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Date: 5 December 2016
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PLANNING COMMITTEE

14 DECEMBER 2016

A meeting of the Planning Committee will be held at **7.00 pm on Wednesday, 14 December 2016** in the Council Chamber, Council Offices, Cecil Street, Margate, Kent.

Membership:

Councillors Grove (Chairman); Jaye-Jones (Vice-Chairman), Evans, Bambridge, Buckley, Connor, Dawson, J Fairbrass, Fenner, K Gregory, Hayton, Howes, Partington, R Potts, Taylor, Tomlinson, and Edwards

A G E N D A

Item
No

Subject

1. **APOLOGIES FOR ABSENCE**

2. **DECLARATIONS OF INTEREST**

'To receive any declarations of interest. Members are advised to consider the advice contained within the Declaration of Interest Form attached at the back of this Agenda. If a Member declares an interest, they should complete that form and hand it to the Officer clerking the meeting and then take the prescribed course of action.'

3. **MINUTES OF PREVIOUS MEETING** (Pages 1 - 22)

To approve the Minutes of the Planning Committee meeting held on 16 November 2016, copy attached.

4. **SITE VISITS**

4a **F/TH/16/1232 - MIZURI, NORMAN ROAD, BROADSTAIRS** (Pages 23 - 32)

5. **SCHEDULE OF PLANNING APPLICATIONS** (Pages 33 - 38)

To consider the report of the Director of Community Services, copy attached for Members of the Committee.

Note: Copies of correspondence relating to applications received will be available for members' perusal in the Members' Room from 5.00pm on the Friday before the meeting until the date of the meeting.

Item
No

Subject

For Approval

- 5a **A01 - F/TH/16/0119 - LAND ADJACENT WAYSIDE CARAVAN PARK, WAY HILL, MINSTER** (Pages 39 - 48)
- 5b **A02 - F/TH/16/1255 - 25 WESTBURY ROAD, WESTGATE ON SEA** (Pages 49 - 56)
- 5c **A03 - F/TH/16/1357 - LAND ADJACENT AND REAR OF 74 AND REAR OF 76 - 84 NORTHWOOD ROAD, BROADSTAIRS** (Pages 57 - 64)
- 5d **A04 F/TH/16/1354 - 40 CANTERBURY ROAD WEST, RAMSGATE** (Pages 65 - 74)
- 5e **A05 - FH/TH/16/1253 - UPDOWN MEWS 274 RAMSGATE ROAD, MARGATE** (Pages 75 - 82)
- 5f **A06 - F/TH/16/1328 - GARAGE BLOCK, PRINCE ANDREW ROAD, BROADSTAIRS** (Pages 83 - 88)
- 5g **A07 F/TH/16/1327 - GARAGES ADJACENT 34 PRINCE ANDREW ROAD, BROADSTAIRS** (Pages 89 - 96)

For Refusal

- 5h **R08 - F/TH/16/1020 - 1 DELLSIDE WAYBOROUGH HILL, MINSTER** (Pages 97 - 104)

For Deferral

- 5i **D09 - OL/TH/16/0967 - LAND ADJACENT 15 SOUTHALL CLOSE, MINSTER** (Pages 105 - 118)
6. **EXCLUSION OF PUBLIC AND PRESS** (Pages 119 - 122)
7. **CHANGE OF USE APPEALS - MANSTON AIRPORT**

Report to follow.

Declaration of Interests Form



Please scan this barcode for an electronic copy of this agenda.

Public Document Pack Agenda Item 3

Planning Committee

Minutes of the meeting held on 16 November 2016 at 7.00 pm in Council Chamber, Council Offices, Cecil Street, Margate, Kent.

Present: Councillors Jaye-Jones, Bambridge, Buckley, Connor, Dawson, J Fairbrass, Fenner, K Gregory, Hayton, Howes, Partington, R Potts and Tomlinson

In

Attendance: Councillors K Coleman-Cooke, M Saunders, D Saunders, L Fairbrass, L Potts, Grove, Rogers, Matterface, Crow-Brown and Ashbee

96. APOLOGIES FOR ABSENCE

Apologies were received from Councillor Evans and Councillor Taylor for whom Councillor Edwards was present.

97. DECLARATIONS OF INTEREST

Councillor K. Gregory declared an interest in agenda item 6c) A03 – White Stag, 70 Monkton Street, Monkton (Minute No.104 refers).

98. MINUTES OF PREVIOUS MEETING

It was proposed by Councillor Tomlinson, seconded by Councillor Buckley and agreed that the minutes of the Planning Committee held on 19 October be approved and signed by the Chairman subject to it being noted that apologies were received from Councillor Partington for whom Councillor Taylor-Smith was present.

99. SITE VISITS

100. FH/TH/16/0916 - 1 ST MAGNUS COURT, ST MAGNUS CLOSE, BIRCHINGTON

PROPOSAL: Retrospective application for erection of single storey rear extension with balcony

It was proposed by the Chairman and seconded by Councillor J. Fairbrass:

“THAT the officer’s recommendation be adopted, namely:

‘That the application be APPROVED subject to the following conditions:

1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

GROUND:

In accordance with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Purchase Act 2004).

2 The proposed development shall be carried out in accordance with the submitted application as amended by the revised drawings numbered 03 B and 04 C received 10 August 2016.

GROUND:

To secure the proper development of the area.

3 Prior to the commencement of use, obscure glazed privacy screens at a minimum height of 1.8m shall be erected along the sides of the balcony hereby approved, in accordance with the approved plan 04 C received 10 August 2016. The privacy screens shall be thereafter maintained.

GROUND:

To safeguard the privacy and residential amenities currently enjoyed by the occupiers of adjacent neighbouring properties, in accordance with Policy D1 of the Thanet Local Plan.

4 The 1no. window to the West side elevation of the extension hereby approved shall be provided and maintained with an obscure glazed non opening window, in accordance with approved plan 04 C received 10 August 2016.

GROUND:

To safeguard the privacy and residential amenities currently enjoyed by the occupiers of adjacent neighbouring properties, in accordance with Policy D1 of the Thanet Local Plan.”

Following debate, the motion was put to the vote and declared CARRIED.

101. OL/TH/16/0654 - 66 MONKTON ROAD, MINSTER

Speaking under Council Procedure rule 20.1 was Councillor Grove.

Speaking under Council Procedure rule 20.1 was Councillor Crow-Brown.

It was proposed by the Chairman and seconded by Councillor J. Fairbrass:

“THAT the officer’s recommendation be adopted, namely:

‘That planning permission be deferred and delegated to officers for approval subject to the receipt of a legal agreement securing affordable housing and financial contributions as agreed, and subject to conditions set out in Appendix 1.’”

Following debate, the motion was put to the vote and declared LOST.

Then, it was proposed by Councillor Gregory and seconded by Councillor Hayton:

“Members refuse the application as outlined at option 4.2 of the officer report as contrary to Policy CC1 of the Thanet Local Plan, as the need for the

development is not considered to outweigh the need to protect the countryside, and as the development would result in significant harm to the setting of the Grade II Listed building Eden Hall.”

Upon being put to the vote, the motion was declared CARRIED.

102. SCHEDULE OF PLANNING APPLICATIONS

103. A01 - F/TH/16/0867 - 140 - 144 NEWINGTON ROAD, RAMSGATE

PROPOSAL: Erection of a primary school to provide up to 420 school places for children aged 4 to 11 years.

It was proposed by Councillor Buckley, seconded by Councillor J. Fairbrass and RESOLVED:

“THAT the officer’s recommendation be adopted, namely:

‘That the application be APPROVED subject to the following conditions:

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

GROUND:

In accordance with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Purchase Act 2004).

- 2 The proposed development shall be carried out in accordance with the submitted application as amended by the revised site plan numbered P658 Rev F, received 07 November 2016, the revised elevation plan numbered 10030-04-P702 Rev G, received 29 September 2016, and the floor plans numbered 10030-04-P001 Rev B and 10030-04-P101 Rev B, received 20 June 2016.

GROUND:

To secure the proper development of the area.

- 3 Prior to the commencement of development hereby permitted (excluding demolition), a drainage strategy detailing the proposed means of foul disposal and an implementation timetable, shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

GROUND:

To prevent flooding, in accordance with the NPPF.

- 4 No development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), shall take place (excluding demolition) until a scheme that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority: 1) A preliminary risk assessment which has identified
 - all previous uses

- potential contaminants associated with those use
- a conceptual model of the site indicating sources, pathways and receptors
- potentially unacceptable risks arising from contamination at the site

It is noted that a desk study and preliminary risk assessment has been carried out. This needs to be followed by additional investigations once the site is cleared as the preliminary risk assessment is considered incomplete, particularly consideration of areas where underground storage of fuels may have taken place. The PFS needs comprehensive investigations and the protection offered by head materials may not be evident beneath historic tankage. 2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site. 3) The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken. 4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

GROUND:

To ensure that the proposed site investigation, remediation and development will not cause harm to human health or pollution of the environment, in accordance with the advice contained within the NPPF.

- 5 No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

GROUND:

To ensure that the proposed site investigation, remediation and development will not cause harm to human health or pollution of the environment, in accordance with the advice contained within the NPPF.

- 6 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

GROUND:

To ensure that the proposed site investigation, remediation and development will not cause harm to human health or pollution of the environment, in accordance with the

advice contained within the NPPF.

- 7 Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

GROUND:

To ensure that the proposed site investigation, remediation and development will not cause harm to human health or pollution of the environment, in accordance with the advice contained within the NPPF.

- 8 (i) Development shall not begin (excluding demolition) until a detailed sustainable surface water drainage scheme for the site has been submitted to (and approved in writing by) the local planning authority. The detailed drainage scheme shall demonstrate that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100yr storm) can be accommodated within the site boundary and disposed of via infiltration. The drainage scheme shall also demonstrate that silt and pollutants resulting from the site use can be adequately managed to ensure there is no pollution risk to receiving waters.

(ii) No building hereby permitted shall be occupied until details of the implementation, maintenance and management of the sustainable drainage scheme have been submitted to and approved in writing by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:

- a timetable for its implementation, and
- a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage system throughout its lifetime.

(iii) No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

GROUND:

To ensure that the principles of sustainable drainage are incorporated into this proposal and to ensure ongoing efficacy of the drainage provisions, to protect vulnerable groundwater resources and ensure compliance with the National Planning Policy Framework.

- 9 The development of the site hereby permitted shall be carried out in accordance with the Project Execution Plan (revision B), received 03 November 2016, detailing the contractor car-parking, and on-site traffic plans during construction.

GROUND:

In the interests of highway safety.

- 10 Prior to the commencement of development (excluding demolition) hereby permitted, details of the measures to prevent the discharge of surface water onto the highway shall be submitted to and approved in writing by the Local Planning Authority.

GROUND:

In the interests of highway safety.

- 11 Prior to the first use of the site hereby permitted, the vehicle parking spaces and drop-off/pick-up areas as shown on the submitted plan numbered P658 Rev F, shall be provided, made available for use, and permanently maintained.

GROUND:

In the interests of highway safety.

- 12 Prior to the first use of the site hereby permitted, the cycle parking facilities as shown on the submitted plan numbered P658 Rev F, shall be provided, made available for use, and permanently maintained.

GROUND:

In the interests of promoting increased cycling in accordance with Policy TR12 of the Thanet Local Plan.

- 13 Prior to the first use of the site hereby permitted, the vehicular and pedestrian accesses and egress as shown on the submitted plan numbered P658 Rev F, shall be completed.

GROUND:

In the interests of highway safety.

- 14 Prior to the first use of the development hereby approved, the redundant vehicle crossings to Newington Road shall be removed and the footway reinstated in accordance with the specifications as set out in the Kent Design Guide.

GROUND:

In the interests of highway safety.

- 15 Prior to the first use of the site hereby permitted, 2 metres x 2 metres pedestrian visibility splays shall be provided behind the footway on both sides of the vehicular egress with no obstructions over 0.6m above footway level, and thereafter maintained.

GROUND:

In the interests of highway safety.

- 16 Prior to the first use of the site hereby permitted, the alterations to the highway as shown on the approved plan numbered P658 Rev F, or as amended by the Highway Authority, shall be completed.

GROUND:

In the interests of highway safety.

- 17 Prior to the first use of the development hereby permitted, a School Travel Plan shall be submitted to, and approved in writing by, the Local Planning Authority. The Travel Plan shall incorporate the following measures, as previously identified in the Interim Travel Plan;
- i) Provision and maintenance of breakfast and after school clubs, including a free breakfast for those pupils who walk, cycle or use public transport to attend
 - ii) Provision and maintenance of walking buses
 - iii) Provision and maintenance of a minibus service

The approved plan shall be implemented and maintained upon the use of the site commencing.

GROUND:

In the interests of highway safety and to facilitate the use of alternative means of transport, in accordance with the NPPF.

- 18 Prior to the first use of the development hereby permitted, a Parking Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Parking Management Plan shall include the following measures as identified within the application;
- i) A window of up to 15 minutes before school start times and after school finish times for parents to drop off and collect pupils
 - ii) Assignment of year groups to each drop-off/pick-up area
 - iii) Management of the drop-off/pick-up areas to maximise the use of the available parking
 - iv) Management of visits by service/delivery vehicles to ensure they occur outside school drop-off and pick-up periods

The approved plan shall be implemented and maintained upon the use of the site commencing.

GROUND:

In the interests of highway safety.

- 19 The pupil school day start and finish times (excluding breakfast and after school club) shall be staggered as follows:
- (i) Key Stage 1 shall commence at 8.50 am and finish at 3.15 pm
 - (ii) Key Stage 2 shall commence at 8.30 am and finish at 4.15 pm

GROUND:

In the interests of highway safety.

- 20 Prior to the first use of the development hereby permitted, boundary treatment along the site boundaries where adjoining neighbouring residential properties shall be either made good or replaced, in order to achieve a solid boundary treatment no less than 1.8m in height from ground level.

GROUND:

In the interests of neighbouring amenity, in accordance with Policy D1 of the Thanet Local Plan.

- 21 Prior to the installation of hard landscaping, details of the paving to the front of the school shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall be carried out in accordance with the approved details.

GROUND:

In the interests of visual amenity in accordance with Policy D1 of the Thanet Local Plan.

- 22 All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the first use of any part of the development, or in accordance with a programme of works to be agreed in writing with the Local Planning Authority. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size and species, unless the Local Planning Authority gives any written consent to any variation.

GROUND:

In the interests of the visual amenities of the area in accordance with Policies D1 and D2 of the Thanet Local Plan

- 23 Prior to the first use of the development hereby permitted, an emissions statement that provides details of how the air quality damage costs, as calculated within the emission mitigation assessment, are to be used to achieve air quality improvements through the development, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

GROUND:

To limit air pollution, in accordance with the NPPF.

- 24 The school building hereby permitted shall be constructed in accordance with the acoustic design elements recommended within the Acoustic Design Report, dated 15 September 2016.

GROUND:

In the interests of neighbouring amenity in accordance with Policy D1 of the Thanet Local Plan.

- 25 Prior to the first use of the site by members of the community outside of normal school hours, a Community Involvement Plan, to include details of the hours of use, location and type of potential use, required capacity and parking arrangements, shall be submitted to and approved in writing by the Local Planning Authority. The use of the building outside of normal school hours shall be in accordance with the approved Community Involvement Plan, unless otherwise agreed in writing with the Local Planning Authority.

GROUND:

In the interests of neighbouring amenity and highway safety, in accordance with Policy D1 of the Thanet Local Plan.”

104. A02 - F/TH/16/1173 - 20 QUEENS ROAD, BROADSTAIRS

PROPOSAL: Erection of two storey rear extension with basement level following demolition of existing, together with installation of parking area to rear

Speaking in favour of the application was Mr Potts.

Speaking raising points of concern was Mr Ryall.

Speaking as ward councillor was Councillor D. Saunders.

It was proposed by the Chairman and seconded by Councillor Tomlinson:

“THAT the officer’s recommendation be adopted, namely:

‘That the application be APPROVED subject to the following conditions:

1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

GROUND:

In accordance with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Purchase Act 2004).

2 The proposed development shall be carried out in accordance with the submitted application as amended by the revised drawings numbered 20 QR/4 ext/Rev A, 20 QR/ 5 ext/Rev B, 20 QR/6 ext/ Rev C, 20 QR/8 Ext received 26 October 2016 and 20 QR /7 ext/ Rev A received 01 October 2016.

GROUND:

To secure the proper development of the area.

3 The 1no. window to the first floor and 2no. windows to the ground floor of the South side elevation and the 1no window to the first floor North side elevation of the extension hereby approved; together with the 1no. first floor window to the rear of the original North side elevation of the property, as annotated on the approved plan shall be provided and thereafter maintained with obscure glass and shall be non opening up to a height of 1.7m above internal finished floor level.

GROUND:

To safeguard the privacy and amenities currently enjoyed by the occupiers of adjacent residential properties in accordance with Policy D1 of the Thanet Local Plan.

4 Where the height of boundary treatment falls below 2m in height, additional close boarded fencing up to a height of 2m shall be erected to the side and rear boundaries. The fencing shall thereafter be maintained.

GROUND:

To safeguard the residential amenities currently enjoyed by the occupiers of adjacent residential properties in accordance with Policy D1 of the Thanet Local Plan.”

Following debate, the motion was put to the vote and declared CARRIED.

105. A03 - OL/TH/16/0733 - WHITE STAG, 70 MONKTON STREET, MONKTON

PROPOSAL: Outline application for the erection of 4no. detached dwellings including access

It was proposed by Councillor Buckley, seconded by Councillor J. Fairbrass and RESOLVED:

“THAT the officer’s recommendation be adopted, namely:

‘That the application be APPROVED subject to the following conditions:

1 Approval of the details of the layout, scale and appearance of the buildings to be erected, the landscaping of the site, (hereinafter called 'the reserved matters') shall be obtained from the Local Planning Authority in writing before any development is commenced.

GROUND:

As no such details have been submitted.

2 Plans and particulars of the reserved matters referred to in Condition 1 above, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.

GROUND:

In accordance with Section 92(2) of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

3 Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this permission.

GROUND:

In accordance with Section 92(2) of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

4 The development hereby permitted shall be begun before the expiration of 2 years from the date of approval of the last of the reserved matters to be approved.

GROUND:

In accordance with Section 92(2) of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

5 The development hereby approved shall be carried out in accordance with the submitted drawings.
numbered 119/P01B received 28 October 2016.

GROUND:

To secure the proper development of the area.

6 The details to be submitted in pursuant of condition 1 above shall include buildings that do not exceed two storey in height.

GROUND:

In the interests of the visual amenities of the area and to safeguard the special character and appearance and setting of the nearby heritage assets in accordance with advice contained within the National Planning Policy Framework.

7 If, during development, significant contamination is found or caused at the site, then this contamination shall be fully assessed and an appropriate remediation scheme agreed with the Local Planning Authority. The approved works shall be implemented within a timetable agreed by the Local Planning Authority and shall be of such a nature as to render harmless the identified contamination given the proposed end use of the site and surrounding environment, including controlled waters.

GROUND:

To ensure that the proposed development will not cause harm to human health or pollution of the environment, in accordance with the advice contained within the National Planning Policy Framework.

8 No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant to, and approved in writing by, the Local Planning Authority

GROUND:

To ensure that the archaeological history of the site is recorded in accordance with the advice contained within National Planning Policy Framework.

9 The details to be submitted in pursuant of condition 1 above shall show no development or new tree planting within 3 metres of either side of the centreline of the public sewer.

GROUND:

To protect drainage apparatus and protect the public sewer.

10 Prior to commencement of development hereby permitted, details of the measures required to protect the public sewers within the site shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with such details as are agreed and thereafter maintained.

GROUND:

To protect drainage apparatus and protect the public sewer.

11 The details to be submitted in pursuant of condition 1 above shall show the retention of tree screen 1, 2 and 3 as shown in the Connick Tree Care document dated 31st October 2016.

GROUND:

In the interests of the visual amenities of the area and to safeguard the special character and appearance and setting of the nearby heritage assets in accordance with advice contained within the National Planning Policy Framework.

12 Existing trees, shrubs and hedgerows situated along the common boundary with Nos 74-78 within the development site or existing trees growing on an adjacent site, where excavations, changes to land levels or underground works are within the crown spread, shall be protected in accordance with BS 5837: 2005 using the following protective fence specification:-

o Chestnut paling fence 1.2m in height, to BS 1722 part 4, securely mounted on 1.7m x 7cm x 7.5cm timber posts driven firmly into the ground. The fence shall be erected below the outer most limit of the branch spread or at a distance equal to half the height of the tree, whichever is the furthest from the tree, unless otherwise agreed in writing with the Local Planning Authority.

The protective fencing shall be erected before the works hereby approved or any site clearance work commences, and shall thereafter be maintained until the development has been completed.

At no time during the site works shall building materials, machinery, waste, chemicals, stored or piled soil, fires or vehicles be allowed within the protective fenced area.

Nothing shall be attached or fixed to any part of a retained tree and it should not be used as an anchor point.

There shall be no change in the original soil level, nor trenches excavated within the protective fenced area.

GROUND:

In the interests of the visual amenities of the area and to safeguard the special character and appearance and setting of the nearby heritage assets in accordance with advice contained within the National Planning Policy Framework.

13 Prior to the commencement of work on site the provision of construction vehicle loading/unloading and turning facilities shall be provided and maintained for the duration of construction.

GROUND:

In the interests of highway safety.

14 Prior to commencement of work on site provision of parking facilities for site personnel and visitors shall be provided on site for the duration of construction.

GROUND:

In the interests of highway safety.

