

**A02**

**FH/TH/20/0618**

**PROPOSAL:** Alterations to roof form from hip and gable to barn hip, erection of front dormer and resizing of existing two front dormers,  
**LOCATION:** erection of pitched roof over existing garage, erection of single storey side and rear extensions with associated balcony, excavation works for the formation of indoor pool, together with alterations and enlargement of existing rear dormer, insertion of windows to western elevation, insertion of solar panel to western elevation and alterations to fenestration

Falcons Crest Epple Bay Avenue BIRCHINGTON Kent CT7 9HT

**WARD:** Birchington North

**AGENT:** No agent

**APPLICANT:** Mr Michael Barrett

**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 development hereby approved shall be carried out in accordance with the submitted drawings numbered Falcon-004 and Falcon-010 received 20/07/2020, and Falcon 003, Falcon-007 and Falcon-009 received 06/08/2020.

**GROUND;**

To secure the proper development of the area.

3 No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a watching brief to be undertaken by an archaeologist approved by the Local Planning Authority so that the excavation is observed and items of interest and finds are recorded. The watching brief shall be in accordance with a written programme and specification which has first been submitted to and approved by the Local Planning Authority. The works shall thereafter be carried out in accordance with the agreed programme.

**GROUND;** To ensure that features of archaeological interest are properly examined and recorded.

4 The external materials and external finishes to be used in the roof alterations and the front and rear dormers 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 QD02 of the Thanet Local Plan

5 The external materials and external finishes to be used in the single storey side extension to the western flank 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 QD02 of the Thanet Local Plan

6 The windows to be provided in the eastern elevation of the ground floor flank projection adjacent to No. 35 Epple Bay A hereby approved shall be provided and maintained with a cill height of not less than 1.73 metres above the finished internal floor level.

**GROUND**

To safeguard the residential amenities currently enjoyed by the occupiers of nearby residential properties in accordance with Policy QD03 of the Thanet Local Plan.

**INFORMATIVE**

Please be aware that obtaining planning permission and complying with building regulations are separate matters - please contact building control on 01843 577522 for advice on building regulations

**SITE, LOCATION AND DESCRIPTION**

Epple Bay Avenue is a winding road with largely detached properties in sizable plots along the northern coastal part of the District. There are a mixture of bungalows, chalet bungalows, and two storey properties within the street and a lot of architectural variety. This streetscape is more widely part of an important landscape character area defined by open sea views, narrow open grassy cliff tops which separate the coast from adjacent urban development, generally low rise residential seafront development which maintains the sense of an open undeveloped coast and an area that offers opportunities for recreational access on the cliff tops and sea wall via the Coastal path and Viking Trail, as identified in the Council's Landscape Character Assessment.

Falcon's Crest is a large detached chalet bungalow on the northern part of the street, where land levels slope down from the highway. It does not sit within any designated areas but is

adjacent to the Birchington/Westgate green wedge, public open space and part of an identified landscape character area to the east. It is also in close proximity to Flood Zones 2 and 3 and the urban fringe.

The property is set back from the street and is within a large plot that backs on to the edge of the clifftop. The existing building has a number of extensions and projections across it. To the front the building is light brickwork with red roof tiles. It has a hipped roof porch and a large flat roof garage set forward of the main building line along the eastern side of the frontage. The eastern part of the roof is gabled and the western side hipped. A large chimney stack sits to the left of the entrance porch with two flat roof dormers present, one either side of it. To the rear a number of single storey extensions and conservatories appear, with one conservatory wrapping around the rear and western flank. Two flat roof dormers appear in the rear roof slope, one long and set down, the other more modest following the line of the first.

### RELEVANT PLANNING HISTORY

F/TH/14/0243 - Erection of single storey front, rear and side extensions, two storey rear extension and first floor extension, together with insertion of first floor windows to side elevations. Granted 03 June 2014.

F/TH/91/0331 - Erection of single storey side and rear conservatory extension. Granted 22 May 1991.

