

REPORT SUMMARY

REFERENCE NO - 22/00840/FULL			
APPLICATION PROPOSAL Nos. 26 & 28; Proposed higher new roof to provide second floor living accommodation including addition of rear dormer, side windows and front roof lights; Increase in height of two existing chimneys. N°28; Proposed single storey rear extension.			
ADDRESS 26 And 28 Cambridge Street Royal Tunbridge Wells TN2 4SJ			
RECOMMENDATION - Grant (see section 11 of the Report for the full recommendation)			
SUMMARY OF REASONS FOR RECOMMENDATION. <ul style="list-style-type: none"> • The proposal is acceptable in principle. • The site is located inside the Limits to Built Development. • The proposal would not have a significant detrimental impact on the character of the area. • There are no concerns raised with regards to the impact on the significance of the Conservation Area. • There would not be any detrimental impact on the residential amenity of neighbouring properties. 			
INFORMATION ABOUT FINANCIAL BENEFITS OF PROPOSAL The following are considered to be material to the application: Contributions (to be secured through Section 106 legal agreement/unilateral undertaking): N/A Net increase in numbers of jobs: N/A Estimated average annual workplace salary spend in Borough through net increase in numbers of jobs: N/A The following are not considered to be material to the application: Estimated annual council tax benefit for Borough: N/A Estimated annual council tax benefit total: N/A Estimated annual business rates benefits for Borough: N/A			
REASON FOR REFERRAL TO COMMITTEE Referred by Head of Planning Services			
WARD Park	PARISH/TOWN COUNCIL N/A	APPLICANT Mr &Mrs Humphrey, Mr &Mrs Partridge AGENT Mr Edmonston	
DECISION DUE DATE EOT 01/07/22	PUBLICITY EXPIRY DATE 23/04/22	OFFICER SITE VISIT DATE 26/01/22	
RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites):			
21/04233/FULL	Both properties: Proposed higher new roof to provide second floor living accommodation including addition of rear dormer, side windows and front roof lights; Increase in height of two existing chimneys. No. 28 only: Proposed single storey extension <i>Refusal reason: The proposed changes to the roof, in particular the increase in ridge height by reason of its scale, height increase and therefore design would harm the character and appearance of the street scene, would not respect the context of the site and</i>	Refused	25/02/21

	<i>would result in harm to the character and appearance of the Conservation Area.</i>		
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MAIN REPORT

1.0 DESCRIPTION OF SITE

- 1.01 The properties form a pair of two storey semi-detached dwellings which sit on the southern side of the sloping Cambridge Street. Number 28 is cream coloured, and Number 26 is pale blue. Atypically for the street, they are roofed with red concrete tiles (slates are found on the majority of the dwellings in the locality).
- 1.02 The rear gardens are fair in size. Cambridge Street slopes downhill from east to west; these properties are therefore at the higher part of the road and located to the southern side of it.

2.0 PROPOSAL

- 2.01 This application is for both Numbers 26 and 28 Cambridge Street. It proposes changes to the roof including a new higher ridge, the addition of a rear dormer along with rooflights to the front elevation, the use of slate as a new roof covering as well as an increase in height of the chimneys. Number 28 is also proposing the addition of a single storey rear and side infill extension.

3.0 SUMMARY INFORMATION

Roof Height

	Existing	Previous Application	Proposed
Max Height	7.75m (Number 26); 7.45m (Number 28)	9.75m (Number 26); 9.45m (Number 28)	9.35m (Number 26); 9.05m (Number 28)

Dormer (across both properties)

	Previous Application	Proposed
Max Height	3.1m	2.9m
Max Width	9.7m	9.7m
Max Depth	4.2m	4.2m

Single storey rear & side extension (at Number 28)

	Previous Application	Proposed
Max Height	3.45m	3.45m
Max Eaves Height	2.4m	2.4m
Max Width	1.4m	1.4m
Max Depth	4.3m	4.3m

- 3.01 The chimney to be retained at Number 26 would increase from approx. 10.2m in height to 10.35m. The chimney proposed to be added to Number 28 would be approx. 9.9m in height.

