

- a) **DOV/16/00931 – Erection of single storey rear extension, front and rear dormer roof extensions and installation of 2 rear roof lights - 135 Middle Street, Deal (amended plans)**

**Reason for report:** Number of contrary views.

- b) **Summary of Recommendation**

Planning permission be granted

- c) **Planning Policies and Guidance**

Core Strategy Policies

None relevant.

National Planning Policy Framework (NPPF)

- The NPPF has 12 core principles which amongst other things seek to secure high quality design and a good standard of amenity for all existing and future residents.
- The NPPF paragraphs 17, 56-59 and 64 seek to promote good design and resist poor design. Development should take the opportunity to improve the visual quality and character of the area.
- Paragraph 132 of the NPPF states that when considering the impact of a proposed development on the significance of a Conservation Area, great weight should be given to its conservation.
- Paragraph 135 states that where a development will lead to less than substantial harm to the significance of a heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.
- Paragraph 138 states that new development in Conservation Areas and within the setting of heritage assets should enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to, or better reveal, the significance of the asset should be treated favourably.
- Chapter 7 requires good design, which is a key aspect of sustainable development.

The Kent Design Guide (KDG)

- The Guide provides criteria and advice on providing well designed development.

Planning Act (Listed Buildings and Conservation Areas) 1990

- Section 72(1) requires LPAs to have a duty to respect conservation areas in the exercising of planning functions. It states that special attention shall be paid to the desirability of preserving and enhancing the character and appearance of the area.
- Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that 'In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have *special regard* to the desirability of preserving the building or its setting, or any features of special architectural or historic interest it possesses'. When evaluating proposals, the statutory duties must be applied, and '*considerable importance and weight*' must be given to any predicted harm.

d) **Relevant Planning History**

Pre-application advice given.

e) **Consultee and Third Party Responses to the plans originally submitted**

Deal Town Council – Raises no objections

KCC Archaeologist: No reply.

Public Representations: Relating to the original submission, seven letters of objection have been received raising the following material considerations:

- The two large dormers on the front elevation are harmful to the character and appearance of the property and the Conservation Area, particularly because they obstruct views of the Dutch gables on the adjacent buildings. Even one dormer would blight the view of the Dutch gable from Golden Street and Middle Street.
- Loss of symmetry of nos 135 and 137 as a pair.
- There are plenty of houses with dormer windows. Those without should be preserved as good examples of original Victorian domestic architecture.
- The charm of nos 135 and 137 is that they are a pair of two storey houses set between three storey houses. This feature adds a great deal to the sense of architectural variety, and increases the richness of housing type in the historic area. Were this to be compromised by the addition of another floor, more of the originality of the area would be lost.
- Famous views along key areas of the Conservation Area need to be protected where possible. The view affected is exactly the one on the Dover District Council web page advertising the Conservation Area. This view should be maintained for its historical importance in the Conservation Area.
- The two front dormers are oversized and out of proportion with the host dwelling.
- The dormers would be visible from the top of Golden Street, and would ruin the height proportion of the houses.

Amended plans have been submitted and advertised. No representations have been received in respect of the amended plans at the time of writing this report. The advertisement expires on 18 November, and members will be updated with any further material representations at the meeting.

- f) 1. **The Site and the Proposal**
- 1.1 The site lies within the settlement confines, in the heart of the Middle Street, Deal Conservation Area, which benefits from an Article 4(2) direction.
  - 1.2 The Middle Street, Deal Conservation Area is a highly significant heritage asset, and the listed buildings surrounding the application property are also highly significant heritage assets.
  - 1.3 The application property, which occupies a mid-terrace position along Middle Street, stands directly opposite Golden Street, and is therefore a feature of both the Middle Street and Golden Street street scenes.
  - 1.4 The application property is an attractive two storey cottage forming one of a pair of Victorian cottages sandwiched between two older properties with Dutch gables. It remains in its original form with no additions front or back, and has its original windows. It is not particularly significant within the Conservation Area, and is not a listed building, but nonetheless makes a positive contribution to the special character of the area on account of its simple, historic charm.
  - 1.5 This application, as originally submitted, seeks permission to erect two dormer windows on the front elevation, 3 rooflights on the rear elevation, and a single storey, ground floor rear extension.
  - 1.6 The Council's Principal Heritage Officer responded to the submission with the following comment:

The proposed dormer windows would, in my view, be overbearing due to their size and detail (with heavy cheeks). The proportions of the building are modest, and as found on many other buildings of this stature in the conservation area, the tradition is for a single dormer window following a typical hierarchy (windows tending to reduce in size to each storey). In my view this aspect of the proposal would be contrary to the established character of the Conservation Area, and consequently would not preserve the special interest of the designated heritage asset. In my view the proposal could be reduced to 1no dormer set centrally within the roof slope, removal of the wide cheeks and a slight reduction in size. This would result in a more traditionally detailed feature that would be appropriate for the context. Should amendments be made as per my comments I would be content to support the application subject to a condition for joinery details.
  - 1.7 Amended plans were sought and submitted on 22 September to this effect, and it is these plans that are assessed below.

