

A05

FH/TH/18/0332

PROPOSAL: Erection single storey side and rear extension alteration to roof from hip to gable at rear with glazed gable end to facilitate loft conversion

LOCATION:

11 Hereward Avenue BIRCHINGTON Kent CT7 9LY

WARD: Birchington North

AGENT: Mr Matthew Gerlack

APPLICANT: Mr & Mrs Downing

RECOMMENDATION: Approve

Subject to the following conditions:

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

GROUND;

In accordance with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Purchase Act 2004).

2 The proposed development shall be carried out in accordance with the submitted application as amended by the revised drawings numbered 18/288/JG/PL01 Rev A and 18/288/JG/PL02 Rev A and dated 23rd April 2018.

GROUND;

To secure the proper development of the area.

3 The external materials and external finishes to be used in the development hereby approved shall be of the same colour, finish and texture as those on the existing property.

GROUND;

In the interests of visual amenity in accordance with Policy D1 of the Thanet Local Plan

SITE, LOCATION AND DESCRIPTION

11 Hereward Avenue is an early 20th century single storey detached bungalow sited within a mid-sized plot, designed with a gabled feature and an integral garage to the front elevation and set under a hipped pitched roof. The property is finished in white painted render to the elevations, and plain tiles to the roof.

The site is located within a wholly residential area of Birchington. Hereward Avenue is characterised by detached single storey bungalows, two storey houses and chalet bungalows of varied designs, set within mid-sized and large plots.

RELEVANT PLANNING HISTORY

CD/TH/18/0643 - Application for a Certificate of Lawful Development for proposal alterations to roof including rear Juliet balcony and rooflights to side and front - Granted 07/06/18

PROPOSED DEVELOPMENT

The original scheme proposed the erection of a single storey side and rear extension, alterations to the roof from hip to gable at rear with glazed gabled end to facilitate loft conversion and the erection of a rear balcony above the proposed single storey rear extension.

This proposal has subsequently been amended, and the proposed rear balcony has been omitted from the scheme.

The amended scheme proposes the erection of a single storey side and rear extension, following demolition of the existing conservatory. The side extension is located to the rear of the existing garage, and extends approximately 8m in depth, in line with the side elevation of the garage. The rear element of the extension will extend a depth of 2m from the original rear elevation to the main body of the property and will extend the full width of the rear elevation.

The application proposes to alter the form of the roof from a hip to gable end to the rear, and incorporates a Juliet Balcony to the centre of the gable, with 2no. rooflights located to the south east side elevation, to facilitate a loft conversion.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan 2006 (Saved Policies)

D1 - Design Principles

NOTIFICATIONS

Letters were sent to neighbouring property occupiers and a site notice was posted near the site. Six letters of objection have been received regarding the original proposal. These objections raised the following concerns:

- The rear roof terrace/balcony will adversely and severely affect the amenity of our future buyers and destroy the enjoyments of their rear gardens.
- Changes to the roof line, fully glazed rear elevation with roof terrace will directly face and overlook our rear garden and living area and have an unacceptable intrusive effect.

- Noise emitting from a first floor balcony will travel and be more disruptive to all surrounding neighbours.
- Concern regarding overlooking from the balcony.
- Request that the balcony is removed from the scheme.

The application was subsequently amended, and the proposed balcony was removed. Neighbours were re-consulted on the amended plans. Two letters of objection were received regarding the amended proposal. These objections raised the following concerns:

- Changes to the roof from hip to gable will have an overbearing effect and be out of keeping with the neighbourhood.
- The amount of glazing to the gable end will result in harmful impacts of overlooking.
- The use of a Juliet Balcony contravenes our Human Right for private and family life as set out in the Human Rights Act.
- Retention of doors will retain access to the flat roof. If this is not the case why are doors proposed?

Birchington Parish Council - No objections.

CONSULTATIONS

None received.

COMMENTS

The application has been called in to Planning Committee by Councillor Coleman-Cooke to allow members to consider issues of overlooking, overdevelopment and the impact to the character and appearance of the area.

The main considerations with regard to this planning application will be the impact of the proposed development on the character and appearance of the area and the residential amenity of neighbouring property occupiers.

Character and Appearance

The proposal will alter the form of the roof at the rear to a gable, which will modestly increase the scale and massing of the roof. The location of this alteration to the rear will limit its prominence within the street scene, and the proposed alteration will continue the eaves, ridgeline and follow the pitch of the roof of the existing property, constructed of materials to match. Having regard to the modest additional mass and design of the proposed roof alteration, which will be cohesive with the existing built parameters, together with the varied character of the area, which incorporates numerous two storey properties, this element is not considered to be out of character or harmful to the visual amenity of the area.

The proposed rooflight to the front elevation is modest in scale and will follow the plane of the roof, and will not project beyond it. This element is therefore considered to be a minor alteration, which will be located to the centre of the original roof and will therefore relate well to the pattern of fenestration and symmetry of the property.

The proposed single storey side and rear extension will have very limited visibility from the public realm by virtue of its location to the rear of the property and garage. The modest depth and single storey height of the extension will appear as a subservient addition to the property, finished in render to match. This element is therefore not considered to result in harm to the character and appearance of the area.

The proposal is therefore considered to comply with the objectives of Policy D1 of the Thanet Local Plan and the National Planning Policy Framework.

Living Conditions

The alteration to the roof from hip to gable will modestly increase the scale and form of the roof, and will retain a 3m and 6m separation distance to the adjacent neighbour to the north and south respectively. Given the modest additional mass, and form of the roof which will pitch away from each adjacent property, there is considered to be sufficient separation distance to the adjacent neighbouring properties to prevent harm with regards to a loss of light/outlook or sense of enclosure.

The proposed alterations to the roof will incorporate a first floor Juliet balcony, with a floor to ceiling window either side, sited within the centre of the gable end. This will introduce a first floor opening to the rear of the property, however the views from this opening to adjacent neighbours to the side will be oblique views, which are not considered to be significantly harmful to the living conditions of adjacent neighbouring properties. The first floor rear opening will retain an approximately 29m separation distance to the adjacent neighbour to the rear number 14a Harold Road, and approximately 27m to the approved housing development to the rear (within 16 Harold Road plot). These separation distances exceed the guidance distance of 21m which has historically been used to assess impacts of overlooking.

Whilst Juliet balconies incorporate additional glazing in comparison to traditional windows, as the doors to the Juliet balconies are set flush with the rear elevation and open inwards, and the balustrade extends beyond the rear elevation by a negligible amount (in this case 0.1m), the amount of overlooking possible from a Juliet balcony is equitable to that of a window. The amount of glazing to the rear gable is therefore not considered to result in increased amounts of overlooking, in comparison to windows.

Therefore by virtue of the design and siting of the Juliet balcony and floor to ceiling windows within the rear gable, their relationship with, and separation distance to the adjacent neighbours, the first floor opening is not considered to result in significantly harmful overlooking to the adjacent neighbouring properties.

A certificate of Lawful Development for the hip to gable enlargement including the insertion of the Juliet balcony and floor to ceiling windows has been granted, as these alterations fall within development permitted by Class B and Class C of Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015. This therefore provides a fallback position for this element of the proposal.

The 2no. rooflights will be sited to the centre of the eastern side elevation and will serve a bathroom and landing, both of which are not considered to be primary habitable rooms. Given the high level and angled position of the rooflights, located within the roofslope of the bathroom at ground floor level, and with a sill height of approximately 1.8m from the landing, no direct overlooking will be possible from these openings.

The single storey side/rear extension will extend to the rear of the existing garage, extending a height of 3m and will retain a minimum of approximately 3.5m separation distance to the adjacent neighbour to the south, separated by existing relatively high boundary treatment. There do not appear to be any primary habitable room windows to the side elevation of the adjacent neighbour. The single storey rear extension will extend approximately 1.5m beyond the rear elevation of the adjacent neighbour to the north, and will retain a 3m separation distance. Given the single storey height of the side/rear extension, together with its relationship with the adjacent neighbouring properties, this element is not considered to result in harm to residential amenity.

The side and rear extension will incorporate 1no. door to the centre of the south side elevation. There are currently 3no. windows located to this side elevation, and the proposal will extend these openings forward by 3m. Given the existing situation, the ground floor location of this door and the existing boundary treatment, this opening is not considered to result in harmful impacts of overlooking.

Overall given the design, scale, position of openings, location and relationship with the adjacent neighbouring properties the proposal is not considered to result in significant harm to neighbouring residential amenity. The proposal is therefore considered to be acceptable in accordance with Policy D1 of the Thanet Local Plan and paragraph 17 of the National Planning Policy Framework.

Other Matters

The provisions of the Human Rights Act 1998 have been taken into account in the processing of the application and the preparation of this report. The planning system respects the rights of the individual whilst acting in the interest of the wider community. It is an inherent part of the decision-making process for the Council to assess the effects that a proposal will have on individuals under Policy D1. In this case the proposal is not considered to result in significant harm to the living conditions of neighbouring properties through loss of privacy, and therefore there is no conflict with the human rights act.

The eventuality that people may use the flat roof as a roof terrace, accessed via the Juliet balcony doors is not being considered as part of this application as the provision of a roof terrace has been omitted from the amended plans. Should this area be used a roof terrace in the future planning permission shall be required.

Conclusion

The impact upon the character and appearance of the area and the living conditions of neighbouring property occupiers is considered to be acceptable and in accordance with

Policy D1 of the Thanet Local Plan and guidelines contained within the National Planning Policy Framework. It is therefore recommended that members approve the application.

Case Officer

Jenny Suttle

TITLE: FH/TH/18/0332

Project 11 Hereward Avenue BIRCHINGTON Kent CT7 9LY

