

REPORT SUMMARY

REFERENCE NO: - 22/503499/FULL		
APPLICATION PROPOSAL: Conversion of garage with raised roof and 1no. roof light. Loft conversion with front and rear dormers and 2no. roof lights (resubmission of 22/502134/FULL).		
ADDRESS: 12 Wents Wood Weaving Kent ME14 5BL		
RECOMMENDATION: GRANT - subject to the planning conditions set out in Section 8.0 of the report		
SUMMARY OF REASONS FOR RECOMMENDATION: For the reasons set out in this report, it is considered that the proposed conversion of the garage with a raised roof and 1no. roof light, loft conversion with front and rear dormers and 2no. roof lights would be acceptable and would not cause significant visual harm, harm to neighbouring amenity nor would it be unacceptable in terms of any other material planning considerations. The proposed developments are considered to be in accordance with current policy and guidance.		
REASON FOR REFERRAL TO COMMITTEE: The recommendation is contrary to the views of Boxley Parish Council who have requested the application be presented to the Planning Committee.		
WARD: Boxley	PARISH/TOWN COUNCIL: Boxley	APPLICANT: Mr and Mrs Nigel Whitlock AGENT: Mr Paul Fowler
CASE OFFICER: Chloe Berkhauser-Smith	VALIDATION DATE: 15/07/22	DECISION DUE DATE: 27/10/22
ADVERTISED AS A DEPARTURE: NO		

Relevant Planning History

22/502134/FULL

Conversion of garage with raised roof and 1no. roof light. Loft conversion with front and rear dormers and 2no. roof lights. Erection of a detached garage.
Refused 06.07.2022

14/500773/FULL

Erection of single storey rear extension
Approved 08.09.2014

93/1668

Erection of twelve 4/5-bedroom detached houses garages and estate road as validated and amended by drawing nos. 747/465/D 747/466/J P93/41 and external finishes schedule 747/487/B received 08.12.93. .
Approved 21.02.1994

MAIN REPORT

1. DESCRIPTION OF SITE

- 1.01 The application site relates to a two-storey, detached dwelling. The existing materials of the dwelling comprise of brick for the external walls, plain tiles for the roof and white uPVC for the windows and doors.
- 1.02 The site is accessed by a shared driveway from Wents Wood and is situated higher than the street. The driveway leads to a large parking and turning area and the property is situated to the north-east. The dwelling sits at the highest part of the plot and there is a stepped garden at the rear of the property. The boundary treatment for the boundary shared with Tanglewood and Kismet consists of tall hedging, all other boundary treatment consists of close-boarded fencing.

- 1.03 The site is not within a conservation area or an area of outstanding natural beauty, although it is within the 500m buffer of a local wildlife site. The site is also located adjacent to a TPO.

2. PROPOSAL

- 2.01 The proposal is for the conversion of the garage with a raised roof and 1no. roof light. Loft conversion with front and rear dormers and 2no. roof lights.

Garage Conversion

- 2.02 The proposed garage conversion would incorporate altering the internal garage space to form an extension to the existing kitchen and utility room. The existing garage has an eaves height of approximately 2.7m at the front and 3.3m at the rear and it has a ridge height of approximately 5.1m. The proposed garage conversion includes altering the roof, the proposed roof therefore would have an eaves height of approximately 3.4m at the front and 4m at the rear. It would have a maximum height of approximately 5.3m. Additionally, the proposed garage conversion includes replacing the existing front garage door with a window, replacing the rear door with a window, adding a roof light to the front elevation and adding a secondary window to the kitchen on the south-east side elevation.

Loft Conversion

- 2.03 The proposed loft conversion will allow space in loft to form a bedroom, ensuite and dressing room.
- 2.04 The proposed front dormer would have an approximate width of 2.4m and depth of 2.3m. It would have a hipped roof with an eaves height of approximately 1.8m and a ridge height of 2.8m. There would be one window on the front elevation of the dormer which would serve the hallway.
- 2.05 The proposed rear dormer would have an approximate width of 5.7m and depth of 1.8m. It would have a hipped roof with an eaves height of approximately 1.4m and a ridge height of 1.9m. There would be two windows on the rear dormer, one serving the ensuite and the other serving the bedroom.
- 2.06 The proposed loft conversion also includes adding two roof lights to the front elevation. The proposed roof lights would be approximately 1.6m from the internal floor level.

