

REPORT SUMMARY

REFERENCE NO - 14/0712		
APPLICATION PROPOSAL An application for the erection of a two-storey side extension		
ADDRESS Green Acres, Lees Road, Laddingford, Maidstone, Kent, ME18 6DB		
RECOMMENDATION Approval subject to conditions		
SUMMARY OF REASONS FOR RECOMMENDATION <p>The proposed two-storey side extension, subject to the recommended conditions, is considered acceptable in terms of design and appearance, impact on the character and appearance of the host building and the visual amenities of the locality generally, impact on neighbouring property, and highway safety. The proposals incorporate flood mitigation/proofing measures and are considered to address the issues relating to householder and other minor extensions to properties in Flood Zones 2 and 3 as identified by the Environment Agency. The proposals are considered to comply with Government guidance in the National Planning Policy Framework and the relevant Technical Guidance and the policies of the Development Plan (Maidstone Borough-Wide Local Plan 2000) and there are no overriding material considerations to indicate a refusal of planning consent.</p>		
REASON FOR REFERRAL TO COMMITTEE <p>The application is contrary to views expressed by the Parish Council.</p>		
WARD Marden And Yalding Ward	PARISH/TOWN COUNCIL Yalding	APPLICANT Dr Matthew Milner AGENT Cantium Design Practice
DECISION DUE DATE 25/06/14	PUBLICITY EXPIRY DATE 23/07/14	OFFICER SITE VISIT DATE 22/05/14
RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites): No relevant planning history		

MAIN REPORT

1.0 DESCRIPTION OF SITE

- 1.01 The application site is located on the west side of Lees Road, opposite the junction of Symonds Lane with the east side of Lees Road, and the site comprises a detached two-storey dwelling occupying a plot of approximately 1255 sq. m/0.125 ha with an access and driveway to Lees Road. The site is adjoined either side (to the north and south) and to the rear (west) by open fields and running north to south approximately 95m from the rear boundary is part of the River Teise. Detached and semi-detached residential properties at Lane End and nos. 1 and 2 Jubilee Cottages stand opposite the site along Lees Road. The application property is set approximately 20m back from the Lees Road frontage and due to the presence of high hedging and trees along the road frontage the existing property has limited impact in views from and along Lees Road.
- 1.02 The application property is located in the open countryside outside of any village settlement as defined on the Proposals Map to the Maidstone Borough-Wide Local

Plan. The site forms part of an extensive area along the west side of Lees Road and Gravelly Ways to the south and bounded by the railway to the west which forms part of the Yalding Lees to Beltring Halt Area of Local Landscape Importance as defined on the Proposals Map.

- 1.03 The property is situated in Flood Zone 3 (high probability of flooding, ignoring the presence of defences) as identified by the Environment Agency.

2.0 PROPOSAL

- 2.01 The application proposes the erection of a two-storey side extension to the northern side of the existing dwelling. The proposed extension incorporates a playroom/garden room, utility room and entrance hall extension on the ground floor and a new bedroom with ensuite shower-room on the first floor. The proposed first floor accommodation is partially set within the roofspace of the extension.
- 2.02 The northern side wall of the existing dwelling has a staggered building line and the submitted plans show the proposed two-storey extension to extend 4.8m and 3.95m out from the existing main side wall and 2.85m out from the side of the existing front garage projection. The submitted plans show the proposed extension to extend to an overall depth of 7.2m along the existing northern side wall and the extension to be set back 3.5m from the front of the existing front garage projection and 4.6m from the main back wall of the dwelling. The ridge line to the pitched roof to the proposed extension is set 1.2m below the existing main roof ridge line to the property.
- 2.03 The proposed extension incorporates a pitched roof with gable end to the side, a cat-slide type roof slope to the front, and a rear dormer type window partially set within the rear roof slope. As noted in section 2.01 above, the proposed first floor accommodation is partially set within the roofspace of the extension. The submitted plans show the proposed extension to incorporate the main entrance door and a small utility room window to the front elevation on the ground floor, a small rooflight window to the first floor ensuite facility above, ground and first floor windows to the north facing side elevation, and large ground floor folding doors to the playroom/garden room with the dormer type first floor window to the proposed bedroom in the rear elevation. The application indicates that the roof to the proposed extension is to be finished with plain tiles to match the original roof tiles and the new external walls are to be render to match the finish on the existing building. The new windows are indicated as being proprietary double glazed aluminium casements.
- 2.04 In order to mitigate the potential impact of flooding on the property, flood proofing measures are proposed as part of the works. The details of the proposed flood proofing include solid concrete floor construction to the ground floor of the extension, the use of engineering bricks in the construction of external walls up to the required level for flood protection, the protection of new door openings to the extension by the provision of water-proofed solid wall planters arranged so that a temporary flood gate with rubber seals can be installed between the planters to increase flood defence should the need arise, the avoidance of under floor services where possible, and the provision of floor sumps with pumps at internal low points. The application further states that the design helps protect the currently vulnerable north elevation from the impact of flooding as this is the lowest point on the plot and currently the main entrance to the house.

