

REPORT SUMMARY

REFERENCE NO - 22/02211/FULL			
APPLICATION PROPOSAL Erection of first floor rear extension.			
ADDRESS Bracken Corner, 40 Bracken Road, Royal Tunbridge Wells, Kent, TN2 3LU			
RECOMMENDATION To GRANT planning permission subject to Conditions (please refer to section 11.0 of this report for full recommendation)			
SUMMARY OF REASONS FOR RECOMMENDATION/REASONS FOR REFUSAL <ul style="list-style-type: none"> - The proposal is acceptable in principle; - The proposal would not cause harm to visual amenity; - The proposal would not cause significant harm to residential amenity; - There are no other planning issues that would warrant refusal. 			
INFORMATION ABOUT FINANCIAL BENEFITS OF PROPOSAL <p>The following are considered to be material to the application:</p> <p>Contributions (to be secured through Section 106 legal agreement/unilateral undertaking): N/A</p> <p>Net increase in numbers of jobs: N/A</p> <p>Estimated average annual workplace salary spend in Borough through net increase in numbers of jobs: N/A</p> <p>The following are not considered to be material to the application:</p> <p>Estimated annual council tax benefit for Borough: N/A</p> <p>Estimated annual council tax benefit total: N/A</p> <p>Estimated annual business rates benefits for Borough: N/A</p>			
REASON FOR REFERRAL TO COMMITTEE The applicant is the partner of a former employee of Tunbridge Wells Borough Council.			
WARD Sherwood	PARISH/TOWN COUNCIL N/A	APPLICANT Mr Sebastian West AGENT Ms Amna Khan	
DECISION DUE DATE 22/09/22 (EoT to 26/10/22)	PUBLICITY EXPIRY DATE 06/09/22	OFFICER SITE VISIT DATE 16/08/22	
RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites):			
App no.	Proposal	Decision	Date
05/01569/FUL	Retrospective - Replacement of a flat roof with a new mono pitch roof at the rear of the dwelling.	Granted	17/08/05
04/00947/FUL	Change of use of one dwelling into two including the extension of one dwelling	Granted	28/05/04
89/01998/FUL	2 Storey side and single storey rear extensions.	Granted	11/01/90

85/01639/FUL	Two storey side extension to form garage with granny annexe over.	Refused (Appeal Allowed)	07/03/86 (01/10/86)
82/00504/FUL	Extension.	Granted	29/06/82
<u>5 Squirrel Way – to the rear of the application site.</u>			
89/00892/FUL	First floor extension.	Refused (Appeal Dismissed)	11/07/89 (29/05/90)
87/00121/FUL	First floor rear extension.	Refused	05/03/87
77/00942	Extension to form new kitchen and sun lounge and front porch.	Granted	03/05/78
<u>3 Squirrel Way – to the rear of the application site.</u>			
06/03081/FUL	Proposed two-storey side extension	Granted	15/12/06
06/00849/OUT	Outline (siting not reserved) - Proposed new 2 storey dwelling house and 2 no. garages	Refused	03/05/06

MAIN REPORT

1.0 DESCRIPTION OF SITE

- 1.01 This application relates to a two-storey, terraced, brick-built dwellinghouse located at the end of Bracken Road, on Bracken Corner, in an established residential housing development within the eastern area of Royal Tunbridge Wells. The dwellinghouse sits within a generally rectangular plot and includes an existing single-storey extension to the rear.
- 1.02 There is a relatively modest gravelled parking area within the front curtilage of the dwellinghouse (space for approximately two cars) and is bounded by tall hedgerows and a shallow brick-built wall. The access to the driveway is shared with the adjacent dwelling to the south, 41 Bracken End, via Bracken Road. To the rear, the application site is bounded on all sides by close boarded fencing and a number of small trees and hedges. There is also a small ancillary outbuilding at the end of the garden to the rear of the dwellinghouse.
- 1.03 40 Bracken Road was previously an end-of-terrace dwelling located at the end of Bracken Road which had a single-storey rear extension permitted in 1982 (pursuant to 82/00504/FUL). The dwelling was further extended (two-storey side to the south and single-storey rear extensions) in the early 1990s following 89/01998/FUL. It is understood that this superseded the 85/01639/FUL permission (allowed on appeal) for a two-storey side extension with a granny annex above, which was not implemented. This second-storey side extension was then converted to a separate dwelling pursuant to 04/00947/FUL, forming 41 Bracken End on the southern side. This permission also included a wrap-around single-storey extension at 41 Bracken End, although this has not been implemented. It is also noted that the single-storey extension at 40 Bracken Road had a retrospective permission (05/01569/FUL) in 2005 for the replacement of its flat roof to a pitched roof.
- 1.04 As above, immediately adjoined to the south of the dwellinghouse is 41 Bracken End. Directly adjoined to the north is 38 Bracken Road. To the rear of the dwellinghouse are a number of properties on Squirrel Way (3-8 Squirrel Way), ranging from 27-48m distance from the dwellinghouse. Directly to the front of the application site, beyond

the small driveway, is a small public footpath linking Bracken Road to Pembury Road to the south.

