

A02

F/TH/16/0759

PROPOSAL: Erection of 4No. 2-bed detached bungalows, with access leading onto Northdown Road

LOCATION: Land Rear Of Orchard House 17 Church Street
BROADSTAIRS Kent

WARD: St Peters

AGENT: No agent

APPLICANT: Mrs Hannah Weller

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.

Plans and Elevations L/16/08/02/E, Site Layout L/16/08/03/E Submitted 22 November 2016.

GROUND:

To secure the proper development of the area.

3 The bin collection point for the deposit of the residents' bins on collection days only, as detailed on the approved drawings, shall be provided prior to first occupation of the dwellings hereby approved and be kept available for that use at all times.

GROUND:

To secure a satisfactory standard of development and in the interests of the amenities of the area, in accordance with policy D1 of the Thnet 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 first 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 Prior to the first occupation of the development, the area shown in the plans hereby approved 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 approved shall thereafter be maintained for that purpose.

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 2006

7 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.

GROUND:

To prevent pollution in accordance with the advice contained within the NPPF.

8 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.

9 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.

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

This application is for the erection of 4no 2bedroom bungalows on land to the rear of Orchard House, St Peters. The site is situated within the Conservation Area and adjacent to Mocketts Wood. It is accessed from Northdown Road via an existing access road. The land was originally part of the curtilage of Orchard House when the property was in private residential use and separated off following the sale of the property. The land was previously used in association with a commercial garage in order to accommodate vehicles awaiting repair and for storage of recovery trucks, with some lock up garages.

RELEVANT PLANNING HISTORY

F/TH/09/0011 - Erection of 2 No. detached dwellings, with access leading onto Northdown Road (Refused 18/03/2009) (The application site lies outside the urban confines of Broadstairs and, as such, its development for the erection of two dwellings would constitute the development of fresh land in the countryside, unrelated to local need and without any special agricultural or other justification, detrimental to the rural character and appearance of the area, contrary to policies SS1, SP1, HP2, HP5, QL1, EN1 and QL4 of the Kent and Medway Structure Plan, and Thanet Local Plan Policies H1, D1 and CC1, which seek to concentrate development at appropriate locations within the confines of existing urban areas and rural settlements, thereby conserving and enhancing the character, quality and functioning of the countryside).

F/TH/08/0818 - Erection of 2 No. 3 bed detached bungalows (Refused 22/08/2008)

PROPOSED DEVELOPMENT

The development proposed consists of four detached bungalows all with two bedrooms, parking provision for two cars per dwelling and private gardens. Whilst the design and access statement refers to the units as being for elderly people, consideration is being given to the units for general residential use.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan 2006 (Saved Policies)

H1 - Residential Development Sites
CC1 - Development in the Countryside
D1 - Design
D2 - Landscaping
TR16 - Car Parking
SR5 - Play Space

NOTIFICATIONS

Letters were sent to neighbouring properties and a site notice has been posted.

One letter of objection was received raising the following concerns:

- o Affect local ecology
- o Conflict with the Local Plan
- o Development too high
- o General dislike of the proposal
- o Increase in traffic
- o Over development
- o The land was intended for amenity use, the development will affect the local wildlife.

Another letter received raised concern about the communal bin storage proposed in the original layout, but did not object to the development of the area.

Broadstairs Town Council - No comment.

The Broadstairs Society - No adverse comments to make subject to any constraints suggested by the Conservation Officer.

CONSULTATIONS

Southern Water - A formal application for connection to the public foul sewer is required and relevant informative to be attached to any planning consent. The application makes reference to drainage using a Sustainable Urban Drainage System (SUDS). Under current legislation and guidance SUDS rely upon facilities which are not adoptable by sewerage undertakers. Therefore, the applicant will need to ensure that arrangements exist for the long term maintenance of the SUDS facilities. It is critical that the effectiveness of these systems is maintained in perpetuity. Good management will avoid flooding from the proposed surface water system. Where a SUDS scheme is to be implemented, the drainage details submitted to the Local Authority should: Specify the responsibilities of each party for the implementation of the SUDS scheme; specify a timetable for implementation; provide a management and maintenance plan for the lifetime of the development. This should include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme through its lifetime.

We request a condition is attached "Construction of the development shall not commence until details of the foul and surface water sewerage disposal have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water.

The proposed development would lie within a Source Protection Zone around one of Southern Water's public water supply sources as defined under the Environment Agency's Groundwater Protection Policy. Southern Water will rely on your consultations with the Environment Agency to ensure the protection of the public water supply source.

TDC Contaminated Land Officer - I understand that although there is no visual evidence of staining of the ground at the site, this has been employed in the past for a vehicle storage use. As such, I would be grateful if the following watching brief condition be attached to safeguard the development should planning permission be granted.

KCC Public Rights of Way - No comments

KCC Archaeology - Thanet is generally rich in archaeological remains and the application site lies close to the medieval church of St Peters which would have been the focus of the medieval village. Numerous archaeological sites are recorded within 300m to 500m of the site, mainly as cropmarks of enclosures and ring ditches / barrows in fields surrounding the residential areas of St Peters. These include a Scheduled Ancient Monument (Kent 261) being cropmarks of 2 ring ditches and enclosures to the north west of Danes Court.

It is therefore possible that important archaeological remains could be affected by the development on this site. I would therefore recommend that provision is made in any forthcoming permission for the implementation of a programme of archaeological works.

TDC Conservation Officer - No objection. I consider that the material harm to the Conservation Area would be minimal as to be unacceptable. With appropriate treatment of detailing and complimentary materials, the proposed development will not create an adverse impact on the character or appearance of the Conservation Area and setting of listed building.

Environment Agency - We note the site is located in a source protection zone 3 for a public water supply borehole. Groundwater SPZs are areas of groundwater where there is a particular sensitivity to pollution risks due to the closeness of a drinking water source and how the groundwater flows. In this instance, we have assessed this application as having a low environmental risk. We therefore have no comments to make.

Kent Highways Services - No comment.

COMMENTS

This application is brought to Planning Committee as the site lies outside of the urban confines and is therefore a departure to Policy H1 of the Thanet Local Plan.

Principle

The site lies outside of the urban confines of St Peters and is therefore contrary to Policy H1 of the Thanet Local Plan, which requires that development should be on previously developed land within the urban confines. The site has previously been subject to two refusals of housing development on this basis, however, the current situation is that the

Local Authority cannot demonstrate a 5 year supply of housing, and Policy H1 has limited weight, therefore, all applications for residential development must be considered on their own merits. The site is situated in a sustainable location within close proximity of the local amenities of St Peters and with good access to public transport. The site is adjacent to other residential development and backs onto Mocketts Wood.

The NPPF states in para 49, that housing applications should be considered in the context of the presumption in favour of sustainable development. In determining whether housing on the site would be acceptable, the need for housing in the district needs to be balanced against other issues such as the impact on the character and appearance of the area, neighbouring living conditions and highway safety.

Character and Appearance

The site lies within the Conservation Area, behind Orchard House and was formerly part of the curtilage of Orchard House when it was in private residential use. It borders Mocketts Wood on the northwest boundary and is accessed from Northdown Road. On plan the site looks to be an open space on the edge of the urban confines but it is enclosed by the edge of Mocketts Wood which forms a natural boundary and the site has further boundary treatment round the entire curtilage. There is not currently a sense of the site being an open space or contributing to any sense of open space within the Conservation Area because it is enclosed. The site is currently hard surfaced with some grass and it was considered an ecological survey was not required. The adjacent trees in Mocketts Wood are outside of the site and any trees within the site are being retained as per the site layout plan. It is not considered that the loss of the open space would be detrimental to the character and appearance of the area or negatively impact the conservation area, because it is not contributing to the street scene as an open space. The pattern of development around Mocketts Wood is characterised by gardens of residential properties bordering the curtilage of the wood. The proposed development will seek to do the same with back gardens bordering the edge of the wood.

The design of the dwellings as single storey bungalows is sympathetic to the location of the site. Each property is detached and addresses the road and appropriate landscaping is proposed for the site. The properties will not be seen from Church Street as they are single storey and set behind Orchard House, so there will not be a visual impact from Church Street and within the Conservation Area. Paragraph 131 of the National Planning Policy Framework (NPPF) considers that in determining planning applications; the local planning authority should take account of the desirability of new development making a positive contribution to local character and distinctiveness.

Consideration has been given to the location of the site within a conservation area with the choice of materials proposed for the development. Sliding sash timber frame windows are proposed, natural slate roofs, red facing brickwork, and mixture of light grey and white monocouche through render. It is considered that the materials used and the overall development is sympathetic to the character and appearance of the Conservation Area in accordance with paragraph 131 of the NPPF.

Living Conditions

The four detached bungalows are all two bedroom properties and have well proportioned rooms. There are no overlooking concerns with the neighbouring properties or any loss of light issues because the dwellings are all single storey and set at appropriate distances from each other and neighbouring properties.

The four bungalows created all have their own private back gardens, which provide door step play space, private amenity space and clothes drying facilities. Each property will store their bins on their own property, but on collection day there is a bin collection point where bins are to be deposited for collection. This should alleviate the neighbour concern which was raised from an early iteration of the plan which suggested this would be a permanent storage point. It is for collection only because of the carry distance down to Northdown Road being greater than 25 metres for 3 of the properties. The application is therefore considered to comply with Policy SR5 and Policy D1 of the Thanet Local Plan. The impact upon living conditions is therefore considered to be acceptable.

Highways Safety

The application did not meet the Kent Highway Services criteria to warrant their involvement. The four properties will be served from an existing access road from Northdown Road. Two parking spaces per dwelling are proposed along with an area for turning and maneuvering within the site to allow for vehicles to enter and leave the site in a forward gear. There is not considered to be any harm created to the public highways network as a result of the development and cycle storage is achievable within the external amenity areas for each dwelling. The impact upon highway safety is therefore considered to be acceptable.

Archaeology

Due to the proximity of the site to the medieval St Peters Church and archaeological sites being recorded within 300m to 500m of the site, the KCC Archaeologist has requested a condition to secure a programme of archaeological works prior to the commencement of development. This condition is considered to be reasonable and addresses any archaeology concerns.

Contamination

As the applicant has confirmed a previous use of the land was for the parking of vehicles awaiting repair at a nearby garage a watching brief condition has been attached to the application to ensure that should contamination be found, assessment and remediation can take place.

Conclusion

Whilst the development proposed is contrary to Policy H1 of the Thanet Local Plan because the site does not fall within the urban confines, the lack of a 5 year housing supply in Thanet means that all applications for residential development must be considered on their own merits. The NPPF states in para 49, that housing applications should be considered in the

context of the presumption in favour of sustainable development. The need for housing in the district needs to be balanced against the impact on the character and appearance of the area, to which there is not considered to be a negative impact. The impact on neighbouring living conditions and highway safety are also not considered to be harmful. Due to the sustainable location of the development, which is already served by an existing access road, it is considered that the development will provide suitable residential accommodation without any harmful impacts.

It is therefore recommended that members approve the application.

Case Officer

Lauren Hemsley

TITLE:

F/TH/16/0759

Project

Land Rear Of Orchard House 17 Church Street BROADSTAIRS Kent

Scale:



