

APPLICATION: MA/09/1024 Date: 10 June 2009 Received: 16 June 2009
APPLICANT: Mr P. Duke
LOCATION: 36, SOUTH BANK, STAPLEHURST, TONBRIDGE, KENT, TN12 0BD
PROPOSAL: Erection of a part single storey part two storey side and rear extension as shown on drawing number(s) 64/1 received on 15 June 2009.
AGENDA DATE: 3rd September 2009
CASE OFFICER: Laura Gregory

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

- It is contrary to views expressed by the Parish Council

POLICIES

Maidstone Borough-Wide Local Plan 2000: H18
South East Plan 2009: CC1, BE1
Government Policy: PPS1
Supplementary Planning Document: Residential Extensions (Adopted May 2009)

HISTORY

None

CONSULTATIONS

Staplehurst Parish Council – Wish to see the application REFUSED for the following reason:-

- Councillors noted the letter of objection and after much discussion recommended refusal due the bulk, height mass and scale of the proposal which would have a detrimental impact upon the street scene. The application could not be regarded as modest.

REPRESENTATIONS

One representation received raising the following issues:-

- Loss of light
- Overlooking and loss of privacy

CONSIDERATIONS

The Site

The application site is located within the defined village envelope of Staplehurst and contains a semi detached dwelling with detached garage which is situated within an established residential street which is characterised by semi detached dwellings on rectangular plots set back from the road by an average of 7m and evenly spaced with an average gap of 5m between each pair, at first floor level. To the north and east of the site, the surrounding dwellings appear to be of the same external design with rendered ground floors and tile hanging which wraps round the entire first floor. These dwellings were constructed prior to 1948 and are the oldest houses in the immediate surrounding area. To the south, the neighbouring dwellings have been constructed more recently, forming part of a residential development which was built in the 1960's. These dwellings, located in Hanmer Way, are also semi detached and set back from the road by 7m. Constructed of light brown brick the dwellings have UPVC weatherboarding at first floor level on the front elevation and have attached garages to the side with front gardens and driveways.

The property also has a garage to the side but, this is detached and set rearward of the front elevation by approximately 4.7m. The dwelling has been extended previously with a conservatory to the rear and has a small utility extension to the side adjacent to the drive. To the rear boundary which, is lined by mature trees and shrubs, are open fields and immediately adjacent to the southern boundary of the site is a public footpath leading to these fields. Boundary treatments on site comprise of 1.8m close boarded fencing to the south.

Proposal

Planning permission is sought under this application for the erection of a part two single storey side and rear extension, incorporating a replacement garage. For the purpose of describing the proposal the development can be split into two parts. The first part is the proposed two storey extension which would measure 4.4m wide and 11m deep from front to back, incorporating a replacement garage. It would have a hipped roof and to the rear, the projecting roof would be set down from the main ridge line by 1m. The extension would have an eaves height of 4.5m and would project from the rear wall by 4m. A front porch is incorporated into the two storey extension and this would project 1m from the front elevation.

The second part is the proposed single storey rear element which, would replace the existing conservatory and would project from the rear wall by 4m and have a width of 6.5m. With a flat roof proposed the single storey element would have a height of 2.8m.

Planning Considerations

The main issues to consider with this application are the impact the proposed development would have upon the character and appearance of the street and on the residential amenity of the adjoining neighbouring dwelling.

Impact upon the Visual Amenity

In terms of scale and design, the proposed development is considered to be acceptable with matching materials proposed the extension is acceptable. It is of a design which is sympathetic to the existing dwelling and is of a size which does not overwhelm or destroy the form of the original dwelling.

Under the Council's recently adopted SPD *Residential Extensions*, it is recognised that in a street of traditional semi detached dwellings such as South Bank, the infilling of the spaces between with two storey side extensions can create a terraced appearance which can affect the symmetry of a pair of semi detached houses and the rhythm of the street scene. It is therefore recommended that where there is pattern of gaps between dwellings, a minimum gap of 3m should be maintain at first floor level between the extension and the adjacent property thus allowing the pattern and rhythm of gaps in the street to be maintained. In addition, to further assist in the assimilation of the development into the street scene, it is recommended that a set a set back from the front elevation and a lower roof should also be used.

In this application, no set back from the front elevation is proposed and the side extension would be built flush with the main ridgeline. However, it is proposed to maintain a space of 2.5m between the flank wall and the boundary with the footpath and, a minimum of 4m between the front of the extension and adjacent property 61 Hanmer Way would be maintained, widening to 5m to the rear. Given that there will still be gap between the extension and the neighbouring property and that a minimum space of 4m would be maintained a first floor level, it is considered that there would be no significant erosion of the established pattern of gaps between the dwellings and the rhythm of the street would be preserved.

Whilst it is appreciated that the application site and the properties to the north and east of it are uniform to an extent and with a hipped roof end proposed, this proposal would alter the symmetry of this pair of semi-detached properties, the preservation of a sufficient gap between the dwelling and the adjacent dwelling would reduce the overall visual impact of the extension and maintain a visual break between the two developments. In addition, nos. 26 – 32 South Bank, a terraced block of dwellings adjacent to adjoining neighbour no. 34, all have hipped ends as do nos. 18 and 20 South Bank. As such the proposed hipped end is not significantly out of character with the surrounding area. With the bulk of the development to the rear of the property, the visual impact of the development upon the street scene would be relatively minor and it is considered that visual interest within the streetscene would be maintained. Thus the impact upon the street scene is not considered significantly unacceptable.

Impact upon Residential Amenity

With regard to the impact on the residential amenity of adjoining property, 34 South Bank the occupant has objected to the development stating that the proposed extension would cause a loss of light and privacy to their dwelling.

There is a ground floor lounge window in the adjoining property which, situated 900mm of the boundary, has the potential to be affected by the proposed development. Positioned 150mm from the boundary line the single storey extension has been assessed in accordance with the BRE guidelines and it fails only one of the tests, namely the plan test. For a significant and unacceptable loss of light to be caused, the proposed development would have to fail both tests and therefore in this case it is considered acceptable on this issue. With a distance of 6.8m between the flank wall of proposed two storey rear extension and the boundary, the two storey rear extension would not significantly overbear onto the adjoining dwelling and would not cause significant or unacceptable loss of light. The front porch, incorporated into the two storey extension has also been assessed and this too, would not cause a loss light or overbear onto the adjoining dwelling.

There is a window in the flank wall of adjoining property no. 61 Hanmer Way, but given the distance between the flank walls of the two dwelling, once the extension is completed, it is not considered that the development would cause a loss of outlook form this window

No windows are proposed in the flank elevation facing the adjoining property. There is a window proposed in the flank elevation facing the adjacent property but, this is to be obscure glazed and therefore, there would be no loss of privacy caused to the neighbouring property.

Recommendation

In conclusion, for the reasons stated above, the proposed is considered to be acceptable and in accordance with the provisions of the Development Plan and advice contained within Supplementary Planning Document: Residential Extensions Members are there recommended to approve the application subject to the following conditions.

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 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 in accordance with policy H18 of the Maidstone Borough Wide Local Plan 2000 and CC3 of the South East Plan 2009.

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 South East Plan 2009) and there are no overriding material considerations to indicate a refusal of planning consent.