

PLANNING COMMITTEE – 7 JANUARY 2021**PART 2**

Report of the Head of Planning

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

2.1 REFERENCE NO - 20/504747/FULL		
APPLICATION PROPOSAL Conversion of existing dwelling to form 2no. flats, together with a first floor extension above road access to site, two storey rear extension and loft conversion with front dormer, including associated parking, landscaping and cycle store (revised scheme to 19/504257/FULL) as amended by drawings 202 A and 203 A.		
ADDRESS 1 Saxon Road Faversham Kent ME13 8QA		
RECOMMENDATION - Grant		
REASON FOR REFERRAL TO COMMITTEE Town Council Objection		
WARD St. Ann's	PARISH/TOWN COUNCIL Faversham Town	APPLICANT GPML Construction Ltd AGENT Kirby Cove Architects
DECISION DUE DATE 09/12/20		PUBLICITY EXPIRY DATE 17/12/20

Planning History

19/504257/FULL

Conversion of existing dwelling to form 2no. flats, together with a first floor extension above road access to site and single storey rear extension.

Approved Decision Date: 06.07.2020

14/505542/FULL

Renovation and extension of No. 1a Saxon Road; and erection of two 2 bedroom semi-detached dwellings together with associated amenity and parking spaces

Approved Decision Date: 08.04.2015

SW/12/0558

Restoration and extension of No. 1A Saxon Road to form one 1-bed and one 2-bed flat. Change of use of commercial premises at rear to residential use and erection of two 2-bed semi-detached dwellings together with associated amenity and parking spaces

Approved Decision Date: 20.08.2012

1. DESCRIPTION OF SITE

1.1 1 Saxon Road is a detached former commercial property standing alone between the long rear gardens of properties in Stone Street, Norman Road and Roman Road. The property sits within both the built confines of Faversham and within the Faversham

conservation area. Gates to the side of the property provide vehicular access to the very long narrow rear yard, which was, until recently, almost entirely occupied by a long, narrow, low pitched roof warehouse building. This warehouse has since been demolished as part of approved application 14/505542/FULL, and the two new build dwellings approved under this permission have started to be constructed, as have the already approved extension and conversion works to 1 Saxon Road itself, as approved under application 19/504257/FULL.

- 1.2 It is worth noting that similar extension works had already been approved under application SW/12/0558.

2. PROPOSAL

- 2.1 The current proposal is again for the conversion of the original building into two flats, and is very similar to the previously approved application 19/504257/FULL. It is essentially a variation to the approved scheme which is already underway, and unfortunately work on some of the new elements has already been started. The only new elements of this scheme are a small two storey rear extension (as opposed to the approved single storey rear extension), a larger rear window at first floor level, and a loft conversion to allow for a further bedroom, en suite and dressing area in the roof space. The originally approved side windows facing Norman Road are not included in this application, which shows no side windows here at all.
- 2.2 The rear extension projects just 1.4m from the rear of the property, but would give some extra floor space to the lower flat which is situated over the lower ground and ground floor. The loft conversion includes a small pitched roof dormer window and one rooflight to the front elevation, and two rooflights to the rear to provide the bedroom in the roofspace.
- 2.3 The rear elevation is now proposed to be rendered in white rather than finished in facing brickwork. This will match the front and side elevations where white render has previously been approved under application 19/504257/FULL as the painted brickwork could not be removed. Other materials include natural slate roof tiles and timber windows.
- 2.4 This application also seeks to include an extra parking space, meaning that there would now be five off road car parking spaces for use by the two flats and the two new dwellings at the rear.
- 2.5 The application has been amended since first submission to remove two proposed windows on the southern side elevation.

3. PLANNING CONSTRAINTS

- 3.1 Article 4 Faversham Conservation Area

Conservation Area Faversham

4. POLICY AND CONSIDERATIONS

- 4.1 Bearing Fruits 2031: The Swale Borough Local Plan 2017 policies:

ST3, CP4, DM16 and DM33

- 4.2 Supplementary Planning Guidance (SPG): ‘Conservation Areas’ and ‘The Conversion of Buildings into Flats & Houses in Multiple Occupation’.

5. LOCAL REPRESENTATIONS

- 5.1 Eight letters of objection have been received, but four of these relate solely to the windows on the southern elevation which have now been removed from the application. The remaining objections can be summarised as follows:

- Two storey extension will cause overshadowing overlooking and loss of privacy
- The property will be visually different to those in the surrounding area
- Effect on the character of a conservation area. No other property in the area has a two storey extension and this would be out of character to the surrounding properties in the conservation area.
- This property should retain as much of its original period exterior
- Some work has already started on the property
- Neighbours in 28 and 30 Norman Road have raised concerns about access to guttering on the new structure as there is no space between the boundary wall of their garden

NOTE: This would be a private matter not considered under this application

- Windows will be clearly visible and will look into child’s bedroom window and bathroom at number 26 Norman Road and will cause light pollution

NOTE: Number 26 Norman Road is approximately 48m from the rear of the application site

- Additional noise, pollution and disruption from cars/bikes in the designated parking area
- Risk of flooding from new parking area
- Will there be loss of parking spaces in Saxon Road due to the addition of double yellow lines either side of site entrance?

