

# Public Document Pack

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## PLANNING COMMITTEE

**17 JANUARY 2018**

A meeting of the Planning Committee will be held at **7.00 pm on Wednesday, 17 January 2018** in the Council Chamber, Council Offices, Cecil Street, Margate, Kent.

### Membership:

Councillor Grove (Chairman); Councillors: J Fairbrass (Vice-Chairman), Ashbee, Buckley, K Coleman-Cooke, Connor, Edwards, Fenner, Matterface, Partington, L Piper, Rusiecki, D Saunders, Taylor, Taylor-Smith and Tomlinson

## 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 3 - 14)

To approve the Minutes of the Planning Committee meeting held on 13 December 2017, copy attached.

4. **SCHEDULE OF PLANNING APPLICATIONS** (Pages 15 - 18)

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.***

**For Approval**

Item  
No

Subject

- 4a **A01 - F/TH/17/0941 - 18 WESTERN ESPLANADE, BROADSTAIRS** (Pages 19 - 28)
- 4b **A02 - FH/TH/17/0743 - 30 KENT ROAD, MARGATE** (Pages 29 - 34)
- 4c **A03 F/TH/17/1356 - 100 STATION ROAD, BIRCHINGTON** (Pages 35 - 44)
- 4d **A04 - F/TH/17/1397 - DOCK HEREDITAMENT AND PREMISES PORT OF RAMSGATE, ROYAL HARBOUR APPROACH, RAMSGATE** (Pages 45 - 54)
- 4e **A05 - F/TH/17/1521 - LAND ADJACENT APPLE GARTH GREEN ROAD, BIRCHINGTON** (Pages 55 - 62)
- For Refusal**
- 4f **R06 - F/TH/17/1188 - 2 WILLOW AVENUE, BROADSTAIRS** (Pages 63 - 70)
- 4g **R07 - FH/TH/17/1442 - 20 MILLMEAD AVENUE, MARGATE** (Pages 71 - 76)

**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 13 December 2017 at 7.00 pm in Council Chamber, Council Offices, Cecil Street, Margate, Kent.

**Present:** Councillor Bob Grove (Chairman); Councillors J Fairbrass, Ashbee, Buckley, K Coleman-Cooke, Edwards, Fenner, Matterface, Partington, L Piper, Rusiecki, D Saunders, Taylor, Taylor-Smith and Tomlinson

**In**

**Attendance:** Councillors Hillman, L Fairbrass, M Saunders and Shonk

#### 265. APOLOGIES FOR ABSENCE

Apologies were received from Councillor Connor.

#### 266. DECLARATIONS OF INTEREST

There were no declarations of interest.

#### 267. MINUTES OF PREVIOUS MEETING

It was proposed by the Vice Chairman, seconded by Councillor D Saunders and AGREED that the minutes of the Planning Committee held on 15 November 2017 be approved and signed by the Chairman.

#### 268. SCHEDULE OF PLANNING APPLICATIONS

#### 269. A01 - R/TH/17/1144 - LAND ADJACENT HOLY TRINITY SCHOOL, 99 DUMPTON PARK DRIVE, BROADSTAIRS

PROPOSAL: Application for the approval of reserved matters (appearance, landscaping, layout, and scale) in pursuant of outline permission OL/TH/15/0956 for the erection of up to 28No. dwellings with associated access from Cliffside Drive

Speaking in favour of the application was Mr Hume.

Speaking raising points of concern was Mr Stringer.

Speaking raising points of concern was Mrs Smith.

It was proposed by the Chairman and seconded by the Vice-Chairman:

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

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

1 The proposed development shall be carried out in accordance with the submitted application as amended by the revised drawings numbered 1401 006 D and 1401 005 C,

received 13 December 2017; revised drawing numbered 0025/17/B/1B, received 04 December 2017; revised plans numbered 1401 016 B, 1401 013 A, 1401 014 A, 1401 019, and 1401 003 E, received 30 November 2017; revised drawing numbered 1401 012 B, received 15 November 2017; revised drawings numbered 0025/17/B/1A and 12417-T-01 P2, received 19 September 2017; drawing numbered 1401 017, received 07 August 2017; and drawings numbered 1401 010, 1401 011, and 1401 015, received 2 August 2017.

GROUND:

To secure the proper development of the area.

2 Prior to the first occupation of each dwelling hereby permitted, the associated parking for that unit shall be provided and thereafter maintained. All visitor parking, as shown on the approved plan numbered 1401 003E, shall be provided prior to the occupation of the 20th unit hereby permitted.

GROUND:

In the interests of highway safety

3 Prior to the first use of the access road hereby permitted, visibility splays of 25m x 2m x 25m at the junction between the two internal access roads, and an 18m forward visibility splay onto Cliffside Drive, as shown on the approved plan numbered 1401 003E, shall be provided and thereafter maintained, with no obstructions over 1m above carriageway level within the splays.

GROUND:

In the interest of highway safety.

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 The bat and bird boxes and native hedgerow as shown on the approved Landscape Planting plan numbered 0025/17/B/1A should be provided prior to the first occupation of the development hereby permitted, and thereafter maintained.

GROUND:

To provide ecological enhancements, in accordance with the NPPF.

6 Prior to the installation of any external lighting, details of the lighting scheme shall be first submitted to and approved in writing by the Local Planning Authority. The lighting scheme shall include the location, height and design of the proposed lighting, and shall show only minimal lighting on site boundaries, and no lighting directed towards Tree 34.

GROUND:

To protect foraging and roosting bats, in accordance with the NPPF.

7 Any external lighting used during construction shall be directed away from the site boundaries, and turned off when not in use.

GROUND:

To protect foraging and roosting bats, in accordance with the NPPF.

8 The development hereby approved shall incorporate a bound surface material for the first 5 metres of the access from the edge of the highway.

GROUND:

In the interests of highway safety.

9 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.

10 The development hereby permitted shall be constructed using yellow stock brick, cladding, painted render, and slate roof tiles, with samples/colours of the materials along with a material schedule identifying the use of materials for each dwelling type, to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development hereby permitted. 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 the NPPF.

11 All first floor windows within side elevations of the proposed dwellings hereby permitted shall be provided and maintained with obscure glass.

GROUND:

In the interests of neighbouring amenity, and the amenity of future occupiers of the development, in accordance with Policy D1 of the Thanet Local Plan and the NPPF.

12 Prior to the commencement of development hereby permitted, a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Construction Management Plan shall include the following details:

- (a) Routing of construction and delivery vehicles to/from site
- (b) Parking and turning areas for construction and delivery vehicles and site personnel
- (c) Timing of deliveries (no deliveries before 9.30 am or between 2.45 pm - 3.45 pm)
- (d) Provision of wheel washing facilities
- (e) Temporary traffic management/ signage

Development shall be carried out in accordance with the approved details.

GROUND:

In the interests of highway safety.”

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

Then it was proposed by the Chairman and seconded by Councillor L. Piper:

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

‘That the application be APPROVED subject to conditions outlined above with the addition of the following condition:

13 Prior to the commencement of the development hereby approved, the applicant, or their agents or successors in title, shall secure the implementation of a watching brief to be undertaken by an archaeologist approved by the Local Planning Authority so that the excavation is observed and items of interest and finds are recorded. The watching brief shall be in accordance with a written programme and specification, which has been submitted to and approved in writing by the Local Planning Authority.

GROUND:

To ensure that features of archaeological interest are properly examined and recorded in accordance with the NPPF.”

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

(a) **A02 - L/TH/17/0964 - Quay Edge, Military Road, Ramsgate**

PROPOSAL: Erection of railings to quay edge

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

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

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

1 The works to which this consent relates shall be begun not later than the expiration date of three years beginning with the date on which this permission is granted.

GROUND:

In pursuance of Section 18 of the Planning (Listed Buildings and Conservation Areas) 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 3598\_501B and dated 30 November 2017.

GROUND:

To secure the proper development of the area.

