

REPORT SUMMARY

REFERENCE NO: - 23/503006/FULL		
APPLICATION PROPOSAL: Erection of front infill extension, front porch and single storey rear extension. Insertion of side dormers, rear rooflights and extension to existing first floor.		
ADDRESS: Avalon Boxley Road Walderslade Chatham Kent ME5 9JE		
RECOMMENDATION: Approval subject to the conditions and informatives set out in section 8.		
SUMMARY OF REASONS FOR RECOMMENDATION: The proposal overcomes the reasons for the refusal of recent applications for extensions and complies with the adopted development plan policies regarding domestic extensions.		
REASON FOR REFERRAL TO COMMITTEE: The recommendation is contrary to the views of Boxley Parish Council and is reported to the Committee at their request.		
WARD: Boxley	PARISH/TOWN COUNCIL: Boxley	APPLICANT: Mr Dean Symmons AGENT: Mr Ray Chambers
CASE OFFICER: Georgina Quinn	VALIDATION DATE: 30/06/23	DECISION DUE DATE: 25/08/23
ADVERTISED AS A DEPARTURE: No		

Relevant Planning History

22/504386/FULL Demolition of existing detached garage and erection of a first floor extension to dwelling, including new roof, canopy to front, and part single storey, part two storey rear and side extension. **Refused** 08.11.2022

22/505825/FULL Demolition of existing detached garage and erection of a first floor extension to dwelling, including new roof, canopy to front, and a part single storey, part two storey rear extension. (Resubmission of 22/504386/FULL) **Refused** 01.02.2023

Enforcement History:

None.

Appeal History:

23/500045/REF Demolition of existing detached garage and erection of a first floor extension to dwelling, including new roof, canopy to front, and a part single storey, part two storey rear extension. (Resubmission of 22/504386/FULL) **Dismissed** 19.04.2023

MAIN REPORT

1.0 DESCRIPTION OF SITE

- 1.01 The application site comprises a detached bungalow style dwelling located to the south-western side of the street. The property dates from the late 1950s and is designed with a gable roof form to the front and rear elevations. The exterior walls are brick and the gables are finished in white weatherboarding. There is presently accommodation on the ground floor and in the roof space, with the upper floor being served by windows positioned within the front and rear gables along with roof lights

to the south-eastern roof slope. There is a detached, flat roof outbuilding positioned beyond the rear elevation, adjacent to the south-eastern boundary. To the front of the dwelling there is a driveway and grassed garden area.

- 1.02 The surrounding area is residential in character and features a range of housing styles and designs. Tralee to the south-east is an attached bungalow style property with accommodation in the roof that is served by flat roof dormers to the front and rear elevations. Underhill is adjacent to the north-western boundary and this is a detached bungalow style property, also with rooms in the roof and flat roof dormers to the front and rear elevations.
- 1.03 This part of Boxley Road has a verdant, landscaped character due to the extent of woodland in the locality. Avalon is not however affected by any Tree Preservation Order and there are no mature trees within the site. The land levels also vary in the immediate vicinity, with the dwellings opposite occupying a raised position in relation to the highway. Avalon and the properties to either side are on a slightly lower ground level than the street.



2.0 PROPOSAL

- 2.01 This application seeks to extend this detached dwelling by increasing the ridge height by 0.781m and extending the property to the rear by a total of 5m in length to the ground floor and 3m to the upper floor accommodation in the roof. The width of the extensions will match the existing dwelling. The gable roof form is maintained and flat roof dormers of approximately 12.85m in length are proposed to either side. The dormers will be set back by approximately 1m from the front and rear elevations of the property together with being positioned above the eaves and below the ridge. There is currently a minor recess to part of the front elevation and this will be in-filled but will not result in any extensions that increase the footprint of the dwelling in this area. An entrance porch designed with a gable roof will also be added to the centre of the front elevation.
- 2.02 The external surfaces will be comprised of render to the walls and weatherboarding to the dormers, both in a cream/light grey colour; and composite slate tiles for the roof. The windows will be dark grey upvc.
- 2.03 The interior of the property will be reorganised so that all of the bedrooms are within the roof space. This will see 4 bedrooms (2 with en-suite bathrooms) and a main bathroom in the extended loft area. To the ground floor, the kitchen will be enlarged to provide an open plan space with a dining area. The relocation of the bedrooms to the upper floor will see the original ground floor bedrooms repurposed to provide a playroom, lounge, home office; WC; and a utility room.

