

PLANNING COMMITTEE – 7 DECEMBER 2023**PART 2**

Report of the Head of Planning

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

2.1 REFERENCE NO – 23/503435/FULL		
PROPOSAL Erection of a two storey side and orangery extension. Installation of replacement railings to the front boundary. Installation of replacement windows to the cellar to the front elevation and to the play room to the side elevation. Installation of Solar Panels to the lower roofs to the rear of the existing dwelling. (Revised Scheme of 22/505090/FULL).		
SITE LOCATION 57 Ospringe Road Faversham Kent ME13 7LG		
RECOMMENDATION Delegate to the Head of Planning to grant planning permission subject to appropriate safeguarding conditions as set out in the report, with further delegation to the Head of Planning to negotiate the precise wording of conditions, including adding or amending such conditions.		
APPLICATION TYPE Householder		
REASON FOR REFERRAL TO COMMITTEE Faversham Town Council objection		
Case Officer Mandi Pilcher		
WARD St Ann's	PARISH/TOWN COUNCIL Faversham Town	APPLICANT Mr & Mrs Sam & Claire Roberts AGENT Jason Davies Architectural Services
DATE REGISTERED 24/07/23	TARGET DATE 18/09/23	
BACKGROUND PAPERS AND INFORMATION: 23/503435/FULL Erection of a two storey side and orangery extension. Installation of replacement railings to the front boundary. Installation of replacement windows to the cellar to the front elevation and to the play room to the side elevation. Installation of Solar Panels to the lower roofs to the rear of the existing dwelling. (Revised Scheme of 22/505090/FULL). 57 Ospringe Road Faversham Kent ME13 7LG (midkent.gov.uk)		

1. SITE LOCATION AND DESCRIPTION

- 1.1 57 Ospringe Road is a detached property located within both the built up area of Faversham and the Faversham conservation area. It is also subject to an Article 4(2) Direction which removes permitted development rights including for, but not limited to, demolition of walls fronting highways, for new means of enclosure fronting highways and for new hardstandings within the frontages of dwellinghouses.

- 1.2 The property was likely built around 1840 – 1900 in yellow brick with timber sash windows. There is an area of garden to the front of the property enclosed by a brick wall and railings; the property benefits from a large rear garden.
- 1.3 The surrounding area is characterised by properties of a similar age, comprised of detached semi-detached and terraced dwellings.

2. PLANNING HISTORY

2.1 **22/505090/FULL** - Planning permission refused on 19.01.2023 for the Creation of driveway with a crossover, dropped kerb and replacement railings to front wall. Erection of a two storey side and orangery extension including installation of solar panels and changes to fenestration.

2.2 The above application had a number of similar elements to the current proposal but also included the removal of the front garden wall and the creation of a hard surfaced driveway (which the current proposal does not). The application was refused for the following reasons:

(1) The removal of the front garden wall and construction of a hard surfaced parking area in this well preserved part of Ospringle Road which is subject to an Article 4(2) Direction aimed at conserving the appearance of frontages, would cause demonstrable harm to the character of the Faversham Conservation Area and fails to comply with policies DM14 and DM33 of Swale Borough Local Plan - Bearing Fruits 2031 and Section 16 of the NPPF that aim to protect these areas.

(2) The creation of an off street parking space in this area would be detrimental to highway safety as the existing levels of on street parking drastically reduce the sight lines that can be achieved with no possibility of improvement. The achievable visibility is consequently inadequate to allow the safe movement of a vehicle onto the highway, to the detriment of safety. The proposals also do not provide adequate turning room to enable vehicles to exit the drive in a forward gear, again to the detriment of highway safety, therefore failing to comply with policy DM6 2 c. of the Swale Borough Local Plan - Bearing Fruits 2031.

2.3 **18/501005/FULL** – Planning Permission Refused on 26.04.2018 for a Proposed crossover to public footpath, new driveway and retaining wall structure with steps, demolition of part of existing low level wall to front boundary of property, erection of railings.

