

R04

FH/TH/21/1183

PROPOSAL: Retrospective application for erection of single storey rear extension together with erection of dormer windows to front and both side elevations, installation of rooflights and alterations to LOCATION: roof to facilitate loft conversion, with replacement of external cladding with tile hanging to dormer windows

91 Botany Road BROADSTAIRS Kent CT10 3SB

WARD: Kingsgate

AGENT: No agent

APPLICANT: Mr and Mrs Gibson

RECOMMENDATION: Refuse Permission

For the following reasons:

1 The development, by virtue of the considerable scale, form and prominent siting of the north-eastern dormer window, results in a dominant and bulky addition to the north eastern roof slope, and forms a visually intrusive and discordant form of development in the street scene, which is architecturally unrelated to the application property, and unduly disrupts the regularity in terms of the scale, form and design to the row of bungalows within which the application property is sited. The development is therefore severely detrimental to the character and appearance of the area, and contrary to Policy QD02 of the Thanet Local Plan, and paragraph 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

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, using 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 QD02 of the Thanet Local Plan, and paragraphs 127 and 130 of the National Planning Policy Framework.'

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 (EN/19/0073). The enforcement notice was appealed and upheld, with a revision to the time period of compliance from 3 months to 6 months (APP/Z2260/C/19/3239318).

Planning application reference F/TH/20/0379 was a resubmission of the refused scheme reference F/TH/18/1606 with some minor changes to the 2018 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. This application was refused at Planning Committee 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 (the same reasons as the 2018 application).

The application was again appealed under reference APP/Z2260/D/20/3257841. At appeal stage, the applicants put forward the option for the use of tile hanging to match the existing roof to replace the existing blue-grey horizontal cladding, which is what is being applied for in the current scheme. The Inspector considered this and did not consider this option to overcome the harm caused. The Inspector stated 'The use of tile hanging or an alternative colour for the cladding has been suggested. Whilst this may go some way to addressing the harm I have found; it would not address the scale and size of the north eastern dormer specifically. My conclusions on the main issue do not therefore change'.

This application forms the third variation application to be submitted since the unauthorised development was completed, and is the same as the scheme considered and dismissed at appeal on 15 June 2021 under reference APP/Z2260/D/20/3257841.

PROPOSED DEVELOPMENT

This application follows and is a resubmission of refused and dismissed application reference F/TH/20/0379 which seeks to retain the development as built, with alterations to materials. The only difference between this application and the former refused application for the same development is that this application includes the replacement of the existing blue-grey horizontal weatherboarding to the exterior of the dormers with tile hanging to match the colour, texture and finish of the existing roof tiles.

The north east dormer projects an additional 1.4m in depth from the roof plane 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.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan 2020

QD02 - General Design Principles

QD03 - Living Conditions

NOTIFICATIONS

Letters were sent to neighbouring property occupiers and a site notice was posted near the site. 78 letters of support have been received.

The letters of support raise the following points:

Do not believe the development is harmful to the character and appearance of the area.

The development is well designed.

The property and development is in keeping with the rest of the properties in the road.

The replacement of the existing cladding with tile hanging to the dormer windows will further enhance the appearance of the property.

Support the application and do not raise any concerns.

Similar bungalows in Botany Road have similar dormer extensions which are comparable to the proposed development.

A house with a far bigger extension with cladding was granted permission at the bottom of Percy Avenue.

Other bungalows in Botany Road have similar cladding to the exterior of dormers.

The demolition and replacement of the north east dormer would be a waste of energy, time and money.

Broadstairs Town Council - No comment.

CONSULTATIONS

None received.

COMMENTS

This application has been called to Planning Committee by Councillor Garner 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

Paragraph 130 of the National Planning Policy Framework states that development should function well and add to the overall quality of the area, be visually attractive as a result of good architecture and be sympathetic to local character including the surrounding built environment. Policy QD02 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 issues to be considered relate to the north east dormer and the material finish of the exterior of the dormers. The rear extension, installation of rooflights and front and south west side dormers have previously been considered to be acceptable through the former applications, provided the existing blue-grey horizontal cladding to the dormers is replaced with tile hanging to match the existing roof.

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 built form which spans nearly the whole depth of the roofslope, 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.

