

PLANNING COMMITTEE – 18 JULY 2019**PART 2**

Report of the Head of Planning

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

2.1 REFERENCE NO - 19/502510/FULL		
APPLICATION PROPOSAL Erection of a new lych gate and front porch extension.		
ADDRESS Denley Hall Seasalter Road Graveney Faversham Kent ME13 9ED		
RECOMMENDATION - Approve		
REASON FOR REFERRAL TO COMMITTEE Objection from Parish Council		
WARD Boughton And Courtenay	PARISH/TOWN COUNCIL Graveney With Goodnestone	APPLICANT Mr Jackson AGENT A P Whiteley Consultants Ltd
DECISION DUE DATE 15/07/19	PUBLICITY EXPIRY DATE 10/07/19	

Planning History

SW/10/0082

Replacement dwelling, demolition of a pair of existing semi-detached dwellings, together with a detached garage.

Approved Decision Date: 22.03.10

1. DESCRIPTION OF SITE

- 1.1 Denley Hall is a two storey detached dwelling built in 2010 as a replacement for a pair of semi-detached dwellings known as Denley Hill Cottages which had fallen into a poor state of repair. The property enjoys a spacious plot fronting Seasalter Road and is located in the countryside but outside the village conservation area. The existing access to the front of the property is enclosed by vertical close boarded gates which are positioned right on the roadside.
- 1.2 The property is situated on the east side of Seasalter Road and to the south of the adjacent Denley Hill farm complex. Scattered residential properties are located close to the site and to the west of Seasalter Road. The Grade I listed All Saints Church is located approx. 0.6km to the south.

2. PROPOSAL

- 2.1 This application is seeking permission to replace the existing gated entrance with an oak framed and tiled Lych gate and to extend the front porch in a matching style. The style proposed is similar to that of the existing lychgate at the church nearby.

- 2.2 The proposed oak framed lych gate, measuring 3.4m wide x 2.2m in depth x 4.3m in height would be set back from the road and flanked by 1.1m high brick walls.
- 2.3 The proposed extension to the front porch would extend 0.9m beyond the existing porch, providing an oak framed canopy supported by two timber posts.

3. PLANNING CONSTRAINTS

Potential Archaeological Importance

Environment Agency Flood Zone 2

Environment Agency Flood Zone 3 141081

4. POLICY AND CONSIDERATIONS

- 4.1 Bearing Fruits 2031: The Swale Borough Local Plan 2017: Policies DM7; DM14; DM16 and DM26

5. LOCAL REPRESENTATIONS

- 5.1 The Faversham Society has commented as follows:

“The addition of a porch at the front of the house which is a modern building would be acceptable.

However, it is not usual in any historical context to provide a Lychgate on a domestic property rather than a Church, since these are normally only intended as entrances to Churchyards to shelter Mourners and Coffins.”

6. CONSULTATIONS

- 6.1 Graveney with Goodnestone Parish Council raise no objection to the front porch. However, they do object to the lychgate on the grounds of its scale and proximity to the highway commenting as follows:

“.. the reduced sight line that it would cause travelling southwards along Seasalter Road, and concerns over the safety aspect of using it as a regular vehicular entrance and exit.”

- 6.2 The agent has responded to the Parish Council’s objection to say that the description of this structure as a ‘lychgate’ appears to have inadvertently attracted a less than positive response but it could have been referred to as a “proposed entrance gateway”. The sightlines would not be comprised by this structure whatsoever. The proposal seeks to replace an existing gated entrance which is positioned right along the front boundary but the new entrance is set back behind a splayed wall. This access is already the principal access and has always been so therefore we are not seeking approval for a newly created one, rather the application is made for a new entrance gateway, hitherto referred to as a lychgate.
- 6.3 Natural England has made no comment on the application.
- 6.4 Kent Highways and Transportation considers this to be a non-protocol matter.

7. BACKGROUND PAPERS AND PLANS

7.1 Application papers and drawings referring to application reference 19/502510/FULL.

8. APPRAISAL

8.1 The main considerations in this case concern the effect the proposals could have on the character and appearance of the property and the designated countryside.

8.2 The property is located on a rural lane which is protected by policy DM26 of the Local Plan as a lane of special rural character that ought to be protected from significant harm arising from new development. The proposed lychgate will be visible as you approach the property along Seasalter Road but will be set back over 2.5m from the carriageway edge. The nearby Parish Church has similarly prominent lychgate fronting the road that is only marginally smaller than that being proposed here, being 0.4m narrower and 0.3m lower in overall height. In my view, the proposal is very similar to the nearby lychgate and represents a suitable and acceptable alternative to the rather imposing existing solid timber gates, and one with a reference to the local church lychgate. The proposal would not result in any loss of hedgerow along this stretch of road and I am of the opinion that it would not be harmful to the lane's appearance and to the rural character of the area.

8.3 I have carefully considered the concerns raised by the Parish Council about its impact on sight lines travelling southwards along Seasalter Road. However, the proposed lychgate would be further back into the site than the existing gates and the access here is flanked by continuous roadside hedging behind the boundary fence. I therefore consider that the proposed lychgate will have no significant impact upon highway safety as good visibility will remain in both directions on this section of road. Neither do I consider the regular use of this existing access to be a highway safety concern as the sightlines will not change.

8.4 The proposed extension to the porch, visible from the front of the dwelling, is unobjectionable in my view. It has been appropriately designed and would not harm visual amenity.

8.5 Local concern makes reference to the historical context of a lychgate. Whilst it may be arguable that historically a lychgate was a roofed gateway to a churchyard as opposed to a dwelling, I do not consider it reasonable to refuse this application on such grounds.

9. CONCLUSION

9.1 I consider that the proposal is acceptable in terms of its impact upon the character and appearance of the property and the surrounding countryside. I therefore recommend, subject to conditions, that permission is granted.

10. 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 development hereby approved shall be carried out in accordance with the following approved drawing JACK/21902/DRAW1

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

- (3) The roofing materials to be used in the construction of the external surfaces of the front porch extension and lychgate hereby permitted shall match those on the existing building in terms of type, colour and texture.

Reasons: 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), 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

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.

