

3.2 REFERENCE NO - 18/505689/FULL & 18/505690/LBC		
APPLICATION PROPOSAL Partial demolition of existing rear extension and erection of single storey rear extension with roof lights. Replacement timber sash windows to front and rear elevation.		
ADDRESS 12 Abbey Street Faversham Kent ME13 7BE		
RECOMMENDATION - Refuse		
REASON FOR REFERRAL TO COMMITTEE Town Council support		
WARD Abbey	PARISH/TOWN COUNCIL Faversham Town	APPLICANT Mr M Williamson AGENT Peter Jackson Architects
DECISION DUE DATE 02/01/19		PUBLICITY EXPIRY DATE 07/12/18

Planning History

SW/96/0264

LISTED BUILDING CONSENT TO REMOVE STRUCTURES BUILT AGAINST GARDEN WALL Approved Decision Date: 26 March 1996

1. DESCRIPTION OF SITE

- 1.1 12 Abbey Street is a three storey house which forms part of a Grade II listed group of buildings which form a continuous terrace fronting the street, located within the Faversham conservation area. Numbers 11 and 12 Abbey Street are listed buildings dating from the late medieval period. This part of Abbey Street features terraced dwellings of many different styles, forms and architectural appearances on both sides of this important historic street.
- 1.2 This building retains many architectural features to the front elevation comprising of the former shopfront built of timber, a matching six panel entrance door, and timber sash windows to the first and second floors.
- 1.3 The rear elevations of numbers 11 and 12 have each been built with a two storey rear wing, typical of such properties – which creates an L shape to the footprint of each dwelling, leaving each house with a “middle room” window facing down the garden close to the common boundary. Number 12 also has a single storey extension with a gable end roof to the end of the original two storey rear wing. At ground floor level the rear wing and further extension currently house the kitchen and a small w.c.

2. PROPOSAL

- 2.1 Planning permission and listed building consent are now sought for the demolition of the existing single storey rear extension and the construction of a single storey rear and side extension with rooflights. New replacement windows are also proposed to the front and rear elevation of the property.
- 2.2 The new extension would enlarge the kitchen and be L shaped in form, wrapping around two sides of the existing two storey rear wing. The new extension would widen

the kitchen by 2.1m almost all the way to the side boundary with number 11, and extend around 2.2m to the rear of the current two storey wing (the same depth as the existing single storey rear extension). The external surfaces of the extension would be finished in brickwork, with a new pitched roof in matching roof tiles featuring three conservation style roof lights. All windows and doors will be made of timber frames with casement openings.

- 2.3 The extension will project along the common boundary by approximately 6.0m from the original rear elevation of the building, and thus 6.0m beyond the middle room window of number 11.
- 2.4 Elsewhere, new timber sash windows with slim light glazing are proposed to the rear elevation at first floor and second floor levels; and to the front elevation at second floor level. All replacement windows will match the existing window in style and colour.
- 2.5 The application is accompanied by a Heritage, planning, design and access statement, extracts from which is as follows:

“The proposals have been carefully designed to respect the existing listed building. Alterations to the fabric have been kept to a minimum where they impact on the original spacings and building structure whilst also improving usability, which ultimately will ensure the building is valued, appreciated and cared for by its owners, present and future.

The applicant submits that the proposals represent a sensitive and worthy improvement to the living accommodation and an enhancement to the building as a whole, continuing the process of incremental change that has occurred over time.”

