

APPLICATION: MA/12/2090 Date: 19 November 2012 Received: 5 December 2012

APPLICANT: Mr Philip Hollembly

LOCATION: 5, BATHURST CLOSE, STAPLEHURST, TONBRIDGE, KENT, TN12 0NA

PARISH: Staplehurst

PROPOSAL: Erection of a single storey front extension, first floor side and two storey rear extension as shown on A3 Existing and Proposed Plan elevations plan, A4 Existing and Proposed floor plans, A4 Site Location Plan and Application Form received 20th November 2012.

AGENDA DATE: 14th March 2013

CASE OFFICER: Kevin Hope

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

The recommendation is contrary to the views of Staplehurst Parish Council who have raised objections to the application for the following reasons:-

- The proposed extension would significantly add to the footprint of the property and take away the visual gap and that the ground floor extended to the fence line.
- They noted that the property was set higher than adjacent property and the proposal would reduce available light.

1. POLICIES

- Maidstone Borough-Wide Local Plan 2000: H18
- South East Plan 2009: BE1, CC6
- Village Design Statement: N/A
- Government Policy: National Planning Policy Framework 2012
- MBC Residential Extensions Supplementary Planning Document 2009

2. HISTORY

- 61/0147A/MK3 – Erection of dwellings – Approved with conditions

- 62/0081/MK3 – Details of 141 houses and garages with estate roads – Approved with conditions

3. CONSULTATIONS

None.

4. REPRESENTATIONS

4.1 Two representations have been received, from neighbouring occupiers raising the following points:-

- Resulting scale of the development proposed.
- Overshadowing of neighbouring properties.
- Development would cause harm to the openness of the streetscene.
- Additional pressure on existing parking provision.
- Loss of light to No7 Bathurst Close.
- Loss of privacy to No7 Bathurst Close.
- Development encroaches over the boundary with No7.

5. CONSIDERATIONS

5.1 Site Description

5.1.1 The application site is located within the defined village envelope of Staplehurst and has no specific environmental or economic designation. The property comprises a detached dwelling with side garage and driveway to the front. The surrounding streetscene comprises a range of dwelling types. The application property and the neighbouring two to the north are constructed in a staggered pattern and are identical in appearance. The remaining dwellings within the street are semi detached and of a different overall character.

5.1.2 The spacing between dwellings within this street differs between dwellings although the ground floor spacing of approximately 1.5m is largely consistent. At first floor level, there is a gap of approximately 5.5m between the application property and No7 to the north with a similar distance to No3 to the south. The application dwelling is set back from the road by approximately 9m with garden area and front drive providing parking provision for two vehicles in addition to the side garage.

5.2 Proposal

5.2.1 Planning permission is sought for the erection of a single storey front extension, first floor side and two storey rear extension.

5.2.2 The proposed front extension would project 1.5m to the front of the dwelling with a width of 4m. This would attach to the side garage and would have a hipped roof design with an eaves height and ridge height of approximately 2.2m and 3m respectively.

5.2.3 The proposed first floor side extension would project approximately 2.7m from the existing side elevation of the dwelling and would have a pitch roof extending at 90° from the existing pitched roof of the dwelling. The eaves height of this would match that of the dwelling with a ridge height of approximately 6.5m. The proposed two storey rear extension would project approximately 5.2m from the existing rear elevation of the dwelling and would have an overall width of 5.5m. The extension would have a matching eaves height and a ridge height to match the proposed first floor side addition. A single storey addition would also extend to the rear of the existing garage continuing the proposed hipped roof of the garage and extending 5.2m to be in line with the proposed two storey rear addition.

5.3 Principle of development

5.3.1 In principle, household extensions are considered acceptable within the urban area of Maidstone subject to its scale, design and its impact upon the surrounding area. This is outlined within policy H18 of the Maidstone Borough Wide Local Plan 2000 and the Residential Extensions Supplementary Planning Document 2009 as shown below:-

Policy H18:-"EXTENSIONS AND ADDITONS TO RESIDENTIAL PROPERITES WILL BE PERMITTED PROVIDED THAT THE PROPOSAL:

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

5.3.2 The Residential Extensions SPD also provides guidance on side and rear extensions within paragraphs 4.15 to 4.19. This document states that:-

- *The pattern of gaps in a street scene should be maintained. Other than in areas with significant spacing between dwellings, there should normally be a minimum gap of 3*

metres between the side wall of a two storey side extension and the adjoining property for the full height of the extension.

- *On detached houses situated close to neighbouring properties, rear extensions should generally extend no more than 4 metres from the rear elevation.*
- *Where a front extension would be acceptable within the streetscene, the scale should respect the scale of the building to which it is attached and the roof should be of the same form. A front extension should not closely abut, or obstruct the outlook from, adjacent windows and should not compromise the visual integrity of a whole terrace, or significantly diminishing the quality of the front garden areas or the character of the streetscene.*

5.3.3 I will consider these points under sections 5.4 and 5.5 below.

5.4 Visual Impact and design

5.4.1 With regard to its impact upon the existing dwelling, the proposed side addition would have a modest width of 2.7m from the existing side elevation of the dwelling and would have a ridge height 0.3m lower than the existing dwelling. I consider that this would result in a subservient side addition. Similarly, the proposed front extension is modest in scale and the hipped roof extending over the existing garage would create a more coherent appearance to the dwelling overall. In terms of the proposed two storey rear addition, whilst I appreciate that this is of a significant scale and is in excess of the scale stated within the Residential Extensions SPD, I do not consider that this is significantly overwhelming or visually dominant to the existing dwelling. The reduced ridge height in line with the proposed side addition also helps to create a subservient appearance to the development. As such, I do not consider that this proposal would harm the character or appearance of the dwelling. It is also stated within the application form that matching materials shall be used; however, a condition shall be imposed to secure that a satisfactory visual appearance would be achieved.

