

REPORT SUMMARY

REFERENCE NO - 15/507703/FULL			
APPLICATION PROPOSAL Loft conversion with 3 No. rooflights to front elevation and small pitched roof dormer with 2 No. rooflights to rear elevation			
ADDRESS 3 The Bungalows Church Street Teston Kent ME18 5AH			
RECOMMENDATION APPROVE SUBJECT TO CONDITIONS			
SUMMARY OF REASONS FOR RECOMMENDATION/REASONS FOR REFUSAL			
REASON FOR REFERRAL TO COMMITTEE Objection from Parish Council who requested that the application be reported to Committee.			
WARD Barming	PARISH/TOWN Teston	COUNCIL	APPLICANT Mr Sam Older AGENT Essan-K Planning Ltd
DECISION DUE DATE 19/11/15	PUBLICITY EXPIRY DATE 27/10/15	OFFICER SITE VISIT DATE 21/10/2015	
RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites):			
App No	Proposal	Decision	Date
07/0128	Loft conversion with the insertion of two front dormer windows at 2 The Bungalows	Refusal	14.03.2007
<p><i>Summarise Reasons:</i> (1) The installation of the dormer windows, by virtue of their cramped and unbalanced appearance, would complicate and do harm to the distinctive character and simple appearance of the dwelling and would upset the balance, unity and symmetry of the group of four bungalows which contribute positively to the conservation area. The development is therefore contrary to policies ENV2, H18 and ENV13 of the Maidstone Borough-Wide Local Plan 2000 and policies QL1, SP1 and QL6 of the Kent & Medway Structure Plan 2006.</p> <p>(2) The proposal, by virtue of the south facing dormers that would directly overlook a habitable room, would not respect the privacy of the occupants of the dwelling directly to the south. The development is therefore contrary to policies ENV2 and H18 of the Maidstone Borough-Wide Local Plan 2000 and policy QL1 of the Kent & Medway Structure Plan 2006.</p>			

MAIN REPORT

1.0 DESCRIPTION OF SITE

- 1.01 The application site is comprised of a detached bungalow that dates from the 1920s/1930s. The dwelling forms part of a group of 4 similar bungalows that are located to the northern side of Church Street, close to the junction with The Street and within the village of Teston. Collectively, these four properties are known as The Bungalows.
- 1.02 The southern flank elevations of nos.1 and 4 The Bungalows front onto Church Street and there is a vehicular crossover between these dwellings that provides access for all four properties. Nos. 2 and 3 The Bungalows are situated towards the

rear of the site. The layout of the properties is such that the front elevations of nos. 1 and 4 directly face one another. The front elevation of nos.2 and 3 are on the southern end of the properties and they directly face the northern flank elevations of nos.1 and 4. It would appear that no.2 has been the subject of a loft conversion as roof lights have been inserted on the front roof slope.

- 1.03 Broadly speaking, The Bungalows in its entirety is rectangular in shape with the frontage onto Church Street being 27m in width and the entire depth of the site being approximately 40m, with each unit occupying roughly a quarter of the site area. The front boundary of the site is marked by a stone boundary wall of approximately 1m in height together with a variety of soft landscaping.
- 1.04 Turning to the application site, this occupies the north eastern corner of the site. The dwelling has a courtyard style garden to the rear and this measures 14.4m in width and has a maximum depth of 4.4m. At some point in the property's history, a conservatory/sunroom extension has been added and this measures 2.5m in depth and 3.9m in width. The existing floor plans indicate that the present accommodation provides a lounge, kitchen, 2 bedrooms and a bathroom.
- 1.05 The land levels to the rear of The Bungalows rise quite steeply and as such, the northern boundary of the application site is comprised of a brick retaining wall topped with a wooden boundary fence relating to the dwelling to the rear. Together, these have a total height of approximately 4m. The eastern boundary is marked by a brick wall of approximately 4m in height.
- 1.06 Off street parking is provided to the front of the dwelling.
- 1.07 In terms of the surrounding area, this is characterised by a variety of residential dwellings together with a village store, church, and a social club. This part of Teston is designated as a conservation area and therefore the age and appearance of the majority of the buildings is such that the area has a distinctive character that merits protection.

2.0 PROPOSAL

- 2.01 This application proposes to convert the existing loft space of no.3 The Bungalows to habitable rooms. This will require the erection of a dormer window on the rear of the dwelling together with the insertion of 2 rooflights on this elevation and 3 rooflights on the front elevation. The accommodation will provide 2 additional bedrooms and a bathroom.
- 2.02 The dormer window is designed with a gabled roof and would be positioned 0.2m below the ridge line of the existing property and 0.6m above the eaves level. The dormer measures 2m in width and has a height to eaves of 1.8m and a maximum height of 2.95m. The dormer will be clad in tiles to match the existing property. The floor plans indicate that the dormer window will provide space for a staircase to access the proposed accommodation. This will also require an existing window on the rear elevation to be infilled with bricks to match the existing property. All rooflights are noted on the plans to be Velux conservation windows.

