

<b>REFERENCE NO -</b> 18/505243/FULL		
<b>APPLICATION PROPOSAL</b> Demolition of an existing garage and the erection of a new four bedroom dwelling.		
<b>ADDRESS</b> 99 Sutton Road Maidstone Kent ME15 9AD		
<b>RECOMMENDATION</b> Application Permitted		
<b>SUMMARY OF REASONS FOR RECOMMENDATION</b> The proposal is acceptable in terms of design and no material harm will be caused to the character, appearance or layout of the vicinity of the site. The proposal does not result in any material harm to the outlook or amenity of neighbouring occupiers or any significant highways safety concerns. It accords with relevant policies of the development plan and the NPPF and will make a valuable windfall contribution towards the provision of housing units within the Borough.		
<b>REASON FOR REFERRAL TO COMMITTEE</b> The applicant's wife is an employee of Maidstone Borough Council.		
<b>WARD</b> Shepway North	<b>PARISH/TOWN COUNCIL</b> N/A	<b>APPLICANT</b> Mr M Cox <b>AGENT</b> Richardson Architectural Designs
<b>TARGET DECISION DATE</b> 17/01/19		<b>PUBLICITY EXPIRY DATE</b> 20/12/18

**Relevant Planning History**

17/503975/FULL

Demolition of an existing garage and the erection of a new three bedroom dwelling  
Approved Decision Date: 12.10.2017

18/500469/FULL

Demolition of an existing garage and the erection of a new three bedroom dwelling.  
Approved Decision Date: 01.05.2018

18/505243/FULL

Demolition of an existing garage and the erection of a new four bedroom dwelling.  
Pending Decision Decision Date:

18/505244/SUB

Submission of Details to discharge Condition 2 - Approved plans , Condition 3 Written details and samples of the external materials, Condition 6 electric vehicle charging point, Condition 7 renewable energy source and Condition 9 landscape scheme subject to 18/500469/FULL.  
Pending Consideration Decision Date:

**Enforcement History:**

N/A

**Appeal History:**

N/A

## **MAIN REPORT**

(Officers Note: The proposed application is identical to the previous application permitted at committee other than the addition of a rear dormer, as such the text in the following report will be broadly taken from the previous committee report)

### **1. DESCRIPTION OF SITE**

- 1.01 The application site is a broadly rectangular shaped plot of land currently occupied by a two-storey semi-detached dwelling, with a large attached single storey side garage. The site lies on the north eastern side of an access road off the main carriageway of Sutton Road. The site form part of the settlement of Shepway which is located within the urban area of Maidstone.
- 1.02 The streetscene is defined by semi-detached dwellings mostly of similar scale, design and age which have been built to a uniform pattern. There are gaps between the properties, especially at first floor level, which vary in scale and maintain a visual break between the properties. Some of these gaps have been eroded over time with the erection of side extensions and an infill detached dwelling at no.103A Sutton Road.

### **2. PROPOSAL**

- 2.01 The proposal involves demolishing of the existing garage and the erection of a new four bedroom dwelling attached to the south eastern flank of the existing semi-detached property. The proposal will result in the formation of a three block terrace, and will include a separate curtilage and off street parking.
- 2.02 The new dwelling would have a width of 6.5 metres and a depth of just under 13.5 metres, incorporating a part two-storey part single storey rear element. Unlike the previously approved proposal, this application seeks to install a rear dormer onto the roof slope of the dwelling. The dormer would project 3.8 metres from the roof slope, have a height of 2.5 metres with a width of 6.7 metres, almost encompassing the full width of the roof slope. This would create a volume of 32m<sup>2</sup>. The development would have a total roof ridge height of 8 metres above ground level with the roof eaves at a height of just under 5 metres. The rear projection would have a depth of 3.5 metres and would be set away from the newly formed common boundary with the existing dwelling at the site by 2 metres. The single storey element would have a flat roof incorporating a roof lantern. The two storey element of the rear extension would have a pitched roof set down by approximately 1.5 metres from the ridge of the main dwelling.
- 2.03 The proposed new dwelling would retain a 1 metre gap to the common boundary with the neighbouring dwelling to the south east of the site (no. 101 Sutton Road). The gap with this dwelling at first floor level would be 2.9 metres flank to flank. The application indicates a separate garden for the new dwelling, which extends from the rear of the development to the rear boundary of the site. The existing retained dwelling and the proposed new dwelling would have open frontages, with the provision of two off street car parking spaces provided for each dwelling. A 'toy canopy' is proposed above the front door, with the proposed fenestration details similar to those on the existing dwelling.
- 2.04 The ground floor would provide a hall, lounge, kitchen, family room and a downstairs toilet. There would be three bedrooms on the first floor with a separate family bathroom and ensuite bathroom for the master bedroom. The dormer roof enlargement would provide an additional bedroom in the roof space which would be served by an ensuite. Materials proposed for the dwelling include facing brickwork and plain roof tiles which reflects those used on the main dwelling and surrounding properties. This application indicates that two Velux windows would be added into the front elevation as well as solar panels installed onto the front elevation.

