

- a) **DOV/18/00720 – Erection of a replacement roof; two-storey front and rear extensions; balcony with balustrade to front; pitched roofs to existing side and rear; new garage at basement level with external staircase and balcony - Tighna Mara, Princes Drive, Sandwich Bay, Sandwich**

Reason for report – Number of contrary views (11)

- b) **Summary of Recommendation**

Planning permission be granted.

- c) **Planning Policy and Guidance**

Development Plan

The development plan for the purposes of Section 38(6) of the Planning and Compulsory Purchase Act (2004) comprises the Dover District Council Core Strategy 2010, the saved policies from the Dover District Local Plan 2002, and the Land Allocations Local Plan (2015). Decisions on planning applications must be made in accordance with the policies of the development plan unless material considerations indicate otherwise.

In addition to the policies of the development plan there are a number of other policies, standards and legislation which are material to the determination of planning applications including the National Planning Policy Framework 2018 (NPPF), National Planning Practice Guidance (NPPG), The Conservation of Habitats and Species Regulations 2017, together with other local guidance.

A summary of relevant planning policy is set out below:

Dover District Core Strategy (2010)

CP1 – Settlement Hierarchy
DM1 – Settlement Boundaries
DM13 – Parking Provision
DM15 – Protection of the Countryside
DM16 – Landscape Character

National Planning Policy Framework (NPPF) 2018

Paragraph 7 states that the purpose of the planning system is to contribute to the achievement of sustainable development. The objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.

Paragraph 124 states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Paragraph 127 states that planning 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 landscaping, are sympathetic to local character and history and create places that are safe, inclusive and accessible with a high standard of amenity for existing and future users.

Paragraph 163 states that when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment. Development should only be allowed in areas at risk of flooding where, it can be demonstrated that: a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location; b) the development is appropriately flood resistant and resilient; c) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate; d) any residual risk can be safely managed; and e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan.

Paragraph 170 states that planning decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes and recognising the intrinsic character and beauty of the countryside.

Paragraph 175 states that when determining planning applications, if significant harm to biodiversity resulting from a development cannot be avoided, adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused. Development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest.

The Conservation of Habitats and Species Regulations 2017

The Wildlife and Countryside Act 1981 (as amended)

Kent Design Guide (2005)

The guide provides criteria and advice on providing well designed development, emphasising that context should form part of the decision making around design.

Worth Neighbourhood Development Plan (2014)

Paragraph 1.14 states 'Much of the Sandwich Bay part of the Parish is designated as important areas for birds [Sites of Special Scientific Interest (SSSI), Natura 2000, RAMSAR, National Nature Reserve (NNR), Special Area of Conservation (SAC), and Special Protection Area (SPA)]. The area contains two championship links golf courses (Royal St Georges & Princes) and most of the 125 dwellings are on the private Sandwich Bay Estate. The majority of these are modern. Anecdotal evidence suggests up to 50% of the dwellings on Sandwich Bay Estate are second or holiday homes. All the land is poor quality Grade 3 and 4 Agricultural Land. The Sandwich

Bay Residents Association did not wish 'The Bay' to be included in the Worth Neighbourhood Area.'

d) **Relevant Planning History**

CH/7/63/0515 – Erection of house/garage – APPROVAL

DO/85/0523 – First floor ext. and enclosed spiral staircase – APPROVAL

DO/98/00242 – Erection of an entrance porch and alterations to windows and some external finishes – GRANTED

DOV/16/00304 – Erection of a replacement roof, two storey front and rear extensions, balcony with balustrade to front, pitched roofs to existing side and rear, new garage at basement level with external staircase and balcony and alterations to existing vehicular access – REFUSAL

Application DOV/16/00304 was refused for the following reason;

“The proposed extensions, due to an incoherent design strategy, by reason of their form, appearance and prominence would be poorly related to the form, scale and appearance of the existing property, resulting in over-complicated, incongruous and unsympathetic additions and would fail to meet the requirements of good design and would harm the existing character and appearance of the area thereby contrary to paragraphs 56-59, 61 and 64 of the National Planning Policy Framework.”

