

<b>2.5 REFERENCE NO - 21/501653/FULL</b>		
<b>APPLICATION PROPOSAL</b> Erection of a shed (Part retrospective)		
<b>ADDRESS</b> 38 Tanners Street Faversham Kent ME13 7JP		
<b>RECOMMENDATION</b> - Grant		
<b>REASON FOR REFERRAL TO COMMITTEE</b> Town Council Objection		
<b>WARD</b> St. Ann's	<b>PARISH/TOWN COUNCIL</b> Faversham Town	<b>APPLICANT</b> Mr Colin Denton <b>AGENT</b>
<b>DECISION DUE DATE</b> 23/07/21	<b>PUBLICITY EXPIRY DATE</b> 01/09/21	

## 1. DESCRIPTION OF SITE

- 1.1 38 Tanners Street is a Grade II listed terraced property located within the built confines of Faversham and within the Faversham conservation area. The property fronts directly on to the street with a long narrow garden to the rear which runs down to the Westbrook stream. Adjoining gardens contain typical domestic outbuildings.
- 1.2 The applicant started to construct an outbuilding to the rear of the garden and an enforcement complaint was received. The applicant was informed that the works needed planning permission and he has subsequently submitted this planning application along with listed building consent for the same works. The listed building consent application has since been withdrawn as this is not needed for the erection of an outbuilding within the garden.

## 2. PROPOSAL

- 2.1 The application seeks retrospective planning permission for the erection of a garden shed/outbuilding at the very rear of the garden. The application has been significantly amended since submission following discussions with the Case Officer and Design and Conservation Manager. The application initially sought permission for a shed of the same overall dimensions but featuring a flat roof standing at a height of 3m.
- 2.2 The proposed shed is of timber construction with a green felt roof, and includes a covered porch area to the front and a small balcony to the rear of the building which would overlook the stream. The structure would measure approximately 6.75m x 3m including the porch and balcony. It is proposed to have a centrally ridged roof with an eaves height of 2m and an overall height of 3m. A timber safety barrier is proposed to the balcony measuring 0.87m in height.

## 3. PLANNING CONSTRAINTS

- 3.1 Potential Archaeological Importance  
Conservation Area Faversham

Environment Agency Flood Zone 2

Environment Agency Flood Zone 3 139574

Listed Buildings MBC and SBC Ref Number: 1241/SW

Description: G II 37, 38, 39, 40 AND 41, TANNERS STREET, FAVERSHAM, ME13

#### **4. POLICY AND CONSIDERATIONS**

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

CP4 (Design)

DM14 (General development criteria)

DM16 (Alterations and extensions)

DM32 (Listed buildings)

DM33 (Conservation Areas)

##### 4.2 Supplementary Planning Guidance (SPG): 'Conservation Areas' and 'Listed Buildings – A Guide for Owners and Occupiers'

#### **5. LOCAL REPRESENTATIONS**

##### 5.1 The Faversham Society commented on the initial plans on the withdrawn Listed Building Consent as follows:

*"This application should be REFUSED because being sited at the far end of the garden, the building will be clearly visible from the public footpath that runs alongside the Westbrook stream. It would also overlook adjacent properties/gardens.*

*The shed is located immediately adjacent to a steep bank alongside the Westbrook stream. The Environment Agency document 'Living on the Edge' states (page 8) -*

*"You should always leave a development-free edge on the banks next to a watercourse. This allows for easy access to the watercourse in case any maintenance or inspection is required".*

*A development free edge also allows for a wildlife corridor along the stream.*

*The heritage statement as submitted is inadequate (it is seven sentences long) as it does not refer to or assess the effect of this development on the Listed Building or the character of the Conservation Area. Our view on the current design is that it would be detrimental to the setting of 38 Tanners Street (a Listed Building) and the adjacent Listed Buildings, as well as to the Conservation Area generally.*

*The materials are only described as eg 'timber' and 'cladding' and are not specified or detailed as would be expected for a new building in the curtilage of a Listed Building in a Conservation Area facing a public footpath. The quality of drawn material is well below the standard to be expected. For example, there are no drawings that clearly show the finished elevations."*

##### 5.2 Three (3) letters of objection were received from local residents and are summarised below. Two (2) of these were submitted in respect of the associated listed building

consent application but I refer to them here as I believe that they are pertinent to this application. All of these responses were received in relation to the proposals as first submitted and, whilst I have re-consulted on the amended details no local representations were received as part of the re-consultation.

