

<b>Application Number</b>	19/00871/AS	
<b>Location</b>	61 Bryony Drive, Kingsnorth, Ashford, Kent, TN23 3RF	
<b>Grid Reference</b>	01444/39140	
<b>Parish Council</b>	Pluckley	
<b>Ward</b>	Park Farm South Ward	
<b>Application Description</b>	Single storey rear extension; first floor & front extension over garage.	
<b>Applicant</b>	Mr W Munyemweri	
<b>Agent</b>	Mr C McMullon, Sevenscroft Ltd, 277 Canterbury Road, Kennington, TN24 9QW	
<b>Site Area</b>	0.03 ha	
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## Introduction

1. This application is reported to the Planning Committee at the request of the ward member, Councillor Wedgbury.

## Site and Surroundings

2. The application site comprises a two storey link detached property within the Park Farm area of Ashford. The site is within a cul de sac with a number of similar styled properties, blocks of flats and communal parking. The property is "linked" by a double garage serving the application site which sits between (and physically attached to) the application site and the neighbour at No 60. There are also two parking spaces in front of the garage. Parking within the entire cul de sac is uncontrolled other than parking for the flats.
3. It is of note that planning permission was granted in 2016 in retrospect for the change of use of areas of land to the rear of the site to be included as part of the residential gardens of both the application site and the neighbour at No 60.
4. A site location plan is attached as an annexe to the report.



Figure 1 - Site location plan

## Proposal

5. Full planning permission is sought for a single storey flat roof rear extension, a first floor extension over the existing garage to the side which is also to project forward but remain recessed by 0.5m from the front elevation of the dwelling. To both the front and rear of the side extension there would be 2 pitched roof dormer windows positioned towards the upper part of the roof slope. It is also of note that whilst the roof form to the front and rear in the main is of a pitched roof design, to keep the ridge line low a flat roof element has been introduced. The development will provide a further bedroom and en-suite bathroom at first floor level creating a 5-bedroom property and an increased footprint of living accommodation at ground floor level afforded by the rear extension.



Figure 2 - existing front/rear elevations

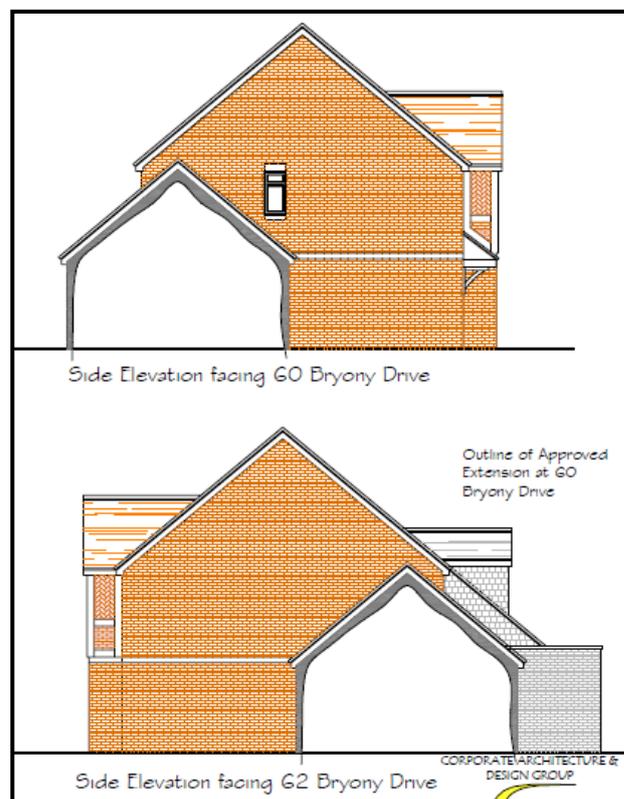
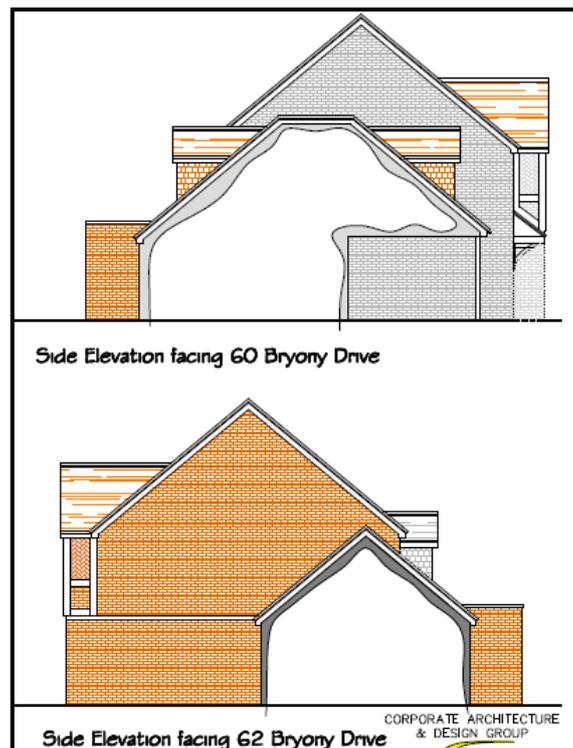




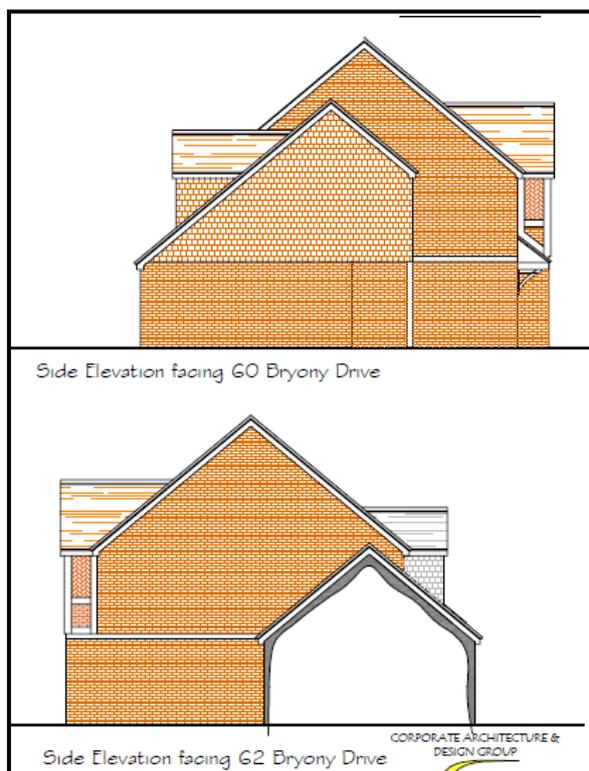
Figure 4 - proposed elevations



6. This application follows an earlier refusal of planning permission (19/00287/AS) which was also for a first floor extension and single storey rear extension. The reason for refusal was that the siting, design and appearance of the first floor extension would be detrimental to the visual amenity of the street scene due to infilling of the gap between the two properties and the subsequent loss of perceived spaciousness in the area. The proposal, if permitted elsewhere, would result in significant visual harm and undesirable extensions that infill the breaks between detached properties creating an unacceptable terracing effect. It is of particular note that the development subject of the refusal did not involve the creation of any new development further forward of the current building line of the garage. However, the development was higher than the existing garage roof with a full 2 storey eaves.



**Figure 6 - FOR COMPARISON - previously proposed front/rear elevations**



**Figure 7 - FOR COMPARISON - previously proposed side elevations**

7. The earlier application showed an extension of an overall height of 7.5m to infill the gap between the properties. Whilst this current application shows the overall height of the extension reduced to 6m, in order to accommodate the change in height, the garage will now extend further forward than the current situation only 1m shy of the front elevation of the property, yet abutting the front elevation of the neighbour.
8. Three off-road parking spaces will be provided; two within the driveway in a tandem arrangement and a third immediately in front of the property in parallel to its front wall on an area of land which is currently a front garden/lawn area and, as a result, together with a hedge, would need to be removed to make way for the space.

## Planning History

DC	FA	16/01500/AS	Proposed change of use of amenity land to residential garden area & new garden wall.	PERM	13/12/2016
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DC	FA	19/00287/AS	Single storey rear extension & first floor extension over garage.	RR	09/05/2019
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## Consultations

**Ward Member:** Request for the application to be determined by committee.

**Parish Council:** support and welcome changes since previous refusal but comment that a tiled ridge should be seen at the end of the flat roof above the bedroom when viewed from the front and rear of the dwelling. Request informative added regarding hours for construction.

**Neighbours:** 5 neighbours consulted; no representations received

## Planning Policy

9. The Development Plan comprises the Ashford Local Plan 2030 (adopted February 2019), the Chilmington Green AAP (2013), the Wye Neighbourhood Plan (2016), the Pluckley Neighbourhood Plan (2017) and the Kent Minerals and Waste Local Plan (2016).
10. For clarification, the Local Plan 2030 supersedes the saved policies in the Ashford Local Plan (2000), Ashford Core Strategy (2008), Ashford Town Centre Action Area Plan (2010), the Tenterden & Rural Sites DPD (2010) and the Urban Sites and Infrastructure DPD (2012).
11. The relevant policies from the Development Plan relating to this application are as follows:-

### **Ashford Borough Local Plan 2030**

SP1 - Strategic Objectives

SP6 – Promoting High Quality Design

TRA3a – Parking Standards for Residential Development

HOU8 – Residential Extensions

SPG10 – Domestic Extensions in Urban and Rural Areas

Residential Parking SPD

## Assessment

12. The main issues for consideration are:

- Visual amenity
- Residential amenity
- Highway Safety

### Visual Amenity

13. Turning first of all to the single storey rear extension. Whilst this would be of a flat roof design, it is of modest proportions with matching materials. Therefore this element of the proposal would not be considered harmful to the visual amenity of the street scene.
14. Turning now to the first floor and front extensions. Whilst it is acknowledged that the height of this extension has been reduced in height by 1.5m since the previously refused application, this has resulted in a requirement to extend the built development forward by 3.7m. This would result in the infilling of the gap between the two properties and, in this case, bringing the entire garage area forward completely filling the area which is currently open hardstanding. This would be particularly evident when viewing the site from the south when entering the cul de sac.
15. In order to accommodate this reduction in overall height, it has been necessary to provide a flat roof above the new bedroom/en-suite. This would result in a 2.2m width of flat roof to form a crown between the two properties which would be out of keeping with the other properties in the area and would introduce an incongruous roof design, one of which is discouraged in the Council's Supplementary Planning Guidance for extensions to dwellings. To accommodate the necessary headroom within the roofspace there are 2 dormer windows to the front and rear. Whilst these are of a pitched roof design they do not sit comfortably within the roofslope and add to the bulk and massing of the extension.
16. Furthermore, the removal of the front garden area to accommodate a parking space would result in a loss of landscaped area which helps to soften the development, the loss of which would be detrimental to the visual amenity of the locality.
17. Taking everything into consideration, the first floor and front extension would, by virtue of its scale and massing, compounded by the insertion of dormer windows, reduce the perceived spaciousness in the street scene due to the

loss of the existing break between the two properties above the existing ridge level of the garages. The resultant infilling would result in a loss of spaciousness in the area and, if permitted elsewhere, would result in significant visual harm and undesirable extensions that would infill breaks between detached properties to create an unacceptable terracing effect. In turn, extending the parking area to include the front of the property resulting in the loss of the formal landscaped front garden with the creation of a further hard surfaced area and parking in its place, would be visually harmful to the street scene where there is a dominance of hard surfacing and very little landscaped areas to provide light visual relief. The development would therefore fail to comply with the aims and objectives of Development Plan policy and the adopted SPG.

