

2.4 REFERENCE NO - 24/500508/FULL		
PROPOSAL Existing garage to be converted to utility room and erection of a side extension to be used as a store.		
SITE LOCATION Camwa Ash Bull Lane Boughton Under Blean Faversham Kent ME13 9AH		
RECOMMENDATION Delegate to the Head of Planning to grant planning permission subject to appropriate safeguarding conditions as set out in the report, with further delegation to the Head of Planning to negotiate the precise wording of conditions, including adding or amending such conditions.		
APPLICATION TYPE Householder		
REASON FOR REFERRAL TO COMMITTEE Boughton under Blean Parish Council Objection		
CASE OFFICER Mandi Pilcher		
WARD Boughton & Courtenay	PARISH/TOWN COUNCIL Boughton under Blean	APPLICANT Y Veliu AGENT Mr S Wilkins
DECISION REGISTERED 09/02/2024	TARGET DATE 05/04/2024	
BACKGROUND PAPERS AND INFORMATION: Documents referenced in report are as follows: - All drawings submitted All representations received The full suite of documents submitted pursuant to the above application are available via the link below: - https://pa.midkent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=S8FTW3TYIM400		

1. SITE LOCATION AND DESCRIPTION

- 1.1 Camwa Ash is a two storey end terraced property within the built up area of Boughton Under Blean and the Boughton Street Conservation Area.
- 1.2 Camwa Ash is situated at the junction of Bull Lane and The Street. There is a private amenity space to the side and rear. The boundary treatment is comprised of a small wall and large hedge. The property has one parking space within its curtilage.

2. PLANNING HISTORY

- 2.1 **SW/92/0886** Planning permission withdrawn on 13.11.92 for a front/side extension to form hobbies workshop.

3. PROPOSED DEVELOPMENT

- 3.1 The application seeks planning permission for the existing garage to be converted to a utility room and the erection of a side extension to be used as a store.
- 3.2 The garage conversion will incorporate the removal of the garage door and the insertion of brickwork and a uPVC window to the front elevation.
- 3.3 The proposed side extension would measure approximately 7.3m in depth by 4.2m wide with timber folding doors on the front elevation and a single door and window on the rear elevation. The extension would have a maximum height of 3.3m with a flat roof and a roof light hidden behind a parapet wall, with stone coping.
- 3.4 The external materials will match that of the existing dwelling.
- 3.5 The drawings also show hardstanding being laid to the front of the dwelling. The agent has confirmed that permeable materials will be used. As a result, this element of the proposal does not require planning permission so will not be assessed.

4. CONSULTATION

- 4.1 One round of consultation has been undertaken, during which letters were sent to neighbouring occupiers; a site notice was displayed at the site and the application was advertised in the local newspaper. No letters from neighbours were received.
- 4.2 **Boughton under Blean Parish Council** were consulted on two occasions. In response to the first consultation they raised an objection on the following summarised grounds (full representations are available online):

Comment	Report reference
No evidence regarding sufficient turning space within the drive;	Paragraphs 7.24 and 7.25
No evidence that a vehicle would be able to access the garage;	Paragraphs 7.24 and 7.25
Concerns regarding vehicular and pedestrian safety if vehicles were required to reverse onto the highway;	Paragraph 7.25
Alternative access to the garage would not be appropriate as it would be located too close to a junction and would require the loss of the hedge;	Paragraph 7.27
Wish to see comments from the Conservation Officer;	Paragraph 5.1
The flat roofed garage would harm the conservation area.	Paragraph 7.10

- 4.3 The application was subsequently amended to propose a store rather than a garage (although the proposal was unaltered in terms of the siting and design of this element of the proposal). Boughton under Blean Parish Council were re-consulted and continued to raise an objection on the following summarised grounds:

Comment	Report reference
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The original application justified the loss of the existing garage with the newly proposed garage, however, this element of the scheme, which strongly resembles a garage, is now described as a store;	Paragraphs 7.24 and 7.25
The property will lose a car parking space from the current garage leaving only one space, 3 spaces would be required to comply with local policies;	Paragraph 7.26
The flat roofed design is unacceptable;	Paragraph 7.10
The extension would have an unbalancing effect on the terrace, giving rise to harm to the streetscene;	Paragraph 7.10
The extension would represent overdevelopment;	Paragraph 7.10
There has been a similar application on the site which was withdrawn;	Paragraph 7.27
The property already has a small single storey side extension which is not shown on the submitted plans.	Paragraph 7.27

5. REPRESENTATIONS

- 5.1 **SBC Conservation Officer:** Raised no objection and commented that although there is a general presumption against prominent flat roofed extensions there are circumstances where the use of a flat-roofed design may be considered more appropriate than a traditional pitched roof design. In this case the flat roofed design with its well-detailed parapet roof design would help to keep the visual bulk of the extension at the end of the terrace of houses to a more acceptable level, and would help to retain a visual sense of greater space around the end of terrace application property, particularly given that it is proposed to retain the tall hedging around the road frontage to the application property. The flat roofed design means that the proposed side extension would barely read in the conservation area street scene, and the wall tile hanging, which is a strong architectural feature of the application property and the adjoining terrace house to the north, would be largely retained and could continue to be read in views from The Street.

6. DEVELOPMENT PLAN POLICIES

- 6.1 **Bearing Fruits 2031: The Swale Borough Council Local Plan 2017 - policies:**

ST3 The Swale settlement strategy

CP4 Requiring good design

DM7 Vehicle Parking

DM14 General development criteria

DM16 Alterations and extensions

DM32 Development involving listed buildings

DM33 Development affecting a conservation area

6.2 Boughton and Dunkirk Neighbourhood Plan (BDNP) – policies:

E7 *Development within the village envelope will be supported in principle providing it promotes the re-use, recovery and restoration of previously developed sites.*

E9 *Variety in density, layout, building orientation and sizes will be sought to reflect the local context. Building styles and materials must also respect and positively contribute to local distinctiveness.*

T3 *Future residential and non-residential buildings shall have sufficient dedicated on-site parking spaces to avoid the need for parking on adjacent roads in accordance with the Parking Standards set out in BD4.*

H8 *Proposals for new residential development in the Plan area shall ensure that adequate on-site car parking provision is made in accordance with the Borough Council's approved Parking Standards SPD (adopted June 2020). Development proposals which involve the loss or conversion of existing on-site car parking spaces, for example the conversion of a garage to living accommodation, will only be supported where adequate on-site parking provision, in accordance with the Parking Standards, remains available to support the completed development.*

6.3 Supplementary Planning Guidance/Documents

Supplementary Planning Guidance - Designing an Extension – A Guide for Householders & Conservation Areas

Supplementary Planning Document - Swale Parking Standards

7. ASSESSMENT

7.1 This application is reported to the Committee because Boughton under Blean Parish Council object to the proposal. Considering these comments and the scheme that has been submitted, the committee is recommended to consider the following points:

- The Principle of Development
- Character and appearance / Heritage
- Living Conditions
- Highway safety and parking

Principle

7.2 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 sets out that the starting point for decision making is the development plan unless material considerations indicate otherwise.

7.3 The National Planning Policy Framework provides the national policy context for the proposed development and is a material consideration of considerable weight in the determination of the application. The NPPF states that any proposed development that accords with an up-to-date local plan should be approved without delay. At the heart of

the NPPF is a presumption in favour of sustainable development and for decision-taking this means approving development that accords with the development plan.

- 7.4 Policy ST 3 of the Local Plan 2017 supports the principle of development within the built up area boundary of established towns and villages within the Borough.
- 7.5 The site lies within the built confines of Boughton Under Blean and therefore the principle of development is considered acceptable subject to the consideration of other material planning considerations as discussed below.

