

4.1 23/01864/HOUSE

Revised expiry date 17<sup>th</sup> November 2023

Proposal: Proposed infill of existing balcony to create en-suite, alteration to fenestration.

Location: The Old Barracks, 95 Dartford Road, Sevenoaks Kent TN13 3TF

Ward(s): Sevenoaks Town & St Johns

### **Item for decision**

This application has been called to Development Management Committee by Councillor Skinner in order to test the views of the Conservation Officer, reflected within this recommendation, that the development would be harmful to a Locally Listed Building.

RECOMMENDATION: That planning permission be REFUSED for the following reason:

The bulk, unsympathetic design and materials of the proposed development would neither conserve nor enhance the locally listed building. The proposal would harm the significance of the non-designated heritage asset and consequently would be contrary to policies EN4 of the Sevenoaks Allocations and Development Management Plan (ADMP) and C1 of the Sevenoaks Town Neighbourhood Plan (STNP) as well as the heritage principles of the National Planning Policy Framework (specifically paragraph 203). The bulk and design of the proposal, in a highly prominent position, is considered to have a detrimental impact on the overall appearance of the street scene contrary to policies EN1 of the ADMP, SP1 of the Core Strategy and C4 of the STNP.

### **National Planning Policy Framework**

In dealing with this application we have implemented the requirements in the National Planning Policy Framework to work with the applicant/agent in a positive, proactive and creative way by offering a pre-application advice service; as appropriate updating applicants/agents of any issues that may arise in the processing of their application and where possible and if applicable suggesting solutions to secure a successful outcome. We have considered the application in light of our statutory policies in our development plan as set out in the officer's report.

### **Description of site**

- 1 The application property is located in a prominent corner position, visible from Dartford Road and Bradbourne Road and also from St Johns Hill and St Johns Road, Barrack Corner and Rheinbach Gardens (the small, landscaped garden on this junction).
- 2 The Old Barracks is a Locally Listed Building, which is considered to pre-date 1840 and possibly originate back as far as 1750. The existing dwelling is of a unique design, form, and appearance. The property lies opposite to and in the setting of the

Hartlands Conservation Area, the boundary of which runs along the east side of St John's Hill/Dartford Road.

- 3 There is an existing, blue-painted softwood balcony to the rear of the property, visible within the street scene. No planning permission for this softwood structure has been found but it is known to date back a number of years.

#### **Description of proposal**

- 4 This application proposes the infilling of the existing balcony structure to create an en-suite bathroom, and alterations to the fenestration of The Old Barracks.
- 5 The new en-suite bathroom would have two new windows on the rear (north west) elevation and one on the south-west facing side elevation of the enclosed balcony. The window serving an existing bathroom on the south-west facing elevation of the main house is proposed to change size and design. The design of the small ground floor window on the front elevation is also proposed to change.
- 6 As part of the proposed enclosure of the balcony, the roof of the structure would be raised to align with the eaves line of the main dwelling.
- 7 The materials are proposed to be timber effect cladding (colour not yet confirmed) and a fibreglass roof.

#### **Relevant planning history**

- 8 23/00847/LDCPR Proposed rear extension not exceeding 4m in depth from the original house, and not exceeding 4m in height. Proposed infilling of second storey balcony more than 2m away from the boundary. REFUSE
- 9 *Application 23/00847/LDCPR was refused because the infilling of the balcony would not comply with the requirements of the Town and Country (General Permitted Development) (England) Order 2015 (as amended). However, the Officer's Report indicates that the side extension [incorrectly referred to as rear extension in the above proposal] would have been permitted development.*
- 10 20/02823/FUL Erection of a pair of semi-detached dwellings with associated parking and gardens and alterations to dropped kerb. REFUSE
- 11 19/00116/FUL Erection of a pair of semi-detached dwellings with parking and gardens and extending drop kerb. Demolition of outbuildings. GRANT
- 12 17/01267/FUL Demolition of existing dwelling and outbuildings and erection of 6 X 2 bedroomed dwellings, landscaping and associated parking. REFUSE

#### **Policies**

- 13 National Planning Policy Framework (NPPF)
  - Section 16 ('Conserving and enhancing the historic environment'), specifically Paragraph 203 – Non designated heritage assets
- 14 Core Strategy (CS)