15 Prior to the commencement of the development hereby permitted, the replacement parking for the public house, as shown on the approved plan numbered 119/P01B received 28 October 2016, shall be provided and thereafter maintained.

GROUND:

In the interests of highway safety.

16 The visibility splays shown on the submitted plan, numbered 119/P01B received 28 October 2016, shall be provided and thereafter maintained, with no obstructions over 0.6m above carriageway level within the splay.

GROUND:

In the interest of highway safety.”

106. A04 - F/TH/16/1232 - MIZURI, NORMAN ROAD, BROADSTAIRS

PROPOSAL: Erection of two storey dwelling

Speaking in favour of the application was Mr Brown.

Speaking raising points of concern was Mr Suchak.

Speaking as town councillor was Councillor Binks.

Speaking as ward councillor was Councillor Matterface.

It was proposed by the Chairman and seconded by Councillor J. Fairbrass:

“THAT the officer’s recommendation be adopted, namely:

‘That the application be APPROVED subject to the following conditions:

1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

GROUND:

In accordance with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Purchase Act 2004).

2 The development hereby approved shall be carried out in accordance with the submitted drawings.

DB/DW/16/9/2 and DB/DW/16/9/3 dated 7th September 2016.

GROUND:

To secure the proper development of the area.

3 Prior to the first occupation of development hereby approved the means of access shown on drawing DB/DW/16/9/3 shall be completed and thereafter maintained.

GROUND:

In the interests of highway safety.

4 Prior to the first occupation of the development hereby permitted details of visibility splays provided with no obstructions over 0.9m above carriageway level shall be submitted to and approved in writing by the Local Planning Authority. The approved splays shall thereafter be implemented in full and maintained.

GROUND:

In the interest of highway safety

5 The area shown on the submitted plans as vehicle parking spaces and turning areas, shall be kept available for such use at all times and such land and access thereto shall be provided prior to the first occupation of the dwelling hereby permitted.

GROUND:

Development without adequate provision for the parking or turning of cars is likely to lead to parking inconvenient to other road users and detrimental to amenity and in pursuance of policy D1 of the Thanet Local Plan.

6 Prior to the commencement of the development hereby approved samples of the materials to be used in the construction of the external surfaces of the development hereby approved shall be submitted to, and approved in writing by, the Local Planning Authority. Development shall be carried out in accordance with the approved samples.

GROUND:

In the interests of visual amenity in accordance with Policy D1 of the Thanet Local Plan.”

Following debate, the motion was put to the vote and declared LOST.

It was then proposed by Councillor Partington and seconded by Councillor Bambridge:

“THAT Members conduct a SITE VISIT in order to assess the situation.”

Upon the motion being put to the vote, it was declared CARRIED.

107. **A05 - F/TH/16/0718 - CLIFF COTTAGE, COASTGUARD COTTAGES, PEGWELL ROAD, RAMSGATE**

PROPOSAL: Erection of 1no. detached dwelling with detached garage

Speaking in favour of the application was Mr Brown.

Speaking as ward councillor was Councillor Rogers.

It was proposed by the Chairman and seconded by Councillor K. Gregory:

“THAT the officer’s recommendation be adopted, namely:

‘That the application be APPROVED subject to the following conditions:

1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

GROUND:

In accordance with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Purchase Act 2004).

2 No development shall take place until samples of the stonework and colour samples of the render to be used in the construction of the external surfaces of the development hereby permitted have been submitted to, and approved in writing by, the Local Planning Authority. Development shall be carried out in accordance with the approved details.

GROUND:

In the interests of visual amenity in accordance with Policy D1 of the Thanet Local Plan

3 Details of the materials and design of the roofing system, to include fascias; and the materials and design of the balustrading, to include the method of fixing, shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of any works.

GROUND:

In the interests of visual amenity in accordance with Policy D1 of the Thanet Local Plan

4 Prior to the commencement of the development hereby approved, the applicant, or their agents or successors in title, shall secure the implementation of a programme of archaeological work, in accordance with a written scheme of investigation which has first been submitted to and approved in writing by the Local Planning Authority.

GROUND:

To ensure that the archaeological history of the site is recorded in accordance with the advice contained within National Planning Policy Framework.

5 No further alterations to the building, or the erection of garden buildings, whether approved by Classes A, B, or E of Part One of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order), shall be carried out without the prior permission in writing of the Local Planning Authority.

GROUND:

To ensure a satisfactory external treatment and in the interests of the visual amenities of the locality in accordance with Policy D1 of the Thanet Local Plan.

6 The development hereby approved shall be carried out in accordance with the submitted drawing numbered SA/06/156/04 Rev A, received 23 April 2015.

GROUND:

To secure the proper development of the area.

7 Prior to the first occupation of the development hereby permitted, details of the proposed curtilage boundary treatments shall be submitted to, and approved in writing by, the Local Planning Authority. The agreed boundary treatment (to be erected along the red line boundary of the site) shall be provided prior to the first occupation of the development and shall thereafter be permanently maintained.

GROUND:

To protect the future occupiers of the development from the health and safety risks associated with nearby coastal erosion, and limit the impact on the character and appearance of the conservation area, in accordance with Policy D1 of the Thanet Local Plan and the guidelines contained within the NPPF.”

Following debate, the motion was put to the vote and declared CARRIED.

108. A06 - F/TH/16/1101 - LAND ADJACENT TO 191 RAMSGATE ROAD, BROADSTAIRS

PROPOSAL: Erection of 1No detached two storey dwelling together with formation of vehicular access

It was proposed by Councillor Buckley, seconded by Councillor J. Fairbrass and RESOLVED:

“THAT the officer’s recommendation be adopted, namely:

‘That the application be APPROVED subject to the following conditions:

1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

GROUND:

In accordance with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Purchase Act 2004).

2 The development hereby approved shall be carried out in accordance with the submitted drawings.

4088 (PA) 009rA, 4088 (PA) 001rA, 4088 (PA) 004rA,, 4067 (PA) 007rA, 4088 (PA) 008rA, 4088 (PA) 003rA, and 4088 (PA) 002rA received 11 October 2016., , ****, ****, ****, ****

GROUND:

To secure the proper development of the area.

3 The development hereby permitted shall be constructed in Terca Red Multi Stock bricks, Marley Cedral Weatherboarding - Dark Grey and Marley Eternit plain concrete roof tiles.

GROUND:

In the interests of visual amenity in accordance with Policy D1 of the Thanet Local Plan.

4 The first 5 metres of the access from the edge of the highway hereby permitted shall be constructed of a bound material.

GROUND:

In the interests of highway safety.

5 Prior to the first use of the vehicular access, measures to prevent the discharge of surface water onto the highway shall be provided and thereafter maintained.

GROUND:

In the interests of highway safety.

6 Prior to the first occupation of the dwelling hereby approved 1m x 1m pedestrian visibility splays behind the footway on both sides of the access with no obstructions over 0.6m above footway level shall be provided and thereafter maintained

GROUND:

In the interests of highway safety.

7 Prior to the first occupation of the dwelling hereby approved 43 metres x 2 metres x 43 metres visibility splays at the access with no obstructions over 1 metre above carriageway level within the splays shall be provided and thereafter maintained.

GROUND:

In the interests of highway safety.

8 Prior to the first occupation of the dwelling hereby approved the vehicle parking spaces shown on the approved plans shall be provided and thereafter retained.

GROUND:

In the interests of highway safety.

9 Prior to the first occupation of the dwelling hereby approved, the cycle parking facilities shown on the approved plans shall be provided and thereafter retained.

GROUND:

In the interests of highway safety.

10 All windows provided at first floor level of the dwelling hereby approved shall be provided with obscure glass and restricted openings in accordance with the amended plan 4088 (PA) 003rA received by the Local Planning Authority on 11 October 2016 and thereafter maintained.

GROUND:

To safeguard the residential amenities currently enjoyed by neighbouring property occupiers in accordance with Policy D1 of the Thanet Local Plan and the National Planning Policy Framework.”

109. A07 - FH/TH/16/0905 - 19 LONSDALE AVENUE, MARGATE

PROPOSAL: Erection of a two storey outbuilding to rear of existing dwelling

Speaking raising concerns was Mr Corbey.

It was proposed by the Chairman and seconded by Councillor Tomlinson:

“THAT the officer’s recommendation be adopted, namely:

‘That the application be APPROVED subject to the following conditions:

1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

GROUND:

In accordance with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Purchase Act 2004).

2 The proposed development shall be carried out in accordance with the submitted application as amended by the revised drawing received 02/09/16

GROUND:

To secure the proper development of the area.

3 Prior to the first occupation of the visibility splays of 2m by 2m shall be provided and thereafter maintained to the access to Lonsdale Avenue in accordance with details to be submitted in plan form and approved in writing by the Local Planning Authority.

GROUND:

In the interest of highway safety.”

Following debate, the motion was put to the vote and declared CARRIED.

110. D08 - F/TH/16/0731 - LAND ADJACENT SAFARI HOUSE, HAINE ROAD, RAMSGATE

PROPOSAL: Erection of 8no. 3-bed and 6no. 4-bed dwellings with access from Haine Road, together with erection of car ports and associated parking and landscaping

Speaking in favour of the application was Miss Banks.

Speaking raising points of concern was Mr Hall.

It was proposed by the Chairman and seconded by Councillor J. Fairbrass:

“THAT the officer’s recommendation be adopted, namely:

‘That the application be APPROVED subject to the following conditions:

1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

GROUND:

In accordance with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Purchase Act 2004).

2 The proposed development shall be carried out in accordance with the submitted application as amended by the revised drawings numbered 2016-09-02B, 16-071-001, 2016-09-08, 2016-09-07B, 2016-09-06B, 2016-09-05B, 2016-09-04B and 2016-09-03B, received 01 November 2016.

GROUND:

To secure the proper development of the area.

3 Prior to the commencement of development hereby approved, full details of both hard and soft landscape works, to include:

- o species, size and location of new trees, shrubs, hedges and grassed areas to be planted
- o the treatment proposed for all hard surfaced areas beyond the limits of the highway
- o walls, fences, other means of enclosure proposed

shall be submitted to, and approved in writing by, the Local Planning Authority.

GROUND:

In the interests of the visual amenities of the area and to adequately integrate the development into the environment in accordance with Policies D1 and D2 of the Thanet Local Plan

4 All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the of any part of the development, or in accordance with a programme of works to be agreed in writing with the Local Planning Authority. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size and species, unless the Local Planning Authority gives any written consent to any variation.

GROUND:

In the interests of the visual amenities of the area in accordance with Policies D1 and D2 of the Thanet Local Plan

5 Prior to the commencement of the development hereby approved, the applicant, or their agents or successors in title, shall secure the implementation of a programme of archaeological work, in accordance with a written scheme of investigation which has first been submitted to and approved in writing by the Local Planning Authority

GROUND:

To ensure that the archaeological history of the site is recorded in accordance with the advice contained within National Planning Policy Framework.

6 i) Development shall not begin until a detailed sustainable surface water drainage scheme for the site has been submitted to (and approved in writing by) the local planning authority. The detailed drainage scheme shall be based on the principles stated Section 6 of the submitted Flood Risk Assessment (Herrington Consulting Ltd - May 2016) and shall demonstrate that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100yr storm) can be accommodated and disposed of through infiltration features located within the curtilage of the site, with no increase in the rate of off-site runoff during any rainfall event.

ii) No building hereby permitted shall be occupied until details of the implementation, maintenance and management of the sustainable drainage scheme have been submitted to and approved in writing by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:

- a) a timetable for its implementation, and

b) a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage system throughout its lifetime.

GROUND:

To ensure that the principles of sustainable drainage are incorporated into this proposal and to ensure ongoing efficiency of the drainage provisions, in accordance with the NPPF.

7 Prior to the first occupation or use of the development, the area shown on the deposited plan for the parking and manoeuvring of vehicles shall be operational prior to any part of the development hereby approved being brought into use, unless otherwise agreed in writing by the Local Planning Authority. The area agreed shall thereafter be maintained for that purpose.

GROUND:

In the interests of highway safety

8 Prior to the commencement of development on site, construction vehicle loading/unloading and turning facilities, and parking facilities for site personnel and visitors, shall be provided on site for the duration of construction.

GROUND:

In the interests of highway safety.

9 Prior to the first occupation of the development hereby permitted, the accesses shown on the submitted plan, along with the necessary associated works in the highway, shall be completed and maintained.

GROUND:

In the interests of highway safety.

10 Prior to the first occupation of the development hereby permitted, the visibility splays shown on plan numbered 2016-09-02B shall be provided and thereafter maintained, with no obstructions over 1 metre above carriageway level within the splays.

GROUND:

In the interests of highway safety.

11 Prior to the first occupation of the development hereby permitted, the 0.85m high black painted metal railings shall be erected along the western boundary of the site, in accordance with the approved plan numbered 2016-09-02B, and thereafter maintained.

GROUND:

To deter on-street parking in Haine Road, in the interests of highway safety.

12 Prior to the first occupation of the development hereby permitted, a native species hedgerow shall be planted along the northern boundary of the site, in accordance with the approved plan numbered 2016-09-02B, and thereafter maintained.

GROUND:

To retain and enhance potential bird nesting habitat within the proposed development, in accordance with guidelines contained within the NPPF.

13 The first floor windows in the side elevations of the dwellings hereby permitted shall be provided and maintained with obscure glass.

GROUND:

To safeguard the privacy and amenities currently enjoyed by the occupiers of adjoining residential properties in accordance with policy D1 of the Thanet Local Plan.

14 The reveals to all new window and door openings shall not be less than 100mm.

GROUND:

In the interests of visual amenity in accordance with Policy D1 of the Thanet Local Plan

15 The external materials and external finishes to be used in the erection of the dwellings hereby approved shall be in accordance with the approved plans.

GROUND:

In the interests of visual amenity in accordance with Policy D1 of the Thanet Local Plan.”

Following debate, the motion was put to the vote and declared CARRIED.

Meeting concluded : 9.15pm

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A04

F/TH/16/1232

PROPOSAL: Erection of two storey dwelling

LOCATION: Mizuri Norman Road BROADSTAIRS Kent CT10 3BZ

WARD: Beacon Road

AGENT: Mr Doug Brown

APPLICANT: Mr David Watts

RECOMMENDATION: Approve

Subject to the following conditions:

1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

GROUND:

In accordance with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Purchase Act 2004).

2 The development hereby approved shall be carried out in accordance with the submitted drawings.

DB/DW/16/9/2 and DB/DW/16/9/3 dated 7th September 2016

GROUND:

To secure the proper development of the area.

3 Prior to the first occupation of development hereby approved the means of access shown on drawing DB/DW/16/9/3 shall be completed and thereafter maintained.

GROUND:

In the interests of highway safety.

4 Prior to the first occupation of the development hereby permitted details of visibility splays provided with no obstructions over 0.9m above carriageway level shall be submitted to and approved in writing by the Local Planning Authority. The approved splays shall thereafter be implemented in full and maintained.

GROUND:

In the interest of highway safety

5 The area shown on the submitted plans as vehicle parking spaces and turning areas, shall be kept available for such use at all times and such land and access thereto shall be provided prior to the first occupation of the dwelling hereby permitted.

GROUND:

Development without adequate provision for the parking or turning of cars is likely to lead to parking inconvenient to other road users and detrimental to amenity and in pursuance of policy D1 of the Thanet Local Plan.

6 Prior to the commencement of the development hereby approved of the materials to be used in the construction of the external surfaces of the development hereby approved shall be submitted to, and approved in writing by, the Local Planning Authority. Development shall be carried out in accordance with the approved samples.

GROUND:

In the interests of visual amenity in accordance with Policy D1 of the Thanet Local Plan

SITE, LOCATION AND DESCRIPTION

SITE, LOCATION AND DESCRIPTION

The site is presently part of the rear garden of the two storey semi-detached property known as Mizuri. The site itself is relatively flat and defined at present by fencing with a garden shed to the rear.

Surrounding Area

The surrounding land use is residential with a block of single storey garages to the immediate north east leading into St Peter's recreation ground. Opposite the site on the southern side of Norman Road planning permission was approved for the redevelopment of the garage block opposite the application site (ref: F/TH/14/0093).

RELEVANT PLANNING HISTORY

This is a revised application following the refusal of an earlier scheme for a two storey dwelling on the basis of the following reason:

1. The proposed dwelling, by virtue of its design, scale and location would represent a cramped and obtrusive form of development that is out of keeping with the prevailing character and appearance of development within the locality, representing overdevelopment of the site within its backland context, resulting in significant harm to the character and appearance of the area. The proposal is therefore contrary to Policy D1 of the Thanet Local Plan and paragraphs 58, 60, 61 and 64 of the National Planning Policy Framework.

This application therefore seeks to address the previous reason for refusal

PROPOSED DEVELOPMENT

The proposed development seeks planning permission for a two storey dwelling.

The accompanying Design and Access Statement explains the design approach to the development of this site.

Access to the site is proposed between what would be the new boundaries to Mizuri and the proposed development site. This would cross the current pavement area that runs along the southern boundary of the site.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan Policy (2006) Saved Policies

D1 - Design principles

D2 - Landscaping

H1 - Housing provision

H4 - Windfall sites

SR5 - Doorstep and local play space

TR12 - Cycling

TR16 - Car parking provision

NOTIFICATIONS

Letters were sent to occupiers of neighbouring premises in Norman Road and Cecilia Grove and a site notice was displayed. 4 letters of objection have been received raising the following matters:

- A large detached house would be out of character and over-bearing, detrimental to immediate neighbours;
- Concerns regarding blocking of access to the garage court;
- Proposal will block open views enjoyed by neighbours;
- Concerns over vehicular access to the site across the pavement area;
- Design would be overbearing, particularly due to no windows on the rear of flank;
- Proposed development has increased in footprint;
- Impacts regarding loss of daylight and sunlight to neighbours

In addition to the objections a single letter of support stating that they consider the proposal as representing positive development in the area next to a row of derelict garages that results in anti-social behaviour.

CONSULTATIONS

Broadstairs & St Peter's Town Council - The planning committee has considered the application and has resolved to recommend that the application be refused due to the following concerns: Rear garden cramming; overdevelopment; overlooking; detrimental impact on neighbours; loss of amenities; overbearing; too close to boundary fencing; poor elevation design; no provision for vehicle access and loss of pedestrian route through to park.

Southern Water - Southern water requires a formal application for a connection to the public sewer to be made by the applicant or developer. We request that should this application receive planning approval, the following informative is attached to the consent: "A formal application for connection to the public sewerage system is required in order to service this development. Please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW."

Broadstairs Society - The society has looked at the revised application and are still of the view that despite cosmetic changes it is still overdevelopment. Vistas and views are important in a place like Broadstairs and this application, if approved, would block open views. Furthermore, the hardstanding would be in our opinion, a potential danger.

COMMENTS

This application is reported to planning committee as it is considered to be a departure from the saved Local Plan and was also called in by Councillor Matterface. The main considerations with regard to the planning application are the principle of development; the impact upon the character and appearance of the local area; and the impact upon living conditions of neighbouring property occupiers and future occupiers.

Principle

The proposed dwelling would represent development on non-previously developed land, being private residential garden land, which would be contrary to policy H1 of the Thanet Local Plan. Policy H01 - Housing Development in the Draft Local Plan paragraph 3 states that permission for new housing development will be granted on residential gardens where not judged harmful to the local area in terms of the character and amenity considerations set out in Policy QD01 (Design principles).

The Draft Local Plan has weight in the decision making process following the Cabinet approval of the draft in December 2014. The National Planning Policy Framework (NPPF) states that Council's should set out policies in relation to garden land, and therefore the draft policy is considered relevant and has weight given the guidance in the NPPF. Regard must also be had for the fact that there is a current need for housing in Thanet and, on this basis, the NPPF indicates that applications for housing should be considered in the context of the presumption in favour of sustainable development.

In this case the proposal is for one dwelling, at a site which lies within the urban confines with access to local amenities, and is considered to be sustainably located within the district. The development of this site for housing could therefore be accepted in principle subject to the detailed consideration of all other material considerations including the impact upon the character and appearance of the area.

Character and Appearance

The NPPF states that planning decisions should aim to ensure that developments will function well and add to the overall quality of the area; establish a strong sense of place;

respond to local character and history; reflect the identity of local surroundings and materials; and are visually attractive as a result of good architecture and appropriate landscaping (paragraph 58). Policy D1 of the Thanet Local Plan outlines that the design of all new proposals must respect or enhance the character or appearance of the area particularly in scale, massing, rhythm and use of materials.

The proposal seeks consent for a detached dwelling that is predominantly single aspect with windows looking south onto Norman Road. The design of the building has been revised from the previous scheme so that the frontage presents as a traditional two storey dwelling of similar height to neighbouring properties on Norman Road.

Neighbours have raised objection to the proposal on the basis that the design appears out of character with Norman Road due to the width of the dwelling in comparison to the terraced dwellings locally. This in itself is not a reason to determine that the proposal is harmful to the character and appearance. Furthermore, it should be noted that the approved scheme for redevelopment of the neighbouring garages to the south is the subject of an amendment application to alter the fenestration detailing. The relative proportions of those properties, with the exception of the rear elevation, is broadly similar to that proposed for this scheme and therefore cannot by itself be deemed harmful to the character of the area.

The rear elevation of the dwelling has a lower eaves level in order to reduce the visual impacts to neighbouring properties. Whilst this is a different approach to the design it is not considered to be an unacceptable solution to address wider potential impacts.

The NPPF is clear in setting out that policies and decisions should not stifle innovation, originality or initiative but should seek to promote or reinforce local distinctiveness (paragraph 61). It goes on to state that permission should be refused for development of poor design where it fails to improve the character and quality of an area and the way in which it functions. The architectural approach to the development clearly seeks to reflect the traditional details within the local area in regards to eaves details and overall roof pitch. Whilst the scale of the building differs to its immediate neighbours by virtue of its width this is not considered to be unacceptable, particularly in light of the only relevant recent approved development to the south.