3 Prior to the commencement of development hereby approved, details, including elevational plans, of the connection between the new railings and the existing sections of railings, 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:

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

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

**270. A03 - F/TH/17/1451 - 40 - 46 SWEYN ROAD, MARGATE**

PROPOSAL: Variation of conditions 2 and 5 of planning permission F/TH/15/0207 for change of use and conversion to 2no. four bed dwellings, 2no. two bed flats and 2no. two bed maisonettes, erection of 2No. single storey rear extensions, and alterations to front elevation, following demolition of single storey front and rear extensions and second floor extension to rear to allow part retrospective change of design to the front elevation and alterations to siting of rear boundary treatment

It was proposed by the Chairman, seconded by Councillor Buckley and RESOLVED:

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

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

1 The proposed development shall be carried out in accordance with the submitted application as amended by the revised drawings numbered CO.103 Rev P and CO.113 Rev H received 29 November 2017 and the submitted window and door schedule numbered CO.106 Rev G received 04 October 2017.

GROUND:

To secure the proper development of the area.

2 The refuse storage and clothes drying facilities as specified upon the approved drawing numbered CO.113 Rev H received 29 November 2017, shall be provided prior to the first occupation of the units hereby approved and shall 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 Thanet Local Plan.

3 Prior to the first occupation of the development hereby permitted, secure cycle parking as shown on drawing CO.113 Rev H received 29 November 2017 hereby approved shall be provided and thereafter maintained.

GROUND:

In the interest of promoting increased cycling in accordance with Policy TR12 of the Thanet Local Plan and Policy CV5 of the Cliftonville Development Plan Document.

4 Prior to the first use of the development hereby approved, the amenity spaces shown as 'F1/F2 garden', 'private garden' and the rear gardens indicated on the approved plan numbered CO.113 Rev H received 29 November shall be made available for the occupiers of the respective properties hereby approved and therefore maintained for such purposes.

GROUND:

To ensure adequate doorstep play space is provided for future occupiers, in accordance with Policies D1 and SR5 of the Thanet Local Plan.

5 The reveals to all new window and door openings shall not be less than 100mm. as agreed in the applicants agents email dated 09 April 2015.

GROUND:

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

6 Prior to the application of paint to the render to the ground floor front elevation, details of the colour scheme 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 safeguard the special character and appearance of the area as a Conservation Area in accordance with advice contained within the NPPF.”

**271. A04 - FH/TH/17/1466 - HOLLAND END, KINGSGATE BAY ROAD, BROADSTAIRS**

PROPOSAL: Erection of single storey rear extension

It was proposed by the Chairman, seconded by Councillor Buckley 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 numbered 17013-001 and 17013-004 received 3 October 2017 and 17013-003 received 6 October 2017.

GROUND:

To secure the proper development of the area.

3 The external materials and external finishes to be used in the extensions hereby approved shall be as detailed on drawing numbered 17013-004 received 3 October 2017 and 17013-003 received 6 October 2017.

GROUND:

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

**272. A05 - F/TH/17/1322 - CROSS CHANNEL SERVICE STATION, MOUNT PLEASANT, MINSTER**

PROPOSAL: Change of use of site to vehicle sales and erection of car showroom and ancillary workshop, and 2No. mixed use business units (Use Class B1, B2 and B8) with associated access and parking

It was proposed by the Chairman, seconded by Councillor Buckley 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 and the plans numbered 004 Revision 02, 005 Revision 04, 006 Revision 02, 007 Revision 05, 008 Revision 04 received by the Local Planning Authority on 5th September 2017, plan numbered 009 Revision 01 received by the Local Planning Authority on 11th October 2017

and plan numbered 003 Revision 06 received by the Local Planning Authority on 7th November 2017.

GROUND:

To secure the proper development of the area.

3 In the event that contamination is found that was not previously identified at any time when carrying out the approved development, it shall be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment shall be undertaken at that time in accordance with a site characterisation report that shall be submitted to and approved in writing by the Local Planning Authority and where remediation is necessary a remediation scheme shall be submitted to and approved in writing by the Local Planning Authority, including remediation measures to render harmless the identified contamination given the end use of the site and the surrounding environment, including controlled waters. The remediation measures shall be implemented as approved and completed prior to the recommencement of works. Prior to the occupation of the approved development and following completion of measures identified in the approved remediation scheme a verification report shall be submitted to and approved in writing by the Local Planning Authority.

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.

4 Prior to the erection or installation of any plant (including ventilation, refrigeration and air conditioning) or ducting system at the site, details of such shall be submitted to and agreed in writing by the Local Planning Authority. No extraction system other than that agreed in writing by the Local Planning Authority shall be erected or installed at the site.

The scheme shall ensure that the noise generated at the boundary of any noise sensitive property shall not exceed Noise Rating Curve NR35 as defined by BS8233:2014 Guidance on Sound Insulation and Noise Reduction for Buildings and the Chartered Institute of Building Engineers (CIBSE) Environmental Design Guide 2006. The equipment shall be maintained in a condition so that it does not exceed NR35 as described above, whenever it's operating. After installation of the approved plant, no new plant or ducting system shall be used without the prior written consent of the Local Planning Authority.

GROUND:

In the interest of the amenities of the occupiers of surrounding dwellings, in accordance with Thanet local Plan 2006 Policy D1 and the National Planning Policy Framework.

5 There shall be no servicing of the building, no goods shall be loaded or deposited and no delivery vehicles shall arrive, depart, be loaded or unloaded, within the application site before 07:00 or after 19:00 hours Mondays to Saturdays or at any time on Sundays or Bank Holidays.

GROUND:

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

6 No development shall commence until a Construction Management Plan has been submitted to, and agreed in writing by, the Local Planning Authority. The Construction

Management Plan shall include, but not necessarily be limited to, hours of construction, site boundary treatments during construction works, method and times of delivery of materials, construction vehicle loading/unloading and turning facilities, parking for site construction personnel and visitors and the provision of wheel washing facilities.

GROUND:

In the interests of safety and amenity.

7 No development 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 National Planning Policy Framework.

8 No infiltration of surface water drainage into the ground is approved 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. If there is any discharge to ground, the full proposals shall be submitted to and approved in writing by the Local Planning Authority.

GROUND:

To protect vulnerable groundwater resources and ensure compliance with the National Planning Policy Framework.

9 Prior to the installation or erection of any external lighting for the development hereby approved, full details of the external lighting, hereby approved including their fittings, illumination levels and spread of light shall be submitted to, and approved in writing by, the Local Planning Authority. The lighting installation shall then be carried out in accordance with the approved details.

GROUND:

To ensure that light pollution is minimised in the interest of the visual amenities of the area, in accordance with Policy D1 of the Thanet Local Plan.

10 Prior to the first use of the development hereby approved, details of how the development will enhance biodiversity shall be submitted to, and approved in writing by, the Local Planning Authority. The approved details shall be implemented and thereafter retained.

GROUND:

To enhance biodiversity in accordance with the National Planning Policy Framework.

11 Prior to the first use of the development hereby permitted, the area shown on Plan numbered 009 Revision 01 received by the Local Planning Authority on 11th October 2017 & plan numbered 003 Revision 06 received by the Local Planning Authority on 7th November 2017 for the loading/unloading of vehicles and turning facilities shall be provided and thereafter permanently retained.

GROUND:

In the interests of highway safety.

12 Prior to the first use of the development hereby permitted, the vehicle parking spaces shown on Plan numbered 003 Revision 06 received by the Local Planning Authority on 7th November 2017 shall be provided and thereafter permanently retained.

GROUND:

In the interests of highway safety and to promote sustainable forms of transportation and to protect air quality in accordance with Thanet Local Plan Policy EP5 and guidance within the National Planning Policy Framework.

13 Prior to the first use of the development hereby permitted, visibility splays of 4.5 metres by 100 metres to the west of the exit with no obstructions over 0.6 metres above carriageway level within the splay (this length of splay measured to the tangent point on the slight curve in the edge of the carriageway alignment will effectively provide the greater length of splay required, due to the alignment of the carriageway) shall be provided and thereafter maintained.

GROUND:

In the interest of highway safety.

