

**R02**

**FH/TH/20/0379**

PROPOSAL: Retrospective application for erection of single storey rear extension together with erection of dormer windows to front and  
LOCATION: both side elevations, installation of rooflights and alterations to roof to facilitate loft conversion, following demolition of existing conservatory  
  
91 Botany Road BROADSTAIRS Kent CT10 3SB

WARD: Kingsgate

AGENT: Mr Matthew Gerlack

APPLICANT: Mr & Mrs Gibson

RECOMMENDATION: Refuse Permission

For the following reasons:

1 The development, by virtue of the considerable size and prominent siting of the north-eastern dormer window, together with the colour and finish of the cladding to all dormers, results in a visually intrusive, incongruous and discordant form of development, which is architecturally unrelated to the application property, and unduly disrupts the consistency in terms of the scale, form, design and material finish to the row of bungalows within which the application property is sited, severely detrimental to the character and appearance of the area, and contrary to Policy D1 of the Thanet Local Plan, Policy QD02 of the Draft Thanet Local Plan, and paragraphs 127 and 130 of the National Planning Policy Framework.

### **SITE, LOCATION AND DESCRIPTION**

Botany Road is a linear residential road characterised by detached bungalows of early to mid-20th century origin. Development is strongly characterised by hipped roof forms to the detached bungalows, and largely maintains consistency in terms of their form, scale, design and use of traditional materials (brick facing elevations and plain tiled roofs). Some bungalows have been altered and gabled to the rear and contain modest side dormer windows, with the hipped form of the roof retained to the side between adjacent properties.

91 Botany Road was formerly a traditional early 20th century detached bungalow set under a hipped pitched roof with an integral garage.

The building has been extended through extensions and alterations approved through planning permission FH/TH/17/1418 and some unauthorised extensions and alterations. The enlarged property now contains a rear extension with a gabled form, a front pitched roof dormer window and 2No. Flat roof side dormer windows. Several elements of the

development are unauthorised, and the north east dormer is subject to an enforcement notice for removal.

### **RELEVANT PLANNING HISTORY**

**EN/19/0073** - Enforcement notice served on 12th September 2019 which requires the removal of the unauthorised dormer window on the north east side of the property within 3 months of the date of the notice.

The Enforcement Notice was appealed under reference: APP/Z2260/C/19/3239318. It was directed that the enforcement notice be varied by: the deletion of 3 months and the substitution of 6 months as the period for compliance. Subject to variation, the enforcement notice is upheld - 09/03/2020.

**F/TH/18/1606** - Variation of condition 2 of planning permission FH/TH/17/1418 for the erection of single storey rear extension following demolition of existing conservatory together with erection of dormer windows to both side elevations and rooflights with alterations to roof to facilitate loft conversion to allow for retrospective increase in size and alterations to fenestration of the side dormers together with alteration to material finish to the dormer windows and rear gable - Refused 06/03/2019 for the following reason:

*'The development, by virtue of the considerable size and prominent siting of the north-eastern dormer window, together with the colour and finish of the cladding to all dormers, results in a visually intrusive, incongruous and discordant form of development, which is architecturally unrelated to the application property, and unduly disrupts the consistency in terms of the scale, form, design and material finish to the row of bungalows within which the application property is sited, severely detrimental to the character and appearance of the area, and contrary to Policy D1 of the Thanet Local Plan and paragraphs 127 and 130 of the National Planning Policy Framework.'*

**FH/TH/17/1418** - Erection of single storey rear extension following demolition of existing conservatory together with erection of dormer windows to both side elevations and rooflights with alterations to roof to facilitate loft conversion - Granted 26/01/18

### **PROPOSED DEVELOPMENT**

The application is in retrospective form and seeks the retention of a single storey rear extension, dormer windows to both the front and side elevations finished in blue/grey horizontal cladding, rooflights to the rear roof slope, and an alteration to the rear roof slope to create a gable end.

Planning permission for similar works were originally applied for in 2017 under reference FH/TH/17/1418. During the course of this planning application the proposed side dormer windows were amended to a reduced size to be set comfortably within the roof slope and avoid an unduly bulky, boxy appearance. The approved side dormer windows were set up from the eaves by 1m, set down from the ridge by 0.3m and projected a maximum depth of approximately 2.3m from the roof plane. The approved material finish of the dormers was tile hanging to match the existing roof.

Following this planning permission, works were carried out to the property which did not accord with the approved scheme. The side dormer windows were constructed larger than approved, and all dormers were finished in blue-grey horizontal weatherboarding. In addition the window arrangement of the rear extension differed from the approved scheme.

An application to regularise the existing unauthorised extensions and alterations has previously been submitted and refused under reference F/TH/18/1606. This application was refused due to the scale and form of the north-eastern side dormer and the colour and finish of the blue-grey weatherboarding to the exterior of all dormers.

Following this refusal of planning permission, an enforcement notice was served requiring the removal of the unauthorised dormer window on the north east side of the property within 3 months of the date of the notice. The enforcement notice was appealed and upheld, with a revision to the time period of compliance from 3 months to 6 months.

This application seeks the re-consideration of the refused scheme under reference F/TH/18/1606 and contains some minor changes to this scheme. These changes comprise the reduction in rooflights to the rear, from 2No. rooflights each side, to 1No. rooflight each side and the alteration of the design of one of the windows to the north-east dormer.

The north east dormer projects an additional 1.4m in depth at the largest point when compared to the approved north east dormer window under reference FH/TH/17/1418. The proposed dormer is set up from the eaves by approximately 0.2m, set down from the ridge by approximately 0.3m and projects a maximum of approximately 3.7m in depth from the roof plane. This dormer extends an additional width of 1.7m to the rear, resulting in a total width of approximately 7.5m and contains an additional window opening, when compared to the previously approved scheme. This dormer is the same size as the previously refused scheme reference F/TH/18/1606 which was refused due to its scale and form.

The dormer to the rear of the south-western side roofslope extends an additional width of 1.5m of an overall width of 3.5m and contains an additional window opening when compared to the previously approved scheme. The size of this enlarged dormer was considered to be acceptable within the previously refused scheme.

All of the dormer windows forming part of this application are finished in blue/grey horizontal weatherboarding cladding. This formed part of the reason for refusal for the refused planning permission reference F/TH/18/1606.

The front dormer window and rear extension are the same size and form as previously approved through the previous planning permission, however the front dormer window is finished in blue-grey horizontal cladding, as opposed to tile hanging to match approved through the approved planning permission. The rear extension being considered through this application now contains 1No. Roof light to each side roofslope and has omitted the rear elevation windows.

## **DEVELOPMENT PLAN POLICIES**

### ***Thanet Local Plan 2006 (Saved Policies)***

D1 - Design Principles

### ***Draft Thanet Local Plan***

QD02 – General Design Principles

## **NOTIFICATIONS**

Letters were sent to neighbouring property occupiers and a site notice was posted near the site. One letter of support has been received from the general public. The letter states the neighbours have no objection to the development of the property in its existing form.

**Broadstairs and St Peters Town Council** - No comment.

**Broadstairs Amenity Society** - The Broadstairs Society takes a neutral stance on this retrospective application, wondering how this extensive (claimed on the drawings to be already built) improvement works could have progressed so far without thought that perhaps TDC Planning might have an interest. We might make the observation that the side elevations show the roof rooms with windows in abundance overlooking the adjacent properties. There is no indication of what the next door properties have in way of privacy issues impacted by this work. The Society's inclination is to object but in this instance as stated will take a neutral stance, instead monitoring TDC Planning progression of this application.

## **CONSULTATIONS**

None received.

## **COMMENTS**

This application has been called to Planning Committee by Councillor Bayford to allow members to consider the impact of the development upon the character and appearance of the area.

The main consideration with regard to this application is the consideration of 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 National Planning Policy Framework states that development should be sympathetic to local character and the surrounding built environment, establish and maintain a strong sense of place, and that permission should be refused for development of poor design which fails to take the opportunities available to improve the character and quality of an area. Policy D1

of the Thanet Local Plan outlines that the design of all new proposals must respect or enhance the character or appearance of the area particularly in scale, massing, rhythm and use of materials.

The approved side dormer windows through planning permission FH/TH/17/1418 were considered to be relatively moderate, proportional additions to the roof, which by virtue of their size, siting and use of materials to match were not considered to appear unduly prominent or harmful within the street scene, and did not unduly alter the hipped roof form of the application property.

The north-eastern side dormer window as built, in contrast, comprises significant additional bulk of massing which spans nearly the whole depth of the roof slope, resulting in a bulky, box-like form of development which dominates the north-eastern roof slope. This dormer by virtue of its size and location is highly prominent within the street scene, and is considered to result in a visually intrusive form of development, which is significantly out of proportion with the application property and diminishes the hipped roof form and design of the application property. This is considered to disrupt the consistency in terms of the form, scale and design of the row of properties the application property is sited within. In addition, the greater depth and siting of this dormer in comparison to the dormer windows to the south-west has resulted in an unduly unbalanced form and appearance to the application property.