3. POLICY AND OTHER CONSIDERATIONS

Maidstone Borough Local Plan 2017 – Policies DM1, DM9 and DM23

Emerging Policies:

Maidstone Borough Council – Local Plan Review Regulation 22 Submission. The Regulation 22 Submission comprises the draft plan for submission (Regulation 19) dated October 2021, the representations and the proposed main modifications. It is a material consideration and some weight must be attached to the document because of the stage it has reached. This weight is limited, as it has yet to be the subject of an examination in public.

Policy LPRSP15 – Principles of Good Design

LPRHou 2 – Residential extensions, conversions, annexes and redevelopment in the built-up areas

Policy LPRTRA4 - Parking Matters

Supplementary Planning Documents – Maidstone Local Development Framework:
Residential Extensions SPD,

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

4. LOCAL REPRESENTATIONS

4.01 5 representations received from local residents raising the following (summarised) issues

- Loss of privacy and overlooking
- Overshadowing
- Out of keeping with the character of the area
- Overdevelopment along the boundary
- Cause harm to the streetscene

4.02 Issues relating to loss of view, loss of property value and issues arising from the construction period are not material planning considerations and therefore cannot be taken into account in the determination of this application. The other matters raised by neighbours and other objectors are discussed in the detailed assessment below.

5. CONSULTATIONS

(Please note that summaries of consultation responses are set out below with the response discussed in more detail in the main report where considered necessary)

Boxley Parish Council

5.01 The proposal, by virtue of its scale, location and design would result in a visually dominant and incongruous development that would impact the character of the host dwelling and the character and appearance of the streetscene contrary to the NPPF 2021 and MBC Local Plan Policies DM1 and DM9 and the Residential Extensions Supplementary Planning Document.

It would be over development of the site.

Policy DM1 of the Local Plan requires proposals to: Respect the amenities of occupiers of neighbouring properties and uses and provide adequate residential amenities for future occupiers of the development by ensuring that development does not result in, or is exposed to, excessive noise, vibration, odour, air pollution, activity or vehicular movements, overlooking or visual intrusion, and that the built form would not result in an unacceptable loss of privacy or light enjoyed by the occupiers of nearby properties.

The height extension on the garage will create overshadowing of the neighbouring garden. One of the dormer windows to the roof extension will cause a loss of privacy to their neighbours garden and bedrooms.

Cllr Robert Hinder

5.02 The proposed extensions by reason of their designs, positions and layout would result in an unsympathetically, incongruous, and poorly related additions to the dwelling and harm the visual amenity of the street scene and character of the host dwelling contrary to NPPF 2021, Policies DM1 and DM9 of the Maidstone Borough Local Plan 2017 and the Residential Extensions SPD. It would create effectively a 3 storey dwelling surrounded by 2 storey dwellings and be totally out of keeping with the streetscene. The height extension on the garage would create overshadowing in particular within the garden of its neighbour Kismet. There would be a loss of privacy to the residents of Tanglewood from one of the dormer extension windows of the roof extension this being classed as a habitable room. The loss of privacy would be in the garden and the bedrooms. I am led to believe that all neighbours object to this proposal which should be taken into account regarding reaching a decision. Policy DM1 clearly states that the amenities of neighbouring properties and occupiers must be protected which this proposal clearly breaches. The scale,

height, form and appearance and siting of the proposal would not fit unobtrusively with the character of the street scene and / or its context.

6. APPRAISAL

Main Issues

6.01 The key issues for consideration relate to:

- Site background/Principles of development/Policy Context
- Visual amenity
- Residential amenity
- Parking/Highway safety
- Other matters

Site Background/Principles of development/Policy Context

6.02 The existing dwelling was built under the permission 93/1668. It has been previously extended to the rear by a single storey extension. This application follows a recent refusal for a similar scheme under application 22/502134/FULL for the *Conversion of garage with raised roof and 1no. roof light. Loft conversion with front and rear dormers and 2no. roof lights. Erection of a detached garage.* This was refused on the following ground :

The proposed detached garage by virtue of its siting and size, significantly forward of the existing dwelling, would appear as an incongruous addition within the site and would have a detrimental impact to the streetscene and the character of the area. Therefore, it is considered that the proposal does not comply with Policies DM1 and DM9 of the Adopted Maidstone Borough Plan Oct 2017 and the Councils Residential Extensions guidelines, and that there are no overriding material considerations to justify approval that outweigh the harm identified above.