- 5.2 One email was received stating:

*“Noted front dormer to loft conversion applied for.
This window installation has already been carried out. Am therefore assuming no objection would be raised were I to install identical dormer window to the front of my property in adjoining road.”*

6. CONSULTATIONS

- 6.1 Faversham Town Council object to the application for the following reasons:

1) Neighbours have raised concerns regarding privacy. The windows on the side will overlook.

2) No attempt has been made to conserve the wall and the historic advertising.”

NOTE: The side windows have now been removed from the application and the previously approved applications did not retain the signwriting. The Town Council were re-consulted following receipt of the amended plans but no further comments have been received.

6.2 Historic England state that their involvement is not required for this application.

7. BACKGROUND PAPERS AND PLANS

7.1 All plans and documentation relating to applications 19/504257/FULL and 20/504747/FULL.

8. APPRAISAL

8.1 The site lies within the built confines of Faversham and is therefore in tier 2 of policy ST3 which provides the secondary urban focus for growth at a scale and form compatible to the historic and natural assets. It is worth noting that apart from the taller rear extension, loft conversion with three rooflights and small pitched roof dormer the works now proposed works are very similar to those approved under application 19/504257/FULL.

8.2 I acknowledge the letters of objection relating to privacy issues, but the windows on the southern elevation have now been removed from the application. The proposed rear extension is set at the far end of long gardens and would only project 1.4m from the rear elevation, and the windows would not face any neighbouring property. I do not consider that there will be any overlooking or loss of privacy.

8.3 The proposed dormer window to the front is sympathetic and acceptable since the property stands alone along the stretch of road, so the dormer window would be seen as an individual feature on an individual building. The proposed slating of the roof and the installation of new cast iron railings, timber sash windows and an appropriate front door would greatly improve the appearance of the property.

8.4 In terms of the impact on the character and appearance of the conservation area the proposals to extend and refurbish the existing building on Saxon Road will significantly help to enhance the character of the conservation area, in particular the reinstatement of timber sash windows; and the extension has been designed to fit with the surrounding Victorian dwellings.

8.5 The proposed flats more than meet the required space standards within the Council's SPG 'The Conversion of Buildings into Flats & Houses in Multiple Occupation'.

8.6 **Appropriate Assessment under the Conservation of Habitats and Species Regulations 2017.**

This Appropriate Assessment has been undertaken without information provided by the applicant. The application site is located within 6km of The Swale Special Protection Area (SPA) which is a European designated sites afforded protection under the

Conservation of Habitats and Species Regulations 2017 as amended (the Habitat Regulations).

SPAs are protected sites classified in accordance with Article 4 of the EC Birds Directive. They are classified for rare and vulnerable birds and for regularly occurring migratory species. Article 4(4) of the Birds Directive (2009/147/EC) requires Member States to take appropriate steps to avoid pollution or deterioration of habitats or any disturbances affecting the birds, in so far as these would be significant having regard to the objectives of this Article.

Due to the scale of development there is no scope to provide on site mitigation such as an on-site dog walking area or signage to prevent the primary causes of bird disturbance, which are recreational disturbance including walking, dog walking (particularly off the lead), and predation of birds by cats. The proposal thus has potential to affect said site's features of interest, and an Appropriate Assessment is required to establish the likely impacts of the development.

In considering the European site interest, Natural England (NE) advises the Council that it should have regard to any potential impacts that the proposal may have. Regulations 63 and 64 of the Habitat Regulations require a Habitat Regulations Assessment. For similar proposals NE also advises that the proposal is not necessary for the management of the European sites and that subject to a financial contribution to strategic mitigation, the proposal is unlikely to have significant effects on these sites.

The recent (April 2018) judgement (People Over Wind v Coillte Teoranta, ref. C-323/17) handed down by the Court of Justice of the European Union ruled that, when determining the impacts of a development on protected area, "it is not appropriate, at the screening stage, to take account of the measures intended to avoid or reduce the harmful effects of the plan or project on that site." The development therefore cannot be screened out of the need to provide an Appropriate Assessment solely on the basis of the mitigation measures agreed between Natural England and the North Kent Environmental Planning Group (NKEPG).

