

**A03**

**FH/TH/22/0946**

**PROPOSAL:** Erection of two storey front extension and single storey side and rear extension with juliette balcony to rear together with 4No roof lights following demolition to existing conservatory and garage

**LOCATION:** 20 St Marys Avenue MARGATE Kent CT9 3TN

**WARD:** Dane Valley

**AGENT:** Mr Daniel Bragg

**APPLICANT:** Mrs Charlene Williams

**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 PL04 Rev H, PL05 Rev C, PL06 Rev D, PL07 and PL08 and dated 20 October 2022.

**GROUND;**

To secure the proper development of the area.

3 The roof tiles and facing brickwork to be used in the development hereby approved shall be of the same colour, finish and texture as those on the existing property with white coloured render on the front extensions, as shown on amended drawing numbered PL06 Rev D and dated 20 October 2022.

**GROUND:**

In the interests of visual amenity in accordance with Policy QD02 of the Thanet Local Plan.

4 The flat roof area of the extension shall not be used as a roof terrace, without the prior permission in writing of the Local Planning Authority.

**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.

## INFORMATIVES

Please be aware that your project may also require a separate application for Building Control. Information can be found at:

<https://www.thanet.gov.uk/services/building-control/> or contact the Building Control team on 01843 577522 for advice.

Information on how to appeal this planning decision or condition is available online at <https://www.gov.uk/appeal-planning-decision>

## SITE, LOCATION AND DESCRIPTION

The site is located within the urban confines of Margate in a wholly residential area. St Mary's Avenue comprises predominantly single storey dwellings to the north of the site (towards Northdown Road) whilst the application site and Nos 22 and 24 (to the south) are two storey in height. The dwellings within the road are located on the western side only and face towards Holy Trinity Church and its grounds. The site lies outside the Northdown Conservation Area, the boundary of which runs along the boundary of Holy Trinity Church grounds.

## PLANNING HISTORY

FH/TH/21/1726 - Erection of two storey side and rear extension, single storey rear extension, first floor front extension and single storey glazed entrance extension, following demolition of existing garage, together external alterations including alterations to fenestration WITHDRAWN 25.02.2022

## PROPOSED DEVELOPMENT

The application seeks planning permission for the erection of two storey front extension and single storey side and rear extension with juliette balcony to rear together with 4No roof lights following demolition to existing conservatory and garage. The scheme has been amended since its initial submission with the first floor rear balcony being replaced by a juliette balcony.

## DEVELOPMENT PLAN POLICIES

HE02 - Conservation Area

QD02 - General Design Principles

QD03 - Living Conditions

## NOTIFICATIONS

Neighbours have been notified and a site notice posted and 7 representations have been received; 2 in support and 5 objecting raising the following concerns:

- Loss of privacy

- Garden, conservatory/dining room will be overlooked
- Overlooking from balcony
- Light shining into our property.
- Overlooking will devalue our property
- Significant invasion of privacy from balcony - overlooking our entire garden and directly into our kitchen and dining room/conservatory.
- The inclusion of French doors and balcony invites observation directly into our house and garden, compared to windows. - As small children are also resident at the house, there is also a potential issue of safeguarding.
- Increase in size of the property is possibly not in keeping with the size of the other properties
- Will block out light from my kitchen window and be overpowering
- Balcony will invade privacy
- Will devalue my property
- Mess and dust will be unbelievable
- The garage is on the edge of my property, it will make a mess all over my driveway, I will not allow anyone access to take the garage down.
- The increase in height of the front of the building's side elevation - south/east facing side - will result in a significant loss of light thereby reducing the light coming into our kitchen, downstairs hallway, upstairs landing and bathroom
- Balcony at the back of the house is invasion of privacy as our neighbours will be overlooking our entire garden
- A balcony is a wholly unacceptable incursion to our privacy and enjoyment of our garden
- The increase in size of the property is not in keeping with the size of the other properties; disproportionately large compared to the other homes in the road

*Representation received following re-consultation of amended plans*

We welcome the fact that the proposed roof terrace at the back of the property has been amended to a Juliette balcony. Consequently, we have no further objections with regard to the other proposals for the back of the building. However, our main concern, about the significant loss of light to our property arising from the front of house extension remains.

**CONSULTATIONS**

None

**COMMENTS**

This application is reported to the Planning Committee at the request of Cllr Ruth Duckworth on the grounds of increased height of south/east facing side wall, loss of light to rooms at 22 St Mary's Avenue and development not being in keeping with the size of the other properties in the road.

The main considerations in assessing the proposal are the principle of development, impact on the character and appearance of the area, impact on the living conditions of neighbouring residential occupiers and highway safety.

**Principle of Development**

The site is located in a wholly residential area within the urban confines of Margate and the principle of householder development is acceptable and therefore the application needs to be determined in accordance with the National Planning Policy Framework (NPPF) and Local Plan Policies.

### **Character and Appearance**

Thanet Local Plan Policy QD02 requires new development to 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 and use of materials appropriate to the locality. The development itself must be compatible with neighbouring buildings and spaces. This policy is further supported by paragraph 130 of the NPPF which states that decisions should ensure that development will function well and add to the overall quality of the area, and are sympathetic to local character and history, including the surrounding built environment.

The boundary to the Northdown Conservation Area lies approximately 12 metres to the north-east of the proposed development and follows the boundary of the grounds of Holy Trinity Church. Due to the significant separation distance the application site does not in this instance have a visual relationship with the setting of the Church (which is not heritage listed) or the appearance of the conservation area.

The area is characterised by predominantly single storey dwellings with the application site and its neighbours (Nos 22 and 24) being two storey. The dwellings front St Mary's Avenue and are set back from the public highway with a front garden and hardstanding for off-street parking. The proposed development relates to the erection of a two storey front extension and single storey side and rear extension with juliette balcony to rear together with 4No roof lights following demolition to existing conservatory and garage. The scheme has been amended since its initial submission with the first floor rear balcony being replaced by a juliette balcony.

To the front elevation it is proposed to erect a two storey front extension, which would see a first floor extension above the existing front projection, raising its ridge height by approximately 2.3 metres, and a matching extension projecting approximately 3 metres from the opposite side, with a 3 metre deep two storey extension linking the two and forming a double height entrance hall. The front extensions would have matching feature windows at first floor level and matching windows at ground floor level. The entrance door would have full length windows set either side, with a row of 3 windows at first floor level and a skylight installed within the flat roof linking section.

The projecting extensions would have a ridge height of approximately 6.5 metres and be set down approximately 1.7 metres from the main ridge of the dwelling. It is not proposed to increase the height of the main dwelling. The front extensions would have a more dominant appearance than the existing single storey front extension and the catslide roof which is set back from the front edge of the projecting extension. However, it is noted that the property has a fairly unique appearance within the street and does not directly relate in architectural style to the neighbouring two storey dwellings or to the single storey dwellings. The existing

roof forms are interesting and give the property a somewhat disjointed appearance whereas the proposed extensions would appear symmetrical and balanced. The use of white render at first floor level would complement the contemporary design of the extensions, and the use of red facing brick at ground floor level would match existing brickwork and the predominant use of red brickwork within the street. The pitched roofs would be finished with tiles to match those of the main roof and the entrance door, within the central linking section, would be set back approximately 1 metre and help to break up the appearance of the render. Whilst properties in the road are mainly finished with red facing brickwork there is render used within the road and in the vicinity, and the use of render in this instance would therefore be in keeping with the character of the area.

To the side of the property it is proposed to remove the existing garage and erect a 2.3 metre wide by 9 metre deep, single storey flat roof extension with rooflight. The existing garage is built up to the common boundary with No 18. The proposed extension would be set in approximately 0.9 metres from the boundary creating a pedestrian side access with 1.8 metre high gate. The extension would be approximately 3 metres high and finished with a window to match the ground floor windows within the front projections. The extension would be set back approximately 3.6 metres from the front edge of the extensions on a similar footprint to the existing garage. The extension would be residential in scale and design and not appear unduly prominent within the streetscene.

To the rear it is proposed to erect a 5.8 metre wide by 4 metre deep flat roofed single storey extension, with roof lights, in the location of the existing conservatory. A 1 metre deep flat roofed extension would sit between the side and rear extension. The large balcony created above the extension has been removed from the scheme and the window to Bedroom 1 replaced with full length windows and a Juliette balcony.

Given the above the proposed development is not considered to be unduly harmful in appearance and would not significantly impact on the wider streetscene or the adjacent conservation area, and the development would therefore meet the requirements of Local Plan Policies HE02 and QD02 and the NPPF.

### **Living Conditions**

The development to the front elevation faces the public highway where there is mutual overlooking and therefore any overlooking resulting from the additional windows would not result in unacceptable overlooking or loss of privacy to neighbouring residential occupiers. The two storey front projection would approximately align with the front elevations of the neighbouring properties and is shown set approximately 5.4 metres from the flank elevation of No 18 and 7.8 metres from the flank elevation of No 22. Concern has been raised that the height of the south/east facing wall would result in a significant loss of light to all rooms at No 22. These rooms serve a kitchen, downstairs hallway, upstairs landing, toilet and bathroom. Whilst there may be some reduction in light and outlook to these windows they do not serve main habitable rooms, furthermore the extended part of the front projection would increase by approximately 2 metres to eaves level, at which point the roof would pitch away from the boundary. Given the separation distance between properties and the use of the rooms facing the development, it is considered the height and depth of these extensions would be unlikely to result in an unacceptable loss of light or outlook to occupiers of this dwelling.

The single storey side extension would have a height of approximately 3 metres and sit on the footprint of the garage, extending a further 1.3 metres to the rear. As mentioned above the existing garage is built up to the common boundary with No 18 whereas the proposed extension would be set in approximately 0.9 metres from the boundary creating a pedestrian side access with 1.8 metre high gate. Within the side elevation, facing the boundary with No 18, there is a window serving as a secondary window to the kitchen and a door leading into the side access from the utility room. These openings would face towards the boundary, across the neighbouring driveway and towards the entrance door of No 18. Within this elevation there are two small windows. Views of these windows are possible from the public highway where there is mutual overlooking from the public realm. These windows do not appear to serve main habitable rooms. Given the above it is unlikely that there would be unacceptable overlooking or loss of privacy towards occupiers of this dwelling resulting from these openings.

The extension would project an additional 1.3 metres further into the rear garden compared to the existing garage, however at single storey height and set away from the boundary and flank elevation of the neighbouring dwelling, it is unlikely that the additional built form would adversely impact upon this neighbour's light or outlook.

The rear extension would replace an existing conservatory of similar dimensions and is set away from the neighbouring dwelling to the south (No 22) and unlikely to result in loss of light or outlook to occupiers of this dwelling. There is more than 12 metres from the rear of the extension to the rear garden boundary and more than 21 metres from the rear extension and properties fronting Millmead Gardens (Nos 19 and 21). There are a number of glazed full length windows/doors proposed within the rear extensions, however these would face into the rear garden and the relationship of the extensions and any window/door openings would be similar to the existing glazed conservatory, windows and doors, including any potential invasion of light emitting from the property. Given the separation distance between properties it is unlikely that there would be unacceptable overlooking or loss of privacy in this instance.

At first floor level the window to Bedroom 1 would be replaced with full length inward opening glazed doors with a Juliette balcony. This has replaced the large balcony previously shown above the flat roof extension. There is a separation distance of more than 25 metres to the properties to the rear and any views from this window would have a similar relationship to the existing first floor windows within the property and would not therefore give rise to unacceptable overlooking or loss of privacy. It is not proposed to use the flat roof as a terraced area. If this were to occur in the future planning permission would be required.

Given the above it is considered that the proposed development would not adversely impact on the living conditions of neighbouring property occupiers through overlooking, loss of light or loss of outlook and the proposal would therefore accord with QD03 of the Thanet Local Plan and the NPPF.

## **Highway Safety**

The off street parking to the front of the property would not be affected by this proposal. There are no adverse highway implications as a result of this development.

### **Other Matters**

The construction process is regarded as temporary in nature and noise nuisance complaints would be considered under separate legislation.

The building process is covered through Building Regulations and is not considered through this planning application.

Concerns raised that the property might be devalued as a result of the development cannot be taken into account through the planning process.

### **Conclusion**

The proposal would not result in any significant harm to the character and appearance of the area, and the impact upon the living conditions of neighbouring residential occupiers and highway safety accords with Policies HE02, QD02 and QD03 of the Thanet Local Plan and the NPPF. It is therefore recommended that Members approve the application, subject to safeguarding conditions.

### **Case Officer**

Rosemary Bullivant

TITLE:

FH/TH/22/0946

Project

20 St Marys Avenue MARGATE Kent CT9 3TN