4.0 PLANNING CONSTRAINTS

- Ashdown Forest 15 Km Habitat Regulation Assessment Zone
- Inside the Limits to Built Development
- Tunbridge Wells Central Access Zone (Residential) – Policy TP6 Local Plan 2006
- Tunbridge Wells Conservation Area (*statutory duty to preserve or enhance the significance of heritage assets under the Planning (Listed Buildings and Conservation Areas) Act 1990*)

5.0 POLICY AND OTHER CONSIDERATIONS

The National Planning Policy Framework (NPPF) (2021) National Planning Practice Guidance (NPPG)

Development Plan:

Tunbridge Wells Core Strategy 2010:

Core Policy 4 - Environment

Core Policy 5 - Sustainable Design and Construction

Tunbridge Wells Borough Local Plan 2006:

Policy EN1 - General development criteria

Policy EN5 - Development within, or affecting the character of, a Conservation Area

Tunbridge Wells Borough Council Supplementary Planning Documents/Guidance:

Alterations and Extensions SPD 2006

Tunbridge Wells and Rusthall Conservation Area Appraisal

Tunbridge Wells Borough Submission Local Plan 2020-2038

Policy EN1: Sustainable Design

Policy EN5: Heritage Assets

6.0 LOCAL REPRESENTATIONS

- 6.01 Two site notices were displayed on 31st March 2022. One of these was at the top of Cambridge Street near where the road curves, and behind in Oakfield Court Road closer to the junction with Camden Hill.
- 6.02 The application was also advertised in the local press on 1st April 2022.
- 6.03 One objection was received from the neighbour at The Coach House, 5 Camden Hill as follows:

To be fair I will not be directly be impacted by this, what appears to be monstrous increase in roof height, out of keeping with the other Victorian houses on the street. From the images on this website the proposed increase in overall roof height by adding an extra floor and windows to this building is excessive and incredulous. This will have a detrimental and overbearing impact over most of the garden of No.5 Oakfield Court Road and dominate the aspect of Flat 3 and Flat 5 and to a lesser extent Flat 6 Oakfield Court.

On a separate note, it was my understanding that this application had been refused and I do not believe this recent reapplication has been effectively publicised to allow those who would be affected to know about it in order that they may object. I see no significant reduction to the roof height in the recent application and no deadline for comments on this website. Let's hope for those it will affect that they are able to contact the planning department in time for their views to be taken into consideration.

- 6.04 *Officers' Note regarding the publicity of the application:* Guidance on the location of site notices can be found at:
<https://tunbridgewells.gov.uk/planning/applications/search/having-your-say>

- 6.05 The Local Planning Authority places site notice in locations to benefit properties which share a boundary with the application site. On this occasion two notices were placed in similar locations to before (see 6.01); following criticism last time that the Oakfield Court Road notice had been placed in a less visible position outside Number 9 by the footpath, it was displayed at the entrance to the road this time.

7.0 CONSULTATIONS

Principal Conservation Officer

- 7.01 **(12/04/2022)**: Further to your request for heritage advice regarding the above application, we have provided informal comments on previous proposals here and are happy to provide informal comments if required but feel that that specialist advice from the Built Heritage Team is not, in this case, necessary for the determination of this application.
- 7.02 **(15/06/22)** - Further to the request for further input to this application, would comment as follows:
- 7.03 “Below are verbal comments (dated 24/02/22) on application 21/04233/FULL which made specific requests to make the proposal more acceptable, in line with previous approvals on this street;
- *The street scene is stepped and due to the orientation of the properties to the east (28a and b), as well as being at the highest point of the road, the ridge height increase would be particularly noticeable and prominent.*
 - *It is accepted that Numbers 17 & 19 as well as 21 & 23 have been raised, but not to such a high degree, and these properties are not at such a high point in the road. As a result, there was a lesser impact.*
 - *From the section drawings it appears that the internal head height would be around 2.3m and whilst this is quite standard, could be reduced to around 2.1m. In turn, the ridge could then be reduced by up to 0.5m which would bring it in line with the other permissions previously mentioned.*
 - *The application cannot therefore be supported on these ground from a heritage perspective, and it is suggested that the ridge height increase is reduced.*
- 7.04 The current proposal has made a reduction in height that is close to that requested. Given that the re-instatement of chimneys is proposed which is considered a significant benefit, would suggest the current proposal now has a neutral impact on the character of the Conservation Area.”

