

A01

F/TH/14/0103

PROPOSAL: Erection of 3No. single storey dwellings together with associated car parking

LOCATION: GARAGES REAR OF 5 AND 7 ST MARYS ROAD, MINSTER, RAMSGATE

WARD: Thanet Villages

AGENT: KUDOS Architectural Design

APPLICANT: Thanet District Council

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 Compulsory Purchase Act 2004).

- 2 The proposed development shall be carried out in accordance with the submitted application as shown by the drawing numbered 13/102/MG/PL01 Revision D, received on 10th March 2014.

GROUND:

To secure the proper development of the area.

- 3 The area shown on drawing number 13/102/MG/PL01 Revision D, received on 10th March 2014 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 Prior to the first occupation of the development, the secure cycle parking facilities, as shown on drawing number 13/102/MG/PL01 Revision D, received on 10th March 2014, shall be provided and thereafter maintained.

GROUND:

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

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

GROUND:

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

- 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.

- 7 No further alterations to the building, whether approved by Classes A, B or C of Part One of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (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.

- 8 Prior to the commencement of the development hereby approved, details of the decommissioning or relocation of the street lighting columns within the site shall be submitted to and approved in writing by the Local Planning Authority. The decommissioning or relocation of the street lighting columns shall be carried out concurrently with the development, in accordance with the approved details.

GROUND:

In the interests of highway safety.

INFORMATIVE

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

SITE, LOCATION AND DESCRIPTION

The site is within a predominantly residential area, although there are numerous commercial premises to the north and east on the High Street and Monkton Street. The residential area to the south and west of the site has a strong character with terraces of four dwellings of identical scale and design, albeit, alterations have been made to these dwellings over time. The area has a spacious character with dwellings set well back from the road with large front gardens. The buildings are typically constructed of brick work, under a concrete tile roofs.

RELEVANT PLANNING HISTORY

It is not considered that there is any planning history relevant to the determination of the current application

PROPOSED DEVELOPMENT

This application is for the erection of a pair of semi-detached single storey dwellings, each providing two bedrooms and one detached single storey dwelling, which would provide one bedroom. Car parking for eight vehicles, together with manoeuvring areas, would be provided to the front of the properties, which would be accessed via the existing vehicular access to St Marys Road. The dwellings would be finished in brick work, with cladding to their gables, under a concrete tile roof. The design and access statement confirms that the dwellings are intended to provide affordable housing.

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
CC2 - Landscape Character Areas

NOTIFICATIONS

Letters have been sent to neighbouring properties and a site notice has been posted. Four representations have been received in response, raising the following concern:

- Ability to connect to utilities
- Insufficient access to the site
- Too much car parking is proposed
- The proposed dwellings are too close to neighbours
- No flood risk assessment has been carried out
- Impact on wildlife
- Potential for contamination to be present
- Potential for asbestos to be present on site
- Harm to highway safety and the free flow of traffic, both during construction and for the long term.
- Loss of access to neighbouring gardens
- Lack of car parking
- Loss of trees
- Potential structural problems to neighbouring properties
- Impact on neighbouring properties of odours, rodents etc. from the location of refuse stores

CONSULTATIONS

Kent County Council Highways and Transportation - Raise no objection, subject to any grant of permission having conditions attached requiring measures to prevent the discharge of water onto the highway, wheel washing facilities, details of parking areas for construction vehicles and site personnel, provision and permanent retention of vehicle parking and turning areas, use of a bound surface material for the first 5m of the access, provision of covered cycle storage, and details of the widening of the access and relocation of the street light to be submitted and agreed.

Southern Water - No objection

Minster Council - No objection, subject to access being retained to the rear of No.22 Monkton Road and a condition ensuring local lettings. Concern has been raised regarding whether lawful access rights exist to other dwellings

COMMENTS

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

It is considered that the main considerations in the assessment of the application are the principle of the proposed development and its impact on the character and appearance of the area, the living conditions of neighbouring properties and future occupiers and the local highway network.

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 standing and I am satisfied that the land is therefore previously developed. The site also lies within the built-up confines of Minster, 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 an existing access road off St Marys Road, which is currently in use as an access to the garages on site and open parking areas on the site. It is proposed to erect a pair of semi-detached single storey dwellings and a detached single storey dwelling on the site, following the demolition of the existing garages. The area generally has a character of street frontage development; however, there are also several examples of cul-de-sacs, such as Norton Drive and Singleton Close. It is not, therefore, considered that the erection of dwellings which don't front directly onto a road would be significantly out of character. Furthermore, the site is characterised by the existing garages on the site which also produce a degree of activity, adding further weight to the case that the proposed dwellings would not harm the character of the area.

Concern has been raised that the location of the refuse stores would give rise to unacceptable odour and pest problems. However, it is considered that the small scale of the storage, together with the relationship with neighbouring properties, relating to single dwellings, this would not be materially harmful

Whilst the development to the south and west of the site has a strong degree of uniformity

to its two storey dwellings, other adjacent sites, such as 11 and 11a Norton Drive and 3 Taylor Road, single storey dwellings can be found. Given this mixed character, it is considered that the scale of the dwellings is compatible with the character of the area. The dwellings are single storey and would not therefore be highly visible from public areas. It is considered that their uncomplicated individual design and use of materials would not be out of character with other properties in the area, having particular regard for the appearance of the other bungalows in the area.

For the reasons outlined above, it is considered that the proposal would sit comfortably within the area, causing no harm to the character or appearance of the area.

Living Conditions

The proposed dwellings would be set away from the boundaries of the site by a minimum of 2.5m, whilst the buildings would only be of limited height, being single storey under shallow pitched roofs, with a ridge height of 5.5m above ground level. Having regard for the height of the proposed dwellings, their locations and their relationship with neighbours, it is not considered that any loss of light or sense of enclosure would be caused. Furthermore, as no upper floor windows are proposed, it is not considered that any significant overlooking would be caused. However, should alterations be made to the properties at a later date under permitted development rights, harm could be caused to the residential amenity of neighbouring properties and, as such, should permission be granted it is considered that it would be reasonable to remove permitted development rights for alterations to, or extension of, the roof.

The proposed dwellings would provide an acceptable layout and benefiting from natural light. The development would include a garden area for each property which would provide general amenity space and adequate door step play space for the two bedroom dwelling.

Highways

The proposal would utilise the existing access road off Saint Marys Road to provide vehicular access to the site. At present, the site has the potential to generate its own level of vehicle movements and it is considered unlikely that the proposal would significantly increase movements using the access. KCC Highways have raised concerns with the existing access, which is considered to be substandard. The proposal would include the provision of an extended vehicle access to provide a passing place, improving the visibility out of the access and allowing vehicles to wait within the site, as opposed to on the highway. It is considered that this would improve the existing access ensuring the free flow of traffic on St Marys Road. It is therefore considered that the proposed access would be suitable to service the proposed development.

A total of eight car parking spaces would be provided. The design and access statement confirms that each property would be provided with two dedicated spaces, with the remaining two spaces being shared visitor parking. The proposed access and parking layout would provide sufficient space for manoeuvring. It is considered that two parking spaces per dwelling, plus two additional shared visitor spaces, is sufficient to meet the needs generated by the development.

KCC Highways have raised no objections to the development; however, they have recommended that several conditions are attached to any grant of permission to ensure

that a bound surface material is used for the parking areas which prevents the discharge of water onto the highway, the car parking, access and turning areas are provided prior to the first occupation of the dwellings, provision is made for loading and unloading areas and site personnel parking during construction, wheel washing facilities are provided during construction, cycle parking is provided and the off-site highway works take place. It is considered that the majority of the proposed conditions are reasonable and necessary. However, it is noted that wheel washing facilities, used to prevent the deposition of material on the public highway, is covered under separate legislation and, as such, it would be unreasonable duplication to attach this condition to any grant of permission. Furthermore, the application form states that it is proposed to utilise permeable paving and tarmac for the parking areas and, as such, conditions requiring the use of a bound surface material are unnecessary. Whilst the permeable paving would drain water away, the site would retain a large area of tarmac and it is considered that it would be reasonable to require details of drainage from this area.

The proposed access, whilst of sufficient width, includes a kink which would make access for large fire appliances difficult. As such, the applicant has agreed to provide residential sprinkler systems to the dwellings to ensure that there is not an unacceptable risk of fire. This can be secured by condition.

Other Matters

Minster Parish Council have requested that the properties should be occupied in accordance with a local letting plan to ensure that Minster residents get priority in all allocations of the properties. However, as this application falls under the threshold where there is a requirement for the properties to be affordable dwellings, it would be unreasonable to require this through the imposition of a condition. It is, however, understood that it is the intention for the dwellings to be affordable units, which will be rented at affordable rates below market value.

Concern has been raised that a flood risk assessment should have been submitted with the application. The site is not within a flood risk area and falls below the threshold where an assessment is required. Furthermore, given the site area, which is covered by hardstanding already, it is not considered that the proposal would pose a risk of localised flooding.

Concern has been raised that the development would impact wildlife. There are no features of interest within the site which are identified by Natural England Standing Advice and I do not, therefore, consider that the development would cause any harm to protected species or habitats.

Trees have been identified within the site, which would be lost through the development. These trees are small, located close to a boundary of the site and not highly visible from public areas. These trees are not covered by a Tree Preservation Order and are not located within a Conservation Area and could therefore be removed at any time without consent. For these reasons, it is not considered that their loss would be materially harmful, whilst the trees are not considered to be worthy of a Tree Preservation Order.

Concern has been raised that there may be contamination on site, whilst the garages may contain asbestos. Having visited the site, it is not considered likely that harmful levels of contamination would be present on site. The removal of hazardous materials, such as asbestos, is covered under separate legislation and is not a material planning consideration.

Concern has been raised that existing accesses to neighbouring properties would be lost should this development be permitted. Rights of access are a civil matter and are not a material planning consideration.

The likelihood of the development, including the removal of any trees, causing structural problems to neighbours is a civil issue which is not material to this planning application.

Conclusion

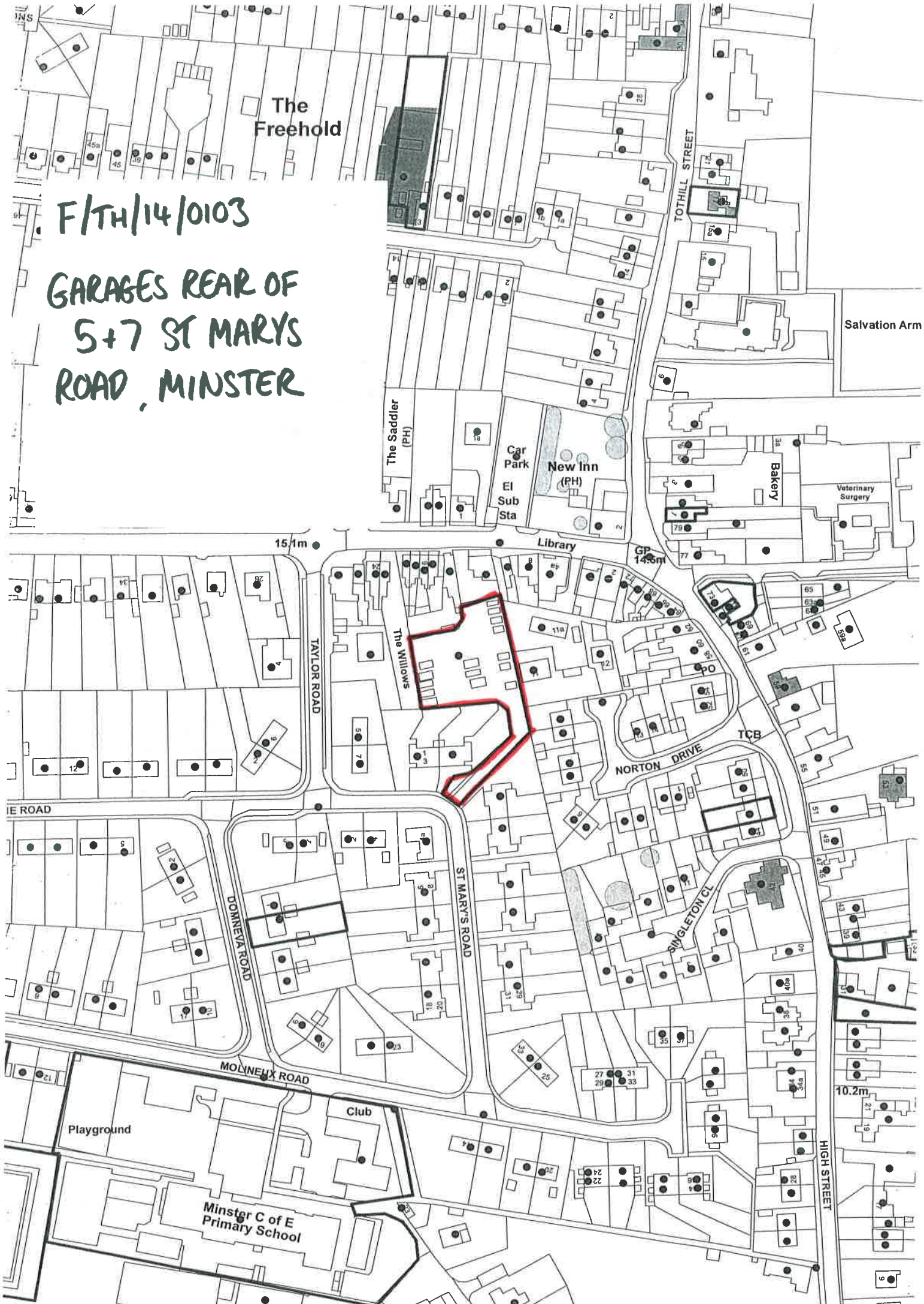
It is considered that the principle of the proposed development is acceptable. Furthermore, it is considered that the proposal would be of no detriment to the character and appearance of the area, the living conditions of neighbouring properties or future residents, or the local highway network, and would be acceptable in all other material respects. It is therefore recommended that planning permission is granted.

Case Officer
Luke Blaskett

The Freehold

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GARAGES REAR OF
5+7 ST MARYS
ROAD, MINSTER



F/TH/14/0103 – Garages R/O 5 and 7 St Marys Road, Minster