Layout

The proposed development seeks to reduce the rear garden to the host property significantly in order to provide space for the new dwelling. The resultant garden for the main dwelling would remain of suitable size to be in accordance with the aims of saved policy SR5 regarding doorstep play space.

Regarding the layout of the proposed new dwelling the garden area to the west of the property is accessible from the main living space, with additional space provided around the remaining boundaries of the dwelling and plot albeit that these do not function as usable amenity space. The main amenity space amounts to an area of approximately 52 square metres which would comply with the general requirements for play space. The parking is now located to the far west of the site ensuring that all of the amenity space can be securely fenced off to ensure compliance with the safe doorstep play space.

The layout is therefore considered to be acceptable with regards the new dwelling and external amenity spaces.

Living Conditions

The internal layout of the proposed new dwelling is considered to result in an acceptable form of living environment.

Due to the design of the proposed dwelling with the main habitable windows facing south over the road and no windows to the rear the scheme is not considered to result in unacceptable impacts on neighbouring properties in regards to overlooking.

The provision of a dwelling in the rear garden of this property will alter the outlook from the neighbouring properties to the north west fronting Beacon Road, however this is not considered to amount to such detrimental harm to warrant a refusal on such grounds. The same also applies in respect of daylight and sunlight implications as the main affected areas would be the rear areas of the neighbouring gardens and these are not protected in accordance with any guidance

Transportation

The wider application site already has hardstanding to the front of the property to provide off road parking for cars, although there is no dropped kerb provided and therefore the issue of parking may not be regularised. In addition there is unrestricted parking on the Norman Road for additional vehicles. The provision of a further single dwelling in this location is unlikely to result in any defensible highway grounds with regards to parking.

Issues have been raised regarding cars crossing the pavement area which is well used by pedestrians to access the neighbouring recreation ground and further afield. The principle of crossing a well-used pavement to access off-street parking is not in itself an uncommon feature within any residential area, indeed in this particular location there are numerous examples of this practice. In this particular location the pavement is wider and affords good visibility to ensure that there are no conflicts with cars entering or exiting the site and pedestrians using the pavement. With regards to impacts on accessing the recreation ground it should be recognised that at present the means of access is through the neighbouring garage block which, if in heavy use, would potentially result in much greater through traffic of cars noting that there are 20 separate garages in the area.

Other Matters

A number of residents and the Broadstairs society have raised objections regarding the impacts on views from this scheme. The planning system does not protect the individual's right to a view and only becomes a matter when a development is considered to result in an overbearing development or a loss of outlook. In this particular instance, due to the separation distances between neighbouring properties and the proposed development the scheme would not result in a detrimental impact on outlook. Furthermore, due to the

separation distance and particularly the rear design of the proposed dwelling the scheme would not result in an overbearing impact from the neighbouring properties.

Conclusion

The site is non-previously developed land within the urban area and is therefore considered contrary to the aims of saved Policy H1. This policy constraint, however, needs to be balanced with the fact that there is a current need for housing in Thanet, and on this basis the National Planning Policy Framework (NPPF) indicates that applications for housing should be considered in the context of the presumption in favour of sustainable development. The site is considered sustainable in its location and it is not considered that there are any detrimental impact of the scheme that need to be overcome in order for it to benefit from the presumption in favour of development.

It is therefore considered that the proposal can be delivered in a manner that is in keeping with the established character and pattern of the neighbouring residential development and will not result in unacceptable impacts. On balance the need for housing in sustainable locations such as this site outweighs the need set out in saved Policy H1 of protecting non previously developed land. It is therefore recommended to Members that this application is approved, subject to safeguarding conditions.

Case Officer

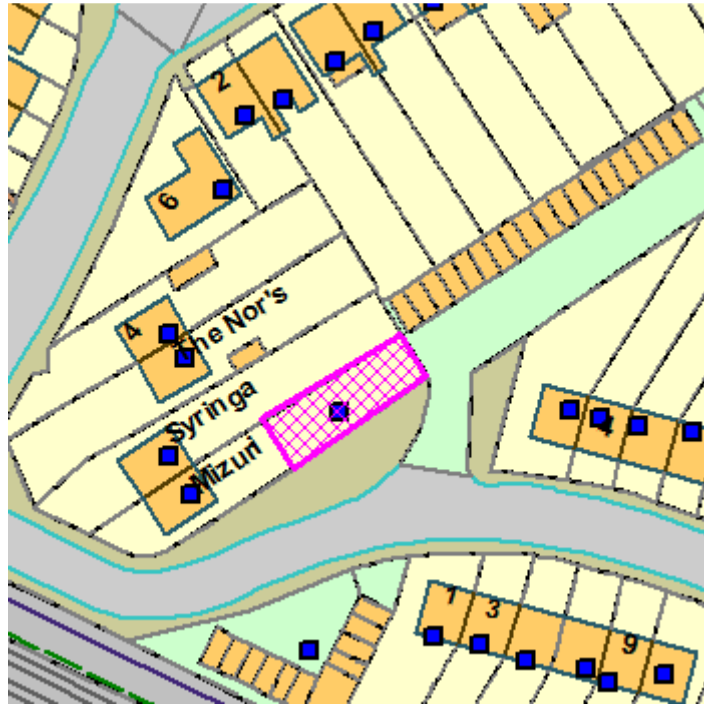
Iain Warner

TITLE:

F/TH/16/1232

Project

Mizuri Norman Road BROADSTAIRS Kent CT10 3BZ



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THANET DISTRICT COUNCIL

PLANNING COMMITTEE

14 December 2016

BACKGROUND PAPERS TO SCHEDULE OF APPLICATIONS

The Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000 (as amended)

(A) Standard Reference Documents - (available for inspection at the Council offices)

1. Thanet District Council Local Plan saved policies
2. Cliftonville Development Plan Document
3. Government Circulars and the National Planning Policy Framework issued by the Department of Communities and Local Government.

(B) Register of Applications for Planning Permission (Article 40 of the Town and Country Planning (Development Management Procedure) (England) Order 2015))

(Copy of applications together with accompanying plans or drawings are available for inspection at the Council offices)

(C) Background Papers in relation to specific reports in the Schedule of Planning Applications

(Copies of background papers and any appeal decisions referred to are available for inspection at the Council offices and via the Council's website)

I certify that the above items are not exempt information.

(D) Exempt information in accordance with paragraph of Schedule 12 (A) of the Local Government Act 1972.

N/A

I certify that the above items are exempt information.

Prepared by: IAIN LIVINGSTONE



SIGNED:.

Proper Officer

DATE:05 December 2016

THANET DISTRICT COUNCIL

REPORT OF THE DIRECTOR OF COMMUNITY SERVICES

PART A

TO: THE PLANNING COMMITTEE

DATE: 14 December 2016

Application Number	Address and Details	Recommendation
A01 F/TH/16/0119	Land Adjacent Wayside Caravan Park Way Hill Minster RAMSGATE Kent Change of use to land as an extension to the existing caravan site. Ward: Thanet Villages	Approve
A02 F/TH/16/1255	25 Westbury Road Westgate On Sea Kent CT8 8QX Retrospective application for the change of use from tool hire business to dance studio Ward: Westgate-on-Sea	Approve
A03 F/TH/16/1357	Land Adjacent And Rear Of 74 And Rear Of 76 - 84 Northwood Road Broadstairs Kent Variation of condition 2 and 5 of planning permission F/TH/14/0709 for erection of two storey dwelling to allow repositioning of dwelling, erection of a single storey porch to the front elevation, alterations to height and alterations to fenestration Ward: St Peters	Approve

A04 F/TH/16/1354	40 Canterbury Road West RAMSGATE Kent CT12 5DU	Approve
	Erection of a two storey 3-bed detached dwelling	
	Ward: Cliffsend And Pegwell	
A05 FH/TH/16/1253	Updown Mews 274 Ramsgate Road MARGATE Kent CT9 4DT	Approve
	Erection of single storey extension to rear and alterations to wood store to provide additional accommodation, together with alterations to fenestration to front and rear elevations	
	Ward: Salmestone	
A06 F/TH/16/1328	Garage Block Prince Andrew Road BROADSTAIRS Kent CT10 3HD	Approve
	Variation of condition 2 and 4 of planning permission F/TH/14/0244 for erection of two semi-detached two storey dwellings and one detached bungalow, together with associated car parking, following the demolition of existing garages to allow alterations to fenestration and layout and increase in size of dwellings	
	Ward: Beacon Road	
A07 F/TH/16/1327	Garages Adjacent 34 Prince Andrew Road BROADSTAIRS Kent	Approve
	Variation of condition 2 and 4 of planning permission F/TH/14/0091 for the erection of 2No. two storey semi detached dwellings following demolition of existing garage block to allow alterations to site layout, elevations and fenestration	
	Ward: Beacon Road	

THANET DISTRICT COUNCIL

REPORT OF THE DIRECTOR OF COMMUNITY SERVICES

PART B

TO: THE PLANNING COMMITTEE

DATE: 14 December 2016

Application Number	Address and Details	Recommendation
R08 F/TH/16/1020	1 Dellside Wayborough Hill Minster RAMSGATE Kent Change of use of stable/storage block to 1No dwelling, and erection of single storey extension to front and rear elevation Ward: Thanet Villages	Refuse Permission

THANET DISTRICT COUNCIL

REPORT OF THE DIRECTOR OF COMMUNITY SERVICES

PART C

TO: THE PLANNING COMMITTEE

DATE: 14 December 2016

Application Number	Address and Details	Recommendation
D09 OL/TH/16/0967	Land Adjacent 15 Southall Close Minster RAMSGATE Kent	Defer & Delegate
Major	Outline Application for the erection of 12 detached dwellings, with access via Southall Close including access, layout and scale Ward: Thanet Villages	

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GROUND:

In the interests of the visual amenities of the area and to adequately integrate the development into the environment in accordance with Policies D1 and D2 of the Thanet Local Plan

4 All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development, or in accordance with a programme of works to be agreed in writing with the Local Planning Authority. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size and species, unless the Local Planning Authority gives any written consent to any variation.

GROUND:

In the interests of the visual amenities of the area in accordance with Policies D1 and D2 of the Thanet Local Plan.

5 Existing trees, shrubs and hedgerows identified for retention within the development site or existing trees growing on an adjacent site, where excavations, changes to land levels or underground works are within the crown spread, shall be protected in accordance with BS 5837: 2005 using the following protective fence specification:-

o Chestnut paling fence 1.2m in height, to BS 1722 part 4, securely mounted on 1.7m x 7cm x 7.5cm timber posts driven firmly into the ground. The fence shall be erected below the outer most limit of the branch spread or at a distance equal to half the height of the tree, whichever is the furthest from the tree, unless otherwise agreed in writing with the Local Planning Authority.

The protective fencing shall be erected before the works hereby approved or any site clearance work commences, and shall thereafter be maintained until the development has been completed.

At no time during the site works shall building materials, machinery, waste, chemicals, stored or piled soil, fires or vehicles be allowed within the protective fenced area.

Nothing shall be attached or fixed to any part of a retained tree and it should not be used as an anchor point.

There shall be no change in the original soil level, nor trenches excavated within the protective fenced area.

GROUND:

In the interests of the visual amenities of the area and to adequately integrate the development into the environment, in accordance with Thanet Local Plan Policies D1 and D2.

6 The caravans shall be occupied for holiday purposes only and no caravan shall be occupied as a person's sole, or main place of residence.

GROUND:

In the interests of the visual amenities of the area and landscape character of the countryside, in accordance with Policies CC1 and CC2 of the Thanet Local Plan 2006 and National Planning Policy Framework.

7 The owners/operators shall maintain an up-to-date register of the names of all owners/occupiers of individual caravans/log cabins/chalets on the site, and of their main home addresses, and shall make this information available at all reasonable times to the Local Planning Authority.

GROUND:

In the interests of the visual amenities of the area and landscape character of the countryside, in accordance with Policies CC1 and CC2 of the Thanet Local Plan 2006 and National Planning Policy Framework.

8 No more than three caravans shall be sited on the land.

GROUND:

In the interests of the visual amenities of the area and to adequately integrate the development into the environment in accordance with Policies D1 and D2 of the Thanet Local Plan

SITE, LOCATION AND DESCRIPTION

The site is presently a landscaped area within the wider curtilage of the Wayside caravan park. Whilst the site itself is relatively flat it is presently overgrown with a mix of scrub and trees.

Surrounding Area

The land to the immediate south and east is within the Wayside Caravan park area providing a number of pitches for static mobile homes. Further east lie agricultural fields spanning all the way along to the boundary with the A256. Agricultural fields also lie further to the south on the opposite side of Grinsell Hill.

To the north east along Way Hill the area is characterised by residential development within predominantly large curtilages set amongst the backdrop of agricultural fields. The same can also be said of the character of Wayborough Hill to the north west of the site.

RELEVANT PLANNING HISTORY

Whilst the application site itself has no recent planning history the wider caravan park has a detailed history, seemingly being first used as a camping site from 1953 with various extensions to it since then. The most recent extension to the site was granted in 2005 to provide 15 static caravans. The most recent application was in 2012 seeking consent to use the site all year round in variation to the previous consents restricting use to a maximum 10 ½ month period.

This application was approved in October 2012.

PROPOSED DEVELOPMENT

The proposed development seeks planning permission for the change of use of the land to extend the existing caravan site. The scale of the site area for development has been reduced following discussions with the applicant such that the current layout would provide scope for an additional 3 caravan pitches on the site.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan Policy (2006) Saved Policies

CC1 - Development in the Countryside

D1 - Design principles

D2 - Landscaping

T1 - Tourist Facilities

TR12 - Cycling

TR16 - Car parking provision

NOTIFICATIONS

Letters were sent to neighbouring occupiers of premises on Way Hill and Wayside Caravan Park and a site notice was displayed.

6 letters of objection have been received raising the following matters:

- Errors in the application submission relating to ownership
- Proposals would affect the setting of the neighbouring listed buildings
- Proposals would result in the loss of existing trees affecting the character and appearance of the area
- The proposals would result in a loss of amenity to neighbouring occupants
- Additional highway impacts

One of the neighbouring residents has instructed a planning agent to act on their behalf to raise additional points in respect of the submitted heritage statement and tree survey.

Following all of the objections, a revised scheme has been submitted reducing the scale of the development to three additional plots, and retaining the landscaped area that fronts Way

Hill and is located to the side of Rose Cottage. In response to the revised scheme further public consultation was carried out, resulting in additional letters of objection on the following matters:

- The site is unsightly to the eye and its continued expansion puts pressure on the local highway and must be overbearing to the local heritage.
- Still insufficient information in respect of trees and landscape details

CONSULTATIONS

Minster Parish Council (revised comments) - Object to the application. The application is inaccurate. Rose Cottage is privately owned and is not owned by Mr Spanton who owns the application site. There are several listed buildings nearby:- Way House, Wayborough House, Wayborough Manor, Tudor Cottage, Pansy Cottage and Rose Cottage. These buildings are all listed heritage assets.

Pansy Cottage and Rose Cottage are both adjacent to the application site. It is felt that in accordance with the NPPF 134 that the application would be detrimental to the listed properties (heritage assets) by its very close proximity and there is no public benefit to outweigh this. Also the site is covered with mature trees this would be a significant environmental loss, no consideration has been given to this in the application.

Conservation Officer (revised comments) - The setting of a heritage asset may reflect the character of the wider townscape or landscape in which it is situated, or be quite distinct from it, whether fortuitously or by design. Setting does not have a fixed boundary and cannot be definitively and permanently described for all time as a spatially bounded area or as lying within a set distance of a heritage asset.

In this instance the setting of Rose Cottage/Pansy Cottages is intimately linked to landscape considerations, including the degree of fortuitous beauty and the consequent visual harmony or congruity of development on the proposal site which relate to landscape attributes surrounding their immediate boundaries such as trees, and the mature woodland.

Subject to ensuring proper protection for the setting of the listed building through the imposition of a landscape condition requiring details of a landscape buffer along the boundaries with Rose Cottage to ensure it is maintained in perpetuity to reduce any harmful impact on the setting there is no objection to the scheme.

COMMENTS

The main issues in the determination of this planning application are the impacts on the character and appearance of the area with regards the countryside protection policies, potential impacts concerning residential amenity and impacts on the setting and appearance of listed buildings. The application has been called in by Councillor Grove on the basis of the impacts on the adjoining listed buildings and the impacts on the natural habitat and woodland.

Principle

The existing caravan park has long since been established in this location, indeed extended as recent as 2005 (ref: TH/05/1416). The Council has therefore previously accepted the principle of the use and indeed the extension of the use as being acceptable in principle. Furthermore, it should be noted that the extension that was approved under the 2005 application relates to the area of land immediately to the east of the current application site.

The Local Plan contains saved policy T1, which states that planning permission would be granted for development that extends or upgrades the range of tourist facilities. This application relates to an extension of an existing caravan park used for holiday accommodation and is therefore within the spirit of the saved policy.

It is therefore considered that the proposals fall to be considered as acceptable in principle, subject to compliance with all other relevant development plan policies.

Character and Appearance

The proposal relates to land that is immediately to the south of the existing residential curtilage of Rose Cottage, a Grade II listed building. Within the application site is hedgerow along with a number of trees, which are visible from wider views, and which currently provide screening of the caravan park. The proposal originally involved the removal of a number of the trees, with a tree survey submitted assessing the quality of the trees. Unfortunately the tree survey has not been prepared in accordance with the relevant standards (current standards are set out in Section 4.4 of BS 5837:2012 "Trees in Relation to Design, Demolition and Construction - Recommendations"), and as such the report does not categorise trees in respect of BS categories with A being trees most desirable for retention, through to U where identified trees should be removed on the basis of being dead/dying/dangerous. Given the lack of detail, a site visit took place with the Council's Tree Officer, who informally advised that the trees closest to Way Hill should be retained due to their contribution to the landscape setting of Rose Cottage and the wider area. As a result an amended plan has been submitted showing the front section of the application site retained as landscaping, and the number of caravans to be sited on the site reduced from five to three. The landscaped area is to be retained via condition, with a restriction preventing the siting of any caravans within this area.

As a result of the amended plan, the impact upon the character and appearance of the area is considered to be acceptable.

Impact on listed buildings

The applicant has submitted a heritage statement to assess the impacts of the proposed development on the setting of the neighbouring listed properties of Rose Cottage and Pansy Cottage (both Grade II listed). In support of this a more detailed site layout plan was also proposed indicating that one caravan would be within 4 metres of the common boundary along the south west and in the south east corner a caravan would be within 3 metres. The historic records indicate that the residential curtilage of Rose Cottage extended beyond the current boundary and included land that now forms part of the application proposal.

The Council's conservation officer has stated that in his opinion the setting of the listed buildings is ultimately linked with the landscape considerations. The protection of the existing boundary treatment along these properties, linked to a suitably worded condition requiring approval of further details, is considered sufficient to ensure that the impacts are acceptable and result in less than substantial harm to the property.

On this basis it is considered that the development will not result in such impacts to the setting of the neighbouring listed buildings to the degree that permission should be refused.

Living Conditions

The proposed development would result in the existing caravan use extending closer to the boundary with the neighbouring properties and therefore increasing the potential for loss of amenity as a direct result, which the neighbouring occupier has raised as a concern.

The caravans would be a minimum distance of 10m from Rose Cottage at the closest point, extending to 15m. The nearest caravan as shown on the submitted plan is not directly to the rear of Rose Cottage, although the proposal is for the change of use of the land, rather than the specific location of the caravans, and as such, the caravans could be moved around within the area shown on the submitted plan for the proposed use. The caravans will be a minimum of 3m from the shared boundary with Rose Cottage, with an area of landscaping to be retained/provided between the caravan and the boundary. Landscaping is also present inside the neighbouring boundary.

The proposed changed of use is not considered to result in any loss of light or outlook for the neighbouring properties given the distance between the rear elevation of the neighbouring property and the nearest caravan. It is also not considered to result in any unacceptable level of noise and disturbance, given that the vehicular/pedestrian access to the caravans is to the other side away from the neighbouring properties, which based on caravan layouts is also likely to be the location of the lounge area. It is therefore considered that the only potential impact could be from overlooking, given the likely increase in height of the caravan in comparison to the neighbouring properties.

Given the limited number of caravans proposed, the distance between the caravans to the neighbouring properties, the single storey nature of the caravans, the limited number of windows that are likely to be contained within the rear elevation, but most importantly the extensive landscaping that exists, and can be enforced, along the boundary with the neighbouring property, the impact upon neighbouring privacy is considered to be acceptable, and in accordance with Policy D1 of the Thanet Local Plan.

Transportation

The proposal would result in the increased traffic generation on local roads within Minster. However, based on the existing trip generation from the site and the acceptable extension in 2006 for a further 15 caravans it is not considered that there are any reasonable highway grounds on which to raise concerns with the proposals. Furthermore, the tests set out in paragraph 32 of the NPPF are that for schemes to be refused any cumulative impacts of a

development need to be severe. Whilst the impacts may be localised they are not considered to meet the test of severe to warrant refusal.

Conclusion

The principle of the change of use is considered acceptable due to the tourism benefits that would be achieved, and whilst the proposed use will have some impact upon the setting of Rose Cottage, and the privacy of neighboring occupiers, the impact is not considered to be significant enough to warrant the refusal of the application. Furthermore, the additional traffic generation arising from the additional 3 caravan pitches is not considered to result in such impacts as to meet the definition of severe cumulative impacts such that they are deemed unsuitable. It is therefore recommended that members approve the application.

Case Officer

Emma Fibbens

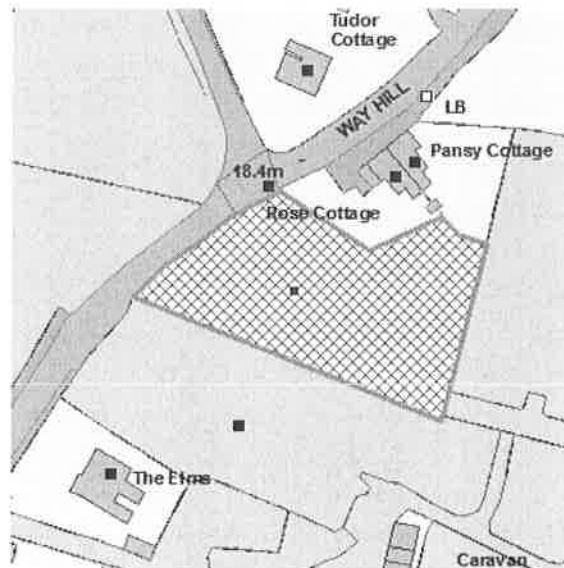
TITLE:

F/TH/16/0119

Project

Land Adjacent Wayside Caravan Park Way Hill Minster RAMSGATE Kent

Scale:



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GROUND:

To safeguard the residential amenities currently enjoyed by the occupiers of nearby residential properties in accordance with Policy D1 of the Thanet Local Plan.

INFORMATIVES

During seasonal weather where the operator of the premises expects elevated internal temperature they shall consider the use of internal air conditioning units to control temperature to enable condition 3 to be met.

SITE, LOCATION AND DESCRIPTION

The site is located adjacent to the Westgate-on-Sea Conservation Area, within the urban confines and close to the centre of Westgate's commercial area. The property lies in the middle of a terrace of residential properties.

RELEVANT PLANNING HISTORY

F/TH/87/0600 - Use of premises for the sale of electrical equipment and hire of small tools.
Granted 31/7/87

F/TH/14/0732 - Retrospective application for change of use from tool hire business to gym.
Refused 8/4/15.

The reason for refusal being "*The change of use, due to its proximity to neighbouring residential properties and lack of noise mitigation measures, results in an unacceptable level of activity, vibration and noise to the occupiers of adjacent residential properties, severely harmful to the living conditions of those occupiers, contrary to Policy D1 of the Thanet Local Plan and paragraph 17 of the National Planning Policy Framework.*"

PROPOSED DEVELOPMENT

The proposal is for the change of use from a tool hire business to a dance studio (251 sq m). The dance studio has been operating since August as 'Silver Slipper' and this is a retrospective application for the change of use. The hours proposed are between the hours of 1200 hours and 2100 hours Monday to Friday and 900 hours and 1700 hours on Saturday and at no time on Sunday and Bank Holidays.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan (2006)

D1 - Design Principles

TR12 - Cycling

TR16 - Car Parking Provision

CF1 - Community Facility

NOTIFICATIONS

Neighbour notification letters were sent to properties directly surrounding the site, a site notice was posted near the site and an advert placed in the newspaper.

One letter of objection has been received raising the following concerns:

- Noise disturbance from the use
- Hours of operation and concerns these hours may increase.
- This is the only shop premises in the road.
- This use is in the same category as the Gym that was refused.

Two letters of support have been submitted commenting that the use will be great for the community.

A petition containing 142 signatures from nearby roads has been submitted supporting the use as a dance studio stating "with the limited numbers of no more than 15 students at any one time, operating between midday and 9pm Monday to Friday and 9am to 4pm on Saturday, will not adversely affect the amenities of the area but will provide a much needed community facility and children's activity for Westgate families."

Westgate-on-Sea Town Council - Have concerns that this might not be an appropriate use within this area. If approved the hours of operation should be looked at. There are also concerns over noise levels and request that there are methods to mitigate that noise and the impact of the traffic movement within the immediate area.

Westgate-on-Sea Conservation Area Action Group - Raise concerns about noise levels and lack of on street parking.

Ward Councillor Bertie Braidwood comments that the Westgate Town Council conducted a Community Survey last year in which 'Things for Young People To Do' was highlighted as an area for improvement in the town, and as such this application would be a great addition to the Town and should be supported.

CONSULTATIONS

Environmental Health - No objection but recommended the following music noise limiting condition be attached to any permission:

Music and associated noise shall be controlled at any residential premises. There shall be: No increase in the difference between LAeq, 1 min and LA90 when the music is on and off. No increase in the difference between L10, 1 min and L90 when the music is on and off in each 1/3rd octave band between and including 40Hz and 160Hz. All levels shall be taken assuming windows open at the residential property.

It is noted that the doors and windows were closed during the Noise Impact Assessment monitoring and it is recommended that at any time where amplified music is being played in the dance studio area of the premises, all doors and windows associated with the dance

studio must remain closed. Further to this the door of the studio leading out onto the alleyway at the rear of the premises shall remain closed at all times (other than for emergency access and egress). An Informative is also recommended that during seasonal weather where the operator of the premises expects elevated internal temperature they shall consider the use of internal air conditioning units to control temperature to enable this condition to be met.

Conservation Officer - The application involves no changes to the external appearance of the property and therefore would have no impact on the character or appearance of the conservation area.

COMMENTS

This application is brought before the Planning Committee at the request of Councillor Sam Bambridge who has concerns about noise and disturbance to neighbouring properties; Councillor Carol Partington who has concerns about noise and unsociable opening hours in a residential area.

The main considerations of this application are the principle of development, impact on the character and appearance of the area, impact on the living conditions of neighbouring residential occupiers and highway safety.

Principle

The site lies within the urban confines within a district centre. There are no policy objections to the loss of the tool hire business and therefore the principle of the change of use to a dance school to serve the local community is considered to be acceptable in principle. Therefore the application needs to be determined in accordance with paragraph 70 of the National Planning Policy Framework (NPPF) and Local Plan Policies.

Character and Appearance

The application relates to the ground floor of the property. The windows in the front elevation of the building have been frosted/etched to reflect the use of the building as a dance studio with a non-illuminated sign above the entrance door. There are no external changes to the property and the building retains its appearance as a commercial property at ground floor. The use of the building does not result in any visual harm to the character and appearance of the area in general or the adjacent conservation area.

Living Conditions

The current planning use is for A1 retail use having previously been a Tool Hire business. The property is a terraced property situated in a wholly residential area. Nos 21 to 24 Westbury Road were formerly commercial at ground floor and have been converted over time to residential. No.25 is the only property in this part of Westbury Road that has retained a commercial use. The flat above No.25 is not in the same ownership as the ground floor.

The last legal planning use of this property was for A1 Retail, when it operated as a Tool Hire business. The building was most recently used, without the benefit of planning consent, as a gym. A planning application for the change of use from tool hire business to gym was refused due to its harm to the living conditions of neighbouring residential occupiers from noise disturbance. The gym had extensive operating hours, operating from 6.30am until 11pm every day, including Sundays and Bank Holidays. The lack of adequate ventilation within the gym resulted in the door to the internal courtyard and the rear door into the rear access road being open, resulting in noise from the gym spilling outside. The use of the gym equipment lead to impact noise from equipment and dropping of weights, together with music being played through speakers throughout the day; this use generated a number of noise nuisance complaints from nearby residents. No details were provided of how the impact of the gym activities were to be mitigated and no sound insulation measures were in place when used as a gym.

The ground floor of the property comprises a reception area to the front of the property with a changing room, kitchenette and WC directly behind, where it adjoins Nos 24 and 26, and the flat is directly above this part of the property. The dance studio is located to the rear, within the same area previously used for the gym, and is the former single skinned garage extension. It is understood the Tool Hire business used this area for repair work which would have generated a degree of noise associated with this use but this is unlikely to have been for prolonged periods of time.

The 1987 permission for the use of the premises as a tool hire business (F/TH/87/0600) restricted the hours of operation to 8am and 6pm Monday to Saturday and at no time on Sundays. The hours of operation applied for by the dance studio are substantially less than the unauthorised gym use (6.30am until 11pm every day, including Sundays and Bank Holidays) and are proposed between 12 noon and 9pm Monday to Friday and 9am to 5pm on Saturday and at no time on Sunday and Bank Holidays.

The main dance floor area is approximately 5 metres by 7 metres. Given the limited size of the studio and the need for dancers to have space to move around it is unlikely that the numbers of people using the studio at any one time would be more than 15. The dance studio offers sessions that are generally between 30 mins to 45 mins long, therefore, unlike the previous unauthorised gym use, the amplified music and sound from classes taking place is unlikely to be continuous from opening to closing time.

One of the main concerns of the previous unauthorised use as a gym was the noise spilling out from the building from the doors being open and the use of the outdoor spaces. In this instance the use would be contained within the building and the applicant has agreed to conditions that at any time where amplified music is being played in the dance studio area, all doors and window associated with the dance studio must remain closed. Further to this the door of the studio leading out onto the alleyway at the rear of the premises shall remain closed at all times (other than for emergency access and egress). Furthermore the applicant has invested in an air conditioning unit that can be used to control the temperature within the studio without the need to open the doors and windows whilst amplified music is played, thereby reducing the amount of noise spilling outside the building.

The applicant has submitted a comprehensive Noise Impact Assessment which measures noise emissions at various points around the site including from the rear garden of 24 Westbury Road, the rear of the premises close to the boundary with 26 Westbury Road, from the flat roof of the dance studio rear extension and overlooking both Nos 24 and 26 Westbury Road and the residential dwelling immediately above 25 Westbury Road, at first floor level. The conclusion of the report states that the use of the building as proposed is unlikely to provoke any adverse noise impact at any of the assessed locations.

It was considered that the use of air conditioning equipment to ventilate the property would in itself generate low frequency noise disturbance to properties in close proximity. However, the Noise Impact Assessment document submitted notes that the typical sound levels generated by a "wheeled-in" air conditioning system is highly unlikely to contribute any physical increase in the internal sound levels already identified in the report.

The site has been operating as the Silver Slipper dance studio, without the benefit of planning consent, since August. As of 29 November 2016 Environmental Health confirm no noise nuisance or other complaints have been received relating to the dance studio. The last complaint received was in July 2015 when the property was being used as a gym.

I consider the lawful use of the premises for A1 retail use has the potential for a degree of noise disturbance from customers using the shop at various times throughout the day. With regards to the proposed use as a dance studio I consider the hours of operation, together with the measures in place to prevent noise spilling over to adjoining residential occupiers is sufficient to protect the residential amenity of neighbouring occupiers and therefore accords with Policy D1 of the Thanet Local Plan and the National Planning Policy Framework.

Transportation

The lawful use for A1 retail has the potential for vehicular movements visiting the premises, with the tool hire business likely to result in vehicles needing to collect and return potentially bulky and heavy equipment. With regards to the previous unlawful use of the gym Kent Highways considered the use would be unlikely to lead to a material increase in demand for on street parking on surrounding highways. I consider the current proposed use as a dance studio, open for less hours and operating on less days, is likewise unlikely to lead to a material increase in on street parking demand.

As part of this application the applicant has submitted a parking survey which indicates on-street parking availability in the vicinity during the hours of proposed use.

The site is in a very sustainable location being close to the centre of Westgate and close to public transport links. As a tool hire business with A1 use I do not see that the number of vehicular movements to and from the site would be significantly different to the proposed use. I therefore consider there is no adverse impact on highway safety.

Conclusion

The use has not resulted in any harm to the character and appearance of the area, and it is considered that the noise arising from the use has not had any significant adverse impacts

on the living conditions of neighbouring residential occupiers and is in line with Local Plan Policy D1. As such it is recommended that subject to safeguarding conditions, restricting the hours of use and noise mitigation measures, Members approve the application.

Case Officer

Rosemary Bullivant

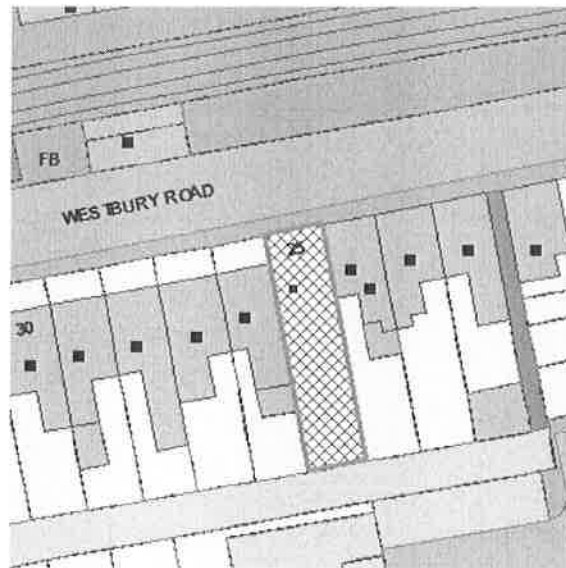
TITLE:

F/TH/16/1255

Project

25 Westbury Road Westgate On Sea Kent CT8 8QX

Scale:



A03

F/TH/16/1357

PROPOSAL: Variation of condition 2 and 5 of planning permission F/TH/14/0709 for erection of two storey dwelling to allow repositioning of dwelling, erection of a single storey porch to the front elevation, alterations to height and alterations to fenestration

LOCATION: Land Adjacent And Rear Of 74 And Rear Of 76 - 84 Northwood Road Broadstairs Kent

WARD: St Peters

AGENT: Mr Jaimie watler

APPLICANT: Mr R Doughty

RECOMMENDATION: Approve

Subject to the following conditions:

1 The development hereby permitted shall be begun before the expiration of three years from the 18th December 2014.

GROUND:

In accordance with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2 The development hereby approved shall be carried out in accordance with the submitted drawings.
numbered J001_8001.sk2, J001_200.sk2, and J001_8000.sk2 received 6 October 2016

GROUND:

To secure the proper development of the area.

3 Prior to the commencement of the development hereby approved, the applicant, or their agents or successors in title, shall secure the implementation of a programme of archaeological work, in accordance with a written scheme of investigation which has first been submitted to and approved in writing by the Local Planning Authority

GROUND:

To ensure that the archaeological history of the site is recorded in accordance with the National Planning Policy Framework.

4 If, during development, significant contamination is found or caused at the site, then this contamination shall be fully assessed and an appropriate remediation scheme agreed with the Local Planning Authority. The approved works shall be implemented within a timetable agreed by the Local Planning Authority and shall be of such a nature as to render harmless the identified contamination given the proposed end use of the site and surrounding environment, including controlled waters.

GROUND:

To ensure that the proposed development will not cause harm to human health or pollution of the environment, in accordance with DEFRA and Environment Agency document Model Procedures for the Management of Land Contamination (Contamination Report 11) and NPPF.

5 Prior to the first use of the development hereby permitted, the existing vehicular access gates shall be setback from the highway by 6m, in accordance with the approved plan numbered J001_002.sk2 received 29 September 2016, and shall thereafter be maintained.

GROUND:

In the interests of highway safety.

6 Prior to the first occupation or use of the development, the area shown on the deposited plan for the parking and manoeuvring of vehicles shall be operational prior to any part of the development hereby approved being brought back into use. The area agreed shall thereafter be maintained for that purpose.

GROUND:

in the interests of highway safety.

7 Prior to the commencement of development hereby approved, full details of both hard and soft landscape works, to include:

- species, size and location of new trees, shrubs, hedges and grassed areas to be planted
- the treatment proposed for all hard surfaced areas beyond the limits of the highway (which should be a bound, permeable surface)
- walls, fences, other means of enclosure proposed

shall be submitted to, and approved in writing by, the Local Planning Authority.

GROUND:

In the interests of the visual amenities of the area and to adequately integrate the development into the environment in accordance with Policies D1 and D2 of the Thanet Local Plan.

8 All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development, or in accordance with a programme of works to be agreed in writing with the Local Planning Authority. Any trees or plants which within a period of 5 years from the

completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size and species, unless the Local Planning Authority gives any written consent to any variation.

GROUND:

In the interests of the visual amenities of the area in accordance with Policies D1 and D2 of the Thanet Local Plan.

9 Prior to the commencement of the development hereby approved samples of the materials to be used in the construction of the external surfaces of the development hereby approved shall be submitted to, and approved in writing by, the Local Planning Authority. Development shall be carried out in accordance with the approved samples.

GROUND:

In the interests of visual amenity in accordance with Policy D1 of the Thanet Local Plan.

10 Prior to the commencement of the development hereby permitted, details of a residential sprinkler system for the dwelling hereby approved shall be submitted to and approved in writing by the local planning authority. The sprinkler system, as agreed, shall be installed and fully operational prior to the first occupation of the approved dwelling.

GROUND:

To ensure a satisfactory standard of accommodation for future occupiers, in accordance with Thanet Local Plan Policy D1.

SITE, LOCATION AND DESCRIPTION

The site is located on land that was previously in an agricultural use, and which is south of the Thanet Reach Business Park, and to the rear of nos. 76 - 84 Northwood Road. The application site forms part of a much larger area of open space, all of which has been identified within the Council's emerging Draft Local Plan.

There is an existing vehicular access into the site adjacent to no. 74 Northwood Road, which serves an existing barn and storage building, and a caravan. Trees are located around the boundary of the site. Within Northwood Road development varies between detached and semi-detached dwellings, with the dwellings adjacent to the development site mainly of chalet bungalow style design.

RELEVANT PLANNING HISTORY

F/TH/11/0297 - Change of use of land to provide storage of caravans - Refused - 10/02/12

F/TH/14/0709 - Erection of a two storey dwelling following demolition of existing barn - Granted 18/12/14

PROPOSED DEVELOPMENT

This application follows the previously approved application for the erection of a two storey dwelling reference F/TH/14/0709 and seeks to vary condition 2 and 5 of the approved application. The previous approval was for the erection of a 2-storey dwelling, with the first floor of accommodation provided within the roof space. The dwelling utilised the existing access road into the site and provided parking adjacent to the dwelling. The proposed materials included timber cladding, sheet metal cladding roof, and aluminium doors and windows.

This variation of condition application involves the repositioning of the dwelling to the North and will be orientated West, set at an angle, with its rear elevation facing East. The scale and form of the dwelling will remain largely the same, and will increase the height of the roof by approx. 0.3m together with the erection of a single storey porch to the centre of the front elevation, which will be designed with a pitched gabled roof, to measure approx. 5m in width, of a maximum height of approx. 5.3m. The application also involves alterations to the fenestration, with floor to ceiling windows set in a symmetrical pattern at the ground floor of the front elevation and casement windows to the rear, with a glazed window set within the gable of the front porch, and rooflights set in the roofslope. Finally the proposed materials will be altered to include Kent peg tiles, timber cladding, aluminium windows and a brick plinth.

RELEVANT DEVELOPMENT PLAN POLICIES

Thanet Local Plan 2006 (Saved Policies)

H1 - Housing

D1 - Design

SR5 - Doorstep Play space

TR16 - Car Parking Provision

REPRESENTATIONS

Letters were sent to the neighbouring occupiers and a site notice was posted near the site. No representations have been received.

CONSULTATIONS

None received.

ANALYSIS

The main considerations with regard to this planning application will be the consideration of the principle of development, the impact of the proposed development on the character and appearance of the area and the residential amenity of neighbouring property occupiers.

The application has been brought to planning committee as a departure to Thanet Local Plan Policy H1.

Principle

The development would represent development on non-previously developed land which would be contrary to Policy H1 of the Thanet Local Plan; however this needs to be considered having regard to the fact that there is a current need for housing in Thanet and, on this basis, the National Planning Policy Framework (NPPF) requires that applications for housing should be considered in the context of the presumption in favour of sustainable development. In this case the site lies within the urban confines within close proximity of Westwood Town Centre, and therefore has access to local amenities and public transport.

The site forms part of a larger area of open space, which was previously used as agricultural land, but which now has no defined use. The application site, along with the rest of the open space, has been identified as an allocated site for housing within the Council's emerging Draft Local Plan.

The principle of development on this site, given the above, was previously found to be acceptable. There have been no material changes to relevant policy since this decision. Therefore the principle of this development is considered to be acceptable, subject to consideration of all other material planning considerations.

Character and Appearance

The proposed repositioned dwelling will be located to the rear of existing properties, and therefore does not relate to the prevailing pattern of development in the vicinity of the site. The erection of a dwelling in this location was previously found to be acceptable, given this land has an existing access and is a proposed allocated site for housing in our draft Local Plan. Therefore with this in mind, given the dwellings fairly unique situation with regard to its location, together with the modest distance it will be repositioned, I do not consider the proposed repositioning of the dwelling to result in any harm to the character and appearance of the area.

The proposed dwelling is of a chalet bungalow design, similar to existing dwellings in Northwood Road. This proposal shall only moderately alter the scale and form of the dwelling from the previous approval and shall be a maximum height of approx. 7m with a pitched roof. This modest appearance and scale is therefore not considered to detract from the character and appearance of the area.

The proposed dwelling will be redesigned by virtue of the amended fenestration, materials and installation of the single storey porch to the centre. This will create a symmetrical appearance to the property, with the gabled porch relating well to the pitched roof character of the dwelling. The proposed materials have been altered, however will still incorporate a palate of high quality materials such as Kent Peg tiles, timber cladding and aluminium windows. Therefore I do not consider the proposed alterations to result in harm to the visual amenity of the area, in accordance with Policy D1 of the Thanet local Plan and the National Planning Policy Framework.

Living Conditions

The proposed dwelling has only slightly increased in scale by virtue of the modest increase in height and single storey porch to the front elevation and will retain significant separation distance to any adjacent neighbours. Therefore the amended dwelling will not result in any harm with regard to a loss of light, outlook or sense of enclosure to the living conditions of neighbouring property occupiers.

The proposed repositioned dwelling rear elevation will be angled West and there windows which will angle towards the rear elevations of dwellings which front Northwood Road. These windows are primarily located at ground floor level, with some rooflights located at first floor level which by virtue of their angled nature and position in the roofslope reduce the potential for overlooking. Furthermore the proposed windows will have a minimum of approx. 37m separation distance to the rear of neighbouring development, which significantly exceeds the 21m guidance distance which has historically been used to assess impacts of overlooking. Therefore I do not consider the amended dwelling to result in harmful impacts of overlooking, in accordance with Policy D1 of the Thanet Local Plan and the National Planning Policy Framework.

RECOMMENDATION

The principle of development has previously been considered to be acceptable, and the impact upon the character and appearance of the area and neighbouring property occupiers living conditions are also considered to be acceptable and in accordance with Policy D1 of the Thanet Local Plan and guidelines contained within the National Planning Policy Framework. It is therefore recommended that members approve the application.

Case Officer

Jenny Suttle

TITLE:

F/TH/16/1357

Project

Land Adjacent And Rear Of 74 And Rear Of 76 - 84 Northwood Road
Broadstairs Kent

Scale:



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5 Prior to the commencement of the development hereby approved samples of the materials to be used in the construction of the external surfaces of the development hereby approved shall be submitted to, and approved in writing by, the Local Planning Authority. Development shall be carried out in accordance with the approved samples.

GROUND:

In the interests of visual amenity in accordance with Policy D1 of the Thanet Local Plan

6 No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written specification and timetable which has been submitted to and approved by the Local Planning Authority.

Ground:

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

7 The building(s) hereby approved shall be so constructed as to provide a minimum sound attenuation of not less than 20db average over the frequency range 100 to 3150Hz against the external noise from aircraft to which they are likely to be exposed.

GROUND:

To protect the residential amenities of the future occupiers of the development, in accordance with Thanet Local Plan Policies EP7 and EP8.

8 Prior to the commencement of development hereby approved, full details of both hard and soft landscape works, to include:

- o species, size and location of new trees, shrubs, hedges and grassed areas to be planted
- o the treatment proposed for all hard surfaced areas beyond the limits of the highway
- o walls, fences, other means of enclosure proposed

shall be submitted to, and approved in writing by, the Local Planning Authority.

GROUND:

In the interests of the visual amenities of the area and to adequately integrate the development into the environment in accordance with Policies D1 and D2 of the Thanet Local Plan

9 The soft landscaping to be provided in pursuant of condition 8 above shall include the planting of a hedgerow along the west, south and eastern boundaries of the site, where it does not interfere with the required visibility splays.

GROUND:

In the interests of the visual amenities of the area and to adequately integrate the development into the environment in accordance with Policies D1 and D2 of the Thanet Local Plan.

SITE, LOCATION AND DESCRIPTION

The application site is the side garden of 40 Canterbury Road West. The site lies outside of the village confines, with existing residential development to the west of the site (in the form of 8no. detached and semi-detached one and two-storey dwellings), and a further area of vacant land to the east of the site which has recently been granted permission for the erection of 4no. two storey dwellings. Opposite the site is Jentex, and to the south of the site is agricultural land.

RELEVANT PLANNING HISTORY

F/TH/94/0390 - Use of land as additional garden area together with the erection of a front canopy to existing dwelling. Granted 20/09/1994.

OL/TH/02/0546 - Erection of a detached dwelling (Outline Application). Refused on the 31/07/2002 for the following reasons:

- o The proposed development, if permitted, would result in the undesirable spread of urban related ribbon development outside the confines of the existing built up area of Cliffsend, and into the surrounding open countryside and would prove severely detrimental to the character and visual amenities of the locality, and contrary to Kent Structure Plan Policy RS1, which seeks to preserve and enhance the character, amenity and functioning of the countryside.
- o The application site lies outside the confines of an existing village and the proposed use would be unrelated to local need, without agricultural or other rural justification, and thereby contrary to Policies RS1 and RS5 of the Kent Structure Plan, and Policy R1 of the Isle of Thanet Local Plan.
- o The erection of a dwelling in this location would create an unacceptable precedent for further development of this nature outside the build confines of rural towns and villages, contrary to Policy RS1 of the Kent Structure Plan and Local Plan Policy R1.
- o The proposed development would result in the creation of an unacceptable access onto Canterbury Road West contrary to Kent Structure Plan Policy T19.
- o The proposed development would, if permitted, be detrimental to the maintenance of long views over the Wantsum Channel Area of High Landscape Value from this location, contrary to the provisions of Policy CL4 of the Isle of Thanet Local Plan.

An appeal was raised for this application and dismissed by the inspector.

PROPOSED DEVELOPMENT

The proposal is for the erection of 1no. 2-storey 3-bed detached dwelling, fronting onto Canterbury Road West. The dwelling is provided with 2no. car parking spaces to the front, and a garden to the rear.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan Policies (2006)

CC1 - Impact on Countryside
CC2 - Landscape Character Area
H1 - Housing
D1 - Design
D2 - Landscaping
TR12 - Cycle Parking
TR16 - Parking Provision
SR5 - Play Provision
HE11 - Archaeological Assessment
HE12 - Archaeological Sites and Preservation
EP7 - Aircraft Noise
EP8 - Aircraft Noise and Residential

NOTIFICATIONS

Letters were sent to the neighbouring property occupiers and a site notice was posted close to the site. No responses have been received.

CONSULTATIONS

Cliffsend Parish Council -

- o The site appears to be located within the garden next to a house that has recently changed hands.
- o Looking at the diagrams it shows 3 bedrooms whereas the planning application indicates only 2.
- o The planning application indicates parking for 2 cars, however the site plan layout shows they have included a garage, however no elevation or aspect drawings are provided for the garage.
- o Using google earth the site appears to be heavily overgrown by trees and hedges.
- o The chalet style and layout are not in keeping with the adjacent houses and bungalows.
- o The brickwork and wood cladding appears very brash.
- o The site is directly opposite an old entrance to the Jentex site.

Southern Water - Southern water requires a formal application for a connection to be made by the applicant or the developer.

COMMENTS

This application is brought before members as a departure to Thanet Local Plan Policy H1.

Principle

Housing Need

The application site is located on the edge of Cliffsend on non-previously developed land outside of the village confines. Policy H1 of the Thanet Local Plan requires that residential development on non-allocated sites will be permitted only on previously developed land within existing built-up confines unless specifically permitted by other local plan policies, however this policy no longer accords with the requirements of the National Planning Policy Framework, as the Council no longer has a 5 year supply of housing land, and as such this policy has little weight at this time.

Policy CC1 of the Thanet Local Plan states that new development will not be permitted unless there is a need for the development that overrides the need to protect the countryside.

The 2002 outline application was refused due to the location of the site being outside of the village confines and there being no local need for housing. There is a current need for housing within Thanet, which is being reviewed through the Local Plan process and the NPPF states in para 49 that housing applications should be considered in the context of the presumption in favour of sustainable development. As such there is the potential for the previous reasons for refusal relating to the principle of development to be overcome. In determining whether housing on the site would be acceptable, the need for housing in the district will therefore need to be balanced against other issues such as the impact on the countryside, sustainability of the site, character and appearance of the proposed development, and highway safety.

Strategic Housing Allocations at Cliffsend

The Draft Local Plan Preferred Options Document has recently been out to public consultation. The document includes a number of sites that have been allocated for housing development in order to address the current housing need. These include three agricultural sites to the west of the village, and an employment site to the north of the village. The site the subject of this planning application falls adjacent to one of the allocated sites.

Sustainability

The site is located outside of the rural settlement confines, and Cliffsend is a village that offers very few community facilities and services, so there is some concern regarding the sustainability of the proposed development. However, given the overall housing requirement for the district, there is a need for some of the housing provision to be made in and around the villages; and Cliffsend has been highlighted as a village that could accommodate additional housing provision, especially where associated development is provided with the housing that improves existing facilities and services within the village. This application is only for one dwelling and therefore no contribution towards village services or facilities is proposed for this particular application; however, the NPPF requires that in order to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. This site lies opposite Jentex, which has recently

been granted planning permission for residential development with a village community hall, and a potential shop. Residential development directly opposite would therefore help to support these facilities, thereby contributing to the sustainability of the development. Furthermore, the adjacent surrounding site to south of the site has been allocated for residential development within the Emerging Draft Local Plan, and have therefore been considered through the Strategic Housing Land Availability Assessment to be one of the most suitable sites for allocation within the village. This site has not been allocated because the site was not submitted for consideration, but in terms of its location, it is no less sustainable than the allocated site. The site adjacent to the application site has recently been granted planning permission for the erection of 4No. detached dwellings.

Impact on Character and Appearance of Countryside and Surrounding Area

The site falls outside of the urban confines and within a Landscape Character area. Policies CC1 and CC2 of the Thanet Local Plan look to protect the open landscape, and the wide, long views of the former Wantsum Channel area and Pegwell Bay. The application site is prominently located fronting Canterbury Road West, in a gap that currently provides views through to the former Wantsum Channel area and Pegwell Bay.

The site is the side garden of number 40 Canterbury Road West which has some hard surfacing and soft landscaping around the edge of the site. Whilst the site is located outside of the village confines, it consists of an infill site between an extant permission for four dwellings and 8no. existing dwellings to the west of the village that front Canterbury Road West. The site is also located opposite Jentex, an employment site, that has been allocated for residential development within the Emerging Draft Local Plan, and which has recently been granted planning permission for residential development. The area to the south of the site has also been allocated through the Emerging Draft Local Plan, which if developed would result in only this small area of open space remaining between the built pattern of development. Whilst this area would offer a small break in development along Canterbury Road West these views are mainly transient and there are only 8no. dwellings west of the site until open countryside is reached, therefore a break in development is not considered to be essential in this location given its proximity to the open countryside. Furthermore, whilst the site as existing may offer some long views of Pegwell Bay and the Wantsum Channel area, the Landscape and Visual Impact Assessment has concluded that the site makes no significant contribution to the landscape views due to the limited size of the site and the few publicly accessible locations that views through the site are possible, which is accepted. The site itself is the side garden of an existing dwelling and of poor visual quality and a condition has been agreed with the applicant to plant a hedgerow around the site on the south, east and west boundaries to help integrate the site into the local environment. As such, it is not considered that the site has intrinsically beneficial qualities or contributes to the character of the area, and as such the loss of this space is considered to be acceptable.

The proposed two storey dwelling has a gabled end facing the road with a small front porch, similar in appearance to number 42 Canterbury Road West. The dwelling is set back from the road in line with the neighbouring property number 40 and the approved dwellings to the east. A street scene plan has been submitted showing the proposed development and its relationship with the existing and approved dwellings. The proposed dwelling is of a good quality design, with interesting front elevations that incorporate gable features, varied

fenestration and materials. The red brick is in keeping with the materials present on the 8no. dwellings west of the site and the cladding is characteristic of a rural location and is also present on the approved residential development opposite the site.

Given the varying design of the neighbouring properties and the location of the dwelling in a side garden, between existing dwellings and a site with extant permission for four dwellings, it is considered that will be no significant impact upon the character and appearance of the area or the wider landscape character area.

Living Conditions

The proposed dwelling will measure approx. 9.1m wide, 16.2m deep, 3.5m to the eaves and 7.5m in total height.

There is a separation distance of approx. 2m to number 40 and 8.5m to the approved dwellings on the adjacent land to the east.

Three windows and one door are proposed in the western elevation. Two rooflights will be located in the first floor and will have a cill height of approx. 2.4m above the internal floor level. In the ground floor the window will serve a bathroom and the door will serve a utility room.

On the eastern elevation there are four rooflights in the first floor with a cill height of approx. 1.7m and one window in the ground floor which is a secondary window for the lounge.

There are two windows in the first floor side elevation of number 40 however these appear to serve non-habitable rooms. There are 5 windows in the side elevation of the approved dwelling to the east however these are all secondary windows or non-habitable rooms.

At the rear the proposed balcony will have a 1.8m high privacy screen on the western elevation to prevent any direct overlooking of the neighbouring private amenity space. There are no properties to the rear and there is a separation distance of approx. 22m to the rear elevation of the approved property to the east.

The impact upon the neighbouring living conditions is therefore considered to be acceptable.

Airport Noise

The site lies close to Manston Airport, and whilst not currently operation, it is still considered appropriate to safeguard future occupiers of the development should the operation of the airport re-commence. As such, it is appropriate to consider the likely impacts that aircraft noise would have on the proposed dwellings. The site is within the 63-72dba contour. In this location Thanet Local Plan Policy EP7 states that planning permission will not be granted unless the site lies within the confines of a substantially built-up area, and that conditions can be imposed to ensure an adequate level of protection against noise. The site lies on the edge of Cliffsend Village, outside of the confines; however, there is currently a need for housing. It is therefore considered that this site could be considered as an exception subject to conditions that would ensure an adequate level of protection against noise.

Therefore a condition proposing minimum sound attenuation of not less than 20db average over the frequency range 100 to 3150 Hz against the external noise from aircraft is considered to be appropriate mitigation to enable compliance with Policy EP7 of the Thanet Local Plan.

Highway Safety

The proposed dwelling is provided with 2no. off-street car parking spaces to the front of the dwelling, with turning space to allow vehicles to exit the site in a forward gear. There are no longer concerns regarding the provision of an additional access onto Canterbury Road West, following the declassification of the road and the reduced speed limit. Visibility splays would be maintained by condition.

Conclusion

The application site is located outside of the rural settlement confines, and on non-previously developed land. The proposal is therefore contrary to Thanet Local Plan Policy H1. In addition, Cliffsend is a village offering few facilities, and so there are some concerns regarding the sustainability of the development in this location, and the loss of this private open space upon the character and appearance of the area. In addition an outline application for a single dwelling was previously refused on the site in 2002.

However, there is a current housing need within Thanet, including Cliffsend, and the site fronts a main road, is within walking distance of a bus stop and forms an infill between existing residential development, an allocated housing site within the Emerging Draft Local Plan and a recently approved housing development for 4No. dwellings. This is a single dwelling that is of a design, layout and scale that is considered to be in keeping with the existing pattern of development in the area, and which is not considered to result in any significant or demonstrable harm to either the visual amenities of the immediate area, or longer views of the Landscape Character Area. In addition, the impact upon highway safety is considered to be acceptable subject to a safeguarding condition requiring visibility splays, and given the design of the property, there is considered to be no significant impact upon neighbouring living conditions. It is therefore considered that, on balance, the erection of one dwelling, in this location would not have a significant impact upon the countryside, and forms sustainable development in accordance with Policy CC1 of the Thanet Local Plan and the requirements of the National Planning Policy Framework. It is therefore recommended that members approve the application.

Case Officer

Duncan Fitt

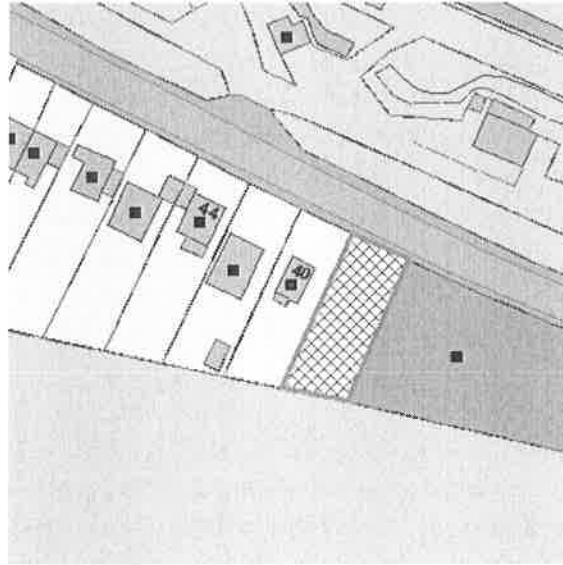
TITLE:

F/TH/16/1354

Project

40 Canterbury Road West RAMSGATE Kent CT12 5DU

Scale:



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A05

FH/TH/16/1253

PROPOSAL: Erection of single storey extension to rear and alterations to wood store to provide additional accommodation, together with alterations to fenestration to front and rear elevations

LOCATION: Updown Mews 274 Ramsgate Road MARGATE Kent CT9 4DT

WARD: Salmestone

AGENT: Ms Gemma Wheeler

APPLICANT: Mr & Mrs Riche & Fleur Shaddick

RECOMMENDATION: Approve

Subject to the following conditions:

1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

GROUND:

In accordance with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Purchase Act 2004).

2 The development hereby approved shall be carried out in accordance with the submitted drawings numbered P-002, P-101, P-102, P-103, P-201, P-301, P-302, received 9 September 2016.

GROUND:

To secure the proper development of the area.

3 The external materials and external finishes to be used in the extension hereby approved shall be of the same colour, finish and texture as those on the existing property.

GROUND:

In the interests of visual amenity in accordance with Policy D1 of the Thanet Local Plan.

SITE, LOCATION AND DESCRIPTION

The site lies outside of the urban confines within an area designated as countryside, a Landscape Character Area and Green Wedge, as contained within the Thanet Local Plan.

Updown Mews is a former coach house situated within a group of properties including Updown House, Updown Grange and Updown Farm House. Updown Mews is located

towards the rear of this group of properties away from the main highway. A public footpath runs alongside the site between Ramsgate Road and St Peter's Road and the site is fairly well screened from the footpath by mature trees. Updown Mews is not immediately visible from the public highway due to it being sited a fair distance from the main highway, being enclosed by a substantial brick wall and established mature trees.

RELEVANT PLANNING HISTORY

There is no planning history on this site.

PROPOSED DEVELOPMENT

This application relates to alterations to a dwelling house including the erection of a single storey extension to the rear and alterations to an existing wood store to provide additional accommodation, together with alterations to fenestration to front and rear elevations. The extension is to provide a WC, a small store, an art room and a dark room for photography work. The use of the extension, as described, is for purposes incidental to the enjoyment of the main dwelling.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan (2006)

D1 - Design Principles

CC1 - Development in the Countryside

CC2 - Landscape Character Area

CC5 - Green Wedge

The property lies outside the identified urban confines and is situated within the countryside (Policy CC1) the Central Chalk Plateau Landscape Character Area (Policy CC2) and the Green Wedge (Policy CC5).

The Adopted Local Plan 2006 notes open countryside in Thanet is particularly vulnerable to landscape damage from development, because of its limited extent, the openness and flatness of the rural landscape, and the proximity of the towns. Isolated rural development therefore has the potential to be much more conspicuous in rural Thanet than in other parts of the County. Development within the countryside will not be permitted unless there is a need for the development that overrides the need to protect the countryside (Policy CC1).

Planning Policy CC2 relates to the Landscape Character Areas and this site lies within the Central Chalk Plateau where the policy states particular care should be taken to avoid skyline intrusion and the loss or interruption of long views of the coast and the sea. Special justification will be required for development in these areas. The policy also recognises that there may be other development needs that require sympathetic consideration and these will be considered in the light of their landscape impact.

The Green Wedge policy (Policy CC5) states "New development that is permitted by virtue of this policy should make a positive contribution to the area in terms of siting, design, scale and use of materials."

The primary purpose of Green Wedges is to prevent coalescence between towns. The Policy goes on to say the Green Wedges serve as a barrier to the further outward growth and coalescence of Thanet's urban areas, so that the separate physical identities of the towns are retained. "The space, openness and separation is largely gained from roads and footpaths that run through or alongside the Wedges in undeveloped frontages."

The National Planning Policy Framework (NPPF) states that planning decisions should aim to ensure that developments will function well and add to overall quality of area; establish a strong sense of place; respond to local character and history; reflect the identity of local surroundings and materials and are visually attractive as a result of good architecture and appropriate landscaping.

NOTIFICATIONS

Neighbours have been notified and a site notice posted. No representations have been received.

CONSULTATIONS

The Council's Arboricultural Officer notes that the three trees close to the location of the proposed rear extension, within the public right of way, are self-seeded sycamores with multi stems and these would not be worthy of a tree preservation order.

COMMENTS

This application is brought before the Planning Committee as the proposal represents a departure from the Local Plan by virtue of the extension to the rear representing development within the Green Wedge (Policy CC5).

The main issues raised by this proposal are the effect of the proposals upon the character and appearance of the surrounding area; including impact on the green wedge, the landscape character area and impact on the countryside and the impact on the living conditions of nearby residential properties; whether there is a need for the development that overrides the need to protect the countryside and the green wedge.

Principle

The application site lies within an area designated as countryside as defined by the Thanet Local Plan. Policy CC1, states that within the countryside new development will not be permitted unless there is a need for the development that overrides the need to protect the countryside.

The rear extension element of the proposal is considered to be a departure from the local plan as it does not comply with the aims of Policy CC5 as it results in the extension of an

isolated group of houses within the green wedge, and other than the personal needs of the applicant, it is not essential for the proposed development to be located within the green wedge.

Character and Appearance

Updown Mews is a former coach house situated within a group of properties including Updown House, Updown Grange and Updown Farm House. Updown Mews is located towards the rear of this group of properties away from the main highways. A public footpath runs alongside the site between Ramsgate Road and St Peter's Road and the site is fairly well screened from the footpath by mature trees. The larger farm buildings and the roof top of a dwelling are visible across the fields from the public highway, however Updown Mews is not immediately visible from the public highway due to it being sited a fair distance from the main highway, and enclosed by a substantial brick wall and established mature trees.

