

Tonbridge
Judd

18 January 2017

TM/17/00139/FL

Proposal: Proposed two storey side extension with integral garage, canopy porch and internal alterations. Re-submission of TM/16/03008/FL
Location: 49 Brindles Field Tonbridge Kent TN9 2YR
Applicant: Mr Mitch Walker
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1. Description:

- 1.1 Planning permission is sought for the demolition of an existing garage and the construction of a two storey side extension, with the first floor accommodation located within the roof space, which incorporates a front dormer and two roof lights in the rear roof slope.
- 1.2 The proposed extension will incorporate a replacement garage and dining room at ground floor level and a bedroom with en-suite at first floor level.
- 1.3 The proposals also re-position the main access into the front elevation of the property and include an open porch canopy.
- 1.4 The proposed extension is set back from the front façade of the host dwelling by approximately 1.9m. It would bring the built form closer to the common boundary line with the neighbouring properties in West Rise, but would retain a distance of approximately 1m at the closest point.
- 1.5 Materials are proposed to be brick work at ground floor level with black painted timber cladding above and a tiled roof above.
- 1.6 One garage parking space and 2 off-street parking spaces to the front of the garage are shown to be provided.
- 1.7 This application seeks to overcome the recent refusal of planning permission under reference TM/16/03008/FL. Planning permission was refused for the following reason:

“The proposed two storey side extension, by virtue of its size, bulk and proximity to the northern boundary when combined with the constrained nature of the plot and limited size of the neighbouring gardens, would result in a dominant and overbearing form of development which would in turn be harmful to the residential amenities of the occupiers of 10 and 12 West Rise, Tonbridge. The proposed development is therefore contrary to Policy CP24 of the Tonbridge and Malling Core Strategy 2007, Policy SQ1 of the Managing Development and the Environment Development Plan Document 2010 and the core principles of the National Planning Policy Framework 2012 (paragraphs 17, 58 and 64).”

1.8 The previous refusal of planning permission forms an important material consideration in the determination of this current application. The previous grounds of refusal must therefore be successfully overcome through the amended scheme, whilst creating no new issues or harm, in order for planning permission to be granted. Whilst the amended scheme shows the same overall footprint, the overall height and associated bulk of the extension have been substantially reduced, with the ridge height being reduced by approximately 1m, and the front eaves being reduced by approximately 2m overall. This decrease in bulk has been achieved by the inclusion of a dormer window within the front facing roof slope.

1.9 Additionally, where it was previously proposed to create a gable-end to the main house, the barn hip is now shown to be retained.

2. Reason for reporting to Committee:

2.1 At the request of Councillor Bolt, in order for consideration to be given to the impact of the proposed development on neighbouring properties.

3. The Site:

3.1 The application site contains a semi-detached brick and black timber clad property within the built settlement confines of Tonbridge. Brindles Field has an elevated position and the area is relatively densely populated with properties having modest private garden spaces.

3.2 The application property is set back from the main road in a small cul-de-sac which serves four residential dwellings.

3.3 The neighbouring half of the semi-detached pair is constructed with the same materials as the application property and has a canopy porch in the front elevation, similar in size and design to that being considered within this application.

4. Planning History (relevant):

TM/16/03008/FL Refuse 19 December 2016

Proposed two storey side extension with integral garage, canopy porch, and internal alterations

5. Consultees:

5.1 Private Reps: 15/0X/3R/0S: 3 letters of objection received on the following grounds:

- Dominant, overbearing and feeling of enclosure;
- Area already over-developed;

- Significant increase in size and width of garage;
- The existing dwelling impacts on the enjoyment of properties in West Rise and occupants' quality of life;
- The slight amendment to the roof design does little to reduce the overall size of the extension and still brings the property closer to the boundary with West Rise;
- Detrimental impact on sunlight into small gardens of West Rise;
- The proposed black cladding would further impact feeling of enclosure;
- The proposed ground floor windows and doors in the flank elevation will be intrusive.

6. Determining Issues:

Principle of development:

- 6.1 The site is located within the built settlement confines of Tonbridge where the principle of development of this nature is acceptable. The proposed extension is considered to be relatively modest in size and, due to the location of the site within the confines of the settlement, there is no upper limit to the extent to which a property may be extended, *in principle*. The extension, given the position and size of the extension and the nature and size of the plot, would not amount to an overdevelopment of the site.
- 6.2 It should be noted that matters of general principle and the ability of the site to accommodate a development of this nature did not form part of the previous reason for refusal.

Character, appearance and design:

- 6.3 With the principle of the proposed development having been established, it is necessary to ensure that the proposal would not harm the appearance of the street scene or the individual dwelling 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.
- 6.4 Policy CP24 of the TMBCS relates to achieving a high quality environment and paragraphs 57 and 58 of the NPPF set out similar requirements.