5.4.2 With regard to the impact upon the streetscene, clearly the proposed extension would have an impact upon the streetscene given its presence within the streetscene. However, due to the design of the proposed first floor side and front extensions including a reduced ridge height and in keeping fenestration design reduce the impact of the development and I do not consider there to be a harmful impact. Whilst in terms of its scale, I appreciate that this would represent a significant increase in the scale of the property; however I do not consider this to be significantly harmful. The comments raised by neighbours regarding the resulting appearance of the dwelling and its impact upon the surrounding area have been considered, however, as discussed above, I do not consider this development would be significantly overwhelming or harmful which would warrant refusal on visual impact grounds.

5.4.3 With regard to the spacing, a distance of 2.9m at first floor level would be retained between the northern side of the application dwelling and No7 Bathurst Close. At ground floor level this distance reduces to 1.5m which remains unchanged due to the existing siting of the side garage. Whilst I appreciate that this proposal would result in the loss of some space between the two dwellings, I do not consider that this would result in significant harm to the spacing of this street. Furthermore, due to the set back nature of the properties, there is an openness to the frontage of dwellings with landscaped side boundaries, I do not consider that this would be effected by the proposed development.

5.4.4 I therefore consider that the proposal is in accordance with criteria 1 and 2 of policy H18 as outlined above.

5.5 Neighbouring Amenity

5.5.1 With regard to neighbouring residential amenity, a number of representations have been received raising concerns over the impact upon the amenity of No7 Bathurst Close.

5.5.2 A BRE light test has been conducted comprising both the elevation and floor plan test to assess the impact upon light to No7 Bathurst Close. This shows that the development would pass both tests and would not result in a significant loss of light to No7 due to its siting approximately 2.9m from the proposed two storey extension, 1.5m from the single storey side garage extension and the siting of the existing single storey rear extension to No7. Furthermore, whilst I also acknowledge that this property is located to the north of the application dwelling, due to the staggered position of the dwellings, I do not consider that this development would result in a significant loss of light or overshadowing to No7. Similarly, by virtue of this separation between the two properties and its location to the side of No7, I do not consider that there would be a significant loss of outlook.

5.5.3 Whilst the proposed side and rear extensions may reduce the level of direct sunlight to the rear garden of No7, the BRE test undertaken shows that there would not be a significant loss of light to the habitable rooms of No7 and therefore would not warrant a refusal of planning permission.

5.5.4 With regard to a loss of privacy, I note that comments have been raised with regard to a loss of privacy upon No7. The proposal does not include any ground or first floor windows to the side elevation and due to the separation between the dwellings and the existing single storey rear extension to the rear of No7, I do not consider that there would be significant overlooking or loss of privacy to No7.

5.5.5 With regard to the issue of possible encroachment raised within the comments received, the submitted plans appear to show the eaves of the proposed hipped roof to the existing garage encroaching over the boundary with No7 by approximately 0.1m. The agent has subsequently submitted a certificate B to clarify that part of the development falls under a different ownership.

5.5.6 Due to the scale of the proposed development and its siting in relation to other neighbouring properties, I do not consider that there would be a significant impact upon the amenity of any other properties.

5.6 **Landscaping**

5.6.1 No additional landscaping has been proposed within this application. In this case, no significant planting would be lost by this proposal and I do not consider that it would be reasonable to consider such details.

5.7 **Highways**

5.7.1 Comments have been raised regarding the additional pressure that may be created upon the existing parking provision at this site. The existing driveway at this site can accommodate two vehicles in addition to the existing single garage which will also remain. I consider this level of parking provision to be sufficient for a property within this village location.

6. **CONCLUSION**

6.1 For the reasons outlined above, I consider the development would not cause any demonstrable harm to the character or appearance of the surrounding area, it would not have a detrimental impact upon the amenities of the existing residents and would not result in harm to highway safety. 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**

I therefore recommend to 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 materials to be used in the construction of the external surfaces of the extensions 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, policies BE1 and CC6 of the South East Plan 2009 and the guidance contained within the National Planning Policy Framework 2012.

3. The development hereby permitted shall be carried out in accordance with the following approved plans:

A3 Existing and Proposed Plan elevations plan, A4 Existing and Proposed floor plans, A4 Site Location Plan and Application Form received 20th November 2012.

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, policies BE1 and CC6 of the South East Plan 2009 and the guidance contained within the National Planning Policy Framework 2012.

Note to Applicant

In accordance with paragraphs 186 and 187 of the NPPF, Maidstone Borough Council (MBC) takes a positive and proactive approach to development proposals focused on solutions. MBC works with applicants/agents in a positive and proactive manner by:

Offering a pre-application advice and duty desk service.

Where possible, suggesting solutions to secure a successful outcome.

As appropriate, updating applicants/agents of any issues that may arise in the processing of their application.

In this instance:

The applicant/agent was advised of minor changes required to the application and these were agreed.

The applicant/agent was provided with formal pre-application advice.

The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the committee and promote the application.

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.