- SP1 – Design of New Development and Conservation
- 15 Allocations and Development Management Plan (ADMP)
- EN1 – Design Principles
  - EN2 – Residential Amenity
  - EN4 – Heritage Assets
- 16 Sevenoaks Town Neighbourhood Plan (STNP)
- Policy C1
  - Policy C4
- 17 Other:
- Sevenoaks Residential Extensions Supplementary Planning Document (Residential Extensions SPD)
  - Sevenoaks Residential Character Area Assessment Supplementary Planning Document [A05]
  - Local List Supplementary Planning Document

### Constraints

- 18 The following constraints apply:
- Locally Listed Building
  - Article 4 Direction
  - Urban Confines: Sevenoaks

### Consultations

- 19 Sevenoaks Town Council
- Recommended approval subject to Conservation Officer's views
- 20 SDC Conservation Officer
- "12/09/23 Amended scheme - The proposal has been amended, a summary of the main changes is set out below:  
A new planning statement has been provided. Changes have also been made to the proposed plans, including the removal of the rooflight and the insertion of two new windows on the rear elevation.
- 21 The conservation comments below have been updated.

### Representations

- 22 None received
- 23 Significance
- 24 The application site is locally listed and is a non-designated heritage asset.

- 25 The two-storey detached house was built before 1840 and thought to date back as far as 1750. It has painted render walls under hipped slate roof. There is a canopied entrance door on Dartford Road. The Bradbourne Road frontage has modern upvc windows to each floor with margin glazing bars, small brackets under cills, shallow moulded window heads to ground floor windows. The windows appear to be later replacements.
- 26 The building was selected for local listing because it met the following criteria:
- Built before 1840, original external features still recognisable.
  - Example of a style of building unique to the local area.
  - Important association with the development of the town or its social or cultural history.
  - Building or group of buildings that contributes significantly to the townscape, street scene or appearance of the area.
- 27 The Old Barracks is one of the oldest houses in this part of the road, which has rarity value and retains some original features. There is strong supporting evidence for a link with the former military barracks in Sevenoaks, hence the name Barrack Corner. The building is an example of a style of building unique to the local area. It adds significantly to the street scene and appearance of the area.
- 28 The modern upvc windows have replaced historic sash windows. The modern windows and rear and side extensions detract from the special interest of the locally listed building.
- 29 The Planning Statement (August 2023) explains that there is evidence that the balcony is not a recent addition, and that original door from the master bedroom has historic glazing in it. The existing covered timber balcony attached to the rear elevation would originally have been orientated towards the garden and the timber-panelled side along Bradbourne Road would have provided some privacy. The garden has subsequently been developed and as such the balcony structure has lost its context and is now redundant.
- 30 Impact Assessment
- 31 The proposal is to enclose the existing balcony to create an en-suite.
- 32 The existing balcony is located on the side elevation and is readily visible to the side of the front (Bradbourne Road) elevation. The existing structure adds bulk to the side of the house and its design, although intriguing, is incongruent with the host building given the loss of context. However, its lightweight appearance means that the historic building can still be appreciated on this side elevation due to visual permeability.
- 33 It is proposed to enclose the existing structure with vertical weatherboarding, insert a window on the side (garden-facing) elevation and two windows in the rear elevation. The proposed structure would conceal much of the first-floor of the historic house and obscure views of its rear elevation from the street.
- 34 Enclosing the balcony would give solidity and bulk to the first-floor structure which has an awkward relationship to the host building. The infill would highlight the complete loss of purpose of the balcony structure, and in conservation terms represents an unsatisfactory solution to providing additional accommodation to the non-designated heritage asset.

The proposed timber-effect panelling and UPVC window frames would further undermine the quality and character of the locally listed building.

35 Due to its bulk, design and proposed materials I conclude that the proposal would have an unacceptable effect on the host building.

36 Conclusion

For the reasons discussed above I consider that the proposals would cause harm to the significance of the non-designated heritage asset (NPPF para 203) and are not supported in heritage terms.

