

A04

FH/TH/23/1578

PROPOSAL: Erection of a single storey side and rear extensions together with alterations to roof from hipped to gable to facilitate loft conversion and alterations to fenestration.

LOCATION: 99 Botany Road BROADSTAIRS Kent CT10 3SB

WARD: Kingsgate

AGENT: Mr Ivan del Renzio

APPLICANT: Melissa Turner

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 drawing numbered 545/LOC-001.A received on 12th December 2023 and amended plans 545-A-PLN-200F and 545-A-PLN-201C received on 10th June 2024.

GROUND:

To secure the proper development of the area.

3 Prior to the construction of the external surfaces of the development hereby approved; a sample of the timber cladding to be used in the construction of the building(s) shall be submitted to, and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved plan 545-A-PLN-200F received on 10th June 2014 unless otherwise agreed in writing by the Local Planning Authority.

GROUND:

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

4 The existing 2m high boundary treatment along the southern / south western boundary of the approved inner courtyard shall be retained and thereafter maintained.

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.

5 The flat roof area above the kitchen / dining area to the rear of the development, beyond the first floor rear balconette, 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.

6 The 1 no. high level rooflight on the south western roof plane and the 1 no. high level rooflight on the north eastern roof plane hereby approved shall be provided and maintained with obscured glass to a minimum level of obscurity to conform to Pilkington Glass level 4 or equivalent and shall be installed prior to first occupation of the development hereby permitted and permanently retained thereafter.

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 ensure that you check the above conditions when planning to implement the approved development. You must clear all pre-commencement conditions before development starts on site. Processing of conditions submissions can take up to 8 weeks and this must be factored into development timescales. The information on the submission process is available here:

<https://www.thanet.gov.uk/info-pages/planning-conditions/>

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 application site lies within the urban confines, in a residential area.

Botany Road is a long residential street in Kingsgate, Broadstairs mainly characterised by detached bungalows with front gardens and driveways.

PROPOSED DEVELOPMENT

Planning consent is sought for a roof extension to create a gable to the front and rear elevation (including a balconette), a side extension to replace the existing garage, a side/rear extension to the south, and a rear extension to the north, to replace the existing conservatory.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan 2020

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

Broadstairs and St Peter's Neighbourhood Plan

BSP9 - Design in Broadstairs and St Peters

NOTIFICATIONS

Letters were sent to neighbouring property occupiers, a site notice was posted close to the site. Eight letters of objection were received raising the following concerns:

- Out of keeping with neighbouring properties,
- Impact on streetscene,
- Will set a precedent,
- Materials are out of keeping,
- Overlooking from balcony,
- Overdevelopment,
- Increased noise and loss of privacy from proposed internal courtyard,
- Proposed extensions are so large it appears like a new house,
- Overshadowing,
- Sense of enclosure,
- Increased paving could result in drainage issues.

Broadstairs and St Peter's Town Council -

(Final Comment)

The Committee unanimously recommends REFUSAL and reiterates their previous comments: The Committee unanimously recommends REFUSAL on the grounds of the proposed development being overbearing, out of keeping and of detrimental effect to the street scene, with loss of privacy and overshadowing of the neighbouring properties. The proposed development goes against the Broadstairs & St Peter's Neighbourhood Development Plan Policy BSP9 - Design in Broadstairs & St Peter's.

The Committee does not feel that the amended plans alleviate any of the previous issues highlighted within the objections.

(Initial Comment)

The Committee unanimously recommends REFUSAL on the grounds of the proposed development being overbearing, out of keeping and of detrimental effect to the street scene, with loss of privacy and overshadowing of the neighbouring properties. The proposed development goes against the Broadstairs & St Peter's Neighbourhood Development Plan Policy BSP9 - Design in Broadstairs & St Peter's.

The Broadstairs Society -

(Final Comment)

The Society has looked at the amendments but can see no significant differences. It is still a large structure that bears no resemblance to nearby properties and will dwarf those it neighbours. It is still overdevelopment of the site: there will still be loss of privacy and light to its neighbours: it will still change the street scene and set a precedent for the future if allowed.

The Society objects - still

(Initial Comment)

We consider that this application is not merely an extension. It is essentially a new structure that bears no resemblance to the nearby properties and will dwarf those it neighbours.

The Society is concerned about the proposals that constitute overdevelopment of the site. The proposed new structure will result in loss of privacy (internal courtyard, balcony) and light, affecting the amenities of neighbours, as well as those of other local residents.

