

REFERENCE NO: - 23/505824/FULL		
APPLICATION PROPOSAL: Retrospective application for the replacement of front dormer window, erection of single storey rear extension, loft conversion with hip to gable, insertion of front roof light, rear dormer.		
ADDRESS: 62 Bramley Crescent, Bearsted Kent ME15 8JZ		
RECOMMENDATION: GRANT – subject to planning conditions set out in Section 8.0 of the report.		
SUMMARY OF REASONS FOR RECOMMENDATION: For the reasons set out below it is considered that the proposed replacement of front dormer window 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 development is considered to be in accordance with current policy and guidance.		
REASON FOR REFERRAL TO COMMITTEE: The recommendation is contrary to the views of Bearsted Parish Council who have requested the application be presented to the Planning Committee.		
WARD:	PARISH/TOWN COUNCIL: Bearsted Parish Council	APPLICANT: Mrs Donna Gausden AGENT: Fuller Long Limited
CASE OFFICER: Sema Yurtman	VALIDATION DATE: 27/02/2024	DECISION DUE DATE: (EOT) 26/04/2024
ADVERTISED AS A DEPARTURE: NO		

Relevant Planning History

76/0015 Lounge extension and loft conversion as amended by the letter of 12.2.76 and accompanying Drawing. Approved. 01.03.1976

23/503529/FULL Erection of single storey rear extension, loft extension with a hip to gable, insertion of front rooflight, rear dormer, new first floor side window and removal of chimney. Approved. 28.07.2023

Enforcement Enquiry

23/500680/OPDEV Enforcement Enquiry. Pending Consideration.

MAIN REPORT

1. DESCRIPTION OF SITE

- 1.01 62 Bramley Crescent is a semi-detached bungalow located to the northern side of the Bramley Crescent, Bearsted.
- 1.02 The property is a residential dwelling, and the site is not situated within a conservation area, or a national landscape.

2. PROPOSAL

- 2.01 The proposal is a retrospective application for the replacement of front dormer window, erection of single storey rear extension, loft conversion with hip to gable, insertion of front roof light, rear dormer. The previous planning application was for erection of

18th April 2024

single storey rear extension, loft conversion with a hip to gable, insertion of front rooflight, rear dormer, new first floor side window and removal of chimney (which was granted planning permission under reference 23/503529/FULL). However, the implemented scheme is different than the previously approved, therefore a new planning application is required.

- 2.02 The previously approved dormer window has approximately 2.3m width, 1.94m height. The proposed/implemented dormer window would be slightly larger than the previously approved one with 3.27m width and 1.94m height.
- 2.03 The previously approved single storey rear extension has approximately 3.3m width, 5.4m depth, 2.58m eaves of height and 3m ridge of height with flat roof. The proposed/implemented one has 3.3m width, 3.3m depth, 2.58m eaves of height and 3m ridge height with flat roof. The rear extension would consist of a combined dining room/kitchen.
- 2.04 Hip to gable loft conversion 4.46m width and 3.5m height. The proposal would also include one rooflight to the front elevation. The proposed rear dormer would have approx. 6m width, 2.4m height.
- 2.05 The previously approved first floor side window which was facing towards the neighbouring property number 60 Bramley Crescent would not be included with the new proposal.

3. POLICY AND OTHER CONSIDERATIONS

Maidstone Borough Local Plan (2011-2031):

- DM1 – Principles of good design
- DM9 – Residential extensions, conversions, and redevelopment within the built-up area

Maidstone Borough Council Local Plan Review (2024):

The Maidstone Borough Local Plan Review was adopted by the Council on the 20 March 2024. It is highlighted that LPR polices now have 'substantial' weight (but not 'full' weight) in the 6 week Judicial Review period following adoption (ending 1 May 2024). The relevant Maidstone Borough Local Plan Review (March 2024) polices are as follows:

- LPRSP15 – Principles of Good Design
- LPRHOU2 – Residential extensions, conversions, annexes, and redevelopment in the built-up area

The National Planning Policy Framework (NPPF):

National Planning Practice Guidance (NPPG):

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

4. LOCAL REPRESENTATIONS

Local Residents: 7 neighbours consulted.

10 representations received from local residents (64 Bramley Crescent, 47 Bramley Crescent, 51 Bramley Crescent, 39 Bramley Crescent, 49 Bramley Crescent, Orchard Brae, Cherrybank, 66 Bramley Crescent, 41 Bramley Crescent, 60 Bramley Crescent) raising the following (summarised) issues:

- Objection on ground, the retrospective application will result for the oversized dormer and out of keeping appearance of the front of 62 Bramley Crescent.