NE has stipulated that, when considering any residential development within 6km of the SPA, the Council should secure financial contributions to the Thames, Medway and Swale Estuaries Strategic Access Management and Monitoring (SAMM) Strategy in accordance with the recommendations of the (NKEPG) and that such strategic mitigation must be in place before the dwelling is occupied. Based on the correspondence with Natural England (via the NKEPG), I conclude that off site mitigation is required in this instance.

In this regard, whilst there are likely to be impacts upon the SPA arising from this development, the mitigation measures to be implemented within the SPA from collection of the standard SAMMS tariff (to be secured by either s106 agreement or unilateral undertaking on all qualifying developments) will ensure that these impacts will not be significant or long-term. I therefore consider that, subject to mitigation, there will be no adverse effect on the integrity of the SPA.

It can be noted that the required mitigation works will be carried out by Bird Wise, the brand name of the North Kent Strategic Access Management and Monitoring Scheme

(SAMMS) Board, which itself is a partnership of local authorities, developers and environmental organisations, including SBC, KCC, Medway Council, Canterbury Council, the RSPB, Kent Wildlife Trust, and others.

The SAMMS payment has already been received under application 19/504257/FULL so no further payment is now required and planning permission may be granted.

9. CONCLUSION

- 9.1 I consider that the two storey rear extension, loft conversion and extra car parking spaces would not cause unacceptable harm to residential or visual amenity, or to the character of the conservation area and are similar to works that have already been approved.

10. RECOMMENDATION – Grant subject to the following conditions:

CONDITIONS

- (1) The development hereby approved shall be carried out in accordance with the following approved drawings:

2330 200, 2330 201, 2330 202 A & 2330 203 A

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

- (2) The rear side entrance carriage archway shall be constructed as shown in drawings 1452-1-DT-01 Revision 01 and 1452-1-DT-02 Revision 01 as approved with application 15/506912/SUB unless otherwise agreed and approved in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and to preserve or enhance the special character of the conservation area.

- (3) The eaves and ridge of the extension hereby permitted shall be constructed as shown in drawing 1452-1-DT-05 as approved with application 15/506912/SUB unless otherwise agreed and approved in writing by the Local Planning Authority.

Reason: In the interest of visual amenity and to preserve or enhance the special character of the conservation area.

- (4) All new windows to the Saxon Road elevation of the building shall be made in timber and prior to their installation detailed drawings at a suggested scale of 1:5 of all new external joinery work and fittings together with sections through glazing bars, frames and mouldings shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.

Reason: In the interest of visual amenity and to preserve or enhance the special character of the conservation area.

- (5) Any new rainwater goods to be used as part of the extension of the building shall be of cast iron.

Reason: In the interests of visual amenity and to preserve or enhance the special character of the conservation area.

- (6) No meter cupboards, overhead cables, vents, vent pipes, satellite dishes, trickle vents, flues, ducts, tile vents, extract grilles, external lights, gas cylinders, oil tanks or burglar alarms shall be affixed to the building without written consent of the Local Planning Authority

Reason: In the interests of visual amenity and to preserve or enhance the special character of the conservation area.

- (7) The areas shown on drawing 2330 200 as car parking spaces shall be kept available for such use at all times and no permanent development, whether permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking or re-enacting that Order) or not, shall be carried out on the land so shown in such a position as to preclude vehicular access thereto; such land and access thereto shall be provided prior to the occupation of the flats hereby permitted.

Reason: Development without adequate provision for the parking or garaging of cars is likely to lead to car parking inconvenient to other road users.

- (8) Prior to the occupation of either flat hereby permitted it shall be provided with an electric vehicle charging point in accordance with details which shall first have been submitted to and approved by the Local Planning Authority.

Reason: In the interest of promoting sustainable forms of transport.

- (9) The improvements to the building on the street frontage as shown on the approved drawings, including the replacement timber windows and doors, the replacement of the existing roof tiles with natural slate, the installation of iron railings to the front and the repainting of existing brickwork shall be carried out concurrently with the rest of the development hereby approved, and shall be fully implemented before any of the approved flats are occupied.

Reason: In the interests of visual amenity and to preserve or enhance the special character of the conservation area.

- (10) No construction work in connection with the development shall take place on any Sunday or Bank Holiday, nor on any other day except between the following times:

Monday to Friday 0730 – 1900 hours, Saturdays 0730 – 1300 hours unless in association with an emergency or with the prior written approval of the Local Planning Authority.

Reason: In the interests of residential amenity.

The Council's approach to the application

In accordance with paragraph 38 of the National Planning Policy Framework (NPPF), February 2019 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.

INFORMATIVE

(1) It is noted that works have progressed on site without the benefit of planning permission and the following works have been started that are not in accordance with the plans submitted under this application including:

- Shape and size of pitched roof dormer
- Location of front rooflight

These works are not permitted as part of this application and will need to be remedied in accordance with drawings 2330 200, 2330 201, 2330 202 A & 2330 203 A.

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.