14 Prior to the first use of the development hereby permitted, the refuse storage shown on Plan numbered 003 Revision 06 received by the Local Planning Authority on 7th November 2017 shall be provided and thereafter permanently retained.

GROUND:

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

**273. R06 - FH/TH/17/1328 - 31 WESTERN ROAD, MARGATE**

PROPOSAL: Erection of two storey front and side extension

Speaking in favour of the application was Mr Taylor.

Speaking as ward councillor was Councillor Hillman.

It was proposed by the Chairman and seconded by the Vice Chairman:

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

‘That the application be REFUSED for the following reason:

- 1 The proposed two storey front/side extension by virtue of its width, height, scale, design, siting and prominent corner location will result in an incongruous, dominant and intrusive form of development within the street scene, out of keeping with the established building line and surrounding pattern of development, to the detriment of the character and appearance of the area, contrary to Policy D1 of the Thanet Local Plan and paragraphs 17, 58 and 64 of the National Planning Policy Framework.”

Further to debate, the motion was declared CARRIED.

Meeting concluded : 8.45pm

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**THANET DISTRICT COUNCIL  
PLANNING COMMITTEE**

17 January 2018

**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:08 January 2018

THANET DISTRICT COUNCIL

REPORT OF THE DIRECTOR OF COMMUNITY SERVICES

PART A

TO: THE PLANNING COMMITTEE

DATE: 17 January 2018

Application Number	Address and Details	Recommendation
A01 F/TH/17/0941	<b>18 Western Esplanade BROADSTAIRS Kent CT10 1TD</b>  Erection of three storey building containing 6No. 3-bed flats, sedum roof car port and refuse store following demolition of existing dwellinghouse  Ward: Viking	Approve
A02 FH/TH/17/0743	<b>30 Kent Road MARGATE Kent CT9 3SN</b>  Part retrospective application for the raising of part of the rear garden, and erection of outbuilding.  Ward: Dane Valley	Approve
A03 F/TH/17/1356	<b>100 Station Road BIRCHINGTON Kent CT7 9RA</b>  Erection of a three storey extension to provide 2no. two bed and 1no. one bed flats following removal of external staircase and the insertion of 2no. windows to the front elevation of 100 Station Road.  Ward: Birchington South	Approve
A04 F/TH/17/1397	<b>Dock Hereditament And Premises Port Of Ramsgate Royal Harbour Approach Ramsgate Kent</b>  Change of use of land to a 90 space lorry and coach park for a temporary	Approve



period of 24 months

Ward: Central Harbour

A05 F/TH/17/1521

**Land Adjacent Apple Garth Green Road BIRCHINGTON Kent** Approve

Variation of condition 2 attached to planning permission F/TH/17/0029 for erection of a single storey two bedroom dwelling and single garage to allow for the conversion of garage to habitable room and erection of a link from bedroom to dwelling to form a three bedroom dwelling

Ward: Birchington North

THANET DISTRICT COUNCIL

REPORT OF THE DIRECTOR OF COMMUNITY SERVICES

PART B

TO: THE PLANNING COMMITTEE

DATE: 17 January 2018

Application Number	Address and Details	Recommendation
R06 F/TH/17/1188	<b>2 Willow Avenue BROADSTAIRS Kent CT10 2LP</b>  Erection of 1no. attached dwelling  Ward: St Peters	Refuse Permission
R07 FH/TH/17/1442	<b>20 Millmead Avenue MARGATE Kent CT9 3LP</b>  Erection of part two storey part single storey side and rear extension with juliet balcony to rear and dormer window to front elevation following demolition of garage  Ward: Dane Valley	Refuse Permission

**A01** **F/TH/17/0941**

**PROPOSAL:** Erection of three storey building containing 6No. 3-bed flats, sedum roof car port and refuse store following demolition of existing dwelling house

**LOCATION:**

18 Western Esplanade BROADSTAIRS Kent CT10 1TD

**WARD:** Viking

**AGENT:** Mr David Weir

**APPLICANT:** Mr J Atherton

**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 proposed development shall be carried out in accordance with the submitted application as amended by the revised drawing numbered PR147.05 Rev D, PR147.06 Rev D, PR147.07 Rev D, and dated PR147.04 Rev D, PR147.03 Rev D, received 03 January 2018

**GROUND:**

To secure the proper development of the area.

3 The refuse storage facilities as specified upon the approved drawing numbered PR147.04 Rev D and dated 03 January 2018 shall be provided prior to the first occupation of the flats hereby approved and shall 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 Thanet Local Plan.

4 Prior to the first occupation of the development, the area shown 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.

5 Prior to the first occupation of the development, the secure cycle parking facilities, as shown on approved drawing no. PR147.04 Rev D and dated 03 January 2018, shall be provided and thereafter maintained.

**GROUND:**

In the interests of promoting increased cycling in accordance with Policy TR12 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 and hard surfacing 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 The windows to be provided in the side elevation of the development hereby permitted (excluding the high level windows), shall be provided and maintained with obscure glass, as agreed by the agent in correspondence received 5<sup>th</sup> January 2018.

**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.

8 The high level windows to be provided within the side elevations of the development hereby permitted shall be provided and maintained with a cill height of not less than 1.73 metres above the finished internal floor level.

**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.

9 Prior to the first occupation of the development hereby approved visibility splays of 2metres by 2metres behind the footway on both sides of the dwelling access with no obstructions over 0.6m above footway level shall be provided and thereafter maintained.

**GROUND:**

In the interest of highway safety.

10 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.

11. 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, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or [www.southernwater.co.uk](http://www.southernwater.co.uk).

## SITE, LOCATION AND DESCRIPTION

The site is located within a road on the seafront, and within an Area of High Townscape value. The area is characterised by large substantial plots containing large detached buildings of either dwellings or flats. Buildings are pre-dominantly 2-storey, although there are examples of 3-storey buildings, or buildings with accommodation within the roof space. The application site is occupied by an existing 2-storey dwelling with accommodation within the roof space. The existing dwelling is quite traditional in design with a pitched roof, and gable bay, turret and chimney features. The existing building is setback from the road, and generally respects the front building line that curves around Western Esplanade.

## RELEVANT PLANNING HISTORY

No relevant planning history

## PROPOSED DEVELOPMENT

The application is for the demolition of the existing building, and its replacement with a 3-storey building of modern design, to accommodate 6no. 3-bedroom self-contained flats. The

building measures 19m wide by 19.6m deep, and is to be constructed using red brickwork, timber cladding, aluminium windows and doors, and zinc roof. Off-street parking is provided in the form of 2no. spaces to the front and 8no. spaces to the rear within a carport, to be accessed via a side access road. A large communal garden to be accessed by all flats is provided to the rear of the site, along with cycle parking provision for 12no. bikes and refuse storage.

## DEVELOPMENT PLAN POLICIES

### **Thanet Local Plan Policies (2006)**

H1 - Housing  
D1 - Design  
D7 - Area of High Townscape Value  
SR5 - Doorstep Play space  
TR12 - Cycling  
TR16 - Parking Provision

## NOTIFICATIONS

Neighbouring occupiers have been notified and a site notice posted. 47 letters of objection have been received. The main concerns are:

- modern design out of keeping,
- create further traffic,
- increase height,
- loss of existing dwelling,
- scale of building will dominate seafront,
- increase noise and disturbance,
- loss of character in Area of High Townscape Value,
- more flats are not needed in the area,
- poor design, with the appearance of a commercial building,
- over-development,
- overlooking,
- will set a precedent for other family homes to be demolished and replaced with flats,
- loss of light/outlook,
- increased highway safety risk.

**Broadstairs Town Council** - Recommend Refusal. Prominent site located in an Area of High Townscape Value. Overdevelopment, detrimental impact on the character of the surrounding pattern of development, poor quality design, loss of views and vistas and detrimental to the street scene.

**Broadstairs Society** - Area of High Townscape Value, and therefore any new development should comply with the requirements of the policy. Area has been spoiled in the past by decisions to build flats where there were seaside dwellings. Proposal is out of keeping with the character and heritage of the area. Any further flat development weakens the heritage value of this area.

