

**APPENDIX 1**

<b>DEF ITEM 2 REFERENCE NO - 22/501315/FULL</b>		
<b>APPLICATION PROPOSAL</b> Raising of roof height and insertion of dormer window and roof lights together with two storey front and rear extension as amended by drawing No. 01.22.09C.		
<b>ADDRESS</b> St Mawes, The Street, Borden, Kent ME9 8JN.		
<b>RECOMMENDATION</b> Grant subject to conditions		
<b>REASON FOR REFERRAL TO COMMITTEE</b> Deferred following Planning Committee Meeting of 23 June 2022.		
<b>WARD</b> Borden and Grove Park	<b>PARISH/TOWN COUNCIL</b> Borden	<b>APPLICANT</b> Mr Scott Hawkins <b>AGENT</b> Jane Elizabeth Architects
<b>DECISION DUE DATE</b> 26/05/22		<b>PUBLICITY EXPIRY DATE</b> 05/05/22

**1. INTRODUCTION**

- 1.1 Members will recall that this application was reported to Planning Committee on 23<sup>rd</sup> June 2022. The original committee report is attached as Appendix 1 to this report.
- 1.2 After some discussion in which Members raised some concerns about the proposal, it was resolved

*“That application 22/501315/FULL be deferred to allow for further discussion with Ward Members to determine an improved design and look at any potential loss of light issues with the neighbouring properties.”*

- 1.3 Since the meeting I have met with the occupiers of the adjacent bungalow at Ridgeways and had discussions with the agent regarding the design of the proposed extension.

**2. THIS REPORT**

- 2.1 This report is to update Members regarding the additional information they requested and the position with the application. The agent has worked with officers to try and address concerns with the design, such as through the use of painted brickwork/lighter weatherboarding. However, ultimately these changes were not considered to be an improvement from your officers’ perspectives. Therefore, no changes are being proposed to the design or finishing materials in the scheme before you today. It is the same scheme which members previously considered at the Planning Committee meeting on the 23<sup>rd</sup> June.

**3. DISCUSSION**

**APPENDIX 1**

Impact upon neighbouring properties

- 3.1 There is no identifiable harm on the amenities of St Martins Cottage, as this already has a long rear wing that projects much further rearwards than the rear wall of St Mawes.
- 3.2 I also see no issue in relation to the amenities of Ridgeways as this already sits well back from St Mawes. This neighbouring property has a kitchen and lounge/dining room at the rear that overlooks the long garden at the rear. There are two windows serving the kitchen – one on the side elevation facing the driveway and boundary fence, and the other overlooking the rear garden. The other windows on the side elevation serve a bedroom and a bathroom. I advised Members at the last meeting that the flank wall of the proposed extension to St Mawes would lie approximately 6.7m from the side elevation of Ridgeways. On this basis, I do not consider that there is a reasonable argument here to say it will result in significant loss of sunlight to this neighbouring property. Given this intervening distance, and the fact that the proposed extension will not project beyond the rear wall of Ridgeways, I am of the view that the proposal would be unlikely to have a significant impact on the residential amenities of the occupiers of Ridgeways in respect of loss of light or overshadowing.

Impact on character and appearance of conservation area

- 3.3 The application property forms part of a group of dwellings located on the south side of The Street, opposite the 'Playstool' Recreation Area, within the Borden (The Street) Conservation Area. The application property and the other three dwellings are all visible from slightly elevated views from within the 'Playstool'.
- 3.4 The recent conservation area character appraisal and management plan document (approved for adoption by the Council's Cabinet before the change over to the Committee system) references this group of dwellings as follows:

[Directly adjacent to the application property – to the west] *'...is the locally important building of St. Martin's Cottage, dating to 1777. This is a very attractive building slightly set back on its plot with low iron railings in front. The run of historic interest is then broken up by a series of late 20<sup>th</sup> century bungalows set far back on their plots with paved and concreted fronts. The low brick walls which front onto the pavement area are not in character with the more historic boundary treatments in the Conservation Area. The bungalows occupy the former site of the vicarage and still feature the Gargoyles associated with this 19<sup>th</sup> century building. The historic and architectural interest then returns with The Homestead, formerly occupied by William Barrow. It is a locally important building which is based on a 15<sup>th</sup> century Wealden Hall timber hall, subsequently clad in brick. It is offset on its plot and presents its side to the road'*.

- 3.5 The front boundary treatment to the group of four 20th century bungalows is specifically noted as a negative feature of the conservation area in the adopted character appraisal and management plan, but the bungalows themselves which have mellowed with age are considered to be more neutral in terms of their impact on the conservation area

**APPENDIX 1**

street scene. It is the non contextual front boundary treatments combined with relatively large areas of hardsurfacing for parking areas which are the most negative element in the street scene.

- 3.6 The bungalows can be appreciated as a designed group in the street scene, although the design is pleasant but unremarkable architecturally and a combination of minor alterations to the bungalow frontages and planting along the frontage party boundaries render it more difficult to do so. It could not reasonably be described as a strong and distinctive architectural composition as we see it today, although it is likely it was more striking when first built.
- 3.7 The front boundary wall to the easternmost bungalow (the one featuring the gargoyle) is a remnant section of the redbrick boundary enclosure to the former vicarage at the site and can clearly be seen as different in form and scale to the castellated brick wall design to the two middle, semi-detached bungalows. The front wall design to the application property has clearly been replaced and is different in design to both the aforementioned front boundaries. The application property also has a more leafy/strongly landscaped frontage and together with the existing box-form rear dormer which is readily visible from certain public vantage points, this does serve to already visually distinguish St. Mawes from the three other bungalows to some degree.
- 3.8 The proposed changes to St. Mawes would further increase the visual differences between it and the other three bungalows, and it is likely that with those changes, the currently still discernible appreciation of the 4 bungalows as a designed group would be almost, if not completely lost. This would effectively create a precedent for material alteration of the other three bungalows and that needs to be borne in mind in determining this application.
- 3.9 With a much stronger and more distinctive architectural design and overall composition, there would certainly be a case to be made that at least the frontages of the four bungalows should be retained in a broadly matching form but that is not the case. Were this so, it is considered that the adopted Character Appraisal and Management Plan would have specifically referred to such architectural quality. Instead, the Appraisal states that “the run of historic interest is broken up by a series of late 20<sup>th</sup> century bungalows”. This implies that the bungalows can be left to continue to evolve individually, with each bungalow over time taking on a more individual character as proposals for their alteration and extension are brought forward, subject to this being contextually appropriate with neighbouring buildings in this part of the street-scene. As they stand, they do not make an intrinsic contribution to the historic character and appearance of the Conservation Area that needs to be protected.
- 3.10 The proposed alterations to St. Mawes unarguably represent a significant re-modelling of its appearance, character, and overall form, but accepting that it is appropriate to allow each of the bungalows (or at least the two on either end) to evolve in a more individual manner, the key questions which need to be considered are:
- (a) Is the design still sufficiently contextually appropriate?;

**APPENDIX 1**

- (b) Is the design proposed of a suitably high standard, considering the detailing and materials in the elevational treatment; and
- (c) would the net change to the appearance of the dwelling preserve or enhance the character and appearance of the conservation area?

3.11 The proposed alterations will remove a large flat roofed box dormer at the rear of the bungalow which is harmful to its character and appearance. I remain of the view that the raising of the main roof being proposed here is minimal and as such in keeping with the adjoining bungalow. The design of the front dormer conforms to the SPG guidance and the existing UPVC framed windows will be replaced with potentially more finely aluminium framed glazing, which represents an improvement. The use of featheredged boarding can be seen on other properties within the village, and as such will preserve the character and appearance of the conservation area. This accords with the aim of policy DM33 that new development within a conservation area should be sensitive to the special character of the area and of a high standard design. Whilst the proposed remodelled design of the dwelling is markedly different to the current form, taking into account the unsympathetic changes that have previously taken place to the dwelling, which would be eliminated through the remodelling, I am of the view that the net effect of the changes would be no more harmful than leaving the dwelling in its current form, and that they would in reality, be likely to have a marginal enhancing effect.

**4. CONCLUSION**

4.1 It is a statutory requirement set out in Section 72(1) of the Planning (Listed Building and Conservation Areas Act) 1990 that in conservation areas local authorities should give 'special attention ... to the desirability of preserving or enhancing the character or appearance of that conservation area'. In the context of the net effect on the character and appearance of the changes to the conservation area - and given that no material harm would arise in relation to the residential amenity of neighbouring properties - I cannot see any reason to move away from my previous recommendation. It is considered that, whilst not necessarily impossible, it would likely be very difficult to defend refusal of this proposal in the event of an appeal and, accordingly, on balance, I recommend that the application is granted planning permission.

**5. RECOMMENDATION – GRANT** subject to the following 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 approved drawings, including in accordance with the specification of materials to be used in the construction of the external surfaces of the extension set out thereon:

**APPENDIX 1**

01.22.02; 01.22.05B; 01.22.06C; 01.22.07 and 01.22.09C.

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

- (3) The proposed roof-lights to bedroom 1 and ensuite on the gable roof of the rear extension hereby permitted shall have a cill height of not less than 1.7m above finished inside floor level and shall subsequently be maintained as such.

Reason: To prevent overlooking of adjoining properties and to safeguard the privacy of neighbouring occupiers.

**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.

**APPENDIX 1**