3.0 POLICY AND OTHER CONSIDERATIONS

Maidstone Borough Local Plan (2011-2031):

Policy DM1 – Principles of Good Design;

Policy DM9 – Residential Extensions, Conversions and Redevelopment within the Built Up Area;

Policy DM23 – Parking Standards;

Maidstone Borough Council Draft Local Plan Review (Regulation 22):

The Regulation 22 Local Plan Review (LPR) submission comprises the draft plan for submission (Regulation 19) dated October 2021, the representations and proposed main modifications. It is therefore a material consideration and attracts some weight. The LPR has been through Stage 1 and 2 Hearings and the main modifications the Inspector considers are required to make it sound are out to public consultation so it is at an advanced stage. However, responses to the consultation need to be considered by the Inspector along with him producing his Final Report so the LPR is considered to attract moderate weight at the current time.

Policy LPRSP15 – Principles of Good Design; Policy LPRHOU 2 - Residential extensions, conversions, annexes and redevelopment in the built-up area; Policy LPRTRA4 – Assessing the Transport Impacts of Development

The National Planning Policy Framework (NPPF);

National Planning Practice Guidance (NPPG);

Supplementary Planning Documents: Residential Extensions (2009).

4.0 LOCAL REPRESENTATIONS

4.01 Consultation letters were sent to Swiss Cottage; La Torre; Tralee; Squirrels; Underhill; and Glypsada on Boxley Road; and to Guideland and Trimsaren on Cossington Road, at the rear of the site. A site notice was also displayed on Boxley Road.

One representation was received from the neighbouring occupants at Underhill, raising the following (summarised) objections:

- This has not overcome the appeal and Inspectorate's review objection;
- The application still results in a substantial increase in volume of the first floor level, considerably enlarging the scale of the existing bungalow in terms of footprint and height (because of the scale of the massive dormers);
- The extent of development will not be sympathetic to the existing dwelling and adjoining properties;
- The cumulative impact of the mass and bulk at first floor level will be clearly evident from the public highway between the building, resulting in a cramped appearance that will be dominant and obtrusive in the streetscene;
- The new proposal does not respect the amenity of the adjoining house, Underhill as there are 2 windows in the living room facing the side of Avalon;

- The 3m first floor extension will affect the daylight, sunlight, and maintenance of a pleasing outlook from the living room.
- Underhill will definitely not be safeguarded, in breach of Policy DM5 of the adopted Local Plan;
- The first floor would reduce the amount of energy and revenue gained from the solar panels on the flat roof of Underhill in the late autumn, winter, and early spring;
- We have no objection to the 5m extension of the ground floor at the rear of the property but do object to a 3m first floor extension.

5.0 CONSULTATIONS

Boxley Parish Council

- 5.01 Boxley Parish Council object to this application. The proposed additions add considerable massing that overwhelms the original property; the proposed changes would create a highly visible and much larger property that is out of keeping with the existing street scene; The proposals contravene Policies DM1 and DM9 of the Maidstone Local Plan (2017) the Supplementary Planning Document Residential Extensions (2009) and the National Planning Policy Framework (2021).

A follow up email submitted on 20.07.2023 confirmed that Boxley Parish Council would like to call the application in to Planning Committee if the officer recommendation is contrary to their views.

Kent County Council Archaeology

- 5.02 No comments submitted.

6.0 APPRAISAL

The key issues are:

- The principle of the development proposed;
- The visual impact of the proposal, including a consideration of the recent planning history of the site;
- The impact upon neighbouring amenities.

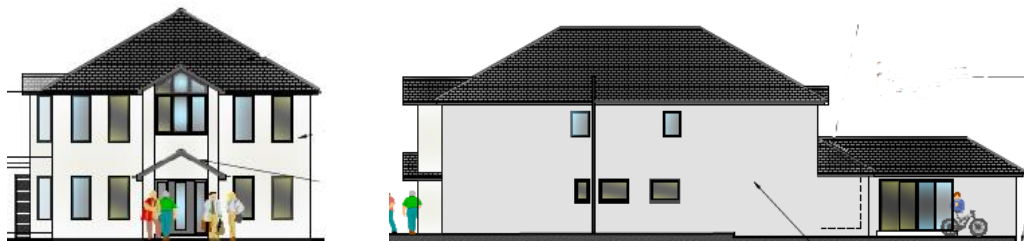
Principle of Development

- 6.01 Avalon is located in a suburban location within the Borough and it is evident from the planning history of the street, together with observations on site, that a number of the properties have been extended and/or altered. There is no uniformity of design within the street, although flat roof dormers are prevalent. There are also a range of finishing materials.
- 6.02 Policy DM9 is supportive of extensions to existing dwellings, subject to meeting the criteria regarding design and appropriate relationships with neighbouring occupants (to be assessed in further detail below). The recent planning history of Avalon details the refusal of two planning applications however the reasons were not based upon the general principle of extending the dwelling. Furthermore, there have been no previous additions to the roof of the property (other than roof lights) such that it would be open to the applicant to explore opportunities to exercise permitted development rights for extensions. On balance, there are no material planning reasons to suggest that the principle of extending this property is unacceptable.

Design and Visual Impact

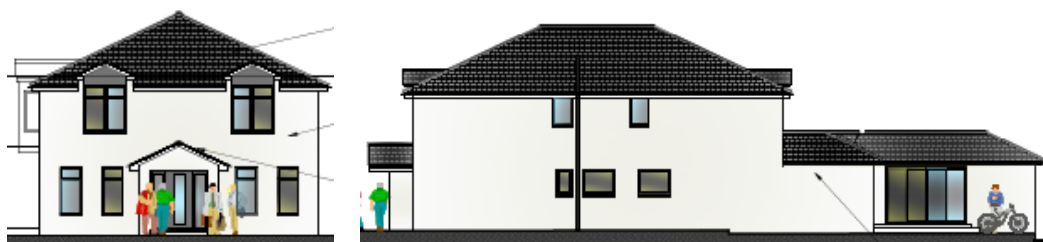
- 6.03 Avalon is a detached bungalow with accommodation in the roof space. The property dates from the late 1950s and its design is of no particular merit, such that the loss of architectural features would be a concern. The dwellings to this side of the street, on this part of Boxley Road, occupy a lower ground level than the highway and are of varying designs with differences in their ridge heights. The dwellings to the opposite side are elevated in relation to the highway and for the most part are larger properties in larger plots. Whilst the range of housing designs and finishes is notable, there are also variations in the ridge heights of the dwellings and flat roof dormers in prominent positions are a notable characteristic.
- 6.04 There have been two recent applications for the extension of Avalon, both of which were refused, with the later of the applications being appealed and dismissed. The key concern with these applications related to proposal to add a first floor to the property to establish a 2-storey dwelling with a pitched roof. Images of the elevations proposed in the refused schemes are provided below in figures 1 and 2:

Proposed Front and Side Elevations – Application 22/504386/FULL:



(Figure 1)