2.4 **17/500080/FULL** - Planning permission Withdrawn on 02.03.2017 for a Proposed crossover, new driveway and retaining wall structure with steps, demolition of part of existing low level wall to front boundary of property.

2.5 **17/500980/FULL** – Planning permission approved on 18.05.2017 for a Conversion of loft with the insertion of rear dormer.

3 PROPOSED DEVELOPMENT

3.1 Planning permission is sought for the following:

- A two storey pitched roof side extension on the west elevation. The side extension would sit back from the main front elevation of the property by 2.9m and would measure approximately 4.4m wide by 5.9m in depth. The overall height to the ridge is 7.5m and the external brickwork will match that of the existing dwelling, with a natural slate roof and brickwork corbelling to match the existing house.
- A single storey orangery sited to the western side of the existing long rear projection. It would have a footprint of approximately 3.8m x 3.5m and have chamfered corners. The overall height is approximately 3.3m including the roof lantern.
- Alterations to the low level wall fronting the property and located adjacent to the back edge of the public footpath. The existing front low level walls will be increased in height by two / three brick courses and have new coping stone installed. The front railings will be replaced with heritage style railings painted in dark grey.

- Replacement of two windows in timber, one to the cellar to the front elevation and one to the side elevation.
- Installation of solar panels on the roof of the rear projections of the existing dwelling.

4 CONSULTATION

- 4.1 Neighbouring occupiers adjoining the site were notified in writing, a site notice was displayed at the application site and the application was advertised in the local Press. No responses from neighbours were received.
- 4.2 **Faversham Town Council** object to the application for the following reasons:
- The extension design takes inspiration from another period of the house, which results in the proposed extension being incongruous;
 - The proposal is not suitable for the conservation area.
- 4.3 **Faversham Town Council** were subsequently reconsulted on the basis of amended drawings which altered the design detailing of the side extension and the use of natural slate instead of concrete tiles as originally proposed. The Town Council responded to state they still raise an objection on the basis of their original comments as set out above.

5 REPRESENTATIONS

- 5.1 **SBC Conservation:** - No objection.

6 DEVELOPMENT PLAN POLICIES

- 6.1 **Bearing Fruits 2031: The Swale Borough Council Local Plan 2017**

ST3 The Swale settlement strategy

CP4 Requiring good design

CP8 Conserving and enhancing the historic environment

DM14 General development criteria

DM16 Alterations and extensions

DM33 Conservation Areas

- 6.2 **Supplementary Planning Guidance/Documents**

Supplementary Planning Guidance – ‘Designing an Extension – A guide for Householders’ and ‘Conservation Areas.’

7 ASSESSMENT

- 7.1 This application is reported to the planning committee because the Town Council has objected to the proposal. Considering these comments and the proposal that has been submitted, the committee is recommended to carefully consider the following main points:
- The principle of development
 - Character and appearance / Heritage
 - Living conditions of neighbouring occupiers

Principle

- 7.2 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 sets out that the starting point for decision making is the development plan unless material considerations indicate otherwise.
- 7.3 The National Planning Policy Framework provides the national policy context for the proposed development and is a material consideration of considerable weight in the determination of the application. The NPPF states that any proposed development that accords with an up-to-date local plan should be approved without delay. At the heart of the NPPF is a presumption in favour of sustainable development and for decision-taking this means approving development that accords with the development plan.
- 7.4 Policy ST3 of the Local Plan supports the principle of development within the built up area boundary of established towns and villages within the Borough.
- 7.5 The site lies within built confines of Faversham and therefore the principle of development is considered acceptable subject to the consideration of other material planning considerations as discussed below.