- 6.5 The Tonbridge Character Area SPD refers to the Brindles Field area as a 1990s development on the southern edge of the urban area just inside the Tonbridge Bypass, with properties occupying an elevated position with the elevations of the properties having a variety of finishes including red brick, white or black weatherboarding, decorative clay hung tiles or yellow brick with red brick details and sills.
- 6.6 The proposed extension and new porch canopy have been designed so that they reflect the existing key features of the original dwellinghouse, such as the fenestration detailing and materials to be utilised. The proposed two storey side extension is set back from the front façade of the host dwelling and incorporates a low eaves height with the first floor rooms being sited within the roof space. This allows for the ridge of the roof to be some 1.7m lower than the main dwelling. This gives the extension a subservient appearance, which is appropriate in visual terms.
- 6.7 The proposed front canopy and re-sited front door have been designed to reflect the proportions of the main dwelling and adjoining property, and to follow the design of the proposed front dormer. The new access door and open porch are considered to be appropriate in visual terms.
- 6.8 Again, it should be noted that the changes to the appearance of the dwelling arising from a side extension here did not form part of the previous reason for refusal. The changes to that scheme in an attempt to overcome the previous reason for refusal have given rise to a different appearance to that previously considered, through the inclusion of a front dormer window and retention of the barn hip to the main dwelling, but these features do not cause any visual harm and the proposal is therefore acceptable in these respects.

Residential amenity:

- 6.9 As explained in Section 1 of this report, the previous scheme was refused on the grounds that the overall size and bulk of the proposed extension, when combined with the proximity to the boundary shared with properties in West Rise, would cause a dominant and overbearing form of development, harmful to the amenities of the neighbouring properties. The scheme has been amended to significantly reduce the height and associated bulk of the extension meaning that it would be far more subservient to the main house when viewed from the neighbouring properties in West Rise. The extension would not have a dominant or overbearing impact on these neighbours as a result of these changes as it would effectively be seen against the backdrop of the larger main house.
- 6.10 I acknowledge concern raised by local residents that the combination of brickwork and black cladding on the proposed flank elevation would add further to the feeling of oppressiveness and enclosure. Given the above conclusions, I do not consider that the proposed materials would cause a detrimental impact in this way.

- 6.11 Residents remain concerned that the proposed extension would adversely affect their levels of privacy. The proposed extension includes a front facing dormer window to serve the en-suite bathroom, with two roof lights to be installed within the rear facing roof slope. The dormer window would look towards the driveway serving the dwelling, and the roof lights would face towards the private garden area of this dwelling. Notwithstanding this, they would be at 1.8m above floor level which is above the level of 1.7m normally accepted as ensuring acceptable levels of privacy. No flank windows are proposed at first floor level.
- 6.12 The proposed front porch canopy is open in nature and it is not considered that it will have a detrimental impact on the residential amenities of the adjoining residents.

Highway safety and parking provision:

- 6.13 The proposals include two off-street parking spaces to the front of the property and also a garage space. This parking provision is considered to be in accordance with the requirements of IGN 3.

Conclusions:

- 6.14 In light of the above assessment, I consider that the proposed extension is acceptable in terms of the requirements of the adopted development plan and requirements of the NPPF with the previous reason for refusal having been successfully overcome. As such, the following recommendation is put forward:

7. Recommendation:

- 7.1 **Grant planning permission** in accordance with the following submitted details: Block Plan T1616/BP2 dated 03.03.2017, Letter dated 18.02.2017, Existing Floor Plans T1616/02 dated 18.01.2017, Location Plan T1616/LP1 dated 18.01.2017, Existing Floor Plans T1616/01 dated 18.01.2017, Existing Roof Plan T1616/03 dated 18.01.2017, Existing Elevations T1616/04 dated 18.01.2017, Existing Elevations T1616/05 dated 18.01.2017, Existing Elevations T1616/06 dated 18.01.2017, Existing Elevations T1616/07 dated 18.01.2017, Proposed Floor Plans T1616/08 dated 18.01.2017, Proposed Floor Plans T1616/09 dated 18.01.2017, Proposed Roof Plan T1616/10 dated 18.01.2017, Proposed Elevations T1616/14 dated 18.01.2017, Proposed Elevations T1616/11 dated 18.01.2017, Proposed Elevations T1616/12 dated 18.01.2017, Proposed Elevations T1616/13 dated 18.01.2017 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 use shall not be commenced, nor the premises occupied, until the area shown on the submitted layout as vehicle parking space has been provided, surfaced and drained. Thereafter it 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. 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.
2. 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.

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