The proposals will change the street scene, setting a precedent for further development in the area. The property will be extended both up and out. The proposals resemble a chalet or cabin with a large amount of glass and aluminium being used, not in keeping with the surrounding properties.

CONSULTATIONS

No comments

COMMENTS

This application has been called to the planning committee at the request of Councillor Alan Munns to consider the potential impacts of the proposed development on neighbouring properties and Broadstairs and St Peters neighbourhood plan policy.

Principle

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 proposal relates to an existing residential dwelling and, therefore, the principle of its extension is considered to be acceptable. The main considerations with regard to this planning application will be the impact of the proposed development on the character and appearance of the area, the residential amenity of neighbouring property occupiers and highways.

Character and Appearance

Paragraph 135 of the 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.

Policy SP35 relates to the quality of development and states that new development will be required to be of high quality and inclusive design.

Policy QD02 is a general design policy and sets out 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 and be sustainable in all other respects. External spaces, landscape, public realm, and boundary treatments must be designed as an integral part of new development proposals and coordinated with adjacent sites and phases.

Policy BSP9 of the Broadstairs and St Peters Neighborhood Development Plan sets out that development should enhance and conserve local distinctiveness by demonstrating high quality design which both respects and responds to the distinctive character of Broadstairs & St Peter's.

The proposal seeks to make alterations to the existing bungalow to enlarge it, including alterations to the roof to increase the ridge height and provide a gable frontage, and a side and rear extension.

The originally submitted application raised a number of concerns, with the loss of all original features to the bungalow, the raising of the ridge height above the height of neighbouring properties, the insertion of a curved ridge and large windows out of keeping with neighbouring

designs, and the use of a variety of materials that are not present in the palette of materials viewed in the area.

A number of amendments have been made and a final set of plans submitted that officers consider to have addressed the concerns originally raised. The plans have been reconsulted on, and it is these plans that are now under consideration.

The amended plans no longer increase the ridge height or the roof pitch of the building, with the existing ridge height maintained. As such the height of the proposed development is now considered to be acceptable.

The front bay window has been retained, which is a common feature on each bungalow within Botany Road, with a false pitch roof above that extends the full width of the dwelling. The window proportions within the bay have been reduced and again appear similar to the existing window on both this and neighbouring properties, with the lower part of the window tile hung, which is considered acceptable.

The roof has been altered so that a gable is provided to the front. Whilst many of the dwellings in Botany Road are hipped, there are a number of examples where gable frontages have been introduced, and therefore such a change would not appear significantly out of keeping with the character of the area. The gable is setback behind the false pitch roof at single storey level, reducing the dominance of the roof. A very similar design has previously been approved and completed at no. 147, with the roof blending in within the streetscene, which suggests that this proposal would also not appear out of place or overly dominant.

In terms of materials, the frontage will contain a mix of tile hanging, render, and aluminium framed windows and doors, which are considered to be in keeping with the materials in the surrounding area.

The front side extension is in the location of the existing garage, with a timber door to the front and a flat roof, which appear similar to the existing garage, and in keeping with neighbouring properties.

Behind the extension will be an open courtyard area, and beyond this will be a further pitched roof single storey extension. The extension will be setback, close to the line of the existing rear elevation to the property, and therefore significantly setback from the street. The roofline of the extension will be slightly steeper than the main roof, with the front elevation partially glazed to full height, providing a lighter appearance within the gable, and window proportions in keeping with the main dwelling. The materials proposed also replicate those used on the dwelling, other than one half of the roof facing the neighbouring property, which will be green single ply zinc effect, but unlikely to be visible from a public viewpoint.

The remaining rear extension will not be visible from the street, and will therefore have no impact.

Overall, whilst the proposed works seeks to modernise the appearance of the dwelling, in a road where there is a very uniform character, the amendments made have reduced the changes so that the overall design, scale and height is more in keeping with the existing

character and appearance of properties in the street. As such, the impact on the character of the area is now considered to be acceptable, and in accordance with Policy QD02 of the Thanet Local Plan, BSP9 of the Broadstairs and St.Peters Neighbourhood Plan, and the NPPF.

Living Conditions

Paragraph 123 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 135 details planning decisions should 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; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Policy QD03 of the Local Plan deals specifically with living conditions. 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.

The amended plans show that the ridge height of the building is no longer changing, and the roof will continue to pitch away from both neighbouring properties. Therefore whilst the roof has enlarged, it does not extend beyond the existing rear elevation of the building, so the only impact to the neighbour is from the gables extensions. The neighbour to the north, no.101, has an existing side garage adjacent to the application site, with two side facing windows, which based upon the existing layout of the application property consist of a secondary lounge window and a bedroom window. There is a one metre gap to the boundary, and the neighbour has a gap of approximately 2.4m to their windows. With an overall gap of 3.4m, the modest alterations to the roof are not considered to significantly impact upon light to, or outlook from, the neighbouring property at no.101. To no. 97 there is a similar gap, with 3.4m to the boundary and a one metre gap to the neighbouring property from the boundary. The changes to the roof are not considered to impact upon neighbouring amenity.

The single storey front side extension is similar in depth to the existing garage, and with a flat roof, so will have no additional impact on no.97.

Concerns have been raised by neighbouring residents regarding the potential for noise and overlooking from the internal courtyard area. This area is an external space, which could be used as a seating area without the need for planning permission, and therefore a refusal relating to the use of this space is not justified. Whilst new side facing doors are proposed, they are at ground floor level, and could again be inserted using permitted development rights, and can therefore not be grounds for refusal. Given that the boundary treatment along the open courtyard is already 2m in height, the agent has confirmed that this will be maintained, and to ensure any impact on the neighbouring property is limited, a condition will be added for its retention and maintenance. The setback side/rear extension to the south will extend beyond the neighbouring rear elevation. The neighbour at no.97 appears to have four windows within their side elevation, which if of the same layout of the application property would serve a bathroom, WC, and the kitchen. The two bathroom windows would not be affected, as they would face the proposed open courtyard area. The kitchen windows may be affected as they

would face towards the side elevation of the setback extension, which would be on the boundary, allowing for a gap of only one metre between the windows and the proposed extension. Whilst this relationship would normally raise concerns, if the kitchen were considered to be a habitable room, these appear to be secondary side windows, with a rear window to the kitchen likely to be facing into the conservatory on the neighbouring property, as it currently is on the application property. The proposed extension projects 5.3m beyond the existing rear elevation of the application property, which is 2.6m deeper than the existing conservatory. Whilst this does result in quite a deep projection on the boundary, the neighbour has a single storey outbuilding close to the boundary that would block the majority of this extension from view from the rear of their property, with only the top of the roof likely to be visible. The proposed extension will impact no further on no.97 than their own outbuilding. On this basis the impact upon light to and outlook from no.97 is considered to be acceptable.

The proposed rear extension extends 3.6m beyond the rear elevation of the existing property, which is only 0.8m deeper than the existing conservatory. The neighbour at no.101 has an existing rear extension, and therefore given the 3.4m gap, and the depth of the neighbouring property, the proposed extension is unlikely to affect the light to or outlook from the neighbouring property.

In terms of neighbouring privacy, concerns were previously raised with a central rear balcony that was proposed at first floor level, but this has been removed and replaced with a balconette that is on the existing rear building line. There is a distance of 18m to the rear boundary, and 29m to the rear elevation of the neighbouring dwelling. Given the amendment that removes the balcony, and the distance, the impact upon neighbouring privacy of properties in Teynham Close is considered to be acceptable.

No other windows are proposed within the development that would affect neighbouring amenity. There are two side velux windows, but these would face the neighbouring roofs, and the agent has agreed that these will be obscure glazed, which will be safeguarded by condition. No additional windows are proposed within the single storey extensions.

The impact upon neighbouring living conditions is therefore considered to be acceptable and complies with the overall aims of Policy QD03 of the Thanet Local Plan, and the National Planning Policy Framework.

Transportation

The proposed development extends the existing 3-bed property to create a 4-bed property. This enlargement does not significantly increase parking requirements, and the property has an existing driveway that can accommodate potentially two parked vehicles, although there is scope for it to accommodate more should the remainder of the frontage be paved similarly to neighbouring properties.

As such, the impact upon highway safety is considered to be acceptable.

Conclusion

For the reasons outlined above, the proposal, as amended, is considered to result in an acceptable impact upon the character and appearance of the area, and neighbouring amenity, in accordance with Policies QD02 and QD03 of the Thanet Local Plan, and Policy BSP9 of the Broadstairs and St.Peters Neighbourhood Plan.

It is therefore recommended that Members approve the application, subject to safeguarding conditions.

Case Officer

Tanya Carr

TITLE: FH/TH/23/1578

Project 99 Botany Road BROADSTAIRS Kent CT10 3SB

Scale:

