

**A01**

**FH/TH/21/0834**

PROPOSAL:                   Erection of first floor extensions to front and side elevations to existing detached bungalow dwelling

LOCATION:                     22 Dane Court Gardens BROADSTAIRS Kent CT10 2SB

WARD:                        St Peters

AGENT:                      Mr Daniel Bragg

APPLICANT:                 Mr & Mrs Kronic

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 21/2748/PL/SLP received on 25th May 2021,, 21/2748/PL/04 Revision A, 21/2748/PL/03 Revision C, and 21/2748/PL/05 Revision A received on 25th August 2021, and the email from the Agent received on 28th September 2021, confirming material details.

**GROUND;**

To secure the proper development of the area.

**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**

The application site lies within the urban confines, in a wholly residential area. Dane Court Gardens is a residential estate in Broadstairs comprising a long winding street with off-

shoots creating small closes, characterised by a variety of detached bungalows and chalet bungalows.

The application property is situated on the northern side of a small cul-de-sac within Dane Court Gardens.

The site comprises a detached single storey dwelling which benefits from a detached garage, off street parking to the front and side of the site and private amenity space to the rear.

### PLANNING HISTORY

FH/TH/18/1690 - Erection of raised decking to rear of bungalow - granted 06/02/2019

### PROPOSED DEVELOPMENT

Planning permission is sought for the erection of a first floor and extensions to the front and side elevations of the detached bungalow. An existing detached garage would be demolished and a raised decking area to the rear of the dwelling, which was granted permission in 2019 under reference FH/TH/18/1690, is also shown on the plans. The plans show alterations to fenestration at ground floor level within the main dwelling.

The originally submitted scheme proposed a two storey side extension comprising a garage at ground floor with an ensuite bathroom and storage at first floor level serving a bedroom, a single storey front extension providing additional communal living accommodation and an office/study together with a first floor extension comprising three bedrooms and a bathroom.

The scheme was amended during the course of the application process and the revised plans propose an attached single storey garage to the side elevation, a single storey front extension providing additional communal living accommodation and an office/study together with a first floor extension which would result in the provision of two bedrooms and a bathroom at this level.

The proposed side extension would extend beyond the front building line of the original dwelling. The single storey side extension would have a depth of approximately 8.5 metres, width of approximately 3 metres, an eaves height of approximately 2.8 metres with a height to the eaves of the barn hip of approximately 4.6 metres and maximum height of approximately 5.3 metres. The proposed garage would be set away from the side boundary (at its closest point) by approximately 0.1 metres.

The proposed single storey front extension would comprise both pitched and flat roof elements. The addition would have a depth of approximately 6.5 metres, width of approximately 6.5 metres, a maximum eaves height of approximately 2.8 metres and a maximum height of approximately 4.7 metres to the ridge of the pitched roof projection.

The proposed first floor extension would comprise a barn hip with a dormer and rooflight to the front elevation and a dormer within the rear elevation. The overall height of the roof would increase by approximately 1 metre. The ridge height to the front would be

approximately 6.4 metres with the dormer set down from the ridge by approximately 0.8 metres, a width of approximately 2.6 metres and depth of approximately 2.2 metres. The ridge height to the rear would measure approximately 6.5 metres with the dormer set down from the ridge by approximately 0.8 metres, a width of approximately 8.1 metres and depth of approximately 2.2 metres. The eaves height to the barn hip to the north/west facing side elevation would be approximately 5 metres.

The scheme proposes alterations to the fenestration at ground floor level within the rear elevation of the main dwelling with openings primarily comprising bi-folding doors and an existing window at ground floor level within the front elevation would be replaced with a style to match the opening within the proposed extension.

The application proposes a finish of white smooth render and dark grey cedar weatherboarding, grey eternit slates and grey uPVC or aluminium openings.