3. PLANNING CONSTRAINTS

Potential Archaeological Importance

Conservation Area Faversham

Listed Buildings MBC and SBC Ref Number: 372/SW
Description: G II 13 ABBEY STREET, FAVERSHAM, ME13 7BE

Listed Buildings MBC and SBC Ref Number: 1162/SW
Description: G II 10, 11 AND 12, ABBEY STREET, FAVERSHAM, ME13 7BE

4. POLICY AND CONSIDERATIONS

- 4.1 The National Planning Policy Framework 2018 (NPPF) sets out the following:

Paragraph 194 – *Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.*

Paragraph 196 – *Where a proposed development will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.*

- 4.2 Bearing Fruits 2031: The Swale Borough Local Plan 2017: Policies DM14, DM16, DM32 and DM33
- 4.3 Supplementary Planning Guidance (SPG) entitled '*Designing an Extension – A Guide for Householders*'. Of particular relevance here is the guidance on rear extensions. To avoid situations where a rear extension may adversely affect the outlook and amenity at the rear of attached or closely spaced houses, the guidance is that single storey rear extensions on the boundary should not extend along the common boundary further than 3m to the rear of the original rear wall.
- 4.4 Supplementary Planning Guidance (SPG) entitled 'Listed Buildings' and 'Conservation Areas'.

5. LOCAL REPRESENTATIONS

- 5.1 The Faversham Society recommends refusal of the applications, stating

"...the extension is full width and wraps around the existing rear extension. It would result in the loss of an existing light-well and these light-wells remain characteristic of the smaller houses in Abbey Street.

Whilst this scheme would result in less than substantial harm, this is not outweighed by the benefits which will result to one dwelling's additional space."

- 5.2 I have spoken with the Faversham Society to clarify their comment regarding light-wells and I understand that they oppose the extension running alongside the two storey rear wing, filling the gap between the two storey wing and the boundary with number 11 (behind the "middle room" window), and losing the distinctive "in and out" rhythm of the rear elevations here.

6. CONSULTATIONS

- 6.1 Faversham Town Council originally supported the application, simply stating:

"The Town Council is pleased to see timber windows being installed."

Further clarification was sought on the reasons why the Town Council supported the application and the following comments were submitted:

- 1. The character of the area is not affected by the proposal.*
- 2. The proposal covers up what is already there and improves the property.*
- 3. This is a sensible development of the house done in a sensitive way.*
- 4. The Town Council is pleased to see timber windows being installed."*

- 6.2 Historic England does not wish to offer any comments.

7. BACKGROUND PAPERS AND PLANS

- 7.1 Application papers and drawings referring to application reference's 18/505689/FULL and 18/505690/LBC.

8. APPRAISAL

- 8.1 The prime consideration in determining these applications is the Council's statutory duty to have special regard to preserving the special interest of the listed building. I also consider a key issue in this case is whether the proposal meets the aim and objectives of policy DM33 of Bearing Fruits 2031: SBLP 2017 in preventing development that fails to preserve or enhance the special character and appearance of the conservation area. Also of consideration is the impact of the proposal on the amenities of the neighbouring properties.

Impact on the character and appearance of the listed building and conservation area

- 8.2 The application property forms part of a Grade II listed group of buildings which form a continuous terrace. These all have rear wings which do not extend across the full width of the respective plots and are a characteristic architectural element of the terrace group. These spaces enable light to penetrate into the heart of each building and provide important amenity and circulation space at the rear of each property. While the rear of the building has been altered over the years, it is still possible to see the original plan form of the house; one it shares with its neighbours. I do not consider that the way the proposed wrap around extension attaches itself to the side of the two storey rear wing is acceptable as it fails to respect the historic form of the building. In this case, the plan form of the original building must be given significant weight to make sure that any alterations still provide an understanding of the original layout. This does not necessarily prevent the building being extended further but it does require any extension to be designed in a way that you can still appreciate its original form. The Faversham Society refer to just this issue in their objection to the applications.
- 8.3 I note the support from Town Council but, as the property is a heritage asset there is a statutory duty on the Council to ensure that changes are not harmful. Paragraph 194 of the NPPF requires that any harm or loss to heritage assets should require clear and convincing justification, and para 196 requires that less than substantial harm should be weighed against the public benefits of the proposal. In this case the agent makes no case for the rear extension providing any public benefit.
- 8.4 Whilst it is acknowledged that the proposal to replace the windows 'like for like' will preserve the special interest of the listed building and the appearance of the conservation area, I do not consider the proposed extension to be acceptable. I consider these applications should be refused because of the harmful precedence that would be created and could result in substantial harm if applied to the whole listed terrace group.

