

- a) **DOV/23/01104 - Erection of single storey side and rear extensions; raised roof height incorporating front and rear dormer extensions along with first-floor windows on side elevations and provision of two parking spaces in forecourt (existing garage and conservatory to be demolished) - 8 Orchard Close, Whitfield**

Reason for report – Number of contrary views (12)

- b) **Summary of Recommendation**

Planning permission be GRANTED subject to conditions

- c) **Planning Policy and Guidance**

Core Strategy Policies (2010): CP1, DM1, DM2

Draft Dover District Local Plan (March 2023) - The Submission Draft Dover District Local Plan is a material planning consideration in the determination of applications. At submission stage the policies of the draft plan can be afforded some weight, dependent on the nature of objections and consistency with the NPPF. The relevant policies are:

SP2 – Planning for Healthy and Inclusive Communities

PM1 – Achieving High Quality Design

H6 (h), (i) and (j) – Residential Extensions

T13 – Parking Provision

National Planning Policy Framework (NPPF) (2023): Paragraphs 7-14, 131 - 141

National Design Guide & National Model Design Code (2021)

- d) **Relevant Planning History**

There is no recent history of planning applications on this particular property.

- e) **Consultee and Third-Party Representations**

Representations can be found in the online planning file; a summary is provided below:

First round of consultation

Whitfield Parish Council – Objected to the original proposal on the grounds that the proposals would effectively convert a bungalow to a house. A Juliette balcony would overlook neighbouring properties and grounds. The proposal is overbearing and out of scale and character with existing surroundings, construction traffic vehicle movements, environmental effects, and noise due to proximity of nearby neighbours and support the immediate neighbours in their concerns about the proposals.

KCC – Rights of Way – Have no comments to make on the application.

Third party Representations:

12 representations of objection have been received and are summarised below and are available in full in the on-line planning file.

- Potential overlooking and loss of privacy
- Overshadowing and loss of sunlight
- Harm to the character and appearance of the area
- Poor design and materials
- Flooding
- Parking and highways
- Business use of the property

10 representations in support of the proposals have been received and are summarised below and are available in full in the on-line planning file.

- Similar design to adjacent property
- Improved appearance and modernisation of house
- Family Needs
- Other nearby properties have extensions.
- Good design

At the request of the Case Officer some amendments were made to the initial proposal as follows:

- The removal of French Doors and Juliette balcony on the northwest (number 9 side garden) facing elevation and its replacement with a high-level window to prevent unacceptable overlooking of the side garden of No 9,
- Reduction in the width of the two-storey side extension on the southeast facing elevation to prevent a 'tunnelling' effect on No 7, and,
- High level windows on the southeast facing side elevation again to prevent unacceptable overlooking to both immediate neighbours.

Following the receipt of revised plans, a second round of consultation was carried out and site notices posted on the 17th of October 2023.

Second round of consultation

Whitfield PC – Did not responded to the re-consultation on the revised scheme.

Following this, 12 individual objections were received summarised as follows:

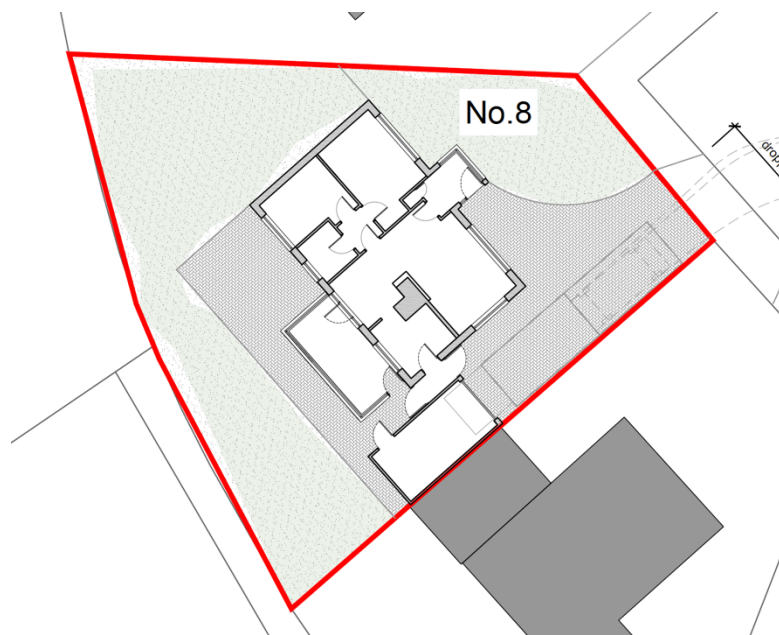
- Harm to the character and appearance of the area
- Design and materials
- Overbearing
- Potential overlooking and Loss of privacy
- Parking and highways
- Flooding
- Overshadowing and loss of sunlight
- Business use of the property

Third Party Representations

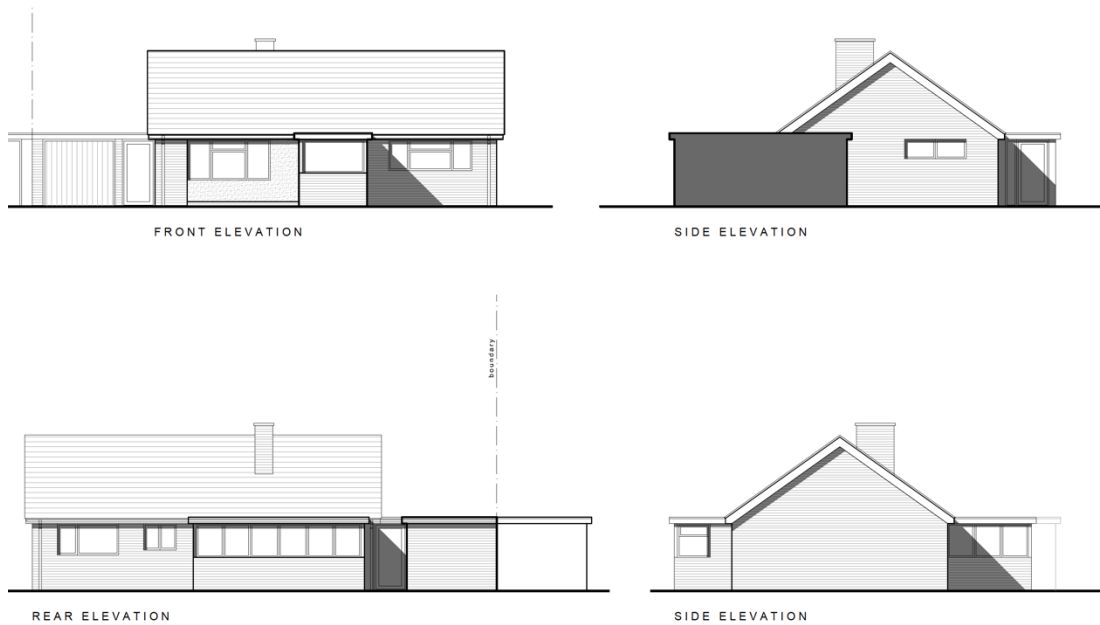
f) 1. **The Site**

- 1.1 The site comprises a single storey brick and tile bungalow under a ridged and gabled roof. There is a single storey attached garage to the south that is linked to a replica garage with the neighbour to the south at No.7.
- 1.1 The property sits at the western end of the cul-de-sac of Orchard Close with open farmland to the north. To the west and rear of the application site is a private track leading to a farm with an elevated property (Pier House) on the other side of the track, and what appears to be an agricultural worker's caravan.
- 1.2 The views along Orchard Close towards the application site (number 8 Orchard Close) are set against a backdrop of an area of countryside, farm and residential buildings, higher than the application site
- 1.3 The land slopes down gently from the farmland, generally to the south and southeast. When looking along Orchard Close, properties on the right (north) are slightly elevated over those on the left (south) side.
- 1.4 Over the years several properties in the Close have had alterations including ground floor extensions increasing the size of the footprint and having a loft conversion with dormer. One, (No.9 to the immediate North) has a higher ridgeline than the other bungalows in the Close which has allowed for the insertion of a front and rear dormer addition to facilitate a loft conversion and the creation of additional accommodation.
- 1.5 Figure 1 is a location plan showing 8 Orchard Close in the wider area.
- 1.6 Figure 2 is an existing Block Plan of the site.