- 1.05 The site is located inside of the Limits to Built Development (LBD). To the south of the site and neighbouring property of 41 Bracken Road lies the boundary to the Tunbridge Wells Conservation Area and an Area of Landscape Importance.

2.0 PROPOSAL

- 2.01 Permission is sought for the erection of a first-floor rear extension.
- 2.02 The extension would be above an existing single-storey rear extension. The proposed extension would cover approximately half the existing ground floor element and would extend to the existing rear building line. The roof of the proposed extension would be gable-ended and the ridge line would be located below the existing ridge line of the dwellinghouse.
- 2.03 The proposed extension would create a single room that is proposed to be used as a study. The development would involve the removal of two existing small windows, although two small replacement windows are proposed on the rear elevation of the proposed extension. No windows are proposed on the side elevations of the proposed extension. The materials and finishes are proposed to match the existing single-storey rear extension (brick and render).

3.0 SUMMARY INFORMATION

	Proposed First-Floor Extension
Max Eaves Height from Ground Level	4.67m
Max Height from Ground Level (Including Roof)	6.30m
Max Depth (Including Roof Overhang)	3.10m
Max Width (Including Roof Overhang)	4.26m
Additional Internal Floor Space (sqm)	8.6sqm

**The above measurements are approximate and have been calculated from measuring the submitted plans via the Council's online measuring tool.*

4.0 PLANNING CONSTRAINTS

- Inside the Limits to Built Development of Royal Tunbridge Wells
- Tunbridge Wells Conservation Area – to the south of the site (approx. 8.5m)
(statutory duty to preserve or enhance the significance of heritage assets under the Planning (Listed Buildings & Conservation Areas) Act 1990)
- Area of Landscape Importance – to the south of the site (approx. 8.5m)

5.0 POLICY AND OTHER CONSIDERATIONS

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

Tunbridge Wells Borough Core Strategy 2010

- Core Policy 1: Delivery of development
- Core Policy 4: Environment
- Core Policy 5: Sustainable design and construction
- Core Policy 9: Development in Royal Tunbridge Wells

Tunbridge Wells Borough Local Plan 2006

- Policy LBD1: Development Outside the Limits to Built Development

- Policy EN1: Development control criteria
- Policy EN5: Development within, or affecting the character of, a Conservation Area
- Policy EN22: Areas of Landscape Importance

Tunbridge Wells Borough Submission Local Plan 2021

- Policy STR1: The Development Strategy
- Policy STR2: Place Shaping and Design
- Policy STR8: Conserving and Enhancing the Natural, Built, and Historic Environment
- Policy STR/RTW1: The Strategy for Royal Tunbridge Wells
- Policy STR/RTW2: The Strategy for Royal Tunbridge Wells Town Centre
- Policy EN1: Sustainable Design
- Policy EN2: Sustainable Design Standards
- Policy EN4: Historic Environment
- Policy EN16: Landscape within the Built Environment
- Policy H11: Residential Extensions, Alterations, Outbuildings, and Annexes

Supplementary Planning Documents:
Alterations & Extensions SPD (2006)
Royal Tunbridge Wells (Pembury Road) Conservation Area Appraisal (2000)

6.0 LOCAL REPRESENTATIONS

- 6.01 Three site notices were displayed on 16/08/22 around the site (two at the front of the dwellinghouse along Bracken Road and one on Squirrel Way, to the rear of the site).
- 6.02 No representations have been received.

7.0 CONSULTATIONS

- 7.01 **Conservation Officer Comments [Verbal] on 31 August 2022:**
“These buildings are mid 20th Century and were previously part of the parkland associated with Sherwood Park. The buildings are typical of their period with no great architectural value and no heritage value. There is a broad shelter belt that formed the boundary of the parkland that is historically important, in part for its former contribution to the parkland but now for its contribution to the approach into Tunbridge Wells. This is why I think it was incorporated within the conservation area. The proposed extension will have no impact on either the shelter belt of trees or the conservation area.”

8.0 APPLICANT'S SUPPORTING COMMENTS

- 8.01 None submitted.

9.0 BACKGROUND PAPERS AND PLANS

Application Form
Drawing No: PL001 – Site Location Plan
Drawing No: PL003 – Existing Drawings
Drawing No: PL004 – Existing Elevations
Drawing No: PL005 – Proposed Floor Plan
Drawing No: PL006 – Proposed Elevations

10.0 APPRAISAL

Principle of Development

- 10.01 The site lies within the Limits to Built Development of Royal Tunbridge Wells where such residential development is considered to be acceptable in principle. On this basis, pending the assessment of all other relevant planning considerations, the principle of the development is therefore deemed to be acceptable.

Visual Impact

- 10.02 Regard is given to Policy EN1 of the 2006 Local Plan which requires that the design of the proposed development encompassing scale, layout and orientation of buildings, site coverage by buildings, external appearance, roofscape, materials and landscaping should respect the context of the site. For dwelling alterations and extensions, the Council also outlines guidance on what is generally considered acceptable within its Alterations and Extensions SPD (2006). In terms of impact on visual amenity, this includes a range of guidance in relation to siting, form, character and appearance which have been taken into account as part of assessing this proposal. Of most relevance to this proposal, it is noted that rear extensions are preferable to those on the side due to the need to respect existing building lines and therefore the character of the area.
- 10.03 In addition, regard has also been given to Policies within the Council's Submission Local Plan (2021) which is under examination. The policies of most relevance are EN 1 (sustainable design) which similarly requires that the siting, layout, density, spacing, orientation and landscaping must respect site characteristics, and the scale, form, height, massing, proportions, external appearance, and materials should be compatible with existing buildings, building lines, landscape, treescape, roofscapes, and skylines. Emerging Policy H11 also sets out criteria for extensions within the Limits to Built Development. In relation to impacts on visual amenity, this requires that extensions are compatible with the character and appearance of the main dwelling and its setting in terms of design, siting, layout, size, mass, height, form (including roof form), external finishing materials, and detailing.
- 10.04 With regard to the above, the proposed first floor extension would be located entirely to the rear of the property and would therefore not be visible or highly prominent from Bracken Road. As such, the proposal is not considered to have any effect on the street scene.
- 10.05 The dimensions and scale of the proposed extension are considered to be relatively modest and would appear as a subservient addition to the host dwelling. The dwelling's proportions would not be compromised by the addition, which would be built on approximately half of the existing rear single-storey extension. The proposed extension would therefore be constructed within the existing footprint of the dwelling. The proposed extension is considered to be of design and scale that would preserve the character and appearance of the host dwelling.
- 10.06 The materials are proposed to match those of the existing building and would therefore be considered to be in-keeping with the host dwelling.
- 10.07 It should also be noted that the site is within close proximity to an Area of Landscape Importance (the tree belt to the south of the site adjacent to Pembury Road) and therefore regard is also given to 2006 Local Plan Policy EN22. This states that development will only be permitted where no significant harm would be caused to the appearance or landscape character of the designated area and the development would not materially detract from the contribution which that area makes to the locality. Given the proposed extension is located outside the Area of Landscape

Importance (approximately 11m to the north) and would be set within the existing footprint of the dwelling at the rear, it is not considered that the proposal would have a harmful impact on the appearance or landscape character of the designated area and would not detract from its contribution to the locality.

- 10.08 In light of the above assessment, the application is not considered to be harmful to visual amenity.

Residential Amenity

- 10.09 In terms of the impact on residential amenity, regard is given to Policy EN1 of the 2006 Local Plan which requires that the nature and intensity of the proposed development would be compatible with neighbouring uses and would not cause significant harm to the amenities or character of the area in terms of noise, vibration, smell, safety or health impacts, or excessive traffic generation. In addition, the proposal should not cause significant harm to the residential amenities of adjoining occupiers and would provide adequate residential amenities for future occupiers of the development, when assessed in terms of daylight, sunlight and privacy. The Council's Alterations and Extensions SPD (2006) also sets out guidance on what is generally considered acceptable in terms of residential amenity, including in relation to privacy, overshadowing, domination, and outlook. Of particular relevance to this proposal, the guidance notes that, for rear extensions, the taller the extension, the greater the need to avoid proximity to all neighbouring boundaries so as to avoid unduly compromising the amenity of adjoining properties.
- 10.10 The Submission Local Plan also includes relevant policies in relation to the impact on residential amenity. EN1 requires that proposals should not cause significant harm to the amenities of occupiers of neighbouring properties and uses, and should provide adequate residential amenities for future occupiers of the development by ensuring that development does not result in, or is exposed to, excessive noise, vibration, odour, air pollution, activity, vehicular movements, or overlooking, and that the built form does not create an unacceptable loss of privacy and overbearing impact, outlook, or daylight and sunlight enjoyed by the occupiers of adjacent/nearby properties. In addition, Policy H11 reflects this by requiring that extensions do not significantly harm the amenities of neighbouring properties in terms of direct overlooking to main habitable room windows and/or private amenity areas, as well as in terms of loss of immediate outlook/dominance, resulting in an overbearing impact, loss of daylight/sunlight, and overshadowing of habitable room windows and privacy amenity areas.
- 10.11 With regard to the above, the proposed extension is considered to have the most impact upon the adjacent properties of 38 Bracken Road, to the north, and 41 Bracken End, to the south of the application site, along with the properties situated on Squirrel Way (3-8 Squirrel Way, to the rear of the site).
- 10.12 In relation to the possibility of overshadowing, while the height of the extension would increase part of the existing single-storey extension by 2.67m, the 4.26m-wide first floor extension would be centrally located above the existing single-storey rear extension, set back 1.57m from the northern edge of the single-storey extension and 2.53m from the southern edge. In reviewing the path of the sun, given that both the building line of Bracken Road and therefore the proposed extension is south-westerly facing, it is considered that any overshadowing or loss of sunlight would be limited on either side. Regard is also given to the fact that the first floor window of 38 Bracken Road serves a bathroom rather than an amenity space or principal room (such as a living area, bedroom, etc.). Given the presence of the existing single-storey extension and the proposed scale, footprint and set-back of the proposed first floor extension, it

