

Hildenborough
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557142 148988 14 May 2015

TM/15/01411/FL

Proposal: Demolition of existing garage and erection of replacement two storey side extension, single storey rear extension and front porch
Location: 22 Hardwick Road Hildenborough Tonbridge Kent TN11 9LA
Applicant: Mr Tom Nooen

1. Description:

- 1.1 Planning permission is sought for the demolition of the existing attached garage and the erection of a two storey side extension, single storey rear extension and front porch.
- 1.2 The proposed two storey side extension would run the length of the western flank wall and would be set back from the existing front living room wall by just under 900mm. It is proposed to be set in from the common boundary with No.21 Hardwick Road by a minimum of 1m at the front corner. The proposed single storey rear extension extends across the rear of the proposed two storey side extension and part way across the existing rear façade. A new porch also forms part of the proposals.
- 1.3 The extension would provide a play room and summer room at ground floor level and a fifth bedroom and ensuite bathroom to bedroom 2 at first floor level.
- 1.4 Materials are proposed to be brickwork at ground floor level and white painted render to the side and rear elevation at first floor level and tile hanging to the front elevation at first floor level.
- 1.5 The proposal shows 2 off-street parking spaces to be retained at the front of the property.
- 1.6 The proposal being reported comprises amendments to the original scheme. In particular the two storey element of the proposed extension would be set back from the front elevation of the main dwelling and incorporate a single storey rear element, following concerns raised by residents of the neighbouring property.

2. Reason for reporting to Committee:

- 2.1 At the request of Councillor Smith in order for consideration to be given to the impacts of the proposed development on the neighbouring dwelling.

3. The Site:

- 3.1 The application site contains a detached dwellinghouse on the north side of Hardwick Road within the rural settlement confines of Hildenborough.

3.2 The application site has an existing driveway to the front for 2 cars.

3.3 The application property is angled slightly away from the neighbouring property to the west, No. 21 Hardwick Road, and has an existing attached garage located within relatively close proximity to this common boundary.

4. Planning History (relevant):

TM/82/10254/FUL grant with conditions 30 September 1982

Erection of detached house with integral double garage

5. Consultees:

5.1 PC: Initially no comments made, then a further response was received raising the following points:-

- It has been drawn to our attention the adverse impact on light to the neighbouring property, not apparent from the plans;
- We would like to see the locally distinctive features identified in section 4 of the Hildenborough Character Area SPD preserved.

5.2 Private Reps: 6/0X/2R/0S 2 letters of objection were received, both from the neighbouring property to the west (No.21 Hardwick Road), making the following objections:

- The gap shown between the extension and the boundary line is not accurate.
- Severe loss of amenity in terms of outlook and loss of sunlight.
- A daylight and sunlight assessment should be undertaken as the 45 degree rule is broken.
- The wall nearest the bay is non-reflective material.
- The proposed building is approximately 0.5m forward of the existing building line.
- Trespass will not be tolerated.
- The close proximity of the extension would have a negative impact upon No.21's foundations.
- The extension is contrary to the Hildenborough Village Local Plan.
- No's 17 to 22 Hardwick Road are given separate treatment as Hardwick Road East (para 4.2 of the Hildenborough Village Local Plan), a defined character

area, consisting detached houses on wide plots giving a spacious character - 22 has a significantly wider/larger plot than the others.

- Other houses have extended to the rear, maintaining the open and spacious character.
- There is no evidence of a design and access statement being provided.

6. Determining Issues:

- 6.1 The site is located within the rural confines of Hildenborough where the principle of development of this nature is acceptable in the broadest of policy terms. The proposed extension is considered to be relatively modest in size and, due to the location of the site within the confines of the village, there is no upper limit to the extent to which a property may be extended, *in principle*. Furthermore, it should be recognised that the dwelling is situated within a large plot which is sufficient in size to accommodate the proposed extension without amounting to an overdevelopment of the site.
- 6.2 With the principle of the proposed development having been established, it is necessary to ensure that the proposal would not harm the street scene and that the development is appropriate for the site and its surroundings. In this respect, Saved Policy P4/12 of the TMBLP requires residential extensions to not have an adverse impact on “the character of the building or the street scene in terms of form, scale, design, materials and existing trees; nor the residential amenity of neighbouring properties in terms of light and privacy, and overlooking of garden areas.” Policy P4/12 also has an Annex (PA4/12) which sets out further design guidance and amenity tests.
- 6.3 Policy CP24 of the TMBCS relates to achieving a high quality environment and paragraphs 57 and 58 of the NPPF set out similar criteria.
- 6.4 Hildenborough Character Area SPD, refers to Hardwick Road (East), which the application site forms part of, as consisting of two storey detached houses reminiscent of 1930s styles. The SPD draws attention to the use of the plain brown tiled roofs and two storey tile hung bow windows, with lower storeys of brown brick and upper floors with white painted render or tile hanging. The SPD adds further that repeated designs and limited colour palette give the development cohesiveness and distinctive identity and that the detached houses have wide plots set back from the road giving a spacious character.
- 6.5 The proposed extensions and porch have been designed so that they would incorporate key features of the original dwellinghouse, such as the fenestration details and materials. Policy Annex PA4/12 advises that the front of proposed side extensions should be set behind the building line of the main dwelling in order to achieve a visual break in the line of the building frontage. The design of the proposed two storey extension has been amended in a positive way so that it

would be set back from the front elevation of the main dwelling by just under 900mm. These amendments were in response to concerns raised by the neighbouring resident. This would allow for the ridge of the roof to be reduced so that the side extension would be subservient to the main dwelling. The materials proposed are shown to be brickwork at ground floor level and white painted render to the side and rear elevation at first floor level, with tile hanging to the front elevation at first floor level, in keeping with the host dwelling. The front porch would have a ridged, tiled roof, whereas the rear extension would have a flat roof, incorporating 2 roof domes. I am satisfied that the proposed extensions are in keeping with the main building and that they would not have a detrimental impact on the area.