This application seeks to overcome the previous refusal by removing the detached garage from the scheme.

6.03 The application site is located within the urban settlement boundary, east of the town centre. Policy DM9 of the Local Plan allows for residential extensions provided that:

- i. The scale height, form, appearance and siting of the proposal would fit unobtrusively with the existing building where retained and the character of the street scene and/or its context.
- ii. The traditional boundary treatment of an area would be retained and, where feasible, reinforced;
- iii. The privacy, daylight, sunlight and maintenance of a pleasant outlook of adjoining residents would be safeguarded; and
- iv. Sufficient parking would be provided within the curtilage of the dwelling without diminishing the character of the street scene.

6.04 Policy DM1 (ii) in terms of design refers to developments responding positively to the character of the area, with regard being paid to scale, height materials, detailing, mass, bulk, articulation and site coverage. DM1 (iv) re-iterates consideration to be paid to adjoining neighbouring amenity.

6.05 The Residential Extensions SPD in relation to this proposal sets out the following:

4.30 *Increasing the roof height of a dwelling by altering the eaves height or the pitch of the roof can have a detrimental impact on the dwelling and street scene and should be avoided.*

4.32 *New dormers will not normally be allowed to front elevations in streets where there are none already. Roof lights, particularly on the front elevation, are a preferable alternative to the use of dormers or roof extensions. The number and size of roof windows should not visually dominate the roof plane. Roof windows need not be large, as more sunlight and daylight reaches a sloping roof than a wall. Roof windows should be designed and installed to have a minimum projection from the roof plane. The glazing of the traditional roof light is flush with the roof covering, and all roof window ranges now include a 'conservation style' roof light which meets this requirement.*

4.33 *Loft extensions are preferred on the back elevation in order to preserve the character of the street.*

4.34 *Where acceptable, dormer windows should be proportionate in scale to the roof plane and where there is a logical or symmetrical layout of doors and windows, should follow the vertical lines of these openings. They should never project above the original ridgeline and should be set back a minimum of 20 centimetres from the eaves to maintain the visual appearance of the roof line.*

4.35 *Large dormers/roof extensions requiring planning permission, which are disproportionate to the house, will not be allowed.*

- 6.06 The application site is situated in a sustainable location within the urban settlement boundary and as such, the principle of development in this location is considered acceptable subject to the material planning considerations discussed below.

Visual Amenity

- 6.07 The application site is situated higher than the street Wents Wood and is set back by approximately 18.5m from the street. There are a few existing mature trees and hedging which do provide some screening of the property along the street, however the property is mainly visible.
- 6.08 The proposed rear dormer would not be visible from the street scene, and it is therefore considered that this would not impact the streetscene. Considering the design of the proposed rear dormer, whereby it is significantly set back from the eaves height and considering the proposed hipped roof which is in keeping with the existing roof of the main dwelling, it is considered that it would not have a detrimental impact upon the character and appearance of the host dwelling.
- 6.09 The proposed roof lights, alterations to the existing garage roof height and the replacement garage door with a window all would be visible from the street. Although, it is considered that due to the nature and scale of the proposed increase in roof height, replacement garage door with a window and proposed roof lights, I am satisfied that they would not have a detrimental impact upon the character and appearance of the streetscene or the character of the host dwelling.
- 6.10 The proposed front dormer would be visible from the streetscene, although taking into considering the scale and design of the proposed front dormer, whereby it is set back from the eaves and the pitch of the proposed hipped roof dormer would match the pitch of the existing barn hip of the main dwelling, also considering that the dormer would follow the vertical line of the windows below it is considered that the proposed dormer would not have a detrimental impact upon the character appearance of the hostdwelling or the character of the wider area. It is noted that the proposed dormer does not have a set back from the main ridge line, although as it does not exceed the height of the main ridgeline, there would be insufficient grounds to refuse the application on this basis.
- 6.11 Comments have been raised over concerns that the proposal is out of keeping with the character of the streetscene and the character of the area. The streetscene along Wents Wood is made up of a variety of house styles, with No.12 being the only property along the street of this style. Therefore, considering this, and considering

the design and scale of the proposed front dormer, and the modest nature of the proposed alteration to the garage roof and replacement garage door, there are not considered to be sufficient grounds for refusal on this basis.