3.0 PLANNING CONSTRAINTS

- 3.01 The application site is located within the Teston Conservation Area wherein there is a statutory duty to preserve or enhance the significance of heritage assets under the Planning (Listed Buildings & Conservation Areas) Act 1990).

- 3.02 No.1 Church Street directly to the eastern boundary of the application site together with the adjoining property at no.2 are grade II listed.

4.0 POLICY AND OTHER CONSIDERATIONS

The National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

Development Plan: Maidstone Borough Wide Local Plan (2000): Extensions to Residential Properties - Policy H18.

Supplementary Planning Documents: Residential Extensions (2009).

5.0 LOCAL REPRESENTATIONS

5.01 **Neighbour Notifications:** No comments received.

5.02 **Site Notice:** No comments received.

6.0 CONSULTATIONS

6.01 **Teston Parish Council:** MBC's decision MA/07/0128 was for 2 The Bungalows and was for the installation of 2 front dormer windows. It was refused. Velux windows have since been installed at number 2 to make the loft space usable, but have not changed the profile of the bungalow or effectively expanded the occupancy potential. This latest application would facilitate considerable expansion of living space at number 3 and therefore potential occupancy, with probable external complications arising from the very restricted parking space for each of the four bungalows. The increased habitable space/occupancy potential might also remove the availability of this dwelling from the single occupancy/retirement markets. We assume the current Conservation Officer would have similar reservations to the above with this application for no.3, as the proposed dormer would overlook a neighbouring property, and depending on height of installation, the front Velux windows would overlook number 4 and to some extent no.1. We would therefore request that this application be refused for reasons similar to those cited in the 2007 decision for no.2.

6.02 **MBC Conservation Officer:** The Bungalows comprise a group of four single storey dwellings dating from circa 1920-1930. Whilst not unattractive, they do not add significance to the conservation area. No.3 lies behind one of the other bungalows. Other bungalows in this development have had similar alterations and those currently proposed will not cause harm to the significance of the conservation area. I therefore raise no objections to this application on heritage grounds subject to conditions re samples of materials and compliance with submitted plans.

6.03 **Kent County Council Archaeological Officer:** No comments.

7.0 BACKGROUND PAPERS AND PLANS

7.01 This application is accompanied by the following:

- Application form;

- Design and Access Statement;
- Drawing no.564-01 Ground Floor Plan Existing
- Drawing no.564-02 Elevations Existing
- Drawing no.564- 03 Elevations Proposed
- Drawing no.564-04 Ground Floor Plan Proposed
- Drawing no.564-05 Loft Floor Plan Proposed
- Drawing no.564-08 Site and Block Plan Existing
- Drawing no.564-09 Site and Block Plan Proposed

8.0 APPRAISAL

Principle of Development

- 8.01 In assessing the principle of this development, I am mindful of the issues raised by the Parish Council wherein it was suggested that the expansion of occupancy potential of 3 The Bungalows would remove the dwelling from the single occupancy/retirement markets. The Parish Council note that Velux windows have been added to no.2 The Bungalows to make the loft space usable but have not changed the profile of the bungalow or effectively expanded the occupancy potential.
- 8.02 In establishing the appropriateness of the principle of this proposal, I consider that it is necessary to balance the comments of the Parish Council against the applicable planning policies as well as the fall back position of permitted development if this application were to be refused.
- 8.03 Planning law requires that every planning application should be determined in accordance with the adopted development plan. The NPPF also requires that there should be a presumption in favour of sustainable development, that is, development that meets the needs of present and future generations. Thus in terms of the principle of this submission, Policy H18 notes that the Borough Council will permit extensions and additions to residential properties subject to being acceptable in respect of design, impact on character of the locality; the amenities of the adjacent householders; and adequate parking provision. There is no specific policy against the conversion of loft spaces or extension of bungalows.
- 8.04 In addition to the above, I am also mindful of the fact that a loft conversion could take place without the need for planning permission if the proposed rear dormer window were removed from the plans. The insertion of rooflights would not require planning permission provided that they did not project beyond the plane of the roof slope by more than 150mm. As the dwelling is not a listed building, any internal alterations would not require planning consent. It would appear that following the refusal of planning permission for the front dormer windows at no.2 The Bungalows, a loft conversion has taken place through the use of permitted development rights.
- 8.05 In the absence of a specific policy against this type of development and in light of Policy H18 and the permitted development fall back position, I believe the principle of this proposal to be acceptable.

Visual Impact

- 8.06 As noted in the description of the site, the application property is located to the north eastern corner of the site. In view of the layout of the four properties within The Bungalows, no.3 is not greatly visible from Church Street as it is located behind no.4.