Residential Amenity

- 8.5 Notwithstanding my concern for conservation of the original layout of the house, the depth of the proposed rear extension would be 6.0m from the original "middle room" rear wall. Policies DM14 and DM16 of the adopted local plan seek for developments to protect/cause no demonstrable harm to residential amenity. The Council's SPG – "Designing and Extension" sets out local guidance for single storey rear extensions close to a neighbour's common boundary, advising that a maximum projection of 3 metres will normally be allowed. Where houses are not aligned at the rear, or one has previously been extended, or where a gap exists between houses, flexibility can be shown. In this case the houses are aligned at the rear and they both have vulnerable "middle room" windows which already suffer poor outlook.

- 8.6 The proposed side wall facing number 11 would be around 2.5 metres in height to the eaves. I consider the significant depth, mass and proximity of the extension to the side boundary and “middle room” rear window of number 11 would mean that the extension would have an unacceptably overbearing and enclosing effect on the occupants of number 11, in a manner harmful to the outlook and living conditions of this property. It would significantly exceed the recommended 3 metre projection in the Council’s guidelines.
- 8.7 Often I would seek to negotiate a reduction in the depth of the extension so that it complies with this guidance. However, given the above concerns over the position of the extension, I have not done so here.
- 8.8 Finally, I see no objection to the possible rebuilding of the existing single storey rear extension (that part beyond the two storey rear wing) which appears to be of a later date and of limited value to the overall heritage significance of the application property. Noting also that the dwelling to the north no 13 is a relatively new dwelling of no heritage significance and given its current relationship with the application building the proposals would have limited or no impact on the amenities of no 13.

9. CONCLUSION

- 9.1 I consider that the proposed rear extension is not acceptable and would be contrary to national and local plan policies and guidance within the SPG. I therefore recommend that both the planning permission and Listed Building Consent applications are refused.

RECOMMENDATION - REFUSE both applications for the following reasons:

18/505689/FULL

REASONS

- (1) The proposed rear extension would, by virtue of its depth, height, mass and siting close to the boundary with number 11 Abbey Street, have an unacceptably enclosing effect that would be harmful to the outlook and enjoyment of this property. As a result, the proposal would fail to protect residential amenity, and would be contrary to policies DM14 and DM16 of Bearing Fruits 2031: The Swale Borough Local Plan 2017 and to the Council’s Supplementary Planning Guidance entitled ‘Designing an Extension – A Guide for Householders’.
- (2) The proposed rear extension, by reason of its design, scale and position would fail to respect or adequately respond to the historic interest of the building and as such would represent less than substantial harm if applied to the whole listed terrace group for which there is no public benefit, contrary to the guidance set out in paragraph 196 of the NPPF 2018 and fails to comply with policies CP4, CP8, DM14, DM16, DM32 and DM33 of Bearing Fruits 2031: The Swale Borough Local Plan 2017 and to the Council’s Supplementary Planning Guidance entitled ‘Listed Buildings’ and ‘Conservation Areas’.

The 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 to be fundamentally contrary to the provisions of the Development Plan and the NPPF, and these were not considered to be any solutions to resolve this conflict.

The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the Committee and promote the application.

18/505690/LBC

REASON

- (1) The proposed rear extension, by reason of its design, scale and position would fail to respect or adequately respond to the historic interest of the building and as such would represent less than substantial harm if applied to the whole listed terrace group for which there is no public benefit, contrary to the guidance set out in paragraphs 196 of the NPPF 2018 and fails to comply with policies CP4, CP8, DM14, DM16, DM32 and DM33 of Bearing Fruits 2031: The Swale Borough Local Plan 2017 and to the Council's Supplementary Planning Guidance entitled 'Listed Buildings' and 'Conservation Areas'.

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.



18/505689/FULL & 18/505690/LBC - 12 Abbey Street, Faversham ME13 7BE
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