

- a) **DOV/15/00639 – Alterations and extensions to Curfew House for supported living use; erection of 1 no. detached dwelling; change of use and conversion of Old School House into 2 no. dwellings; creation of parking and formation of vehicular access to The Avenue (Planning Permission) – Old School and Curfew House, Kingsdown Road, St Margaret’s-at-Cliffe**

DOV/15/00640 – Conversion of Old School House into 2 no. dwellings with associated internal and external alterations (Listed Building Consent) - Old School and Curfew House, Kingsdown Road, St. Margaret's-at-Cliffe

Reason for report: Number of contrary views.

b) **Summary of Recommendation**

Planning Permission be granted.
Listed Building Consent be granted.

c) **Planning Policies and Guidance**

Core Strategy Policies

- DM1 - Development will not be permitted outside of the settlement confines, unless it is specifically justified by other development plan policies, or it functionally requires such a location, or it is ancillary to existing development or uses.
- DM11 - Development that would generate high levels of travel will only be permitted within the urban areas in locations that are, or can be made to be, well served by a range of means of transport.
- DM13 – Parking provision should be design-led, based upon an area’s characteristics, the nature of the development and design objectives, having regard for the guidance in Table 1.1 of the Core Strategy.
- DM17 – Within Groundwater Source Protection Zones 1 and 2, certain development which has the potential to cause contamination will not be permitted unless adequate safeguards against possible contamination are provided.

National Planning Policy Framework (NPPF)

- The NPPF has 12 core principles which, amongst other things, seeks to: proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs; secure high quality design and a good standard of amenity for all existing and future occupants and buildings; encourage the reuse of existing resources, including conversion of existing buildings; encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value; conserve heritage assets in a manner appropriate to their significance; and actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling.
- Chapter four of the NPPF seeks to promote sustainable transport. In particular, paragraph 29 states that “the transport system needs to be balanced in favour of sustainable transport modes, giving people a real choice about how they travel. However, the Government recognises that different policies and measures will be

required in different communities and opportunities to maximise sustainable transport solutions will vary from urban to rural areas”.

- Chapter six of the NPPF seeks to significantly boost the supply of housing. Housing applications should be considered in the context of the presumption in favour of sustainable development.
- Chapter seven requires good design, which is a key aspect of sustainable development.
- Chapter eight seeks to facilitate social interaction and the creation of healthy, inclusive communities. Planning decisions should guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community’s ability to meet its day-to-day needs.
- Chapter Twelve requires that the historic environment be conserved or enhanced. Where development would harm heritage assets or their settings, the development should be refused unless the harm caused is outweighed by public benefits.

The Kent Design Guide (KDG)

- The Guide provides criteria and advice on providing well designed development.

The Planning (Listed Buildings and Conservation Areas) Act 1990

- In assessing this application, regard must be had for the Planning (Listed Buildings and Conservation Areas) Act 1990, which requires that special regard must be had for the desirability of preserving listed buildings or their settings or any features of special architectural or historic interest they possess, whilst special attention must be paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area.

d) Relevant Planning History

CH/6/71/00015 – Use of disused primary school as village social centre - Granted

DO/76/00562 – Use of disused primary school as a village social centre – Granted

DOV/98/00851 – Change of use to school – Granted

DOV/14/01052 – Proposed alterations and single storey rear extension to Curfew House for supported living use (involving demolition of existing extension and outbuilding to the Old School House); erection of 3no. terraced houses and formation of vehicular access to The Avenue- Withdrawn

DOV/14/01053 – Demolition of existing rear extension and outbuilding with associated alterations – Granted

There are other planning applications related to the application site. However, these have not been included within this list as they are not considered to be material to the determination of the current application.

e) Consultee and Third Party Responses

Full Application

St Margaret's at Cliffe Parish Council – No objection, although the Parish Council would like to see St Margaret's residents given preference for assisted living accommodation.