The dormers to the south-western roof slope have retained their previously approved siting within the roof plane with the same distance to the eaves and ridge levels maintained. As such, this element is not considered to be significantly harmful to the character and appearance of the area.

A blue/grey horizontal cladding material finish has been used on the dormer face and cheeks to all dormers, which significantly contrasts with the traditional plain brown tile finish of the roof and the row of bungalows to which the application property is sited within, and does not relate to the part brick, part cream render finish to the ground floor elevations. This results in a prominent and discordant finish to the dormers, which appears significantly out of keeping with the material finish to the host property, fails to provide a cohesive design and appearance to the application property, and does not reflect the identity of local surroundings and materials. In addition, this material finish is considered to further highlight the prominence and inappropriate scale of the north-east dormer.

The remaining alterations and extensions including the front dormer window (with the exception of its material finish), and the rear extension are the same size and form as the previously approved elements, with the rear extension containing minor alterations including the re-positioning of window openings. These extensions and alterations are modest alterations to the previously approved elements and are considered to be compatible with the application property and the surrounding built environment.

The agent has submitted additional information in a form of a planning statement to support the proposal. This planning statement includes examples of bungalows within Botany Road which contain dormer windows extensions. The examples given include dormers which are finished in materials which do not match the tile hanging finish of the existing roof, however in these cases the exterior of the dormer(s) comprise a colour and finish which integrates

with the colour and finish of the ground floor of the bungalow, providing a cohesive design and appearance. This is not the case for the application property which is finished in brick and cream render to the ground floor, with brown tile hanging to the roof and blue/grey horizontal cladding to the dormers, providing an assortment of colours and finishes which does not provide a cohesive design or appearance.

There are examples of large dormer windows to side roofslopes, however in these instances, there is just one dormer to the sides of the hipped roof bungalow, thereby comprising a reduced built form to the retrospective development, and/or the dormer is finished in tile hanging to match which reduces the prominence of the dormer.

As such, none of the examples of dormer extensions are considered to be directly comparable with the retrospective development which is the subject of this application, and therefore this additional information is not considered to provide justification or overcome our concerns with the retrospective development.

The size and location of the north-eastern side dormer window, and the material finish of all of the dormers windows have previously been refused, and no changes have been made through this application to overcome the previous refusal reason. As such Officers maintain the view that the development is severely detrimental to the character and appearance of the area, contrary to Policy D1 of the Thanet Local Plan, Policy QD02 of the Draft Thanet Local Plan, and paragraphs 127 and 130 of the National Planning Policy Framework.

### **Living Conditions**

The size and form of the rear extension was previously considered and found to be acceptable, given its separation distance and relationship with the adjacent neighbouring properties. The built form of this element has not altered from the previous planning permission.

The built form of the dormer windows, given the lack of window openings to the side roof slopes of the adjacent neighbours and the separation to these neighbours is not considered to result in harm to the residential amenity of these neighbours.

In terms of overlooking, the front dormer window will face the street where there is no private amenity space. The windows to the side dormers are either serving non-habitable rooms, or are secondary windows. The agent has confirmed these windows are all obscure glazed and contain fire safety openings where necessary. The retention of this obscure glazing and opening arrangement could be secured by condition should planning permission be granted, which would prevent harmful overlooking to the adjacent neighbours. The rooflights by virtue of their position and angled siting within the roof slope are not considered to result in harmful overlooking.

The development is therefore considered to be acceptable in terms of the impact on living conditions of adjacent neighbours, according to Policy D1 of the Thanet Local Plan, Policy QD02 of the Draft Thanet Local Plan, and paragraph 127 of the National Planning Policy Framework.

## **CONCLUSION**

Overall, the proposed development, by virtue of the considerable size and siting of the north-eastern dormer window, which dominates the north-eastern roofslope, together with the colour and finish of the cladding to all dormers, which significantly contrasts with the finish of materials to the existing dwelling, is considered to result in a visually intrusive, incongruous and discordant form of development which is architecturally unrelated to the application property, and unduly disrupts the consistency in terms of scale, form, design and material finish to the row of bungalows to which the application property is sited. The development is therefore considered to be severely detrimental to the character and appearance of the area, contrary to Thanet Local Plan Policy D1, Draft Thanet Local Plan QD02, and paragraphs 127 and 130 of the National Planning Policy Framework. It is therefore recommended that members refuse the application.

### **Case Officer**

Jenny Suttle

TITLE: FH/TH/20/0379

Project 91 Botany Road BROADSTAIRS Kent CT10 3SB

Scale:

