

Delegated Report

Householder Planning Application

Planning Application No: 20221287

Location: 2 Warren View Shorne Gravesend Kent

Description: REVISED Alterations and extension to existing conservatory with replacement roof and installation of skylight

Applicant: Mr Richard Filmer

Site Visit Date: 09/01/2023

Submitted Documents/Plans

- Application Form
- Drawing No: 22/F/3 (Existing/Proposed Block Plans)
- Drawing No: 22/F/3 (Existing/Proposed Sections)
- Drawing No: 22/F/2 (Proposed Plans and elevations)
- Drawing No: 22/F/1 (Site Location Map, Existing Plans and Elevations)

Supplementary Information

- Design and Access statement

Superseded

- Drawing No: 22/F/3 (Existing/Proposed Sections)
- Drawing No: 22/F/2 (Proposed Plans and elevations)

Relevant Planning History

No relevant planning history.

Development Plan

Gravesham Local Plan Core Strategy (September 2014):

- CS01 – Sustainable Development
- CS02 – Scale and Distribution of Development
- CS12 – Green Infrastructure
- CS18 – Climate Change
- CS19 – Design and Development Principle

Paragraph 33 of the NPPF (2021) sets out that policies within adopted local plans should be reviewed to assess whether they need updating at least once every five years, and should then be updated as necessary. Such reviews are also a legal requirement as set out in Regulation 10A of the Town and Country Planning (Local Planning) England Regulations 2012.

The Council undertook such a review in September 2019 and found that the adopted Local Plan Core

Strategy is in need of a partial review in terms of Policy CS02, due to the increased need for housing since the Local Plan Core Strategy was adopted and the need to ensure that a sufficient land supply exists to meet this need. Whilst saved policies from the Local Plan 1st Review (1994) generally conform with the NPPF (2021), the Council will also seek to replace these.

Other material considerations

National Planning Policy Framework (2021)

- 2 – Achieving Sustainable Development
- 12 – Achieving sustainable development and well-designed places

Supplementary Planning Guidance:

- SPG2 - Residential Layout Guidelines (2020)
- SPD4 - Householder Extensions/Alterations Design Guide (2021)
- Gravesham Landscape Character Assessment (2009)

Consultations, Publicity and Representations

Local Ward Councillors

No comments received.

Shorne Parish Council

Roof conversion with dormer extension and replacement of conservatory roof

The Parish Council has no objection in principle to this proposal, subject to there not being any significant valid objections from neighbours, but also has the following comments and concerns about the proposed design:

- *The property is a two-bedroom bungalow on a corner site which is built side-on to its eastern neighbour (No 3).*
- *While most of the bungalows in the area remain as originally built and purposed (suitable for elderly/less able use), some, particularly on Swillers Lane have already had loft conversions. There are no planning restrictions preventing this from happening.*
- *The proposal for the loft alteration is to create a flat roofed rear dormer, with two windows, containing a bedroom and shower room. There is a minor but out of character alteration to the roofline at the northern end in order to effect loft access, and re-roofing and extension of the existing conservatory. There will be some loss of sunlight caused to the rear garden of No 3.*
- *The dormer shower room window should have a Condition attached requiring permanent obscured glazing, and the window should be top hung and only openable above 2m in height from the floor, to ensure privacy of users.*
- *The dormer bedroom window is a problem as it closely overlooks the garden of the property to the east (No 3), therefore adversely affecting privacy and amenity. A similar Condition might also be needed for this proposed window. It might be better omitted and instead to have rooflights (above 2m sill height) or a small pitched roof dormer in the front roofslope (see No 5).*
- *On-site parking should still be adequate for a three bedroomed house.*

Neighbouring properties

The application was advertised by way of letters to four surrounding properties. The consultation period expired on 16th January 2023 and one representation was received.

The main points raised in the representation were:

- *The double glazed enclosure of the raised external landing to the front of the property to form a porch was approved in 1975; the raising of the external area around the rear steps from the property (kitchen and living room) into the garden to form a patio and it's 'temporary' enclosure to provide an all-weather outside area to house domestic appliances and a parrot was not approved. This has never formed part of the normally occupied part of the dwelling. The area overlooks neighbouring property. Had permission been sought for an extension to provide a conservatory, a reasonable request to obscure the glazing to prevent overlooking might well have been supported. If this temporary enclosure of the raised patio area is now to be formalised as part of the domestic accommodation rather than reverting to its permanent external area condition, consideration must be given to the fact that it stands some 2' (600mm or 8 courses masonry) higher than the adjacent ground and fence such that it is akin to a viewing platform.*
- *The applicant has never resided in the property, the application site is not suited to a large family despite the extensions making the home larger*
- *The plot on which the property is situated is a good size, but this is compromised by the presence of utilities (public foul and storm water sewers) and the need to provide a broad margin to the two external frontages in order to meet the general building lines within the street scene. The residual area is occupied by the property and a small enclosed rear garden (with public sewer traversing). It is not suited to a large family. The property has some parking to the front; however, the impression is given that this is larger than it actually is because it includes an area that is designated access to the UK power networks substation. There is less space than one might be given to believe.*
- *The applicant statement regarding proposed works disingenuously refers to 'upgrading the present conservatory', whereas this should state that it is formalising the temporary enclosure of external patio space and converting it to become part of the habitable ground floor area of the dwelling. The patio was never intended to form part of the dwelling; it was not constructed with foundations to facilitate conversion; it has no damp-proof course or membrane and no underfloor insulation. The temporary enclosure is non-structural, single skin cladding. Replacing the lightweight polycarbonate roofing sheets with a flat roof and incorporating a roof light to provide a permanently enclosed area compliant with current building regulations suitable for incorporation as part of the occupied dwelling is not a trivial act. It will require removal of the entire of the present patio enclosure, proving of the foundations and probably extensive excavation and reconstruction of the existing patio area and associated enclosure in order to provide foundations, insulated and damp-proof flooring and structural walls capable of supporting a thermally efficient flat roof. The new roof will, in turn, be quite substantial and set at a height that will necessarily be above the present lean-to structure. The works are considerable.*
- *The 'small' extension is the second time this area of patio has been increased by adding more raised area onto the Northern end taking the extent to which the property is developed rearward beyond the line of the adjacent properties. It represents further addition of overlooking platform and skyline structure to the property and will give an overbearing feel to anyone in the private amenity of neighbouring properties.*

- *Upgrading the present bathroom and separate W/C is a sensible idea. Cavity wall insulation has already been installed in these properties under a previous government grant scheme. The property does, however, need a complete re-wire being entirely fitted with rubber-insulated cable throughout, the insulation on which is breaking down and is dangerous.*
- *In the event any works are approved, it is essential that building regulations are fully applied.*
- *The enclosed utility area faces the side wall of xxx and continues back beyond it such that it also overlooks a neighbouring property, the same direction in which it is proposed to extend it. This proposal threatens to significantly compromise our privacy and adversely impact our way of life;*
- *The Dormer will impact privacy of neighbouring property as it will overlook into neighbouring gardens and into habitable rooms of a neighbouring property.*
- *The dormer provided to accommodate the proposed new stairs shows no window on the North elevation but equally has no other source of natural lighting. As such it should be anticipated that this will lead to subsequent modification and addition of another window at first floor. This will compromise privacy.*
- *The retention of the existing access is noted. Historically the space in front of the property is large enough to accommodate one vehicle with generous space for alighting or two vehicles parked side by side. Designated access to the UK power networks substation is not parking for the property and should not be considered as such. The present parking provided is therefore one garage, which will be compromised by the proposed development, and two car spaces to the front of the property not the three suggested by the design access statement. It should be noted that the provided design and access statement also states that the garage floor level will not be compromised, implying that the proposed works will have no detrimental impact upon the garage but ignores that the proposed works will reduce the width over three quarters of the length of the garage by 50% to approximately 4'. It is disingenuous to suggest the proposed development does anything other than compromise the garage. The development will reduce parking on the site to two spaces yet increase the occupancy of the dwelling to three double bedrooms whereby it may be considered a family home and require four or more parking spaces (this is a recurrent problem with development in the area).*
- *If more than two vehicles associated with the property are to be accommodated, the need will be to either increase the extent to which the front garden is hard surfaced and address runoff accordingly, or to park on street. The area already contributes un-attenuated runoff directly to the problematic road drainage within Warren View so additional paving over the garden (which contains the public sewer) is not desirable. On street parking, however, despite appearing to be plentiful, is primarily adjacent to junctions and the wider area is heavily utilised by the local primary school for dropping off and picking up. It is often difficult to park, even on the area surrounding the green (any site visit should consider this!).*
- *The suggestion that the proposal does not compromise the existing dwelling or neighbours is risible; the existing dwelling ceases to serve its unintended use as a single storey accessible dwelling suited to older people or mobility-impaired individuals or couples and becomes a family dwelling. A large area of temporarily enclosed patio is extended and becomes part of the normally occupied habitable space that overlooks the adjacent property. Long dormers are added compromising the direct sunlight afforded to neighbours, reducing their ability to live sustainably, and windows are introduced at height directly overlooking the private amenity space of the neighbouring property*

Some of the points raised in the objection are not material planning considerations and cannot be addressed as part of this proposal.

The application was subsequently revised, and a second round of consultations were sent out to five neighbouring properties. The consultation period on this occasion expired on 25th March 2023. One supporting comment was received.

Analysis

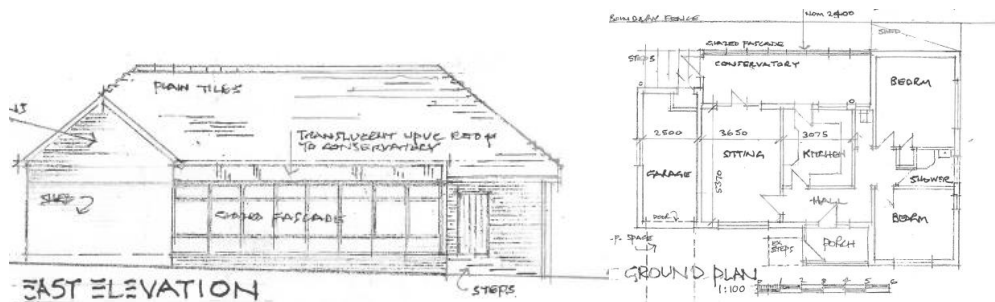
Background

The original proposal included alterations to the roof include a partial hip to gable alteration and a rear dormer, however after working with the agent this element of the proposal was removed from this application as a means to achieving a positive decision.

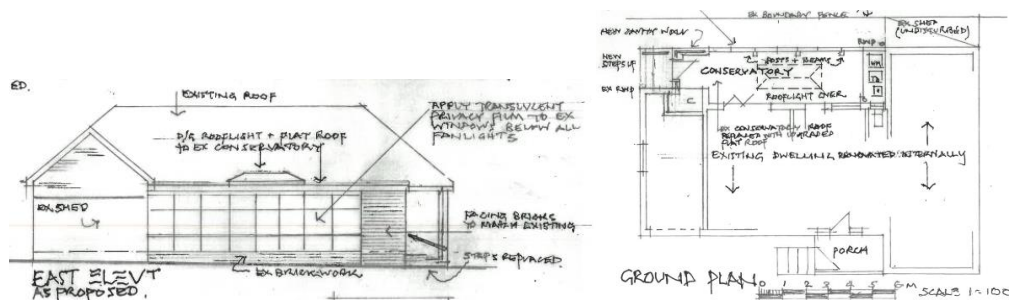
Proposal

The proposal relates to the existing conservatory which will have a new roof installed including a roof lantern. The proposal would also include a slight increase in the width of the rear extension which will measures approx. 2.4sqm. This incremental increase will add approx. 1.3m to the existing width of the conservatory whilst retaining the existing depth. The roof height of the extension will be maintained at 3.2m however this doesn't include the roof lantern projection which will add an additional 0.2m.

Existing plans and elevations



Proposed plans and Elevations



Design, Character and Appearance

The application site is a detached bungalow situated on a corner plot in the rural parish of Shorne, the area falls within a rural settlement which is inset from the greenbelt and is within a Landscape Character Area. The application site is orientated so that the front elevation faces towards the West, the neighbouring property to the North also has its front elevation facing towards the west, whilst its neighbouring counterpart to the east, has its front elevation facing towards the south. The dwelling is also positioned on land which slopes down to the north and has a garden to the side of the property instead of the rear.



As can be seen from the above image, the rear of the application site faces in the direction of the neighbouring property to the east known as No.3 Warren View which is where the alterations to the dwelling are proposed.

There are single storey rear extensions and conservatories within the vicinity of the application site, so this type of extension is also not considered to be an out of character addition.



The revised proposal seeks to replace the roof of the rear conservatory, it is noted that there is no planning history for this conservatory however it may have not required any permission in the first instance. Aerial images show that this conservatory was built sometime between 1990 and 2003 in which case it has been in place for a substantial amount of time and should it have needed planning permission it has now become a lawful through the passage of time.

The replacement roof will not return any significant changes except it will introduce a roof light which will replace the existing translucent UPVC that is dated. The incremental increase to the footprint will not introduce an out of scale addition to the original dwelling and so is acceptable in this regard. The replacement roof is not excessive in terms of height and due to its position to the rear of the property will not impact the wider street. The replacement roof will modernise the existing extension whilst maintaining

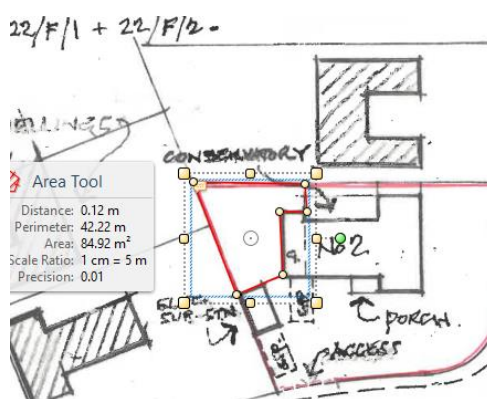
the existing fenestration unless an upgrade is needed. Should the fenestration require replacement it should be noted that planning consent is not necessarily needed.

