

PLANNING COMMITTEE – 7 MARCH 2019**PART 2**

Report of the Head of Planning

PART 2Applications for which **PERMISSION** is recommended

2.1 REFERENCE NO - 19/500446/FULL & 19/500447/LBC		
APPLICATION PROPOSAL Proposed demolition of existing bathroom/utility room and erection of new bathroom, link and courtyard deck.		
ADDRESS 28 Abbey Street Faversham Kent ME13 7BE		
RECOMMENDATION Grant planning permission and Listed Building Consent subject to appropriate conditions SUBJECT TO no fresh matters being raised in representation before 8 th March 2019.		
REASON FOR REFERRAL TO COMMITTEE Town Council objection		
WARD Abbey	PARISH/TOWN COUNCIL Faversham Town	APPLICANT Mr Leslie Broer AGENT
DECISION DUE DATE 29/03/19	PUBLICITY EXPIRY DATE 08/03/19	

Planning History

18/505589/LBC

Listed Building Consent for proposed refurbishment of existing bay window.

Approved Decision Date: 04.12.2018

SW/12/0497

Listed Building Consent to demolish existing staircase, remove small sections of internal partitions and floor, construct new oak staircase

Refused Decision Date: 15.06.2012

SW/05/0568

Listed Building Consent for construction of new wetroom in second floor attic space.

Installation of new rooflight.

Approved Decision Date: 20.06.2005

SW/03/0599

Listed Building consent for rear ground floor extension to create kitchen

Approved Decision Date: 07.07.2003

SW/03/0598

Rear ground floor extension to create kitchen.

Approved Decision Date: 07.07.2003

SW/91/0472

LISTED BUILDING CONSENT FOR FIRST STOREY WINDOW

Approved Decision Date 27.06.1991

SW/87/1458

APPLICATION FOR LISTED BUILDING CONSENT FOR EXTENSIVE RESTORATION

Approved Decision Date: 30.06.1988

SW/83/0352

APPLICATION FOR LISTED BUILDING CONSENT FOR REPLACEMENT WINDOWS

Approved Decision Date: 01.06.1983

1. DESCRIPTION OF SITE

- 1.1 This mid-terraced timber framed house (formerly a public house until 1937) is located within the defined built up area and is within the Faversham conservation area. The property forms part of a grade II listed group of buildings fronting Abbey Street. A previous application for a similar (but longer) replacement rear extension was granted under SW/03/0598 and SW/03/0599 in 2003.
- 1.2 Pre-application was sought for a similar scheme and, with a change to the roof form to more closely follow the style of the previous scheme that was approved in 2003, the advice was that the current proposal was likely to receive officer support.

2. PROPOSAL

- 2.1 Planning permission and listed building consent are sought for demolition of an existing modern flat roofed bathroom/utility room, and for the erection of a new pitched roof single storey bathroom, link and courtyard deck in second-hand Kent peg tiles and painted weatherboarding.
- 2.2 The new extension would create a utility room and bathroom. The overall depth of the proposed extension is 5.1m along the boundary with no.29 Abbey Street and is 3.3m at its widest. The overall height is 3.9m to the ridge and 2.6m to the eaves.
- 2.3 The applications are supported by a Heritage Statement and a Design Statement. These emphasise the desire to undo inappropriate past works and provide more light to the interior of the main house.

3. PLANNING CONSTRAINTS

Potential Archaeological Importance

Conservation Area Faversham

Listed Buildings MBC and SBC Ref Number: 1156/SW

Description: G II 25, 26, 27 AND 28 ABBEY STREET, FAVERSHAM, ME13 7BE

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: 1155/SW

Description: G II 29 AND 30, ABBEY STREET, FAVERSHAM, ME13 7BE

4. POLICY AND CONSIDERATIONS

Bearing Fruits 2031: The Swale Local Plan 2017 – Policies CP4 (requiring good design); DM14 (general development criteria); DM16 (alterations and extensions); DM32 (development affecting a listed building); DM33 (development affecting a conservation area);

Supplementary Planning Guidance (SPG): Designing an extension: a guide for householders, Listed Buildings and Conservation Areas

5. LOCAL REPRESENTATIONS

- 5.1 One resident in Goldings Wharf, Belvedere Road backing onto the property has written raising no objection to the application.
- 5.2 However, the adjoining neighbour to the north at 29 Abbey Street has objected to the application due to its impact on the light to their kitchen and dining room, and to the living room and first floor bedroom by enclosing their courtyard with a pitched roof extension, which would result in overshadowing of their own listed property. Issue relating to a gas boiler flue area also raised.

6. CONSULTATIONS

- 6.1 Faversham Town Council raises an objection, commenting as follows:

'The Town Council considered the proposal to be inappropriate for the site. Both the design and proposed materials are inappropriate'

7. BACKGROUND PAPERS AND PLANS

- 7.1 Application papers and drawings referring to application reference's 19/500447/LBC and 19/500446/FULL.

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.
- 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 consider that the proposed extension as a single storey is acceptable as it respects the historic form of the building. In this case, the planned alterations still provide an understanding of the original layout.
- 8.3 This proposed extension is located to the rear of the property would only be visible from neighbours' gardens. This area to the rear is hidden from the view of the street and in

my opinion, the extension would not have a detrimental impact upon the character of the streetscene and visual amenities of the area.

- 8.4 I note, the objection from the Town Council on design and materials, but I consider these both to be acceptable and in keeping with the style of the main building. The 2003 approved scheme was similar to but slightly larger than the current scheme and I can see no objection to the principle of a replacement extension here.
- 8.5 Notwithstanding my concern for conservation of the original layout of the house, the depth of the proposed extension is 5.1m from the original rear elevation. Policies DM14 and DM16 of the local plan seek for developments to protect/cause no demonstrable harm to residential amenity. The Council's SPG – Designing an Extension sets out local guidance for single storey rear extension close to a neighbours' common boundary, advising that a maximum projection of 3m will normally be allowed. Where houses are not aligned at the rear, or where one has previously been extended, or where a gap exists between houses, flexibility can be shown. Here the neighbouring house at 29 Abbey Street has a narrow rear extension on the far side of their garden, approved in 1986, which projects to join up with a previously detached outhouse creating a small courtyard, such that in total number 29 now extends beyond the current proposal. The existing rear extension at number 28 already extends along most of the southern side of that courtyard and the proposal will mean that the courtyard is completely enclosed by walls but it will remain open to the sky. As previously stated, an application for a similar rear extension at number 28 was granted in 2003 but never built, and this was greater in depth than proposed in the current applications. I consider that it would be inappropriate to strictly adhere to the sort of standards that the Council applies in more straightforward situations, and that it would be wrong to penalise the applicants here due to the more extensive works carried out at number 29. Accordingly, I consider the current proposal to be acceptable.

9. CONCLUSION

- 9.1 I consider that the proposed rear extension is acceptable and would not be contrary to national and local plan policies and guidance within the SPG.

- 10. RECOMMENDATION** - Planning permission and listed building consent be granted subject to the following conditions

CONDITIONS

19/500446/FULL

- (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 not be carried out otherwise than in complete accordance with the approved drawings B19/03, B19/05, B19/07, B19/08 and B19/09

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

- (3) No external boarding of roofing tiles (including ridge or hip tiles) shall be installed on the extension hereby permitted unless samples of these materials have first been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interest of the special architectural or historic interest of the listed building.

- (4) No new doors or windows shall be installed unless a 1:10 elevation detail and a 1:1 or 1:2 plan and vertical section for each new or replacement window and door, and manufacturers details of the proposed bi-fold doors, have first been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interest of the special architectural or historic interest of the listed building.

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.

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

CONDITIONS

19/500447/LBC

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

Reason: In pursuance of Section 18 of the Listed Building Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- (2) No external boarding of roofing tiles (including ridge or hip tiles) shall be installed on the extension hereby permitted unless samples of these materials have first been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interest of the special architectural or historic interest of the listed building.

- (3) No new doors or windows shall be installed unless a 1:10 elevation detail and a 1:1 or 1:2 plan and vertical section for each new or replacement window and door, and manufacturers details of the proposed bi-fold doors, have first been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interest of the special architectural or historic interest of the listed building.

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.