- 1.8 The amended plans have a single, slim-line dormer centrally positioned on the front elevation, measuring 1.1m wide x 1.2m high x 1.9m deep, and a rear dormer next to two rooflights. The rear dormer measures 1.3m wide x 1.4m high x 2.5m deep. Both dormers are clad in lead with a double glazed sliding sash window constructed of Slimlite glass in a timber frame.
- 1.9 The ground floor rear extension has a modern flat roof design with a roof light, and aluminium bi-fold doors on the rear elevation. The extension measures 2.8m deep x 3.6m wide x 2.5m high to the top of the solid roof.

## 2 **Main Issues**

2.1 The main issues are:

- The impact on the appearance of the property, and the impact on the significance of local Heritage Assets, such as the special character and appearance of the Conservation Area within which it stands, and nearby listed buildings.
- The impact on the residential amenity of neighbouring properties

### Assessment

#### Character and Appearance

- 2.2 The single dormer on the front elevation sits neatly within the front roof slope. It has traditional design and proportions, which complement the character and appearance of the host property and the general character and appearance of the Conservation Area in which it stands.
- 2.3 Dormers are a regular feature within Middle Street, so the proposal would not be alien to this streetscape.
- 2.4 The dormer would obscure part of the Dutch gable on the adjoining property, when viewed from Middle Street to the north of the site. However, it is the view of your officers that the gable would remain visible to a satisfactory degree, given that a distance of 1.9m separates the two.
- 2.5 Although the letters of objection comment in response to the original submission, a number make comments that are relevant to the assessment of this amended scheme. It is noted that one third party considers that even one dormer would blight the view of the Dutch gable from Golden Street and Middle Street, and that another considers that Victorian properties in the conservation area that do not have any dormers should be retained as such, as a good example of Victorian architecture. Objection is also raised to the loss of symmetry of 135 and 137 as a pair.
- 2.6 These comments are noted. However, it is your officers' view that the amended scheme would not blight the view of the Dutch gable sufficiently to constitute harm to the significance of the Listed Building or the Conservation Area, and that the resultant loss of symmetry of this Victorian

pair would not constitute harm to the significance of the neighbouring Listed Building or the Conservation Area.

- 2.7 Accordingly, the proposed front dormer is considered acceptable in accordance with the policies listed above, and satisfies sections 72(1) and 66(1) of the Planning Act (Listed Buildings and Conservation Areas) 1990.
- 2.8 The rear dormer and rooflights are not visible from any public realm, and would not harm the character and appearance of the Conservation Area. They are therefore considered acceptable.
- 2.9 The ground floor rear extension has a modern design on account of its flat roof. However, it appears as a modest and subservient addition to the property on account of its small scale, and low ground level, as the ground level of the garden rises gently away from it. The extension would not be visible from any public realm, and would not harm the character and appearance of the Conservation Area. It is therefore considered acceptable.

#### Impact on Residential Amenity

- 2.10 The front and rear dormers and rooflights would not result in unacceptable overlooking, and would not result in a loss of residential amenity.
- 2.11 The ground floor rear extension sits on the boundary walls on both sides. On the south side it adjoins a wall some 2.4m high, which runs alongside a private access way. The roof of the extension remains lower than the top of the wall. The property to the south of the alleyway would not be affected by the extension in terms of any overbearing impact, loss of light or outlook.
- 2.12 On the northern boundary the extension is shown to abut the existing 1.8m high boundary fence. The roof of the extension projects some 0.3m above that fence. At 2.8m deep the extension breaches the 45 degree line of the neighbouring habitable room window by approximately 1m. It is noted that a small degree of both ambient light and direct sun light would be blocked. However, it is considered that the degree of light loss would not be sufficient to harm the residential amenity of the occupants of the neighbouring property to a significant degree.

#### Conclusion

- 2.13 The front dormer is clearly visible within the Middle Street and Golden Street streetscenes. However, it is considered to have an acceptable impact on account of its sympathetic design, size, scale and central location within the roof slope. The proposed development to the rear would not impact on any public realm, or harm the Conservation Area or the setting of nearby listed buildings. The proposal is therefore considered to accord with the aims of the policies listed above, relating both to heritage conservation and general design principles, and satisfies section 72(i) of the Planning Act (Listed Buildings and Conservation Areas) 1990.

2.14 The impact of the proposal on residential amenity of neighbouring occupants has been considered and found to be acceptable in accordance with the aim of the NPPF in seeking a good standard of amenity for existing and future occupants of land and buildings.

g)

**Recommendation**

I PERMISSION BE GRANTED subject to conditions set out in summary to include:

(i) commencement within 3 years; (ii) carried out in accordance with approved drawings; (iii) joinery details to be submitted; (iv) no windows to be inserted in the side elevations of the ground floor extension; (v) conservation style rooflights to be installed.

II That powers be delegated to the Head of Regeneration and Development to settle any necessary planning conditions in line with the issues set out in the recommendation, and as resolved by the Planning Committee.

Case Officer  
Maxine Hall