1.7 Figure 3 shows the existing elevations of 8 Orchard Close

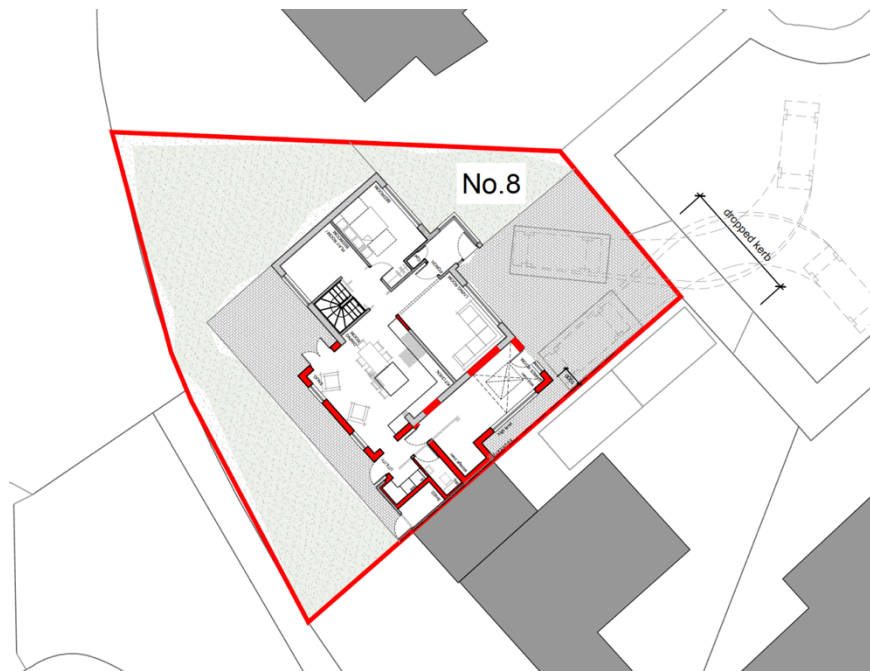


The Proposal

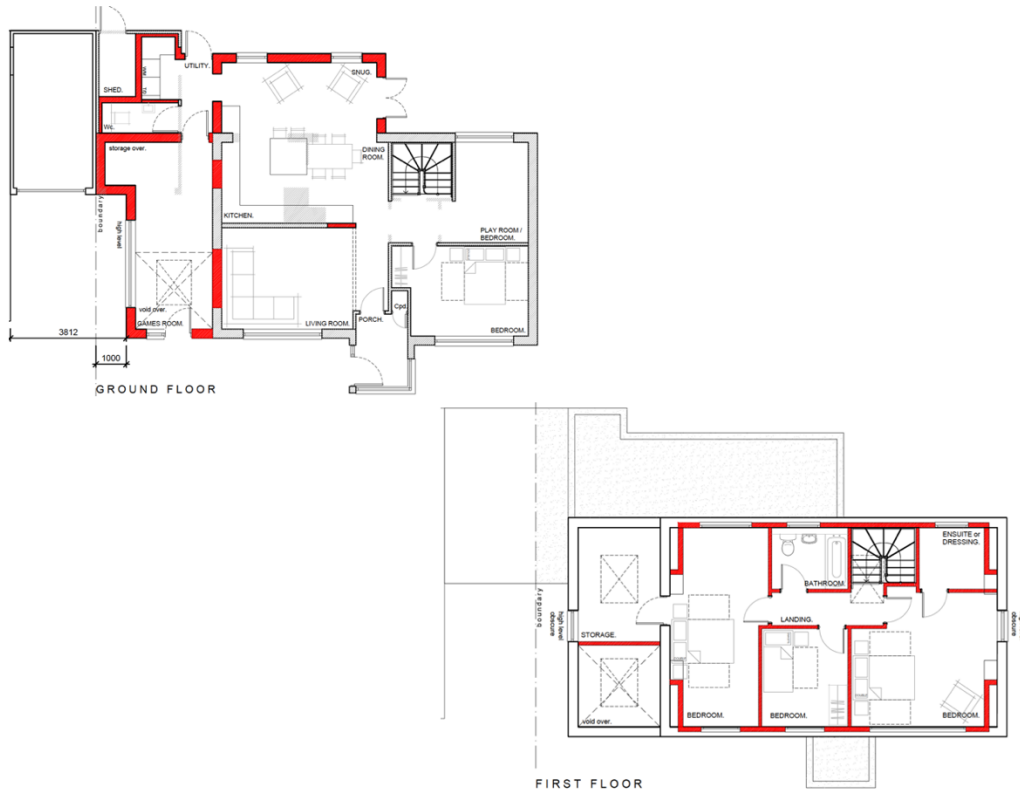
- 1.8 The proposal comprises several elements. The roof ridge would be raised by one metre from 5 metres to 6 metres with flat roofed dormers to the front and rear. There would be an extended side elevation about 2.75 metres wide sited about 1 metre from the common boundary with no. 7 Orchard Close to the south. This side extension would incorporate velux style windows on both roof slopes, with above internal floor eye level windows in both the new side walls. Part of the existing flat roofed side garage would be incorporated into the alterations to provide living accommodation. The existing rear conservatory would be demolished, and a flat roofed rear extension constructed in its place some 2 metres deep and 8 m wide. The overall footprint (including new rooms in the roof space) would increase from about 100 sqm to 120 sqm.
- 1.9 The loss of part of the garage would be compensated for by an additional area of hard surface to the front to form two independently accessible off-road parking spaces.
- 1.10 In terms of materials the existing roof tiles would be replaced by grey fibre cement slate with dormers front and rear elevations having black vertical timber composite cladding. At ground floor level the principal elevation would remain as brick over about two thirds of the width with a central panel and the existing porch have vertical cladding. The new rear extension would be in black vertical cladding with the remainder of the rear ground floor being brick. Side elevations would remain brickwork with high level windows.
- 1.11 Figure 4 shows the proposed elevations



