

APPLICATION: MA/10/1295 Date: 22 July 2010 Received: 23 July 2010  
APPLICANT: Mr S Nagar  
LOCATION: 44, PARK WAY, MAIDSTONE, KENT, ME15 7DN  
PARISH: Maidstone  
PROPOSAL: Erection of a rear conservatory and first floor lean-to extension over existing garage  
AGENDA DATE: 4th November 2010  
CASE OFFICER: Louise Welsford

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

- the applicant's wife is an officer of the Council

### **POLICIES**

Maidstone Borough-Wide Local Plan 2000: H18.  
Government Policy. PPS1.  
Supplementary Planning Guidance document "Residential Extensions".

#### **1 HISTORY**

1.1 None relevant.

#### **2 CONSULTATIONS**

2.1 **Parish Council.** Not applicable.

#### **3 REPRESENTATIONS**

3.1 None received to date.

#### **4 CONSIDERATIONS**

##### SITE AND SITUATION

4 1 This application relates to a semi-detached dwelling, which is located upon the south side of Park Way, in the urban area of Maidstone. The house is constructed of facing brickwork and render, under a plain tiled roof.

- 4.2 The road is a fairly wide street of generally 1930s character. Dwellings are a mixture of mainly detached and semi-detached properties, mostly being of two storeys in height, although there are some bungalows. Spacing between dwellings is not wholly fixed and there are no strong uniform patterns to the street in general.

## 5 **PROPOSAL**

- 5.1 Planning permission is sought for the erection of a first floor side extension and a rear conservatory.
- 5.2 The first floor side extension would take the form of a catslide extension to the main roof, over the existing garage. The only fenestration proposed to that extension would be the insertion of two rooflights to the catslide roof. The render and tiles used would match those existing upon the house.
- 5.3 The conservatory would have a footprint of 4.2m x 3.35m. It would be approximately 2.2m high to eaves and 3m to ridge. It would have a partially solid wall (approximately 3m of its length) facing the attached property, with the remainder of the elevations being glazed upon dwarf walls (approximately 0.6m high) The roof would be glazed.

## 6 **PLANNING CONSIDERATIONS**

### Visual Impact/Impact upon the Character and Appearance of the Street-scene

- 6.1 The proposed rear conservatory would be of a subordinate scale to the existing house and sympathetically related to it. It would not affect the visual amenity of the street-scene, because it would be positioned to the rear of the existing house, and, therefore, not visible from the road.
- 6.2 The proposed side catslide extension would maintain the form of the existing house, as the shape of the main roof would be maintained – the side roof slope would simply be lengthened over the existing garage.
- 6.3 Due to its design and height, the extension would appear subordinate to the existing house and sympathetically related to it.
- 6.4 The adopted supplementary planning guidance upon residential extensions advises that, for two storey side extensions, a minimum gap of 3m at first floor level should be maintained between the flank walls of the buildings. The purpose of this is to prevent a terracing effect in streets where terracing is out of character and also to preserve the rhythm or pattern of development, in streets where this is a positive and important feature.
- 6.5 In this case, a minimum gap of 3.5m would remain, increasing to more than 4m to the higher part of the extension. The development therefore accords with the adopted guidance and sufficient gap would remain to prevent a terracing effect. Moreover, the street-scene is not of fixed character or spacing, so the proposal would not interrupt the rhythm or pattern of the

street. I consider that the development could be absorbed within this locality without any significant detriment to visual amenity.

## **7 Impact upon Residential Amenity**

- 7.1 The proposed side extension would not cause a significant loss of residential amenity for any neighbouring property, due to its design and positioning. It would be located alongside a garage and part of the kitchen of no. 46, to the east, which has kitchen windows located upon its rear elevation. To the first floor of the flank elevation of no. 46 is a small window, understood to serve a staircase. Therefore, the side extension would not face any key openings of no. 46 and due to its design and positioning, would not cause a significant loss of light to, overshadowing of, or loss of outlook or privacy for, the occupiers of no. 46. The rearmost rooflight would serve only a cupboard and any views for the rooflights towards the rear garden of no. 46 would only be oblique.
- 7.2 Although at 4.2m in depth the extension would be longer than that suggested in the residential extensions guidelines (3m is suggested), only 3m of that length would be a solid wall. Also the heights would be lower than the maximums suggested in the supplementary guidance. The guidance suggests maximums of 3m to eaves and 4m to ridge, whereas this proposal would be approximately 2.2m to eaves and 3m to ridge – significantly lower than the suggested maximums. The solid section would only be approximately 2.2m in height, which is only marginally higher than a 2m high solid brick wall which could be constructed along the boundary as permitted development.
- 7.3 A loss of light test undertaken in accordance with a method referred to in the British Research Establishment Report "Site Layout Planning for Daylight and Sunlight" does not indicate a significant loss of light to the attached property, no. 42, to the west. The development passes both the plan and elevation tests in respect of the conservatory and passes the elevation test in respect of the habitable room behind the conservatory. If the development passes either test, then a significant loss of light is unlikely to result. Also, the glazed sections of the proposal would obviously allow light transference and would therefore be of limited impact upon the neighbouring property.
- 7.4 Therefore, because of the design and height of the conservatory, it is considered that it would not cause a significant loss of light to, overshadowing of, or overbearing impact upon, the attached property, notwithstanding its length. Also, no. 42 has a conservatory to the rear elevation and this has obscure glazed high level windows facing the site (rather than its key openings). No other property would be close enough to the conservatory to be affected in these ways.
- 7.5 The proposed conservatory would not cause a significant loss of privacy for any neighbouring property, because it would be sited upon an existing patio and would give substantially the same views which could be gained from the existing garden area. There is a close boarded fence to the western boundary.

8 **Other issues**

8.1 No additional bedrooms are proposed and the proposal would not affect the parking provision.

9 **Conclusion**

9.1 The proposal would preserve the character and appearance of the streetscene and would not result in significant harm to residential amenity for any neighbouring property. Approval is therefore recommended.

**RECOMMENDATION**

GRANT 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.

2. The bricks, render and tiles to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building;

Reason: To ensure a satisfactory appearance to the development in accordance with Policy H18 of the Maidstone Borough-Wide Local Plan 2000, and PPS1.

3. The development hereby permitted shall be carried out in accordance with the following approved plans: site location plan and drawing no. M1991.10/02 received on 23/07/10;

Reason: To ensure the quality of the development is maintained and to prevent harm to the residential amenity of neighbouring occupiers in accordance with Policy H18 of the Maidstone Borough-Wide Local Plan 2000, and PPS1.

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 there are no overriding material considerations to indicate a refusal of planning consent.