

REFERENCE NO 18/503262/FULL		
APPLICATION PROPOSAL		
Erection of a 3 metre first floor rear extension above existing single storey rear extension with external alterations to fenestration. (Revision to 18/501178/FULL)		
ADDRESS 20 Pine Grove Maidstone ME14 2AJ		
SUMMARY OF REASONS FOR RECOMMENDATION		
The proposal has an acceptable impact on visual and residential amenity and as such complies with the adopted Local Plan.		
REASON FOR REFERRAL TO COMMITTEE		
The application was called in by the Maidstone Borough Councillor for North Ward on 2nd July 2018 as the application has attracted considerable local interest because of the welfare issues informing it.		
WARD North	PARISH/TOWN COUNCIL	APPLICANT Ms Rosemary Chance AGENT Richardson Architectural Designs
TARGET DECISION DATE 13/8/18		PUBLICITY EXPIRY DATE 23/7/18

Relevant Planning History

18/501178/FULL

First floor rear extension above existing single storey rear extension with external alterations to fenestration.

Refused Decision Date: 26.04.2018

18/503262/FULL

Erection of a 3 metre first floor rear extension above existing single storey rear extension with external alterations to fenestration. (Revision to 18/501178/FULL)

Pending Decision Decision Date:

MAIN REPORT

1. DESCRIPTION OF SITE

- 1.1 The application site is a semi-detached two storey Edwardian dwelling located on the south-western side of Pine Grove. The property currently has a single storey rear projection of 4.5m with a garden of approximately 12.5m in length.

- 1.2 The adjacent dwelling to the north-west (No. 18) has been the subject of a two-storey rear extension, which gained permission in 1999, with a number of windows on the flank elevation facing the application site.
- 1.3 Pine Grove itself is located to the north-west of Maidstone Town Centre and is not subject to any designations. The street is characterised by a variety of dwelling styles and ages.
- 1.3 The site is not located within a Conservation Area, nor is it listed or locally listed.
- 1.5 The site is located in Flood Risk Zone 1 and therefore there is no likely harm arising from flood risk.

2. PROPOSAL

- 2.01 This application seeks planning permission for the erection of a first floor rear extension above the existing single storey rear projections. The proposed extension will protrude 3m and will be set back from the existing single storey extension by approximately 1.5m. The extension will have a pitched roof with a gable end, lower than the main roof of the house. The application also seeks to change the fenestration of the north-west elevation and the rear elevation. The plans indicate two new windows within the north-west elevation, and the widening of the existing patio door on the rear elevation.

3. POLICY AND OTHER CONSIDERATIONS

National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)
Maidstone Borough Local Plan 2017 DM1, and DM9
Supplementary Planning Documents: Maidstone Local Development Framework Residential Extensions Supplementary Planning Document (2009).

4. LOCAL REPRESENTATIONS

Local Residents:

- 4.01 Objections from the adjacent householder at no. 18 and 4 letters of support from nos. 8, 16, 24, and 25. The Council also received a letter in support of this application signed by a number of residents of Pine Grove (nos. 5, 10, 12, 16, 21, and 22). The following issues have been raised:
- 4.02 Objection summary:

The proposed extension will cause a significant loss of natural light to our property making habitable rooms gloomy.

The extension is proposed to be built directly from which much of our natural light comes. As the gap between the houses is only 7 feet an extension of the proposed height will have a significant impact.

The proposed windows in the extension will cause overlooking of our garden.

Support Summary:

The family requires an additional bathroom for the improvement of quality of life of existing resident.

Fail to see why there should be any concerns as to the potential loss of light for the adjacent properties. The houses on this side of Pine Grove are south facing and therefore benefit from sunlight for most of the day. Any loss of full light would be minimal during the day and therefore would not require significant remedial action. It is also noted that the houses were built close together originally.

Pine Grove benefits from a variety of architectural designs with a significant number of houses now having extensions of various sizes. Given the existing precedent, there should be no reason why this application should be rejected given the extension is similar in design to those already in place.

5. CONSULTATIONS

None

6. APPRAISAL

Main Issues

6.01 The key issues for consideration relate to:

- Principle of development
- Visual amenity
- Residential amenity
- Others

Principle of Development

6.02 The application site is within the built up area boundary where the principle of extensions and alterations area acceptable subject to proposals meeting the Council's policies.