- 6.12 Overall, the proposed developments are of an acceptable design and appearance which would appear subservient to the existing dwelling and would not harm visual amenity of the streetscene or the character of the surrounding area, nor would it harm the site itself.

Residential Amenity

- 6.13 Representation has been received from five of the seven neighbouring properties. (Tanglewood Weaving Street, Kismet Weaving Street, 10 Wents Wood, 1 Wents Wood, 11 Wents Wood). It is those properties that would most likely be impacted by the proposal. The other neighbouring properties are considered to be a significant distance away to be unaffected by the proposal.

- 6.14 *Kismet, Weaving Street*

Kismet, Weaving Street is the neighbouring property located to the south-east of the application site. The existing garage is built up against the boundary with Kismet and there is tall hedging dividing the two sites. The proposed alteration to the garage roof, increasing the height of the pitch is not considered to have detrimental impact upon the residential amenity of Kismet due to the small alteration in the height and the orientation of the site. Additionally, any overshadowing that could occur from the proposed increase in height would only impact the garden area of Kismet which is not considered a habitable space. Given the positioning the application site and Kismet, the proposed rear dormer windows would not result in loss of privacy or overlooking towards Kismet. The proposed secondary window to the kitchen on the south-east side elevation would create views towards Kismet, however this would be at ground floor, within the existing side elevation of the dwellinghouse, such that planning permission would not be required for this additional window and it would be unreasonable to impose a condition to secure it being obscure glazed. That said the level of harm from potential overlooking is considered would be minimal due to its position and existing boundary treatment.

- 6.15 *Tanglewood, Weaving Street*

Tanglewood, Weaving Street is the neighbouring property located to the north-east of the application site. The garden area of the application property adjoins the boundary with Tanglewood and there is tall hedging dividing the two sites. The proposed increase in the garage roof height would not impact the residential amenity of Tanglewood due to the location of the garage. The proposed rear dormer windows would be orientated rearwards across the rear garden of the application site, Tanglewood is orientated at an angle to this and therefore there are not any direct window to window views and any views across the rear garden would be oblique, with views already possible from first floor windows. Rear facing dormers are not uncommon within built up areas and it is not considered any views from the dormer would result in significant harm. Considering this, I am therefore satisfied that the proposal would not impact upon the residential amenity of Tanglewood by causing a loss of light or overshadowing or a loss of privacy or overlooking.

- 6.16 *No.11 Wents Wood*

No.11 Wents Wood is the neighbouring property to the south-west of the application site. No.11 is approximately 8.9m from the application property. It is considered that due to the nature of the proposal and the distance of the proposal to No.11 it would not result in a loss of light or overshadowing. Concerns were raised from the resident of No.11 over a loss of privacy from the proposed front roof lights and dormer window, however, considering the proposed roof lights are approximately 1.6m from finish floor level, and considering the proposed dormer

window would serve the stairwell which is not considered a habitable space, additionally, taking into consideration the location of the application property and the location of No.11, I am satisfied that the proposed windows would not result in a loss of privacy or overlooking towards No.11.

6.17 *No.10 Wents Wood*

No.10 Wents Wood is the neighbouring property located to the south-west of the application site and it is approximately 29.9m from the application property. Considering this, I am satisfied that the proposal would not result in a loss of light or overshadowing. Concerns were raised regarding a loss of privacy and overlooking resulting from the proposed front dormer and roof lights. The proposed front dormer would serve the stairwell and is therefore not considered a habitable space. The proposed roof lights are approximately 1.6m from finish floor level, therefore considering this and the distance from the application site to No.10, I am satisfied that the proposal would not adversely affect the residential amenity of No.10 by causing a loss of privacy or overlooking.

6.18 *No.1 Wents Wood*

No.1 Wents Wood is the neighbouring property to the south of the application site. There is a significant distance from the application property to No.1 (approx. 33.6m) and therefore I am satisfied that the proposal would not result in a loss of light or overshadowing. Concerns have also been raised regarding a loss of privacy and overlooking towards No.1, although considering the distance between the application property and No.1, the fact that the proposed roof lights are approximately 1.6m above finish floor level and that the proposed front dormer window would serve the stairwell which is not considered a habitable space, it is considered that the proposal would not result in a loss of privacy or overlooking towards No.1.

6.19 *Overall*

The proposals would not result in significant harm to neighbouring residential amenity that would warrant a refusal.

Parking/Highway Safety

- 6.20 The existing parking provisions at the site would remain. The proposal does include adding an additional bedroom to the property and converting the garage space, however the site has a large driveway which could fit up to 3 cars. This is considered sufficient according to Appendix B. Residential parking standards (policy Dm23) and therefore I am satisfied that the proposal would not impact upon parking at the site or highway safety.

Other matters

- 6.21 Biodiversity/Ecological Enhancement: Due to the nature and relative scale of the development and the existing residential use of the site, it is not considered that any ecological surveys were required.

Policy DM1 of the Local Plan sets out, at point viii, that proposals should '*protect and enhance any on-site biodiversity and geodiversity features where appropriate, or provide mitigation.*' This is in line with the NPPF and advice in the Residential Extensions SPD. Consequently, it is considered that a condition should be attached requiring some form of biodiversity enhancement measures are provided integral to the proposed extensions and within the curtilage of the dwellinghouse.

- 6.22 Renewables and energy/water efficiency: The NPPF, Local Plan and residential extensions SPD all seek to promote the use of renewables and energy/water efficient buildings. The proposals by their nature are extensions to an existing dwelling such that it would be unreasonable to seek to secure such measures which do not accord with the scale of the development. Energy efficiency can be secured through measures such construction, or renewables or water efficient for use of

measures such as water butts, as such to secure such measure a condition is considered reasonable to ensure that the development incorporates appropriate measures.

PUBLIC SECTOR EQUALITY DUTY

- 6.23 Due regard has been had to the Public Sector Equality Duty, as set out in Section 149 of the Equality Act 2010. It is considered that the application proposals would not undermine objectives of the Duty.

7. CONCLUSION

- 7.01 For the reasons set out above, it is considered that the proposed garage conversion including one roof light to the front elevation and raising the existing roof, loft conversion, including front and rear dormer windows and two roof lights to the front elevation would be acceptable and would not cause significant visual harm, harm to neighbouring amenity nor would it be unacceptable in terms of any other material planning considerations. The proposed developments are considered to be in accordance with current policy and guidance.

8. RECOMMENDATION

GRANT planning permission subject to the following conditions

with delegated powers to the Head of Planning and Development to be able to settle or amend any necessary planning conditions in line with the matters set out in the recommendation and as resolved by the Planning Committee.

CONDITIONS:

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

Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2) The materials to be used in the construction of the external surfaces of the extensions hereby permitted shall match those used in the existing building;

Reason: To ensure a satisfactory appearance to the development

- 3) The development hereby permitted shall be carried out in accordance with the following approved plans:

Site Location plan – Received 15/07/2022

Existing, Proposed West Elevations and Existing Floor Plans – Drawing No. 14/531/03 – Received 15/07/2022

Existing, Proposed Floor Plans and Elevations – Drawing No. 14/531/04 Rev B – Received 15/07/2022

Reason: To clarify which plans have been approved.

- 4) No part of the development hereby approved shall commence above slab level until details of a scheme for the enhancement of biodiversity on the site have been submitted to and approved in writing by the Local Planning Authority. The scheme shall consist of the enhancement of biodiversity through at least one integrated method into the design and appearance of the extension/outbuilding by means such as swift bricks, bat tubes or bee bricks, and through the provision within the site curtilage such as bird boxes, bat boxes, bug hotels, log piles, wildflower planting and hedgehog corridors. The development shall be implemented in accordance

with the approved details prior to first use of any part of the development hereby approved and all features shall be maintained thereafter.

Reason: To enhance the ecology and biodiversity on the site in the future.

- 5) The development shall not commence above slab level until details of how the proposal hereby approved shall be constructed to secure the optimum energy and water efficiency of the extension/building have been submitted to and approved in writing by the local planning authority. The approved details shall be installed prior to first occupation and maintained thereafter; The details shall demonstrate that consideration has been given to incorporating small scale renewable energy generation options have been considered first and shall only be discounted for reasons of amenity, sensitivity of the environment or economies of scale, installing new energy efficient products, such as insulation, energy efficient boilers, low energy lighting shall be considered as a secondary option if the use of renewables has been demonstrated to not be appropriate.

Reason: To ensure an energy efficient form of development.

Case Officer: Chloe Berkhauer-Smith

NB For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council's website.