3.0 SUMMARY INFORMATION

	Existing	Proposed	Change (+/-)
Site Area (ha)	0.125 ha	0.125 ha	No change
Approximate Ridge Height (m)	8m (main)	6.8m	-1.2m
Approximate Eaves Height (m)	5.4m (main)	4.3m and 2.9m	-1.1m and -2.5m
Approximate Depth (m)	15.3m	7.4m	-7.9m
Approximate Width (m)	6.8m (main)	4.8m and 3.95m	-2m and -2.85m
No. of Storeys	2	2	No change
Net Floor Area	120 sq. m	165 sq. m	+45 sq. m
Parking Spaces	4/5 approx.	4/5 approx.	No change
No. of Residential Units	1	1	No change
No. of Affordable Units	0	0	No change

4.0 PLANNING CONSTRAINTS

- 4.01 The site is located in the open countryside outside of any village settlement as defined on the Proposals Map to the Maidstone Borough-Wide Local Plan.
- 4.02 The site forms part of an extensive area along the west side of Lees Road and Gravelly Ways to the south and bounded by the railway to the west which forms part of the Yalding Lees to Beltring Halt Area of Local Landscape Importance as defined on the Proposals Map.
- 4.03 The property is situated in Flood Zone 3 (high probability of flooding, ignoring the presence of defences) as identified by the Environment Agency.

5.0 POLICY AND OTHER CONSIDERATIONS

- The National Planning Policy Framework (NPPF)
- National Planning Practice Guidance (NPPG)
- Development Plan: Maidstone Borough-Wide Local Plan (2000) Policies ENV28, ENV35, H18, H33.
- Supplementary Planning Documents: Residential Extensions (Adopted 2009)
- Draft Local Plan policies: SP5, DM4, DM30, DM33.

6.0 LOCAL REPRESENTATIONS

- 6.01 2 neighbouring properties standing opposite the site were consulted by letter on the application. A site notice was displayed. No responses/representations on the application received from neighbours.

7.0 CONSULTATIONS

- 7.01 **Yalding Parish Council:** Object to this planning application. Comment that this property is in an area of high flood risk and access to the property was isolated for several days during the flood of December 2013 and the property was under threat of further exposure over several weeks. Comment that to increase the number of people at risk from flood waters in such a sensitive area would be foolish and a post Christmas flood risk assessment is required.

8.0 BACKGROUND PAPERS AND PLANS

- 8.01 The application is accompanied by drawing nos. 02 showing existing floor and roof plans, elevations, and site plan, 10 showing proposed floor and roof plans, elevations, and site plan, and the completed Environment Agency's Flood Risk Assessment form together with details of proposed flood proofing.

9.0 APPRAISAL

- 9.01 The key issues with this case are the design and appearance of the proposed two-storey side extension and the impact on the character and appearance of the host building and the visual amenities of the locality generally, the impact on neighbouring property and highway safety, and whether the proposed extension of the existing residential property is acceptable in terms of development within Flood Zone 3 identified by the Environment Agency as having high probability of flooding, ignoring the presence of defences.

10.0 Design, siting and appearance

- 10.01 Policy H18 of the Maidstone Borough-Wide Local Plan states that extensions and additions to residential properties will be permitted provided that the proposal is of a scale and design which does not overwhelm or destroy the character of the original property; and, will complement the street scene and adjacent existing buildings and the character of the area.
- 10.02 Policy H33 of the Maidstone Borough-Wide Local Plan (Adopted 2000) relating to extensions to dwellings in the countryside states (amongst other criteria) that extensions to dwellings in the countryside will not be permitted if they overwhelm or destroy the original form of the existing house; or are poorly designed or unsympathetically related to the existing house; or result in a development which individually or cumulatively is visually incongruous in the countryside.
- 10.03 With regards to the erection of extensions to properties within the countryside, the Council's Supplementary Planning Document – Residential Extensions (Adopted 2009) advises that in order to ensure that proposals do not adversely impact on the form and character of the original building or the character of the countryside, any extension should be limited/modest in scale. The SPD states that an extension should cause no adverse impact on the character or openness of the countryside. The SPD further states that many rural buildings have a simple form such as a rectilinear floor plan which fits well with their original function and the character of the countryside and others have an historic form and character which should be retained. The SPD states that where an extension is acceptable in principle, its form should be well proportioned and present a satisfactory composition with the house. The SPD further states that roof shape is critical to creating a successful built form and that the pitch of extension roofs should normally be as, or similar to, the main house roof pitch. The SPD states that particular account will be taken of the cumulative impact of extensions, including the effect on the character of the original property.
- 10.04 The Council's Supplementary Planning Document – Residential Extensions (Adopted 2009) states that in considering an extension to a residential dwelling in the countryside, the Local Planning Authority would normally judge an application as modest or limited in size if, in itself and cumulatively with previous extensions, it would result in an increase of no more than 50% in the volume of the dwelling. The gross volume will be ascertained by external measurement taken above ground level and including the volume of the roof. The guidance as to the term modest or limited should not be seen as a maximum to be sought. It is likely that, depending on the particular situation of the building, and the circumstances of each proposal, the size of the

extension and any previous extensions will fall in a range around the above figure although in some cases an extension may be inappropriate.

- 10.05 The proposed two-storey side extension in this case reflects the design characteristics of the existing property, external surfacing materials are shown in the proposals to match those used on the existing building, and the proposed extension is subservient in relation to the height, scale and footprint of the existing building. As a result of its siting to the northern side of the existing property, the proposed extension would be largely screened from any views from Lees Road by the existing two-storey property. As noted in section 1.01 of the report above, the property is set approximately 20m back from the Lees Road frontage and due to the presence of high hedging and trees along the road frontage the existing property has limited impact in views from and along Lees Road. The proposed extension is considered acceptable in design terms in the context of the existing property and the extension would not appear as visually intrusive and/or harmful to the visual amenities of the locality. In terms of design, siting and appearance, it is not considered that there is any overriding conflict between the currently proposed two-storey side extension and the above Local Plan policies and adopted SPD guidance.

Character and Appearance of the area

- 10.06 The site is located in the open countryside outside of any village settlement as defined on the Proposals Map to the Maidstone Borough-Wide Local Plan. As noted in section 4.02 of the report above, the site forms part of an extensive area along the west side of Lees Road and Gravelly Ways to the south and bounded by the railway to the west which forms part of the Yalding Lees to Beltring Halt Area of Local Landscape Importance as defined on the Proposals Map.
- 10.07 Policy ENV28 of the Maidstone Borough-Wide Local Plan seeks to protect the countryside from inappropriate development which harms the character and appearance of the area.
- 10.08 Policy ENV35 of the Local Plan states that in the defined Areas of Local Landscape Importance particular attention will be given to the maintenance of open space and the character of the landscape and encouragement will be given to improvements in public access.
- 10.09 The development proposed in this case is an extension to an existing residential property which, as concluded in section 10.05 above, is considered acceptable in terms of design, siting and appearance, and impact on the visual amenities of the locality generally. For these reasons, it is not considered that the proposed two-storey side extension to the existing property would impact unacceptably on the wider area of the open countryside and/or the defined Area of Local Landscape Importance or conflict with the aims and objectives of policies ENV28 and ENV35 of the Local Plan in terms of maintaining the character and appearance of the area.

Residential Amenity

- 10.10 Policy ENV28 of the Maidstone Borough-Wide Local Plan states that in the countryside planning permission will not be given for development which harms the amenities of surrounding occupiers.
- 10.11 Policy H18 of the Maidstone Borough-Wide Local Plan states that extensions and additions to residential properties will be permitted provided that the proposal will respect the amenities of adjoining residents regarding privacy, daylight, sunlight and maintenance of a pleasant outlook.

- 10.12 Policy H33 of the Maidstone Borough-Wide Local Plan states that extensions to dwellings in the countryside will not be permitted if they result in an unacceptable loss of amenity or privacy for adjoining residential property. Further detailed guidance on these amenity considerations is set out in the Council's Supplementary Planning Document – Residential Extensions. The SPD states that extensions should not cause significant harm to the amenity of adjoining occupiers.
- 10.13 The closest neighbouring properties to the application site in this case are located on the opposite side of Lees Road to the east at Lane End and nos. 1 and 2 Jubilee Cottages. These neighbouring properties are 38m and 57m respectively from the closest part of the application property and will to a large extent be screened from the proposed two-storey side extension by the existing property on the application site. In the circumstances the proposed two-storey side extension has no impact on neighbouring property and is considered acceptable in this regard.

Flood Risk

- 10.14 The property is situated in Flood Zone 3 (high probability of flooding, ignoring the presence of defences) as identified by the Environment Agency. Government guidance in the National Planning Policy Framework states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere. The Technical Guidance to the National Planning Policy Framework identifies buildings used for dwellinghouses and sites used for holiday or short-let caravans and camping as more vulnerable in the flood risk vulnerability classification. In this case the application relates to an existing detached two-storey 3-bedroom dwellinghouse. The two-storey side extension proposed in the application provides a playroom/garden room and utility room on the ground floor and an additional bedroom with ensuite shower-room on the first floor. Government guidance in the Technical Guidance to the NPPF states that all development proposals in Flood Zone 3 should be accompanied by a flood risk assessment (FRA) but the Environment Agency's Flood Risk Standing Advice advises that for householder and other minor extensions the FRA requirements are minimal. The advice seeks to ensure extensions or alterations are designed and constructed to conform to any flood protection already incorporated in the property and include flood resilience measures in the design. The Technical Guidance to the NPPF states that minor developments (which includes physical extensions to existing dwellings) are unlikely to raise significant flood risk issues unless they would:
- Have an adverse effect on a watercourse, floodplain or its flood defences;
 - Would impede access to flood defence and management facilities; or
 - Where the cumulative impact of such development would have a significant effect on local flood storage capacity or flood flows.
- 10.15 In support of the current application the applicant states that the existing building was not flooded in the recent floods as it stands on elevated ground higher than the adjacent fields and highway although Lees Road was flooded to a depth that cut the property off for a short period. The applicant further states that the house has not suffered flood damage over recent years and the occupants have not been put at risk but merely inconvenienced while the flooding prevented them from reaching or leaving the building. The applicant states that there are no proposals to dramatically increase the occupancy of the building and if recent flood levels are not dramatically exceeded the proposals present no additional risk to the occupants.
- 10.16 As noted in section 2.04 of the report above, measures are to be included within the design of the proposals to mitigate the potential impact of flooding on the property. These measures include:

- Solid concrete floor construction to the ground floor of the extension.
- The use of engineering bricks in the construction of external walls up to the required level for flood protection.
- The protection of new door openings to the extension by the provision of water-proofed solid wall planters arranged so that a temporary flood gate with rubber seals can be installed between the planters to increase flood defence should the need arise.
- The avoidance of under floor services where possible.
- The provision of floor sumps with pumps at internal low points.

The application further states that the design helps protect the currently vulnerable north elevation from the impact of flooding as this is the lowest point on the plot and currently the main entrance to the house. The implementation of these flood proofing/mitigation measures can be secured by condition imposed on any grant of planning permission.