### PROPOSED DEVELOPMENT

This application seeks planning permission for alterations to the roof form from hip and gable to barn hip, the erection of a front dormer and resizing of the existing two front dormers, the erection of a pitched roof over the existing garage to the front, the erection of single storey side and rear extensions with an associated balcony, excavation works for the formation of an indoor pool, together with alterations and the enlargement of the existing rear dormer, the insertion of windows to the western elevation, the insertion of a solar panel to the western elevation and alterations to fenestration.

### DEVELOPMENT PLAN POLICIES

#### **Thanet Local Plan**

SP26 - Landscape Character Area

SP35 - Quality Development

CC03 - Coastal Development

CC04 - Renewable Energy

QD01 - Sustainable Design

QD02 - General Design Principles

QD03 - Living Conditions

TP03 - Cycling

TP06 - Car Parking

## NOTIFICATIONS

Letters were sent to neighbouring property occupiers and a site notice posted close to the site. No representations have been received.

**Birchington Town Council:** Object to the application due to the volume of changes to the property and lack of doorways within the pool area.

## CONSULTATIONS

**KCC Archaeology:** I have checked the details and as you note it lies in an area that is archaeologically sensitive. In particular Romano-British funerary remains have been recorded in the area. I note the proposal involves excavations for a swimming pool within the existing property and an extension. While the location would have been subject to a degree of past disturbance there remains potential for archaeology within the property and I would therefore recommend that in any forthcoming consent provision is made for a watching brief secured through the following condition:

AR4 No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a watching brief to be undertaken by an archaeologist approved by the Local Planning Authority so that the excavation is observed and items of interest and finds are recorded. The watching brief shall be in accordance with a written programme and specification which has been submitted to and approved by the Local Planning Authority.

Reason: To ensure that features of archaeological interest are properly examined and recorded.

## COMMENTS

This application is reported to Planning Committee at the request of Councillor Coleman-Cooke in order for Members to consider whether any harm is caused to the character and appearance of the area as a result of the works that are proposed, having specific regard to whether the works would be an overdevelopment of the site.

### **Principle**

The proposal relates to an existing residential dwelling in the urban area and there is no in principle objection to its alteration or extension.

It falls to be considered whether the proposal would have any impact on the character and appearance of the area, neighbouring residential amenity, archaeology and highway matters.

### **Character and Appearance**

Paragraph 127 of the National Planning Policy Framework (NPPF) states decisions should ensure that developments will function well and add to the overall quality of the area, are visually attractive as a result of good architecture, layout and appropriate and effective

landscaping, sympathetic to local character and history, establish or maintain a strong sense of place, and optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development and create places that are safe, inclusive and accessible. Paragraph 130 states that permission should be refused for developments which are of poor design, or fail to take opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides. Policy QD02 of the Thanet Local Plan outlines that the primary aim of new development is to promote or reinforce local character and provide high quality and inclusive design that is sustainable in all other respects. Proposals should therefore relate to surrounding development, form and layout, be well designed, pay particular attention to context and identity of location, scale, massing, rhythm, density, layout and materials, and be compatible with neighbouring buildings and spaces. Policy SP26 sets out that development proposals should demonstrate how they respect and respond to the character, key sensitivities, qualities and guidelines of the relevant landscape character areas identified by the Council and detailed in its Landscape Character Assessment. The site is within the developed coast, where proposals should respect the traditional seafront architecture of the area, maintain existing open spaces, maintain and enhance the setting of sandy bays, low chalk cliffs and associated grassland, and maintain and enhance long sweeping views of the coastline.

The proposed alterations to the roof would not see any overall increase in the height of the ridge. The two currently uneven slopes to the east and west would be balanced with matching barn hips. This would allow for a greater sense of space to the east, where there is currently a full gable. To the west the existing hip would be raised with increased mass in this area as a result of the proposed barn hip finish. Although it has since lapsed without implementation, planning permission was previously granted for alterations to the roof in this location (F/TH/14/0243) that would have allowed the same kind of roof finish to the west. The neighbouring property in this location, Helms Deep, is set back behind the building line of the application site and a large gap exists at first floor between the neighbouring property and the application dwelling. Although the works would introduce more built form, some of the openness here and the visual gap that provides long views of the coastline would be retained, with no significant loss. On balance therefore, the works would not cause harm to the aims of saved policy SP26, and subject to a condition requiring the use of matching materials to the roof, would not cause harm to the character and appearance of this varied streetscape.

The existing dormers would be replaced along the front roofslope, with three similarly sized and spaced. The current dormer arrangement across the front appears cramped and unbalanced when viewed against the front chimney stack, the uneven roof slopes to the east and west, and the hipped roof of the porch. The works would simplify the overall frontage and create a more unified pattern of development. They are therefore not considered to be harmful, subject to a condition securing the use of matching materials.

The addition of a pitched roof over the existing garage would add more bulk to the front of the site, however it is recognised that there is a lot of diversity in terms of roof forms and finishes in this location, and the works would be similar to the appearance of the neighbouring garage at Helms Deep. As such they would not be out of keeping with the mixed character of the area.

To the eastern side elevation the works propose the loss of an existing smaller chimney stack to accommodate changes to the rear dormer, which would cut into the eastern roofslope. It is also proposed to insert a first floor window and a high level ground floor window that would wrap around the rear. The alterations to the roof would be unlikely to have any harmful impact on the character and appearance of the area, given the set-back from the road, coastal location and varied streetscene. The proposed additional windows would not be uncommon for a residential property. The loss of the chimney stack to the side is not considered to result in any harm to the wider area with no fixed pattern in this location. Additionally the dwelling would retain a stack to the front elevation, which is a more interesting and prominent feature, and would therefore retain some of the original characteristics of the property.

A staggered single storey side and rear extension is proposed to the western flank and would replace an existing mono-pitch conservatory. It would be set back from the front building line where land levels slope northwards, meaning that the full extent of the extension would be unlikely to be realised from the road. The plot also widens in this location but because the host dwelling is set so close to the boundary and forward of the neighbouring building line at Helms Deep, there is a narrow appearing gap between the properties where the development would be located, meaning it would never be fully appreciated from Epple Bay Avenue. The extension would be single storey with a flat roof that would, in part, exceed the height of the eaves of the host dwelling. This is not usually considered to be good design, however it is recognised that within this street this is a common relationship and permission has been given for similar works nearby owing to the varied nature of built form. Subject to the use of matching materials, the extensions are considered to be acceptable.

A solar panel would be located above the proposed conservatory on this side. Policy QD01 supports developments that are designed to reduce emissions and have resilience to function in a changing climate by making the best use of solar energy and natural light. Policy CC04 supports the use of renewable energy where there would be no significant adverse impacts on the surrounding area in terms of visual and landscape impacts, noise or amenity. The panel would be largely obscured by the arrangement noted above and limited views if any would be possible. The panel would be set back into the site where land levels fall and the panel would be a single modest one with no more than a 10 degree angle. It is therefore unlikely to result in any visual harm.

To the rear a single storey extension is proposed to join an existing extension along the eastern facing boundary.. The rear will not be readily visible from the street, save for very long distance glimpsed views from Sea Road. As such the works are not considered to adversely impact the character and appearance of the area.

Overall the changes proposed are not considered to result in harm to the character and appearance of the area, and would create more simplified and balanced forms of development. For this reason the works are considered to comply with the aims of policies SP26, QD01, QD02 and CC04 of the Thanet Local Plan, along with the aims of the NPPF.

## **Living Conditions**

Paragraph 117 of the NPPF states that planning decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Paragraph 127 states that decisions should ensure development creates, inclusive and accessible and which promote health and well-being, with a high standard of amenity for future users. Policy QD02 of the Thanet Local Plan outlines that new development should be compatible with neighbouring buildings and spaces, and should be inclusive in its design for all users. It should improve people's quality of life by creating safe and accessible environments and promote public safety and security. Policy QD03 outlines that new development must not lead to unacceptable living conditions through overlooking, noise, vibrations, light pollution, overshadowing, loss of natural light or a sense of enclosure. Policy CC03 outlines that proposals for new development within 40m of the coastline or clifftop must demonstrate that it will not expose people and property to risks of coastal erosion and flooding, accelerate coastal erosion due to increased surface water- run-off or impact natural habitats through coastal squeeze.

The works to the front of the site for a gable to barn hip change are not considered to cause any new harm to the neighbouring occupiers at No. 35 Epple Bay Avenue. The roof would not move any closer to the neighbouring property, and the small hip would mean an increased sense of space in this location, moving away from the two rooflights in the neighbouring roof slope. The hip to barn hip enlargement to the west with Helms Deep would bring development closer to the neighbouring property, where there are first floor windows and rooflights. However, the main dwelling at Helms Deep is set back from Falcon's Crest and sits at an angle to it, with a garage immediately on the boundary creating some separation from habitable spaces. The development would retain a level of open space at first floor between the properties and given this, along with the orientation of Helms Deep and path of sunlight in this location, the works are not considered to result in any new overbearing, sense of enclosure, loss of light or loss of outlook.

The proposed front dormer and alterations to the existing would not materially alter the relationship with any adjacent neighbouring properties, with No. 35 being set forward of the main building line at Falcons Crest and offering no obvious views into flank windows, which are obscured by the existing garage on the boundary, and with Helms Deep being set back. There would be more than 21m between the proposed development and the properties adjacent to the south.

The addition of a pitched roof over the existing garage is not considered harmful to the living conditions of the occupiers of No. 35. The existing garage sits roughly in line with the front of the neighbouring property, where a change to the roof form would be unlikely to cause any overbearing or overshadowing to the front windows. Although a greater mass would be evident from the flank windows in this location, the roof would pitch away from these windows and light would continue to pass down the 1m gap between the properties.

The proposed single storey extensions to the west would see one smaller extension set in 2m from the front building line and extending around 2m in length. The other would sit behind this and extend around 6.4m in length. The first would project approximately 1.2m from the side of the host building and the larger extension wrapping around the rear would project around 2.4m. These would sit adjacent to the neighbouring garage at Helms Deep,

which does not appear to have any openings or be in use as habitable space, adjacent to the area for development. As a result no new overbearing, loss of light, loss of outlook or other harm is considered to result.

An objection has been received in relation to a lack of doors to the proposed swimming pool, which would be accommodated within the western side/rear extension. Bi-fold doors are proposed in this location to meet with the rear of the property, and the use/enclosure of this part of the development is not considered to result in any new harm to neighbouring occupiers, being ancillary to the main dwelling. No internal doors are proposed to divide the pool area from the lounge, however the internal configuration of the dwelling is not a planning matter insofar as the applicants may have an open-plan layout if they wish. There are no planning restrictions on this issue and this is not considered any further.

The proposed solar panel above these extensions would be of a modest scale and have a small 10 degree angle or lay flat. Solar panels are designed to prevent solar glare and are unlikely to result in any harm to the living conditions of neighbouring occupiers, providing a renewable energy source in accordance with the aims of policies QD01 and CC04 of the Thanet Local Plan.

A rear extension is proposed that would largely sit inside the footprint of two existing rear projections/conservatories. There would be no new impact to the east, with no additional built form in this location, save for a new window wrapping around the flank towards the rear. Given the raised patio adjacent to this area across No. 35, it is considered appropriate to ensure that this window be high level.

To the rear it is proposed to replace the two existing flat roof dormers with one large flat roof dormer. This would be set down from the ridge and set in from the east by approximately 0.2m. A roof terrace would run between the dormer and the flat roof extensions and projections below and have a short side return. Neither of these accretions are considered to result in any new harm to the occupiers of No. 35 Epple Bay Avenue as they would not materially alter the existing relationship with the neighbouring property. There is already a similar dormer in this location and a balcony with a return. A window would be provided at first floor looking east. There is already a window in this location and the re-provision of this is not considered to materially alter the relationship with the occupiers of No. 35 Epple Bay Avenue.

To the west the dormer would be set in by around 2.6m and would not therefore result in any new harm to neighbouring occupiers at Helms Deep. The proposed balcony would stop before the wrap around side/rear extension, being set in by some 4.3m. The neighbouring windows appear to be obscure glazed at first floor. Given the distance between the proposed balcony and the neighbouring windows, along with the existing obscure glazing and lack of objection to the application, the works are not considered to result in any direct overlooking, sense of overlooking or sense of surveillance in this location and although a privacy screen has been considered and discussed with the applicant, in this instance a condition requiring such may fail to meet the tests set out for the imposition of a condition given the relationship between properties.



In terms of the Council's coastal development policy CC03, reference to the Environment Agency's flood map suggests that the site is within Flood Zone 1, and is thus at a low risk of flooding. Parts of the site are within 40m of the clifftop but not all of it. The alterations to the property will create a modest increase in footprint with the ground area covered not materially changing when compared with the existing arrangement of extensions and projections as to be likely to accelerate coastal erosion or coastal squeeze. There is an established residential dwelling in this location and the works would not provide any new sleeping accommodation in an area at risk of erosion or flooding. As a result it is considered that there is unlikely to be any harmful impact on flood risk or drainage, in accordance with the aims policy CC03 and those of the NPPF.

Overall the works are not considered to result in any harm to neighbouring property occupiers and would provide a satisfactory standard of accommodation for future users. As such the development is considered to comply with the aims of saved policies QD01, QD02, QD03 and CC03 of the Thanet Local Plan and the aims of the NPPF.

### **Archaeology**

Thanet is an area rich in archeology, with a long history of trade, settlers and invasion, and defence given its former island status and proximity to Europe. As a result there is the potential for disturbance to archaeological assets with any proposal involving below ground works.

Where this is the case paragraph 190 of the NPPF states that the local planning authority should take account of available evidence and expertise to consider the impact of a proposal on heritage assets, such as those of archaeological interest, and should take care to avoid or minimise any conflict between the asset's conservation and any aspect of the proposal. Policy HE01 sets out that the Council will promote the identification recording and protection of archaeological sites. Development proposals adversely affecting the integrity or setting of heritage assets will normally be refused.

The proposed swimming pool will require some more extensive groundworks than the extensions and therefore have the potential to impact below ground artefacts. Kent County Council (KCC) have identified that Romano-British funerary remains have been found in the area close to the site. As the works for the swimming pool in particular will involve some intrusion into the ground, there is the potential for the disturbance of archaeological remains. For this reason KCC recommend a pre-commencement condition for a watching brief. The wording recommended for the condition should however be amended to require compliance with the approved written programme of works and to ensure that it is clear, precise and enforceable. Subject to this, the development would comply with the aims of policy HE01 and the guidance contained within the NPPF.

### **Highways**

Policy QD02 outlines that new development proposals should incorporate a high degree of permeability for pedestrians and cyclists and provide safe and satisfactory access for pedestrians, public transport and other vehicles. Saved policy TP06 outlines that proposals for development will be expected to make satisfactory provision for the parking of vehicles.

Suitable levels of provision are considered in relation to individual proposals, taking into account the type of development proposed, the location, accessibility, availability of opportunities for public transport, likely accumulation of parking and design considerations.

The works would not result in any increase to the number of bedrooms provided across the site. There are no proposed changes to parking arrangements across the site, with off-street parking space available, and therefore there is not be considered to be any adverse impact on highway safety or parking in the surrounding area.

## **Conclusion**

The works would result in new built form and the enlargement of the existing property. This new development is considered to create more balance across the dwelling as a whole, and a simplification in terms of projections, extensions and openings. The works are not considered to result in any harmful overdevelopment of the site, or to cause harm to the character and appearance of the area subject to a number of safeguarding conditions. The works are not considered to create any new harmful overlooking, overshadowing, sense of enclosure, or overbearing to neighbouring property occupiers, or to result in accelerated coastal erosion or risk to people or property. The works have the potential to impact on below ground artifacts, where previous findings of archeological interest have been recorded. As a result it is considered necessary to condition a programme of archaeological works. The works are not considered to result in any additional pressure on parking or highway safety.

In view of the above, this application is recommended for approval.

**Case Officer**  
Vicky Kendell

TITLE: FH/TH/20/0618

Project Falcons Crest Epple Bay Avenue BIRCHINGTON Kent CT7 9HT