## CONSULTATIONS

Southern Water - Require a formal application for connection to the public sewer to be made by the applicant or developer.

## COMMENTS

This application is brought before members at the request of Councillor Mave Saunders, to allow members to consider the design and scale of the proposed development, and its impact upon adjacent properties and the Area of High Townscape Value.

### **Principle**

The proposal involves the demolition of an existing building, and its replacement with a new residential building. The development of the flats would be on previously developed land within the urban confines, and as such the principle of the flat development is considered to be acceptable and in accordance with Policy H1 of the Thanet Local Plan.

Whilst concern has been raised by residents in relation to the loss of the dwelling and its replacement with a flat development, there are no policies within the Thanet Local Plan that would prevent the principle of providing flats in this location.

The principle of developing the site is therefore considered to be acceptable and consistent with the principles of the NPPF, subject to the consideration of other material considerations, such as impact on the character and appearance of an area, the living conditions of neighbours and impacts on the highway network, being considered acceptable.

### **Character and Appearance**

The site lies within an Area of High Townscape Value. Policy D7 of the Thanet Local Plan states that within these areas the conservation or enhancement of the local character will be the primary planning aim. As such development will only be allowed where the design, scale of development, separation between buildings, use of materials and landscaping are complementary to the special character of the area.

Whilst there is much local support for the retention of the existing building, which is of good architectural merit, its retention cannot be enforced, as the site does not fall within a conservation area, and due to its age the building is not considered as a non-designated heritage asset.

The existing building is of a traditional pitched roof design, and is 2-storey in height with accommodation within the roof space. The proposed development is 3-storey in height and of a modern design, with the second floor level set in from the front and sides. Concern has been raised by residents regarding the modern design, which is considered by many to be out of keeping with the surrounding area. However, this is an area of varied character and design, where each dwelling is of a different scale, design, height and materials. As such it

would be unreasonable to object to the modern form of designed proposed, especially when considering paragraph 58 of the NPPF, which states that whilst the identity of local surroundings should be reflected in new design, appropriate innovation should not be prevented nor discouraged.

Concern was initially raised with the scale and design of the building, as the building was quite wide and deep, and there was initially little articulation to the side elevations. There has been extensive negotiation on the scale and design of the building, resulting in a reduced width, a reduction of the second floor that brings it in from the front and side elevations, the staggering of the side elevations with the rear section of the building set in from the main side elevation by 1.2m on each side, and additional glazing within the side elevations to break up the depth and add interest to the building design.

The amended design provides a building that is set back from the front boundary by 13m, a similar setback to that of neighbouring properties. A gap of 2.5m is provided to the boundary with no. 19 Western Esplanade, with a gap of 18m to the neighbouring building, and a gap of 5.5m is provided to the boundary with no. 17 Western Esplanade, with an overall gap of 10m between the buildings. As this is an area of High Townscape value, it is important that space between buildings is maintained, in order to preserve character of the area. However, in this instance the application site is substantial in size, and excluding the neighbouring plot at no.19, the application site is wider than all neighbouring plots. As such, it is considered that a building wider than that existing could be accommodated on the site without harm to the character and appearance of the Area of High Townscape value. The proposed building is 19m wide, only 1m wider than the neighbouring property at no. 17. As such it is considered that the width of the proposed development would not appear out of keeping within the street scene.

The main section of the building is 12.5m deep, which is not dissimilar to the depth of surrounding development. The rear section of the building is 6.9m deep, and is stepped in from each side elevation by 1.2m, providing a break in the side elevations when viewed from the street. Whilst the overall depth of the building exceeds the depth of surrounding development, the staggered side elevations, the slight overhang of the first floor, the varied material (brick and cladding), and the provision of both large and high level windows within the side elevations, mean that the proposed building will not appear overly bulky or out of scale with surrounding development. It also considered that given the size of the plot, and the distance to the boundaries, that the proposed building will sit comfortably within the site.

A second floor is provided as part of the proposed development. Whilst the surrounding area is mainly characterised by 2-storey development, there is evidence of some 3-storey development, along with two storey development with accommodation within the roof space. Three-storey development is present at 15a, 15b and 23 Western Esplanade, as such the principle of 3-storey development in this location would be acceptable subject to the impact it has upon the design and scale of the building. The proposed second floor is set back from the front brick projection by 2.5m, and from the side elevations by 1.3m, and is constructed of lighter material than the main building, including zinc, timber cladding and large areas of glazing, including the front and rear corners of the structure. The reduced size of the second floor and the proposed materials provide a structure at second floor level that is lighter in appearance than the main building, and as such does not result in a bulky appearing



building. Whilst a modern building is proposed with large flat roof elements, the design of the second floor with a butterfly wing design to each side, along with the projecting elements, balconies and extensive glazing to the front elevation, and the use of predominantly red brick, examples of which are found in the Area of High Townscape Value, it is considered that the proposed development would not appear significantly out of keeping with the character and appearance of the surrounding area.

Within the site it is intended to retain the existing front hedge and garden area, with the only alteration being the provision of 2no. car parking spaces. The retention of the garden and hedge is supported, as large front gardens are characteristic of the area.

A new access road is proposed along the side of the proposed building, which will be constructed using permeable paving. The access road will not appear out of keeping as many properties within the surrounding area have long driveways adjacent to the properties. To the rear a retaining wall is proposed between the car parking area and the rear elevation of the building, with the parking area again constructed using permeable paving. A car port is proposed to accommodate the 8no. vehicles to the rear, which will be 2.5m high, and constructed of timber cladding with a sedum roof. Whilst wide, the setback location from the road of at least 42m, its location to the rear of the building, and its limited height, means that there will be very limited impact upon the surrounding character and appearance of the area. A refuse store and cycle store is also proposed to the rear of the existing neighbouring store, resulting in limited views, and will be of a similar design, height and materials to the proposed car port. The majority of the rear garden is to be retained as existing, with the only trees to be removed being two small trees within the proposed parking area.

In conclusion, there are no policies or legislation to require the retention of the existing building, and as such when considering the proposed replacement development in its amended form it is considered that its design, scale, distance to neighbours, along with the materials and landscaping proposed, would not significantly detract from the character and appearance of the Area of High Townscape Value. As such, the proposed development is considered to be in accordance with Policies D1 and D7 of the Thanet Local Plan, and the requirements of the NPPF.

## **Living Conditions**

There is a distance of 17.5m to no.19 Western Esplanade and a distance of 8.5m to no.17 Western Esplanade. Given the distance to both neighbouring properties, the impact upon neighbouring light and outlook is considered to be acceptable.

With regards to privacy, any side windows within the proposed building are either high level, obscure glazed, or directed towards the road, and as such there will be no loss of privacy for nos. 17 and 19 Western Esplanade. To the rear there is a distance of at least 64m to no. 15 Waldron Road, and therefore the impact upon their privacy is also considered to be acceptable.

Car parking is proposed to the rear of the site, with an access road extending along the north of the site, adjacent to the boundary with no. 17. Whilst this may result in some additional noise and disturbance from vehicle movements to the side and rear of the site, the proposed

access road is adjacent to an existing driveway serving no.17, and the proposed parking area lies adjacent to the access road and turning area for no. 19. As such the proposed access road and parking area is not considered to significantly increase noise and disturbance to the private amenity areas of neighbouring properties.

The impact upon neighbouring living conditions is therefore considered to be acceptable and in accordance with Policy D1 of the Thanet Local Plan and paragraph 17 of the NPPF.

Policy SR5 of the Thanet Local Plan requires that family units of 2-bed or more should be provided with secure doorstep play space. A large communal garden area to the rear, measuring a minimum of 18m by 26m, has been provided. This complies with Policy SR5 of the Thanet Local Plan.

Refuse storage has been provided for the future occupiers of the development in the form of an enclosed storage area adjacent to the proposed parking area, which is considered to be adequate for the number of units proposed.

The impact upon the living conditions of existing and future occupiers is considered to be acceptable.

### **Transportation**

The site is sustainably located within walking distance of Broadstairs Town Centre, and the facilities and services it contains.