8.0 APPLICANT’S SUPPORTING COMMENTS

- 8.01 The applicant provided a Heritage Statement. This highlights that the scheme is based on others which have been previously approved within the street scene, such as at Numbers 17 & 19 and 21 & 23 respectively.

9.0 BACKGROUND PAPERS AND PLANS

Application Form;

Drawing Number 01 – Site Location & Block Plans (received 15/03/22)

Drawing Number 02 Rev A – Existing Plans & Elevations (received 15/03/22)

Drawing Number 03 Rev M – Proposed Plans & Elevations (received 15/03/22)

Heritage Statement (received 15/03/22)

Email from agent received 16/06/22 confirming extension of time

10.0 APPRAISAL

Principle of Development

10.01 The site lies within the Limits to Built Development where extensions and alterations are acceptable in principle. The issues to consider here would be the impact of the proposal on the character and appearance of the street scene (and the Conservation Area) as well as the impacts upon residential amenity.

Visual impact

10.02 The increase in ridge height as well as the new/altered chimneys and new front rooflights would all be visible from within the street scene. The rear dormer and single storey extension to Number 28 would be less so, and thus would have a more limited impact on visual amenity. Mere visibility does not equate to harm; the extent to which the development creates a harmful impact is assessed below.

10.03 It is noted that within the street scene, there have been similar schemes approved at;

- Numbers 17 & 19 Cambridge Street in December 2019 under ref: 19/03043/FULL;
- Numbers 21 & 23 Cambridge Street in June 2015 under ref: 15/503504/FULL.

10.04 Both of these applications also proposed increases in ridge height, as well as similarly designed rear dormers and rooflights to the front elevation. The ridge height was raised by 1.2m and 1.5m respectively in these applications.

10.05 Under the previous application (ref: 21/04233/FULL), it was proposed to raise the ridge by 2m, and this was considered to be excessive and out of character. The ridge height has therefore been reduced under this new application, now proposing an increase of 1.6m, which is much closer to those already previously approved as mentioned above.

10.06 Another aspect to consider in relation to the similar schemes already approved is that the roofs on these properties were higher to begin with; the existing roof height at 26 and 28 is 7.75m/7.45m and the existing roof height at Numbers 17 and 19 was 8.25m and 7.65m, with Numbers 21 and 23 being 8.5m. Allied to the fact that the ridge height increase for this scheme has now been reduced, the improvements are apparent, and would clearly be more in keeping with the other examples in the street.

10.07 The proposed materials are considered acceptable and appropriate. The replacement of the modern red concrete tiles with slate would also help assimilate the development into the street scene.

Impact on Conservation Area

10.08 Para 192 of the NPPF states that Local Planning Authorities should take account of the desirability of new development sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation. The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality is highlighted, as is the desirability of new development making a positive contribution to local character and distinctiveness.

10.09 Impact on the Conservation Area also falls to be considered under LP policy EN5; then more broadly under EN1 and CS Policy 4, which seeks to conserve and enhance the Borough's urban environments (including CAs) at criteria (1) and (5). The Cranbrook CA Appraisal supplements these policies.

10.10 S72 (1) of the 1990 Act requires that '*special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area*'.

- 10.11 The Principal Conservation Officer considers that their previous concerns about the ridge height increase have been overcome through amendments to the scheme. They do not identify any harmful impact to the significance of the CA, and therefore NPPF paragraphs 201 and 202 are not engaged. As a result, no concerns are raised with regards to the impact of the development on the Conservation Area.

Residential amenity

- 10.12 The properties most potentially affected would be those to either side, Numbers 24 to the west and 28A to the east. It is considered important at this juncture to distinguish between overlooking (and a consequential loss of privacy) and merely being able to 'see' towards another property. Only the former is an impact that potentially warrants refusal of planning permission. In addition, for an 'outlook' to be substantially harmed the impact must be far greater than a simple change of view. The preservation of a private view or aspect through the loss/change of that view/aspect are not material planning considerations.

9 Oakfield Court Road

- 10.13 The properties also share their rear boundary with the side boundary of Number 9 Oakfield Court Road to the south, but the property itself is located further to the west. There are limited existing views from the first floors of Nos 26 and 28 Cambridge Street towards the rear part of 9 Oakfield Court's garden. As a result, there would not appear to be any direct overbearing impact or loss of sunlight caused to this property, given the existing relationship. There would be the potential for an increase in overlooking towards the garden area, however the first floor windows of Nos 22-28 (evens) Cambridge Street already allow views in this direction. There is also a distance of approx. 10m to the shared boundary with this property, and therefore any impact from the development towards that property is not considered harmful.

24 and 28A Cambridge Street

- 10.14 The increase in ridge height would make Nos 26 and 28 more visible from their neighbouring dwellings. The distance to the boundaries would remain the same although the hip-to-gable extensions would create a more solid mass at roof level.
- 10.15 There would be a greater impact on 28A as this property is situated further back within its plot compared to Number 24 (which follows the same building line as the application properties). There would be a limited increase in overbearing impact but this is not concluded to be significantly detrimental. This is because there would not be a significant increase in loss of sunlight as the frontages of the properties face north, limiting the effects of the change. The rear elevations and gardens are south facing, and therefore there would be the potential for an increase in loss of sunlight to Number 24 during the morning and 28A during the afternoon, but given that 24 is in line with the application dwellings and 28A extends slightly further back than the application properties, this impact would be limited.
- 10.16 The side elevation windows to either side are noted on the plans as being obscure glazed. This is proposed to be secured by condition.
- 10.17 The rear dormer would overlook the rear garden and contains no side windows. It would be set inwards from the edge of the roof and down from the ridge, and would not be considered to have a detrimental impact as the windows would look towards the rear garden with a similar view to those already achieved by the first floor windows (albeit higher up). The properties to either side both have dormers themselves (as noted from the site visit).

- 10.18 The rooflights to the front would overlook the street scene and in any event are set up towards the ridge. They would not be considered harmful to residential amenity.
- 10.19 The single storey extension to Number 28 would not be excessively large and is an infill extension. It would not extend beyond the existing rear or side elevations and would have a hipped roof. The only side openings would be the three rooflights which may enable 28A to overlook into the proposed extension, but a level of mutual overlooking is to be expected within residential layouts.
- 10.20 Overall, the scheme would not be considered harmful to residential amenity.

Conclusion

- 10.21 In view of the above, it is considered the proposal represents an acceptable form of development which would respect the visual and residential amenities of the area and comply with local and national guidance regarding the impact upon the significance of the Conservation Area. It is therefore considered acceptable.

11.0 RECOMMENDATION – GRANT subject to the following conditions:

- (1) The development hereby permitted shall be begun before the expiration of 3 years from the date of this decision.

Reason: To comply with the requirements 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 hereby permitted shall be carried out in accordance with the following approved plans:

Drawing Number 03 Rev M – Proposed Plans & Elevations (received 15/03/22)

Reason: To clarify which plans have been approved.

- (3) The development shall be carried out in accordance with the details of external materials specified in the application which shall not be varied without details being first submitted to and approved in writing by the Local Planning Authority.

Reason: In the interest of visual amenity.

- (4) Before the first occupation of the extension hereby permitted the second floor windows on the side elevations shown on the approved drawing shall be fitted with obscure glazing, Pilkington level 3 or higher (or equivalent) and fixed shut where they are located 1.7m above the floor level or below. The obscured glazing and the non-opening design shall be an integral part of the manufacturing process and not a modification or addition made at a later time. The windows shall thereafter be permanently retained as such.

Reason: In the interests of the residential amenities of adjacent dwellings.

INFORMATIVE

- (1) Please be aware that as the property is located within the Conservation Area, any works to the trees within the site would require separate consent.

Case Officer: Abby Shillingford

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.