

**Wouldham**                      **TM/14/02015/FL**  
**Burham Eccles**  
**Wouldham**

**First floor rear addition at 324 Pilgrims Way Wouldham Rochester Kent ME1 3RB for Mrs Fran Holgate**

DPHEH:

It is considered prudent to make more expansive comparisons between the current proposals and those recently refused under planning reference TM/13/03046/FL to enable Members to fully appreciate how Officers are able to support this scheme when the previous iteration was refused under delegated powers. The previous planning application was refused for the following reasons:

*“The proposed development by reason of the height and location of the extension in close proximity to the boundary, would result in an unacceptable loss of daylight for the occupants of the adjacent property to the north, contrary to the aims of policy CP24 of the Tonbridge and Malling Borough Core Strategy and Saved Policy P4/12 of the Tonbridge and Malling Borough Local Plan.*

*The proposed development by reason of the location adjacent to the northern boundary, would result in a sense of enclosure and overbearing impact upon the occupants of the adjacent property to the north, contrary to the aims of policies CP1 and CP24 of the Tonbridge and Malling Borough Core Strategy.”*

The refused scheme proposed an extension which measured 2.7m in depth by 3.3m in width. The side elevation was shown as being positioned approximately 0.5m from the northern boundary line. This caused the extension to breach the 45-degree angle zone explained at paragraph 6.7 of my main report. Furthermore, the extension by virtue of its proximity to the boundary shared with 326 Pilgrims Way was found to reduce the level of daylight reaching this window from 31.24% of available daylight to 22.75%, well below the recommended minimum of 27% set out in the BRE guidance described at paragraph 6.8 of my main report. As a result it was considered that the occupants would notice a significant reduction in the levels of daylight which would be unduly harmful to their residential amenities.

Additionally, there was also concern that the extension would result in loss of outlook and have an adverse overbearing impact, given the close proximity of the two storey extension to the boundary.

The revised scheme now before Members for determination has been amended to significantly reduce the first floor element, moving it some 1.7m away from the boundary shared with 326 Pilgrims Way. This shift in the built form away from the shared boundary has notably increased the amount of daylight and sunlight received to the nearest neighbouring window at first floor level and has also considerably reduced the dominance of the extension on this neighbouring property.

The previous reasons for refusal have therefore been sufficiently overcome and it is for these reasons that I am now able to recommend that planning permission be granted.

Having further reviewed this position, I also consider it appropriate to recommend an additional condition controlling access onto the flat roof in the interests of residential amenity. This is set out below.

**AMENDED RECOMMENDATION:**

**Additional Condition:**

**4. No means of access from the dwellinghouse shall be provided onto the flat roof of the extension hereby approved at any time and the flat roof shall not be used for external seating or any other recreational use at any time.**

**Reason: In the interests of the privacy and residential amenities of the occupants of the adjacent property.**

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Aylesford  
Aylesford

TM/14/02671/CNA

**Consultation by Maidstone Borough Council for the development of the site for 143 x one, two, three, four and five bed dwellings, new access road off A20, new estate roads, car parking, landscaping and amenity open space at Land At Former Bridge Nursery London Road Allington Maidstone Kent for Ward Homes And UCC Strategic Land Ltd**

No supplementary matters to report.

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