

a) **DOV/19/00543 — Erection of a first-floor rear extension - 33 Cross Road, Deal,**

Reason for report - Number of contrary representations (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 (NPPF), National Planning Practice Guidance (NPPG), the Planning (Listed Buildings and Conservation Area) Act (1990), together with other local guidance.

A summary of relevant planning policy is set out below:

Dover District Core Strategy (2010)

Policy DM1- Settlement boundaries

National Planning Policy Framework (NPPF) (2019)

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.

The Kent Design Guide (2006)

The guide provides criteria and advice on providing well designed development

d) **Relevant Planning History**

There is no relevant planning history on file for this application site.

e) **Consultee and Third Party Responses**

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

Deal Town Council: No objection

KCC Archaeology: No objection subject to the following condition being attached to any grant of planning permission:

No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a watching brief to be undertaken by an archaeologist approved by the Local Planning Authority so that the excavation is observed and items of interest and finds are recorded. The watching brief shall be in accordance with a written programme and specification which has been submitted to and approved by the Local Planning Authority.

Reason: To ensure that features of archaeological interest are properly examined and recorded.

Third Party Representations

Objections

11 members of the public objected to the proposal, which is summarised as follows:

- Extension would cause a loss of light to a bathroom
- Would result in an invasion of privacy
- Would obstruct light to kitchen
- Would overshadow garden/patio area
- Two storey extension would set a precedent for others
- There are no other first floor or two storey extensions on this terrace, so it is not inkeeping
- Obstruct sunshine to garden

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

1.1 The application site comprises a mid-terraced two storey dwellinghouse located on Cross Road in Deal. The application site is one of six dwellings in this terrace, which share a rear access. The dwelling is finished in painted brickwork and has a plain tiled roof. To the rear, the garden area is laid to grass. There are two single storey rear extensions adjoining the rear elevation of the host dwelling, both with mono-pitched roofs. Boundary treatment on site comprises 1.5m tall close boarded timber fencing with an outbuilding located in the south-east corner of the site.

- 1.2 The houses within this terrace are uniform in size and have similar boundary treatment which gives an open character within the rear garden. Some of the properties have single storey additions to their rear and many have small outbuildings within the garden.
- 1.3 The approximate dimensions of the site are:
- Width – 5.25 metres
 - Depth – 24 metres.

Proposal

- 1.4 Permission is sought to erect a first floor rear extension. It would have a flat roof and be built over the existing ground floor rear extension, with the same footprint. It would have one window on its rear elevation and no windows on either side elevation. The extension would be finished in Cedral weatherboard cladding, the colour of which has not been specified.
- 1.5 The approximate dimensions of the proposed extension are as follows:
- Width: 2.5m
 - Depth: 2.4m
 - Height (from ground level): 5m

2 Assessment

The main issues to consider are:

- Principle
- Visual Amenity and Design
- Residential Amenity

Principle

- 2.1 The application site is located within the urban boundaries of Deal, where development is considered acceptable in principle. Additionally, the extension would be to an existing dwellinghouse and would provide ancillary accommodation. The proposal is therefore considered to comply with policy DM1 and is acceptable in principle, subject to further material considerations set out below.

Visual Amenity and Design

- 2.2 The proposed development has been reduced in size since the original submission, and now comprises only a first floor rear extension, which would be sited on top of the existing single storey rear extension.
- 2.3 The proposed first floor rear extension would have a flat roof and would project approximately 2.4 metres to the rear (south-east). It would have one window on its rear elevation and no windows on either side elevation. The height of the flat roof would be level with the eaves of the host dwelling. The extension would be finished in Cedral weatherboard cladding, the colour of which has not been specified.
- 2.4 The proposed first floor extension would not be visible from any public vantage

points along Cross Road, as the application site comprises a mid-terraced dwelling. Since it is not readily visible from Cross Road, it is considered that the extension would cause no harm to the character and appearance of the street scene and would preserve the visual amenity and quality of this area.

