

## PLANNING COMMITTEE

**APPLICATION NUMBER:** CA//18/02295/FUL

**SITE LOCATION:** The Manor, Park Place, Herne, CT6 7LU

**PROPOSAL:** Proposed single-storey side extension with 4 no. rooflights and detached single-storey workshop and log store.

**APPLICATION TYPE:** FULL APPLICATION

**DATE REGISTERED:** 14 November 2018

**TARGET DATE:** 09 January 2019

**LISTED BUILDING:** NOT LISTED

**CONSERVATION AREA:** HERNE

**WARD:** Herne and Broomfield

**APPLICANT:** Mr G Smedley

**AGENT:** Mr N Baldry

**CASE OFFICER:** Alastair Curran

**WEB LINK:** [https://publicaccess.canterbury.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=\\_CANTE\\_DCAPR\\_120749](https://publicaccess.canterbury.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=_CANTE_DCAPR_120749)

**RECOMMENDATION:** Grant subject to safeguarding conditions

### SITE LOCATION AND DESCRIPTION

1. The Manor is a large detached dwelling located within the Herne Conservation Area. The streetscene is one of a varied character, with large detached dwellings located east of Canterbury Road and Herne Street and smaller terraced dwellings located to the west. The site occupies a prominent position with mature vegetation adjacent to the street.

2. The host dwelling has a large frontage, currently used for off-road parking with a small brick wall abutting the public footpath and highway. The application site is set above the highway, which adds to its prominence within the street. The dwelling itself is two storeys and has been extended overtime.

#### RELEVANT PLANNING HISTORY

3. **CA//16/01607**: outline planning permission granted in 2016 for the erection of three dwellings with shared access drive and garaging to the rear of the application site.
4. **CA//17/02532**: reserved matters application for the approval of access and layout for the above outline permission granted.

#### PROPOSED DEVELOPMENT

5. Full planning permission is being sought for a single-storey side extension with four rooflights and detached single-storey workshop and log store.

#### CONSULTATIONS

**Herne and Broomfield Parish Council:** Object to the application as they consider the proposal disregards local architectural styles, does not sit comfortably with the existing dwelling, is located in a prominent location and pays no respect to setting or neighbours.

**Southern Water:** Require a formal application for a connection to the public foul and surface water sewer to be made by the applicant.

**KCC Ecology:** Raise no objection following the submission of additional information regarding the bat survey, subject to conditions.

**CCC Streetscene:** Raise no objection.

**CCC Heritage:** Raise no objection following the submission of revised drawings subject to safeguarding conditions re: use of matching materials and conservation rooflights.

**CCC Archaeology:** Raise no objection.

#### REPRESENTATIONS

6. Neighbouring occupiers adjoining the site were notified in writing and a site notice was displayed adjacent to the application site. No representations were received.

#### DEVELOPMENT PLAN POLICIES

##### **Canterbury District Local Plan 2017**

**DBE1** - All development to incorporate sustainable design and construction measures.

**DBE3** - Development proposals to be of high quality, to be assessed against specific amenity, visual, landscape, accessibility and highways criteria.

**DBE6** - Alterations and extensions to respect character of the original building, to not result in overshadowing and overlooking and to avoid detriment to the amenity and character of the locality. Particular care to be given to works to heritage assets.

**HE1** - Proposals which protect, conserve and/or enhance the historic environment will be supported.

**HE6** - Development proposals to preserve or enhance the setting of conservation areas.

**HE8** - Presumption in favour of the conservation of heritage assets.

**LB10** - Development to be designed to retain important trees, hedgerows and woodland.

### **Supplementary Planning Guidance/Documents**

Design Guidance: 'Guidelines to Control Residential Intensification' adopted April 2008.