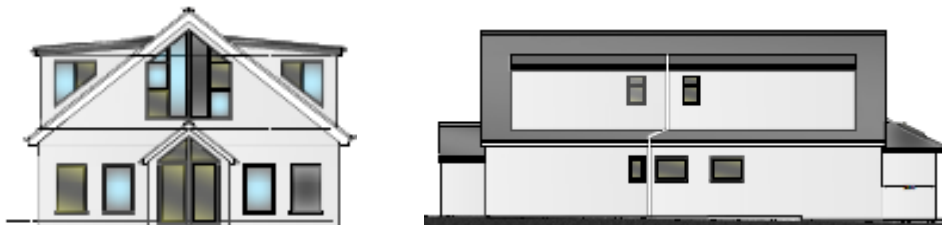
Proposed Front and Side Elevations – Application 22/505825/FULL:



(Figure 2)

- 6.05 The establishment of a 2-storey dwelling was considered to be obtrusive in the streetscene and would not be subservient by virtue of completely subsuming the original dwelling. A subsequent appeal of application 22/505825/FULL (as shown in figure 2 above) was dismissed. The Inspector concurred with the view that the addition of a first floor under a pitched roof together with the proposed 2-storey rear extension would result in a cramped appearance and the dwelling would be dominant and obtrusive within the streetscene.

- 6.06 The current submission is the result of pre-application discussions with the applicant. The proposal involves a relatively modest increase in the ridge height of the dwelling but the bungalow form is retained. The property would be extended by 5m to the ground floor and 3m to the upper floor formed by the roof space. Flat roof dormers would be established to the side elevations that incorporate a setback from the front and rear elevations. The dormers would be set above the eaves and below the main ridge. A pitched roof porch will also be added to the front elevation and an existing recess to this elevation would be in-filled. The design is detailed in figure 3 below:



(Figure 3)

- 6.07 The proposed extensions would result in significant alterations to the appearance of Avalon within the streetscene however this will not appear conspicuous given that the presence of differing designs and finishes are a characteristic of the street. A notable design theme along this part of Boxley Road is flat roof dormers. Whilst the SPD Residential Extensions (2009) generally favours the use of pitched roofs for development in prominent locations, it is the case that flat roof dormers are a prevailing characteristic of this part of Boxley Road such that the proposal would not appear incongruous in this setting. It is acknowledged that the dormers are quite large, however they would be set back from the front and rear elevations by approximately 1m and the increase in the ridge height would not exceed that of the neighbouring dwellings. By virtue of the presence of dwellings to either side, there would be some screening of the dormer features in the longer views from Boxley Road, however a suitable gap and sense of space will also remain between the properties.
- 6.08 The proposed alterations to the front elevation of the property would not result in a dominance of extensions in this direction. The proposed entrance porch at 1.6m in depth is not excessively sized or disproportionate for its intended purpose. The external finishes will undoubtedly alter the appearance of Avalon within the streetscene however they are not significantly different to other properties in the surrounding area.
- 6.09 The proximity of the property to Brownlow Copse and Crossington Road means that the rear elevation of Avalon is also visible from surrounding public vantage points, as seen in figure 4 below:

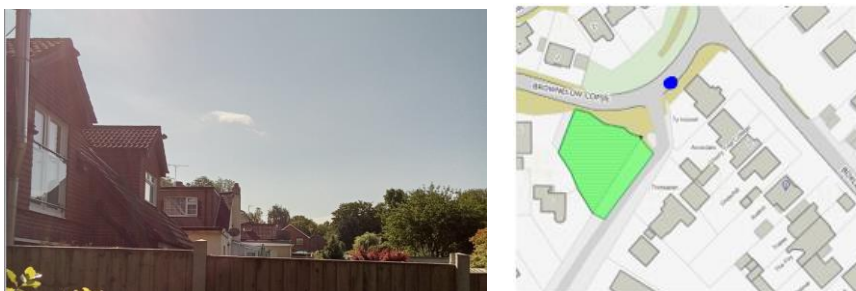


Figure 4 – Photograph taken from Brownlow Copse, from the location marked ●

- 6.10 It is however the case that for similar reasons to those identified above, i.e. the position of the property in between other dwellings of similar ridge heights and presence of flat roof dormers in the locality, mean that the proposed alterations and extensions to the roof will not appear conspicuous. The ground floor addition will not be overly prominent due to the positioning and presence of boundary treatments.
- 6.11 The application submission has been supported by streetscene images to illustrate how the proposed development will appear the immediate setting, as detailed in figures 5 and 6 below:

Existing Streetscene (figure 5):



Proposed Streetscene (figure 6):



- 6.12 On balance, given the requirements of Policy DM9 regarding extensions in the defined urban boundaries and guidance contained within the residential extensions SPD, together with the reductions from the previous schemes to see that the bungalow form is retained, this scheme presents an acceptable development that will suitably integrate with the general pattern of development and design themes along this part of Boxley Road. The concerns expressed in the objections from Boxley Parish Council and the neighbouring occupants at Underhill have been evaluated however, the above policy context is supportive of the proposals. It is therefore considered that the current scheme suitably addresses the reasons for the refusal of the previous proposals.

Residential Amenity

- 6.13 The reasons for the refusal of the previous applications did not reference a loss of privacy, amenity, or daylight/sunlight for the neighbouring householders. It is also the case that the related appeal decision defined that the key issues for consideration related to the effect of the development on the character and appearance of the existing house and the surrounding area. The scheme that was the subject of the appeal detailed extensions that would increase the eaves height of the dwelling from approximately 2.9m, as existing, to approximately 5.1m; and the ridge height from approximately 6.4m to approximately 7.8m (maximums, as measured at the rear of the property).
- 6.14 The overall ground floor extension was detailed as being a maximum depth of 5.42m, reducing to 2m at first floor. The ground floor element would have also incorporated a link to a proposed garden room extension of approximately 5.9m in length along the south-eastern boundary, adjacent to Tralee, in the location of an existing outbuilding.

- 6.15 Whilst the current scheme still presents relatively sizeable extensions to this dwelling, the fact that the previous proposals were much larger in terms of scale and bulk together with the conclusion that there would be no adverse impact on the neighbouring occupants, is a material consideration.
- 6.16 In terms of the specific relationship with Underhill to the north-west, this property incorporates a rear projection that is set away from the boundary with Avalon. There is also a flat roofed outbuilding in the garden of Underhill that is positioned adjacent to the boundary with the application site. The kitchen at Underhill is the ground floor room closest to Avalon and this benefits from a glazed door to the side and 2 windows facing into the rear garden. The lounge relating to the property is within the projection that is further distanced from Avalon and this room also benefits from 2 windows to the side (facing the boundary with Avalon) and glazed patio doors to the rear elevation.
- 6.17 The increase to the maximum height of the dwelling is relatively modest and the proposed additional length, together with the fact that the dormers will be well contained by the existing roof form, will see that the development will not be unduly prominent in the general outlook from Underhill or cause material loss of light to habitable rooms given the separation distance. Whilst it is acknowledged that there are windows relating to the lounge facing towards the application property, the existing view from these windows is primarily towards the boundary fence and dwelling at Avalon. As the room also benefits from glazed doors to the rear which face into the garden for Underhill, it would be difficult to substantiate a refusal based on loss of outlook. There is a first floor window within the gable end of Underhill and this would not appear to relate to a habitable room however that aside, the outlook from this window is already formed of the roof of Avalon.
- 6.18 The proposed dormer to the side facing Underhill incorporates 2 windows and these will relate to bathrooms. To avoid the potential for adverse relationships, it is recommended that a condition is imposed to require that these windows are obscure glazed and top opening only, to be maintained as such on a permanent basis. A further condition to prevent the introduction of any additional openings to the side of the dormer or roof slope should also be included. The ground floor windows as proposed, relate to existing openings which consequently have established relationships. There is already an upper floor window to the rear elevation of Avalon and consequently, views in this direction are established.
- 6.19 On balance, in evaluating the proposals in the context of the objections from the occupants of Underhill, it is concluded that the development will have an acceptable relationship with this particular property.
- 6.20 To the south-east of Avalon is the boundary with Tralee. This is an attached bungalow style property with rooms in the roof space that are served by dormers located to the front and rear elevations. By virtue of the orientation of the properties, there will be no material loss of sunlight, with any impact being limited to the end of the day. There is a window together with an aperture relating to a covered area at the rear of Avalon that face towards the boundary with Tralee and windows in these locations will be retained as part of the proposals. The views towards Tralee are restricted by virtue of the boundary treatments. There is a first floor window within the proposed dormer to this side and this will relate to a bathroom. There is an upper floor flank elevation window at Tralee and it would seem that this relates to a stairway/landing and not a habitable room. In a similar way to the dormer facing Underhill, it would be prudent to include a condition that requires the proposed window to be fitted with obscure glazing and top opening only as well the prevention of any further openings to the first floor elevation of Avalon to prevent any loss of privacy/overlooking to the dwelling and its private garden area.

