely to directly overlook the rear of 108 Loose Road, would be a small secondary opening serving a bedroom. The main window to the mentioned bedroom is to the rear of the property and would not have a significant impact upon the residential amenity of any neighbour. To maintain acceptable levels of privacy for 108 Loose Road, a condition will be imposed to have these three side windows obscure glazed and fixed shut.

5.3.10 In addition, the proposed dormer window to the rear sixth bedroom would overlook 112 Loose Road (to the south) and I believe that if the existing (unprotected) trees lining the shared boundary were to be removed for whatever reason, this window would cause a significant level of overlooking to the immediate private amenity area of this neighbour. I therefore consider it justified to have this opening obscure glazed and fixed shut. Please note that this room would have an opening rooflight in the rear slope of the roof providing ventilation and a means of escape.

5.3.11 The proposed rooflights, because of their location and angle, would not lead to a significant loss of privacy for any neighbour.

5.3.12 Subject to the relevant conditions, it is therefore considered, because of the proposal's scale, design and location, there would be no significant detrimental impact upon the residential amenity of any neighbour, in terms of loss of privacy, outlook, daylight and sunlight.

Impact upon parking

5.3.13 Although the proposal would create additional bedroom accommodation and result in the loss of two parking spaces, the site still has off road parking for three cars and the site is in a sustainable location within walking distance of the town centre, close to local amenities and bus routes. I therefore believe that this proposal would not have a significant impact upon the parking provision or generate any need.

Protection of existing trees

5.3.14 There is a mature Norway Maple sited within the rear garden of 108 Loose Road that is within close proximity to the northern boundary of the application site. The tree is considered to hold some amenity value as it can be clearly seen from junction of Loose Road and Armstrong Road.

5.3.15 This tree would be some 7m away from the rear flank of the proposed two-storey element of the proposed development and the Landscape Officer is of

the opinion that... "with sufficient care, the proposal can be constructed without detriment to the health of the tree". I therefore believe, subject to an Arboricultural Method Statement (AMS) and a Tree Protection Plan being submitted (in accordance with BS5873:2005) that the proposed development would not be to the detrimental of the health of this tree.

Area of Archaeological Potential

5.3.16 The site is within an 'Area of Archaeological Potential' and after taking advice from the KCC Archaeological Officer, I believe the recommended condition (shown below) is justified and shall therefore duly impose it.

"The developer shall afford access at all reasonable times to any archaeologist nominated by the Local Planning Authority and shall allow him/her to observe the excavations and record items of interest and finds. The developer shall inform the County Archaeologist of the start date of construction works on site not less than two weeks before the commencement of such works.

Reason: To ensure that features of archaeological interest are properly examined and recorded."

6. Conclusion

6.1 The issues raised by Councillor Mortimer and the neighbours have been dealt with in the main body of this report. However, I would also like to add that the Party Wall Act is not a material planning consideration and any future change of use of the property would be fully considered if and when a planning application for this was submitted.

6.2 It is therefore considered overall that the proposal is acceptable with regard to the relevant provisions of the development plan and amenity impacts on the local environment and other material considerations such as are relevant. I therefore recommend conditional approval of the application on this basis.

7. RECOMMENDATION

APPROVE PLANNING PERMISSION subject to the following 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.

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2. The materials to be used in the construction of the external surfaces of the building(s) hereby permitted shall match those used in the existing building;

Reason: To ensure a satisfactory appearance to the development. This is in accordance with policy H18 of the Maidstone Borough Wide Local Plan 2000 and policies CC6 and BE1 of the South East Plan 2009.

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3. Before the development hereby permitted is first occupied, the three proposed first floor windows in the northern flank of the property shall be obscure glazed and 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 existing and prospective occupiers. This is in accordance with policy H18 of the Maidstone Borough Wide Local Plan 2000 and policies CC6 and BE1 of the South East Plan 2009.

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4. No work shall take place until an Arboricultural Method Statement (AMS) and a Tree Protection Plan, in accordance with BS5873:2005, has been submitted and approved in writing by the Local Planning Authority. The AMS should include details of crown protection, foundation design and method of works including the laying of the new paving (e.g. hand digging) within the Root Protection Area (as given by BS5837:2005) of the Norway Maple found close to the boundary within the rear garden of 108 Loose Road;

Reason: To safeguard existing trees to be retained and to ensure a satisfactory setting and external appearance to the development in accordance with policy ENV6 of the Maidstone Borough Wide Local Plan 2000.

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5. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building(s) or the completion of the development, whichever is the sooner; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation;

Reason: To ensure a satisfactory setting and external appearance to the development and to prevent harm to the residential amenity of neighbouring occupiers. This in accordance with policy ENV6 of the Maidstone Borough Wide Local Plan 2000.

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6. The developer shall afford access at all reasonable times to any archaeologist nominated by the Local Planning Authority and shall allow him/her to observe the

excavations and record items of interest and finds. The developer shall inform the County Archaeologist of the start date of construction works on site not less than two weeks before the commencement of such works.

Reason: To ensure that features of archaeological interest are properly examined and recorded. This is in accordance with PPS5.

7. The development hereby permitted shall be carried out in accordance with the following approved plans: proposed floor plans and elevations received 18/11/10 and drawing no. R/PPS B108/112PE/110LRM Received 19/11/10;

Reason: To ensure the quality of the development is maintained and to prevent harm to the residential amenity of neighbouring occupiers. This is in accordance with policy H18 of the Maidstone Borough Wide Local Plan 2000 and policies CC6 and BE1 of the South East Plan 2009.

Informatives set out below

The applicant is invited to explore the use of swift bricks and bat boxes when constructing the approved development, to encourage wildlife to the site.

The proposed development, subject to the conditions stated, is considered to comply with the policies of the Development Plan (Maidstone Borough-Wide Local Plan 2000 and the South East Plan 2009) and there are no overriding material considerations to indicate a refusal of planning consent.