

- a) **DOV/17/00432 – Erection of first-floor extension above existing garage - 32 The Strand, Walmer**

Reason for report: Number of contrary views (8)

- b) **Summary of Recommendation**

Planning permission be granted.

- c) **Planning Policies and Guidance**

Core Strategy Policies

DM1 - Development will not be permitted outside of the settlement confines, unless it is specifically justified by other development plan policies, or it functionally requires such a location, or it is ancillary to existing development or uses.

National Planning Policy Framework (NPPF)

- Paragraph 17 states that securing high quality design and a good standard of amenity for all existing and future occupants of land and buildings is one of the 12 core planning principles set out in the NPPF.
- Paragraph 32 states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.
- Paragraph 56 states that the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.
- Paragraph 64 states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions”.
- Paragraph 132 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional.
- Paragraph 134 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

The Kent Design Guide

This states that ‘the restoration, modification or extension of any building requires a sympathetic approach and this is particularly the case with heritage areas including historic buildings and townscape. Even a seemingly minor alteration can be damaging to an individual building or group’.

Walmer Design Statement

Walmer Design Statement seeks to focus on the special character and design features in different parts of Walmer. It sets out Design Principles that could be applied appropriately.

The design principles that can be applied in the context of the current planning proposal are:

WDS1: requires the development to be consistent with Dover District Local Plan (2002) and the principles and objectives of Kent Design (2000) and should acknowledge, preserve or enhance the built and natural heritage of the parish of Walmer.

WDS3: The scale, materials and boundary treatments used in development should be appropriate to their surroundings and the design details of the Character Area in which the development is proposed. Harmonious variety in design details within developments is encouraged to maintain the tradition of visually interesting streetscapes which is a characteristic of Walmer.

Sections 72(1) of Planning (Listed Buildings and Conservation Area) Act 1990

Section 72(1) states that, 'In the exercise, with respect to any building or other land in a conservation area, of any powers under any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.'

d) **Relevant Planning History**

DOV/16/00235 - Replace existing tiled roof with slate, replacement dormer window to front, excavations to form new lightwell to rear and enlargement of front lightwell (amended proposal). Approved.

DOV/16/01148 - Excavations to form new lightwell to rear and enlargement of front lightwell, replace existing tiled roof with slate, installation of replacement windows, removal of side front dormer windows, installation of replacement window on rear elevation and bi-fold doors to lower ground floor and construction of associated access steps. Approved.

e) **Consultee and Third Party Responses**

Walmer Parish Council – positively supports the proposal.

Environmental Health Manager – no observations.

Heritage Officer – no objections.

Public Representations:

Eight (8) representations received objecting to the planning application and raising the following relevant planning matters:

- Out of keeping with the character and appearance of the Conservation Area
- Loss of light
- Loss of privacy
- Out of scale
- Overshadows immediate neighbours
- Increase in demand for water, drainage, refuse disposal and parking

f) 1. **The Site and the Proposal**

1.1 The application site relates to an existing garage within the rear garden of a terraced dwelling which lies within the settlement confines of Walmer in Walmer Sea Front Conservation Area. The properties to the south of the application site have two storey outbuildings fronting York Road whilst properties to the north have single storey outbuildings/garages. The application property shares boundaries with no.33 to the north and no.31 to the south.

1.2 This application seeks permission to erect a pitched roofed first floor extension over the existing garage abutting York Road. It would be finished in brick. It would have timber casement windows and a slate tiled roof. The proposed extension would be used as a home office used ancillary to the main dwellinghouse. Concerns were raised regarding the loss of privacy and loss of light to the neighbouring properties opposite the application site fronting York Road. The applicant subsequently amended the scheme which involved the removal of the proposed windows to the extension's first floor York Road elevation (west) and the insertion of windows to the east (side) elevation facing the rear elevation of the main dwellinghouse. To mitigate the light loss impacts on the neighbouring properties fronting York Road, the roof of the extension which was originally proposed with a gable end facing York Road was amended to have gable ends to the side elevations instead. This amendment was also sought with a view to retain some consistency in terms of building form in the street elevation. Furthermore, rectangular recesses with exposed stone cill and soldier course brick header details were sought with a view to add some interest to the elevation rather than having a blank brick wall facing York Road.