- 6.21 The proposals are suitably distanced from the dwellings to the rear and opposite such that there will be no material impact on the amenities of these occupants.

Parking and Highways

- 6.22 Avalon benefits from an established vehicular access onto Boxley Road together with a driveway that can accommodate at least 2 vehicles. This is sufficient provision for this type of location to meet the increased size of the dwelling. There are no issues of highway safety arising from this scheme.

Other Matters

- 6.23 The objections received from Underhill suggest that the first floor extension would reduce the amount of energy and revenue gained from the solar panels on the flat roof of Underhill in the late autumn, winter and early spring. There is no material evidence provided to support this assertion.
- 6.24 This issue was evaluated in the previous applications relating to Avalon, with consideration being given to the judgement taken in the case of *McLennan, R v Medway Council (2019)* in which it was established that interface with solar panels is a material planning consideration. The conclusions relating to the previously refused extensions at Avalon determined that there would be some minor impact on the panels to that are closest to Avalon, due to the increase in the eaves height and the overall ridge height together with the length of the extension. The location of the majority of the panels are set further away from the boundary with Avalon and would not be significantly affected.
- 6.25 Given the reduced height of the current scheme, it would be acceptable to draw the same conclusions. As such, the impact on the solar panels at Underhill would not represent a material reason for the refusal of this application.
- 6.26 Policy DM1 of the Local Plan sets out in point viii that proposals should 'protect and enhance any on-site biodiversity and geodiversity features where appropriate or provide mitigation.' Due to the nature of the proposal and the residential use of the site and the continued residential use, it is not considered appropriate/necessary to require any ecological surveys. The proposals will add a relatively sizeable amount of additional floorspace and as such, this presents the opportunity for enhancements to biodiversity within the extension and the garden area. A suitably worded condition should therefore be added to the decision notice requiring the submission of details.
- 6.27 Avalon lies within an area that is noted as being of potential archaeological importance. A consultation was undertaken with KCC Archaeology however no requests for additional information or conditions have been submitted. Furthermore, in reviewing the recent applications relating to Avalon, this issue was not identified as requiring further investigation/reports.
- 6.28 The NPPF, Local Plan and Residential Extensions SPD all seek to promote the use of renewables and energy efficient buildings. This could take the form of measures such as solar panels on the roof of the dormers, air source heat pump and/or provision of an electric vehicle charging point). It is considered that a condition securing a small-scale renewable energy installation would not be unreasonable to offset the environmental impact of the building works and the resultant larger building.

PUBLIC SECTOR EQUALITY DUTY

- 6.29 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.

7.0 CONCLUSION

- 7.01 Avalon is a detached property located in a suburban location where the extension of existing dwellings is considered acceptable in principle, subject to meeting the criteria set out in Policies DM1 and DM9 of the adopted Maidstone Local Plan (2017) and the guidelines contained within the SPD Residential Extensions (2009). Two recent applications for the upwards extension of the property were refused on the grounds that they represented a form of development that would not fit unobtrusively or appear subservient to the existing dwelling, subsequently resulting in harm to the character of the streetscene.
- 7.02 The current scheme has sought to address these issues by retaining the general bungalow form of the property with a minor increase in the height of the dwelling and addition of dormers to both sides to provide first floor accommodation in the roof space. Whilst the SPD Residential Extensions is encouraging of pitched roof forms, it is the case that along this part of Boxley Road, flat roof dormers are a prevailing characteristic. The increased ridge height will not exceed the neighbouring properties and this in combination with the position of the dwelling in between others, will see that the longer range views within the street are not unduly compromised.
- 7.03 The concerns raised by Boxley Parish Council and the neighbour objections have been considered, and in evaluating the proposals in the context of the streetscene of Boxley Road, together with the indicative images provided by the agent for the application, it is concluded that the previous concerns relating to visual impact have been satisfactorily addressed. In terms of neighbouring amenities, there are no material impacts identified that would support a recommendation of refusal. In reaching this conclusion, consideration has also been given to the assessments made in the previously refused schemes which proposed a greater scale and bulk of development. These conclusions are however subject to the inclusion of conditions relating to obscure glazing and extent of opening of the windows to the dormers, as well as restrictions on any future openings to the first floor accommodation.
- 7.04 No substantial impacts are identified in relation to the solar panels at the neighbouring property. This concurs with the conclusions for a larger form of development in the recently refused applications and furthermore, was not identified as a material issue by the Inspector in the appeal decision.
- 7.05 The scale and extent of development are such that in line with the NPPF and Policy DM1, there is scope for the provision of enhancements to biodiversity and these can be secured through a condition.
- 7.06 On balance, it is concluded that the reasons for the refusal of the previous schemes have been suitably overcome. The recommendation is therefore approval, subject to the conditions set out in the report above.

8.0 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.Plans
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Existing Location Plan; Proposed Block Plan; PLN01; PAA08;

Reason: To clarify which plans have been approved.
- 3) The materials to be used in the external surfaces of the development hereby approved shall be as indicated on the approved plans and documents in the application submission;

Reason: To ensure a satisfactory appearance to the development.
- 4) Before the development hereby permitted is first used, all windows in the dormers to the south-eastern and north-western roof slopes shall be obscure glazed to not less than the equivalent of Pilkington Glass Privacy Level 3, and the windows shall be incapable of being opened except for a high level fanlight opening of at least 1.7m above inside floor level and shall subsequently be maintained as such.

Reason: To prevent overlooking of adjoining properties and to safeguard the privacy of neighbouring occupiers.
- 5) No additional windows, doors, voids or other openings shall be inserted, placed or formed at any time in the south-eastern or north-western roof slopes or dormers;

Reason: To prevent the overlooking of adjoining properties and to safeguard the privacy of their occupiers.
- 6) The extension/s hereby approved shall not 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 integrated methods into the design and appearance of the extension 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 the extension/s and all features shall be maintained thereafter.

Reason: To enhance the ecology and biodiversity on the site in the future.
- 7) The development shall not proceed above damp-proof course level until details of how decentralised and renewable or low-carbon sources of energy will be incorporated into the development, have been submitted to and approved in writing by the local planning authority. The approved details shall be installed prior to first occupation of the development and shall be retained and maintained thereafter;

Reason: To ensure an energy efficient form of development. Details are required prior to commencement as these methods may impact or influence the overall appearance of development.

INFORMATIVES

- 1) Advice regarding the need to comply with Building Regulations.
- 2) Advice on the need to observe the environmental code of development practice.

Case Officer: Georgina Quinn

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