The proposal seeks to retain the existing vehicular access from Western Esplanade (a non-classified road), and to extend the access towards the rear to serve the proposed parking spaces to the rear of the building. The access is wide enough for two vehicles to pass one another, and would allow for adequate pedestrian visibility at the access.

Within the site 10no. car parking spaces have been proposed to serve the 6no. self-contained flats, which equates to one and a half spaces per flat and one visitor parking space. The spaces meet the minimum size requirement and there is adequate depth for turning and maneuvering within the site. The off-street car parking provision is considered to be adequate for the size and number of units. There is also adequate capacity for on street parking within the vicinity.

Cycle parking is provided in the form of 12no. cycle parking spaces, which equates to 2no. spaces per flat, which exceeds the minimum requirement.

The impact upon highway safety is considered to be acceptable and in accordance with the requirements of the NPPF.

### **Archaeology**

The proposed development will extend beyond the existing footprint of the building. The application site lies within an area of archaeological potential relating to the finding of prehistoric and Roman remains nearby to the south in Dumpton Gap and the presence of

Saxon and Roman burial sites to the north near Bradstow School. Whilst some of the site may have been already disturbed, it is possible that archaeological remains would be directly affected by groundworks. If planning consent is granted it is therefore considered that provision should be made for a programme of archaeological works. Subject to this safeguarding condition the impact upon archaeology is considered to be acceptable.

### **Conclusion**

The design and scale of the proposed development is not considered to significantly detract from the character and appearance of the area and the Area of High Townscape Value. The impact upon neighbouring living conditions and highway safety is considered to be acceptable. The proposed development is therefore considered to be an acceptable sustainable form of development, and it is therefore recommended that members approve the application, subject to safeguarding conditions.

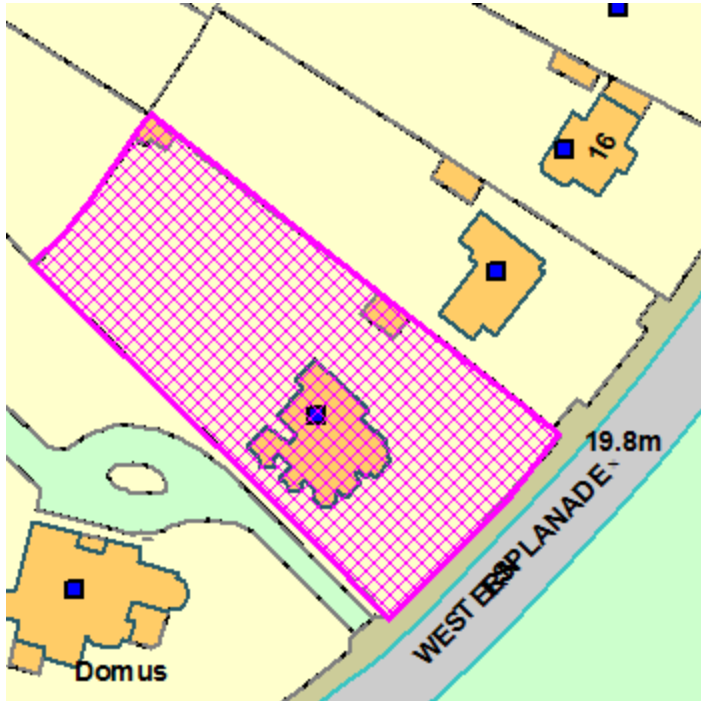
### **Case Officer**

Emma Fibbens

TITLE: F/TH/17/0941

Project 18 Western Esplanade BROADSTAIRS Kent CT10 1TD

Scale:



**A02**

**FH/TH/17/0743**

**PROPOSAL:** Part retrospective application for the raising of part of the rear garden, and erection of outbuilding.

**LOCATION:** 30 Kent Road MARGATE Kent CT9 3SN

**WARD:** Dane Valley

**AGENT:** No agent

**APPLICANT:** Mr Flamur Hykaj

**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 drawing labelled elevations received 26 June 2017, and block plan received, 21 November 2017.

**GROUND:**

To secure the proper development of the area.

3 Within one month of the date of this permission, a 1.8m high close boarded fence, measured from the approved ground level of the garden within the application site, shall be erected on the boundary between numbers 30 and 32 Kent Road as indicated on the submitted plan received 21 November 2017, and shall thereafter be maintained.

**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.

## SITE, LOCATION AND DESCRIPTION

The site is located on the eastern side of Kent Road, close to the centre of the street. The area is predominantly characterised by two storey semi-detached dwellings with modest front gardens. The properties on the eastern side of the road at set above road level and the

properties on the western side are set below road level due to the changing land levels. Number 30 is a two storey semi-detached dwelling set on the eastern side of the road.

## PROPOSED DEVELOPMENT

This is a part retrospective application for the alteration to the level of the rear garden together with the proposed erection of a single storey outbuilding in the rear garden. Previously this application was reported to members in September, and subsequently the application has been amended to include the change in land levels, which was the subject of the Committee's resolution for officers to investigate.

## DEVELOPMENT PLAN POLICIES

### **Thanet Local Plan Policies**

D1 - Design

## NOTIFICATIONS

This application was initially only for the erection of an outbuilding in the rear garden. Neighbouring notification letters were sent to the properties directly surrounding the site and a site notice was posted near the site. Four letters of objection have been received from one person raising the following concerns:

- o Outstanding enforcement complaint regarding the rear garden land levels
- o Loss of light and outlook
- o Noise disturbance
- o Light pollution
- o Erection of an annex
- o Appearance of the proposed outbuilding
- o Damage to boundary fence
- o Height of the proposed boundary fence

Further neighbour notification letters were sent following the amended description and plan including the raising of the land. One further letter was received from the same objector raising the following concerns:

- o Plans do not reflect the current ground levels
- o The outbuilding is too large for the plot
- o New fence and ground level at 2.35m is too high
- o Loss of light
- o Oppressive and unsightly appearance
- o Existing fence will not support the altered land level
- o No provision for rainwater removal

## CONSULTATIONS

None received.

## COMMENTS

This application is brought before members by Cllr Gary Hillman to consider the impact of the development on the residential amenities of the adjoining occupiers.

### **Character and Appearance**

The altered land level is located in the rear garden 4m behind the rear elevation of the property. The raised area extends across the full width of the garden and to the front elevation of the proposed outbuilding.

The proposed outbuilding will be located in the rear garden of the property adjacent to the boundary with number 32 and set back from the main rear elevation of number 30 by 15.5m and the existing rear extension by 12.5m. The outbuilding will be constructed from a glazed UPVC frame with concrete blocks on the south-western side adjacent to the boundary with number 30 Kent Road.

A 1.8m close boarded fence is proposed on the southern boundary of the site extending for 7.5m from the front elevation of the proposed outbuilding towards the rear elevation of number 30.

Due to the rear garden location and the setback from the main property it is considered that the proposed outbuilding, altered land levels and boundary fence will have limited visibility from the street scene and 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 outbuilding has a hipped roof and will measure 4.1m wide, 5.3m deep, 2.2m to the eaves and 3.7m to the ridge. On the south-western side the outbuilding will have a wall constructed from concrete blocks which measures 6.2m deep and 2.5m high. The submitted block plan shows that the proposed outbuilding will be situated on the boundary with number 32 Kent Road and 12.5m from the rear elevation of number 30. At the closest point there is a separation distance of 13.5m to the rear elevation of number 32. The proposed outbuilding will have glazed doors and windows on the north-western elevation facing towards the rear elevation of number 30. Due to the proposed location of the outbuilding and the separation distance outlined above it is considered that there will be no significant sense of enclosure to the neighbouring properties as a result of the development.

An area of land in the rear garden of the application site starting 4m from the rear elevation of the property has been raised to create a level area. This area measures 7.5m deep and 7.5m wide, extending across the full width of the garden and is bound at the western end by a wall and meets the existing land level of the garden where the front elevation of the outbuilding is proposed to be located. The applicant's agent has submitted plans showing the maximum increase in levels to be 0.35m which is the height of the concrete block that is

located above the concrete gravel board supporting the existing fence on the boundary between number 30 and 32. Letters of objection has been received stating that the land levels have been increased by 50cm and 55cm. Site visits have been conducted with the Council's Planning Enforcement Officer and photos have been submitted by both the applicant and the objector, however given the age of the photographs and that the alterations to the land levels have already been completed it is not possible to conclusively prove the exact increase in garden level. The increase in garden level does require planning permission, and therefore the assessment of the impact of this increase on the living conditions of the neighbouring property occupiers, is based upon the existing land levels in situ on site.

The existing land levels currently allow for overlooking towards the garden of number 32 Kent Road and result in a loss of privacy to the neighbouring property occupiers, however this application proposes to erect a 1.8m close boarded fence on the raised level from the north-eastern elevation of the proposed outbuilding to the edge of the raised area closest to the rear elevation of number 30. This fence would extend for a depth of 7.5m and finish 4m from the rear elevation of number 30. A 1.8m fence along this boundary would prevent any overlooking from the proposed outbuilding and the raised garden area to 32 Kent Road. A 2m high fence could have been erected on the original ground level without the benefit of planning permission and the maximum increase in the land level that has been claimed is 0.55m. Therefore, the erection of a 1.8m fence in this location would give a maximum height of 2.35m above the previous land level, 0.35m above the height of a fence which could have been erected under permitted development rights. Given the separation distance of 4m from the fence to the rear elevation of the property, the increased land level and fence at a maximum height of 2.35m is not considered to result in any significant loss of light or sense of enclosure to the neighbouring property.

Concern has been raised regarding potential noise and disturbance and light pollution from the outbuilding. However due to its modest size and location it is considered that the outbuilding will not result in a significant increase of noise disturbance or light pollution to the neighbouring properties to warrant refusal of the application.

Given the above it is considered that the proposal would meet the criteria of saved policy D1 of the Thanet Local Plan and the National Planning Policy Framework.

### **Transportation**

The outbuilding is not considered to be a habitable room and does not increase the number of bedrooms at the property; therefore it is considered that there will be no significant change in highway safety or parking.

### **Other Matters**

Concern has been raised about damage to the neighbouring property and fence through construction and the altered land level; however this would be a civil matter and is not a material planning consideration.



The proposed outbuilding is unlikely to result in a significant amount of rainwater discharge and given the permeable nature of the surrounding garden there is unlikely to be any significant drainage issues arising from the proposal. Any damage to neighbouring property would be a civil matter.

Concern has also been raised about the erection of an annexe in the rear garden. A separate application for planning permission may be required if an additional outbuilding to be used as an annexe is to be erected. The use of the proposed outbuilding is ancillary to the main dwelling; any other use is likely to require an application for the change of use.

Matters have been raised regarding development of a front boundary at no.30. This is a separate planning enforcement matter and is not considered through this application.

### **Conclusion**

In conclusion it is considered that the proposed development would not have a significant impact on its surroundings or residential amenity and accords with Local Plan Policy D1 and the National Planning Policy Framework. It is therefore recommended that members approve the application, subject to safeguarding conditions.

### **Case Officer**

Duncan Fitt

TITLE: FH/TH/17/0743

Project 30 Kent Road MARGATE Kent CT9 3SN

Scale:





4 Prior to the first occupation of the development, the secure cycle parking facilities, as shown on approved drawing no. SR-001-200 Rev P3 received on 29th November 2017 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 The brickwork to be used in the construction of the development hereby approved shall be London stock brick to match the existing brickwork at no.100 Station Road, and shall be of the same colour, finish and texture.

**GROUND:**

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

6 Prior to the commencement of the development hereby approved, full details of the render, roof material, windows, hard surfacing material and gates, to be used in the construction of the development hereby permitted 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:**

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

7 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

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

**INFORMATIVES**

Please be aware that obtaining planning permission and complying with building regulations are separate matters - please contact building control on 01843 577522 for advice on building regulations

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](http://www.southernwater.co.uk).

## SITE, LOCATION AND DESCRIPTION

The site is situated within the centre of Birchington at the end of the high street and commercial uses. The proposal site is currently hard-surfaced land behind a low wall adjacent to a fish and chip shop at 100 Station Road. The site is in a corner position on the junction of Station Road and Prospect Road. Opposite the site on Prospect Road is a public house and a residential unit lies directly to the rear of the site, with a commercial garage building further to the south west. There are further commercial uses opposite at Station Approach along with other residential properties. The site is within a sustainable location in close proximity to Birchington Railway Station and the local amenities.

## RELEVANT PLANNING HISTORY

F/TH/14/0457 - Change of use of upper floors from 1No. self-contained flat to 2No. self-contained flats, together with the erection of four dormer windows (Granted 22 July 2014)

F/TH/12/0932 - Erection of external staircase, bin store, disabled ramp, installation of replacement shopfront, new window and two condenser units, together with the blocking up of existing windows. (Granted 4 February 2013)

F/TH/05/0141 - Conversion and change of use of fish bar together with two storey linked extension to provide five flats (Granted 20 May 2005)

## PROPOSED DEVELOPMENT

This application submission relates to the erection of a 3-storey building containing 3 no. self-contained flats, with 1no. 2 bedroom flat on the ground floor, 1no. 2 bedroom flat on the first floor and 1no. 1 bedroom flat on the second floor. The building is attached to no. 100 Station Road, with an access to the rear of the Fish and Chip Shop provided through the rear yard area. Each flat contains a kitchen/living/dining area and a shower room. The ground floor flat is accessed independently from the front on Station Road. The first and second floor flats are accessed via a covered brick staircase to the side of the property. The new covered stairway also provides a covered entrance for the flats above the existing fish and chip shop, with a side bedroom window blocked up and two new windows created on the front elevation above the fish and chip shop. Refuse storage is provided to the rear of the property in the courtyard area for the first and second floor flat, with refuse storage for the ground floor flat provided behind the boundary wall in the front landscaped area. Cycle spaces are provided in the rear courtyard area in a covered cycle rack beneath the void of the new enclosed staircase.

## DEVELOPMENT PLAN POLICIES

### **Thanet Local Plan 2006**

H1 - Housing  
D1- Design Principles  
D2 - Landscaping  
TR12 - Cycling  
TR16 - Car Parking Provision  
SR5 - Play space

## NOTIFICATIONS

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

Three neighbour objections have been received raising the following concerns:

- Overdevelopment of the site
- Overbearing impact and loss of outlook
- Out of keeping with the street scene
- Agree that some development would be beneficial, but fear the excessive size and location could affect the viability of the adjacent fish and chip shop.
- Overshadowing and loss of light
- Loss of privacy and noise issues
- Parking concerns
- Pedestrian safety

**Birchington Parish Council** - No objections.

## CONSULTATIONS

**Southern Water** - No objection. Southern Water require a formal application for connection to the public foul sewer to be made and the relevant informative should be attached. The applicant details surface water drainage for the site is via a watercourse. The Council's technical staff and relevant local authority for land drainage consent should comment on the adequacy of the proposal to discharge surface water to the local watercourse.

## COMMENT

This application is brought to planning committee at the request of Cllr Coleman-Cooke to allow members to consider the density of development proposed.

### **Principle**

The site falls within the urban confines of Birchington and within the curtilage of an existing commercial building and is therefore previously developed land. The site is located at the end of Station Road, a district centre which is characterised by a mixture of uses including residential. The principle of a residential development on this site is considered to be

acceptable and in accordance with Policy H1 of the Thanet Local Plan subject to the impact upon the character and appearance of the area, living conditions of neighbouring and future occupiers and highway safety being acceptable.