2 **Main Issues**

2.1 The main issues are:

- The principle of the development
- The impact on the character and appearance of the area and Heritage Asset
- The impact on residential amenity
- The impact on the highway network

Assessment

Principle of the Development

2.2 The site lies within the settlement confines of Deal. It is considered that principle of the development is acceptable, subject to site-specific considerations.

Impact on the Character and Appearance of the Area

2.3 By virtue of its siting, the proposed first floor extension would be readily visible in York Road. However, having regard for the amended design of the extension and the existing two storey outbuildings backing onto York Road of a similar scale and appearance, it is not considered that the proposed first floor extension over the existing garage would appear out of character with the area. Therefore, the proposed extension would comply with the aims and objectives of the Walmer Design Statement.

- 2.4 For the foregoing reasons, your officers are satisfied that the proposal would preserve the character and appearance of the Conservation Area in accordance with Section 72(1) of Planning (Listed Buildings and Conservation Area) Act 1990. As far as the NPPF is concerned, given the existing character of the street and having regard to the design and form of the building, the impact of the development is considered to be neutral.

Impact on Residential Amenity

2.5 No. 31 to the north

No. 31 has an existing conservatory along the rear site boundary set-in from the edge of York Road by approximately 5.5m. This setback area is used for the parking of cars by no. 31. Therefore, by virtue of the siting of the existing adjoining development at no. 31, the proposed extension whilst two storey is not considered to have an unacceptable overbearing impact on the neighbouring occupiers of no. 31. Having regard for the separation distance between the proposed development and the rear elevation of no. 31, no unacceptable loss of light or overshadowing would occur from the proposal.

2.6 No. 33 to the south

No. 33 has an existing outbuilding with a pitched roof along the rear boundary. By virtue of the siting of the proposed garage extension to the north of no.33 and having regard to the location of the outbuilding, it is not considered that it would cause loss of light, sense of enclosure or overshadowing to private amenity space or dwellinghouse at no. 33.

- 2.7 The windows proposed to the east elevation of the proposed first floor extension would have views into the private gardens of nos 31 and 33. Therefore, to mitigate this concern, the proposed windows would be conditioned to be obscure glazed and non-openable upto a height of 1.7m above floor level. With regards to the proposed rooflights within the eastern roofslope, they would be high level and as such are not considered to result in harmful downward overlooking.

- 2.8 Having regard for the proximity of the proposed extension to the dividing boundaries with nos 31 and 33, it is considered that the proposed windows to the first floor east (rear) elevation of the extension may not result in overlooking but are likely to result in the perception of overlooking. However, it is not considered that this perception of overlooking would not be sufficiently harmful to warrant refusal of the application.

2.9 Properties Fronting York Road

Following the amendments to the proposal, the first floor extension is considered acceptable and is not considered to result in a loss of privacy, loss of light, sense of enclosure or overshadowing to the occupiers of the properties fronting York Road to the west. Having regard to the north-south orientation of the street and the separation distance between the proposed extension and the front elevations of the properties opposite (approximately 7m apart), it is not considered that the proposed first floor extension would cause unacceptable loss of light to the neighbouring occupiers opposite.

- 2.10 There are no other properties in the vicinity that would be directly affected by the proposal.

Impact on Highways

- 2.11 The applicant has confirmed that the proposed extension would be used as a home office ancillary to the main dwellinghouse. As such, no additional increase in traffic or parking demands are envisaged from the proposal. Ancillary use as such can be conditioned.

3. **Conclusion**

- 3.1 The proposed extension is considered acceptable and would preserve the character and appearance of the wider Conservation Area and the street scene. It would not undue cause harm to the residential amenity of the neighbouring occupiers.

g) **Recommendation**

- I PERMISSION BE GRANTED subject to conditions to include: i) Timescale of commencement of development, ii) A list of approved plans (iii) Materials as confirmed by the applicant (iv) obscure glazed fixed shut below 1.7m (v) No openings to any elevations or roof plane (vi) Ancillary use.
- II Powers to 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
Benazir Kachchhi