

a) **DOV/17/00028 – Erection of a single storey side extension with ancillary accommodation over - 5 Liverpool Road (April Cottage), Walmer**

Reason for Report: Referred to Committee due to the level of public interest

b) **Summary of Recommendation**

Planning permission be granted

c) **Planning Policies and Guidance**

Dover District Core Strategy 2010

- DM1 supports development within the built confines
- DM9 outlines guidance for accommodation for dependant relatives

National Planning Policy Framework (NPPF)

- Paragraph 7 – the three roles of sustainable development
- Paragraph 56 – good design as a key aspect of sustainable development
- Paragraphs 132 – 134 – responsibilities of a LPA in determining applications which affect a heritage asset; a conservation area in this instance.

Planning (Listed Buildings and Conservation Areas) Act 1990

- S.72 – seeks to preserve or enhance conservation areas

Walmer Design Statement

**WDS 2:** Any future development in the parish should respect the origins, and reflect strongly the character, appearance and design details of the Character Area in which it is situated.

**WDS 3:** 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.

**WDS 6:** When development occurs every effort should be made to retain mature trees where they exist and to augment them with appropriate planting of indigenous species.

d) **Relevant Planning History**

14/00931 – Erection of a single storey side extension with balcony over – Withdrawn

06/00859 – Erection of rear dormer extension, single storey rear extension and erection of a shed – Permission granted and implemented

05/00407 – Erection of a two storey side extension and alterations to the existing dwelling (existing extension to be demolished) – Permission granted but not implemented

e) **Consultees and Third Party Responses**

- Walmer Parish Council

The Parish Council object to the development citing concerns regarding the proximity of the proposed garage to the highway and the potential access issues, raised design-related concerns and that the proposal does not respond to the local character, history and local identity and that the proposal would contravene Walmer Design Statement (WDS) policies 2, 3 and 6 (these are shown above in Part C).

- KCC Highways

The highways officer considered that the originally proposed double garage door would be too close to the junction and advised it be reduced to a single garage door to help mitigate potential highway safety concerns.

- Horticulture Officer

The tree officer was not concerned about the loss of the 3 young birch trees and considered them of little horticultural value.

- Heritage Team

The Principal Heritage Officer did not have any specific concerns about the proposal and did not consider that harm to the conservation area would result from this development.

- Public Representations:

14 letters of objection have been received; the comments are summarized as follows:

- The proposed garage is too close to the junction on a busy road and could lead to increased safety concerns and loss of on-street parking in the area
- The extension is too large for the host dwelling and the site
- The extension would be an unsightly addition to the area
- The property is located in a conservation area with listed buildings nearby
- The loss of trees would result in a loss of wildlife habitat
- There would be a loss of privacy and loss of light and outlook to nearby dwellings
- Impact the setting of listed buildings
- The proposed alterations to the boundary wall would result in the development looking 'like a prison' and the loss of the current 'graceful curve' of the wall would be a shame

10 letters of support have been received; the comments are summarized as follows:

- The proposed extension would make the property more attractive
- The addition of off-street parking would relieve some of the parking pressure
- The extension would be in keeping with the surroundings and in proportion with the host dwelling
- Proposal to the benefit of the appearance of April Cottage and the area

- There would be no negative impact on houses in Archery Square or The Beach
- This section of Liverpool Road serves as the back entrances to the houses on The Beach and is a series of garages and gates
- April Cottage, dating from the 1950s is a different style to the rest of Archery Square and the extension reflects the style of the host dwelling
- The design of April Cottage is unique in the local area
- Even with the extensions proposed, the dwelling would remain subordinate to the other properties of The Beach

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

- 1.1 The property is a semi-detached chalet bungalow located at the junction of Liverpool Road and Clarence Road in Walmer within the Walmer Seafront Conservation Area. It has a high garden boundary wall to all sides (although this boundary wall ends part way across the Liverpool Road frontage of the dwelling). The wider area is primarily residential in character with an eclectic architectural mix.
- 1.2 The proposal is for a side extension to the property which would form a new single garage, and other ancillary accommodation for a dependant relative. Some accommodation would be contained within the roof. The proposal has been amended during the course of the application. The original proposal was for a two car garage (with double width garage doors) but this was considered to increase highway safety concerns and, following the advice of the Highways Officer, this was reduced to a single car garage door (although the garage itself remains the width of a 2 car garage).
- 1.3 The extension integrates into the existing dwelling whilst providing ancillary accommodation with some degree of independence. It would be part and parcel of the whole dwelling and would not have a separate kitchen (kitchen facilities would be shared with the main dwelling). There would be a new access to the existing first floor roof terrace from the first floor of the proposed extension and ground floor access to the rear garden space. There would be flat-roofed dormer windows facing east, west and south (the south facing dormer providing the access to the existing roof terrace above the kitchen). Access to the new extension would be via the existing kitchen of the host dwelling. The roof design incorporates a pitch and finish that would reflect that of the existing building and the extension has been designed to site within the current angled corner of the site behind the boundary wall on the corner of Clarence Road and Liverpool Road.
- 1.4 The materials proposed are to match the existing finish materials of the host dwelling and include a slate roof, rendered external walls and crittal-type windows. Doors would be painted timber.
- 1.5 The overall size of the proposed extension would be 6.7m x 9.2m (ground floor level) approximately with a total ridge height of 5.5m and an eaves height of 3.4m. It would be set a minimum of 0.8m back from the Clarence Road boundary wall.
- 1.6 The windows to the garden (east) façade on the ground floor of the proposed extension would be modernist Crittal windows, including a corner-wrapped window which would be designed to match the rest of the largely glazed rear façade of the host dwelling.

- 1.7 The single garage door would be a timber slat roller door which would be left to naturally age to grey. The garage door opening would be located approximately 6m from the nearest point of the junction with Clarence Road. The boundary wall on the west (front) elevation would be raised by 0.6m to accommodate the garage door as well as mask a flat-roof detail of the roof design. The wall would be raised to the height of the eaves (in line with the highest part of the existing wall) which would extend across the garage and drop down in a curve to match that on the north boundary wall.
- 1.8 The plans indicate that 3no. silver birch trees would be removed adjacent to the Clarence Road boundary wall. All other trees on the application site are to be retained. The plans show a replacement tree to be planted at the north western corner of the site and in discussions with the agent, new tree/s would also be planted to the rear of the extension. The replacement tree species have not been specified at this stage.

## **2. Main Issues**

- Principle of Development
- Impact on the visual amenity of the area
- Impact on the residential amenity of the area
- Impact on highways
- Impact on heritage assets

## **3. Assessment**

### Principle of Development

- 3.1 5 Liverpool Road (April Cottage) is located within the confines of Walmer and is therefore DM1 compliant.

### Impact on the visual amenity and street scene of the area

- 3.2 The extension, particularly the roof form would be readily visible from the street. Whilst the extension has been designed, at its northern elevation, to follow the boundary of the site, it does none the less reflect the scale, form, character and appearance of the existing building. The boundary wall and proposed planting of a replacement tree at the junction of Clarence Road and Liverpool Road and trees to the rear of the proposed extension would help retain the 'greenness' of the site when viewed from the street.
- 3.3 The back view (from Clarence Road/The Beach junction) would increase slightly through the removal of three trees; three relatively young Silver Birch trees of no great horticultural value. These trees do make a contribution to the visual amenity and street scene of the area as they are visible above the boundary wall and add to the 'greening' of the local area. With suitable re-planting, however, the visual loss of the trees would be significantly mitigated. A landscaping plan would be a reasonable condition in this instance.