- 10.17 The proposed development does not raise any of the issues relating to minor developments set out in the Technical Guidance to the NPPF (see section 10.14 above) and the proposals are considered to be consistent with the aims of the Guidance by improving the safety for occupiers, and introducing flood resilient measures designed to reduce the consequences of flooding and facilitate recovery from the effects of flooding.
- 10.18 The proposals are considered to address the flood risk issues relating to householder and other minor extensions to properties in Flood Zones 2 and 3 as identified by the Environment Agency. Whilst the objection to the application from Yalding Parish Council on flood risk grounds is noted (see section 7.01 of the report), a refusal of planning permission on these grounds could not be sustained.

Highways

- 10.19 Policy H18 of the Maidstone Borough-Wide Local Plan states that extensions and additions to residential properties will be permitted provided that the proposal ensures that adequate car parking provision within the curtilage of the dwelling is provided in accordance with the adopted car parking standards. The Supplementary Planning Document – Residential Extensions states that extensions to properties result in increased built form and reduced space around a building and that the Council will seek to retain adequate off-street parking spaces (and also turning space within the curtilage where there is access onto a classified road) without diminishing the quality of front garden areas or the street scene.
- 10.20 The property has an existing access and driveway to Lees Road, an attached garage to the front of the dwelling, and a gravel parking and vehicle turning area within the site to the front of the garage. The existing access, driveway, garage and vehicle parking and turning area are not affected by the proposed two-storey side extension. The scale of development proposed (a home extension providing a playroom/garden room, utility room, and one additional bedroom) is not such that the development is likely to generate any material increase in parking requirements at the property or vehicle movements to and from the site. The proposals are not considered to conflict with the above Local Plan policy and SPD guidance with regards to parking provision and highway safety.

11.0 CONCLUSION

- 11.01 The application proposes the erection of a two-storey side extension to an existing detached residential property within an open countryside location which forms part of a defined Area of Local Landscape Importance and is within Flood Zone 3 as identified by the Environment Agency. The objection to the application from Yalding Parish Council on flood risk grounds has been addressed in the main body of the report under the heading Flood Risk (sections 10.14 – 10.18).
- 11.02 The proposed two-storey side extension, subject to the recommended conditions, is considered acceptable in terms of design and appearance, impact on the character and appearance of the host building and the visual amenities of the locality generally, impact on neighbouring property, and highway safety. The proposals are considered to address the issues relating to householder and other minor extensions to properties in Flood Zones 2 and 3 as identified by the Environment Agency. The proposals are considered to comply with the provisions of Government guidance in the National Planning Policy Framework and the relevant Technical Guidance and the policies of the Development Plan (Maidstone Borough-Wide Local Plan 2000) and all other material considerations. In the circumstances the grant of conditional planning permission can be recommended.

12.0 RECOMMENDATION – GRANT 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 external surfacing treatment to be used on the two-storey side extension hereby permitted shall be render and roof tiles to match the external surfacing materials used on the existing building;

Reason: To ensure a satisfactory appearance to the development.

3. The flood proofing measures set out in the details accompanying the Environment Agency's Flood Risk Assessment form submitted with the email dated 25.06.2014 shall be fully implemented and completed in accordance with the submitted details before any part of the two-storey side extension hereby permitted is first occupied/brought into use. The flood proofing measures shall be retained and maintained thereafter.

Reason: In the interests of the safety of the occupiers of the dwellinghouse and to prevent damage to the property in the event of flood.

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

Drawing Nos. 02 and 10, and Details of Proposed Flood Proofing accompanying the Environment Agency's Flood Risk Assessment form submitted with email dated 25.06.2014;

Reason: To ensure the quality of the development is maintained and to prevent harm to the amenity of neighbouring occupiers and the locality generally.

INFORMATIVE:

to Applicant: APPROVAL

The Council's approach to this application:

In accordance with paragraphs 186 and 187 of the National Planning Policy Framework (NPPF), the Council takes a positive and proactive approach to development proposals focused on solutions. We work with applicants/agents in a positive and proactive manner by:

Offering pre-application advice.

Where possible, suggesting solutions to secure a successful outcome.

As appropriate, updating applicants/agents of any issues that may arise in the processing of their application.

In this instance:

The applicant/agent was advised of minor changes required to the application and these were agreed.

The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the Committee and promote the application.

Case Officer: Jon Barnes

NB For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council's website.

The conditions set out in the report may be subject to such reasonable change as is necessary to ensure accuracy and enforceability.