

**REPORT SUMMARY**

<b>REFERENCE NO - 14/502766/FULL</b>		
<b>APPLICATION PROPOSAL</b> Replace existing wooden windows and doors with double glazed UPVC windows and doors.		
<b>ADDRESS</b> Whispering Waters High Banks Loose Kent ME15 0EG		
<b>RECOMMENDATION - GRANT SUBJECT TO CONDITIONS</b>		
<b>SUMMARY OF REASONS FOR RECOMMENDATION</b> The proposal is considered to preserve the character and appearance of the Conservation Area and to comply with the Development Plan. There are no overriding material considerations to indicate a refusal.		
<b>REASON FOR REFERRAL TO COMMITTEE</b>  The recommendation is contrary to the views of the Parish Council, who have requested Committee consideration.		
<b>WARD</b> Loose	<b>PARISH/TOWN COUNCIL</b> Loose	<b>APPLICANT</b> Mr Paul Highsted <b>AGENT</b>
<b>DECISION DUE DATE</b> 17/12/14	<b>PUBLICITY EXPIRY DATE</b> 17/12/14	<b>OFFICER SITE VISIT DATE</b> 21/11/14
<b>RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites): None specific.</b>		

**MAIN REPORT**

**1.0 DESCRIPTION OF SITE**

- 1.01 This application relates to a detached, mid-twentieth century dwelling, which is located within the village settlement boundary of Loose. It also falls within Loose Conservation Area.
- 1.02 In general, Loose Conservation Area maintains a high degree of historical sensitivity, however, this particular building is seen in the context of surrounding buildings of a similar date to the host dwelling and the streetscene does not have high importance to the character and appearance of the Conservation Area it is considered.

**2.0 PROPOSAL**

- 2.01 Planning Permission is sought for the replacement of existing wooden windows and doors with upvc units. Planning Permission is required due to an Article 4 direction, which removes permitted development rights.

**3.0 PLANNING CONSTRAINTS**

*Within village settlement boundary  
Loose Conservation Area (-statutory duty to preserve or enhance the significance of heritage assets under the Planning (Listed Buildings & Conservation Areas) Act 1990)  
Area of Local Landscape Importance*

#### **4.0 POLICY AND OTHER CONSIDERATIONS**

The National Planning Policy Framework (NPPF)  
National Planning Practice Guidance (NPPG)  
Maidstone Borough Wide Local Plan 2000: H18  
Supplementary Planning Guidance 'Residential Extensions'

#### **5.0 LOCAL REPRESENTATIONS**

None received to date.

#### **6.0 CONSULTATIONS**

##### **6.01 Loose Parish Council: Initial comments:**

"The Loose Parish Council wish to oppose this application on the grounds that the property lies within the Loose Conservation area, and article four area of Loose Village, and as such we would not wish to see the installation of UPVC windows & doors. To our knowledge Maidstone Borough Council has not allowed this kind of application in the past within the conservation area. The Loose Parish Council would certainly not endorse this, and request it is referred to the MBC Planning Committee".

Subsequent comments, on receipt of Conservation Officer comments: "...still wish this application to be referred to the MBC Planning Committee. It is considered that this is a very important issue.

We feel disappointed by the lack of support from MBC Conservation Officer which we felt would be forthcoming. We remain of an opinion, that the stance taken by the LPC in the past should still be applied to any replacement of wooden windows with UPVC, within, not only a conservation area, but also within article four".

##### **6.02 Conservation Officer: No objection.**

"Whispering Waters is one of a group of similar houses erected in 1961. Whilst not particularly detracting from the character of the Conservation Area, this group of houses does not make a positive contribution to that character. In my view replacement of the windows in the manner proposed would not result in any harm to the significance of the Conservation Area.

#### **7.0 APPRAISAL**

##### **Visual Impact**

##### **7.01 The host dwelling is a 1960s dwelling and whilst it is not considered to have a detrimental impact upon the Conservation Area, in my view, it has a neutral impact. It**

makes no positive contribution to the Conservation Area and indeed, is seen in a context of surrounding 1960s dwellings, not unlike that which could be seen on an estate elsewhere outside of an historic village setting.

- 7.02 In this context, therefore, the use of u.p.v.c. is not considered to be visually harmful and indeed, the Conservation Officer does not object to the proposal.
- 7.03 As the Parish Council rightly point out, there is an Article 4 direction, removing “permitted development” rights, which is the reason why this development requires Planning Permission. However, the purpose of the Article 4 direction is to ensure that the carrying out of development comes under the control of the Local Planning Authority; not to preclude development altogether. The planning application process is then the procedure in which to assess the suitability or otherwise of development then falling within the Local Planning Authority’s control.
- 7.04 As stated, this 1960s building is considered to have a neutral impact upon the Conservation Area and in the context of surrounding contemporary houses, it is contended that the proposal would result in no significant harm. The windows proposed are what one would expect to see upon such a building and the building is not in a position to adversely affect historic or important views of Loose Conservation Area or the Area of Local Landscape Importance.
- 7.05 It is concluded that the development would preserve the character and appearance of the Conservation Area and the visual amenity of the streetscene.

#### **Other Matters**

- 7.06 There are no significant residential amenity, ecological or parking issues, due to the nature and position of the proposals.

#### **8.0 CONCLUSION**

- 8.01 The proposal is considered to preserve the character and appearance of the Conservation Area and to comply with the Development Plan. There are no overriding material considerations to indicate a refusal. Approval is therefore recommended.

#### **9.0 RECOMMENDATION – GRANT** Subject to the following 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 development hereby permitted shall be carried out in accordance with the following approved plans:

Window schedule, section and elevations received on 22/10/14

Reason: To ensure the quality of the development is maintained.

## Planning Committee Report

Case Officer: Louise Welsford

NB For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council's website.  
The conditions set out in the report may be subject to such reasonable change as is necessary to ensure accuracy and enforceability.