

APPLICATION: MA/11/0972 Date: 11 June 2011 Received: 24 June 2011

APPLICANT: Ms Nicola Manning as deputy for, William Scott

LOCATION: 77A, EYHORNE STREET, HOLLINGBOURNE, MAIDSTONE, KENT, ME17 1TS

PARISH: Hollingbourne

PROPOSAL: Erection of a single storey conservatory at the rear of the existing house as shown on drawing nos. 1014-0000, 6000, 6016, 6017, 6018 received on 13/6/11.

AGENDA DATE: 22nd September 2011

CASE OFFICER: Geoff Brown

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

- Hollingbourne Parish Council wishes to see the application refused and requests that the application be reported to Planning Committee.

1. POLICIES

- Maidstone Borough-Wide Local Plan 2000: H27, ENV34, H18
- The South East Plan 2009: CC1, CC6, BE6
- Government Policy: PPS1, PPS3, PPS5
- Residential Extensions SPD 2009

2. HISTORY

The relevant planning history is as follows:

MA/11/0419 - Single storey extension to occupational therapy swimming pool enclosure approved under MA/10/0763 - Approved

MA/10/0763 - Planning application for erection of single storey extension to provide occupational therapy facilities and erection of pool enclosure - Approved

MA/10/0653 - Section 73A application for the construction of swimming pool and changing room building within existing residential curtilage and change of use of amenity land to residential curtilage - Approved

MA/01/1006 - Demolition of existing industrial building and erection of 1 no. 5 bed chalet bungalow with integral garage - Approved

3. CONSULTATIONS

HOLLINGBOURNE PARISH COUNCIL wishes to see the application refused and comments:

"There have been a number of applications for this site (mostly relating to provision for a child with disabilities). On this occasion the conclusion of the submission states that the proposed conservatory "represents an appropriate response to the nature of the site" and "provides the opportunity to improve the amenity value of the house and garden". The Parish Council does not hold that either of these statements is valid and furthermore the total building area of the property has already been significantly enlarged."

THE MBC CONSERVATION OFFICER states that, given its location, this extension would have no significant impact on the character of the Conservation Area.

4. REPRESENTATIONS

None received.

5. CONSIDERATIONS

5.1 Site Description

5.1.1 The application site is located at the head of a private drive that leads northwards from Eyhorne Street. The property is partly within the village envelope of Eyhorne Street and partly the countryside beyond that envelope, the boundary running approximately along the northern side of the existing house so that the garden beyond that north side is in the defined countryside. The site accommodates a large two storey dwelling in the southern part of the land with a double garage to its eastern side with a parking area in front of it. There is a sizeable rear garden with a tree/hedge line at its northern boundary. The entire site is within The North Downs Special Landscape Area, whilst the Eyhorne Street Conservation Area lies beyond the southern boundary of the application site.

5.1.2 A single storey extension on the north side of the house linking the house and garage, with a new detached building to form a swimming pool enclosure was approved under reference MA/10/0763 (subsequently amended under reference MA/11/0419) and those works are under construction.

5.2 Proposal

5.2.1 The application proposes a single storey conservatory extension onto the western side of the dwelling. This would be a dual pitched roof construction of brickwork and glazing with a covered, open-sided section at its northern end. The overall structure would measure approximately 10.7m by 4m, with a ridge height of 4m. The conservatory would be approx. 6m from the western boundary and 2m from the southern boundary.

5.3 Principle of Development

5.3.1 As stated above, part of the overall application site is within the village boundary and the majority outside. However, the precise site for the proposed conservatory is actually within the village boundary where Development Plan Policy, Central Government Guidance and the Council's adopted residential extensions guidelines allow for residential extensions without the general level of restraint that would apply to the defined rural area. There is therefore no objection in principle to a development of this nature. It should be noted that the previously approved extensions/outbuilding (the main element of the planning history being MA/10/0763) were assessed in the light of countryside policies due to the location of those developments to the north of the dwelling.

5.4 Visual Impact

5.4.1 The conservatory would be essentially tucked away in the well concealed area to the west of the dwelling where the house itself, the walling to the southern boundary and the vegetation and fencing to the western boundary would mean that the proposed conservatory would only be visible within the grounds of the house. There are no long or medium range views of this portion of the site. In any event, the conservatory is of acceptable proportion and design. Against this background I do not consider that the development would have any negative impact on the character of the area. I agree with the Conservation Officer that the proposals would have no impact on the Conservation Area which lies beyond the southern boundary of the application site; and there would be no adverse effects on the Special Landscape Area which 'washes over' the whole of the Eyhorne Street settlement and environs.

5.5 Residential Amenity

5.5.1 The extension is modest, single storey and well divorced from neighbouring dwellings. The land beyond the western and southern boundaries of the application site is the extensive gardens of properties fronting Eyhorne Street to the south rather than sensitive private areas. I conclude that the proposals would have no significant impact on the residential amenities of neighbours as a result of loss of light, loss of outlook and loss of privacy.

5.6 Highways

5.6.1 I do not consider that the erection of a conservatory has any significant implications for highway safety. The property has the benefit of a garage and open parking within its bounds.

5.7 Landscaping

5.7.1 The application site is well landscaped, particularly in terms of trees and bushes to the north and west boundaries. There are two trees of modest size and amenity value close to the proposed conservatory but there is no intention to remove those (or any other) trees. This is a modest extension on garden land and no significant ecological issues arise.

5.8 Other Matters

5.8.1 The Parish Council appear to object on the basis of the cumulative impact of this and other permitted extensions. Whilst I appreciate that this would be a significant issue if open countryside was potentially affected, I see no justifiable reason for refusal in this case, particularly when the conservatory would be located within the village envelope.

6. CONCLUSION

6.1 I do not consider the proposals would have any negative impact on the character, amenity and functioning of the area. The scheme is in tune with policy, guidance and the Council's adopted residential extensions guidelines and I recommend that planning permission be granted.

7. RECOMMENDATION

PLANNING PERMISSION BE GRANTED 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 development hereby permitted shall be carried out in accordance with the following approved plans:
drawing nos. 1014-0000, 6000, 6016, 6017, 6018 received on 13/6/11;

Reason: To ensure the quality of the development is maintained and to prevent

harm to the residential amenity of neighbouring occupiers in accordance with the advice in PPS1 and PPS3.

3. The development shall not commence until, written details and samples of the materials to be used in the construction of the external surfaces of the building(s) hereby permitted have been submitted to and approved in writing by the Local Planning Authority and the development shall be constructed using the approved materials;

Reason: To ensure a satisfactory appearance to the development. This in accordance with Policy CC1 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 the South East Plan 2009) and there are no overriding material considerations to indicate a refusal of planning consent.