- 6.6 The Hildenborough Character Area Appraisal SPD refers to the distinctive identity of this section of the road, with detached houses located within wide plots set back from the road. It is not considered that the proposed extensions would be contrary to the identity and visual amenity of Hardwick Road, as the extensions would be in keeping with the design of the host dwelling and Hardwick Road contains a mix of housing types and designs, many of which have also been extended within relatively close proximity to common boundary lines, thus reducing open space between plots.
- 6.7 The redesign of the proposed two storey side extension would mean that the side element would be set slightly further back from the front elevation than the existing attached garage (which is to be demolished), increasing the distance between the extended property and the common boundary line with the neighbouring property to the west. This neighbour raised objections to the originally proposed scheme, which brought the proposed side extension further forward so that it was in line with the front façade of the main dwelling. The separation distance now being shown between the application property, as extended, and neighbouring property is not uncommon within this section of the road, and is similar to the relationship which already exists in respect of the application property's garage and the neighbouring property. As such, it is not considered that this built form would have a detrimental impact on the visual amenity and openness of the area through the replacement of the existing garage with a two storey extension. Additionally, taking into account the angle of the boundary and the fact that the application property is positioned away from this neighbour, it is not considered that the proposals would cause a terracing effect with the neighbouring property to the west.
- 6.8 No.21 does not have any windows within the flank elevation directly facing the two storey element of the proposed extension. The proposed single storey rear element is relatively low in height and would not extend past the depth of this property. As such, it is not considered that the proposed extensions would have a detrimental impact on the residents of No.21, in respect of an overbearing impact, nor that the two storey extension would appear as an oppressive or dominant feature when viewed from this neighbouring property.

- 6.9 Saved Policy Annex PA4/12 of the TMBLP states that in order to minimise any reduction in daylight into adjoining dwellings, and any impact on the outlook from such dwellings, extensions should be designed so as to fall within the 45-degree angle zone taken from a half of the way across the neighbouring habitable room window nearest to the boundary. This guidance typically relates to single and two storey rear extensions. Given the fact that there are no windows within the flank elevation of No.21 Hardwick Road, together with the degree of separation between the proposed extension to the application property and this neighbouring dwelling, the 45-degree test is met in respect of the front windows. As such there would be no demonstrable loss of daylight/sunlight which could be said to harm the residential amenities of the neighbours.
- 6.10 There are no windows proposed within the flank walls of the proposed extension facing towards the neighbouring residents. Therefore, I am satisfied that the proposals will not have a detrimental impact on the privacy of these residents.
- 6.11 In respect of encroachment, the grant of planning permission does not give the right to build on someone else's land and informatives will be added to this effect.
- 6.12 The proposals include the demolition of the attached single garage at the property; however, the plans indicate that two parking spaces will be retained to the front of the property. The provision of 2 off street parking spaces to serve each of the resultant dwellings is considered to be acceptable, despite the fact that the garage is being lost, taking into account the requirements of KHS IGN3. Furthermore, Hardwick Road does not contain any on-street parking controls and, if required at a later stage, the applicant could accommodate further off-street parking on the site.
- 6.13 The neighbouring resident has raised concern that a design and access statement was not submitted with the proposals; however, due to the nature of the scheme (a residential extension), such a statement is not required, under Central Government guidance.
- 6.14 In light of the above considerations, I recommend that planning permission be granted subject to the imposition of conditions.

7. Recommendation:

- 8. Grant Planning Permission** in accordance with the following submitted details: Location Plan 14-059-01 Existing plans _ elevation dated 29.04.2015, Proposed Plans and Elevations 14-059-02 rev E dated 29.04.2015, Drawing 14-059-18 Parking arrangement dated 14.05.2015, Photograph Front elevation dated 14.05.2015, subject to the following conditions

Conditions

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In pursuance of Section 91 of the Town and Country Planning Act 1990.

2. All materials used externally shall match those of the existing building.

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

3. The parking spaces shown on drawing number 14-059-18 shall be kept available for such use and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 2015 (or any order amending, revoking or re-enacting that Order) shall be carried out on the land so shown or in such a position as to preclude vehicular access to this reserved parking space.

Reason: Development without provision of adequate accommodation for the parking of vehicles is likely to lead to hazardous on-street parking.

Informatives

1. If the development hereby permitted involves the carrying out of building work or excavations along or close to a boundary with land owned by someone else, you are advised that, under the Party Wall, etc Act 1996, you may have a duty to give notice of your intentions to the adjoining owner before commencing this work.
2. This permission does not purport to convey any legal right to undertake works or development on land outside the ownership of the applicant without the consent of the relevant landowners.

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