

APPLICATION: MA/12/1178 Date: 22 June 2012 Received: 25 June 2012

APPLICANT: Mr K O'Sullivan

LOCATION: 1, ROSELEIGH AVENUE, MAIDSTONE, KENT, ME16 0AR

PARISH: Maidstone

PROPOSAL: Erection of a side extension incorporating two dormer windows with the insertion of an additional rear dormer window and rooflights as shown on plan numbers 1935/1, site location plan and application form received 25th June 2012 and plan number 1935/2A received 30th July 2012.

AGENDA DATE: 9th August 2012

CASE OFFICER: Kevin Hope

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

Councillor Malcolm Robertson has requested it be reported to planning committee should the council recommend approval for the following reasons:-

- The development as proposed constitutes a gross and excessive enlargement in the original chalet-bungalow in terms of the original enclosed volume versus the new.
- The development would unbalance the symmetry of the semi-detached pair in the street-scene to an unacceptable degree.
- The height and mass of the development (despite the barn hip) would have an overbearing impact on the neighbouring property at 18 Sterling Avenue. Privacy/overlooking issues also need to be considered.
- Whilst not a planning issue, the apparent physical connection of a new dormer with the existing dormer of the neighbour needs further resolution. Notice has not currently been served on that neighbour.

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

2. HISTORY

No planning history since the original construction of the property.

3. CONSULTATIONS

None.

4. REPRESENTATIONS

4.1 Four representations have been received raising the following points:-

- Impact upon the character and appearance of the street
- Resulting dwelling would appear out of keeping
- The proposed extension is of excessive scale
- Impact upon the amenity of No18 Sterling Avenue
- Impact upon surrounding neighbours from building works
- Loss of existing trees and hedging to rear boundary of site
- Loss of a view from No18 Sterling Avenue

5. CONSIDERATIONS

5.1 Site Description

5.1.1 The application site comprises a square shaped residential plot located within the urban area of Maidstone. The site occupies a prominent corner location at the junction of Sterling Avenue and Roseleigh Avenue. The property has a parking area to the front as well as a single detached garage to the side. The dwelling is set back from the street by approximately 8m to front. By virtue of this corner location, there is also a significant spacing to the side boundary with Sterling Avenue of approximately 9.5m. The site is bordered by a 1m high brick wall with a grassed area adjacent to the north eastern boundary. There is also 1.8m high panel fencing to the south eastern boundary together with some tree planting.

5.2 Proposal

5.2.1 Planning permission is sought for the erection of a side extension incorporating two dormer windows with the insertion of an additional rear dormer window and rooflights.

5.2.2 The proposed extension would project approximately 6.6m from the existing side elevation and would have a matching eaves height and ridge height. The

dormer windows would be of flat roof design with a width of approximately 4.1m and height of approximately 1.5m. An additional dormer window is proposed to the existing part of the rear roof slope. This would measure approximately 2.2m in width and 2.3m in height. This extension would replace the existing detached garage and would incorporate one garage space as an integral garage.

5.2.3 It should be noted that amended plans were submitted on 30th July showing the re-siting of the proposed rear dormer window detached from the existing dormer to No3 Roseleigh Avenue.

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 extensions within paragraphs 4.15 to 4.19. This document states that:-

- o 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.*
- o The side elevation of houses on corner sites is often built in line with the fronts of houses on the side street. Thus, a side extension on a corner plot could have an effect on the 'building line' of the adjoining street.*
- o A set back from the front elevation of the original house and lower roof can assist in assimilating the development where it is desirable that the form, proportions or symmetry of the original building are respected; the rhythm of buildings in a street follows a regular*

form or buildings are regularly spaced; a close match of materials is not available; or there is a need to break down the mass of the resultant building.

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, I note that the proposed extension is of a significant scale with a projection from the existing side elevation of approximately 6.6m. However, this is relative to the scale of the site itself and does not project further than the flank elevation of the existing detached garage. This extension also respects the existing form of the dwelling with a maintained eaves height and ridge height together with the inclusion of a barn hip to the roof. Whilst the Residential Extensions SPD advocates a lower ridge height, in this case, I consider that the development would not appear significantly dominant and in this case, due to the openness and prominence of the site, I consider that a matching ridge height is appropriate. The proposed dormer windows are also of a similar design to ensure an in keeping overall appearance. 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 prominence and projection from the existing side elevation. However, its design including an in keeping ridge height and 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; 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 adjoining property are noted, however, as discussed above, I do not consider this development would be significantly overwhelming or harmful which would warrant refusal on visual impact.

5.4.3 With regard to the spacing, a distance of approximately 9.5m would be retained to the side boundary with Sterling Avenue. This would ensure that the openness of this corner plot is largely retained. This siting also respects the building line of Sterling Avenue set by No18 and No20. The building line of Roseleigh Avenue is also maintained with a set back front elevation. Due to the location of the dwelling within a corner plot, the proposed addition would not have any impact upon the spacing between dwellings and would not result in a terraced appearance within this street. Due to the prominent corner location of the site and the siting of the extension to the north eastern elevation, views of the

extension would be possible from much of Sterling Avenue, although as discussed, the building line of this section of the street would be maintained. Views from Roseleigh Avenue to the south west may also be possible, although would be less prominent due to the siting of the extension to the north eastern side and maintained building line within this street. I therefore consider overall, that this proposal would not cause significant harm to the character or appearance of the streetscene.

5.4.4 I therefore consider that the proposal is in accordance with the guidance contained within the Residential Extensions SPD as outlined above and criterion 1 and 2 of policy H18.

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 No18 Sterling Avenue and No3 Roseleigh Avenue. This has been fully considered as below.

5.5.2 A BRE light test has been conducted to assess the impact upon light to No18 Sterling Avenue. This shows that there would not be a significant loss of light to No18 Sterling Avenue due to its siting approximately 8.5m from the proposed extension and its orientation to the south east. I therefore consider that there would not be a significant loss of light or overshadowing to No18. Similarly, by virtue of this separation between the two properties and its location to the side of No18, I do not consider that there would be a significant loss of outlook. Comments have been raised with regard to the loss of a view as a result of the proposed extension. This is not a planning consideration and different in context from a loss of outlook. Therefore, this cannot be considered as part of this application.

5.5.3 With regard to a loss of privacy, I note that the proposed dormer windows and roof lights would face south east towards the side elevation of No18 Sterling Avenue. However, due to the separation between the dwellings and the existing boundary fencing to the common boundary, I do not consider that there would be significant overlooking or loss of privacy to any habitable rooms within No18.

5.5.4 With regard to the impact upon No3 Roseleigh Avenue, due to the siting of the proposed extension to the side of the host dwelling and the set in location of the proposed additional rear dormer, I do not consider that there would be a significant loss of light, outlook, overshadowing or privacy to No3. Due to its siting, there would be no significant impact upon the amenity of any other neighbouring properties as a result of this development.

5.5.4 Comments have also been received with regard to the loss of privacy to neighbours as a result of the building works. This is not a planning issue and cannot be considered as part of this application.

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.

5.6.2 Comments have been received with regard to the recent loss of hedging within the site. This was not protected by a TPO and therefore does not require consent.

5.7 **Highways**

5.7.1 Significant parking provision is currently provided within the site with a paved area to the front. The garage space would be retained within this proposal with an integral garage included and the existing access utilised. Therefore, there would be no highways issues as a result.

5.8 **Ecology**

5.8.1 I do not consider there to be any significant issues with regards to a possible impact upon protected species due to the maintained nature of this residential site. I therefore consider it unjustified to request any further details with regards to ecology or biodiversity.

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**

Subject to the completion of the consultation period and no new issues being raised, I be given delegated powers 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 within the National Planning Policy Framework 2012.

3. Prior to the occupation of the extension, the proposed roof lights within the rear south east facing roof slope shall be obscure glazed and shall subsequently be maintained as such to the satisfaction of the Local Planning Authority;

Reason: To prevent overlooking of adjoining properties and to safeguard the privacy of existing and prospective occupiers pursuant to policy H18 of the Maidstone Borough Wide Local Plan 2000, policies BE1 and CC6 of the South East Plan 2009 and the guidance within the National Planning Policy Framework 2012.

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

Plan numbers 1935/1, site location plan and application form received 25th June 2012 and plan number 1935/2A received 30th July 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 within the National Planning Policy Framework 2012.

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.