

PLANNING COMMITTEE – 8 NOVEMBER 2018

PART 2

Report of the Head of Planning

PART 2

Applications for which **PERMISSION** is recommended

2.1 REFERENCE NO - 18/504460/FULL			
APPLICATION PROPOSAL Erection of full width first floor balcony and replacement of ground floor window with new french doors to the front.			
ADDRESS 10 Provender Walk Belvedere Road Faversham Kent ME13 7NF			
RECOMMENDATION - Approve			
REASON FOR REFERRAL TO COMMITTEE Town Council objections			
WARD Abbey	PARISH/TOWN COUNCIL Faversham Town	APPLICANT Mr Edward Bollen AGENT Mr David Marman	
DECISION DUE DATE 01/11/18	PUBLICITY EXPIRY DATE 12/10/18		
RELEVANT PLANNING HISTORY			
App No	Proposal	Decision	Date
SW/03/0812	Construction of basement to existing property.	REFUSED	21/08/2003
SW/96/417	Erection of 29 houses, with creekside moorings, and improvement of belvedere road	REFUSED BUT ALLOWED ON APPEAL	08/05/1997
RELEVANT PLANNING HISTORY RELATING TO 23 to 28 PROVENDER WALK			
App No	Proposal	Decision	Date
SW/07/0529	Lawful Development Certificate for extended balconies to 24, 25, 26 & 28. New balconies to 23 & 27. (Proposed)	APPROVED	06/07/2007
RELEVANT PLANNING HISTORY RELATING TO 22, 23 and 29 PROVENDER WALK			
App No	Proposal	Decision	Date
18/503943/LAWPRO 18/503947/LAWPRO 18/503950/LAWPRO	Lawful Development Certificate for proposed erection of front balcony.	REFUSED	08/08/2018
18/504646/FULL 18/504653/FULL 18/504657/FULL	Creation of first floor metal balcony structure to North West elevation and insertion of two ancillary French doors.	APPROVED	22/10/2018

1.0 DESCRIPTION OF SITE

- 1.01 The application property sits within the Faversham conservation area and is a modern semi-detached town house set over three floors fronting Faversham Creek. The front elevation faces the Creek across the creekside promenade with the rear of the house fronting Belvedere Road. The house is one of a number approved on appeal in 1997 as part of the overall Provender Walk development.
- 1.02 Permitted Development rights for extensions and alterations were not restricted by the original appeal decision, but the property is subject to an Article 4(2) Direction dated May 2007 which (amongst other things) restricts alterations to elevations fronting a waterway. This was issued in order to prevent piecemeal degradation of the streetscape of the town via incremental Permitted Development changes and, ideally, to raise the standard of appearance of properties when changes are being made. In any case, balconies cannot be erected under current Permitted Development rights, hence the refusal of Lawful Development Certificates for balconies elsewhere on Provender Walk earlier this year, and the need for this application
- 1.03 The application property has two Juliet balconies at first floor level, but it has not been altered since its erection and it forms part of the prominent creekside development of Provender Walk which features groups of houses designed in a waterside style fronting the creek.
- 1.04 Elsewhere on Provender Walk, but not adjacent to this property, front balconies have been added or extended under previous versions of Permitted Development rights on five houses in a row of eight houses. These rights have since been altered in national legislation to exclude the right to erect balconies, and very recently planning permission has been granted for the three remaining properties in the same block to have balconies to match those erected in 2007. The Town Council had no objections to those applications

2.0 PROPOSAL

- 2.01 This application relates to one of two symmetrical semi-detached four bedroom houses. It proposes removing the two Juliet balconies and erecting a steel framed glazed balcony supported by steel corner posts across the full width of the front elevation at first floor level, with a 2m high obscure glazed privacy screen to the attached neighbours' end. The new balcony would project forward by 2.5m from the front wall, and feature the same design of railings as the current Juliet balconies do. In addition, it is proposed to replace a ground floor window directly under the proposed balcony with glazed French doors and matching Juliet balcony rails.
- 2.02 The application is supported by a Design and Access Statement, a Heritage Statement and a Flood Risk Assessment. In these, the applicant explains that the balcony will be supported by corner and intermediate piers/steel posts on concrete foundations which will make it flood resilient.

