

**Tonbridge  
Castle**

**558788 147450 6 June 2013**

**TM/13/01195/FL**

Proposal: Retrospective Application: Demolition of garage. Erection of part single, part two storey rear extension, single storey side extension and creation of raised terrace in rear garden being a revised scheme to that approved under ref: TM/12/03489/FL

Location: 56 Dry Hill Park Road Tonbridge Kent TN10 3BX

Applicant: Mr David Allison

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## **1. Description:**

- 1.1 The development is similar to a scheme previously approved under ref. TM/12/03849/FL. The principal differences are: that the current scheme includes the creation of a raised terrace and planters to the rear of the two storey rear extension; and the single attached garage has now also been subsumed into a larger single storey side extension.
- 1.2 The application is retrospective as the works are well advanced. Although works started following the granting of the previous planning permission for the extensions, as works progressed a number of revisions were introduced that departed from the approved scheme and this led to the need for a new planning application.
- 1.3 The two storey rear addition extends across much of the rear elevation of the original dwelling house and measures 15.8m in width and 4m in depth. This has been designed with a part pitched, part table-top roof in order to sit below the ridgeline of the original dwelling. This addition links with the single storey side extension that has replaced the previous garage.
- 1.4 The dwelling previously had a catslide roof projection on its western side. As with the previously approved scheme, the current proposal also seeks permission to build up above this to provide first floor accommodation under a hipped roof.
- 1.5 The external walls of the extension are constructed from matching brickwork at ground level with rendered walls above. The roof was formerly clad with interlocking tiles (red/orange in colour). These have now been replaced with plain tiles and the same tiles are being used to clad the roof of the extensions.
- 1.6 The extensions will accommodate a kitchen/family room, utility room and plant room at ground floor level and a bedroom with an en-suite and two dressing rooms at first floor level. Two additional bedrooms and an en-suite are to be provided within the roof of the existing dwelling and proposed extension. In total, 5 bedrooms would be accommodated within this extended dwelling house.

- 1.7 The raised terrace sits approximately 0.6m below the internal floor level of the rear extension and extends by 6m beyond it. The entire structure measures 14.8m in width but, due to the creation of raised planters on either side of it, the usable width of the terrace is 12.7m. At its point furthest away from the dwelling, the terrace stands approximately 1.3m above ground level.
- 1.8 A raised planter has been created to the rear of the terrace. This measures a maximum of 0.9m above ground level.
- 1.9 The detailed design and layout have been amended since this application was originally submitted.

## **2. Reason for reporting to Committee:**

- 2.1 At the request of Cllr Branson in response to concerns raised by local residents.

## **3. The Site:**

- 3.1 The site is located within the urban confines on the north side of Dry Hill Park Road. The whole of the site lies within the Tonbridge Conservation Area (sub area E3). The site contains a two storey dwelling house dating from the 1930's which has a hipped roof clad with red interlocking tiles. The dwelling is of brown brick construction at ground floor level. The first floor walls are finished with white painted render. The dwelling is set approximately 1.5m below the level of the road and the land level drops considerably to the rear of the house (as shown on the submitted drawings).
- 3.2 The site is located within a street where there is a wide variety of detached and semi-detached dwellings that vary greatly in form, size and position within the street.

## **4. Planning History:**

TM/12/03489/FL      Approved      2 January 2013

Loft conversion including velux roof lights; erection of part two storey and part single storey rear extension; alterations to existing access with hard and soft landscaping works

## **5. Consultees:**

- 5.1 Private Reps (including responses to site and press notices): 7\0X\0S\8R. The eight responses have been received from four households and raise the following objections:
  - The loss of the garage causes harm to the character of the existing dwelling and street scene.

- The works do not preserve or enhance the character and appearance of the Conservation Area.
- There is no levels information shown for the patio area and there is, therefore, insufficient information to judge whether the patio is appropriate.
- The height of the patio is such that it would have an imposing effect on the privacy of neighbouring properties. The neighbouring wall is only 1.5m high.
- The size and obtrusiveness of the patio has a detrimental impact upon the surrounding area and is not in keeping with residential properties on either side of it.
- It is unclear whether the proposed planters provide suitable screening to the terrace.
- Works have started and are at variance to the approved plans.

## **6. Determining Issues:**

- 6.1 Saved policy P4/12 of the TMBLP relates specifically to extensions to residential properties. It requires schemes not to harm the character of the existing building or street scene in terms of scale, form, design and use of materials. It also requires proposals to not harm the amenity of neighbouring residential properties in terms of loss of light or privacy.
- 6.2 Due to the location of the site within a Conservation Area, current Government guidance contained within section 12 of the NPPF is also relevant to this development. It states at paragraph 131 that, when determining planning applications, Local Planning Authorities should take count of :
- The desirability of sustaining and enhancing the significance of heritage assets, and;
  - The desirability of new development making a positive contribution to local character and distinctiveness.
- 6.3 A Conservation Area is defined as a “Designated Heritage Asset” within Annex 2 of the NPPF.
- 6.4 The scale, form and appearance of the additions to the house are similar to the previously approved scheme for the side and rear extensions. Materials used externally in their construction match those used on the existing dwelling. I note that local residents are concerned that the change from the approved garage to a habitable room harms the character of the building and street scene. However, this part of the addition is of a form and detailed design that is in keeping with the appearance of the dwelling house.

