

**A01**

**F/TH/15/0029**

PROPOSAL:                   Erection of Mansard roof to accommodate 2no. two bed self contained flats

LOCATION:                    1 MOUNT LAVINA, 195 CANTERBURY ROAD, EAST, BIRCHINGTON, CT7 9AH

WARD:                        Birchington South

AGENT:                      T Michael Consulting

APPLICANT:                 Mr Day

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 and the plans numbered 06, 08, 10 & 12 received by the Local Planning Authority on 13th January 2015, the amended plan numbered 02A and additional plan numbered 04 (PRE) received by the Local Planning Authority on 3rd June 2015.

**GROUND:**

To secure the proper development of the area.

- 3           Prior to the commencement of the development hereby approved samples of the plain roof tile shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall be carried out in accordance with the approved materials.

**GROUND:**

In the interests of visual amenity in accordance with Policy D1 of the Thanet Local Plan and Paragraphs 129 & 132 of the National Planning Policy Framework.

- 4           Prior to the commencement of the development hereby approved joinery details including sections through at a scale of 1:5 of all new external windows 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 and Paragraphs 129 & 132 of the National Planning Policy Framework.

## SITE, LOCATION AND DESCRIPTION

The site is located within the urban confines, within the Birchington Conservation Area and adjacent to a Listed Building no. 197 Canterbury Road. The application site comprises a detached three storey property containing 6no. 2 bed residential units with garages serving the existing flats and amenity space and bin storage to the rear.

## RELEVANT PLANNING HISTORY

The most recent planning site history relating to the whole building is:

**TH/83/1236** – Erection of a three storey building comprising of six flats with garages and parking space – granted 19/01/84

## PROPOSED DEVELOPMENT

The application proposes the erection of a mansard roof to create 2no. 2 bed self-contained flats. The external walls of the mansard would be set in by approximately 600mm with a parapet surround. The proposed extension would have a height of 1.9 metres above the parapet with new windows to the front and rear elevations which would align with those below. The layout of the proposed flats would be similar to those existing.

## DEVELOPMENT PLAN POLICIES

### **Thanet Local Plan Policies**

H1 – Housing  
H4 – Windfall Sites  
D1 – Design  
SR5 – Play Space  
TR12 – Cycling  
TR16 – Car Parking

## NOTIFICATIONS

Neighbour notification letters were sent to properties directly surrounding the site, site notices posted near the site and an advert placed in the local newspaper. Letters have been received from thirteen objectors have been received; raising the following concerns:

- The two parking spaces proposed are already in use
- Impact on health of residents
- Safety concerns
- Increased noise and disturbance for residents

- Increased smell from refuse store
- Overdevelopment
- Out of keeping and detrimental to neighbouring buildings
- Incongruous and obtrusive detrimental to streetscene, Conservation Area and setting of Listed Buildings
- Oak tree within bin store would prevent siting of cycle stores
- Rights and responsibilities of freeholder and leaseholder
- Overbearing impact
- Loss of outlook
- Loss of light
- Loss of privacy
- Impact on lift
- Additional parking demand and highway issues
- Plans do not accurately show existing drainage
- Soundproofing and fire regulations
- Front doorstep not suitable for disabled access
- Comments relating to previous planning decisions

In addition a petition has been submitted with 12 signatories stating that:

*"We the undersigned hereby express our strong objection and undivided opposition to the proposal to erect a Mansard style roof on Mount Lavina, 195 Canterbury Road CT7 9AH. The erection of this roof would degrade the property and the two listed buildings of Oakleigh and the Sycamores. The Mansard roof would also have a grave effect on all neighbouring properties from 191 to 201 Canterbury Road and The stables behind Mount Lavina. The erection of the obnoxious Mansard roof would certainly be detrimental to the character and appearance of our conservation area. after all, it is the Councils policy to protect the character and appearance of the conservation area. the Council should listen to us, the residents. We do not want that French styled Mansard roof erected in our area"*

**Birchington Parish Council** opposed the original application due to concerns about health and safety and Fire Regulations, following consideration of amended plans the Parish Council raise no objection.

### CONSULTATIONS

**Conservation Officer** states 'Although I have some concerns that the proposal would to some extent disrupt the unity of the group of buildings in the street due to the addition of the storey being higher than the neighbouring properties, I consider the proposed addition would not detrimentally detract from the character and appearance of the host building, the character and appearance of the conservation area and setting of listed buildings subject to safeguarding conditions.'

**Waste and Recycling** raise no objection to amended plans.

**Kent County Council Highways and Transportation** had no objection in principle to the introduction of two additional dwellings; however concern was raised regarding the turning provision on site. Amended plans were submitted to address this concern and were considered acceptable.

## COMMENTS

The application is brought before members as the applicant is a Thanet District Council Councillor.

The main considerations in determining this application are the principle of development, the impact on the character and appearance of the area including the Birchington Conservation Area and setting of nearby Listed Buildings, the impact on the living conditions of future and neighbouring property occupiers and impact on the local highway network.

### **Principle**

The site lies within the urban confines and the principle of the proposed extension of a residential building to provide additional units of accommodation, is acceptable, subject to the assessment of the material considerations.

### **Character and Appearance**

The application property lies within the Birchington Conservation Area and adjacent to Listed Buildings. There are examples of mansard roofs to buildings in the vicinity of the application site. The proposed design and scale of the extension is considered to be sympathetic to the existing building. Whilst the proposed extension would result in the building being higher than neighbouring properties, due to the proposed design incorporating parapet walls to all sides, the visual impact of the proposed extension would be reduced.

The existing property is three storeys with a flat roof behind a parapet. The proposed mansard extension would be set behind a parapet surround with a height of 1.9 metres above the parapet. The existing building comprises white timber sash windows and the scheme proposes openings in keeping with those existing. The proposed windows to the front and rear elevation within the extension would align with those of the lower floors. Surrounding properties have plain roof tiles and plain tiles are proposed to the extension. A safeguarding condition requiring submission of window and roof tile details would be attached to any consent.

The scheme proposes 1no. stained timber shed to the rear of the site to provide secure, covered cycle parking for the future occupiers of the proposed flats. These would be located discretely within the site and would not be highly visible from public vantage points. On balance, it is considered that the proposed development would preserve the character and appearance of the building, the Birchington Conservation Area and setting of neighbouring Listed Buildings.

## **Living Conditions**

In terms of living conditions, the proposed extension would provide an additional 2no. 2 bed flats and each would comprise a lounge, kitchen and two bedrooms; all of these rooms would benefit from natural light and ventilation. The size and layout of the proposed accommodation is considered acceptable.

The proposal would result in a slightly reduced grassed area to the rear, however, the space provided would be sufficient to serve the proposed development.

With regards to neighbouring residential amenity, there are no openings proposed within the side elevation of the extension and the openings proposed to the front and rear elevations at third floor level are unlikely to cause significant harm to the living conditions of neighbouring property. The proposed extension would pitch away from neighbouring properties and would not therefore impact on the outlook and light of neighbours .

Concern has been raised regarding increased odour that may result from more bins within the storage area. The bin store lies adjacent to the rear boundary of the site, away from habitable room windows and the bins are standard council issue wheelie bins with lids. It is not considered that this would have a material impact.

## **Highways**

The existing flats benefit from one garage each and there are two parking spaces to the rear of the site. Whilst there is no on street parking available in the immediate vicinity of the site along the Canterbury Road, the site is located in a highly sustainable location, in close proximity to a range of goods and services within the commercial area of Birchington and has good public transport links and there would be a ratio of one space per flat within the site. Whilst no additional on-site parking is proposed, and given the highly sustainable location of the site, I consider that the parking demand created by the two additional flats would not be such as to warrant refusal of the application on amenity or highway safety grounds.

## **Other Matters**

There is a tree to the front of the site which is subject to a tree preservation order. The application does not propose any works to this tree as part of the proposed development and it is not considered that works to or the loss of the tree would be required in order to facilitate the build of the proposed extension.

Concerns have been raised regarding health and safety, fire regulations and sound proofing these are not planning considerations. and the development would be separately subject to Building Regulations should planning permission be granted.

Concerns have been raised regarding freeholder and leaseholder rights and responsibilities; these are civil matters and not a material planning consideration.

Concern has also been raised regarding the accessibility of the existing front door of the building. However, this is an existing access and therefore is not the subject of the current application and amendments cannot therefore be required.

Residents are concerned that the proposed development would result in noise and disturbance which would have an adverse impact upon their health and well-being and whilst these concerns are fully acknowledged they cannot be taken into account in the determination of the application.

### **Conclusion**

It is considered that subject to appropriate safeguarding conditions, the proposed development would preserve the character and appearance of the building, the Birchington Conservation Area and setting of nearby Listed Buildings as designated heritage assets, provide an acceptable standard of accommodation for future occupiers and cause no material harm to the living conditions of neighbouring property occupiers or highway safety and is therefore recommended for approval.

CASE OFFICER  
Helen Johnson

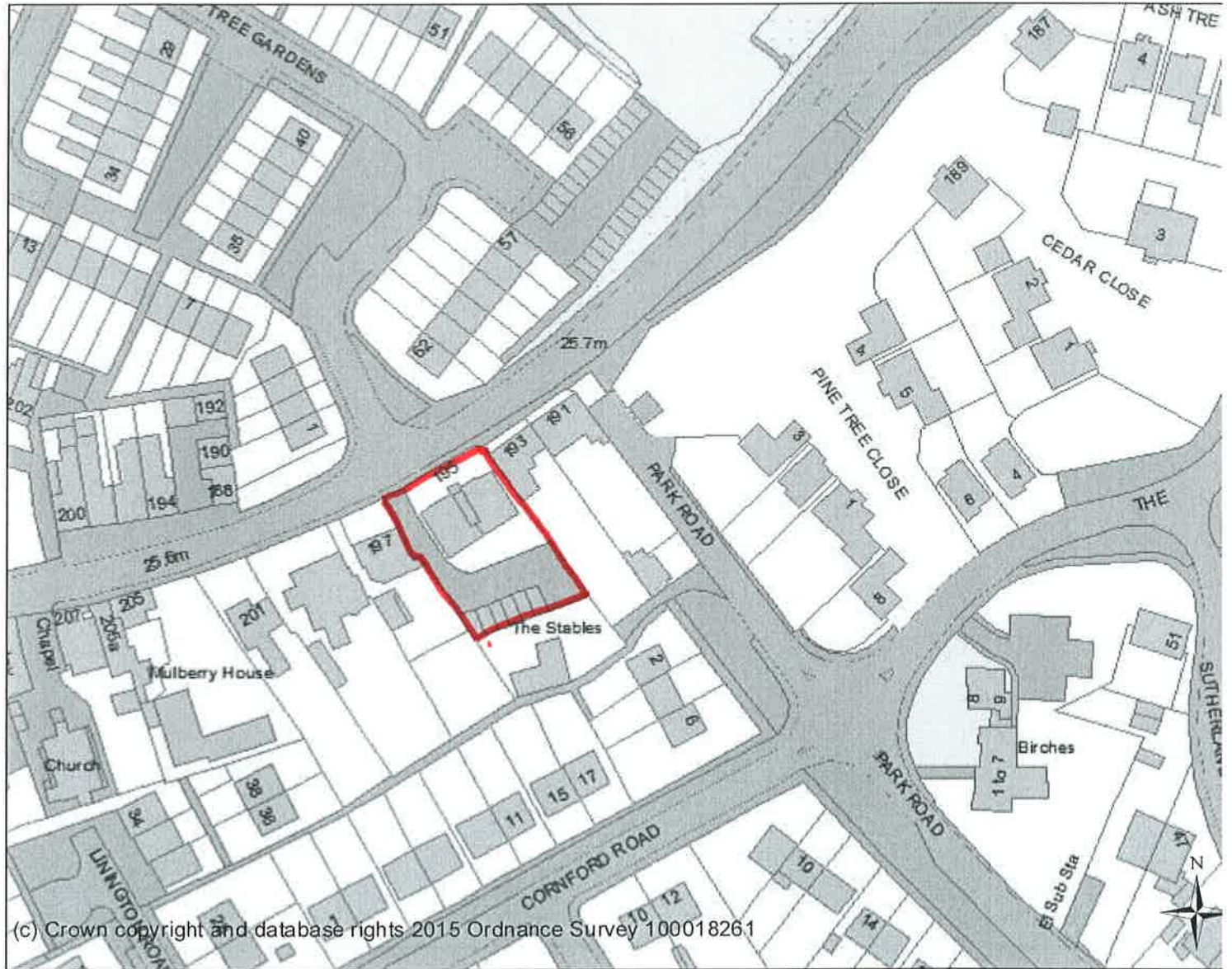
# Title: F/TH/15/0029

Project name: Mount Lavina, 195 Canterbury Road, Birchington

Notes:

Scale: 1:1,250

Author:



Legend

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MOUNT LAVINA, 195 CANTERBURY ROAD,  
BIRCHINGTON