## PLANNING POLICIES

### **Thanet Local Plan 2020:**

SP35 - Quality Development  
QD02 - General Design Principles  
QD03 - Living Conditions  
TP06 - Car Parking

### **Broadstairs and St Peters Neighbourhood Plan 2021:**

Policy BSP9: Design in Broadstairs & St. Peter's

## NOTIFICATIONS

Letters were sent to neighbouring occupiers and a site notice was posted near the site.

6 Objections were received in response to the original plans raising the following concerns:

- Out of keeping with the character of the area
- Overdevelopment
- Close to adjoining properties
- Too high
- Loss of light
- Loss of privacy
- Loss of views
- General dislike of proposal
- Design issues
- Information missing from plans and not enough information given on application
- Access to neighbouring land would not be granted to facilitate build
- Vehicular access
- Proposal is for a house

Neighbours were renotified following the submission of amended plans and 3 letters of support were received from 3 people making the following points:

- Plans in keeping with developments of similar design comprising first floor accommodation
- Ridge height in keeping with neighbouring property
- Property sits back from the road
- Larger plot
- No overlooking
- Improve parking

7 letters of objection were received from 6 people raising the following concerns:

- Out of keeping with the character of the area
- Overdevelopment
- Close to adjoining properties
- Too high
- Loss of light
- Loss of privacy
- Loss of views
- General dislike of proposal
- Design issues
- Information missing from plans and not enough information given on application
- Development will set a precedent
- Proposal is for a house
- Loss of single storey housing stock
- Access to neighbouring land would not be granted to facilitate build

**Broadstairs Society** - Objects to this proposal in forming a much larger two storey dwelling on what is a single storey dwelling estate. That is an estate of bungalows of modest proportions, but harmonious and comfortable in their setting - as the design intended. The reasons for objection are listed as loss of privacy, out of keeping with character of area and over development.

Comments received following notification of amended plans:

The Broadstairs Society continue to object to this proposal on the grounds that his proposal is in conflict with the ethos of the original local area design concept. See earlier objection. The reasons for objection are listed as conflict with local plan, development too high, out of keeping with character of area.

**Broadstairs Town Council:** The Planning Committee of the Town Council strongly objects to this proposal. It is out of keeping with the street scene and the design of the estate and overdevelopment. The dominance encroaches on privacy because of building to the boundary, which is prejudicial to neighbours.

Comments received following notification of amended plans:

The Planning Committee of the Town Council has considered this amended application. The Committee strongly objects to this proposal. It is out of keeping with the street scene and the design of the estate and overdevelopment. The dominance encroaches on privacy because of building to the boundary, which is prejudicial to neighbours.

## COMMENTS

The application has been called to the planning committee at the request of Councillor Garner for Members to consider the potential impact on the character and appearance of the area.

The main considerations with regard to this planning application are the principle of the proposed development, the impact of the proposal upon the character and appearance of the area, the impact on living conditions of neighbouring property occupiers and highway safety.

### **Principle of Development**

In line with Section 38(6) of the Planning and Compulsory Purchase Act 2014, planning decisions must be taken in accordance with the 'development plan' unless material considerations indicate otherwise. The requirements of the National Planning Policy Framework (NPPF) are a significant material consideration in this regard.

The site is located within the urban confines and therefore the principle of householder development is considered acceptable, subject to the assessment of material considerations.

### **Character and Appearance**

In terms of character and appearance, paragraph 130 of the NPPF states that 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, are sympathetic to local character and history, establish or maintain a strong sense of place, 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.

Thanet Local Plan Policy QD02 relates to general design principles and outlines that the primary planning aim in all new development is to promote or reinforce the local character of the area and provide high quality and inclusive design that is sustainable in all other respects. Proposals must relate to the surrounding development in terms of its form and layout, be well designed, respect and enhance the character of the area paying particular attention to context and identity of its location, scale, massing, rhythm, density, layout, use of materials appropriate to the locality, be compatible with neighbouring buildings and spaces.

Dane Court Gardens comprises predominantly detached bungalows and chalet bungalows. The cul-de-sac within which the application sits is not characterised by uniform scale, design or material and there is a recent example of a modern redevelopment of a bungalow comprising first floor accommodation, adjacent to the application property at No. 23 Dane Court Gardens.

The proposed development would be highly visible from public vantage points. The proposed extensions would result in a chalet bungalow which is in keeping with the scale of development within the surrounding area. It is considered that the amended barn hip design reduces the bulk at roof level and this, together with a modest dormer and rooflight, complements the single storey pitched roof projections to the front elevation. The proposed ridge height would not be significantly higher than the adjacent property No. 23 Dane Court Gardens, the dwelling is set back from the road frontage and it would continue to respect the staggered front building line arrangement of the dwellings which lie along this side of the cul-de-sac.

The proposed dormer within the rear elevation is set down from the ridge, set in from both side elevations and set up from the eaves, reducing its prominence when viewed from the public realm.

Due to the size of the plot, the increased footprint arising from the side and front extensions can be accommodated and the demolition and relocation of the garage would result in an increased amount of private amenity space to the rear.

Whilst the proposed single storey side extension would be built up almost to the boundary, the application property is separated from the built form of the adjacent neighbouring properties No's 21 and 23 Dane Court Gardens by driveways belonging to these neighbouring occupiers. It is therefore considered that adequate separation would be retained to ensure that no terracing effects would occur as a result of the proposed development.

The materials proposed are of a more modern design than those of the existing dwelling, however they would be in keeping with the existing character of the streetscene and surrounding area.

For these reasons it is considered that whilst the proposed development would have a modern appearance it would not be overly prominent or incongruous in this location given the set back from the street frontage and the nature of surrounding development.

It is therefore considered that the proposed development would not result in material harm to the streetscene or wider character and appearance of the area and therefore accords with Policies SP35 and QD02 of the Thanet Local Plan, Policy BSP9 of the Broadstairs and St. Peters Neighbourhood Plan and the NPPF.

### **Living Conditions**

In terms of living conditions, paragraph 119 of the NPPF outlines 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 130 of the NPPF states that decisions should ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

Policy QD02 of the Thanet Local Plan outlines that new development must be compatible with neighbouring buildings and spaces and 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. Thanet Local Plan Policy QD03 states that new development must not lead to unacceptable living conditions through overlooking, noise or vibration, light pollution, overshadowing, loss of natural light or sense of enclosure.

The scheme proposes a single storey front extension and having regards to its scale and positioning it is not considered that this element of the scheme would cause harm to neighbouring residential amenity.

There are no openings proposed at first floor level within the side elevations of the application property and the openings at ground floor level within the side elevation facing No. 21 Dane Court Gardens are existing.

There would be a distance of approximately 4 metres between the proposed side extension and the built form of the adjacent property No. 23 Dane Court Gardens. 2 ground floor side windows of No.23 are present facing the application site serving a bathroom and bedroom (observed from the previously approved planning drawings for that property). These windows currently face the side of No.22, and whilst the side elevation of the property would be closer to these windows, this change in outlook, across the neighbouring driveway, is not considered to result in significant harm to the living conditions of the neighbours. The proposed development would result in a change to the light levels of these openings, however, it is accepted that side windows are treated differently to rear facing openings, due to their nature, and the scale of permitted development which can be undertaken in close proximity to shared side boundaries. In this instance, a side extension with a height of 3 metres could be built up to the shared boundary without the need for planning permission which would result in a similar impact to the side facing ground floor windows in terms of outlook and light. For these reasons, it is not considered that the proposed development would result in an unacceptable sense of enclosure, overbearing impact, loss of outlook or light to habitable room windows to warrant refusal on these grounds. I note that this neighbouring property occupies a corner plot and there is amenity space to all four sides of the property.

The front building line of the adjacent single storey dwelling No. 21 Dane Court Gardens is set back within its plot, towards the rear of the application property. There is a conservatory style front projection adjacent to the application site together with a car port and detached garage to the rear of the site. There is a separation distance of approximately 4.1 metres between the built form of this neighbouring dwelling and the application property. Given the relationship between the two properties and the separation distance it is not considered that the increased roof height would cause harm to the living conditions of these neighbouring property occupiers through an unacceptable sense of enclosure, overbearing impact, loss of outlook or light to habitable room windows.

In terms of the rear dormer, the proposed openings would give views over the roofs of the adjacent neighbouring properties No's 21 and 23 Dane Court Gardens and towards the ends of rear gardens. The dormer window would be approximately 12 metres from the property boundary to the rear and it is anticipated that 2 of these windows serving bedrooms would be clear glazed. Due to the orientation and relationship between the built form of the application property and the nearest neighbouring dwelling to the rear of the site No. 24 Dane Court Gardens together with the positioning of the proposed openings at this level, there would be no direct views of the rear elevation of this neighbouring property. However, these windows would afford uninterrupted views of the rear garden of this neighbouring property and potentially beyond, resulting in overlooking and a reduction of privacy for neighbours to the rear of the application site.

A dormer window could be constructed to the rear of the application property under permitted development and this would give rise to a similar level of overlooking and loss of privacy for neighbouring property occupiers as the current proposal. It has been demonstrated that this fall back position is both realistic and feasible given that a similar development has been undertaken in close proximity to the application site at no.20 (with a roof height and pitch similar to the application site as currently in situ. This fallback position is given significant weight in the consideration of the impact on the living conditions of no.24.

The proposed rooflight to the front elevation would afford skyward views whilst the proposed dormer to this elevation would overlook the public highway.

The proposed raised decking area to the rear has been granted permission previously which remains extant; and this element of the scheme is considered to be acceptable in terms of its impact on neighbouring residential amenity. The alterations to fenestration at ground floor level would have a neutral impact.

The proposed development would provide additional living accommodation with habitable rooms which benefit from natural light, ventilation and outlook.

For these reasons it is considered that, whilst the proposed development would result in overlooking and a loss of privacy for neighbouring occupiers primarily to the rear of the application site, this impact would arise from works allowed under permitted development which is considered a realistic fallback position, and as such, it is not considered sufficient to warrant refusal on this ground. The proposal therefore on balance would accord with the principles of Policy QD03 of the Thanet Local Plan and paragraph 130 of the NPPF.

### **Highway Safety**

The scheme proposes the erection of a single storey replacement garage which would be attached to the existing side elevation of the dwelling. An area of hardstanding would be available to the front of the proposed garage providing off street car parking for at least 2no. vehicles. Having regards to the scale of the development proposed, which would result in a dwelling comprising two bedrooms, it is not considered that there would be a material increase in movements to and from the site and the parking provision proposed is appropriate.



For these reasons, it is not considered that the proposed development would result in harm to highway safety or amenity.

### **Other Matters**

Concern has been raised that there are no dimensions on the plans and that not enough information has been provided. The plans that have been submitted have scale bars to enable measurement and assessment and it is considered that all of the information necessary to determine the application has been provided.

With regards to whether there would be a need to access neighbouring land to construct the proposed development; this would be subject to a party wall agreement which is a civil matter and outside the remit of planning consideration.

In terms of precedent, each application is judged on its own merits and there are no in principle planning policy objections to the addition of first floor accommodation to bungalows in this area.

### **Conclusion**

For the reasons outlined above, it is considered, on balance, that the principle of the proposed development is acceptable, whilst no material harm would be caused to the character or appearance of the area, or the local highway network. Whilst the proposal would create a level of overlooking and a loss of privacy for neighbouring occupiers primarily to the rear of the application site, this impact would arise from works allowed under permitted development which is considered a realistic fallback position, and as such, it is not considered sufficient to warrant refusal on this ground. The proposal therefore accords with Policies SP35, QD02, QD03 and TP06 of the Thanet Local Plan, the Broadstairs and St. Peter's Neighbourhood Plan and the National Planning Policy Framework.

It is therefore recommended that Members approve the application.

### **Case Officer**

Helen Johnson

TITLE: FH/TH/21/0834

Project 22 Dane Court Gardens BROADSTAIRS Kent CT10 2SB