Southern Water – No objection, subject to informatives being attached to any grant of permission.

Environmental Health – No observations.

Kent County Council Highways and Transportation – No objection, subject to conditions requiring details to be submitted of loading/unloading, turning, wheel washing facilities and parking facilities for construction vehicles and the provision and retention of car and cycle parking spaces. Their full comment is as follows:

Curfew House

I understand that planning consent is not required for the proposed use of the properties as it remains within C3 use as a dwelling. In accordance with Policy DM13 the minimum parking requirement for the proposed use is the same as that for the existing two apartments, and existing parking is available on the site. I would therefore not recommend refusal on highway grounds.

Old School House and New Dwelling

The Avenue is a private street which connects to the highway at the junction with Chapel Lane. Whilst Chapel Lane is narrow and visibility at the junctions with The Avenue and Kingsdown Road is limited, the proposals are unlikely to generate a significant increase in vehicle movements over that associated with the previous and permitted use as parking for the school. The amount of car parking and maneuvering room shown is acceptable. I would therefore not recommend refusal on highway grounds.

The following should be secured by condition:

- Provision of construction vehicle loading/unloading and turning facilities prior to commencement of work on site and for the duration of construction.
- Provision of parking facilities for site personnel and visitors prior to commencement of work on site and for the duration of construction.
- Provision of wheel washing facilities prior to commencement of work on site and for the duration of construction.
- Provision and permanent retention of the vehicle parking spaces shown on the submitted plans prior to the use of the site commencing.
- Provision and permanent retention of secure, covered cycle parking facilities prior to the use of the site commencing in accordance with details to be submitted to and approved by the Local Planning Authority.

Public Representations: Ten letters of objection have been received, raising the following concerns:

- The proposal is an over development of the site
- The building should remain in a community use which benefits the village
- Inadequate car parking provision
- The development would harm highway safety and the free flow of traffic
- The surrounding roads have no capacity for additional parking
- The development would damage the road surface

- There is insufficient space on site for vehicles to park, load and unload during construction
- Noise and disturbance to neighbouring properties during construction
- The development would harm the living conditions of neighbouring residential properties, in terms of loss of light, sense of enclosure, overlooking and noise and disturbance
- Loss of habitat for wildlife
- The development would harm the character and appearance of the area
- The development would harm the character of the Conservation Area and the setting of a Listed Building
- The development has the potential to cause contamination to groundwater (the site lies in Groundwater Protection Zone 2)
- The applicant proposes that the buildings will be constructed to Code for Sustainable Homes level 4. However, the Code is no longer applicable.

In addition one letter has been received neither objecting to nor supporting the application has been received, raising the following points:

- The principle of converting the Old School is supported.
- Concern is raised regarding parking

Listed Application

St Margaret's at Cliffe Parish Council – No objection, although the Parish Council would like to see St Margaret's residents given preference for assisted living accommodation.

Public Representations: Eight letters of objection have been received, raising the following concerns:

- Lack of car parking
- Impact on highway safety
- Overdevelopment
- Impact on the residential amenity of neighbours
- Harm to the character and appearance of the area
- Harm to designated heritage assets
- Impact on trees and wildlife
- The building should be used for the residents of the village

f) 1. **The Site and the Proposal**

1.1 The site lies within the settlement confines of St Margarets at Cliffe and within the conservation area. The area is predominantly residential in character, although some local community facilities do exist, including the library, which is on the application site and the bowling green. The roads in the area are typically narrow and lack footpaths, although Kingsdown Road is slightly wider and has a small stretch of footpath adjacent to the site. Buildings in the area vary greatly in their relationship with the road, scale, height and architectural style.

1.2 The existing site includes a building which was last used as a school and community centre, although these uses are currently dormant. Around a third of the building also accommodates a library. The building, which is single storey, is grade II listed and was built as a school in 1847. There is a play ground to its rear which has been used for car parking. The site also contains Curfew House, which is a mid C19th two storey dwelling. This property has an extensive garden to its rear which contains a number of trees.

- 1.3 The proposal seeks to: convert the Old School into two two-bedroom dwellings, following the demolition of several outbuildings and extensions; erect a single storey rear extension to Curfew House to provide a four bedroom dwelling for supported living, again following the demolition of outbuildings and extensions; and the erection of a detached one and a half storey, three bedroom dwelling to the rear of the site on a portion of the existing playground area, addressing The Avenue. The remaining play ground area would be used for gardens and car parking provision, which would be accessed via The Avenue.

2 **Main Issues**

- 2.1 The main issues are:

- The principle of the development
- The impact on the character and appearance of the area
- The impact on heritage
- The impact on residential amenity
- The impact on the highway

Assessment

Principle

- 2.2 The site lies within the settlement confines of St Margaret's, as defined by the Proposals Map. Within this area, having regard for Policy DM1, the principle of the proposed development is acceptable subject to other material considerations.

Character and Appearance and Heritage

- 2.3 The Old School is a Grade II Listed Building. Listed in 1971, the list description reads:

The building is now a Library and Old Persons Club. Dated 1847. Flint with red and white brick dressings and slate roof. F-shaped plan. One storey with stacks to end left and end right. Projecting gabled wing to right and projecting central gabled porch. Double sash in wing with pointed light over. Two sashes either side of porch, with ogee headed door and label hood with inscription over: National. School AD 1847 The end left bay is probably a slightly later extension.

- 2.4 Whilst the village contains other listed buildings, with the exception of the Old School, these are well separated from the site. The site also lies within the St Margaret's at Cliffe Conservation Area.
- 2.5 In assessing this application, regard must be had for the Planning (Listed Buildings and Conservation Areas) Act 1990. In furtherance to this, the NPPF requires that regard must be had for whether development would cause harm to any heritage asset, whether that harm would be substantial or less than substantial and whether, if harm is identified, there is sufficient weight in favour of the development (public benefits) that outweighs that harm.
- 2.6 It is proposed to convert the Old School into two dwellings, whilst retaining the existing library to the south west of the building. This change of use would

require the demolition of the existing outbuildings and extensions to the rear of the building, together with making internal alterations to the building.

- 2.7 Externally, it is proposed to demolish an existing outbuilding, lean to extension and toilet block extension. All of these are later additions to the building which detract from the simple and regular appearance of the rear elevation. These features are not considered to be of any evidential, historic, aesthetic or communal significance and, as such, their demolition is supported. Externally, the only other changes are the construction of two ramps to the front and side of the building, the replacement of windows and doors to the rear of the building and the insertion of roof lights to the rear roof slope. The ramps would be relatively modest and would be largely concealed from external views by the boundary wall, whilst improving accessibility to the building (including providing improved access to the public library). Subject to details of these ramps being secured by condition, it is not considered that they would cause any harm to the significance of the building. The windows and doors to the rear of the building have been much changed, with around half being non-matching replacements. The proposal seeks to remove the non-original openings and replace them with windows and doors of a consistent design, similar in appearance to the historic windows and doors within the building. It is considered that this change is positive. The proposed roof lights have been concentrated on the rear roof slope, avoiding alterations to the more prominent front roof slope. The roof lights are of a 'conservation' type design and are set flush with the plane of the roof. At present the roof has a simple appearance, which would, to a degree, be lost by the introduction of the roof lights. However, it is considered that the design and siting of the roof lights substantially reduces this harm. Furthermore, it is considered that this intervention is the least required facilitating the reuse of the building and, therefore, on balance it is acceptable.
- 2.8 Internally, the building (excluding the library, which is to remain unchanged) is split into three rooms. This split has some historic and evidential significance, as it demonstrates how the building would have been used for teaching. The proposal seeks to use this approximate split to inform the layout of the proposed dwellings, utilising two of these spaces to form the large living area of each, with the third central space being subdivided to form the bedrooms and bathrooms. It is also proposed to install a mezzanine floor, which would provide additional living space and bedrooms, again working with the three sections of the building. The use of a mezzanine retains a gap to the outside walls and the feeling of space within the building, preserving its character. The central wall at ground floor level between the two dwellings veers off as nears the rear wall of the building. Whilst this would create an incongruous feature internally, it is considered that this solution is the best available to avoid subdividing a window which would cause more significant harm.
- 2.9 Overall, it is considered that the works to the Old School provide an appropriate balance between securing the long term viable future of the building and minimising disturbance to the building.
- 2.10 Curfew House, whilst not listed, is of reasonable age and is considered to add to the character of the conservation area. No changes are proposed to the most prominent front elevation of the building, with the works concentrated to the rear.
- 2.11 The proposed rear extension would replace existing rear extensions to the buildings and a garage. These features are of no heritage significance and have

a neutral impact on the character of the conservation area and the area more generally.

- 2.12 The rear extension would not be highly visible from Kingsdown Road, but would be visible from The Avenue to the rear of the site. In these views, the rear extensions would be partially screened by the trees which are to be retained. The scale of the extension, whilst deep, would not be readily apparent from The Avenue, whilst the limited height of the building, reaching a maximum of 2.8m above ground level would allow the extension to appear subservient to the main buildings fronting onto Kingsdown Avenue. The Avenue is also at a slightly higher level than that of the proposed extension and would be set lower than the road, further reducing its visual impact.
- 2.13 The design of the extension to Curfew House, and the materials which are to be used, are distinctly modern. The extension would only be visible from The Avenue and, in these views, it is only the rear elevation of the building which would be seen. The Avenue has a wide range of building designs with little uniformity and, as such, the introduction of a new style is not itself objectionable. The rear elevation of the proposed extension would, as previously discussed, be subservient. The detailing of the rear elevation includes perpendicular windows, of traditional proportions which respond positively to those of the host building. The use of timber cladding and a green roof also departs from the materials typically used within the area; however, these choices do respond to the sylvan character of the existing garden and would, over time, soften the building into its context. Having regard for the set back from the rear boundary of the site, the screening provided by the retained trees, the modest scale of the building as seen from The Avenue, and the detailed design which, whilst modern in some respects, responds to the more traditional host building, it is not considered that the proposed extension causes any significant harm to the setting of the listed building, the character of the conservation area or the character of the area more generally.
- 2.14 The proposed new dwelling would be located to the rear of the Old School, adjacent to The Avenue. This dwelling would occupy the portion of the existing school playground furthest from the school building. From studying the historic maps of the area, it is clear that the original school did not include a playground, comprising solely the school building and the open space to its front. Whilst this limits the heritage significance of the playground, it is considered that the openness to the front and rear of school does enhance the setting of the listed building. The proposed new dwelling would be set adjacent to The Avenue, retaining a separation distance to the Old School of around 15.5m which is considered to be appropriate to retain the open setting to the listed building. The scale of the new dwelling would be modest, rising to one and a half storeys. Having regard for this scale and the separation distance to the Old School, it is not considered that the development would harm the setting of the listed building.
- 2.15 The scale of building would sit comfortably on the north western side of The Avenue, as the area contains a mixture of single, one and half and two storey dwellings ranging from those of a relatively modest size to large properties. Equally the design of properties in The Avenue varies, with no strong unity to buildings, particularly on the stretch which links to Chapel Lane. The proposed new building, like the rear extension of Curfew House, is stylistically modern and utilises materials associated with contemporary architecture. Whilst this is somewhat a departure from its relatively traditional neighbours, the building incorporates a pitched roof and a domestic fenestration which responds to the

buildings in the vicinity. Furthermore, whilst new materials are introduced such as timber weatherboarding, the building also incorporates a brick plinth wall and a section of flint wall which positively respond to the materials within the Conservation Area. Overall, the building, whilst introducing new elements to the area, respects the character of this part of the Conservation Area and the setting of the listed building, whilst forming a bridge between the traditional architecture in the area and the proposed rear extension to Curfew House.

- 2.16 For the reasons outlined, having special regard for the desire to preserve the listed building and its setting and having paid special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area, it is considered that the development would cause limited, and less than substantial, harm to the listed building, and no harm to its setting or the conservation area. It is considered that the harm caused to the listed building has been minimised through the careful design of the scheme. Furthermore, this limited harm is considered to be more than outweighed by the significant benefit of providing a long term viable use for the building, securing its future and its continued maintenance. The layout, scale, design and use of materials of the development would cause no harm to the character of the area more generally.

Impact on Residential Amenity

- 2.17 The site adjoins four residential properties, Cherry Bank, Fant Cottage, No.12 Kingsdown Road and No.18 Kingsdown Road. No.'s 12 and 18 are located to the sides of the existing buildings on the site. Having regard for the locations of the extensions, alterations and new build proposed, it is not considered that the living conditions of these properties would be harmed by the development. However, the relationship of the development with Cherry Bank and Fant Cottage require detailed consideration.
- 2.18 Cherry Bank lies to the south west of the site and occupies the corner of Chapel Lane and The Avenue. The living areas of the property are elevated above the level of the road, over a garage which is partially set within earth banks. The rear elevation of Cherry Bank would face towards the application site and includes habitable rooms, whilst the main garden areas wrap around the north east and south east sides of the property.
- 2.19 The rear extension to Curfew House would be located between 8.5m and 10m away from the rear elevation of Cherry Bank and would rise to a flat roof of around 2.8m in height, but would be set slightly lower than the garden and ground floor level of Cherry Bank, by around 0.3m. Having regard for the separation distance between the proposal and Cherry Bank, together with the height and levels of the proposed extension, it is not considered that an unacceptable degree of loss of light or sense of enclosure would be caused. Equally, as the development would be set lower than Cherry Bank and would be single storey, unacceptable overlooking would be avoided.
- 2.20 It is not considered that the proposed new build dwelling or the conversion of the Old School would impact Cherry Bank, both being located a significant distance away. As such, it is not considered that the development would cause any significant loss of amenity to Cherry Bank, or its occupiers.
- 2.21 Fant Cottage lies to the north east of the site. This property is two storeys in height, with a parking area to its front and a garden to its rear. Its plot is separated from the application site by an established hedge. The proposed new

build dwelling, fronting The Avenue, would be set around 8m away from the southern corner of Fant Cottage. Given the proximity to, and relationship with, the proposed dwelling, it is not considered that any windows or amenity space would suffer an unacceptable loss of light or sense of enclosure.

2.22 The proposed dwelling would include two dormer windows to its rear elevation; however, these would provide only angled views, at a distance of around 12m towards the rear garden of Fant Cottage. The new dwelling would also provide one first floor side facing window which would face towards the front parking area of Fant Cottage. Whilst the location of this window could give rise to overlooking, this window would serve a bathroom and, as such, could be obscure glazed and non-opening, which would mitigate this concern. Regard must also be had for the proposed roof lights at first floor level within the Old School. The closest of these, would be located around 10m from the rear of Fant Cottage. Whilst this distance would, ordinarily, result in a significant degree of overlooking, the intervening land is occupied by an outbuilding within the curtilage of Fant Cottage, which would block direct views. Furthermore, the internal mezzanine floor proposed within the Old School, would be set away from the roof light, further reducing overlooking. For the reasons, and subject to a condition requiring that the side facing window within the new dwelling is provided with obscure glass and is non-opening, it is not considered that the development would cause any unacceptable overlooking to Fant Cottage.

2.23 Having regard to the location, scale and design of the development, it is not considered that the living conditions of any other properties would be harmed.

Impact on the Highway

2.24 The existing site includes a school building with a playground to the rear and a building which has been split into two dwellings, comprising a two bedroom flat at ground floor and a one bedroom flat at first floor.

2.25 Whilst the school building is currently unoccupied, its lawful use as a school (Use Class D1 – Non-residential Institution) has not been materially abandoned and could be reoccupied in any non-residential institution use without requiring planning permission. Furthermore, the use of the school site includes the lawful use of the playground to the rear for the parking of cars. This use was first established under planning permission CH/6/71/00015 and was subsequently carried forward under permissions DO/76/00562 and DOV/98/00851. It is considered that this represents a significant fallback position in the assessment of the current application. As such, both the existing flats at Curfew House and the Old School have the potential to generate their own car parking requirements and vehicle movements.

2.26 The proposal seeks permission for the erection of one three bed dwelling, the conversion of the Old School building into two two-bed dwellings and the extension of the ground floor of Curfew House to provide the ground floor flat with two additional bedrooms (four bedrooms in total).

2.27 Policy DM13 states that parking provision should be a design led process, based on the characteristics of the site, the nature of the development and its design objectives. However, parking provision should be informed by Table 1.1, which sets out the starting point for establishing parking provision. In this location, Table 1.1 states that the proposed development would create a demand for approximately eight car parking spaces, comprising 7 spaces for residents and

0.8 spaces for visitors. The proposed site plan includes the provision of six car parking spaces to the rear of the Old School, together with two spaces to the side of Curfew House, in accordance with the guidelines in Table 1.1. Notwithstanding this, concern has been raised by third parties that insufficient car parking would be available to occupiers and visitors. Whilst some availability of car parking can be found on Kingsdown Road, this road can become heavily parked up at times whilst the Avenue and Chapel Lane are narrow and, particularly close to the site, provide no opportunity to park. It can therefore be established that the roads surrounding the site provide little opportunity for on-street parking and the concerns of neighbours are therefore understandable. However, it is not considered that the development would be deficient in parking provision and, furthermore, it is considered that the provision of additional car parking provision would be highly likely to harm the significant of Conservation Area and the setting of the Old School, which is a Grade II Listed Building. As such, on balance, the level of parking provision is considered to be acceptable.

- 2.28 Two car parking spaces would be provided to the east of Curfew House, one of which is already present, whilst the second would be provided following the demolition of the existing garage. These spaces would access directly onto Kingsdown Road, which is of a reasonable width at this section. Access to these spaces is considered to be acceptable. A further six spaces would be provided to the rear of the Old School which would be accessed from The Avenue. This area was granted permission for use as a car park in 1971, 1978 and 1998 permissions and is also accessed from The Avenue. The proposal is to widen this existing access from approximately 3.5m to 5.5m, which will allow unconstrained access and egress by vehicles and would represent an improvement to the current situation.
- 2.29 Concern has been raised that The Avenue is unsuitable for additional vehicle movements, being narrow, bounded by walls and lacking footpaths. In particular, due to its restricted width, The Avenue does not allow two vehicles to pass each other. Consequently, at peak times when there is a concentration of vehicle movements, vehicles have to reverse along the roads in the area. Whilst the narrow width of the road has been noted, it is not considered that the proposal would materially exacerbate this issue, generating a relatively low number of vehicle movements during peak hours. Furthermore, this must be balanced against the lawful use of the buildings on the site which, if brought back into use, would be likely to produce a greater number of movements during peak hours. The NPPF states that “development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe”. As such, on balance, it is not considered that the development would cause unacceptable harm to the local highway network.
- 2.30 The development includes secure, covered storage for eight cycles. Whilst this provision falls just below the recommended provision of one space per bedroom required by Kent Vehicle Parking Standards SPG4, it is noted that the proposed use as assisted living would be likely to reduce the use of bicycles. Notwithstanding this, should the use of the properties change and demand for cycle storage increase, it is noted that each property would have access to a private rear garden which would facilitate safe storage. It is not, therefore, considered that the level of cycle parking provided is unacceptable.
- 2.31 Whilst access to the site is considered to be acceptable, access by large lorries and construction vehicles is constrained, whilst the site itself is relatively small, providing only limited opportunities to load and upload vehicles, store materials

and park construction workers vehicles. It is considered that, in order to ensure that the development does not cause harm to the neighbouring roads and the living conditions of neighbours, a condition should be included in any grant of permission requiring that a Construction Management Plan is submitted for approval.