- The shed has already been partly constructed
- The shed is highly visible from my garden three doors away and visible from the footpath on the other side of the Westbrook stream
- It is completely out of character with the buildings in Tanners Street which make a very attractive roof and townscape and are of course listed
- The shed occupies the full width of the garden and blocks access to the stream for any ground based wildlife
- The building is 6ft higher than my 6ft fence
- The building overlooks all our properties
- The construction noise is horrible
- This is not a suitable place for a small factory
- Will the building be used for running a business or as an extra accommodation
- The statement says it will be painted green but this is not specific enough for the conservation area
- Felt cladding seems an inappropriate material for the roofing in a conservation area
- I would not object if the occupants were to put up a more modest shed of standard wooden construction that does not block wildlife and dominate the scenery

## **6. CONSULTATIONS**

6.1 Faversham Town Council commented on the original drawings as follows:

*“The Committee considered the partially constructed summerhouse to be too big for the garden. The height of the structure was of particular concern.”*

The Town Council then commented on the amended drawings as follows:

*“1) The Committee still considers the partially constructed summerhouse to be too big for the garden and the height of the structure remains a particular concern.*

*2) It was agreed that the structure is inappropriate for the Conservation Area and for backing onto the Westbrook Stream”*

6.2 The County Archaeological Officer has stated that no archaeological measures are required in connection with the proposal.

## **7. BACKGROUND PAPERS AND PLANS**

7.1 All plans and documentation relating to 21/501653/FULL.

## **8. APPRAISAL**

8.1 The application site lies within the Local Plan defined built confines of Faversham where development is generally considered acceptable, subject to it being of a high standard of design, sitting comfortably within the street scene, and not giving rise to any serious

amenity concerns. The main issues in this case is the fact this site also lies within the curtilage of a listed building and the Faversham conservation area.

- 8.2 It is worth noting that the originally submitted plans would not have been supported and as such significant amendments to the roof form of the structure have been made. I note the comments with regards to overlooking and loss of privacy however, the windows proposed at the top of the building are well above head height and would not cause any further privacy issues than someone standing at the rear of the garden looking back towards the rear of the properties.
- 8.3 I believe the change to a pitched roof alleviates most of the concerns raised in the objection letters as this change will reduce the visual bulk that the building had standing at just over 3m with a flat roof. The alterations also mean that the eaves which are the closest part of the building to the neighbouring boundary will only be 30cm above the existing fence level which is 1.7m high. The structure as now proposed is more akin to a traditional timber shed albeit with a porch area and balcony to the rear. Whilst objectors have said this type of structure is not suitable within the conservation area abutting the stream, it was evident from a site visit that there are a number of other outbuildings located along the boundary with the stream that are visible when walking the footpath, I therefore see no issue with the principle of siting a shed in this location. The balcony which overlooks the stream would not cause overlooking to any private amenity space.
- 8.4 The Council's Conservation and Design Manager has attended the site and is content that with the amendments made the proposed shed would not have a detrimental impact upon the listed building or the conservation area. Due to the significantly lower site level compared to the listed building, and with the amended roof form the proposed shed would remain subservient to the listed building.
- 8.5 I do agree that the submission lacks details of the proposed finishing materials and am of the opinion that the building should be stained black like others along this stretch so I have included this as a condition below. I will also request details of the proposed roofing material.

## **9. CONCLUSION**

- 9.1 Overall the proposal would provide a pitched roof timber outbuilding that would not detract from the listed building or conservation area setting. The proposal therefore complies with policies DM14, DM16, DM32 and DM33 of the Local Plan.

## **10. RECOMMENDATION - Approve subject to the following conditions:**

### **CONDITIONS**

- (1) The development shall be carried out in complete compliance with the following drawings:

38/T-S-F, 38/T-S-R, 38/T-S-R-, 38/T-S F 07 and TS/38 W1.

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

- (2) No external cladding or roofing material shall be installed other than in accordance

with details, including the proposed finished colour, which have first been submitted to and approved in writing by the Local Planning Authority.

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

- (3) The outbuilding hereby approved shall only be used for purposes incidental to the dwelling known as 38 Tanners Street.

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), July 2021 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.