### **Chief Planning Officer's appraisal**

37 The main planning consideration are:

- Design and impact on the character and appearance of the area
- Impact on residential amenity
- Impact on heritage assets

### **Design and impact on the character and appearance of the area**

38 Policy SP1 of the Core Strategy, Policy EN1 of the ADMP and Policy C4 of the STNP state that all new development should be designed to a high quality and should respond to and respect the character of the area in which it is situated.

39 The property is situated in a prominent position on the corner of Dartford Road and Bradbourne Road. The balcony is highly visible from Bradbourne Road and from stretches of St Johns Hill and St Johns Road, and Rheinbach Gardens, which is recognised within the Sevenoaks Residential Character Area Assessment as being an important open space and positive townscape feature within the St Johns Road area of the town. The existing balcony structure has been in place for a number of years and appears to have become lawful through the passage of time.

40 The existing structure is an incongruous and unexpected feature, that is both alien to the main dwelling and the street scene. Its colour, form and materiality are uncommon features within the street. Being attached to a the side of a building that has an otherwise largely symmetrical façade to Bradbourne Road, the balcony creates an imbalance that is not otherwise seen within the surrounding street scene. The existing balcony does, however, have open sides which give the structure a both a lightness of form and visual permeability that reduce this impact when viewed from certain angles.

41 The proposal would not be sympathetic to the existing character and appearance of the dwelling. The infilling of the structure adds solidity and excessive bulk, and a greater perception of permanence, which will obscure the building further and add mass and bulk to the street scene. As noted within the appeal decision for 20/02823/FUL (APP/G2245/W/21/3271010), the Old Barracks has generous surroundings which ensures its significant features are prominent and appreciated within the street scene. The infilling of the balcony, regardless of colour used, would become a prominent feature on the Bradbourne Road elevation, and would detract from the appreciation of the building and its appearance within the wider street scene.

- 42 The Sevenoaks Residential Character Area Assessment highlights that repeated doors and window openings should be retained and that window and door detailing should be retained and reinstated. The harm that has arisen within the area from inappropriate replacement windows and doors is noted. While the applicant highlights within the Planning Statement that the door onto the balcony from the Master Bedroom is a historic feature, the enclosure of this balcony would entirely conceal this feature from view. The wider, prominent Bradbourne Road elevation retains the regular window openings and detail. The proposed infill balcony sits in an inappropriate contrast to the historic materiality, form and detailing of this elevation.
- 43 The new infill structure would also have a flat roof (with a low, almost imperceptible pitch), which would be marginally raised from the existing roof level. The Residential Extensions SPD highlights that flat roofs are not normally appropriate on extensions, especially in prominent positions. It is acknowledged that the existing structure has a flat roof; however, as noted above, it currently sits above open sides creating a lightness of form and reflecting its past role as a balcony overlooking garden space. By infilling the sides of existing structure, it would read as a flat roof extension which, given its visibility from the surrounding street scenes, would be harmful to overall street scene and character of the area.
- 44 The Residential Character Area Assessment Design Guidance for the St John's Road area recommends that the "harmonious palette of yellow and red brick or white render and original slate roofs should be respected." The proposed materials, comprising timber-effect cladding, UPVC windows and a fibreglass roof, would not meet this requirement. These current proposed materials would both be out of keeping with the existing street scene and would increase the appearance of solidity.
- 45 Overall, it is considered that the proposal would have a detrimental impact on the street scene and, as such, fails to comply with Policy EN1 of the ADMP and Policy C4 of the STNP.

#### **Impact on Residential Amenity**

- 46 Policy EN2 of the ADMP requires proposals to safeguard the amenities of existing and future occupants of nearby properties.
- 47 Given the nature of the development and the positioning of neighbouring windows and private amenity space, and the views afforded from the existing balcony, the proposal is not considered to cause significant harm in terms of light, overlooking or visual intrusion. The widening of the existing bathroom window on the side elevation would be permitted development (if obscured glazed) and could be conditioned as such if approved to protect privacy.
- 48 The proposal is considered to comply with Policy EN2 of the ADMP.

#### **Impact on Heritage Assets**

- 49 As noted, the application property is a locally listed building, or a non-designated heritage asset; the description of this asset and the reason for its listing is set out in the Conservation Officer's response above, taken from the list description. The property is located within the setting of the Hartslands Conservation Area.
- 50 The NPPF states that great weight should be given to the conservation of heritage assets (para.199).

- 51 Policy EN4 of the ADMP states that proposals that affect a Heritage Asset, or its setting, will be permitted where the development conserves or enhances the character, appearance and setting of the asset. The STNP, at Policy C1, supports developments that sustain and, where practicable, enhance the significance of a heritage asset, or the contribution made by its setting. New developments must, it states, be designed to preserve, and where possible, enhance the character or appearance of Conservation Areas.
- 52 As set out above, the Conservation Officer has highlighted that the existing balcony adds bulk to the side of the house and its design, although intriguing, is incongruent with the host building. However, given its lightweight structure and visual permeability, the structure as existing allows the historic appearance of the locally listed building to be seen in views of the rear elevation from Bradbourne Road and surrounding streets. The infilling of the balcony would, in contrast, further the awkward relation between the structure and the host building.
- 53 The infilled structure would give a solidity to the building that would obscure the views of the historic building and features of the first floor from the street scene.
- 54 The Conservation Officer advises that the proposed works are an unsympathetic and unsatisfactory option for providing extra accommodation. The materials are considered to further harm the significance of the locally listed building, which should be protected.
- 55 It is acknowledged that the previous context of the balcony, orientated to overlook the garden of the property, has been somewhat lost due to the development of 1a and 1b Bradbourne Road. However, the infilling of the balcony would result in this context being lost completely. The infilling of the structure would, in contrast to a lightweight balcony structure, give the appearance of a solid extension. This would result in an overly prominent appearance that would neither conserve nor enhance the non-designated heritage asset. Instead, this new addition, in such a prominent corner, position would conceal or detract from the historic features of The Old Barracks and exacerbate existing harm. It would neither conserve or enhance in line with ADMP Policy EN4 nor would it sustain and, where practicable, enhance the significance of the heritage asset in line with Policy C1 of the STNP.
- 56 The bulk of the structure would detract from the historic features visible on the Bradbourne elevation of the property, exacerbating the imbalance created on this elevation. The structure would be highly visible from the surrounding streets. The bulk, design and materials the proposed works will appear incongruent against the historic fabric of the locally listed building.
- 57 The Old Barracks is an important historic building, that positively contributes to the setting of and views into the Hartslands Conservation Area. The incongruent nature of the proposal would diminish the value of the building as a positive contribution to the setting of the Conservation Area. As noted, this would be exacerbated by the proposed materials (timber effect cladding), which is not in accordance with the historic materials of area. Whilst it is accepted that this is at the lower end of less than substantial harm, the proposal does not conserve nor enhance the setting of the Conservation Area.
- 58 Paragraph 203 of the NPPF states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the

application. The ADMP and STNP further confirms that locally listed buildings are included when referring to heritage assets. Due to bulk, design and materials, it is considered that the proposed works would neither conserve nor enhance the locally listed building, instead causing direct harm to its significance. The proposal would also cause harm to a building within the setting of a designated Conservation Area.

59 This is contrary to EN4 of the ADMP, Policy C1 of the STNP and paragraph 203 of the NPPF.

### **Community Infrastructure Levy (CIL)**

60 The proposal is not CIL liable.

### **Conclusion**

61 Overall, the bulk, unsympathetic design and materials neither conserves nor enhances the locally listed building, located in a prominent position and within the setting of a designated Conservation Area. The proposal is considered cause harm to the significance of the non-designated heritage asset and consequently is contrary to policies EN4 of the Sevenoaks Allocations and Development Management Plan (ADMP) and C1 of the Sevenoaks Town Neighbourhood Plan (STNP) as well as the heritage principles of the NPPF (specifically paragraph 203). The bulk and design of the proposal, in a highly prominent position is considered to have a detrimental effect on the overall appearance of the street scene contrary to policies EN1 of the ADMP, SP1 of the Core Strategy and C4 of the STNP.

62 It is therefore recommended that this application is refused.

### **Background papers**

63 Site and block plan

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[Link to application details:](#)

[Link to associated documents:](#)





# PROPOSED BLOCK PLAN