1.12 Figure 5 shows the proposed Block Plan



1.13 Figure 6 shows the proposed floor plans



Main Issues

2.1 The main issues for consideration are:

- Principle of the development
- Impact of the development in terms of design and materials on the visual amenity of the area
- Impact on residential amenity Potential flooding
- Parking and Highways
- Other matters raised by representations.

Assessment

Principle of Development

2.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise. Other relevant material planning considerations are as follows.

2.3 The site lies within the confines of Whitfield where Core Strategy Policy DM 1 permits Householder Development subject to other material planning considerations.

Design and Materials

2.4 The form and details of the proposed extension follow a standard contemporary design solution to facilitate additional family space through the creation of by way of ground floor extensions and an extension to the roof with the insertion of dormer window style extensions to provide additional accommodation in the roof. There is nothing unacceptable about the basic design of the proposal.

2.5 In terms of proposed new materials, again they are modern materials frequently used to update and provide a more contemporary appearance and extend older style properties.

Character and Appearance of the Area

2.6 The proposal would have a similar resultant appearance in terms of form to the immediately adjacent dwelling at No.9, albeit this dwelling (No. 9) has a much bulkier appearance than the proposed extensions. The proposed roof height of No 8 (6 metres) would be approximately level with the existing tops of the dormer of No. 9 (which extend for the full width of the roof which is not the case with the application site) and would remain lower than its ridge height.

2.6 The proposed development of No. 8 would be lower than No. 9 with a resultant ridge height of 6m which would remain about half a metre below the ridgeline of No.9. Ridge lines would thus continue to rise from No. 7 at 5m, No.8 8 at 6 m and No. 9 at about 6.5m. Whilst the character of Orchard Close at its entrance and along the road leading to the end of the cul-de-sac is that of single storey bungalows, given the change in character from the alterations to the dwelling at No.9 as well as the proposed changes to No. 8 representing a stepped down approach in terms of scale from the north then there would be no significant adverse impact on the character and amenity of the area. In turn, the proposed

development when viewed on approach from the east would be seen within the context of a backdrop of 2 storey dwellings and farm building to the rear so would not be seen as being out of keeping with the context of the area.

Impact on Residential Amenity

2.7 The Residential amenity impact on neighbouring properties is set out individually:

2.7.1 – 9 Orchard Close. This property is described above and is situated to the north.

As initially submitted the plans showed large French Doors with a Juliette balcony on the North facing elevation (serving a bedroom) adjacent to the side garden of No. 9. This was considered to result in adverse overlooking into the side garden area of this dwelling resulting in significant harm through a loss of privacy. and has therefore been removed from the latest plans. This arrangement was replaced by a small high-level window set at a minimum of 1.75 metres above finished floor level thus removing potential for any overlooking.

The proposed front dormer is set at 90 degrees to the front dormer of number 9. The 3 windows of the proposed dormer (serving bedrooms) look towards the public realm of Orchard Close and are set lower than the dormer of No. 9. Centre of the nearest respective dormer windows are at a very oblique angle and a minimum distance of about 8.5m. In view of the angles involved and only potential for 'upward looking' from the proposed dormers I do not consider that there would be material harm due to loss of privacy to the occupants of No. 9. In fact, due to the relationship of the two sets of dormer windows, there would be greater interlooking opportunity, downwards from no 9 to No 8.

There is some existing overshadowing of an area of no 9's side garden, which can be seen in a Google Earth image early afternoon just after the spring equinox. The increase of the ridge height to No 8 by about 1m would have only a marginal impact on the side garden of this neighbour. The main part of their private amenity space to the rear would remain undisturbed. No 9 has a ground floor patio door at right angles to the gable of the application property. This is a secondary window/opening to the room. It is not considered that there would be a significant loss of sunlight or day light to this room.

2.7.2 – 7 Orchard Close. This property lies to the south of the application site. The original submitted plans for this application envisaged building up to the common boundary with No. 7, which could have led to a potential 'tunnelling' effect for the setback neighbour's entrance and garage. The revised drawings show the extension now being set back from the dividing boundary by 1m thus securing this aspect of this neighbour's amenity. Amended plans also show windows in the south facing elevation of the extension having high level windows thus preventing overlooking and intrusion into the privacy and amenity of this neighbour. Because of its location to the south no overshadowing or loss of sunlight is anticipated.

2.7.3 – Pier House – This property is to the west of the application site on the opposite side of a private road extending into a farm track. This house is at an elevated level above the ground level of the application site. The

proposed rear dormer windows (serving a bedroom, bathroom, and dressing room) would be about level with GF windows of Pier House – however, window to window distance is about 23 metres (above the standard guideline distance of 21m) – and is set at about a 20 degrees oblique angle. Views from the dormer would be over front garden and semi-private spaces. In any event, due to the use of these rooms the only potential concern would be the window serving the bedroom and the views would be at an angle in any event. Due to the distance and nature of the proposed development there would be no overbearing development or overshadowing to this property. There would therefore be no material harm to the residential amenity of the occupants of this property. It is also appropriate to point out that, in isolation, the provision of dormers on this rear roof slope could be classed as ‘permitted development’ not requiring the benefit of planning permission.

2.7.4 – The Agricultural Workers caravan is some 32 metres to the rear with no material harm to their amenity envisaged.

2.7.5 – Other proposed alterations to ground floor doors and windows would have no impact on adjacent residential amenity.

Sunlight Generally

- 2.8 Other than the marginal additional overshadowing mentioned above there would be no loss of light or sunlight to the private garden areas of local residents.

Impact on Parking/Highways

- 2.9 The property has currently 2 off-road tandem parking spaces. The existing garage, which would be converted to accommodation, is not counted as a parking space in meeting parking standards. The submitted plans envisage four bedrooms. Parking standards for such a property are 2 independently accessed spaces (i.e., not tandem parking). The proposed 2 parking spaces would be capable of independent use, satisfy the requirement, and are a net benefit over the current tandem parking arrangement.

Flood Risk

- 2.10 The land lies within a Flood Zone 1 area which has a low probability of flooding with less than 0.1% annual probability of river or sea flooding. Areas in flood zone 1 can also be described as: Land having a less than 1 in 1,000 annual probabilities of river or sea flooding.
- 2.11 In reality the site is some distance from any river or sea flooding although some flooding took place in 2016 which I understand was ‘run off’ from the agricultural land to the North. I also understand that the neighbouring farmer has taken some steps to ameliorate the potential for flooding.
- 2.12 There are two aspects to consider – (a) the free flowing of water, and (b) the ability of the land to absorb water. I consider that the marginal increase in footprint of the building from about 100 square metres to 120 square metres would have no material adverse impact on the free flow of water or ground absorption. The car parking area, if permitted could be subject to a condition requiring a permeable surface.

Other Matters – Structural Stability

- 2.13 Local residents have indicated that the bungalow was built on a former pond and has in the past had structural problems which I understand were resolved. Structural safety and soundness issues are in any case a matter for Building Control.

3. Conclusion

- 3.1 The extensions and alterations seek to provide expanded and updated accommodation to a family dwelling. The design, form, scale and appearance of the alterations and additions are considered to be acceptable with no harm to visual amenity. The extensions and alterations would not result in any material loss of residential amenity. Off-road parking spaces independently accessed would be a benefit to road users. The development, accordingly, complies with planning policy and NPPF guidance and criteria and planning permission can therefore be granted, subject to conditions.

g) Recommendation

- I PLANNING PERMISSION BE GRANTED, subject to conditions:

- 1) Time limit
- 2) Approved Plans
- 3) Parking before being brought into use

- II Powers to be delegated to the Head of Planning 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

Tony Jarvis