- 3.4 This part of Liverpool Road has a very tight street pattern and serves, in large part, as the rear entrance to the larger properties on The Beach. As such, the east side of Liverpool Road is typified by garage doors, back gates and rear entrance doors. Some are set behind a small courtyard, others are adjoining the highway. The design and position of the single timber slat roller garage door is considered acceptable.
- 3.5 A section of flat roof has been added to the extension which serves to set the main roof back from the boundaries and would help to somewhat mitigate the visual mass of the pitched roof. The set back of the pitched roof would reduce any overbearing impact the development could potentially have in the local street scape.
- 3.6 The existing boundary wall is a strong feature in the street scene. The reflex-curve at the junction sits higher than the straight side boundaries, with a curved element re-enforcing the change in levels on both the Liverpool and Clarence Road boundaries. This feature needs to be retained in as unchanged a form as possible. The Clarence Road boundary wall will remain unchanged. The Liverpool Road boundary wall will be raised to form the front wall of the garage and to mask the flat sections of the roof and the curved step-down in the wall will be re-instated to the south of the garage door. The bricks used will be, where possible, those removed from the wall to make the opening for the garage door.
- 3.7 The host property was granted permission for a flat-roofed rear (east facing) dormer in 2006 (see section 'd.' above) and this form of design, as part of the current proposal, is considered the most appropriate and least jarring of possible dormer design solutions. As such, the use of flat-roofed dormers in the proposed extension would be in keeping with the host property.
- 3.8 It should be noted that the first floor roof terrace above the kitchen was shown on the existing drawings forming part of the 2005 planning application and therefore is lawful. It does not form part of this application. However, the proposed access to this terrace, via an enlarged dormer in the extension, is considered to be an improved design solution over the existing external staircase arrangement. The roof of the proposed extension would significantly reduce the visual impact of this roof terrace in the street scene and would somewhat reduce the visual clutter associated with terraces in general (such as seating, tables and so forth).
- 3.9 The Parish Council have noted three statements from the Walmer Design Statement which should be addressed. The Walmer Design Statement does not form part of the Development Plan, nevertheless, it is a material consideration. WDS2 states that any future development in the parish should respect the origins, and reflect strongly the character, appearance and design details of the Character Area in which it is situated. The existing building (dating from the 1950s) already forms part of the character of the area even though it is of a differing style and period to much of Archery Square. It would be a more incongruous, and therefore a less successful design solution, if the extension to a 1950s modernist house was designed to reflect the listed buildings in Archery Square. This would not result in a successful development.
- 3.10 WDS3 states that 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. There is nothing inappropriate about the use of slate for a roof or render for external walls in this area and the existing boundary wall would remain largely unaltered. As mentioned in 3.9 above, the existing dwelling is of a later date than the rest of Archery Square and adding an extension of a more historic design would not be appropriate to the setting of the existing building and would not result in a successful development.

- 3.11 WDS6 states that when development occurs every effort should be made to retain mature trees where they exist and to augment them with appropriate planting of indigenous species. The trees to be removed are relatively young and of limited horticultural value and there would be replacement planting of suitable trees which can be secured through condition.
- 3.12 It is considered that the design of the proposed extension, along with suitable planting, would neither harm the visual amenity of the area nor the street scene and is considered acceptable.

#### Impact on the residential amenity of the area

- 3.13 The roof of the proposed extension would be visible above the boundary wall but as the roof slope falls towards the boundary wall and the nearest dwellings, it would be unlikely to cause any sense of enclosure or have any overbearing impact.
- 3.14 Due to the location and siting of the extension and the distance from the nearest residential neighbour, there would not be any loss of light.
- 3.15 There is an external staircase on the north end of the existing dwelling providing access to the first floor roof terrace. This raised terrace currently provides panoramic views towards the neighbouring properties and as such, the proposed extension is considered to significantly improve this situation as the majority of views will be obscured by the roof of the proposed extension. Views to the east and west would remain but the views towards 31 The Beach would be largely blocked.
- 3.16 There are no window openings to the north facing roof slope. A condition restricting any openings in this roof slope would be recommended should Members determine to approve this application.
- 3.17 There are three dormers proposed on the extension; two dormer windows (one on the east facing roof slope and one on the west facing roof slope) and a larger dormer housing a door to internally access the roof terrace (there would be no external access to the roof terrace). The west facing dormer window would not result in overlooking or a loss of privacy or interlooking as it mainly overlooks Archery Square itself and is on an oblique angle to the nearest dwellings in Archery Square.
- 3.18 The east facing dormer window looks out over the garden and towards The Beach. There would be a view to the car parking area to the front of 31 The Beach but would not result in interlooking or loss of privacy to any areas reasonably expected to be private. Replacement trees planted to the rear of the proposed extension could mitigate any negative impact to the front of 31

The Beach or any perception of interlocking from windows within 31 The Beach.

- 3.19 The south facing dormer, which provides access to the roof terrace, would not lead to an increase in overlooking, interlocking or loss of privacy to Park House or 32 The Beach as it would be located between two roof slopes. Any oblique views afforded from the dormer would be significantly less than those already available from the roof terrace itself.
- 3.20 There would be no residential impacts resulting from the ground floor level windows proposed.

#### Impact on Highways

- 3.21 Verbal advice has been sought from the KCC Highways Officer who has advised that the single garage would be located far enough from the junction, so as not to cause harm to highway safety, provided a roller shutter door is incorporated. This can be secured by condition. The single garage door design solution results from the need to address highway safety concerns which were raised with the double-width garage doors which originally formed part of the proposal. It was considered that the double garage doors brought the access onto the highway from the garage in too close a proximity to the junction of Clarence Road and Liverpool Road which has limited visibility.

#### Impact on Heritage

- 3.23 The NPPF, in section 12, outlines the requirements when dealing with development within a conservation area. Specifically, it is looking at paragraph 72 of the Planning (Listed Building and Conservation Area) Act 1990 and how it is to be interpreted and applied.
- 3.24 Paragraph 132 of the NPPF states that, 'When considering the impact of a proposed development on the significance of a designated heritage asset [such as a conservation area or listed building], great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be'. It also states that 'As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification'.
- 3.25 Under paragraphs 133 and 134 of the NPPF, there is a need to make a judgement as to whether the harm would amount to substantial or less than substantial harm. Advice on making this judgement is given in the National Planning Practice Guide (NPPG). There are two aspects of the proposal which will require consideration and are discussed below.
- 3.26 The existing boundary wall is a strong feature in this part of the conservation area and is of historic interest. In this instance it is considered that whilst there is a proposed alteration to the boundary wall, the overall proposal would not harm the character and appearance of the conservation area. The re-use of as much of the existing brick in the boundary wall removed to allow for the garage door could be conditioned. It is considered that the impact would be neutral.
- 3.27 The proposed extension itself, because it is in keeping with the host property in terms of design, massing, scale and materials, would not result in an overly dominant form of development within the conservation area. It is noted that

this property as a whole is of a unique design for this part of the conservation area however, the proposed enlargement is not considered to harm the conservation area. As such, the impact would be neutral.

#### Accommodation for dependant relative

- 3.28 DM9 sets out the requirements and restrictions on development intended to accommodate a dependant relative. It requires that the accommodation is designed and located so as to be able to function as ancillary accommodation to the principal dwelling and can revert to single family accommodation once the use ceases. It also requires that the size and design is appropriate to the needs of the intended occupant and that it is acceptable in terms of flood risk.
- 3.29 The extension would house, beyond the garage discussed above, a ground floor snug facing the rear garden and a first floor study, bedroom and bathroom (it would make use of the shared kitchen facilities of the principal dwelling. It is considered that the bedroom/bathroom would be the main accommodation for the dependant relative whilst the study and snug would be available to the entire dwelling as these spaces form part of the access to the roof terrace. However, even if these spaces were also included for the sole use of the dependant relative, the total space would be considered appropriate in terms of location, size and design and could easily be integrated into the principal dwelling when the use ceases. The extension would not be within a recognised flood risk zone and therefore it is considered acceptable in terms of flood risk.
- 3.30 It is considered that the extension would meet the requirements of DM9.

#### Conclusions

- 3.31 It is considered that the proposed extension would not harm the visual amenity or street scene of the area nor would it have a negative impact on the character and appearance of the conservation area.
- 3.32 It is considered that the proposed extension would not have a negative impact on the residential amenity of the adjacent dwellings but would actually improve the residential amenity of 31 The Beach.
- 3.33 It is considered that the proposed garage would not cause any highway safety concerns.
- 3.34 It is considered that the proposed accommodation for a dependant relative would comply with DM9 of the Core Strategy.
- 3.35 On balance, it is therefore concluded that planning permission should be granted.

#### **g) Recommendation**

- I Planning Permission BE GRANTED subject to the following conditions:  
1) 3 year commencement; 2) Built in accordance with the approved drawings;  
3) finishes to match existing; 4) PD removed for new openings in north facing roof slope of permitted extension; 5) samples of bricks for boundary wall if not reclaimed fully from site; 6) PD removed for alterations/extensions to



permitted extension and other alterations at roof level of permitted extension;  
7) landscaping scheme.

- II 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

Andrew Wallace