

APPLICATION: MA/12/0676 Date: 26 March 2012 Received: 26 April 2012  
APPLICANT: Mr K Rice  
LOCATION: 36, HONYWOOD ROAD, LENHAM, MAIDSTONE, KENT, ME17 2HH  
PARISH: Lenham  
PROPOSAL: Erection of one dwelling with associated works and erection of front porch to 36 Honywood Road as shown on drawing no. 12/0320 received 13/04/12 and drawing no. 12/0321A received 07/06/12.  
AGENDA DATE: 26th July 2012  
CASE OFFICER: Kathryn Altieri

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

- It is contrary to views expressed by the Parish Council.

### **1. POLICIES**

- Maidstone Borough-Wide Local Plan 2000: H18, ENV6, T13
- South East Plan 2009: CC1, CC4, CC6, BE1, H4, H5, T4, NRM4, NRM5, NRM10
- Village Design Statement: N/A
- National Planning Policy Framework
- Supplementary Planning Document – Residential Extensions

### **2. HISTORY (1974+)**

- MA/00/1892 - Demolition of existing store/wc and erection of part two storey/part single storey side extension (Resubmission of MA/00/1412) – approved/granted with conditions
- MA/00/1412 - Demolition of existing store and garage and erection of two storey side extension and attached single garage with new access – refused

### **3. CONSULTATIONS**

- Parish Council: Lenham Parish Council wish to see application refused and request the application is reported to the Planning Committee;

*"Concern that infill building will have an impact on the character of the estate. A loss of garden space, parking problems, inaccurate plans submitted and the building materials are not in keeping with the building in situ. The application may lead to more applications for infill building which would change the visual aspect of the estate."*

- KCC Highways Officer: Asked for further details regarding the vehicle crossover for 36 Honeywood Road (see main body of report).
- Environmental Health Officer: Raises no objections and recommends informatives;

*"The site is in a relatively quiet residential area and traffic noise is not a problem, in addition I note that the site is screened from the nearby railway track by several houses. The site is not within the Maidstone Town Air Quality Management Area and I do not consider the scale of this development and/or its site position warrant an air quality assessment. Any demolition or construction activities will definitely have an impact on local residents and so the usual informatives should apply in this respect. The store/WC to be demolished should be checked for the presence of asbestos and any found must only be removed by a licensed contractor."*

*There is no indication of land contamination based on information from the Maidstone Borough Council's contaminated land database and historic maps databases, and no indication from the latest British Geological Survey maps that there is a significant chance of high radon concentrations.*

*Recommended informatives -*

*Attention is drawn to Approved Document E Building Regulations 2003 "Resistance to the Passage of Sound". It is recommended that the applicant adheres to the standards set out in this document in order to reduce the transmission of excessive airborne and impact noise between the separate units in this development and other dwellings.*

*In order to minimise dust and dirt being blown about and potentially causing a nuisance to occupiers of nearby premises the following precautions should be taken.*

- *Reasonable and practicable steps should be used during any demolition or removal of existing structure and fixtures, to dampen down the general site area, using a suitable water or liquid spray system.*

- *Where practicable, all loose material on the site should be covered during the demolition process.*
- *During the construction, reconstruction, refurbishment or modification of the building and where practicable the exterior should be sheeted, enclosing openings etc. as necessary.*

*Adequate and suitable measures should be carried out for the minimisation of asbestos fibres during demolition, so as to prevent airborne fibres from affecting workers carrying out the work, and nearby properties. Only contractors licensed by the Health and Safety Executive should be employed.*

*Any redundant materials removed from the site should be transported by a registered waste carrier and disposed of at an appropriate legal tipping site.*

*Clearance and burning of existing woodland or rubbish must be carried out without nuisance from smoke etc to nearby residential properties. Advice on minimising any potential nuisance is available from the EHM.*

*Plant and machinery used for demolition and construction shall only be operated within the application site between 0800 hours and 1900 hours on Mondays to Fridays and between 0800 hours and 1300 hours on Saturdays and at no time on Sunday and Bank Holidays.*

*Vehicles may only arrive, depart, be loaded or unloaded within the general site between the hours of 0800 hours and 1900 Mondays to Fridays and 0800 to 1300 hours on Saturdays and at no time on Sundays and Bank Holidays.*

*Adequate and suitable provision in the form of water sprays should be used to reduce dust from the site.*

*Provision should be made for the separate storage of recyclables from household waste. Advice on recycling can be obtained from the Environmental Services Manager."*

#### **4. REPRESENTATIONS**

- 1 neighbour response raised concerns over highway safety and parking.

#### **5. CONSIDERATIONS**

##### **5.1 Site Description**

- 5.1.1 36 Honywood Road is semi-detached two storey property that is sited some 70m to the south-east of the junction with Robins Avenue. The property does have existing off road parking to the front of the site and a single storey side extension; and the rear garden area is enclosed by existing 1.8m high close boarded fencing. The north-western boundary of the site runs parallel with the private access road that serves the shops (also to the north-west of the site) and there are relatively new residential properties sited to the rear of the site.
- 5.1.2 Honywood Road is characterised by semi-detached and terraced properties of a similar design and age, set back from the road and orientated in such a way that there is an open feel to the area. There is also a large public amenity space and parking area close-by to the south-east of the site.
- 5.1.3 Located within the Parish and village envelope of Lenham, the application site does not fall within any other specially designated economic or environmental area, as shown by the Maidstone Borough-Wide Local Plan 2000.

## **5.2 Relevant planning history**

- 5.2.1 A two storey side extension was refused under MA/00/1412 because its height, width and depth were such that it was considered to result in a form of development that would not appear subordinate to the existing dwelling. This current planning application is to create a separate dwelling and not to extend 36 Honywood Road, and its merits in terms of visual impact and design are discussed further on in this report.
- 5.2.2 Please also note that the applicant did seek pre-application advice for a new dwelling in this location and that after positive negotiations, the scheme under consideration was thought acceptable.

## **5.3 Proposal**

- 5.3.1 The proposal is for the erection of a single dwelling attached to the side flank of 36 Honywood Road and for the erection of a front porch to this existing property. The existing single storey side extension would be removed.
- 5.3.2 The new dwelling would measure some 5.7m in width. The front gable-end would project some 0.9m from the existing front building line of 35 and 36 Honywood Road; and the rear gable-end would project some 3m from the existing rear building line of 35 and 36 Honywood Road. The front gable-end projection would have a ridge height of some 6.4m from ground level and an eaves height of some 4.7m; and the rear gable-end would have a ridge height of some 5.7m and an eaves height of some 3.2m.

- 5.3.3 The proposed house would have the same ridge and eaves heights as 35 and 36 Honywood Road, those being some 7m and 4.7m respectively; and overall, the new dwelling would measure some 10.1m in depth. Two car parking spaces are proposed to the front of the site, where there is already a dropped kerb.
- 5.3.4 The proposed dwelling would provide the occupants with a large lounge area, kitchen and toilet at ground floor level, and three bedrooms and a bathroom at first floor level.
- 5.3.5 The proposed porch for 36 Honywood Road would project some 1.58m from the front elevation of the house and measure some 3.3m in width. Furthermore, with its pitched roof design, the porch would stand some 3.5m in height from its ridge to ground level and some 2.2m in height from its eaves.
- 5.3.6 As corrected by the applicant, the proposal would not use weatherboarding on the development but facing brick and concrete interlocking roof tiles as per the existing buildings.
- 5.3.7 The proposed off-road parking area shown for 36 Honywood Drive is possible without the need for planning permission under the property's permitted development rights.

#### **5.4 Principle of Development and sustainability**

- 5.4.1 Development Plan policy and the National Planning Policy Framework does encourage new housing in sustainable locations as an alternative to residential development in more remote countryside situations. New housing within a village envelope is sustainable and acceptable in principle, but clearly the detail of the scheme must be appropriate.
- 5.4.2 The front porch for 36 Honywood Road will be considered under policy H18 of the Maidstone Borough-Wide Local Plan 2000.

#### **5.5 Design, siting and appearance**

- 5.5.1 The proposed dwelling, although narrower than 35 and 36 Honywood Road, is still well proportioned and appropriately scaled in appearance, it would fully respect the ridge and eaves heights of these adjoining properties; and the use of matching external materials and the dual pitched roof design would further compliment the properties whilst providing a good level of continuity with the development and its surroundings overall. With this considered, I take the view that the new dwelling would fully respect the character of the semi-detached properties it will be adjoined to.

- 5.5.2 Furthermore, the creation of a new terraced row of properties would positively reflect the existing terraces that are in the vicinity; and the gable-end front projection would echo similar projecting elements in the street. I am also satisfied that the 5.5m gap to be left between the proposed dwelling and the row of shops would maintain an acceptable visual break within the street. Given this separation distance, the continuation of the existing building line and the proposal's suitable scale and design, I do not take the view that this proposed would be an inappropriate infill development that would have an adverse impact upon the pattern and grain of development in the area.
- 5.5.3 I therefore consider the siting, scale and design of the proposed dwelling to be acceptable and in context with its locality; and believe that it would not appear incongruous, over cramped or visually intrusive; but integrate well with the street and surrounding area.
- 5.5.4 The proposed porch to 36 Honywood Road, given its modest scale, design and location, would be subordinate and ancillary to the existing house and would not, therefore, overwhelm or destroy the character of the existing property. Moreover, given its low eaves height, sympathetic roof design and use of matching external materials, it would not significantly affect the character and appearance of the area or adjacent buildings.

## **5.6 Residential Amenity**

- 5.6.1 Whilst I appreciate that the owner of the adjoining property (36 Honywood Road) is the applicant, the impact of the proposed development on this property must still be fully considered.
- 5.6.2 In accordance with the Council's Supplementary Planning Document – 'Residential Extensions', the BRE daylight elevation and plan tests were carried out. This was to see if there would be any impact on 36 Honywood Road in terms of loss of light from their kitchen window. The proposal marginally failed the BRE daylight plan test but passed the BRE daylight elevation test. The BRE guidelines state that only development that fails both tests would cause a significant loss of light. This result together with the orientation of both the new dwelling and 36 Honywood Road; and the modest scale, design and location of the proposed rear gable-end projection, I am satisfied that the proposed dwelling would not result in a significant loss of light to the kitchen window or the immediate outdoor amenity area to 36 Honywood Road.
- 5.6.3 Indeed, it should also be noted that the two storey rear gable-end element of the proposal would project out a modest 3m, it would be set away 0.4m from the shared boundary, it would have a relatively modest eaves height of some 3.2m from ground level, its ridge height would be set down some 1.4m from the

proposed dwelling's main ridge line, and it would have a pitched roof design, taking the bulk away from 36 Honywood Road. With this detail considered, I am also satisfied that the proposal would not have an overbearing impact upon the adjoining property, in terms of its occupants enjoying their immediate outdoor amenity space, or their outlook from the kitchen window.

- 5.6.4 Given the separation distance between the new dwelling and the existing flat above the shops to the north-west of the site, and the fact that there is already a first floor side opening serving a bedroom to 36 Honywood Road, I take the view that this proposal would not be significantly more harmful, in terms of loss of privacy, when compared to what exists already. Moreover, it appears that the first floor side opening to the flat serves a bathroom, which is not considered to be a habitable living space.
- 5.6.5 No other residential property would be within a significant enough distance of the proposed dwelling to have its amenity adversely affected.
- 5.6.6 The proposed porch to 36 Honywood Road, given its modest scale, design and location, would not have a significant detrimental impact upon the amenity of any neighbouring property.
- 5.6.7 I therefore consider that the proposed development would not have a significant detrimental impact upon the residential amenity of any neighbouring property in terms of loss of light, outlook and privacy.

## **5.7 Amenity for Future Occupiers of new dwelling**

- 5.7.1 The fenestration arrangements of the new dwelling would result in acceptable levels of outlook, daylight and privacy for any occupant; and the outdoor amenity space is also considered sufficient.

## **5.8 Highways**

- 5.8.1 The proposal would include two off-road parking spaces for the new dwelling, which I consider acceptable for a property of this size within a sustainable area; and there is unrestricted on-street parking provision available along Honywood Road and the surrounding streets. Moreover, the site is within a sustainable area, within walking distance of local amenities and bus routes; and it should also be noted that the '*Kent Design Guide – Residential Parking*' has not been formally adopted by Maidstone Borough Council and that there are no minimum or maximum parking standards that residential development has to adhere to.
- 5.8.2 I also have no significant highway safety objections to there being no turning area within the site. Indeed, the new parking area will utilise an existing

dropped kerb; Honywood Road is a quiet, residential (unclassified) road where no vehicle should be travelling at any great speed; and I am of the view that the vehicle movements generated by this new dwelling would not result in a frequency of use that would be detrimental to highway safety. There are many dwellings within the vicinity that do not have turning areas, so it would not be out of character; and in this case, I would rather see less hardstanding for the sake of the proposal's visual amenity.

5.8.3 In response to the comments received from the KCC Highways Officer, I appreciate that the drawings do not fully show the new vehicle access for 36 Honywood Road and the fact that it will have to go over a highway verge. However, this element of the proposed works would be possible to do under the property's permitted development rights and as such, I do not consider it reasonable to request further information this matter. Moreover, I can see no significant highway safety issue with the new vehicle crossover and even if the new parking area for 36 Honywood Road was not possible to complete, there is available unrestricted parking available along Honywood Road which is within a sustainable area.

## **5.9 Landscaping**

5.9.1 There are no trees within or near enough to the application site to be adversely affected by this proposed development; and given the character of the surrounding area, the nature the development and the restricted size of the application site, I do not consider it reasonable to ask for a further detailed landscaping scheme.

## **5.10 Other Matters**

5.10.1 This proposal would seek to achieve an acceptable Code Level 3 of the 'Code for Sustainable Homes', ensuring a sustainable and energy efficient form of development.

5.10.2 Given the existing residential use of the site and that is largely hardstanding and well maintained lawn, I do not consider there to be any significant issues with regards to a possible impact upon protected species. I therefore consider it unjustified to request any further details with regards to ecology or biodiversity.

5.10.3 The site is not within a Flood Zone, as designated by the Environment Agency and is not within close proximity of any noticeable watercourse. Therefore, this development would not be prejudicial to flood flow, storage capacity and drainage within the area.



## **6. CONCLUSION**

- 6.1 The objections raised by the one neighbour and Lenham Parish Council have been dealt with in the main body of the report. However, I would like to add that I am satisfied that the application can be determined based on the plans submitted and that this development would not set a precedent for similar development in the area. Each application is considered on its own merits.
- 6.2 For the reasons outlined above, I consider the development would not cause any demonstrable harm to the character of the area, it would not harm the amenities of existing residents and it would provide sufficient parking. It is therefore considered overall that the proposal is acceptable with regard to the relevant provisions of the development plan, Central Government guidance 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**

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 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 is in accordance with policies CC1, CC4, CC6 and BE1 of the South East Plan 2009 and the National Planning Policy Framework.

3. The dwelling shall achieve Level 3 or better of the Code for Sustainable Homes. The dwelling shall not be occupied until a final Code Certificate has been issued for it certifying that Code Level 3 or better has been achieved;

Reason: To ensure a sustainable and energy efficient form of development. This is in accordance with the National Planning Policy Framework.

4. The area shown on the submitted layout as vehicle parking space or garages shall be provided, surfaced and drained to the satisfaction of the Local Planning Authority before the use is commenced or the premises occupied, and shall be retained for the use of the occupiers of, and visitors to, the premises, and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order), shall be carried out on that area of land so shown or in such a position as to preclude vehicular access to this reserved parking space.

Reason: Development without provision of adequate accommodation for the parking of vehicles is likely to lead to parking inconvenient to other road users and be detrimental to highway safety and amenity. This is in accordance with policy T13 of the Maidstone Borough-Wide Local Plan 2000, policy T4 of the South East Plan 2009 and the National Planning Policy Framework.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 as amended by the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2008 and the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any order revoking and re-enacting that Order with or without modification), no development within Schedule 2, Part 1, Class(es) A, B, D, E and F shall be carried out without the permission of the Local Planning Authority;

Reason: To safeguard the character and appearance of the development and the enjoyment of their properties by existing and prospective occupiers. This is in accordance with policies CC1, CC4, CC6, BE1, H4 and H5 of the South East Plan 2009 and the National Planning Policy Framework.

6. The development hereby permitted shall be carried out in accordance with the following approved plans:  
12/0321A received 07/06/12;

Reason: To ensure the quality of the development is maintained and to prevent harm to the residential amenity of neighbouring occupiers. This is in accordance with policies CC1, CC4, CC6, BE1, H4 and H5 of the South East Plan 2009 and the National Planning Policy Framework.

### **Informatives set out below**

The applicant is reminded that this permission does not convey any approval for the required vehicular crossing for 36 Honeywood Road or any other works within

the highway for which a licence must be obtained. Applicants should telephone 08458 247800 in order to obtain the necessary Application Pack.

Attention is drawn to Approved Document E Building Regulations 2003 'Resistance to the Passage of Sound'. It is recommended that the applicant adheres to the standards set out in this document in order to reduce the transmission of excessive airborne and impact noise between the separate units in this development and other dwellings.

Clearance and burning of existing woodland or rubbish must be carried out without nuisance from smoke etc to nearby residential properties. Advice on minimising any potential nuisance is available from the EHM.

Plant and machinery used for demolition and construction shall only be operated within the application site between 0800 hours and 1900 hours on Mondays to Fridays and between 0800 hours and 1300 hours on Saturdays and at no time on Sunday and Bank Holidays.

Vehicles may only arrive, depart, be loaded or unloaded within the general site between the hours of 0800 hours and 1900 Mondays to Fridays and 0800 to 1300 hours on Saturdays and at no time on Sundays and Bank Holidays.

Adequate and suitable provision in the form of water sprays should be used to reduce dust from the site.

Provision should be made for the separate storage of recyclables from household waste. Advice on recycling can be obtained from the Environmental Services Manager.

In order to minimise dust and dirt being blown about and potentially causing a nuisance to occupiers of nearby premises the following precautions should be taken.

- Reasonable and practicable steps should be used during any demolition or removal of existing structure and fixtures, to dampen down the general site area, using a suitable water or liquid spray system.
- Where practicable, all loose material on the site should be covered during the demolition process.
- During the construction, reconstruction, refurbishment or modification of the building and where practicable the exterior should be sheeted, enclosing openings etc. as necessary.

Adequate and suitable measures should be carried out for the minimisation of asbestos fibres during demolition, so as to prevent airborne fibres from affecting workers carrying out the work, and nearby properties. Only contractors licensed by the Health and Safety Executive should be employed.

Any redundant materials removed from the site should be transported by a registered waste carrier and disposed of at an appropriate legal tipping site.

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.