- 8.07 The proposed rooflights to the front of the property are noted on the plans as being conservation rooflights and these are designed to be sympathetic of the conservation area setting. As noted previously, similar rooflights have been installed at no.2 The Bungalows.
- 8.08 Turning to the proposed dormer, this will not be visible in the general views of the locality given it will be situated towards the centre of the rear roof slope. The land levels to the rear of the site rise quite steeply and therefore the dormer will not be visible from this viewpoint. The Supplementary Planning Document on Residential Extensions (SPD) notes that loft extensions are preferred on the back elevation of a property to preserve the character of the street. New dormers will not be allowed on front elevations in streets where there are none already. Where acceptable, dormers should be proportionate in scale to the roof plane. They should never project above the ridge line and should be set back a minimum of 20cm from the eaves to maintain the visual appearance of the roof line. The dormer proposed in this case meets these criteria.
- 8.09 In their comments on this application, the Parish Council suggest that this submission should be refused for similar reasons to the 2007 refusal at no.2 The Bungalows. However, this application involved the addition of 2 dormer windows to the front elevation of the dwelling. Essentially, the issues involved are different in the sense that the dormers would have dominated the principal elevation of the dwelling due to their location and would have undoubtedly impacted upon the character of The Bungalows in general. The Parish Council suggest that the rooflights that have since been installed on the front elevation of this property do not change the profile of the bungalow and I would agree with this assertion.
- 8.10 In conclusion on this issue, I believe there will be little visual impact as a result of this proposal. The assessment of any proposal within a conservation area must pay due regard to the potential impacts upon the special character and appearance of the locality. In this case, the Council's Conservation Officer has raised no objections to this application and I agree with his comment that this proposal will not cause harm to the significance of the conservation area.

Residential Amenity

- 8.11 Policy H18 specifies that residential extensions will only be acceptable if (amongst other criteria) they respect the amenities of adjoining residents regarding privacy, daylight, sunlight and maintenance of a pleasant outlook. Furthermore, the SPD notes that any dormer/roof extension that results in unacceptable overlooking of a neighbouring property will not be allowed.
- 8.12 The objection received from the Parish Council puts forward the view that the proposed rear dormer and the roof lights to the front of the dwelling will facilitate overlooking of neighbouring properties. The floor plans submitted with the application indicate that the rear dormer window will relate to a staircase. In considering this proposed use and the relationship with no.2 The Bungalows and no.1 Church Street, I believe there is unlikely to be an unacceptable loss of privacy or amenity for these neighbouring householders. The dwelling to the rear is on a much higher ground level and the height of the retaining wall and fence along this boundary will ensure that no overlooking occurs. Whilst the proposed rooflights will relate to habitable rooms, I am of the opinion that their positioning is such that it would be difficult to overlook a neighbouring property. Furthermore, I believe this issue needs to be balanced against the fact that such windows can be installed without the need for planning permission.

- 8.13 In reaching this viewpoint I am mindful that no objections have been received from neighbouring householders. The nature of The Bungalows is such that the properties are positioned in quite close proximity to one another. However, I believe that the design of this proposal will not result in an unacceptable relationship with the neighbouring properties. Therefore I conclude that the amenities of neighbouring householders are unlikely to be compromised to the extent that merits a refusal.

Highways

- 8.14 The nature of this application is such that it does not require a referral to Kent Highway Services for comment. However, I note from the history of The Bungalows that the previous refusal at no.2 did not refer to a lack of parking and indeed, at this time it was noted that the site is in close proximity to good public transport links into Maidstone.
- 8.15 The space to the front of the dwelling is suitably sized to provide off-street parking for 2 cars. I note the Parish Council's concerns regarding the restricted nature of The Bungalows due to the layout of the properties however, I believe that the available parking space together with the proximity of public transport would make it difficult to substantiate a refusal based on this ground.

9.0 CONCLUSION

- 9.01 In balancing the issues of this case, I am conscious of the concerns of the Parish Council; the need to protect the visual qualities and character of Teston Conservation Area together with safeguarding the amenities of the neighbouring householders. In assessing this submission against the relevant planning policies and guidelines together with the fact that much of this proposal could be achieved through the use of permitted development rights, I believe it is appropriate to make a recommendation of approval.

10.0 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 complete accordance with drawing numbers; 564-01 Ground Floor Plan Existing; 564-02 Elevations Existing; 564- 03 Elevations Proposed; 564-04 Ground Floor Plan Proposed; 564-05 Loft Floor Plan Proposed; 564-08 Site and Block Plan Existing; 564-09 Site and Block Plan Proposed; Design and Access Statement

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

3. Prior to the commencement of any works to the exterior of the property, details and samples of all external materials shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in complete accordance with that approval.

Planning Committee Report

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

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.
The conditions set out in the report may be subject to such reasonable change as is necessary to ensure accuracy and enforceability.