Character and appearance / Heritage

- 7.6 The National Planning Policy Framework attaches great importance to the design of the built environment and that design should contribute positively to making places better for people. The Local Plan reinforces this requirement.
- 7.7 Policies CP4, DM14 and DM16 of the Local Plan state that developments and extensions should be well designed and respond positively to the building and its surroundings.
- 7.8 In addition, the National Planning Policy Framework states that local planning authorities should identify and assess the particular significance of any heritage asset and consider the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits that may arise and this is endorsed by the Local Plan.
- 7.9 Policy DM33 of the Local Plan requires proposals to preserve or enhance the conservation area's special character or appearance.
- 7.10 The site is located in the Boughton Street conservation area and the surrounding area is comprised of dwellings constructed in a variety of styles and designs, a number of which are listed. In terms of the side extension, it is set back from the front elevation by 0.2m and incorporates a parapet wall, hiding the flat roof and will be constructed from external materials matching the existing dwelling. Concern has been raised by the Parish Council that a flat roof design is not appropriate. In this case, as set out in the Conservation Officer's comments (paragraph 5.1), the design of the extension would reduce its visual bulk compared to a pitched roof and would allow it to be largely hidden in the streetscene due to the existing hedge. On this basis it is considered to be of an appropriate scale and design. As such it is considered that this element of the scheme would no detrimental impact upon the streetscene and would preserve the character and appearance of the conservation area.
- 7.11 The other element of the scheme which would be visible on the front elevation includes the removal of the existing garage door and replacement with a uPVC window and brickwork to match the existing dwelling. It is considered that this is a small change that would simply repeat the materials already present on the dwelling and will preserve the character and appearance of the conservation area.

- 7.12 On the basis of the above, the scheme has been appropriately designed and would sit comfortably in the streetscene. It is considered that the proposal would preserve the character and appearance of the conservation area. Therefore the application complies with policies CP4, DM14, DM16 and DM33 of the Local Plan.
- 7.13 Policy DM32 of the Local Plan requires proposals to preserve the setting of listed buildings.
- 7.14 The front elevation of the existing dwelling faces towards No.258 The Street, which is a grade II listed building whilst the side elevation faces towards No.s 209 and 211 The Street, which are also grade II listed buildings.
- 7.15 The existing setting of these listed buildings is already comprised of built form, including the host property. As set out above, it has been concluded that the design and scale of the proposal is acceptable and therefore it is considered that the proposal would in turn preserve the setting of the listed buildings as referred to above. The scheme as a result complies with policy DM32 of the Local Plan.
- 7.16 In considering the impact of this proposal upon designated heritage assets, officers have had regard to the Council's obligations pursuant to the Planning (Listed Building and Conservation Areas Act) 1990.

Living conditions

- 7.17 The Local Plan requires that new development has sufficient regard for the living conditions of neighbouring occupiers. Specifically, policy DM14 states that any new proposed developments should not cause significant harm to the amenities of surrounding uses or areas and due consideration will be given to the impact of the proposed development upon neighbouring properties. Any new proposed schemes should not result in significant overshadowing through a loss of daylight or sunlight. Policy DM16 also requires that alterations or extensions to existing buildings protect residential amenity.
- 7.18 The proposed side extension is approximately 1.5m off the boundary with the highway and separated by a high hedge. Due to the side extension being on the end of the terrace of properties and adjacent to a highway, the closest property which could be impacted by the proposal is No.250 The Street. However, the proposed extension is separated from the side extension of this property by approximately 6m, sitting only marginally forward of its front elevation. As a result, there would be no significant impact on neighbouring amenities from this element of the proposal in terms of overshadowing or a loss of outlook.
- 7.19 The garage conversion would not increase in footprint, and as a result there would be no additional harm caused in terms of being overbearing or giving rise to any overshadowing. There would be a new window which would replace the existing garage door, however this would look out towards the highway at ground floor level, in a manner no more harmful than existing windows on the property and therefore would not result in any unacceptable loss of privacy between properties.

- 7.20 Taking the above into account the proposal is considered to have an acceptable impact upon on the living conditions of surrounding dwellings in accordance with policies DM14 and DM16 of the Local Plan 2017.

Highway safety and parking

- 7.21 The NPPF promotes sustainable patterns of development and expects land use and transport planning to work in parallel in order to deliver such. A core principle of the NPPF is that development should:

“Actively manage patterns of growth to make the fullest use of public transport, walking and cycling and to focus development in locations which are sustainable.”