e) **Consultee and Third Party Responses**

Representations can be found in full in the online planning file. A summary has been provided below:

Worth Parish Council – no objection

Environment Agency – proposal is covered by flood risk standing advice

KCC County Archaeology – no comment received

Public Representations:

11 Letters of objection have been received and are summarised below:

- Similar to previous (refused) application except for changes to roof and a few cosmetic changes. 2016 refusal stated “This outcome is jarring over complex” – proposal is unchanged.
- Overlooking – balcony would overlook Coastguard Cottages, Coastguard station & the Lighthouse
- Design – larger than historic cottages nearby. Would dominate on seafront. Design lacks cohesive structure, giving jarring effect, altering the appearance of the seafront and ‘conservation area’. Out of keeping with character of the area
- Would affect views & attraction of Sandwich Bay
- Sited in prominent position, with Special Area of Conservation and SSSI dunelands behind

- Proposal is for commercial premises (accommodation for The Open to be held nearby in 2020)
- Would result in additional noise
- Would result in more parking
- Impact on outlook & privacy of surrounding area

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

- 1.1 The site is situated within the private Sandwich Bay Estate. This is located outside of the settlement confines identified in Policy DM1 and is therefore considered to be within the countryside (subject to Policies DM15 and DM16). The site is not within a Conservation Area and is not a Listed Building. Land towards the eastern part of the site is subject to an Article 4 Direction from 1979 restricting some permitted development for the erection of gates, fences, walls, other means of enclosure and the formation, laying out and construction of a means of access to a highway.
- 1.2 The application site comprises a three storey detached dwellinghouse, set back from the private road by a driveway. The site is located on the west side of Princes Drive and is directly opposite the beach. The site slopes downwards towards the west and the driveway runs to the north and west of the dwelling, with parking areas to the front and rear of the dwelling. Access from the front (east) of the property is to the ground floor and from the rear (west) is the basement. The building is 'L shaped' and the section fronting Princes Drive has a pitched metal roof. The two storey rear projection has a flat felt roof set behind a parapet wall. At ground floor level, and as shown on the submitted topographic survey (received 4th July 2018), is an enclosed rear garden/amenity area. This is obscured from view of the wider area by a tall brick wall. The garden to the rear of the dwelling is at lower ground level and is set back from the property by a tarmac parking/turning area. The exterior of the dwellinghouse is finished in white painted render and red facing brickwork with white uPVC windows and a uPVC porch to the front elevation. At first floor on the rear elevation is an enclosed balcony and the property is highly glazed.
- 1.3 The current building shows signs of damage at ground and first floor level, with cracks within the walls, damp and windows which do not close, indicating movement in the building. Furthermore, the rear wall of the ground floor garden bulges. The basement level of the dwelling shows no sign of cracking or water ingress, being part set into the ground.
- 1.4 The dwellinghouse is directly visible within the street scene and wider views across the countryside/landscape area. It is one of several 1970's style properties within the Estate and, whilst set back from the road, is in a visually prominent location. The front part of the site is located within Flood Zone 2 and the rear part is within Flood Zone 1.
- 1.5 Land to the side (north) and rear (west) of the site boundary is designated as a Site of Special Scientific Interest (SSSI Sandwich Bay to Hacklinge Marshes). The land on the opposite side of the private road has several designations; Ramsar (Thanet Coast & Sandwich Bay), SSSI (Sandwich Bay to Hacklinge Marshes), Special Protection Area (Thanet Coast & Sandwich Bay) and Special Area of Conservation (Sandwich Bay). The site itself is not designated.

- 1.6 The site is bounded by private land (SSSI) to the north and west. Beyond this is No. 1 Coastguard Cottages to the northwest. To the southeast of the site is Guilford House.