It is noted that one of the points raised in the objection is concerned that the proposal will “make permanent” the existing conservatory, it should be noted that a single storey rear extension can be constructed under permitted development rules and whilst some of the proposed extension does not necessarily fall within the parameters of the General Permitted Development Order, on balance the remaining extension which would need planning permission is not considered to harm the design character and appearance of the site in such a manner that would warrant a refusal. It should also be noted that under planning legislation a conservatory is a permanent addition to a dwelling which is classed as an extension, the proposed change to the roof and incremental addition will not change this as much leaving it as it is would.

In terms of design, scale and impact on its surroundings the proposal is considered to comply with the requirements of CS19 Local Plan Core Strategy 2014 and SPD4- Householder Alterations/Extensions Guidance 2021.

Amenity of Future Occupiers

Below is a measurement of the garden area at the application site.



Below is an extract from SPG2 – Residential Layout Guidelines which states the Council’s minimum requirements for a garden area

Table 2

Accommodation with :	Minimum garden area (sq. metres)	Minimum depth from rear wall of house (metres)
1-2 bedrooms	37.2	7.6
3 bedrooms	60.0	10.0
4 or more bedrooms	100.0	10.0

The resultant garden space satisfies the council’s minimum requirements for a two bedroom dwelling and so the proposal is considered to adequately safeguard the amenity of future occupants.

Neighbouring Amenity

Firstly we will assess the proposal’s impact on No.1 Warren View which is positioned to the north west of the application site. In terms of outlook, due to the distance and orientation of the properties there is no material harm to the outlook of this property. In terms of light, the proposal will not return any impact on light levels and so the proposal adequately maintains the privacy of No.1 Warren View.

Second we will assess the proposal’s impact on No.3 Warren View which is positioned to the East of the application site. It is noted that there is a window and door in the flank elevation of No.3 Warren View,

however this appears to serve a garage. The single storey rear extension would not harm light or outlook levels due to its height and orientation.



The replacement roof and increase to the width of the single storey rear extension is considered to mainly continue the existing arrangement. Whilst the objection raises concerns relating to the permanence of the conservatory and the subsequent increased frequency of use of the extension it would not cause any additional harm as the previous structure had potential for increased usage which was apparently not the case under a previous occupier. Planning rules do not consider a conservatory to be a temporary structure, nor is it classed as a non-habitable room, the frequency of its use cannot be controlled. It is considered that the replacement roof, along with the incremental increase to the size of the single storey rear extension would not increase in any increased harm to the privacy of the neighbouring property at No.3 Warren View.

The proposal is therefore considered to adequately safeguard the amenity of the neighbouring properties. The proposal is in accordance with the requirements of CS19 Local Plan Core Strategy 2014 and SPG2 – Residential Layout Guidelines (2020).

Parking and highways

The proposal will not change the existing parking arrangements and so there are no concerns in this regard.

Any Other Material Planning Considerations

Landscape Character Area

Section 15 of the NPPF (2021) highlights the importance of conserving and enhancing the natural environment, one aspect of which is the protection and enhancement of valued landscapes. Policy CS12 (LPCS) seeks to protect the Green infrastructure within the Borough and states that the overall landscape character and valued landscapes will be conserved, restored and enhanced and the greatest weight will be given to the conservation and enhancement of the landscape and natural beauty of the Kent Downs AONB and its setting.

The application site is located within the Shorne Woodland Landscape Character Area. The topography is undulating, with high points around Shorne Ridgeway and within Randall Wood. Tree cover is dominant, with native coppice providing a strong sense of enclosure throughout much of the area.

Due to the nature of this proposal with the proposed built form not being excessive in projection, there will be no direct impact on the landscape character area. As such the proposal would accord with Policy CS12 (LPCS) and Section 15 of the NPPF (2021).

Conclusion & Recommendation

For the reasons given above, the proposal would not result in a detrimental impact on the dwelling or character of the area and is considered to be acceptable. Approval is recommended as no conflict with local or national planning policy.

(For detailed conditions and informatives, see draft Decision)

Case Officer:	Mrs Sharon Sahota	Team Leader:	Richard Hart
Signed:		Signed:	<i>R Hart</i>
Dated:	4 th April 2023	Dated:	4th April 2023