- 7.22 The NPPF also states that:

“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”

- 7.23 Local Plan policy promotes sustainable transport through utilising good design principles. It sets out that where highway capacity is exceeded and/ or safety standards are compromised proposals will need to mitigate harm. Policies T3 and H8 of the BDNP require proposals to have sufficient on-site parking space and for developments to be in accordance with the Council’s Parking SPD.

- 7.24 When the application was first submitted, the side extension was described as a garage / store. The Parish Council raised concern that it was not clear as to whether a car would be able to access the garage due to the layout of the site. Clarification was received from the agent during the course of the application that is not the intention of the applicant to use the garage / store for parking a vehicle, but for it to be used for cycle, bins and general storage. The application has subsequently been amended to refer to the extension being used as a ‘store’. The agent has also confirmed that the proposal does not include adequate turning for vehicles as on the basis of the above the proposal would not require this.

- 7.25 The points provided by the agent are considered to be a reasonable response. However, even in a scenario where the store was to be used as a parking space, what appears to be a difficult manoeuvre would take place entirely inside the applicant’s curtilage, therefore having no impact upon the highway. Although the point regarding vehicles reversing onto the highway, as raised by the Parish Council is noted, I give significant weight to the fact that this manoeuvre can already take place by virtue of the driveway that currently exists. As such, if a car was to reverse onto the highway then this would be no more harmful in highway safety terms than the existing situation.

- 7.26 I also note that concern has been raised by the Parish Council regarding the loss of the garage as a parking space and that the property would not benefit from the policy required number of parking spaces. The space within the existing garage measures 2.2m in width and 4.2m in depth. This falls significantly below the minimum garage size of 3.6m x 7m, as set out in the Council’s adopted Parking SPD. As a result, the existing garage is undersized and would not be large enough to park a vehicle within. There is,

as existing, only one usable parking space serving the property. The proposed scheme would retain this parking space on the driveway. The drawings also shows that part of the frontage of the site would be hard landscaped, which as has been confirmed by the agent, will be done so using permeable materials and therefore not require planning permission. Notwithstanding this, this area could also potentially be used for parking. As such, this could result in an increase in parking numbers compared to the current situation. On the basis of the above, the proposal does not include any additional bedrooms and the parking provision would be no worse than the current arrangement. Weight is also given to the lack of any restrictive condition related to the existing garage and as a result, it would appear that this element of the scheme could also be carried out without the need for planning permission. On this basis, the proposal would not give rise to any additional harm in respect of highway safety or convenience and as a result complies with policies T3 and H8 of the BDNP and the Council's Parking SPD.

Other Matters

7.27 A number of the comments raised by Boughton under Blean Parish Council have been considered by virtue of the discussion above. Of those that remain I comment as follows. Firstly, although an application was withdrawn in 1992, the details as to why this was the case are not available. It is not therefore considered that this should have any bearing on the current application, submitted some 32 years later which has been assessed against current policies as set out above. The property previously had a small structure close to the side elevation, however, this has now been largely removed and is essentially an open area of domestic storage. Finally, an additional access is not proposed so no further comment is made in respect of this point.

8. CONCLUSION

8.1 On the basis of the above, the scheme is considered to be in compliance with policies ST3, CP4, DM14, DM16, DM32 and DM33 of the Local Plan and the relevant policies in the BDNP. It is recommended that planning permission is granted.

CONDITIONS

(1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which the permission is granted.

Reason: In pursuance of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

(2) The development hereby permitted shall be carried out in accordance with drawing CA_002 rev B.

Reason: For the avoidance of doubt and in the interests of proper planning.

(3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those stated on the Application Form.

Reason: In the interests of visual amenity.

The Council's approach to the application

In accordance with paragraph 38 of the National Planning Policy Framework (NPPF), the Council takes a positive and proactive approach to development proposals focused on solutions. We work with applicants/agents in a positive and creative way by offering a pre-application advice service, where possible, suggesting solutions to secure a successful outcome and as appropriate, updating applicants / agents of any issues that may arise in the processing of their application.

In this instance:

The applicant/agent was advised of minor changes required to the application and these were agreed.