The Proposal

- 1.7 The applicant seeks consent for the erection of a replacement roof, two storey front and rear extensions, balcony with balustrade to front, pitched roofs to existing side and rear, new garage at basement level with external staircase and balcony.
- 1.8 The proposal, when advertised, included alterations to the existing vehicular access to the site, however this has been removed from the application and a revised proposed site plan showing the existing driveway (to be retained) was received on the 10th September 2018. This has not been advertised, however there will be no change from the existing scenario.
- 1.9 The existing pitched metal roof of the three storey part of the dwellinghouse would be replaced with a new pitched roof with standing seam metal finish. This would result in an increase in ridge height of approximately 0.2m from the existing scenario.
- 1.10 The flat roof of the two storey rear projection would be replaced with a pitched roof, also finished in a standing seam metal finish. The pitched roof would have a ridge height approximately 0.5m greater than the height of the existing flat roof. A solar panel would be installed on the southeast roofslope.
- 1.11 The existing front porch would be replaced with a two storey front extension. This would measure approximately 3.3m in depth and 5.3m in width. It would have a flat roof and at ground floor would be a new oak front door. At first floor level, there would be a study with windows on three elevations and a door on the northwest elevation providing access to the balcony.
- 1.12 A two storey rear extension would be erected between the main dwellinghouse and two storey rear projection. It would have a width of approximately 4.65m and a depth of approximately 4.05m. The extension would create an internal staircase and lift, with access at ground floor level to the rear terrace area. It would have a flat roof with a height of approximately 8.8m from rear ground level.
- 1.13 A balcony would be erected on the front elevation at first floor level, on either side of the two storey front extension. It would have a depth of approximately 1.4m and would be approximately 2.7m from ground level (at the front of the property). The balcony would have a glass balustrade and pull out awnings above, details of which to be submitted by condition.
- 1.14 There would be a number of alterations to the basement of the dwelling, including the erection of an integral garage beneath the ground floor terrace to the rear of the property. This would provide two parking spaces and additional space for bicycle storage. The northwest wall of the basement would be rebuilt and re-aligned to widen the driveway to the side of the dwellinghouse. The height of the retaining wall would be lowered by approximately 2.3m and a new 1.7m high screen would be erected on the northwest elevation of the ground floor terrace area directly above the garage. An approximately 1.3m high

balustrade would be erected on the rear (southwest) elevation of the terrace. A new staircase, also with balustrade, would be erected to the rear of the terrace providing access to the rear (external) parking area of the site.

- 1.15 There would be a number of other external alterations, including the installation of new and replacement windows and finishing sections of the external walls in contrasting coloured render (details to be submitted by condition).

2. Main Issues

- 2.1 The main issues for consideration are:

- * The principle of the development
- * The impact on the character and appearance of the area
- * The impact on residential amenity
- * Other Material Considerations

3. Assessment

Principle of Development

- 3.1 The site is located on a Private Estate, outside of the settlement confines. Policy DM1 allows development which is ancillary to existing development within the countryside. Policy DM15 seeks to avoid development which would result in the loss of, or adversely affect the character or appearance of the countryside. Policy DM16 seeks to conserve the open countryside. The principle of extensions to the dwelling is acceptable and the impact of the proposal is discussed as follows:

Impact on the Character and Appearance of the Countryside and Landscape Area

- 3.2 Due to the siting of the dwellinghouse, in a prominent location on the seafront, the proposals would be directly visible from the wider countryside. The Sandwich Bay Estate is private land, however public access is allowed and takes place along the seafront and roads which lead to it. As such, the development would be visible to the public from Princes Drive and Waldershare Avenue to the south.
- 3.3 The proposed extensions and external alterations would result in a change in the appearance of the dwellinghouse, however, comments from the previous proposal (planning application DOV/16/00304 – Refused) have been taken into account in the consideration of the current scheme. The 2016 proposal included a taller, grey slate tiled pitched roof with a large overhang above the first floor balcony. The two storey front projection included a gable roof with an eaves height greater than the eaves of the main roof proposed. The ridge height of the pitched roof above the two storey rear projection was also taller than the current proposal. The two storey rear extension of the 2016 scheme had a gable roof with the same eaves height as the proposed roof and together, these extensions and alterations were considered to be ‘jarring, over-complex’ and lacking ‘a suitable reflection of the existing design context’. The Officer found that the 2016 scheme had a lack of ‘a coherent design strategy’, ‘lack of cohesiveness through the component parts of the proposal, no common

thread, resulting in a more pronounced, prominent and incongruous outcome'. The Officer Report identified that the 2016 scheme poorly related to the existing building, in particular the window proportions, eaves height and design of the front extension.

- 3.4 The proposed development would replace the main pitched roof of the existing dwellinghouse with one approximately 0.2m taller, maintaining a similar eaves height to that of the existing roof. The proposed front and rear extensions would have flat roofs, both lower than the eaves height of the roof of the main dwellinghouse. These, together with the proposed balcony, screening and balustrade, would preserve the existing linear character of the dwelling. The proposed pitched roof to the existing two storey rear projection would have a lower ridge height than that of the 2016 scheme and, being finished in the same material as the roof of the main dwellinghouse, would preserve the character of the building. The proposed windows of the dwellinghouse are smaller than existing, however these reflect the residential character of the property. Furthermore, the 2016 scheme included a window with apex glazing on the front elevation of the two storey front extension, which was a noticeable difference in the window proportions of the dwellinghouse and this has been removed from the current proposal. Whilst the proposal includes extensions and alterations in the same locations as those previously refused, it is considered that the current design overcomes the reasons for the refusal of the previous scheme.
- 3.5 Policy DM15 seeks to avoid development which would result in the loss of, or adversely affect the character or appearance of the countryside. As stated, the dwellinghouse is within a cluster of residential dwellings in Sandwich Bay, which have a range of scales and architectural styles. The proposed extensions would have flat roofs, set lower than the eaves height of the main roof of the dwellinghouse (visible from Princes Drive). Consequently, they would appear subservient additions to the main dwellinghouse. The proposals would be finished in similar materials to those of the main dwellinghouse and, in order to preserve the character and appearance of the countryside, it is considered appropriate to include a condition that samples/details be submitted. Therefore, the proposals are considered unlikely to result in the loss of, or adverse effect on the character and appearance of the countryside and the development would accord with Policy DM15 of the Core Strategy.
- 3.6 Policy DM16 seeks to avoid development which would harm the character of the landscape. Whilst the application site is in a prominent location on the sea front, the works would appear subservient to the main dwellinghouse. The property is at a slightly lower level than the private roadway and is set back behind a paved parking area. The open space surrounding the site gives the appearance of separation from surrounding properties, and this would not be affected by the proposals, which are to the front and rear of the dwellinghouse. As mentioned, a condition would be included for samples/details of the proposed materials to be used in the construction of the external surfaces to be submitted. Consequently, the proposal is considered unlikely to result in significant harm to the character of the wider landscape area, in accordance with Policy DM16 of the Core Strategy. The development therefore accords with the aims and objectives of the National Planning Policy Framework, in that it would function well and add to the overall quality of the area and would be visually attractive as a result of good architecture. The proposals would be sympathetic to local character and would maintain a sense of place, in accordance with Paragraph 127 of the NPPF.

Impact on Residential Amenity

- 3.7 The proposals would be visible from a number of surrounding properties due to the low level boundary fence to the rear (west) of the site and the open land (SSSI) also to the rear. This includes the properties of King's Avenue, North Road and Waldershare Avenue. However, due to the separation distance and scale of the proposals, the development is only considered to potentially affect the residential amenities of No. 1 Coastguard Cottages and Guilford House. All other residential dwellings are in excess of 40m from the site and the proposals are unlikely to affect the residential amenity of these properties in respect of overshadowing, overbearing or privacy. Whilst concerns have been raised regarding the impact on outlook from neighbouring properties, due to the separation distance and limited height of the proposed replacement roofs, the development is considered unlikely to result in significant harm to outlook.

No. 1 Coastguard Cottages

- 3.8 Located to the northwest of the site, at its closest point, there is a separation distance of approximately 18m between the gardens of the two properties. The cottage is set at a slightly lower ground level than the application site, being set back further from the private road to the east of the site.
- 3.9 The two storey dwellinghouse has a number of windows at ground and first floor level on the southeast elevations, from which the site would be visible. The internal configuration of the property is not known, however it is likely that these windows serve habitable rooms. There is a separation distance of at least 40m between these windows and the application property. Consequently, the dwellinghouses are far enough from each other to prevent direct views into the rooms of No. 1 Coastguard Cottages.
- 3.10 The garden of this property also has a low level boundary fence and therefore anyone in the garden would be visible from the application site. The proposed works to Tighna Mara would result in the removal of part of the brick wall at ground floor level surrounding the terrace. This would be replaced with screening on the northwest elevation (approximately 1.7m in height) and a glass balustrade on the rear (southwest) elevation. Therefore, the garden of the neighbouring property would be visible, at a distance, from this terrace. However, the existing property (Tighna Mara) has a number of large windows on the rear elevation from which the neighbouring property is partially visible, especially at first floor, where there is an enclosed balcony. The proposals would reduce the size of these windows and whilst the terrace would provide some views of the neighbouring property, this is likely to be no more harmful than the existing scenario. Consequently, whilst there would be some overlooking, there is already overlooking from the application property and, on balance, the proposals are considered unlikely to result in further harm to the privacy of neighbouring occupiers.
- 3.11 Due to the separation distance between the two properties, the proposals are considered unlikely to result in overshadowing or a reduction in daylight or sunlight to the neighbouring property.
- 3.12 The proposed rear extension would have a flat roof, lower than the eaves height of the main roof, and would appear subservient. Whilst the roofs of the main

dwellinghouse and two storey rear projection would be replaced, due to the limited increase in height, these would be unlikely to have an overbearing impact on the residential amenity of the neighbouring property. The existing retaining wall on the northwest elevation (surrounding the terrace) would be re-aligned and reduced in height and a screen installed above. Whilst directly visible from the neighbouring property, these works would be unlikely to result in an overbearing impact on the neighbouring amenity. Consequently, the proposals are considered unlikely to result in significant harm to the residential amenities of the neighbouring property and are acceptable in this regard.

Guilford House

- 3.13 This three storey detached building, located to the southeast of the site, comprises a number of flats with windows on the front and rear elevations. There is an area of grassland between this building and the application site and there do not appear to be any windows on the flank (northwest) elevation of the building. As such, the proposal would be unlikely to result in harm to the privacy of the occupants of this building.
- 3.14 Whilst the proposed extensions and alterations would be visible from the land to the side of Guilford House, the development would be unlikely to have an overbearing impact on the residential amenity of this building due to the separation distance.
- 3.15 In respect of overshadowing, as mentioned, there are no visible windows on the flank elevation of Guilford House and the development would not result in a reduction in daylight or sunlight to the rooms of the neighbouring building. Due to the siting and scale of the proposals, as well as path of the sun, the extensions and alterations would be unlikely to result in overshadowing to the neighbouring residential amenity. Consequently, the proposals would be unlikely to result in undue harm to the residential amenities of the neighbouring occupiers in respect of overshadowing, overbearing or loss of privacy and the proposals are acceptable in this instance.

Other Material Considerations

Impact on Parking

- 3.16 The proposals would result in a number of internal alterations which include changes to the room configuration. However, the number of bedrooms (five) would remain the same as the existing scenario and would therefore be unlikely to result in a significant increase in vehicle traffic or noise. For a dwelling in this location, Policy DM13 identifies that at least two independently accessible parking spaces are required per unit, with additional visitor parking also necessary. The proposals show that three vehicles could be parked on site, with two additional spaces within the integral garage of the property. Consequently the development accords with Policy DM13.

