

APPLICATION: MA/12/1827 Date: 9 October 2012 Received: 9 October 2012
APPLICANT: Mr M Nugent
LOCATION: 36, UNION STREET, MAIDSTONE, KENT, ME14 1ED
PARISH: Maidstone
PROPOSAL: Erection of front porch as shown on plan numbers 11-113 012 RevP1, 11-113 001 RevP1, Design and Access Statement and Application Form received 9th October 2012 and plan numbers 11-113 010 RevP1 and 11-113 011 RevP1 received 3rd December 2012.
AGENDA DATE: 31st January 2013
CASE OFFICER: Kevin Hope

The recommendation for this application is being reported to Committee for decision because:

Councillor Fran Wilson has requested it be reported to planning committee should the council recommend approval for the following reasons:-

- The development would result in harm to the character and appearance of the surrounding Conservation Area.

1. POLICIES

- Maidstone Borough-Wide Local Plan 2000: R9
- South East Plan 2009: BE1, BE6, CC6
- Village Design Statement: N/A
- Government Policy: National Planning Policy Framework 2012

2. HISTORY

MA/11/1761 - Erection of front porch – Refused

ENF/11660 - Erection of external signage on no. 38 Union Street by owner of No. 36 – Breach resolved

3. CONSULTATIONS

- **Conservation Officer** – Raises no objections with the following comments:-

No. 36 forms the end unit of the terrace which extends to No. 70 and which was built circa 1800-1805. The rest of the terrace is Grade II listed and the omission of No. 36 from the listing may be a mistake. The terrace as a whole is identified as being essential to the character and appearance of the Holy Trinity Conservation Area in the approved Conservation Area Appraisal.

Nos. 36 – 70 were built as houses, although a number have been converted to shops over the years, and some (such as No. 38 adjacent) have had bungalow shopfronts added prior to the listing of the terrace in 1974. These bungalow shopfronts have resulted in harm to the appearance and significance of the terrace. A proposal to add a flat roofed porch of unsympathetic modern design to No.36, higher than the bungalow shopfront to No. 38, which would have resulted in further visual harm to the terrace and to the character of the Conservation Area, was refused under reference MA/11/1761.

The current proposal has been redesigned in the form of a shopfront of classical design, with a fascia which continues above the carriage entrance, thus unifying the treatment of the front of the building and integrating the new addition better into the building as a whole. It is a little lower in height than the previous proposal and relates much better to the existing bungalow shopfront at No. 38. I believe that the proposal as it now stands will add character to the somewhat bland current appearance of the ground floor of this building and will also have the benefit of providing a properly-detailed fascia for signage which should remove the need for the rather crudely applied signs which currently exist, thus benefitting the character of the conservation area.

I therefore raise no objections on heritage grounds subject to conditions requiring the submission of large scale drawings (including cross sections) to be submitted for approval and all signage to be contained within the limits of the fascia as shown on the approved drawings.

4. REPRESENTATIONS

4.1 Three representations have been received raising the following points:-

- The proximity of the proposed porch to the neighbouring existing porch.
- The visual impact upon No38.
- Harm to the amenity of No38.
- Harm to the setting of the Grade II listed building.

5. CONSIDERATIONS

5.1 Site Description

5.1.1 This application refers to a two storey terraced property used as a piercing studio. The site is located within the town centre and is allocated under policy

R9 of the Maidstone Borough Wide Local Plan 2000 as a tertiary shopping area. The site is also within the Holy Trinity Church Conservation Area and article 4 direction area restricting permitted development. The application building forms part of a long row of terraced properties within this street, some of which are Grade II listed although the application building is not.

5.2 Proposal

5.2.1 Planning permission is sought for the erection of a front porch. This would project approximately 1m from the front elevation of the building and would measure 2m in width. The extension would have a flat roof design with an overall height of 3.3m. The proposal would also involve a fascia to extend above the existing vehicular entrance.

5.3 Principle of development

5.3.1 In principle, extensions to buildings such as this are acceptable. Guidance within section 12 of the National Planning Policy Framework 2012 discusses the importance of the conservation of heritage assets and gives weight to development which would enhance existing heritage assets and make a contribution to local character and distinctiveness.

5.3.2 Policy BE6 of the South East Plan 2009 relates to the preservation of the historic environment and supports sensitive proposals to historic assets within the built environment. Similarly, policy CC6 of the South East Plan 2009 also relates to this proposal and supports development which would enhance the character and distinctiveness and an area.

5.4 Visual Impact and design

5.4.1 The design of the extension has been significantly amended following the previous refused application (MA/11/1761) which was refused on design grounds due to its harm to the character and appearance of the host building, the Conservation Area and the setting of the neighbouring Grade II listed building.

5.4.2 The proposed extension would clearly be prominent within this section of the streetscene of Union Street. However, this revised proposal includes classical features to the frame and corners of the fascia sympathetic to the character of building. Furthermore, elements of this design are characteristic of many of the shop fronts within this locality. In terms of scale, the extension would be of an appropriate height, significantly reduced from the previous proposal and would appear modest and subservient to the host building as well as in the context of the streetscene itself.

5.4.3 A number of comments have been raised with regard to the position of the proposed porch and the resulting space between this and the existing front extension to No38. At present, No38 has a fully glazed extension with front entrance and window display area. As a result of this proposal, the western elevation of this extension would be obstructed by the proposed porch and would result in a gap between the extensions. Whilst I acknowledge that this is not an ideal relationship between the buildings, I do not consider that it would result in significant visual harm to the appearance or character of these buildings or the Conservation Area. The overall design of the extension is traditional and sympathetic to the historic nature of these buildings and would enhance their overall appearance. As such, I do not consider that this proposal would result in visual harm or a detrimental impact upon the setting of the adjoining listed building. This is also the view of the Conservation Officer who supports this application as can be seen in the comments included within section 3.

5.4.4 The Conservation Officer has also recommended the imposition of a condition restricting any advertisements to within the fascia of the porch. Whilst I acknowledge this issue that has been raised, I do not consider it is reasonable to impose this by condition. I will therefore add an informative to advise the applicant with regard to future advertisements. In any case, an advertisement outside of this area is likely to require advertisement consent involving an assessment of any impact.

5.5 **Neighbouring Amenity**

5.5.1 With regard to amenity, whilst I acknowledge that the proposed porch would obstruct the windows within the western elevation of No38, the north and eastern elevation remain fully glazed and would ensure a sufficient level of light is still retained within the building. In any case, the building is occupied by a business and does not relate to any residential amenity issues.

5.5.2 Due to the modest scale and the proximity of the proposed porch to other buildings, some of which are in residential use, I do not consider that there would be any amenity issues to any other neighbouring buildings.

6. **CONCLUSION**

6.1 For the reasons outlined above, I consider the development would not cause any demonstrable harm to the character or appearance of the existing buildings and would not have a detrimental impact upon the character or appearance of the Holy Trinity Conservation Area. I therefore consider overall that the proposal is acceptable with regard to the relevant provisions of the development plan and amenity impacts on the local environment and other material considerations

such as are relevant. I therefore recommend conditional approval of the application on this basis.

7. RECOMMENDATION

I therefore recommend approval subject to the following conditions:-

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

Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development shall not commence until, written details and samples of the materials to be used in the construction of the external surfaces of the porch extension hereby permitted have been submitted to and approved in writing by the Local Planning Authority and the development shall be constructed using the approved materials;

Reason: To ensure a satisfactory appearance to the development in accordance with policies BE6 and CC6 of the South East Plan 2009 and the guidance contained within the National Planning Policy Framework 2012.

3. The development shall not commence until, full details of the following matters have been submitted to and approved in writing by the Local Planning Authority:-

New external joinery in the form of large scale drawings including cross sections.

The development shall be carried out in accordance with the approved details;

Reason: To ensure the appearance and the character of the building are maintained in accordance with policies BE6 and CC6 of the South East Plan 2009 and the guidance contained within the National Planning Policy Framework 2012.

4. The development hereby permitted shall be carried out in accordance with the following approved plans:

Plan numbers 11-113 012 RevP1, 11-113 001 RevP1, Design and Access

Statement and Application Form received 9th October 2012 and plan numbers 11-113 010 RevP1 and 11-113 011 RevP1 received 3rd December 2012.

Reason: To ensure the quality of the development is maintained and to prevent harm to the residential amenity of neighbouring occupiers in accordance with policies BE6 and CC6 of the South East Plan 2009 and the guidance contained within the National Planning Policy Framework 2012.

Informatives set out below

The applicant should be aware that any future advertisements to the frontage of this building should be located within the fascia of the porch hereby permitted only.

The proposed development, subject to the conditions stated, is considered to comply with the policies of the Development Plan (Maidstone Borough-Wide Local Plan 2000 and the South East Plan 2009) and there are no overriding material considerations to indicate a refusal of planning consent.