Updown Mews has distinctive arches along the southern elevation which have been infilled with blockwork and windows. There are a variety of window shapes, which have been finished with render and exposed brickwork. It is proposed to remove the infill and existing windows and replace with full length crittall windows. The window design has referenced other Georgian coach houses and the large sash windows in Northdown House, which the applicant state is of a similar period to Updown Mews. The large windows would have a striking appearance which would emphasise the original architectural features of the large arched spaces. The opening up of these arches would allow natural sunlight into the interior living space. The applicant suggests highlighting these original features would highlight the building's original use as a working coach house rather than a domestic building. This window treatment is to be mirrored on the rear (northern) elevation which overlooks the private garden area of Updown Mews.

With regards to the exterior finishes the existing concrete render is to be stripped to expose the original brickwork, all door and window openings are to be filled with brickwork to match the existing brickwork, the roofs are to be finished with slates to match the existing and new cast iron rainwater goods are to be used throughout.

I consider the previous works to the building has resulted in an assortment of windows that do very little to enhance the appearance of the building and the proposal to create new arched glazed openings will remove much of the previous poor alterations and give the building a striking appearance.

The proposal also intends to incorporate the existing adjacent woodstore into the main dwelling. It is proposed to add a new rooflight to the front elevation and restore the original window. The woodstore is shown linked into the main dwelling through two opening made in the internal wall.

A new extension is proposed to the north of the woodstore to the rear of the site and is adjacent the public footpath from where glimpses of the roof of the structure would be possible. The extension has materials in keeping with the main dwelling and is the same height as the woodstore (2.1 metres to eaves and 4 metres to ridge) and projects approximately 7 metres from the store and extends across its width and tapers to 4 metres

at its furthest point. The extension is to be built with brick and flint and incorporates a covered walkway supported by timber columns.

The site falls within an existing residential garden, and is enclosed by a substantial boundary wall. I therefore consider the proposal would not result in the loss of openness of the rural landscape or result in skyline intrusion and would not result in the loss or interruption of long views of the coast and the sea and therefore accords with Policies CC1 and CC2.

The proposed extension is considered to be a departure from the local plan as it does not comply with the first three aims of Policy CC5, however due to the site's discrete location and the relatively small size and scale of the extension, sited within the confines of the curtilage of the dwelling, enclosed by a substantial boundary wall it would not be easily visible from views within the green wedge and as such the proposal is not considered to be detrimental to the aims of the policy.

The extension would provide additional built form within the green wedge but this development is attached to an existing building. The primary purpose of the green wedge is to prevent coalescence and in turn allow extensive and uninterrupted views across open countryside but it is not considered the purpose of the green wedge would be diminished in this instance, due to the size and scale of the extension. As such, whilst not essential development, I consider this would be an acceptable departure from the policy as it will not be detrimental to the aims of the policy, or detract from the character and appearance of the area.

I consider the siting and design and proposed use of materials would be in keeping with the main dwelling and the development is unlikely to have an adverse impact on the character and appearance of the area and therefore accords with Thanet Local Plan policy D1 and the NPPF.

Living Conditions

Updown Mews is situated within the cluster of buildings and these have a fair degree of separation between them. The only structure close to the site is the single storey garage to the east which is not within the ownership of the applicant and does not appear to be in residential occupation.

The large windows on the front elevation replace existing windows and overlook the parking area where there is existing mutual overlooking. Given the scale of proposed development and distance of the site from neighbouring residential occupiers I consider the proposed development is unlikely to result in an unacceptable impact on the living conditions of neighbouring property occupiers, through overlooking or loss of privacy, and accords with Policy D1 of the Thanet Local Plan and the National Planning Policy Framework.

Highway Safety

Parking is provided within the site and will not be affected by the proposed works.

Trees

The mature tree close to the woodstore is unlikely to be affected by the alterations proposed as the works include the addition of a new rooflight and the addition of the roof from the rear extension; it does not entail raising the height of the original woodstore.

The tree annotated in the location of the proposed rear extension has been removed for some time and was not a protected tree.

The public right of way track adjacent to the site is covered by a blanket Tree Preservation Order (M/TPO/3(1952)G71). There are three trees close to the location of the proposed rear extension, within the public right of way, and these are self-seeded sycamores with multi stems. The Council's Arboricultural Officer confirms that these would not be worthy of a tree preservation order. It is also considered that no special conditions need be added with regards to hand digging of foundations for the extension.

Conclusion

The alterations to Updown Mews are not in themselves contrary to policy and accord with local plan policy. The extension to the rear is contrary to the Green Wedge policy as it is development within the green wedge, however, it would not create built form within the open countryside that would interrupt views across it and therefore the purpose of the green wedge would not be diminished in this instance and I consider this would be an acceptable departure from the policy as the aims of the policy would not be harmed. It is therefore recommended that members approve the application.

Case Officer

Rosemary Bullivant

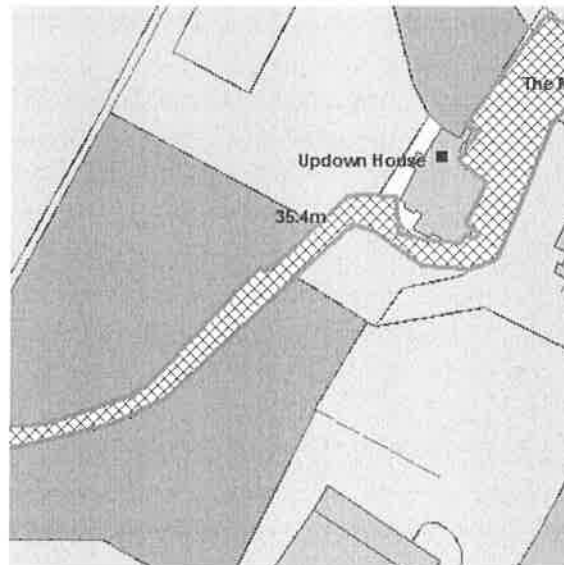
TITLE:

FH/TH/16/1253

Project

Updown Mews 274 Ramsgate Road MARGATE Kent CT9 4DT

Scale:



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A06

F/TH/16/1328

PROPOSAL: Variation of condition 2 and 4 of planning permission F/TH/14/0244 for erection of two semi-detached two storey dwellings and one detached bungalow, together with

LOCATION: associated car parking, following the demolition of existing garages to allow alterations to fenestration and layout and increase in size of dwellings

Garage Block Prince Andrew Road BROADSTAIRS Kent CT10 3HD

WARD: Beacon Road

AGENT: Mr Adrian Baker

APPLICANT: Ms Annette Claudel

RECOMMENDATION: Approve

Subject to the following conditions:

- 1 The development hereby permitted shall be begun before the 23 June 2017.

GROUND:

In accordance with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Purchase Act 2004).

- 2 The proposed development shall be carried out in accordance with the submitted application as amended by the revised drawings numbered 02 bungalow Rev B received 03 October 2016, 01 house Rev C and 03 site plan Rev D received 04 October 2016.

GROUND:

To secure the proper development of the area.

- 3 The area shown on drawing number 03 site plan, received 04 October 2016, for the parking and manoeuvring of vehicles shall be operational prior to any part of the development hereby approved being brought into use. The area agreed shall thereafter be maintained for that purpose.

GROUND:

In the interests of highway safety.

4 Secure cycle storage facility as confirmed in the details submitted 10 November 2016 shall be provided prior to the first occupation of any of the units and thereafter maintained.

GROUND:

In the interests of promoting increased cycling in accordance with policy TR12 of the Thanet Local Plan

5 The driveways hereby permitted shall be constructed from Marshalls Tegula Permeable block paving as confirmed in correspondence dated 10 November 2016.

GROUND:

In the interest of highway safety.

6 The proposed development shall be constructed with Reigate Purple Multi Bricks and Redland 49 Granular Brown roof tiles, in accordance with the approved samples agreed 10 November 2016, and Sand Cement Render colour Oatmeal.

GROUND:

In the interests of visual amenity in accordance with Policy D1 of the Thanet Local Plan.

INFORMATIVES

A formal application for connection to the public sewerage system is required in order to service this development. Please contact Southern Water, Southern House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk

It is the responsibility of the applicant to ensure, before the development hereby approved is commenced, that all necessary highway approvals and consents where required are obtained and that the limits of highway boundary are clearly established in order to avoid any enforcement action being taken by the Highway Authority. The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under such legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.

SITE, LOCATION AND DESCRIPTION

The site is within a wholly residential area. The area has a degree of uniformity, with a character of spacious two storey dwellings which are a mixture of semi-detached and terraced. Dwellings in the area are typically set back from the road with large front gardens. The buildings are typically constructed of brick work to their ground floors with either painted render or hanging tiles to their first floors, under concrete tile roofs.

RELEVANT PLANNING HISTORY

OL/TH/09/0706 - Outline application for the erection of 4 dwellings following demolition of existing garages with all matters reserved - Granted 29/10/2009.

F/TH/14/0244 - Erection of two semi-detached two storey dwellings and one detached bungalow, together with associated car parking, following the demolition of existing garages.
- Granted 23/06/2014. This permission is still extant.

PROPOSED DEVELOPMENT

The approved 2014 application is for the erection of a pair of semi-detached two storey dwellings, each providing three bedrooms, and a detached bungalow, which would provide two bedrooms. Each dwelling would be provided with car parking for two vehicles together with manoeuvring areas. The buildings would be constructed of brick, with some weatherboarding, under concrete tile roofs.

This application is for the variation of condition 2 of planning application F/TH/14/0244 is sought to alter the fenestration, layout and size of the approved dwellings.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan 2006

H1 - New Residential Development
H4 - Windfall Sites
TR12 - Cycling
TR16 - Car Parking Provision
D1 - Design Principles
D2 - Landscaping
SR5 - Doorstep Play Space

NOTIFICATIONS

Letters were sent to neighbouring property occupiers and a site notice was posted close to the site. No responses have been received.

CONSULTATIONS

Southern Water - No objections to the variation of condition 2. The comments in our previous response dated 27/05/2014 remain unchanged and valid.

Broadstairs and St Peter's Town Council - No comments received.

COMMENTS

This application is reported to Planning Committee as the applicant is Thanet District Council.

Principle

Thanet Local Plan policy H1, states that on non-allocated sites, such as is the subject of this application, residential development will only be permitted on previously developed land within the built up confines.

The land is occupied by numerous garage buildings and associated hard standings. I am therefore satisfied that the land is previously developed. The site also lies within the built-up confines of Broadstairs, as shown on the Local Plan Proposals Map. The principle of the proposal is therefore acceptable.

Planning permission was granted in 2014 for the erection of two semi-detached dwellings and one detached bungalow with associated car parking, following the demolition of existing garages. This application is for the variation of condition 2 and seeks to alter the size, fenestration and layout of the approved development.

Character and Appearance

The proposed variation of condition 2 will reduce the depth of the two semi-detached dwellings by approx. 0.5m and increase the overall width of the pair by approx. 1.2m. The width of the bungalow will be increased by approx. 0.4m.

The fenestration will be altered on the two semi-detached houses from brick and cladding to brick and render and porch canopies will be erected over the front doors. The cladding will be removed from the bungalow and replaced with brick to match the remainder of the property. Properties in the immediate street scene are constructed from a variety of brick, render and tiles, therefore this change in fenestration will give the dwellings a similar appearance to the surrounding development.

Given the use of materials already present in the street scene and the modest change in size of the development it is considered that there will be no significant impact upon the character and appearance of the area in line with policy D1 of the Thanet Local Plan and the National Planning Policy Framework.

Living Conditions

The proposed changes to the dwellings set out above, would lead to a separation distance of approx. 6.1m to the rear boundary, 3.4m to the western boundary and 3.3m to the eastern boundary of the site. The increased width of the bungalow leaves a separation distance of approx. 3.1m to the rear boundary, 4.4m to the western boundary and 0.9m to the eastern boundary.

Internally the layout of the semi-detached dwellings has been adjusted to allow for the introduction of an entrance hallway. Whilst the layout of the detached bungalow has been amended to remove the second bathroom and increase the size of the lounge/kitchen.

The layout of the windows and doors have also been altered to reflect these internal changes. The windows in the side elevations of the semi-detached dwellings have been

removed. On the front elevation the floor length window to the side of the front door has been removed and the size of the remaining front window has been increased. At the rear the single door has been changed to double doors. The front door of the bungalow has been moved from the south west elevation to the north-west elevation and the windows in the south-west elevation have been removed.

Given the modest change in scale of the development, the alteration of the windows and the internal layout it is considered that there will be no significant impact upon the occupiers or the neighbours living conditions.

Highway Safety

The proposed variation does not result in any changes to the access and there is still space for two off-street parking spaces for each property, therefore, it is considered that there will be no change in highway safety.

Conclusion

The 2014 application for the erection of two semi-detached dwellings and one detached bungalow together with associated car parking, is an extant and can therefore still be implemented. It is considered that the modest changes to the scale and layout of the approved dwellings and the use materials that are similar to the surrounding development, will have no significant impact upon the character and appearance of the area, or the living conditions of any neighbours or future occupiers, it is therefore recommended that this variation of conditions is approved.

Case Officer

Duncan Fitt

TITLE:

F/TH/16/1328

Project

Garage Block Prince Andrew Road BROADSTAIRS Kent CT10 3HD

Scale:



A07

F/TH/16/1327

PROPOSAL: Variation of condition 2 and 4 of planning permission
F/TH/14/0091 for the erection of 2No. two storey semi detached
LOCATION: dwellings following demolition of existing garage block to allow
alterations to site layout, elevations and fenestration

Garages Adjacent 34 Prince Andrew Road BROADSTAIRS
Kent

WARD: Beacon Road

AGENT: Mr Adrian Baker

APPLICANT: Ms Annette Claudel

RECOMMENDATION: Approve

Subject to the following conditions:

- 1 The development hereby permitted shall be begun before the 24th March 2017.

GROUND:

In accordance with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

- 2 The proposed development shall be carried out in accordance with the submitted application as amended by the revised drawing numbered TDC-2817-AB-ZZ-LP-A-8001 Rev P03 received 24 November 2016 and the submitted plans numbered 3 Rev B and 2 Rev C received 3rd October 2016.

GROUND:

To secure the proper development of the area.

- 3 The development hereby approved shall be constructed of Dorset Multi Red Bricks and Redland 49 Granular Brown Tiles in accordance with the approved samples received 10 November 2016, and Sand Cement Render colour Oatmeal.

GROUND:

In the interests of visual amenity in accordance with Policy D1 of the Thanet Local Plan.

- 4 Prior to the first occupation or use of the development, the area shown on drawing number TDC-2817-AB-ZZ-LP-A-8001 Rev P03 received 24 November 2016 for the parking and manoeuvring of vehicles shall be operational prior to any part of the development hereby approved being brought into use. The area agreed shall thereafter be maintained for that purpose.

GROUND:

In the interest of highway safety.

5 The area for the loading and unloading of vehicles, vehicle turning facilities and parking facilities for site personnel and visitors to be used during the construction of the development hereby approved shall be carried out in accordance with the approved details in drawing number 2817C -10 Rev 1 received 7th November 2016.

GROUND:

In the interest of highway safety.

6 All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development, or in accordance with a programme of works to be agreed in writing with the Local Planning Authority. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size and species, unless the Local Planning Authority gives any written consent to any variation.

GROUND:

In the interests of the visual amenities of the area in accordance with Policies D1 and D2 of the Thanet Local Plan

INFORMATIVES

A formal application for connection to the public sewerage system is required in order to service this development. Please contact Southern Water, Southern House, Sparrowgrove, Ottebourne, Hampshire, SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk

SITE, LOCATION AND DESCRIPTION

The site is within a wholly residential area. The area has a strong degree of uniformity, with a character of spacious two storey dwellings which are a mixture of semi-detached and terraced houses. The dwellings are set back from the road with large front gardens. The buildings are typically constructed of brick work to their ground floor with either painted render or hanging tiles to their first floors, set under a concrete tiled roof.

RELEVANT PLANNING HISTORY

F/TH/14/0244 - Erection of two semi-detached two storey dwellings and one detached bungalow, together with associated car parking - Granted 23/06/2014

F/TH/14/0091 - Erection of 2No. two storey semi-detached dwellings following demolition of existing garage block - Granted 24/03/2014. This permission is still extant.

OL/TH/09/0706 - Outline application for the erection of 4 dwellings following demolition of existing garages with all matters reserved - Granted 29/10/2009

PROPOSED DEVELOPMENT

This application follows the previously approved application for the erection of 2No. semi-detached dwellings following demolition of the existing garage block reference F/TH/14/0091 and seeks to vary condition 2 of the approved application to allow alterations to the site layout and changes to fenestration.

The previous approval was for the erection of a pair of semi-detached two storey dwellings, each providing three bedrooms. The dwellings would be of similar scale and layout as the existing pairs of semi-detached dwellings to the north east. Each dwelling would be provided with car parking for two vehicles together with manoeuvring areas to the front of the each property. The dwellings would be finished in brick work and render, under a concrete tile roof.

The application has been amended and the proposed layout will reconfigure the parking and front garden area approved through the original consent. The amended layout will include 3no. parking spaces to the West of the site, and 1no. parking space to the East, with small lawn front gardens to the front elevations of the 2No. dwellings. Permeable paving is proposed to the sides of the approved dwellings and a small element of the rear gardens.

The proposed alterations to the elevations and fenestration will reduce in size the bathroom window to the front elevation, introduce a small lean to roof canopy above the front door and alter the colour of the render to the first floor to oatmeal. The first floor side elevation windows have been removed, and the rear elevation windows will be uniform in size and design, together with the introduction of double doors to the ground floor rear elevation.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan 2006 (Saved Policies)

D1 - Design Principles

NOTIFICATIONS

Letters were sent to neighbouring property occupiers and a site notice was posted near the site. One letter of objection has been received. The objection raises the following concerns:

- Overdevelopment at the end of gardens.
- Loss of unobstructed views and space will reduce the value and enjoyment of houses.

CONSULTATIONS

None received.

COMMENTS

This application is brought to Planning Committee, as Thanet District Council is the applicant. The main consideration with regard to this application will be the impact of the proposed development on the character and appearance of the area and the residential amenity of neighbouring property occupiers.

Principle

The principle of development was assessed under the previous consent reference F/TH/14/0091 and found to be acceptable. There have been no material changes since.

Thanet Local Plan policy H1, states that on non-allocated sites, such as is the subject of this application, residential development will only be permitted on previously developed land within the built up confines.

The land is occupied by numerous garage buildings and associated hard standing and I am satisfied that the land is therefore previously developed. The site also lies within the built-up confines of Broadstairs, as shown on the Local Plan Proposals Map. The principle of the proposal is therefore acceptable.

Character and Appearance

The site lies at the end of a short spur off Prince Andrew Road, which is currently in use as an access to the garages on site. It is proposed to erect a pair of semi-detached two storey dwellings of similar scale to the existing pairs of semi-detached dwelling adjacent to the site. The existing pairs of semi-detached properties are staggered back from each other so that they retain a generous set back from the road. The proposal seeks to continue this pattern of development, setting the buildings back from their immediate neighbours by a comparable distance, with car parking provided to their fronts.

The area has a strong degree of uniformity to the scale, form and design of the buildings. The scale of these buildings seeks to replicate that of the neighbouring properties, being two storeys in height and of comparable width. This proposal seeks to reduce the size of 1No. first floor window to each dwelling, together with the introduction of a modest canopy above the doorway and the alteration of the colour of render to oatmeal. These amendments are considered to be relatively minor alterations to the original consent, which will retain the simple style and design of the proposed dwellings, thereby appearing in keeping with neighbouring properties and the wider character of the area.

The proposed reconfigured layout has been amended and will now slightly increase the amount of hardstanding from the previously approved application, with a rearranged parking layout together with a small lawn front garden area with a pathway to the front door. This increase in hardstanding and rearrangement of parking is considered to be a relatively modest alteration to the previously approved scheme. The retention of a small front garden area will serve to break up the appearance of the permeable paving hardstanding, and will reflect the landscaped character of front gardens to front elevations of properties within the

area. Given the above, I do not consider the proposed amendments to the previously approved application to result in any harm to the character and appearance of the area, in accordance with Policy D1 of the Thanet Local Plan and the National Planning Policy Framework.

Living Conditions

The proposed dwellings will be set away from neighbouring properties. The proposed application will set the proposed dwellings a further 1m away from the side elevation of the closest property to the North East, number 34, to an overall separation distance of 5m. Number 34 has no side elevation windows. Whilst the proposal would intersect the 45 degree line from the closest rear facing windows of this neighbouring property, given the separation distance between dwellings of 5m, it is not considered that this would cause an unacceptable degree of loss of light or sense of enclosure.

The properties to the North West, the closest of which is No. 32 Westover Gardens, would be set a significant distance from the proposed development, at a distance of approximately 24m between the front elevation of the proposed dwellings and the side elevation of No.32. Given the separation distance between properties together with the fact the proposal only proposes 1no. window to the ground floor side elevations, it is not considered that any loss of light, sense of enclosure or overlooking would be caused to the properties in Westover Gardens. The properties to the south are set even further away and therefore the impact would lessen further.

The only physical addition to the property from the previous consent will be the erection of a small canopy above the doorway of each dwelling, which given its modest scale and separation distance to neighbours, will not result in any impacts to residential amenity. Therefore I do not consider the proposal to result in any harm to the living conditions of neighbouring property occupiers, in accordance with Policy D1 of the Thanet Local Plan and the National Planning Policy Framework.

Highways

The amended layout and reconfigured parking arrangement will retain the approved access, 2no. parking spaces for each dwelling, and will allow adequate space for manoeuvring. The hardstanding area is proposed to be permeable paving, which will prevent the discharge of water onto the public highway. As such I do not consider there to have been a material change to the parking provision for the 2no. dwellings as a result of the proposed amendments.

Other Matters

The loss of a view is not a material planning consideration which can be taken into account when determining a planning application.

CONCLUSION

The principle of development has previously been considered to be acceptable, and the impact upon the character and appearance of the area and neighbouring property occupiers living conditions are also considered to be acceptable and in accordance with Policy D1 of the Thanet Local Plan and guidelines contained within the National Planning Policy Framework. It is therefore recommended that members approve the application.

Case Officer
Jenny Suttle

TITLE:

F/TH/16/1327

Project

Garages Adjacent 34 Prince Andrew Road BROADSTAIRS Kent

Scale:



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PROPOSED DEVELOPMENT

The proposed development seeks consent for the conversion of an existing stable block to a dwelling along with single storey extensions to the front and rear. Whilst listed as a change of use/conversion it should be noted that the work effectively amounts to a redevelopment of the site on the basis of the scale of the work and very little of the original structure remaining.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan Policy (2006) Saved Policies

CC1 - Development in the Countryside
H1 - Housing development
D1 - Design principles
D2 - Landscaping
T1 - Tourist Facilities
TR12 - Cycling
TR16 - Car parking provision

NOTIFICATIONS

Letters were sent to neighbouring properties in Monkton Road and Wayborough Hill. A site notice was also displayed.

No letters of representation were received. Minster Parish Council has not raised an objection to the proposed development.

CONSULTATIONS

Southern Water Services - The applicant has not stated details of means of disposal of foul drainage from the site.

There are no public foul sewers in the area to serve this development. The applicant is advised to examine alternative means of foul sewage disposal.

The Environment Agency should be consulted directly regarding the use of private wastewater treatment works or septic tank drainage which disposes of effluent to sub-soil irrigation. The owner of the premises will need to empty and maintain the works or septic tank to ensure its long term effectiveness.

The Council's Building Control officers or technical staff should be asked to comment on the adequacy of soakaways to dispose of surface water from the proposed development.

We request that should this application receive planning approval, the following condition is attached to the consent: "Construction of the development shall not commence until details of the proposed means of foul and surface water sewerage disposal have been submitted to,

and approved in writing, by the Local Planning Authority in consultation with Southern Water."

COMMENTS

The main considerations in relation to the determination of this application are the impacts on the Countryside and the impacts of the scheme on the local character and appearance. The application has been called in by Councillor Crow-Brown so that members can consider the impact of the development on the character and appearance of the countryside.

Principle

The proposed development is beyond the confines of the settlement boundary, contrary to Policy H1 of the Thanet Local Plan, and is on garden land, which is usually considered to be non-previously developed land. However, as the applicant's agent has pointed out the High Court decision in relation to a case at Dartford Borough Council has resulted in a need to reconsider applications for development within gardens in the countryside. In this particular case the issue effectively revolved around the definition of garden land within urban areas being specifically excluded from the definition of previously developed land with no such reference to sites within the countryside. The outcome of the decision in short is that the High Court identified a need to revise the definition within policy as the present drafting does not refer to countryside land (i.e. garden land within the Countryside can be referenced as previously developed land).

Having established that the application site can be referred to as previously developed land, it is important to consider the definition of what this means as set out in the NPPF Annex 2: Glossary. This clearly states that it is land which includes "the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed)". This therefore provides a means of controlling the scale of development even within countryside locations in order to preserve appearance and ensure the delivery of sustainable development.

In acknowledging there is a lack of a five-year supply of deliverable sites policies H1 and CC1 of the local plan cannot be considered up-to-date in so far as they seek to restrict housing in the open countryside. However, in order for proposals to benefit from the presumption in favour, proposals must be considered as sustainable by meeting the economic, social and environmental dimensions. Whilst on the social aspect a new dwelling might give rise to support of existing services and facilities within Minster, the lack of connectivity with it would reduce the weight that could be afforded. Economically the benefits arising from a single dwelling will be limited mainly to construction work and therefore of little weight. Environmentally, the application site is remote from the built up area and presently shares more characteristics with countryside than a settlement location. On that basis the proposal does not constitute sustainable development and would not therefore benefit from the presumption in favour enshrined within the NPPF.

Location of Development

The application site is located within the Countryside and therefore subject to the requirements of adopted policy CC1. The requirement is therefore that a need for the development must be demonstrated to override the requirement to protect the countryside.

Paragraph 55 of the NPPF states that in rural areas housing should be located where it will enhance or maintain the vitality of rural communities. It also sets out that LPAs should avoid new isolated homes in the countryside unless there are special circumstances, such as where the development would re-use a redundant or disused building and lead to an enhancement of a setting, or where the design of the proposed dwelling is of an exceptional quality or innovative nature.

In terms of supporting the vitality of rural communities, the application site is approximately 1.6km from the settlement of Minster to the south west. There are no lit footpaths linking the application site with Minster, indeed there are no footpaths along the rural road network linking the site with Minster. It is therefore considered that the application site is in a remote location and will not enhance or maintain the vitality of Minster. This conclusion is reinforced by a recent appeal decision in December 2015 for the conversion of an existing stable to a single dwelling at St-Nicholas-at-Wade (ref APP/Z2260/W/15/3130592). In this appeal the Inspector commented "...the appeal site is separated from the settlement by a narrow section of road which contains no footpaths or public lighting and would be unlikely to be attractive for pedestrians and unlikely to encourage cycling, particularly in winter months."

Need for Development

Saved policy CC1 of the Local Plan requires that for new development within the countryside to be permitted a need must be demonstrated, which must outweigh the need to protect the countryside. This is consistent with paragraph 55 of the NPPF that states isolated homes in the countryside should be avoided unless there are special circumstances, such as where the development would re-use a redundant or disused building and lead to an enhancement of a setting, or where the design of the proposed dwelling is of an exceptional quality or innovative nature.

The application is not supported by any information that sets out the need for the provision of a new dwelling within the countryside, contrary to the requirements of the policy. It is acknowledged that there is a current need for housing within Thanet, which must be taken into consideration.

In regards to special circumstances the conversion of the existing stable building does not constitute exceptional quality or an innovative design, nor does the resulting building result in an enhancement to the immediate setting. Indeed, the conversion of the building will only preserve the setting of the building, whilst adding residential paraphernalia within the countryside that will detract from the wider setting. The existing building is not a heritage asset requiring preservation and thus allowing for the optimal value and there is no evidence to demonstrate that the building would meet the needs of a rural worker. In summary, the

application as submitted provides no justification against the requirements of paragraph 55 of the NPPF or Policy CC1 of the Thanet Local Plan.

Structural Quality

At the pre-application stage the applicant was advised to submit a detailed structural survey with any subsequent planning application demonstrating that the existing building was capable of being converted without requiring significant alterations.

When overlaying the proposed plans on the existing plans it appears that the proposals could be deemed a redevelopment of the site as opposed to a conversion of the existing building. Although the position of the existing front wall of the stable remains as the wall to the bedrooms and bathroom this is an entirely new wall with openings in different locations. With the exception of the wall between the bathroom and living area, all of the original partitions to the stables are removed to allow for the creation of larger rooms, and even the one retained wall is likely to require substantial upgrading with insulation. Whilst infilling the current area to the front of the stables it is also noted that the roof is increased in height to match that of the store to the rear.

The rear wall of the stable adjacent to the store is also removed to increase the amount of habitable accommodation within the bedrooms. It is also noted that all of the external walls to the building would be rebuilt in order to provide the necessary insulation for habitable use of the building. The extent of the works as indicated on the plans is such that it cannot be considered as a conversion and must be regarded instead as the construction of a new building to provide a dwelling. There is therefore no justification provided

Character and Appearance

This revised application has reduced the overall footprint of the proposed development such that it is now contained entirely within the footprint of the original stable block and no longer proposes an extension to the main living accommodation on the rear elevation, as shown in the previously refused application.

Visually, the external appearance of the resultant dwelling remains as per the previous scheme, namely a largely glazed frontage with the exception of the entrance door and then black stained feather edge boarding cladding the exterior of the building with a single ply roof. This in itself is considered an acceptable approach generally regarding materials, although the extent of glazing along the frontage is likely to result in a more visually apparent building within the countryside at night when lights are in use. Should the development be considered otherwise acceptable then it would be considered appropriate to impose conditions requiring landscape screening and details of lighting to minimise the potential impacts.

As already stated above, the resulting design is not considered to be of exceptional quality or innovative design to amount to special circumstances for an isolated dwelling in the countryside. I am therefore of the opinion that there is no evidence as part of the application to demonstrate that the proposal would enhance its immediate settings and the proposal is therefore contrary to saved policy CC1 of the Local Plan and paragraph 55 of the NPPF.

Living Conditions

The building already exists and therefore its presence alone is unlikely to result in detrimental impacts to the living conditions of neighbouring occupiers. Even the presence of residential paraphernalia and the associated comings and goings of a proposed dwelling will not result in detrimental impacts. I therefore consider that the impacts on living conditions arising from this application to be acceptable.

Highway Safety

The site is in an isolated location and will therefore be dependent on the private motor car for accessing services and facilities locally, thereby conflicting with the NPPFs aim of promoting sustainable travel and reducing travel journeys.

The traffic generation from a single dwelling is unlikely to result in detrimental impacts on highway safety, however the unsustainable location of the site means that the proposal is considered unacceptable in highways terms and contrary to the NPPF principally paragraphs 29 and 37

Conclusion

Whilst noting that the scheme will not give to rise to any unacceptable highway safety impacts or noticeable impacts on the character and appearance of the immediate surroundings (countryside) this must be weighed against the lack of any defined need for the proposals or the balanced assessment on sustainability.

Furthermore, the proposed development would not be supported by the NPPF. If it is accepted as being a conversion and therefore the re-use a redundant or disused building (putting aside the fact that the extent of works proposed are tantamount to a new dwelling), it is argued that the proposal that would not lead to an enhancement of a setting; is not of an exceptional quality or innovative nature that would outweigh the concerns regarding its isolated location within the countryside.

Overall, the proposed development is not considered a sustainable form of development, and as such it is recommended that members refuse the application.

Case Officer

Iain Warner

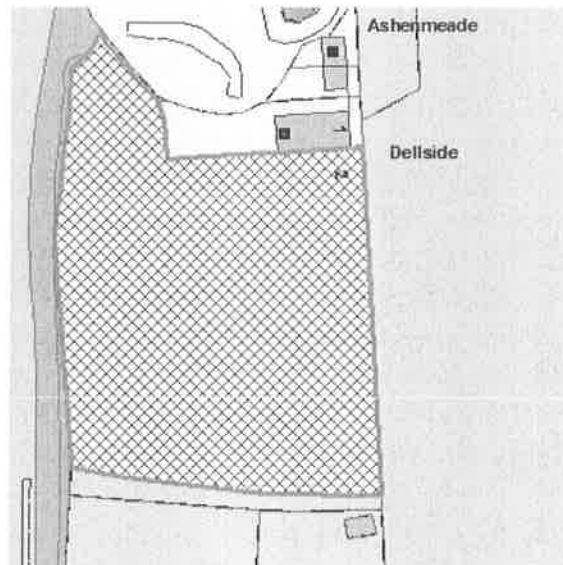
TITLE:

F/TH/16/1020

Project

1 Dellside Wayborough Hill Minster RAMSGATE Kent

Scale:



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D09

OL/TH/16/0967

PROPOSAL: Outline Application for the erection of 12 detached dwellings, with access via Southall Close including access, layout and scale

LOCATION:

Land Adjacent 15 Southall Close Minster RAMSGATE Kent

WARD: Thanet Villages

AGENT: Mr Doug Brown

APPLICANT: Ms Caroline Treadwell

RECOMMENDATION: Defer & Delegate

Subject to the following conditions:

1 Approval of the details of the scale and appearance of any buildings to be erected, and the landscaping of the site (hereafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced

2 Plans and particulars of the reserved matters referred to in Condition 1 above, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.

GROUND:

In accordance with Section 92(2) of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

3 Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this permission.

GROUND:

In accordance with Section 92(2) of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

4 The development hereby permitted shall be begun before the expiration of 2 years from the date of approval of the last of the reserved matters to be approved.

GROUND:

In accordance with Section 92(2) of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

5 Prior to the commencement of the development hereby approved, the applicant, or their agents or successors in title, shall secure the implementation of a programme of

archaeological work, in accordance with a written scheme of investigation which has first been submitted to and approved in writing by the Local Planning Authority

GROUND:

To ensure that the archaeological history of the site is recorded in accordance with the advice contained within National Planning Policy Framework.

6 No development shall commence until a site characterisation and remediation scheme has been submitted to and approved in writing by the Local Planning Authority and the remediation scheme has been implemented in accordance with the approved details. The site characterisation, remediation scheme and implementation of the approved remediation scheme shall be carried out in accordance with the following criteria:

(a) Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, shall be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment shall be undertaken by competent persons and a written report of the findings shall be submitted to and approved in writing by the Local Planning Authority, and shall include:

o A survey of the extent, scale and nature of contamination

o An assessment of the potential risks to:

- Human health

- Property

- Adjoining land

- Groundwaters and surface waters

- Ecological system

o An appraisal of remedial options and a recommendation of the preferred options

The site characterisation report shall be conducted in accordance with British Standards and current DEFRA and Environment Agency best practice.

(b) Submission of remediation scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include all works to be undertaken, proposed remediation objectives and remediation criteria, a timetable of works and site management procedures. The scheme shall ensure that the site cannot be considered as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

(c) Implementation of Approved Remediation Scheme

The approved remediation scheme shall be carried out in accordance with its terms prior to the commencement of the development other than that required to carry out remediation. The Local Planning Authority shall be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in Planning Policy Statement 23 as a validation report) that demonstrates the effectiveness of the remediation carried out shall be submitted to and approved in writing by the Local Planning Authority

GROUND:

To ensure that the proposed site investigation, remediation and development will not cause harm to human health or pollution of the environment, in accordance with the advice contained within the NPPF.

7 No development of the dwellings hereby permitted shall take place until details of the means of foul and surface water disposal, including details of the implementation, management and maintenance of any proposed Sustainable urban Drainage Systems, have been submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with such details as are agreed and thereafter maintained.

GROUND:

To prevent pollution, in accordance with the advice contained within the National Planning Policy Framework.

8 No building hereby permitted shall be occupied until details of the implementation, maintenance and management of the sustainable drainage scheme have been submitted to and approved in writing by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:

- i) a timetable for its implementation, and
- ii) a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage system throughout its lifetime.

GROUND:

To ensure that the principles of sustainable drainage are incorporated into this proposal and to ensure ongoing efficiency of the drainage provisions

9 Prior to the first occupation of the development, the area shown on the deposited plan for the parking and manoeuvring of vehicles shall be operational prior to any part of the development hereby approved being brought into use. The area agreed shall thereafter be maintained for that purpose.

GROUND:

In the interests of highway safety.

10 Prior to the first occupation of the development, the secure cycle parking facilities, as shown on approved drawing received 24 November 2016 shall be provided and thereafter maintained.

GROUND:

In the interests of promoting increased cycling in accordance with policy TR12 of the Thanet Local Plan

11 All dwellings hereby permitted shall be provided with Superfast Fibre Optic Broadband 'fibre to the premises', where there is adequate capacity (internal min speed of 100mb to each building).

GROUND:

To serve the future occupants of the development in accordance with Policy D1 of the Thanet Local Plan and the guidance contained within the NPPF.

12 Details to be submitted pursuant to Condition 1 above shall show development not exceeding the building heights indicated within the Design and Access Statement dated August 2015.

GROUND:

In the interests of visual amenity in accordance with Policy D1 of the Thanet Local Plan.

13 The proposed development shall be carried out in accordance with the submitted application as amended by the revised drawing numbered CT/DB/16/6/2a, CT/DB/11/1, 'Plan of Parking and Turning area and dated 24th November 2016

GROUND:

To secure the proper development of the area.

14 Prior to the commencement of work on site, construction vehicle loading/unloading and turning facilities, and parking facilities for site personnel and visitors, shall be provided for the duration of construction.

GROUND:

In the interests of highway safety.

SITE, LOCATION AND DESCRIPTION

The site is located on the northern boundary edge of Minster, outside of the defined settlement boundary. At present the site is unused and covered with a mix of scrub and self-seeded trees. There is presently no vehicular access to the site albeit that the hardstanding from outside the nearest property (number 13 Southall Close) runs up to almost the boundary edge. The site is not covered by any specific landscape designations other than being within the countryside and is otherwise free of any other specific designations (such as tree preservation orders, heritage or flood risk). Minster train station is approximately 1 mile to the south of the application site.

Surrounding Area

Surrounding the site to the south the area is characterised by residential development of varying scale and style. To the east are agricultural fields between Laundry Road (north east) and Foxborough Lane (south east). Further areas of fields are located on the western side of Tothill Street. Immediately north of the site is an area previously designated for roadside services within the adopted local plan. At present this area includes a petrol filling station with retail and a hotel, with a further hotel provided on the opposite side of Tothill Street fronting the A299. Policy TR7 from the saved local plan related to this area of land, however it was not one of the saved policies.

RELEVANT PLANNING HISTORY

There is no relevant planning history for this site

PROPOSED DEVELOPMENT

The proposed development is submitted in outline with Appearance and Landscape reserved. The application is submitted with a layout demonstrating the provision of 12 detached dwellings, associated parking and landscaping, and a new means of access from Southall Close.

The accompanying Design and Access Statement sets out that the buildings would be two storeys in nature and would comprise of 3 and 4 bedroom detached houses

Access to the site would be via the existing access spur off Southall Close, continuing into the application site with a width of 5.5m wide.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan Policy (2006) Saved Policies

D1 - Design principles
D2 - Landscaping
EP5 - Air quality
H1 - Housing provision
H4 - Windfall sites
H8 - Size and type of housing
H14 - Affordable housing provision
CF2 - Development contributions
SR5 - Doorstep and local play space
TR12 - Cycling
TR16 - Car parking provision

NOTIFICATIONS

Neighbouring dwellings in Laundry Road, Tothill Street, Southall Close, Burgess Close, Semple Close, and Hill House Drive were notified by letter. A site notice was also displayed.

4 letters of objection and 4 letters of support for the scheme have been received.

The letters of objection have raised the following matters:

- Inadequate access
- Inadequate parking provision
- Loss of parking
- Increased traffic
- Increased pollution and noise nuisance
- Strain on existing community facilities
- Overdevelopment

The letters of support have raised the following matters:

- Provision of a landscape strip between proposed scheme and existing properties to be transferred to existing residents to ensure future maintenance for wildlife habitat.
- Preference for residential development as a neighbour instead of potential for more retail due to rubbish, noise, vehicles and traffic levels

CONSULTATIONS

Minster Parish Council - Minster Parish Council object to this application. The site is outside the built up area/village boundary. It was previously refused because it is not part of the built up area or a brownfield site as it is outside the original Hill house site. The site was not put forward for consideration in the draft local plan and is not part of the current draft local plan. The extra traffic will put additional strain on roads which are already struggling to cope with the current volume of traffic in Minster. Minster parish council will not support any larger number of developments in Minster until a decision regarding the future of Manston Airport has been reached and feel any developments of any scale such as this should be deferred until the future of Manston is decided.

Kent Highway Services – (*revised comment*) Further to examining the amended plans that have been submitted I raise no objection on behalf of KCC Highways, provided the following requirements are secured by condition or planning obligation as part of an approval from the local planning authority.

(*initial comment*) The proposals are unlikely to generate a significant increase in vehicle movements in the network peak hours and therefore, not have a severe impact on the highway network. However, I have the following comments to make with respect to highway matters :-

1) If it is the applicant's intention to provide a new public road as part of the development then this would mean reconstructing the area to the east of the turning head on Southall Close to an adoptable standard, allowing for the continuation of the road and footpaths from Southall Close into the site as indicated on the location and site layout plans. Detailed drawings would need to be provided in order to demonstrate that it would be in accordance with Kent Design, showing dimensions of carriageways, footways and service margins. A

swept path analysis for an 11.3m refuse vehicle would also be required to ensure that the proposed road and turning head are suitable for purpose.

2) Parking provision would need to be clarified as the Design and Access statement refers to garages/car barn provision, which are materially different in our view. In accordance with Kent Design Interim Guidance Note 3, we cannot count a garage as part of the parking provision for a dwelling and as such this would appear to create tandem parking situations and potential for cars overhanging the highway, based on the site layout plan. We require two independently accessible parking spaces for each dwelling. Finally there appears to be no provision for on-street visitor parking bays, for which we would require two spaces on a development of the size. I would welcome detailed plans on how these issues are to be met.

3) I would advise to consult with the relevant emergency services in order to ascertain their view on the additional proposed dwellings being served off the existing single access point from Tothill Street.

Southern Water - The applicant has not stated details of means of disposal of foul drainage from the site.

We request that should this application receive planning approval, the following informative is attached to the consent: "A formal application for connection to the public sewerage system is required in order to service this development. Please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW"

We request that should this application receive planning approval, the following condition is attached to the consent: "Construction of the development shall not commence until details of the proposed means of foul and surface water sewerage disposal have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water."

Environmental Health - On review of this application Environmental Protection would raise no comments or objections.

KCC Development Investment - The County Council has assessed the implications of this proposal in terms of the delivery of its community services and is of the opinion that it will have an additional impact on the delivery of its services, which will require mitigation either through the direct provision of infrastructure or the payment of an appropriate financial contribution.

The Planning Act 2008 and the Community Infrastructure Levy Regulations 2010 (the CIL Regulations) (Regulation 122) require that requests for development contributions of various kinds must comply with three specific legal tests:

- 1) Necessary,
- 2) Related to the development, and
- 3) Reasonably related in scale and kind

Primary school provision - The proposal gives rise to additional primary school pupils during occupation of this development. This need, cumulatively with other new developments in the vicinity, can only be met through the expansion of Birchington Primary School, as the forecast primary pupil product in the locality results in the maximum capacity of local primary schools being exceeded. A contribution of £2360.96 per 'applicable' house (x12) is required towards Phase 1 of the expansion of Birchington Primary School.

Secondary school provision - The proposal gives rise to additional secondary school pupils during occupation of this development. This need, cumulatively with other new developments in the vicinity, can only be met through the extension of existing Secondary School accommodation within the locality. The contributions from this development will be allocated towards Royal Harbour Secondary School Phase 1 works. Therefore the County Council requests a contribution of £2,359.80 per 'applicable' house (x12) towards Royal Harbour Secondary School Phase 1 works.

Libraries - This new development will generate new borrowers for the Library service. The County Council therefore requests £48.02 per household to address the direct impact of this development, and the additional stock will be made available locally as and when the monies are received.

Broadband - To provide: 'fibre to the premise' (Superfast fibre optic broadband) to all buildings (residential, commercial, community etc.) of adequate capacity (internal min speed of 100mb to each building) for current and future use of the buildings.

COMMENTS

This application is reported to planning committee as it is considered to be a departure from Policy H1 of the Local Plan as the site is non-previously developed land. Councillor Gregory has also called the application in on the basis of issues relating to highways matters and potential over development of the site.

The main considerations with regard to the planning application are the principle of development; the impact upon the character and appearance of the local area; the impact upon living conditions of neighbouring property occupiers and future occupiers; highway safety; Biodiversity impacts; Drainage and flood risk considerations, and Environmental Health considerations.

Principle

In considering the planning application under section 38(6) of the Planning Act, any determination must be made in accordance with the development plan (in this case the Thanet Local Plan) unless material considerations indicate otherwise. The NPPF sets out at paragraph 215 that due weight should be given to relevant policies in existing plans according to the degree of consistency with the policies within the NPPF.

The site is non-previously developed land on the edge of the defined village boundary and as such within the countryside. The proposal is therefore contrary to Policy H1 which states that residential development on non-allocated sites will be permitted on previously developed land within the existing built up confines unless specified by other Local Plan Policies. This policy constraint, however, needs to be balanced with the fact that there is a current need for housing in Thanet, and on this basis the National Planning Policy Framework (NPPF) indicates that applications for housing should be considered in the context of the presumption in favour of sustainable development. In this case the site lies within the urban confines, adjacent to residential properties on Southall Close and Hill House Drive and Minster railway station is approximately 1 mile to the south of the site.

The development of this site for housing could therefore be accepted in principle subject to the detailed consideration of all other material considerations including the impact upon the character and appearance of the area, the impact on living conditions of neighbouring properties and highways safety.

Character and Appearance

The NPPF states that planning decisions should aim to ensure that developments will function well and add to the overall quality of the area; establish a strong sense of place; respond to local character and history; reflect the identity of local surroundings and materials; and are visually attractive as a result of good architecture and appropriate landscaping (paragraph 58). Policy D1 of the Thanet Local Plan outlines that the design of all new proposals must respect or enhance the character or appearance of the area particularly in scale, massing, rhythm and use of materials.

The application site is currently an area of open space within the countryside, and in its present condition serves no identified purpose. The area to the east is agricultural land that extends further to the south towards Foxborough Lane and beyond. The site is visible from Laundry Road to the north as well as from Southall Close to the west and south, although there is no public access to it. Its development would result in the loss of an area of open space, however with the proposed access from Southall Close it would be read as an extension to this existing built up area and therefore could be seen as being in character with the immediate area.

The submission sets out a medium density development of 24 dwellings per hectare based on the site area set out on the application form. The individual plot sizes are comparable to those of the surrounding developments. The layout achieves an appropriate density with sufficient spacing between the individual dwellings and opportunities to provide appropriate soft landscaping to enhance the street scene. This scheme also results in the provision of detached and semi-detached properties, avoiding the use of terraced properties as previously considered through one option submitted at pre-application stage.

Although the application is supported by an existing topographical survey the submitted plans do not provide any specific details relating to finished floor levels of the development in order to assess their relation to the heights of the neighbouring dwellings to the south or west. On the basis that the site appears relatively flat in both axis (there is a fall of approximately 3 metres north to south, and approximately 1 metre east to west) it is

considered that the layout will not result in any specific issues regarding the proposed buildings appearing out of character based on the submitted parameters. It would be considered appropriate to impose a condition requiring the submission and approval of finished floor levels however to control this relationship.

The NPPF is clear in setting out that policies and decisions should not stifle innovation, originality or initiative but should seek to promote or reinforce local distinctiveness (paragraph 61). It goes on to state that permission should be refused for development of poor design where it fails to improve the character and quality of an area and the way in which it functions. The details submitted with this application demonstrate that the quantum of development, and scale of the individual dwellings illustrated, would be in keeping with the existing character and appearance of the surrounding area. Detached two storey dwellings are characteristic of the immediate area and therefore there is no objection to the illustrative scheme as submitted.

In conclusion it is therefore considered that the development of this site for up to 12 dwellings of two storey nature is acceptable in principle without harming the character and appearance of the surrounding area. Whilst the external appearance of the scheme is not detailed for consideration at this time the parameters outlined are sufficient to demonstrate that an acceptable scheme can be achieved.

Living Conditions

The application is in outline form only, with matters relating to appearance reserved for future consideration. The nearest residential development are to the south and west of the site on Southall Close.

The layout scheme and illustrative floor plans indicate that the habitable windows for the proposed dwellings would be orientated to face predominantly north and south, with the exception of the two most eastern dwellings proposed. This would ensure that there are no habitable windows in the flank elevations that face towards numbers 2, 4, 6 and 15 Southall Close, which are the closest affected properties. The separation distances between the proposed dwellings and those within Hill House Drive is sufficient to ensure that there would be no detrimental overlooking between properties.

Within the proposed development, the layout examples provided within the Design and Access Statement demonstrate that properties would result in internal living accommodation designed to meet the relevant minimum standards. The separation distances between buildings and likely positioning of windows would result in acceptable standards of accommodation for all future occupants concerning both outlook and private residential amenity.

It is therefore considered that the site could be developed for 12no. residential units without resulting in detrimental impact to neighbouring occupiers, with further consideration given at the reserved matters stage.

In relation to the provision of doorstep play space as set out in policy SR5, the individual dwellings are provided with adequate garden space to provide a safe play area for children.

Transportation

Local residents have raised concerns with the scheme in respect of highways on the basis of the on-site parking provisions and impacts for existing parking in the immediate area, as well as traffic issues generally in connection with the increased traffic flow at the junction of Hill House Drive and Tothill Street.

In respect of parking provision, whilst the application is in outline form means of access and layout are sought in detail. Accordingly, the layout plans indicate the provision of a single garage for each dwelling with additional hardstanding in front for the parking of at least one car. Several of the plots have larger areas of hardstanding indicated to ensure that sufficient off-street parking is provided within the development to comply with the adopted parking standards. A suitably worded planning condition would require the approval of parking details prior to first occupation of any of the dwellings to address these concerns.

Whilst noting the concerns raised by local residents with regards to the increased use of the junction of Hill House Drive and Tothill Street it is noted that Kent Highways have not raised any concerns regarding safety and have commented that the proposal generally is unlikely to result in a severe impact on the highway network.

In conclusion it is therefore considered that the highway impacts of the development are acceptable and can be addressed through suitable conditions.

Ecology and Biodiversity

The NPPF states at paragraph 109 that the "planning system should contribute to and enhance the natural and local environment by... minimising impacts on biodiversity and providing net gains in biodiversity where possible..." The NPPF then states at paragraph 118 that "if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused."

An ecological appraisal and subsequent reptile report were provided by the applicant in support of the scheme. The summary appraisal confirmed that additional work would be required prior to any habitat clearance works but no additional surveys were required prior to determination of the application. Mitigation measures were proposed in the report in respect of landscaping, which would need to be addressed within any future reserved matters submission.

The reptile report confirmed that no reptiles were found on site during the course of the surveys, and as such no additional works were required.

Habitat Regulations

Under the Natural Environment and Rural Communities Act (2006) "Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of these functions, to the purpose of conserving biodiversity." Information on the impacts of recreational disturbance upon Thanet Coast and Sandwich Bay Special Protection Area,

Ramsar site, Sandwich Bay Special Areas of Conservation, Thanet Coast Special Areas of Conservation, the Sandwich Bay and Hacklinge Marshes Site of Special Scientific Interest and the Thanet Coast Site of Special Scientific Interest has been published in recent years.

Natural England consider that the evidence suggests a significant impact on bird distribution in both summer and winter months and consider that a year round warden would be precautionary and appropriate to mitigate this potential impact. A contribution to this mitigation is therefore required in the form of £184 per residential unit, which has been accepted as an appropriate approach by Natural England. Details of this are included within the Heads of Terms.

Financial Contributions

Policy CF2 of the Thanet Local Plan states that where a proposed development would directly result in the need to provide new or upgraded community facilities, the Local Planning Authority will negotiate with the applicant for a contribution towards the costs of such provision, which is fairly and reasonably related in scale and in kind to the proposed development.

Requests for financial contributions need to be scrutinised in accordance with Regulation 122 of the Community Infrastructure Regulations (amended in 2014). These state that an obligation can only form a reason in the granting of planning permission if it meets all of the following criteria:

- (a) Necessary to make the development acceptable in planning terms;
- (b) Directly related to the development; and
- (c) Fairly and reasonably related in scale and kind to the development.

A request for developer financial contributions has been made by the Development Project Manager on behalf of Kent County Council towards primary school education in the form of £2360.96 per 'applicable' house (x12) is required towards Phase 1 of the expansion of Birchington Primary School as well as £2,359.80 per 'applicable' house (x12) towards Royal Harbour Secondary School Phase 1 works. An additional contribution of £48.02 per household has been requested towards library bookstock to mitigate the impacts of new borrowers from this development.

Whilst the primary school contribution is not requested for the Minster Primary school in close proximity to the site, as the school cannot expand given constraints on the site, the requested contribution to Birchington Primary School will provide additional school places within that primary school. This will contribute to the potential reduction in the proportion of pupils from outside Minster who attend the village's primary school in the future (through being able to attend Birchington Primary School from the increased places). No objection has been raised to the development on the ground of inadequate provision of education facilities by KCC as the education provider, and the impact of the development would be mitigated by the contribution, in compliance with regulation 122 of the Community Infrastructure Regulations.

Conclusion

The site is non-previously developed land within the urban confines and is therefore considered contrary to the aims of saved Policy H1. This policy constraint, however, needs to be balanced with the fact that there is a current need for housing in Thanet, and on this basis the National Planning Policy Framework (NPPF) indicates that applications for housing should be considered in the context of the presumption in favour of sustainable development. The site is considered to be sustainable in its location and the economic and social benefits outweigh the limited environmental impact of the proposals.

It is therefore considered that the proposal can be delivered in a manner that is in keeping with the established character and pattern of the neighbouring residential development and will not result in unacceptable impacts. On balance the need for housing in sustainable locations such as this site outweighs the need set out in saved Policy H1 of protecting non-previously developed land. It is therefore recommended to Members that this application is approved by officers, subject to safeguarding conditions and the resolution of a legal agreement.

Case Officer

Iain Warner

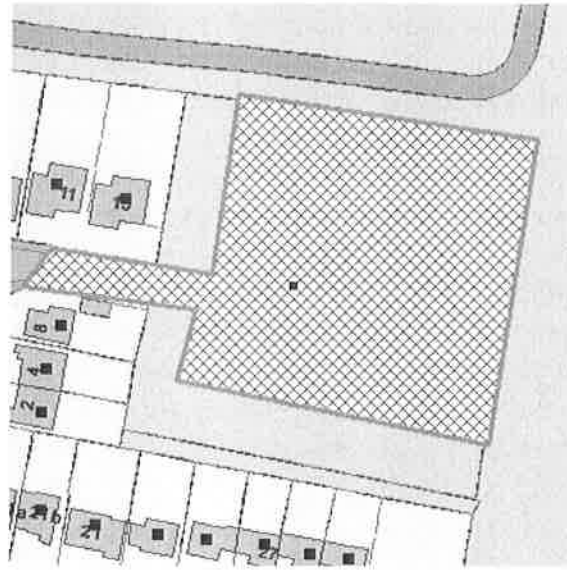
TITLE:

OL/TH/16/0967

Project

Land Adjacent 15 Southall Close Minster RAMSGATE Kent

Scale:



EXCLUSION OF PUBLIC AND PRESS

Planning Committee – 14th December 2016

Report Author **Planning Applications Manager**

Status **For Decision**

Classification: **Unrestricted**

Key Decision **No**

Executive Summary:

This report is necessary in order to exclude the press and public from the meeting for consideration of item 7. It will weigh the public interest factors for disclosure against the public interest factors for exemption and explain why the exemption factors take priority.

The report will also state the which paragraph of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended) the author is using in order to exclude the press and public from the meeting.

Recommendation:

That the public and press be excluded from the meeting for agenda item 7 as it contains exempt information as defined in Paragraphs 3 and 5 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended).

CORPORATE IMPLICATIONS

Financial and Value for Money	There are no direct financial implications arising from the report.
Legal	As per Part 1 of Schedule 12A and Part VA of the Local Government Act 1972 (as amended).
Corporate	Thanet District Council will endeavour to keep the number of exempt reports it produces to a minimum in order to promote transparency.
Equalities Act 2010 & Public Sector Equality Duty	Members are reminded of the requirement, under the Public Sector Equality Duty (section 149 of the Equality Act 2010) to have due regard to the aims of the Duty at the time the decision is taken. The aims of the Duty are: (i) eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act, (ii) advance equality of opportunity between people who share a protected characteristic and people who do not share it, and (iii) foster good relations between people who share a protected characteristic and people who do not share it. Protected characteristics: age, gender, disability, race, sexual orientation, gender reassignment, religion or belief and pregnancy & maternity. Only aim (i) of the Duty applies to Marriage & civil partnership.

	Please indicate which aim is relevant to the report.	
	Eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act,	
	Advance equality of opportunity between people who share a protected characteristic and people who do not share it	
	Foster good relations between people who share a protected characteristic and people who do not share it.	
	There are no specific equity and equality considerations that need to be addressed in this report.	

CORPORATE PRIORITIES (tick those relevant)✓	
A clean and welcoming Environment	
Promoting inward investment and job creation	
Supporting neighbourhoods	

CORPORATE VALUES (tick those relevant)✓	
Delivering value for money	
Supporting the Workforce	
Promoting open communications	✓

1.0 Introduction and Background

- 1.1 Whilst the starting point for all public meetings of the Council is to admit the public and press, they may be excluded from meetings whenever it is likely, in view of the nature of the business to be transacted that confidential or exempt information would be disclosed. Under such circumstances, confidential or exempt information may be excluded from the public agenda. The public and press must be excluded from meetings if confidential information will be considered and disclosed, and such material must be excluded from the public agenda.

Meaning of confidential information

- 1.2 Confidential information means information given to the Council by a Government Department on terms which forbid its public disclosure or information which cannot be publicly disclosed by Court Order.

Exempt information – discretion to exclude public

- 1.3 Subject to Article 6 of the Human Rights Act 1998 (right to a fair trial) the public may be excluded from meetings whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings that “exempt” information would be disclosed.

2.0 Exempt information

- 2.1 The full rules are set out in Part 1 of Schedule 12A and Part VA of the Local Government Act 1972 (as Amended).

3.0 Reason Why Agenda Items xx are considered to be “exempt”

- 3.1 The report author has classified Agenda Item 7 as disclosing exempt information under Paragraph 3 – Information relating to the financial or business affairs of a particular person of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended) and Paragraph 5 - Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings, thereby suggesting that the press and public be excluded from the meeting whilst this item is debated.

4.0 Justification/Public Interest Test

- 4.1 Agenda item 7 is restricted as the information contained within it is exempt under paragraphs 3 and 5 of Part 1 to Schedule 12A to the Local Government Act 1972 (as amended). Whilst the Council will always try to keep exempt information to a minimum, in this case disclosure of the information contained within the report would certainly prejudice the Council's case and increase the risk of costs being awarded against the Council in respect of the planning appeal to which the information relates.
- 4.2 It is therefore considered that the public interest is served by the non-disclosure of the information contained within the report at agenda item 7.

5.0 Not Excluding the Press and Public

- 5.1 There will be occasions when the meeting may decline to exclude the press and public from the meeting. If that occurs it does not simply mean that those members of the press and public who are present are allowed to stay for the discussion of the item(s). Declining to exclude the press and public would also mean that the press and public are allowed access to the actual report contained within the confidential part of the agenda (what Democratic Services refer to as the "pink pages").
- 5.2 Members may wish to note that if a committee member is of the view that it is possible that the recommendation in this report may not be approved at the meeting, they should let Democratic Services know (as soon as they have read the agenda papers before the meeting); in order that spare copies are made available ready to be distributed, if necessary, at the meeting.
- 5.3 If the referred item is not exempted, Democratic Services would also make arrangements for the report to be retrospectively published on the Council's website.

6.0 Decision Making Process

- 6.1 If the press and public are to be excluded for the agenda item; this Committee must exercise its power to agree the recommendation.

Contact Officer:	Iain Livingstone, Planning Applications Manager
Reporting to:	Rob Kenyon, Director of Community Services

Corporate Consultation

Legal	Tim Howes, Director of Corporate Resources and Monitoring Officer
Finance	Matthew Sanham, Corporate Finance Manager

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THANET DISTRICT COUNCIL DECLARATION OF INTEREST FORM

Do I have a Disclosable Pecuniary Interest and if so what action should I take?

Your Disclosable Pecuniary Interests (DPI) are those interests that are, or should be, listed on your Register of Interest Form.

If you are at a meeting and the subject relating to one of your DPIs is to be discussed, in so far as you are aware of the DPI, you **must** declare the existence **and** explain the nature of the DPI during the declarations of interest agenda item, at the commencement of the item under discussion, or when the interest has become apparent

Once you have declared that you have a DPI (unless you have been granted a dispensation by the Standards Committee or the Monitoring Officer, for which you will have applied to the Monitoring Officer prior to the meeting) you **must:-**

1. Not speak or vote on the matter;
2. Withdraw from the meeting room during the consideration of the matter;
3. Not seek to improperly influence the decision on the matter.

Do I have a significant interest and if so what action should I take?

A significant interest is an interest (other than a DPI or an interest in an Authority Function) which:

1. Affects the financial position of yourself and/or an associated person; or Relates to the determination of your application for any approval, consent, licence, permission or registration made by, or on your behalf of, you and/or an associated person;
2. And which, in either case, a member of the public with knowledge of the relevant facts would reasonably regard as being so significant that it is likely to prejudice your judgment of the public interest.

An associated person is defined as:

- A family member or any other person with whom you have a close association, including your spouse, civil partner, or somebody with whom you are living as a husband or wife, or as if you are civil partners; or
- Any person or body who employs or has appointed such persons, any firm in which they are a partner, or any company of which they are directors; or
- Any person or body in whom such persons have a beneficial interest in a class of securities exceeding the nominal value of £25,000;
- Any body of which you are in a position of general control or management and to which you are appointed or nominated by the Authority; or
- any body in respect of which you are in a position of general control or management and which:
 - exercises functions of a public nature; or
 - is directed to charitable purposes; or
 - has as its principal purpose or one of its principal purposes the influence of public opinion or policy (including any political party or trade union)

An Authority Function is defined as: -

- Housing - where you are a tenant of the Council provided that those functions do not relate particularly to your tenancy or lease; or
- Any allowance, payment or indemnity given to members of the Council;
- Any ceremonial honour given to members of the Council
- Setting the Council Tax or a precept under the Local Government Finance Act 1992

If you are at a meeting and you think that you have a significant interest then you **must** declare the existence **and** nature of the significant interest at the commencement of the

matter, or when the interest has become apparent, or the declarations of interest agenda item.

Once you have declared that you have a significant interest (unless you have been granted a dispensation by the Standards Committee or the Monitoring Officer, for which you will have applied to the Monitoring Officer prior to the meeting) you **must**:-

1. Not speak or vote (unless the public have speaking rights, or you are present to make representations, answer questions or to give evidence relating to the business being discussed in which case you can speak only)
2. Withdraw from the meeting during consideration of the matter or immediately after speaking.
3. Not seek to improperly influence the decision.

Gifts, Benefits and Hospitality

Councillors must declare at meetings any gift, benefit or hospitality with an estimated value (or cumulative value if a series of gifts etc.) of £100 or more. You **must**, at the commencement of the meeting or when the interest becomes apparent, disclose the existence and nature of the gift, benefit or hospitality, the identity of the donor and how the business under consideration relates to that person or body. However you can stay in the meeting unless it constitutes a significant interest, in which case it should be declared as outlined above.

What if I am unsure?

If you are in any doubt, Members are strongly advised to seek advice from the Monitoring Officer or the Democratic Services and Scrutiny Manager well in advance of the meeting.

DECLARATION OF DISCLOSABLE PECUNIARY INTERESTS, SIGNIFICANT INTERESTS AND GIFTS, BENEFITS AND HOSPITALITY

MEETING.....

DATE..... AGENDA ITEM

DISCRETIONARY PECUNIARY INTEREST

SIGNIFICANT INTEREST

GIFTS, BENEFITS AND HOSPITALITY

THE NATURE OF THE INTEREST, GIFT, BENEFITS OR HOSPITALITY:

.....
.....
.....

NAME (PRINT):

SIGNATURE:

Please detach and hand this form to the Democratic Services Officer when you are asked to declare any interests.