Impact on Ecology

- 3.17 Due to the location of the site within Sandwich Bay, it is necessary to discuss appropriate assessment. All impacts of the development have been considered and assessed. It is concluded that the only aspect of the development that causes uncertainty regarding the likely significant effects on a European Site is

the potential disturbance of birds due to increased recreational activity at Sandwich Bay and Pegwell Bay. (The development would still be mitigated by the Thanet Coast and Sandwich Bay SPA and Ramsar Mitigation Strategy as the Council will draw on existing resources to fully implement the agreed Strategy).

3.18 Having had regard to the proposed mitigation measures, it is considered that the proposal would not have a likely significant adverse effect on the integrity of the protected Thanet Coast and Sandwich Bay SPA and Ramsar sites. The mitigation measures (which were agreed following receipt of ecological advice and in consultation with Natural England) will ensure that the harmful effects on the designated site, caused by recreational activities from existing and new residents, will be effectively managed.

3.19 As stated, the site is adjacent to the Sandwich Bay SSSI (to the west of the site). On the opposite side of the private road, the beach is also designated as SSSI, Ramsar, SPA and SAC. Information on the protection of these areas is included in the NPPF (paragraphs 175-177), The Conservation of Habitats and Species Regulations 2017 and The Wildlife and Countryside Act 1981 (as amended).

3.20 However, the site itself is not within one of these designated areas and no details have been submitted which indicate any proposed change to the boundary treatments of the site or any changes/works to the area of grassland to the rear part of the site. Due to the scale of the proposals, the development is considered unlikely to have an adverse effect on the SSSI and would therefore accord with Paragraph 175 of the NPPF. Nonetheless, the Principal Ecologist has verbally confirmed that an informative to the applicant to have regard to the protection of any wildlife and species on site would be appropriate.

3.21 Impact on Flood Risk

The applicant has submitted a flood map which identifies that the road to the front of the site is a Flood Defence. Part of the front of the site is located within flood zone 2 and the remainder of the site is within flood zone 1 (an area with a low probability of flooding). The Environment Agency has been consulted and state that the proposal is covered by their standing advice document. The proposed extension to the front of the dwellinghouse would have the same internal ground level as the existing dwelling and would create a porch. Given that this is a non-habitable room, and there would be an internal door between the porch and hall of the dwellinghouse, the proposals would be unlikely to result in increased risk to life from flooding. Therefore, the development is considered acceptable in respect of flood risk and would accord with Paragraph 163 of the NPPF.

3.22 Impact on Archaeology

The site is located within an area of archaeological potential surrounding a 1790's battery. The County Archaeologist has been consulted however no response has been received. The proposed front extension and re-alignment of part of the wall of the basement level on the northwest elevation would involve groundworks and it is considered appropriate to include a condition for an archaeological watching brief, to record any items of historic interest.

4. Conclusion

- 4.1 The proposal is considered acceptable, overcoming the reasons for refusal of application DOV/16/00304. The proposed development would be ancillary to the dwellinghouse and is acceptable outside of the settlement confines in accordance with Policy DM1. Whilst the proposals would be visible from the Sandwich Bay Estate, the development would appear subservient and would be unlikely to result in the loss of, or significant harm to the character and appearance of the countryside and wider landscape area, in accordance with Policies DM15 and DM16. Due to the high level of glazing on the existing property, the proposals would be unlikely to result in significant further loss of privacy and, due to the separation distance, siting and scale of the works, the proposals would be unlikely to result in overshadowing to neighbouring residential amenity. Due to the limited increase in roof heights and use of flat roofs on the front and rear extensions, the proposals would appear subservient and would be unlikely to have an overbearing impact on the residential amenities of neighbouring property.

5. Recommendation

- I PERMISSION BE GRANTED subject to conditions which include:
- i) Standard time condition
 - ii) A list of approved plans
 - iii) Samples/details of the materials for the external surfaces of the building to be submitted (roof, windows, render, balcony, balustrade & awnings)
 - iv) Archaeological watching brief (if required by KCC archaeology)
- II Informative to be sent to applicant to be aware of ecology with respect to the grassland to the rear part of the site.
- III 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

Rachel Morgan