3.0 PLANNING CONSTRAINTS

Potential Archaeological Importance

Article 4 Faversham

Conservation Area Faversham

Environment Agency Flood Zone 3 135664

4.0 POLICY AND OTHER CONSIDERATIONS

The National Planning Policy Framework (NPPF)
 National Planning Practice Guidance (NPPG)
 Development Plan: Bearing Fruits 2031: The Swale Borough Local Plan 2017: Policies CP4, DM14, DM16 and DM33
 Supplementary Planning Guidance (SPG); ‘Designing and Extension’ and ‘Conservation Areas’

5.0 LOCAL REPRESENTATIONS

5.01 The immediate attached neighbours have objected to the application as follows;

‘I apologise for the last-minute nature of this posting, but we have only just returned from holiday and received the notification of the plans for Number 10 Provender Walk, application reference 18/504460/FULL. We live at Number 9, which is the other half of the 3-storey building, shown in the proposal diagram.

We were startled to see this application. A joint application for both properties had been discussed some months ago, agreed, we believed, by all as essential if the appearance of the Faversham Creek frontage was to be preserved. This is a conservation area frontage, facing across to the Saxon Shore Way, and is a prominent part of one of the most photographed views in Faversham.

Enormous trouble was taken by the Conservation Officer of Swale Council to get the right appearance for Provender Walk at the time of building in 2000. A lop-sided, mismatched development such as is proposed in this application would be unsightly and destroy the carefully planned overall effect of the Provender Walk frontage.

Another set of problems arises from the absence of structural details from this application – how the balcony is to be attached to the building, for example, and the depth to which support pillars would be dug. Both have implications for the whole building, especially if the jointly owned dividing wall is affected.

For these reasons we ask that this application be rejected, until it can be made more acceptable.’

6.0 CONSULTATIONS

6.01 Faversham Town Council has commented as follows;

*‘Recommendation: No Objection
 Condition:*

1) The Town Council objects to the opaque glazing and requests that the balconies are not glazed.’

7.0 BACKGROUND PAPERS AND PLANS

7.01 Application papers for applications referred to above.

8.0 APPRAISAL

- 8.01 The main considerations in the determination of this planning application are the impact of the balcony and other alterations on the character of the property, on the street scene, on the character of the conservation area, and on the amenities of neighbouring properties.
- 8.02 Because Provender Walk is not a public right of way (unless the England Coast Path ends up running along Provender Walk), the proposed alterations will be mainly visible to the public in views from the opposite side of the Creek. From here the overall spread of Provender Walk presents an attractive, varied and creekside style. With a number of properties originally having front facing balconies, and others having already added them, such a feature is already a feature of the conservation area, and this metal framed and glazed balcony will be of a similar style and scale to those already either built or approved at numbers 22 to 29 Provender Walk. Accordingly, I do not believe that the proposed balcony (or the other minor alterations proposed), whilst visible from the front of the dwelling, will be objectionable, harmful to visual amenity, or harmful to the character of the conservation area.
- 8.03 In terms of design, I see no objection to the glazing set behind the metal framework, or to the obscure glazed privacy screen on the neighbours' side, and I note that the Town Council did not raise objection to such arrangements on the very recent applications for three balconies elsewhere in Provender Walk.
- 8.04 Whilst the house is a symmetrical semi-detached house, and this balcony will be attached to just one half of the pair, in my view it will be read as an addition, and the overall original symmetry of the pair will still be readily apparent. Even the changing of a ground floor window to French doors, which will be under the shadow of the balcony, will not be prominent in long views and will have little impact on the perception of symmetry. I see no objection to this sort of change. Provender Walk as a whole features small variations between seemingly similar houses, and this proposal will add to that variety. I do not consider that the balcony will be unacceptable due to its impact on the appearance of this pair of semi-detached houses.
- 8.05 With regards to neighbouring amenity, the balcony will not overlook any private area, and the privacy screen will protect them from views into front windows from people using the balcony.
- 8.06 The neighbours' concern over the structural impact of the works is a private matter that should not affect the determination of this application.

9.0 CONCLUSION

- 9.01 This application will be a suitable addition to this waterside property compliant with relevant planning policies, and will not be unacceptably harmful to the character of the conservation area, or to the amenities of the immediate neighbours.

10.0 RECOMMENDATION – GRANT Subject to the following conditions;

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 new French doors shall be fabricated in timber.

Reason: In the interest of preserving or enhancing the character and appearance of the conservation area.

- (3) The obscure glazed privacy screen shall be erected before the balcony is first used as such, and shall thereafter be retained at all times that the balcony is in place..

Reason: In the interest of preserving mutual privacy between neighbouring properties.

Council's approach to the application

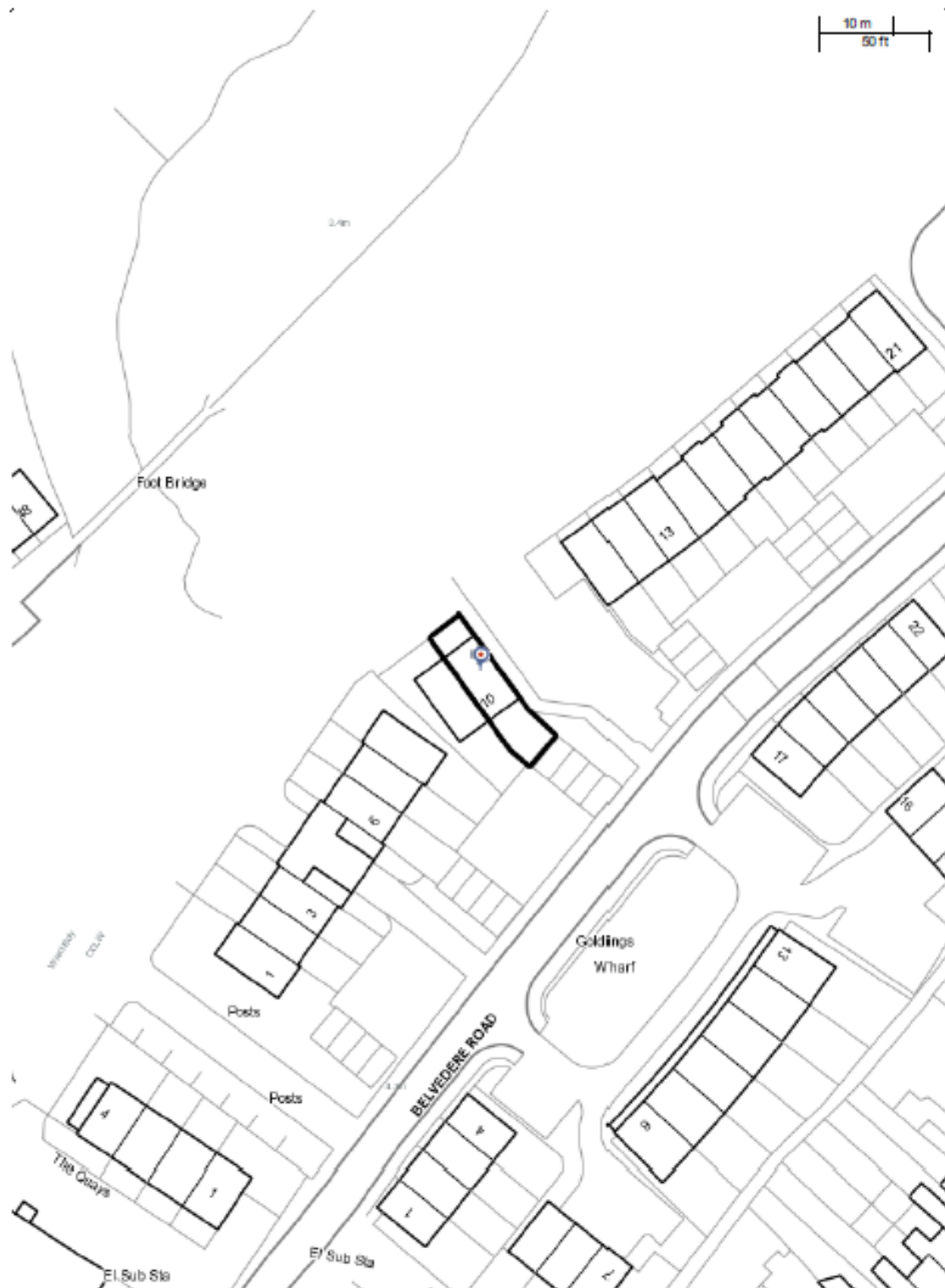
In accordance with paragraph 38 of the National Planning Policy Framework (NPPF), July 2018 the Council takes a positive and proactive approach to development proposals focused on solutions. We work with applicants/agents in a positive and creative way by offering a pre-application advice service, where 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 application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the Committee and promote the application.

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.



18/504460/FULL - 10 Provender Walk
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