- 2.5 Originally, the proposed development included a two storey element which would have projected further to the north (side) of the existing extension and further to the rear. However this element has been removed and the proposed first floor extension would have the same footprint as the existing single storey rear extension. The extension is considered to be fairly modest in terms of its scale which is sympathetic to its location.
- 2.6 In terms of design, flat roofed extensions rarely relate well to the host dwelling, however in this instance, the flat roof is considered to be an acceptable design solution which would allow the extension to be a fairly low key and unobtrusive addition. Adding a pitched or hipped roof would increase the design quality, however it would add additional height, which may have adverse impacts on neighbouring amenity. Additionally, the window proposed on the rear elevation of the extension would match the proportions and alignment of existing windows, which is considered to be a positive design detail of the proposal. The material finish of the extension has been described as Cedral weatherboard cladding. As no colour has been specified, it is recommended that a condition be attached to any grant of permission requiring a sample of the cladding to be used, to be submitted to and approved by the local planning authority.
- 2.7 It is considered that the scale, design and appearance are acceptable in this instance and comply with the aims and objectives of the NPPF, as set out in paragraph 124, in particular.

Impact on Residential Amenity

- 2.8 The application site shares a boundary with number 31 Cross Road (to the north) and number 35 Cross Road (to the south).
- 2.9 **31 Cross Road:** This neighbour is directly to the north of the application site. It has no extensions or additions on its rear elevation. Boundary treatment on this shared boundary of the application site consists of (approximately) 1.5m tall timber close boarded fencing. As existing, there is a 2.5 metre gap between the north facing elevation of the existing single storey rear extension and the shared (northern) boundary of the site. This gap would be retained by the proposal as the proposed extension would be built over the existing extension, with the same footprint. The gap is considered adequate so as to ensure that no harmful level of overshadowing would be caused to the rear garden area of this neighbouring property. Additionally, due to the gap being retained, it is considered that the proposal would be unlikely to cause a significant overbearing effect. There are no windows proposed on the north facing side elevation of the extension at first floor level, as such, the proposal does not allow for any increased or direct opportunities for overlooking. It is therefore considered that the privacy and standard of residential amenity enjoyed by this neighbouring occupier would be preserved by the proposed works.
- 2.10 **35 Cross Road:** This neighbour is located to the south of the application site and has a single storey flat roofed rear extension which is the same depth as the existing single storey rear extension to no. 33. The first floor rear extension proposed would have the same footprint as the single storey extension below it,

not projecting any further to the rear or sides. Given the orientation of this neighbour, being directly to the south, it is unlikely that the proposal would result in any demonstrable level of overshadowing. Additionally, it has been shown that the outlook enjoyed by the neighbouring occupiers of no. 35 from the first floor window would be preserved, as illustrated by the 45-degree line being drawn from the centre point of the neighbour's window, towards the proposed extension. It is also considered that the extension would be unlikely to result in any undue overbearing effect or sense of enclosure, due to its limited depth. The proposal includes no windows on its south facing side elevation, as such; no direct overlooking could be achieved. One window is proposed on the rear elevation of the extension at first floor level, which would allow views towards the rearmost parts of neighbouring gardens, and away from the areas adjoining the rear elevations of neighbouring dwellings, which are considered to be more private amenity spaces. This would partly replace an existing window on the rear elevation of the building.

- 2.11 In order to preserve the standard of residential amenity enjoyed by neighbouring occupiers, it is considered necessary to recommend a condition be attached to any grant of permission which restricts any additional openings or windows being inserted on either side elevation of the proposed first floor extension.
- 2.12 Subject to the above recommended condition, the proposal is considered to adequately preserve the standard of residential amenity enjoyed by neighbouring occupiers and would not create any harmful opportunities for overlooking, any demonstrable level of overshadowing or a significant overbearing impact. The proposal is therefore considered to be acceptable in this regard and would accord with paragraph 127 of the NPPF.

Archaeology

- 2.13 KCC have requested that a condition be attached to any grant of permission to secure a watching brief. However, the proposal has now been amended such that no groundworks would be required. Consequently, this condition is no longer necessary.

3. Conclusion

- 3.1 The proposal is considered acceptable and the design is considered to be sympathetic and it would not significantly detract from the character and appearance of the host dwelling. It is considered that no significant or adverse impact would be caused to neighbouring occupiers and that the residential amenity enjoyed by neighbouring occupiers would be adequately preserved. The proposal is considered acceptable in all other material aspects, accordingly the development would comply with the aims and objectives of the NPPF.

g) Recommendation

- I. PERMISSION BE GRANTED subject to the following (summarised) conditions:
1. Three years to commence development
 2. In accordance with approved plans
 3. Sample of cladding to be submitted
 4. No additional windows or openings on side elevations of extension

- II. Powers be delegated to the Head of Planning, 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

Elouise Mitchell