- 2.32 Concern has been raised that the development would cause harm to the road surface of The Avenue. The Avenue is an unadopted road which currently serves approximately 30 dwellings. Having regard for the existing use of The Avenue, it is not considered that that proposal would significantly increase the use of The Avenue or wear and tear. Furthermore, the part of The Avenue from the rear of Curfew House to its junction with Chapel Lane is owned by the applicant, as evidenced by Land Registry mapping, with the remainder of The Avenue being unregistered, with no private ownership.

Groundwater

- 2.33 The site lies within Groundwater Protection Zone 2, within which Policy DM17 directs that development which would be likely to cause contamination to groundwater will not be permitted unless adequate safeguards against possible contamination are provided.
- 2.34 At present, the existing hard surfaced areas drain in an uncontrolled manner into the ground. The proposed resurfacing of the playground to form the vehicle parking area would utilise permeable materials (paving and bound aggregate) which will distribute surface water infiltration across the site. All existing roofs will retain their existing drainage to rain water outlets. The proposed roofs will drain to new soakaways located within the parking areas and gardens of the development.
- 2.35 There is no history of contamination on the site, which has been used for education and as a village social building since its construction. It is therefore highly unlikely that any contamination is present on site which could be disturbed by the development. Furthermore, it is not considered that the parking of a small number of cars on the site, which already takes place at present, would be likely to release contaminants.
- 2.36 The green roof of the proposed extension to Curfew House would retain some precipitation, slowing down the movement of surface water. Whilst this effect would be modest, it would nonetheless be likely to reduce the likelihood of localised flooding.

Ecology

- 2.37 Concerns have been raised that the development will result in the loss of habitat for wildlife. The proposals will lead to the loss of three trees and other vegetation to the rear of Curfew House.
- 2.38 The site includes buildings which provide an opportunity for bat and bird ingress and semi-mature and over-mature trees. Having regard to Natural England's Standing Advice, these features have the potential to support bats and nesting birds.
- 2.39 The application has been supported by a Bat and Nesting Bird Report, which confirms that daytime internal and external inspections have taken place,

together with a dusk echolocation survey. Whilst no evidence of bats or birds was identified, both Curfew House and the Old School had gaps and lifts within their roofs and gaps in their barge boards, which could provide access for bats. Subsequently, the report recommends that precautionary principles are applied prior to development, requiring further checks in advance of and during works. Additionally, it is recommended that lighting of the buildings is minimised and crevice roosting features are incorporated into the development to provide an ecological enhancement of the site. It is considered that these recommendations should be secured by condition, should permission be granted.

Trees

- 2.40 There are nine trees on the site, including three to the front of the Old School and six to the rear of Curfew House. Whilst these trees are not covered by a tree preservation order, they are afforded a degree of protection by virtue of being located within a Conservation Area.
- 2.41 The three trees to the front the Old School comprise two Walnuts and one Black Walnut. No works are proposed to these trees, other than the maintenance works to improve the health of the trees.
- 2.42 The six trees to the rear of Curfew House comprise three large trees close to the boundary with The Avenue and three smaller trees towards the centre of the site.
- 2.43 The three larger trees, which comprise an Ash, a Robinia and a Beech, are prominent features in the area, adding to the character of the Conservation Area and the setting of the listed building. These trees are to be retained, although works are proposed to the Ash and the Beech. It is proposed to crown reduce the Ash by 3-4m, crown raise to 4m and remove deadwood. These works would retain a reasonable crown spread and a crown height of around 10m and are therefore considered to be acceptable. In assessing these works, regard must also be had for Ash dieback which will be likely to result in the loss of the tree within the next 10-15 years. Beech trees are relatively sensitive to significant reductions to their crowns. The proposal seeks permission to cut back the extending limbs to the north of the crown. These limbs unbalance the tree and their removal is therefore positive. Equally, lifting the crown to 4m will retain a well-proportioned crown. The works would reduce the crown by around 20-25%, which is considered to be an acceptable reduction and would not significantly harm the longevity or appearance of the tree. It is also proposed to sever ivy to each tree, which will assist the longevity of the trees.
- 2.44 It is proposed to fell the three smallest trees to the rear of Curfew House, to allow for the erection of the rear extension to the building. These trees are relatively small semi-mature examples comprise two Ash and one Rowen. Again, regard must be had for Ash dieback. Whilst these trees are in reasonable condition, it is not considered that they provide any significant benefit to the amenity of the area, being visually concealed and crowded out by the more prominent and larger trees closer to The Avenue. As such, it is not considered that the felling of these trees would cause any significant harm.
- 2.45 The development includes some small scale works within the root protection areas of trees; however, these works largely comprise the laying of hard standing which do not require any significant excavations and it is therefore considered that no unacceptable harm would be caused to the root systems of the trees. It is, however, considered that, should permission be granted, a condition should

be attached requiring measures to protect the trees to be retained during construction.

Other Matters

- 2.46 The applicant intends to build the development to Code for Sustainable Homes (the 'Code') level 4; however, an objection has been received which draws attention to the fact that the code has been withdrawn. No details have been submitted to demonstrate how the development would be constructed to high environmental standards, or what environmental technologies would be incorporated. The Code was withdrawn when the Deregulation Bill 2015 received Royal Assent and, as such, it cannot be relied upon to demonstrate that the development would be constructed in a highly sustainable manner and, consequently, no weight can be attributed in favour of the development in this respect.
- 2.47 The St Margaret's Neighbourhood Plan is only at the early stages of development and it has not been published for consultation. As such, at this stage, only the designation of the Neighbourhood Plan Area can be given weight; however, no policies exist which can be considered as part of this application.

Overall Conclusions

- 2.48 It is considered that the development is acceptable in principle. It is also considered that the development would not cause unacceptable harm in terms of its impacts on the character and appearance of the area, heritage assets or their settings, neighbouring properties or the local highway network, and would be acceptable in all other material respects, subject to conditions. It is therefore recommended that planning permission and listed building consent are granted.

g)

Recommendation

- I PLANNING PERMISSION BE GRANTED, subject to conditions to include:-
- (i) approved plans, (ii) construction management plan (iii) provision of car parking and access (iv) provision of cycle parking (v) samples of materials (vi) details of windows (vii) reveals to windows (viii) sample panel of flint (ix) 1st floor window in north east elevation of new dwelling to be obscure glazed and non-opening (x) roof lights to be flush with roof plane (xi) details of any flues or vents (xii) plans, elevations and sections of proposed access ramps (xiii) protection of trees during construction (xiv) details of boundary treatments (xv) boundary wall to south west boundary to be constructed prior to commencement (xvi) details of refuse stores (xvii) ecological precautionary principles and enhancements.
- II LISTED BUILDING CONSENT BE GRANTED, subject to the conditions to include:-
- (i) approved plans, (ii) samples of materials (iii) details of windows (iv) reveals to windows (v) sample panel of flint (vi) roof lights to be flush with roof plane (vii) plans, elevations and sections of proposed access ramps (viii) demolition to be concurrent with development (ix) details of measures to protect internal features and a schedule of repairs (including the re-use of internal timber screens) (x) details of any flues or vents.

- III Powers to be delegated to the Head of Regeneration and Development to settle any necessary planning conditions in line with the issues set out in the recommendation and as resolved by Planning Committee.

Case Officer

Luke Blaskett and Allan Cox