

APPLICATION: MA/09/0787 Date: 7 May 2009 Received: 17 June 2009

APPLICANT: Mrs P Fresia

LOCATION: 6, YEOMAN WAY, BEARSTED, MAIDSTONE, KENT, ME15 8PQ

PROPOSAL: Loft conversion consisting of extension to the hipped roof and the addition of dormers on both side elevations as shown on drawing number(s) 2306.01, 02A and 03A received on 11 May 2009 .

AGENDA DATE: 23rd July 2009

CASE OFFICER: Janice Tan

The recommendation for this application is being reported to Committee for decision because:

- It is contrary to views expressed by the Bearsted Parish Council

POLICIES

Maidstone Borough-Wide Local Plan 2000: H18
South East Plan 2009: CC1, CC4
Village Design Statement: N/A
Government Policy: PPS1

HISTORY

MA/09/0441 - An application for a certificate of lawfulness for proposed development being the insertion of 4 no. side dormer windows, a rear 'Juliet' balcony and roof extension to facilitate loft conversion - Refused

CONSULTATIONS

BEARSTED PARISH COUNCIL wish to see the application refused because it is felt that the development results in a loss of amenity to No. 8 Yeoman Way in terms of loss of privacy to the neighbouring garden and overshadowing thus reducing the amount of light entering the neighbours sitting room.

REPRESENTATIONS

Two representations were received of which one made reference to the 'Juliet' balcony. The objections are as follows:

- The 'Juliet' balcony is an invasion of privacy for all the surrounding properties.
- The roof extension now towers above the roof line of number 8 Yeoman Way.

- The layout of the roof conversion is such that it would not be difficult to convert it into a self-contained flat above the bungalow, thus providing two residential units on the site. This would set a precedent for the road as well as causing parking problems.

CONSIDERATIONS

Site and surroundings

The site is on the western side of Yeoman Way, Bearsted, a residential estate road, south of the A20 Ashford Road, that descends from the junction at Copswood Way in a northeast to southwest direction and is within the defined urban area of Maidstone. The street scene comprises mainly detached chalet bungalows of various styles incorporating a combination of brickwork, render and tile hanging, with similar front building lines to each other and stepping in height to follow the gradient of the highway.

The application dwelling, no. 6 Yeoman Way is a detached bungalow with a small front garden, an existing driveway beside the southwest side of the bungalow leading to a single detached garage and timber shed which are set back to the rear of the bungalow. The bungalow has an existing rear conservatory extension looking onto a long rear garden with close boarded timber fences as the common boundaries with its neighbouring dwellings. The main roof ridge of the property runs east to west.

The neighbouring bungalow to the southwest, no. 8 Yeoman Way, has an existing single storey rear extension and an external ground level approximately 0.5m lower than the ground level of the application site. To the northeast, no. 4 Yeoman Way, has a ground level approximately 0.5m higher than the application site and has an existing driveway running beside the application site.

The proposal

The application is a full application, is retrospective and seeks permission for the enlargement of the roof of the existing dwelling that has been undertaken.

The ridge height of the original roof has not been raised.

To the front of the dwelling facing Yeoman Way, the ridge line has been brought forward by 1.5m and a small half gable feature provided. At the rear of the dwelling the ridge line has also been extended by 1.8m. A new gable end has been formed with a 'barn-hip' and the gable incorporates a new window and a pair of 'French doors' with a Juliette balcony.

The development undertaken also includes the construction of two dormers on either side of the ridge (facing north and south) these have a double pitched and hipped roof.

These windows overlook the solid tiled roof slope of no.8 Yeoman Way to the south and the solid flank gabled end of no.4 Yeoman Way to the north. The roof height of the dormers is set 400mm below the ridge height of the main dwelling and they are setback 1m from the flank walls. The width and height of the dormers are 5.3m and 1.5m respectively, each having a pair of fixed obscured glazed windows with only top-hung opening fanlights.

The accommodation provided within the loft conversion is a self-contained annexe comprising a third bedroom, lounge, kitchen, bathroom and store. Access to the converted loft is via an internal staircase.

Planning considerations

The main issues to consider are as follows:

- the visual impact on the character of the parent building, adjacent buildings and the street scene.
- the impact on the residential amenities of the neighbouring dwellings in terms of loss of daylight, sunlight, outlook and privacy.

Visual impact

The original bungalow had a full hipped roof. The front roof extension has formed a tile hung gable feature. Given that many of the bungalows in the street have half-hipped gabled frontages which are not dissimilar to the current frontage of the application building, I consider that the gable feature would complement the character of the street scene.

It appears that the ridge line of the application building matches the ridge line of its neighbouring dwelling at number 4 Yeoman Way which is on higher ground level. However, the extensions have not raised the ridge height of the original building and the height relationship between the neighbouring dwellings remains the same. It is only the additional bulk to the sides of the roof in the form of the dormers together with the front and rear extensions of the roof that has emphasised the height of the original bungalow as appearing to match the height of number 4 Yeoman Way.

Although the roof extensions have not reinforced the stepped relational height pattern between buildings along the inclined street, I consider that such a perception of irregularity within the street scene is not significant enough to warrant a refusal because it is not visually incongruous to the character of the street scene nor does it cause harm to the overall appearance of the area.

The cheeks of the side dormers are set back from the front eaves by 3.5m while the windows of the dormers are set in from the flank eaves of the parent building by 1m.

They would not close up the existing gaps between existing buildings and therefore they would not result in a terracing effect in the street scene.

Impact on residential amenity

The north and south dormer windows of the application dwelling are obscured glazed and fixed with top hung opening fanlights set 1.7m above floor level and have been constructed as such.

There is no loss of daylight, sunlight, outlook and privacy to the neighbouring dwelling at No.4 Yeoman Way because the retrospective north dormer faces the solid flank gabled end wall of this neighbouring property.

No. 8 Yeoman Way, to the south, has flank windows serving the lounge facing the new side dormer windows of the application dwelling. However, apart from the fanlight area at the top, these windows are shielded by the 1.6m high common boundary fence, from which they are set in only 0.5m, and the room currently depends on the borrowed light from the single storey extension attached to the rear of the lounge. On the other hand, the dormer subject of this application is set in 1m from the flank wall of the application building, and is at least 3m from the common boundary fence with No.8. Consequently, in view of the proximity of No.8's lounge windows to the boundary fence, and the degree of separation between them and the dormer, plus the fact that the development has not altered the flank eaves height of the application building, the proposal has not, in my view, resulted in so significant a loss of daylight or sunlight to No.8's lounge, compared to the previous lighting conditions in that room, as to justify a refusal of planning permission that could be sustained at appeal.

To ensure that the retrospective dormer windows remain as shown on the drawings I have put a condition on the consent to maintain them as such, to prevent potentially loss of privacy to the occupiers of neighbouring buildings.

Taking the above into account, the dormer windows would not cause significant loss of outlook, daylight and sunlight to the occupiers of the neighbouring dwellings.

Concerns have been raised that the first floor 'Juliet' balcony including its associated French doors causes the loss of privacy to the rear gardens of the surrounding properties, with Nos. 4 and 8 Yeoman Way being most affected. The 'Juliet' balcony does not have a projection that would allow people to stand outside the home and with the angles of views from this balcony it would be difficult to directly overlook into the external private spaces (the patio areas) that are to the rear of the adjacent dwellings. There is existing planting on the side of 8Yeoman Way at the common boundary fence which would help screen any angled views from the 'Juliet' balcony.

Other considerations

It has been highlighted that the layout of the loft conversion is a self contained residential unit that could be easily used as a separate unit from the main dwelling. Although self-contained, access to the loft space is via an internal staircase located in the centre of the bungalow and therefore I consider that the use of the loft space would be ancillary to the main bungalow. Severance to form a separate unit would be difficult. In any case, the use of the loft accommodation as a separate residential unit would require formal planning permission.

Given that there is a third bedroom added to the dwelling, I am satisfied that there is adequate space to park two cars on the existing driveway which would meet the Kent Highways Parking Standards.

Conclusion

The development is in accordance with the policies of the Development Plan, I therefore recommend the application be approved.

RECOMMENDATION

GRANT PLANNING PERMISSION subject to the following conditions:

1. The dormer windows hereby permitted shall remain as shown on drawing number CB2306.92 received on 11 May 2009 and subsequently shall be maintained as such;

Reason: To prevent overlooking of adjoining properties and to safeguard the privacy of existing and prospective occupiers in accordance with policy H18 of the Maidstone Borough-Wide Local Plan 2000.

The proposed development, subject to the conditions stated, is considered to comply with the policies of the Development Plan (Maidstone Borough-Wide Local Plan 2000 and South East Plan 2009) and there are no overriding material considerations to indicate a refusal of planning consent.