is not considered that the proposal would cause a significant level of overshadowing/loss of sunlight on the ground floor level for either adjacent dwelling beyond levels already existing. It is therefore considered that the proposal would not have significant harm on the amenities of adjacent occupiers with regard to overshadowing and loss of sunlight and therefore would comply with Policy EN1.

- 10.13 Furthermore, there are no windows proposed on either side-facing elevation of the proposed first floor extension. It is noted that two small windows are proposed on the rear elevation of the proposed extension, although these two windows are not considered to overlook any habitable rooms of the adjacent dwellings to the north or south. The existing vegetation within the garden of the dwellinghouse as well as in the adjacent gardens also provides screening benefits.
- 10.14 The extension is also unlikely to cause any loss of privacy for the properties further to the rear located on Squirrel Way given that these properties are considered to be at a sufficient distance from the dwelling so as to not be significantly impacted upon in terms of residential amenity (27-48m). It is added that these two windows effectively replace the two existing windows to be removed by the extension. As such, it is not considered that the proposal is likely to cause any loss of privacy beyond existing levels.
- 10.15 To conclude, by virtue of the limited and subservient scale of the proposed first floor extension, it is not considered that the extension would be unduly prominent or overbearing on adjacent occupiers in terms of overshadowing, loss of sunlight, or loss of privacy. The application is therefore not considered to cause any significant harm to residential amenity and therefore would comply with Policy EN1.

Conservation Area

- 10.15 It is noted that the application site is approximately 8.5m north of the Tunbridge Wells Conservation Area (Pembury Road Area) which also forms the boundary of the Area of Landscape Importance. As part of this application, the Council's Conservation Officer has considered the proposal, noting that the broad shelter (tree) belt to the south originally formed the boundary of the Sherwood Park parkland which is historically important (both due to its former contribution to the parkland but now for its contribution to the approach into Tunbridge Wells). Ultimately, the Conservation Officer's view is that the proposed extension would have no impact on either the shelter belt of trees or the conservation area.
- 10.16 As a result, it is not considered that the proposal would have a harmful impact on the setting of the Conservation Area.

Highways and Parking

- 10.17 Given the small scale of the proposal which includes the addition of a new first floor study at the rear of the dwelling, the proposal makes no impact on the level of parking provision required. It is noted that there are two existing parking spaces within the front curtilage of the property which would be unaffected by the proposal. This level of parking provision is also within Kent County Council's Parking Standards as well as the Council's emerging Parking Standards (Policy TP 3) in its Submission Local Plan. It is therefore considered that the site would retain adequate parking to support the proposed extended dwelling. Similarly, it is not considered that there would be a harmful impact on highway safety as a result of the proposal.

Conclusion

- 10.18 The application seeks planning permission for the erection of a first floor rear extension that would be modestly sized and constructed of suitable, matching

materials. No significant harm to visual or residential amenity, or the nearby Area of Landscape Important and Conservation Area, has been identified and therefore the application is considered to comply with the relevant local and national policies along with emerging policies.

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 No: PL005 – Proposed Floor Plan

Drawing No: PL006 – Proposed Elevations

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 interests of visual amenity.

INFORMATIVES

1. As the development involves demolition and / or construction, it is recommended that the applicant is supplied with the Mid Kent Environmental Code of Development Practice. Compliance with this document is expected.
2. You are reminded that the carrying out of building works requires approval under the Building Regulations in many cases as well as a grant of planning permission. If you are in doubt as to whether or not the work, the subject of this planning permission, requires such approval, then you are invited to contact the Building Control section at Tunbridge Wells Borough Council on email: buildingcontrol@tunbridgewells.gov.uk or on telephone number: 01892 554124.

Case Officer: Thomas Vint

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.