### **3. POLICY AND OTHER CONSIDERATIONS**

National Planning Policy Framework (NPPF)  
National Planning Practice Guidance (NPPG)  
Maidstone Borough Local Plan 2017 SS1 Maidstone borough spatial strategy, DM1 Principles of good design, DM11 Residential Garden land, DM12 Density of housing development and DM23 Parking standards  
Supplementary Planning Documents SPG4 KCC Parking Standards

### **4. LOCAL REPRESENTATIONS**

#### **Local Residents:**

4.01 No representations were received from local residents.

### **5. CONSULTATIONS**

(Please note that summaries of consultation responses are set out below with the response discussed in more detail in the main report where considered necessary)

#### Environmental Protection Team

5.01 There is no indication of any significant chance of high radon concentrations .There is no indication of land contamination based on information from the contaminated land database & historic maps databases. Demolition/construction activities may have an impact on local residents and so the usual conditions/informative should apply in this respect. Before demolition, building should be checked for the presence of asbestos and any found should only be removed by a licensed contractor.

#### KCC Highways

5.02 Referring to the above description, it would appear that this development proposal does not meet the criteria to warrant involvement from the Highway Authority in accordance with the current consultation protocol arrangements. If there are any material highway safety concerns that you consider should be brought to the attention of the HA, then please contact us again with your specific concerns for our consideration.

### **6. APPRAISAL**

#### **Main Issues**

6.01 The key issues for consideration relate to:

- Principle of development
- Visual impact
- Amenity impact.
- Parking and highway impact.

#### **Principle of development**

6.02 The application site is currently amenity land located to the side and rear of the two storey semi-detached dwelling at 99 Sutton Road. The site extends from the south eastern elevation of the existing dwelling to the common boundary with the neighbouring dwelling to the south east of the site (no. 101 Sutton Road).

6.03 Policy SS1 of the adopted local plan sets out the sustainability strategy for Maidstone Borough. The Maidstone urban area is the most sustainable location in the hierarchy where new development is firstly directed followed by the rural

service centres and the larger villages as defined on the proposals map to the Maidstone Borough Local Plan (2017).

- 6.04 The application site is located within the urban area of Maidstone where new residential development is permissible subject to the requirements set out in policies DM1, DM11, DM12 and DM23 of the adopted Maidstone Borough Local Plan 2017. These policies seek to ensure that all new housing development provides an acceptable residential environment and respects the amenities of neighbouring residents.
- 6.05 The current application is a resubmission of a previously approved development (reference 18/500469/FULL) which was itself a resubmission of a previously approved development (reference 17/503975/FULL). As stated above, in this instance the application seeks to install a rear dormer onto the rear roof slope to add a fourth bedroom to the proposed dwelling. This would also involve the addition of two Velux windows into the front roof slope as well as solar panning onto the front roof slope.
- 6.06 Taking into account the above, the principle of the development is considered to be acceptable.

### **Visual Impact**

- 6.07 Policy DM1 of the Maidstone Borough Local Plan requires proposals to positively respond to, and where appropriate enhance the character of their surroundings. The proposed dwelling, attached to the existing semi-detached dwelling, would result in a three property terrace. The proposed dwelling is located in the space between the original dwellings at 99 and 101 Sutton Road. The property at 101 Sutton Road has an existing two storey side extension and the application property has an existing single storey side extension.
- 6.08 As indicated above, whilst the street scene is broadly uniform with gaps between the buildings, there is no consistency in the pattern of these gaps. Although the proposed development would result in the erosion of the existing gap between the application property and the neighbouring dwelling at first floor level, the 2.9 metre gap retained would be sufficient to ensure there is no significant harm to the character and appearance of the street scene.
- 6.09 The height and eaves of the proposed new dwelling would be similar to the existing property at the application site, and other dwellings within the street. The development would not appear of excessive bulk or massing, and seen as a sensitive addition to the existing property. Overall, the new dwelling would not appear over dominant or visually harmful within the streetscene of Sutton Road.
- 6.10 In terms of the alterations proposed by this new application, they are not alterations that are uncommon on residential properties. It is not considered that they would have a detrimental impact upon the character and appearance of the host dwelling or the wider area generally. They would accord with the appearance of the dwelling and that of the wider area.