### **Residential Amenity**

18. Turning first to the rear extension, given the single storey nature of this aspect of the development, there would be no harm caused to residential amenity.
19. Whilst two dormer windows are proposed on the rear elevation of the first floor extension, given the existence of the single storey rear extension (which is served only by rooflights) serving the neighbour at No 60, there would be no immediate views into the most private garden area of No 60. Given this, and the siting of the first floor extension between the two properties and not extending beyond the rear building lines, I am satisfied that there would be no harm caused to residential amenity due to overbearing development or harmful overlooking.

### **Highway Safety**

20. Adopted policy TRA3(a) – parking standards for residential development – dictates that in suburban and rural locations, three spaces would be required for a property of this size. Whilst the submitted plans show three spaces can be provided, and therefore meets the criteria of policy TRA3(a), the provision of one of those spaces would result in the loss of the front garden area serving the application site. The concerns relating to this loss are considered within the Visual Amenity section above.

### **Human Rights Issues**

21. I have also taken into account the human rights issues relevant to this application. In my view, the “Assessment” section above and the Recommendation below represent an appropriate balance between the interests and rights of the applicant (to enjoy their land subject only to reasonable and proportionate controls by a public authority) and the interests

and rights of those potentially affected by the proposal (to respect for private life and the home and peaceful enjoyment of their properties).

## **Working with the applicant**

22. In accordance with paragraphs 38 of the NPPF, Ashford Borough Council (ABC) takes a positive and creative approach to development proposals focused on solutions. ABC works with applicants/agents in a positive and creative manner as explained in the note to the applicant included in the recommendation below.

## **Conclusion**

23. The objective of the development is to provide a further bedroom, bathroom and living accommodation. However, the siting, design and appearance of the extension, along with the removal of the landscaped area would be detrimental to the visual amenity of the street scene for the reasons outlined in the report above.
24. There would be no harm to highway safety as a result of the development.
25. For the reasons above, I therefore recommend that the application is refused as it would be contrary to relevant Development Plan policies and there are no overriding material considerations to suggest otherwise.

## **Recommendation**

### **Refuse**

#### **Subject to the following reasons:**

The proposal is contrary to Policies SP1, SP6 and HOU8 of the Ashford Local Plan to 2030, Supplementary Planning Guidance Note 10 and Central Government guidance contained in the National Planning Policy Framework and would therefore be contrary to interests of acknowledged planning importance for the following reason:

- The proposed first floor and front extensions, by virtue of their siting, design and appearance, and resulting bulk, scale and massing, would be detrimental to the visual amenity of the street scene due to the infilling of the gap between the two properties and the subsequent loss of perceived spaciousness in the area. The proposal, if permitted and repeated elsewhere, would result in significant visual harm and undesirable extensions that infill the breaks between detached properties to create an unacceptable terracing effect. The removal of the formal

landscaped garden with car parking directly in front of the dwelling would also be harmful to the visual amenity of the area.

### **Working with the Applicant**

In accordance with paragraph 38 of the NPPF Ashford Borough Council (ABC) takes a positive and proactive approach to development proposals focused on solutions. ABC works with applicants/agents in a positive and proactive manner by;

- offering a pre-application advice service,
- as appropriate updating applicants/agents of any issues that may arise in the processing of their application
- where possible suggesting solutions to secure a successful outcome,
- informing applicants/agents of any likely recommendation of refusal prior to a decision and, by adhering to the requirements of the Development Management Customer Charter.

In this instance

- The applicant was informed/ advised how the proposal did not accord with the development plan, that no material considerations are apparent to outweigh these matters and provided the opportunity to amend the application.
- The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the committee and promote the application.

### **Background Papers**

All papers referred to in this report are currently published on the Ashford Borough Council web site ([www.ashford.gov.uk](http://www.ashford.gov.uk)). Those papers relating specifically to this application may be found on the [View applications on line](#) pages under planning application reference 19/00871/AS)

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Annex 1