The presence of this dormer is considered to disrupt the regularity and consistency in terms of the form, scale and design of the row of bungalows the application property is sited within. In addition, the greater depth, size 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 former application reference FH/TH/20/0379 was considered at appeal and dismissed. The Inspector stated the following in relation to the north eastern dormer:

'The north eastern dormer is a large addition to the roof of the dwelling and, unlike the south western dormers which are partially hidden from view, can clearly be seen from the road. It is not subservient in comparison to the size and simple pitch of the main roof. By virtue of its position and size, the dormer is a visually dominant addition to the roof.'

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.

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 application proposes to replace the existing blue-grey horizontal cladding material finish to the external face and cheeks of the dormer windows with tile hanging to match the existing traditional plain brown tile finish of the existing roof. This alteration to the material finish of the dormers would assimilate with the material finish of the roof, and would therefore improve the appearance of the dormers and reduce their prominence. This alteration would overcome our concerns with the front and south western dormer window, as these dormers are considered to be suitably proportional and set comfortably within the roof of the host property.

Whilst the alteration in material finish would improve the appearance of the development, this alteration does not address or overcome the harm arising from the scale, form and position of the north eastern dormer window.

The development being considered through this application is the same development that was considered through the dismissed appeal reference APP/Z2260/D/20/3257841. At appeal stage the option was put forward for the use of tile hanging to match the existing roof to replace the existing blue-grey horizontal cladding, which is what is being applied for in the current scheme. The Inspector considered this and did not consider this option to overcome the harm caused.

The Inspector stated 'The use of tile hanging or an alternative colour for the cladding has been suggested. Whilst this may go some way to addressing the harm I have found; it would not address the scale and size of the north eastern dormer specifically. My conclusions on the main issue do not therefore change'.

There are some examples of large dormer windows to side roof slopes within Botany Road, however in these instances, there is usually just one dormer to the sides of the hipped roof bungalow, or the dormers are a reduced size in comparison to the north eastern dormer, thereby comprising a reduced built form to the retrospective development proposed. In addition, these dormers are largely finished in tile hanging to match which reduces the prominence of the dormer.

The applicant has drawn comparisons between the proposed scheme and the approved scheme at 101 Botany Road. The dormers approved through this scheme, whilst of considerable length and set down from the ridge by a comparable amount, are considerably set up from the eaves of the host property and are therefore of a far reduced scale and built form in comparison to the north eastern dormer to the application property. These dormers have subservience to the roof of their host property, and are comparable to the dormers approved through the original amended approved scheme at the application property reference FH/TH/17/1418.

None of the examples of existing or approved dormer extensions in the locality are considered to be directly comparable with the application proposal, and therefore this is not considered to provide justification or overcome our concerns regarding the scale/design of the development.

The size, form and location of the north-eastern side dormer window has previously been refused twice before, and was dismissed at appeal recently on 15 June 2021. The proposed change in materials was considered through this appeal and it was determined by the Inspector that this alone was not enough to overcome the harm caused by the scale, form and position of the north eastern dormer.

As such, Officers maintain the view that the development is severely detrimental to the character and appearance of the area, contrary to Policy QD02 of the Thanet Local Plan and paragraph 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 applicant 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 QD03 of the Thanet Local Plan and paragraph 130 of the National Planning Policy Framework.

Other Matters

The applicants have submitted a supporting statement with this application. This statement states that a series of events and inexperience has led to the current situation and the unauthorised size and form of the north eastern dormer, relating to the installation of the staircase, difficulties with the builder and financial constraints.

We sympathise and understand the applicant's position. However, planning permission is determined on the planning merits of the case in question, and not these personal circumstances.

Conclusion

The north-eastern side dormer window has twice been refused through applications reference F/TH/18/1606 and FH/TH/20/0379, with the latter dismissed at appeal recently on 15 June 2021, due to its considerable scale, form and siting which is considered to form a dominant addition to the north eastern roofslope. The proposed change in materials, whilst providing some improvement to the appearance of the development, does not overcome the harm caused by the scale, form and position of the north eastern dormer, a view shared by the Inspector of the dismissed appeal.

This application proposes the same development as that considered by the Inspector through the previously dismissed appeal approximately 4 months ago, and there are considered to be no planning reasons as to why an alternative decision should now be reached.

The development is therefore considered to be severely detrimental to the character and appearance of the area, contrary to Thanet Local Plan Policy QD02 of the Thanet Local Plan

and paragraph 130 of the National Planning Policy Framework. It is therefore recommended that members refuse the application.

Background Papers: Annex 1 Planning Inspectorate Decision FH/TH/20/0379

Case Officer

Jenny Suttle

TITLE: FH/TH/21/1183

Project 91 Botany Road BROADSTAIRS Kent CT10 3SB