- The development would be against the rhythm of the street and not keeping with the rest of the area.
- The front dormer would be too different than the originally approved, it does not mirror the dormer on adjoining bungalow and not keeping with housing in local area.
- The new front dormer is an improvement and has no negative impact on the current street scene.
- The replacement front dormer is a definite improvement, it appears to be proportionate in scale and follows the vertical line of the existing window.

Cllr Springett: I have been contacted by several resident's regarding this application as they are concerned about the size of the dormer window that has been installed. I agree with them. The replacement dorms are much larger than the original one which had approval. It is out of balance with other dormers in the vicinity and being wider than the ground floor window below, overpowers and dominates this window. It creates an unbalanced character between this property and the adjoining one and impacts on the street scene.

5.0 CONSULTATIONS

5.01 Bearsted Parish Council

Bearsted Parish Council wish to see the application REFUSED and REQUEST the application is reported to the Planning Committee ONLY if the planning officer is minded to approve the retrospective application. BPC comment that the building work completed varies considerably to the original plans.

6.0 APPRAISAL

The key issues are:

- Site background/Principles of Development/Policy Context
- Visual Impact
- Residential Amenity
- Parking/Highway Safety
- Other Matters

Site Background/Principle of Development/Policy Context

- 6.01 The application site is located in Bearsted, Maidstone.
- 6.02 Policy DM1 (ii) in terms of design refers to developments responding positively to the local 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. DM1 (xiv) refers to being flexible towards future adaptation in response to changing life needs.
- 6.03 Policy DM9 refers to residential extensions, conversions, and redevelopment within the built-up area. DM9 states that within the defined boundaries of the urban area, rural services centres and larger villages, proposals for the extension, conversion and redevelopment of a residential property, design principles set out in this policy must be met. DM9 states:
- (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 and/or its context;*

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

The scale and form of an extension are important factors in achieving a successful design. The extension should respond sensitively to the positive features of the area which contribute to the local distinctive character and sense of place in terms of scale, proportion, and height.

6.05 As detailed in the applicant's planning statement, *"the requirement for the proposed replacement of front dormer has been replaced due to the identification of rotten wood on the previous one. Owing to a change in building regulations since the original dormer was erected, the required increase in timbers and insulation resulted in a severe pinch point at the top of the stairs inside the building. To ensure that the stairs are still usable the dormer therefore had to be increased in width. This is the minimum possible increase to create a functioning internal area and window."*

6.06 An enlargement of front dormer and erection of single storey rear extension, loft conversion with hip to gable, insertion of front roof light, rear dormer is actually considered as a householder residential extension and so is assessed under policy DM9 and now also under the new Local Plan policies (listed above), which have similar aims and criteria. What needs to be ensured is that the scale, height form, appearance and siting of the proposal would fit unobtrusively with the existing building where retained and the character of the streetscene and/or its context.

6.07 The principle of replacement of front dormer window, erection of single storey rear extension, loft conversion with hip to gable, insertion of front roof light, rear dormer within settlements is therefore considered acceptable, provided that the material planning considerations discussed below would be acceptable.

Visual Impact

6.08 As mentioned, the property already had an existing front flat roof dormer prior to the works. The dormer now existing is larger than the original, hence the submission of this current application. It is situated fairly centrally within the street, and visible from the road frontage as it is located to the front of the property. The proposal seeks consent for the replacement of the original front dormer window, which although smaller in width, had a flat roof and similar design. The new dormer, matches the design, scale and size of the ground floor window of which it is sited centrally above, both having 4 panes. As a result, although larger than the original dormer, it is considered that it does not significantly increase the visual prominence of the building and the design would match existing building.

Figure 1: View from Bramley Crescent



- 6.09 Concerns were raised with regards that the proposed dormer window being larger and out of proportion in scale to the roof and it is not a mirror image of the neighbour's and being against the rhythm of the street and not keeping with the rest of the area. However, the application property is located within a streetscene dominated by semi-detached and detached bungalows of different scale and design. There is sufficient evidence of loft conversions with dormers on the street scene which manifest in different dimensions and forms. There are several numbers of the dormer windows are to the front properties. As an example, along the street number 17 and 19 Bramley Crescent and number 37 and 39 Bramley Crescent has larger dormer than the proposed development. Therefore, I deem that the proposed replacement for front dormer window would not be considered harmful and that there would not be sufficient grounds for refusal in this case.
- 6.10 The proposed rear dormer would be in the same scale comparing the previously approved scheme under reference 23/503529/FULL and it would not be visible from the streetscene. Therefore, it would not have a detrimental impact on the streetscene and character of the area.
- 6.11 The proposed single storey rear extension would be smaller in scale comparing the previously approved scheme under reference 23/503529/FULL, and it would not be visible from the streetscene. Therefore, it is considered that the proposal would not harm the rhythm of the streetscene.
- 6.12 The proposed materials for front dormer window consist of UPVC window, with dark brown colour which would match the host dwelling. The walls would be brick and tile hanging to match to dormer and gable walls. The roof would be felt to flat roofs and interlocking concrete tiles to the pitched roof. Therefore, the overall design and materials proposed are considered to be visually acceptable and be in keeping with host building and existing materials. It would not detrimentally impact the character and appearance of the host dwelling.
- 6.13 Overall, the proposed replacement of front dormer window, erection of single storey rear extension, loft conversion with hip to gable, insertion of front rooflight, rear dormer is not considered to have a detrimental impact on the streetscene or character of the area. Such developments within the streetscene would not look out of place.

Residential Amenity

- 6.14 The nearest neighbouring properties are to the west (No.64 Bramley Crescent) and to the east (No.60 Bramley Crescent). All other neighbouring properties are considered to be a significant distance away to be unaffected by the proposal.

Figure 2: Neighbouring properties



- 6.15 Number 64 Bramley Crescent is the attached neighbouring property, it has a front dormer with slightly smaller dimensions than the proposed development. It is considered that no detrimental impact on neighbouring amenity in terms of loss of light or overshadowing would result. The increased width of front dormer window does not create any issue with regard to overlooking due to the location at the front of the property. The proposed single storey rear extension would be approximately as same depth of the number 64. Due to low height, existing boundary fence, siting and orientation no detrimental impact would result. The proposed rear dormer and hip to gable loft conversion would also be seen from neighbouring property, however, would not cause detrimental impact.
- 6.16 Number 60 Bramley Crescent is the detached neighbouring property, and it also has a front dormer with a slightly smaller scale. The proposed replacement would not have any detrimental impact on neighbouring amenity in terms of loss of privacy or overlooking. No additional loss of light, overshadowing or loss of outlook would result. The proposed single storey rear extension would be seen from number 60. However, due to single storey nature of the proposal, siting, existing boundary fence, and separation distance involved the proposed rear extension would not have detrimental impact on the neighbouring property. The proposed rear dormer and hip to gable loft conversion would also be seen from neighbouring property, however, would not cause detrimental impact.
- 6.17 Taking the above into consideration, it is considered that the proposal would not cause unacceptable harm to the residential amenity of the adjoining properties that would warrant a refusal.

Parking/Highways

- 6.18 The property has a driveway which could accommodate enough car in front of the property. Therefore, there would not be undue impact upon highway safety or parking. As required by the Local Plan parking standards at Appendix B) the property provides sufficient parking for a minimum of 2 cars. No harm highway safety/parking provision would result.

Other Matters

- 6.19 Biodiversity/Ecological Enhancements: 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.
- 6.20 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 biodiversity enhancement measures are provided integral to the proposed rear extension and within the curtilage of the dwellinghouse.

PUBLIC SECTOR EQUALITY DUTY

- 6.21 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.

CIL

- 6.22 The proposed development is not CIL liable.

7.0 CONCLUSION

- 7.01 For the reasons set out above it is considered that the proposed retrospective application for the replacement of front dormer window, erection of single storey rear extension, loft conversion with hip to gable, insertion of front roof light, rear dormer 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.

8.0 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 carried out in accordance with the following approved plans:
Site Location Plan Received 22.12.2023
Existing Plans and Elevations – Drawing no. 23/962/01 Received 22.12.2023
Existing Front Dormer Widened - Plans and Elevations – Drawing no. 23/962/06 Received 06.03.2024.
Planning Statement – received 22.12.2023
Reason: To clarify which plans have been approved.
- 2) The materials to be used in the development hereby approved shall be as indicated on the approved plans and application form
Reason: To ensure a satisfactory appearance to the development
- 3) 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.

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