### **Residential Amenity**

- 6.11 The adopted local plan requires proposed development to be assessed in terms of amenity for future occupants and the occupiers of neighbouring residential properties. The internal space within the new dwelling is consistent with national space standards and would provide acceptable living accommodation for future occupants.
- 6.12 The rear element of the proposed building would project 3.5 metres from the rear elevation of the existing dwelling and would be 2 metres from the newly formed common boundary with the main dwelling.. This rear element would not extend

beyond the building line of the rear part of the two storey rear extension on the neighbouring dwelling to the south east of the application site (no.101 Sutton Road). Although, there would be a reduction in the gap between the application property and this neighbour. There would be no harm to the residential amenities of the occupiers of this property.

- 6.13 The development incorporates ground and first floor window openings on the west facing front elevation and first floor rear, north east facing window openings. These openings do not raise any significant amenity concerns. The elevation facing to the neighbouring property on the south east of the site (no.101 Sutton Road) would be blank.
- 6.14 The projection from the rear elevation of the proposed dwelling would be 3.5 metres. Whilst this is slightly above the 3 metre limit set out in the SPD for Residential Extensions document, it would not breach the 45 degree light test and is considered acceptable in relation to loss of light to the rear windows of the main dwelling and the rear gardens of the immediate neighbouring properties. There would be no impact on outlook that would represent an objection to this proposal. Overall, the proposals are appropriate in scale and design and would not have any significant detrimental impacts on the amenities of any neighbouring dwelling.

### **Parking and Highway Safety**

- 6.15 The application proposes two off street parking spaces on the frontage of the proposed new dwelling. The existing dwelling at the site would retain two parking spaces on its frontage. The proposed new dwelling would generate a marginal increase in vehicular movement to and from the site. It is considered that the resulting increase can be adequately accommodated on the road network without detriment to highway safety or local amenity of the site.
- 6.16 Whilst guidelines within SPG4 state that a four bedroom property should be served by at least three parking spaces, given the extant permission for the dwelling, the sustainable location of the site and the availability, it is not considered that a refusal on these grounds would be appropriate in this instance.
- 6.17 With the sustainable location of the site, absence of highway safety issues, off street parking that complies with requirements of policy DM23 of the adopted Maidstone Borough Local Plan (2017), the proposal is considered acceptable in relation to parking, traffic and highway safety.

### **Other Matters**

- 6.18 The proposed development is CIL liable. The Council adopted a Community Infrastructure Levy on 25 October 2017 and began charging on all CIL liable applications approved on and from 1 October 2018. The actual amount of CIL can only be confirmed once all the relevant forms have been submitted and relevant details have been assessed and approved. Any relief claimed will be assessed at the time planning permission is granted or shortly after.

## **7. CONCLUSION**

- 7.01 Overall, the proposed new dwelling is acceptable in terms of design and appearance, and there are no unacceptable impacts on the character, appearance and visual amenity of the locality generally. The proposals have been found to be acceptable in relation to parking and highway safety. The proposal is in line with the requirements of policy SS1, DM1, DM11, DM12 and DM23 of the adopted Maidstone Borough Local Plan (2017). I am satisfied that the proposed new dwelling is acceptable with respect to local and national planning policy and that no other material consideration would indicate a refusal of planning permission. In the circumstances, I recommend that this application is approved subject to conditions.

## **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.

- 2) The development hereby permitted shall be carried out in accordance with the following approved plans/drawing numbers;

Householder Planning Application  
Existing Floor Plan and Elevations  
Proposed Elevations  
Proposed Plans  
Site Location Plan  
Existing Block Plan  
Proposed Block Plan

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

- 3) No windows, doors, voids or other openings shall be inserted, placed or formed at any time in the south east (side) facing elevation of the building hereby permitted;

Reason: To prevent overlooking of adjoining properties and to safeguard the privacy of their occupiers.

- 4) The development shall not be occupied until the parking spaces shown on the approved plans have been provided. They shall be kept available for the parking of vehicles connected to the occupiers of the approved development at all times and permanently retained as such thereafter.

Reason: In the interest of highway safety and the free flow of traffic.

- 5) Prior to occupation of the proposed new dwelling a minimum of one electric vehicle charging point shall be installed and ready for use and in accordance with details that have previously been submitted to and approved in writing by the local planning authority with the details including a programme for installation, maintenance and management with the points retained thereafter and maintained in accordance with the approved details.

Reason: To promote the reduction of CO2 emissions through the use of low emissions vehicles in accordance with paragraph 35 of the NPPF.

- 6) Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015, no further development shall take place on the site without the prior written consent of the Local Planning Authority;

Reason: To ensure the appearance and the character of the building is maintained.

### **INFORMATIVES**

- 1) The applicant is advised that in order to avoid nuisance to neighbours, thought should be given to restricting that use of plant and machinery used for demolition

## Planning Committee Report

and construction to 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. It is advised to restrict vehicles arriving, departing, loading or unloading 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.

- 2) The applicant is advised that in order to avoid nuisance to neighbours, thought should be given to the use of adequate and suitable provision in the form of water sprays should be used to reduce dust from the site. 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.

Case Officer: William Fletcher