- 6.5 Due to the appropriate scale, form and design of the extensions, I am also satisfied that this revised scheme does not harm the character of the street scene and does not, therefore, fail to preserve the character and appearance of the wider Conservation Area.
- 6.6 As with the previously approved scheme, the rear facing windows on the extensions look down the garden of the application site and would not look directly into the rear gardens of the adjoining residential properties at 54A or 58 Dry Hill Park Road.
- 6.7 The creation of the raised terrace has raised much concern with local residents in terms of its impact upon residential amenity and the character of the Conservation Area. The terrace is located wholly to the rear of the dwelling within this site and the particular arrangement of buildings within Dry Hill Park Road is such that the terrace is not readily visible from public vantage points within the Conservation Area. I have to conclude that this structure does not fail to preserve or enhance the character and appearance of the Conservation Area.
- 6.8 Turning now the residential amenity issues raised by the terrace, it projects into the rear garden of this dwelling house by 6 metres and at the furthest point the ground level is approximately 1.3m below the floor level of the terrace. I can clarify that the floor level of the deck is not level with the top of the raised planters that flank the floor area of the terrace, but much lower as is shown on the revised drawings. It is, in fact, located at a similar height to the deck located to the rear of the neighbouring property at 58 Dry Hill Park Road. The terrace is also located 1.5m away from the boundary with this neighbouring property. However, due to the location of the raised planters along the sides of the terrace, the nearest part of the usable area of the terrace is 2.5m from the boundary with 58 Dry Hill Park Road.
- 6.9 The neighbours have referred to the common boundary wall between the site and no.58 as standing only 1.5m high. However, this is only for a short section of the boundary wall. Part of this boundary wall also stands more than 2 metres high, but drops down to the lower height approximately 4 metres to the rear of the dwelling within this neighbouring property. The lower section of the boundary wall meets a hedge measuring more than 2 metres in height that runs along the remainder of the common boundary between the application site and 58 Dry Hill Park Road. I am satisfied that, in light of the existing boundary treatments, the height of the terrace and the distance it is located away from the neighbouring property, it does not cause an unacceptable loss of privacy to this neighbouring property. It must also be remembered that permitted development rights allow for the existing lower section of boundary wall to be built up to a height of 2 metres above ground level without the need to apply to the Borough Council for planning permission which would, of course, provide a greater degree of privacy for the neighbouring property.

- 6.10 The neighbouring dwelling on the other side of the application site (54A Dry Hill Park Road) stands much further back from the road than the house within the application site and the raised terrace does not allow views into the private garden area of this property.
- 6.11 The proposed development includes extending the existing tarmac driveway. Due to the gradient of the land within the site it is also proposed to install a drain in front of the house to trap surface water running down the driveway from Dry Hill Park Road. This work, therefore, benefits from being permitted development as defined within Schedule 2, Part 1, Class F of the GPDO.
- 6.12 Much concern has been voiced regarding the retrospective nature of this application and the loss of the garage from the previously approved scheme. However, whether the works are retrospective or not cannot be taken into consideration in judging the acceptability or otherwise of the development comprised in a planning application. The garage space itself was not protected by a planning condition and permission would not have been required, therefore, to convert this to habitable accommodation.
- 6.13 The original application drawings were criticised for not showing land levels and showing contradictory information regarding the garage. (The drawings showed the inclusion of a garage, but on the ground, the extension under construction contains a habitable room.) However, corrected drawings were subsequently submitted and consulted upon. The level of the terrace is clearly shown on the revised drawings, together with the ground levels within the site and the neighbouring properties. The drawings currently submitted are accurate and sufficiently detailed to determine this application now.
- 6.14 In light of the above, I recommend that planning permission be granted.

## **7. Recommendation:**

- 7.1 **Grant Planning Permission** as detailed in the following submitted details: Proposed Floor Plans 0022 SK01 E dated 16.07.2013, Proposed Plans 0022 SK02 D dated 16.07.2013, Proposed Elevations 0022 SK03 G dated 16.07.2013, Proposed Plans 0022 SK04 D dated 16.07.2013, Location Plan dated 25.04.2013, Design and Access Statement dated 25.04.2013, Existing Plans 0022 SY03 dated 25.04.2013, Existing Elevations 0022 SY02 dated 25.04.2013, Existing Floor Plans 0022 SY01 dated 25.04.2013, subject to:

### **Condition**

- 1 Within 1 month of the date of this permission, details of the external finishes to the retaining walls for the terrace and raised planting areas shall be submitted to the Local Planning authority for approval and the development shall be completed in accordance with the approved details, within three months of such approval.

Reason: To ensure that the development does not harm the character and appearance of the existing building or visual amenity of the locality.

Contact: Matthew Broome