Visual Amenity

6.03 The Residential Extensions SPD notes that rear extensions usually have the least impact upon the street scene. The street is characterised by varying

styles of homes that are all closely built together. The rear extension will not project any wider than the existing dwelling and will therefore not be significantly visible, if at all from the street.

- 6.04 The materials to be used within the design of the proposed extension are to match the existing and are therefore acceptable.

Residential Amenity

- 6.05 The proposed first floor extension is shown to project from the rear of the property by approximately 3m. This application is a resubmission of the application 18/501178/FULL, and has been revised by reducing the depth of the first floor extension, so that it no longer covers the whole of the existing single storey rear extension, but is set in by approximately 1.8m.
- 6.06 The Residential Extensions SPD states that for rear extensions for semi detached homes should not exceed 3m in depth from the rear of the property. In this case, the proposed extension will not exceed this depth and therefore is acceptable as long as it does not negatively impact the amenity of neighbouring properties.
- 6.07 It is noted that the previous application at this site was refused on the grounds that it would significantly reduce the amount of light reaching habitable rooms of the adjacent property (No. 18 Pine Grove) and was therefore not in keeping with the policies of the Council's Development Plan, in particular Policy DM9. Policy DM9 states that residential extensions will be permitted if the privacy, daylight, sunlight and maintenance of a pleasant outlook of adjoining residents would be safeguarded. It is believed that with this set back from the edge of the existing single storey extension that this will allow for sufficient light to reach the habitable rooms of the neighbouring property and will not cause a significant impact upon the amenity of these residents.
- 6.08 No. 18 has three main windows facing the site property, two at ground floor level and one at first floor level. These serve a dining room, a kitchen and a bedroom that has been converted to an office.
- 6.09 Whilst the extension will clearly be visible from these windows, the depth has been reduced from the previously refused proposal. It should be noted that the layout of no.18 has changed somewhat to how the property was originally built as a result of extensions to that property.
- 6.10 With regards to overlooking, the proposed fenestration of the first floor extension, although would be able to overlook into the garden of the neighbouring properties, the level of overlooking will be no higher than the existing, which is caused by the fact that the properties along Pine Grove were built so closely together.

- 6.11 Overall, whilst there may be some visual impact and loss of light to the adjacent occupier at no. 18 as a result of the increased size of the dwelling, it is not considered that the impact of the extension as revised from the previous scheme would be so great as to be materially harmful to the visual or residential amenities of the occupiers of that property.
- 6.12 In the opinion of officers, no harm is likely to arise to any other neighbouring occupier given the distance of the extension from neighbouring boundaries
Others
- 6.13 Due to the proposed siting and nature of the application, the development will not have a highways impact.
- 6.14 It is not believed that the nature of the proposed development will affect the existing landscaping and no landscaping details are provided as part of this submission and therefore are not considered as part of this application.
- 6.15 It is noted that a number of comments have been received in relation to the personal circumstances of the applicant and the need for this extension to accommodate a safe and private shower room for the applicants son.
- 6.16 The personal circumstances of the applicant are a material consideration and this needs to be weighed in the planning balance. Nevertheless, such matters will rarely outweigh such issues as impacts on neighbouring amenity. In this case, whilst this can be given some limited weight, the principle issue is whether the extension harms neighbouring amenity.

7. CONCLUSION

- 7.01 The proposals have been revised from the previously refused planning application. The proposals would have some impact on neighbouring amenity but this is not considered to materially harm the occupiers at no.18. Therefore, weighing up these issues it is considered that on balance permission should be granted.
- 7.02 This application for a first floor rear extension and change to fenestration to provide a bedroom and new bathroom is considered acceptable and I therefore recommend that planning permission be granted.

8. 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.

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18 October 2018

2. The development hereby permitted shall be carried out in accordance with the following approved plans: Existing and Proposed Plans and Elevations (drawing number: RA1166/REV c/01

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 and application form unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure a satisfactory appearance to the development

The Head of Planning and Development BE DELEGATED POWERS TO GRANT planning permission subject to the prior completion of a legal agreement to provide the following (including the Head of Planning and Development being able to settle or amend any necessary terms of the legal agreement in line with the matters set out in the recommendation resolved by Planning Committee)

Case Officer Tom Beard