### ASSESSMENT

7. The application is brought before the Planning Committee to determine due to the Parish Council objecting and being willing to send a speaker to committee. The main considerations in the assessment of this application are:

- Character and appearance
- Living conditions
- Highway safety and parking
- Ecology

### **Character and appearance**

8. Section 12 of the National Planning Policy Framework (NPPF) states that planning decisions should aim to ensure that developments will function well and add to the overall quality of the area; establish a strong sense of place; respond to local character and history; reflect the identity of local surroundings and materials and are visually attractive as a result of good architecture and appropriate landscaping. Paragraph 127 states that the need to always secure high quality design should underpin decision-taking and states that design should contribute positively to making places better for people. Policy DBE3 of the Canterbury District Local Plan 2017 endorses this, requiring new proposals to be of high quality design which responds to the objectives of sustainable development. Policy DBE3 also requires that development should be considered against a range of criteria including its visual impact, the form of the development in terms of the efficient use of land, layout, landscape, density and mix, scale, massing, materials, finish and architectural detail.

9. Policy DBE6 of the Canterbury District Local Plan 2017 requires alterations and extensions to respect character of the original building, to not result in overshadowing and overlooking and to avoid detriment to the amenity and character of the locality. Additionally, policy DBE6 requires particular care to be given to works to heritage assets.

10. The site is located in a Conservation Area and Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 states that 'special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the area'. This is endorsed by Section 16 of the NPPF and policies HE1 and HE6 of the Canterbury District Local Plan 2017, which set out that developments should preserve or enhance the historic environment, including the setting of conservation areas. The Council's Heritage, Archaeology and Conservation SPD endorses the above objectives and is referred to in the Canterbury District Local Plan 2017.
11. By virtue of the large footprint of the existing dwelling, the size of the plot and its limited height and roof form, the proposed extension is considered to constitute a subservient addition to the host dwelling that would sit comfortably within the site. The use of rooflights within its roof slope would break up the mass of the proposed extension and its continuous roof form. The proposed extension will be constructed in materials to match that of the existing dwelling.
12. The application also proposes a small detached outbuilding of a traditional design for use as a workshop and log store. The proposed outbuilding is of a proportionate size in relation to the dwelling it would serve and it would be set forward of the host dwelling, it would adhere to the established building line to the south and as such, would not protrude further forward than the Chapel located to the east of the application site. It is therefore considered that the proposed outbuilding will sit comfortably within the streetscene.
13. A tree survey has been submitted with the application and the proposed development will result in the loss of some trees to the front of the site, however, the trees to be removed are of a low quality with a life expectancy of less than 10 years. The applicant is proposing a replanting scheme and this is considered necessary to safeguard the character and appearance of the conservation area.
14. Taking the above into account, the proposed development is considered to preserve the character and appearance of the Herne Conservation Area and streetscene in accordance with policies DBE1, DBE3, DBE6, HE1, HE6, HE8 and LB10 of the Canterbury District Local Plan and Sections 12 and 16 of the NPPF.

### **Living conditions**

15. Paragraph 127 of the NPPF states that planning decisions should aim to secure a good standard of amenity for all existing and future occupants of land and buildings. This is endorsed by policy DBE3 and DBE6 of the Canterbury District Local Plan 2017.
16. Given the separation distance of 31m between the application site and the nearest dwelling to the east, the proposal is considered to have an acceptable impact upon the living conditions of neighbouring occupiers in terms of loss of outlook, privacy, light or result in an overbearing impact in terms of policies DBE3 and DBE6 of the Canterbury District Local Plan and the NPPF.

## Highway safety and parking

17. Policy DBE3 of the Canterbury District Local Plan 2017 states that when assessing design quality, safe movement within and around a proposed development must be a consideration. Policy T9 states that Kent County Council's guide to vehicle parking will be applied when assessing new development.
18. The application does not propose an uplift in bedrooms and the existing parking provision is sufficient to serve the development, therefore the proposal is considered to be in accordance with policy T9 of the Canterbury District Local Plan 2017.

## Ecology

19. Under the Natural Environment and Rural Communities Act (2006), "every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of these function, to the purpose of conserving biodiversity" . Furthermore, the NPPF states that 'the planning system should contribute to and enhance the natural environment by minimising impacts on biodiversity and delivering net gains in biodiversity where possible' and 'if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or as a last resort, compensated for then planning permission should be refused.' The NPPF also aims to conserve and enhance biodiversity, and encourages opportunities to incorporate biodiversity in and around developments. This is endorsed by policy LB9 of the Canterbury District Local Plan 2017, which sets out that "all developments should avoid a net loss of biodiversity/nature conservation value and actively pursue opportunities to achieve a net gain.
20. A bat survey was submitted with the application and following the submission of additional information, KCC Ecology raise no objections to the proposal subject to conditions. It has been advised that bats were recorded foraging/commuting as there are suitable features for roosting bats including a missing roof and large trees within the site. KCC Ecology have requested that a condition be placed on any grant of planning permission requiring an additional bat survey to submitted if the permission has not been implemented within 2 years. However in this instance, the requested condition is not considered to be reasonable as the proposed development will be carried out away from the main roof where bats are most likely to be found. KCC Ecology have also requested a light survey to be conditioned. However, the site is already in residential use and no outdoor lighting is being proposed and as such, the requested condition is not considered to be necessary. A further condition has also been requested requiring the submission of an Ecological Mitigation Plan and it is considered that this condition should be imposed given the nature of the site and the presence of bats.
21. Taking the above into account, the application is considered to have an acceptable impact upon biodiversity in accordance with policy LB9 of the Canterbury District Local Plan 2017.

## RECOMMENDATION

22. Taking into account the above, the application is considered to accord with the NPPF and relevant policies of the Canterbury District Local Plan 2017 subject to the suggested safeguarding conditions relating to ecology and trees. It is therefore recommended that planning permission be granted for the proposed development.

## DRAFT CONDITIONS FOR DECISION NOTICE

Application No: CA//18/02295/FUL

Proposal: Proposed single-storey side extension with 4 no. rooflights and detached single-storey workshop and log store.

Location: The Manor, Park Place, Herne, CT6 7LU

### CONDITIONS:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

**REASON:** In pursuance of Section 91(1) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby approved shall be carried out in accordance with the submitted drawings received 20/02/2019:
  - 2026/PL/03.4/C
  - 2026/PL/03.6/C
  - 2026/PL/03.1/C
  - 2026/PL/03.2/C
  - 2026/PL/03.3/C
  - 2026/PL/03.5/C

**REASON:** To secure the proper development of the area.

3. At the time of development, all new external materials and external finishes to be used in the erection of the development hereby approved shall be of the same, colour, finish and texture as those on the existing property.

**REASON:** In the interests of the visual amenities of the area in accordance with policy DBE3 of the Canterbury District Local Plan 2017.

4. Prior to their first use in the development hereby approved, samples of the materials to be used in the construction of the external surfaces of the development shall be submitted to, and approved in writing by, the Local Planning Authority. Development shall be carried out in accordance with the approved samples.

**REASON:** In the interests of the visual amenities of the area in accordance with policy DBE3 of the Canterbury District Local Plan 2017.

5. The rooflights hereby approved shall be 'conservation style' rooflights, set flush with the roof plane.

**REASON:** To safeguard the special character and appearance of the area as a Conservation Area in accordance with policies HE6 and HE8 of the Canterbury District Local Plan 2017 and the National Planning Policy Framework.

6. Prior to first use of the proposed works, an Ecological Enhancement Plan, shall be submitted to and approved in writing by the Local Planning Authority, detailing what ecological enhancements will be incorporated into the site. The plans must be incorporated in to the site as detailed in the approved plan prior to occupation of the proposed works.

**REASON:** To ensure that protection and enhancement of the local ecology on site in accordance with policy LB9 and the NPPF.

7. Prior to the landscaping of the site, full details of both hard and soft landscape works, to include:
  - species, size and location of new trees, shrubs, hedges and grassed areas to be planted
  - the treatment proposed for all hard surfaced areas beyond the limits of the highway
  - walls, fences, other means of enclosure proposed

shall be submitted to, and approved in writing by, the Local Planning Authority.

**REASON:** In the interests of the visual amenity of the area and to adequately integrate the development into the environment in accordance with policies DBE3, HE1, HE6, and LB10 of the Canterbury District Local Plan 2017.

8. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development, or in accordance with a programme of works to be agreed in writing with the Local Planning Authority. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size and species, unless the Local Planning Authority gives any written consent to any variation.

**REASON:** In the interests of the visual amenities of the area in accordance with policies DBE3 and LB10 of the Canterbury District Local Plan 2017.