Character and appearance / Heritage

- 7.6 The National Planning Policy Framework attaches great importance to the design of the built environment and that design should contribute positively to making places better for people. The Local Plan reinforces this requirement.
- 7.7 Policies CP4, DM14 and DM16 of the Local Plan state that developments and extensions should be well designed and respond positively to the building and its surroundings. The Council's SPG entitled Designing an Extension – A guide for Householders recommends that two storey side extensions should be set back from the front elevation of the existing dwelling and stepped down from the existing ridge height, in order to appear subservient and preserve the original form and symmetry of the host dwelling.
- 7.8 In addition, the National Planning Policy Framework states that local planning authorities should identify and assess the particular significance of any heritage asset and consider the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits that may arise and this is endorsed by the Local Plan.
- 7.9 Policy DM33 of the Local Plan requires proposals to preserve or enhance the conservation area's special character or appearance.
- 7.10 The site is located in the Faversham conservation area and the surrounding area is comprised of dwellings constructed in a variety of styles and designs. A large number of the dwellings in the surrounding area are terraced. As such it is considered that the enclosure of the gap caused by the two storey extension between the host property and the adjacent dwelling to approximately 1m would not be harmful in the context of the tight knit grain of development which exists in the streetscene.
- 7.11 In terms of the design of the two storey extension, it incorporates a pitched roof to match that of the existing dwelling. It is set back from the front elevation of the property with a ridge height lower than the main ridge of the property which is in accordance with the SPG. When the application was first submitted the two storey extension proposed timber barge boards as part of the roof design and concrete interlocking roof tiles. Officers sought amendments to the scheme to ensure the extension was more in keeping with the dwelling and the streetscene,

and as a result amended drawings were received which altered this detailing to brick corbelling to match the existing dwelling. The roof covering was also amended to natural slate. On this basis it is considered that the two storey side extension is appropriately designed in the context of the existing dwelling and would preserve the character and appearance of the conservation area.

- 7.12 The other elements of the scheme which are visible on the front elevation include the existing front low level walls to be increased in height by two / three brick courses and have new coping stone installed. The front railings will also be replaced with heritage style railings. It is considered that this will give rise to some benefits to the visual appearance of the front boundary treatment and as such would enhance the character and appearance of the conservation area.
- 7.13 The replacement of the windows with timber windows would be an appropriate use of materials and preserve the character and appearance of the conservation area.
- 7.14 In terms of the extension at the rear of the property, this has been acceptably designed with a brick plinth and timber windows. It is small in scale and would not be visible from public vantage points. As such it is considered that this element of the scheme would have no detrimental impact upon the streetscene and would preserve the character and appearance of the conservation area.
- 7.15 The scheme also proposes solar panels on the roof slopes of the existing rearward projecting parts of the property. Notwithstanding that these would likely be able to be installed under permitted development rights, there is no concern raised with these from a visual or heritage perspective.
- 7.16 On the basis of the above, the scheme has been appropriately designed and would sit comfortably in the streetscene. It is considered that some elements of the proposal would preserve the character and appearance of the conservation area whilst others would enhance it. On this basis the application complies with policies CP4, DM16 and DM33 of the Local Plan.
- 7.17 In considering the impact of this proposal upon designated heritage assets, officers have had regard to the Council's obligations pursuant to the Planning (Listed Building and Conservation Areas Act) 1990.

Living Conditions

- 7.18 The Local Plan requires that new development has sufficient regard for the living conditions of neighbouring occupiers. Specifically, policy DM14 states that any new proposed developments should not cause significant harm to the amenities of surrounding uses or areas and due consideration will be given to the impact of the proposed development upon neighbouring properties. Any new proposed schemes should not result in significant overshadowing through a loss of daylight or sunlight. Policy DM16 also requires that alternations or extensions to existing buildings protect residential amenity.
- 7.19 The proposed two storey side extension is approximately 1m off the neighbouring boundary of no.59 Ospringle Road and extends no further to the front or the rear of this adjacent property. Due to this there would be no significant impact on neighbouring amenities from this element of the proposal in terms of overshadowing or a loss of outlook.
- 7.20 The existing property already has a rear projecting element close to the boundary with No.55. The proposed single storey orangery will be sited on the opposite side of this and project no further than the existing projection. As a result the proposal would not give rise to any harm

in respect of the living conditions of the occupants of this neighbouring property. The neighbouring boundary to No.59 is approximately 4.9m away. Therefore although the orangery projects approximately 5m past the rear wall of this adjacent property, due to the offset no serious harm would be caused to the living conditions of the occupants of this property by virtue of this element of the proposal.

- 7.21 Taking the above into account the proposal is considered to have an acceptable impact upon the living conditions of surrounding dwellings in accordance with policies DM14 and DM16 of the Local Plan 2017.

Transport and Highways

- 7.22 The NPPF promotes sustainable patterns of development and expects land use and transport planning to work in parallel in order to deliver such. A core principle of the NPPF is that development should:

“Actively manage patterns of growth to make the fullest use of public transport, walking and cycling and to focus development in locations which are sustainable.”

The NPPF also states that:

“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”

- 7.23 In this case, although the property, as per a number of properties in Ospringe Road, does not benefit from any off-street parking, the proposal does not propose any additional bedrooms. As such, there will not be a material change to the parking requirements of the occupants of the dwelling and the scheme is acceptable in this regard.

8 CONCLUSION

- 8.1 This application follows a previously refused scheme under ref. 22/505090/FULL. The elements of that application that resulted in the refusal have now been removed from this current proposal. The other elements of the application closely follow the parts of the scheme which the Council previously considered acceptable, with the main alterations being to the detailing of the two storey extension which has now been enhanced.
- 8.2 On the basis of the above, the scheme is considered to be in compliance with policies ST3, CP4, DM14, DM16 and DM33 of the Local Plan and the Council’s SPG’s related to house extensions and conservation areas. It is recommended that planning permission be granted.

9 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 permitted shall be carried out in accordance with drawings CR252 23 03, CR252 23 08, CR252 23 09, CR252 23 11, CR252 23 12, CR252 23 10 rev A.

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

- (3) No development beyond construction of foundations of the two storey side extension hereby approved shall take place until details of the specific natural slates and associated ridge tiles to be used on the approved two storey side extension have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity.

- (4) No development beyond construction of foundations shall take place until details of the facing bricks to be used for the approved extensions have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity.

- (5) Before the relevant works commence, a 1:10 elevation detail and a 1:1 or 1:2 plan and vertical section for the windows to be inserted into the front elevation of the approved two-storey side extension shall first have been submitted and subsequently approved in writing by the Local Planning Authority (please see Informative A, below). The development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity.

- (6) The facing brickwork to the front elevation of the two-storey side extension shall be carried out in Flemish Bond brickwork with contrasting (Staffordshire Blue or equivalent) quoining to the front corner to match the brickwork detailing to the existing front elevation. Furthermore, the mortar coursing of the new facing brickwork on the two storey side extension shall align with the mortar coursing to the existing brickwork.

Reason: In the interests of visual amenity.

- (7) The verge detailing to the front elevation of the approved two-storey side extension shall match the verge detailing to the existing front elevation gable.

Reason: In the interests of visual amenity.

- (8) The windows and external doors to be used in the approved extensions shall be constructed of timber and retained as such thereafter and the windows to be used in the approved scheme shall be painted to match the existing windows at the property.

Reason: In the interests of visual amenity.

- (9) The brickwork corbelling and brick arch window header detailing in the approved two-storey side extension shall exactly match the detailing shown on the existing front elevation of the dwelling.

Reason: In the interests of visual amenity.

- (10) The window opening on the front elevation of the two-storey side extension hereby approved shall have masonry sub cill detailing to match the equivalent detailing on the existing front elevation of the dwelling.

Reason: In the interests of visual amenity.

Informative A:

The sections to be provided shall include part of the surrounding masonry or joinery bordering the window opening and shall be set out clearly (annotated as necessary) to show the following details:

- Depth of reveal
- Window head and cill/sub-cill detailing
- Glazing section (thickness of glass and in case of double glazing, dimension of spacing between the panes of glass)
- Glazing bar profile(s)
- Window frame

The Council's approach to the application

In accordance with paragraph 38 of the National Planning Policy Framework (NPPF), September 2023 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.

In this instance:

The applicant/agent was advised of minor changes required to the application and these were agreed.