## **Character and Appearance**

The proposal site is currently hard-surfaced land which has been previously used in conjunction with the adjacent fish and chip shop at 100 Station Road, which was granted consent for flats above as per F/TH/14/0457. A previous approval for a two storey building on this part of the site formed part of the application F/TH/05/0141 and contained 2 no. 2 bedroom flats. The principle of a two storey building has previously been approved and the main change with this application is that a third storey is proposed and a covered stairway attaching the proposed building to the current property at 100 Station Road, replacing the existing external steel staircase, which also provides access to flats above the fish and chip shop within the existing building at 100 Station Road. The covered brick built stairway will be a visual improvement to the scheme which will be accessed via the door between the newly proposed three storey building containing the three flats and the fish and chip shop.

The height of the proposed building measures 9 metres to the top of the ridge. The building has been designed with a section of flat roof which helps to create a reduction in height of the overall building. It is considered that the proposal is in keeping with the surrounding properties as it is lower than the fish and chip shop building by 1 metre and of the same height as the neighbouring public house. It is considered that the scale and mass of the proposal is a positive contribution to the street scene and whilst the building is linked by the shared staircase, it creates its own identity within the street scene. It is not considered that the proposed development will appear overly dominant in height, and will be in keeping with the surrounding area.

The ground floor flat will have a private entrance to the front elevation of the building and will help to create an active frontage and give the appearance of a house in the street scene, rather than three flats. The position of the upvc sash style windows are well proportioned within the elevations and the dormer windows in the roof, which are to serve the one bedroom flat, are considered to be of appropriate proportions and create a symmetrical frontage. The front elevation has some relief with the entrance set back, which is continued up to the eaves of the roof. The use of materials, with render at the ground floor and London stock brick on the first floor and side elevations, helps to create an interesting street frontage with a change in materials as per the existing building at 100 Station Road. The roof is proposed to be tiled. There are two windows proposed fronting Prospect Road, which again helps to create more of an active street frontage. Full details of the exact materials are proposed to be conditioned, but the overall appearance and design features with the sash style windows and mixture of render, brick and tiled roof are considered to be acceptable and in keeping with the neighbouring properties.

The two new windows proposed to serve the existing flat above the fish and chip shop within the existing building, are required due to the removal of a rear window in order to provide the covered stairway. It is considered these are a visual improvement to what was originally the side elevation of 100 Station Road as the building has evolved with the newly created commercial frontage to serve the fish and chip shop to become more of the primary frontage

of the building to address the street. There is a roof light on the front elevation which is small in size and will not be visually intrusive within the street scene.

It is therefore considered that the overall design and scale of the building is acceptable in terms of the impact on the character and appearance of the area, and will provide a positive contribution in accordance with Policy D1 of the Thanet Local Plan 2006.

## **Living Conditions**

In terms of the living conditions of neighbouring occupiers, the main impact to consider is the additional living accommodation within the roof space. The previous approval was for a two storey linked extension with a pitched roof. This proposal creates a further flat in the roof space, the two storey pitched roof linked building approved in 2005 was 9.5metres tall to the top of the ridge, this proposal is lower at 9metres in height and covers a similar footprint. An oriel window with glazing to the sides is proposed at the first floor level on the rear elevation, rather than a sliding sash style window as seen with the remainder of the windows in the proposal. The oriel window would direct views from the room towards the road and not the private amenity space of the neighbouring property and will therefore not result in significant overlooking. There are two dormer windows which serve the third floor flat within the roof at the rear, but given the direction of outlook over the neighbours roof, the small proportions and setback location of the dormer windows, it is not considered that there will be significantly harmful overlooking to the neighbouring property behind, as there will not be a direct view into the habitable rooms and there will be very limited views of their amenity space. Rear windows to the existing flats above the fish and chip shop have been blocked up and relocated to the street elevation in order to provide the covered stairway to the existing and proposed flats. This removes a level of existing overlooking from the existing flats above the fish and chip shop and roof lights have been installed to the covered stairway to generate natural light, with no overlooking creating.

In terms of the living conditions created for future occupiers, the two bedroom flats are 51sqm and 55sqm in size and provide adequate space and access arrangements with the ground floor flat having the benefit of an independent access fronting Station Road and the first floor flat accessed from the newly proposal covered stairway. The 1 bedroom flat on the third floor is 44sqm in size with adequate headroom height within the roof space and the benefit of four dormer windows and a section of flat roof creating sufficient useable floor space.

There is some external space at the front of the building on Station Road, which is proposed to be hard surfaced landscaping and a courtyard area to the rear. This rear area can only be accessed by the side gate from Prospect Road, which in terms of the storage of bins means the first and second floor occupants will need to take their rubbish round to the rear of the property, but this is preferable to the storage of all of the bins to the front of the property. Each flat contains a washing machine/tumble dryer with the additional potential to use the rear courtyard space for clothes drying which is considered to be acceptable and in accordance with Policy D1 of the Thanet Local Plan.

The site is not large enough to accommodate doorstep play space and the previous 2005 consent was granted without the provision of play space. The additional one bedroom unit



does not trigger the requirement for doorstep play space. It is considered that the proposal site is in a sustainable location in close proximity to local parks and beaches, and upon weighing up the benefit of the provision of three units of housing, that the non-compliance of Policy SR5 is in this case acceptable.

Following site visits and a review of the objections raised, it is not considered that the proposal will result in harmful living conditions to the neighbouring occupiers. The proposal is 1 metre lower than the existing fish and chip shop building and there is a separation distance of 6 metres to the neighbouring property, with an existing boundary wall of approximately 1.8 metres surrounding the courtyard and therefore the outlook of the single storey unit behind will not be materially affected. The proposed scheme will create three new homes, which is considered to be a benefit because of the need for housing within the district.

The windows on the side elevation on Prospect Road will create some mutual overlooking to the windows at the pub, but this is not considered to be harmful and is typical of the relationship seen between street frontage development.

Concerns were raised through the neighbour consultation regarding a detrimental impact on the fish and chip shop which is situated on the ground floor of 100 Station Road. It is not considered that the proposal will impede the running of this business. Whilst the proposed building is attached to the existing building, it does not block the frontage and there is still space to the front elevation and main entrance to allow for a visible commercial frontage. The proposal improves the entrance arrangements to the existing flats above the fish and chip shop by creating a covered stairway and access, rather than the existing metal open stairway. Overall it is considered that there are no harmful impacts on neighbouring living conditions from the proposed scheme, in terms of outlook and overlooking. It is therefore considered that the proposal is in accordance with Policy D1 of the Thanet Local Plan.

### **Transportation**

Off street parking is not included as part of the proposals. Kent Highways and Transportation would usually require 1 parking space per flat to be provided, however in this case it is considered that the application site is within a very sustainable location within Birchington in close proximity to the train station and local bus route, as well as local amenities. It is therefore considered that future occupants would not be reliant on a car and as such the lack of off street parking provision would not result in a severe cumulative impact to highway safety.

KCC Highways and Transportation require 1 secure, sheltered cycle parking space to be provided for each flat and the applicant has complied with this requirement providing a covered cycle parking area to the rear of the property under the covered stairway. The application is therefore in accordance with Policy TR12 of the Thanet Local Plan.

The impact upon highway safety is therefore considered to be acceptable.

## **Conclusion**

In principle, it is considered that a residential use on this site is acceptable in accordance with Policy H1 of the Thanet Local Plan. The overall design and scale of the proposal is in keeping with the adjacent properties and overall character and appearance of the area. The living conditions created for the future occupants of the flats are considered to be acceptable and it is not considered that any significant harm will be created to any neighbouring occupiers. Whilst the proposal does not provide doorstep play space for the two bedroom flats, the site is in a sustainable location in close proximity to Birchington train station, local amenities, parks and beaches and the benefit of providing three new homes when considered against the housing need within the district, is considered to outweigh concerns under Policy SR5. Covered cycle parking is provided in accordance with Policy TR12 with acceptable refuse storage and clothes drying facilities in accordance with Policy D1 of the Thanet Local Plan.

It is therefore recommended that members approve the application.

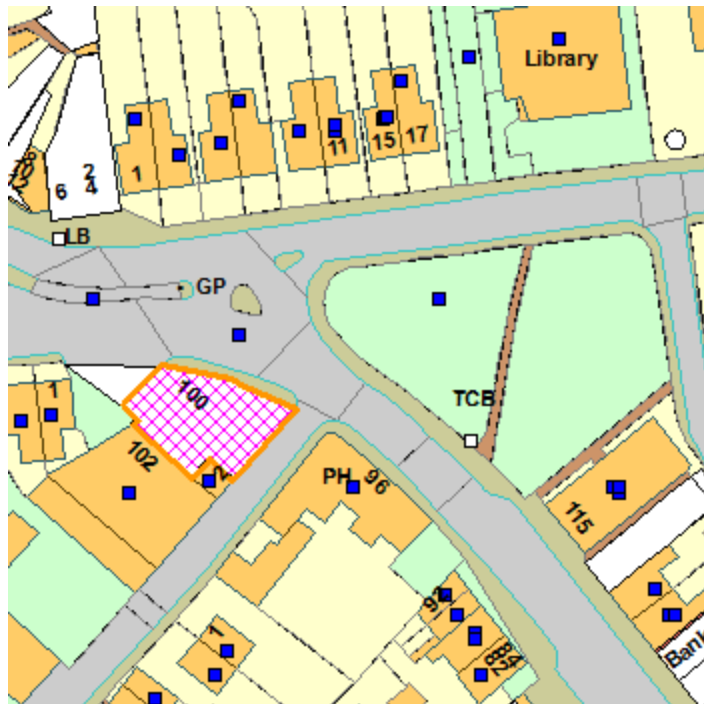
## **Case Officer**

Lauren Hemsley

TITLE: F/TH/17/1356

Project 100 Station Road BIRCHINGTON Kent CT7 9RA

Scale:



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**A04**

**F/TH/17/1397**

**PROPOSAL:** Change of use of land to a 90 space lorry and coach park for a temporary period of 24 months

**LOCATION:** Dock Hereditament And Premises Port Of Ramsgate Royal Harbour Approach Ramsgate Kent

**WARD:** Central Harbour

**AGENT:** No agent

**APPLICANT:** Thanet District Council

**RECOMMENDATION:** Approve

Subject to the following conditions:

1 At the expiration of a period ending on 19th January 2020, unless further permission has been granted, the use of the land for lorry and coach parking shall cease.

**GROUND:**

In view of the temporary nature of the proposal.

2 The development hereby approved shall be carried out in accordance with the submitted drawing numbered 3602\_502A, received 25 September 2017.

**GROUND:**

To secure the proper development of the area.

3 The noise rating level (LAr,Tr) associated with the development site shall be at least 5dB below the background noise level (LA90,T) at the nearest residential facade. All measurements shall be defined and derived in accordance with BS4142: 2014.

**GROUND:** In the interests of residential amenity

## SITE, LOCATION AND DESCRIPTION

The Port of Ramsgate was constructed in 1979 (previously known as Ramsgate New Port) and has three operational Roll on Roll off ship berths, an aggregate berth and a concrete batching plant. There are also 3 large pontoon berths which serve two wind farm operators who maintain 320 offshore turbines. There are no listed buildings/structures within the port and it is not within the Ramsgate Conservation Area (which starts at the top of the cliffs to the north of the port).

The application site is located to the northwest corner of the port, to the west of the passenger terminal building and is currently not used. The area measures some 1.22 hectares in area, hard surfaced, contained within a fence, floodlit and is covered by CCTV.

The area has previously been used (between 1998 and 2013) to accommodate the parking of Heavy Goods Vehicles (HGVs) (maximum of 90 44 tonne HGV units) which were either waiting to be shipped from Ramsgate or had arrived into Ramsgate by ferry. Prior to this the land was used as car assembly lanes for cross channel passenger ferries. Most recently, the application site was used to store new cars that had arrived by sea.

## RELEVANT PLANNING HISTORY

Whilst this current application site has no specific planning history relating to it, the wider port has the following recent planning history.

F/TH/13/0400 - Erection of 11.7m high turbine tower for purposes of training. Approved 26th July 2013

F/TH/98/0661 - Variation of conditions 2 and 5 attached to planning consent reference F/TH/97/0310 in respect of the permanent retention of rock bund wall and the continued use on a permanent basis of the contained area for the storage of dredged chalk fill material and use for purposes in connection with ferry terminal. Approved 8th October 1998.

F/TH/98/097 - Construction of a floating mooring/reception pontoon incorporating four driven piles, incorporating a temporary aggregate discharge facility. Approved 30th June 1998.

## PROPOSED DEVELOPMENT

This application seeks consent for a 90 space lorry and coach park for a temporary period of two years.

The information submitted to support the application highlights that the proposal be a complimentary land based facility at the port. It goes onto advise that at the present time there are limited facilities for the parking of commercial vehicles and particularly for coaches within Thanet as a whole with off street coach parking only available at Vere Road, Joss Bay in Broadstairs, Dreamland in Margate Minnis Bay in Birchington, Royal Esplanade and Victoria Parade in Ramsgate. It advises that land adjacent to the Manston Airport site was considered as a potential site for such parking, but this would not pursued due to the distance that coach drivers would need to travel, having dropped passengers at their destinations.

The park would operate 24 hours a day, 365 days a year and would be managed by staff at all times.

Vehicular access and egress to and from the site would be via the A299 Royal Harbour Approach and Military Road.

The site would be laid out to provide pedestrian walkways around and through the parking areas. The walkways would be designed to link to the existing terminal building to the west of the application site which would be used by HGV/coach drivers for toilets, showers, waste and recycling facilities together with payment facilities. There is lighting on site and there would be no changes to this existing lighting.

## DEVELOPMENT PLAN POLICIES

### **Thanet Local Plan 2006**

EC9 - Ramsgate New Port  
TR10 - Coach Parking  
TR12 - Cycling  
TR16 - Car Parking Provision  
D1 - Design Principles  
T1 - Tourist Facilities

## NOTIFICATIONS

Letters were sent to the occupiers of adjoining residents, site notices placed close to the site and the application publicised in a local newspaper.

Eight letters raising objections to the proposal have been received. Their comments are summarised below:

- o There is no proof that the facility is needed. A recent Council study found only 4 lorries parked inappropriately overnight;
- o Would damage the Royal harbour and prevent the use of the port for a ferry. This space would be required to serve the forthcoming ferry;
- o Increase in traffic and pollution;
- o No footpaths on Military Road - danger to pedestrians;
- o Traffic congestion - single carriageway to port tunnel and there is already an issue when the traffic is closed for maintenance;
- o Traffic will use Military Road if the tunnel is close;
- o Inadequate access and safety issues from lorries using Military Road;
- o Negative impact on local businesses particularly those in the arches flanking Military Road;
- o Spoil the town for both locals and tourists;
- o Conflict with the Local Plan:
- o The harbour should be used solely for leisure;
- o Enjoying a day at the beach will be a thing of the past;
- o What facilities would be provided for the lorry drivers parked overnight? and
- o An unimaginative proposal for the site unlike the more imaginative and lucrative proposals desired by the local community.

**Ramsgate Town Council:** Concerns with traffic rerouted when tunnel closed via Military Parade. Will support if tunnel maintenance is conducted at night via agreement with Kent County Council.

## CONSULTATIONS

**KCC Highways:** The proposals are unlikely to generate more trips on the highway network than the permitted uses for the movement of freight through the port. No objection in principle to the proposals subject to the following:

1. Note the proposal aims to alleviate current unwanted parking on the highway by lorries and coaches but there will presumably need to be suitable associated enforcement to prevent such parking and to encourage the use of the port facility. The applicant may wish to discuss this with the enforcement authority.

2. Am aware that the Royal Harbour Approach is closed for regular maintenance to the tunnel and this would prevent access/egress to/from the site. There will, therefore need to be a strategy in place for the use of the parking area during such closures. Bearing in mind the difficulties for large vehicles in exiting the site via the Military Road/Royal Parade roundabout to the east and nature of Military Road with no footways outside seating areas for cafes and on street parking, it may be necessary to prevent the use of the site when the Royal Harbour Approach is closed. Alternatively it may be possible to carry out the tunnel closure outside of likely arrival and departure times for lorries and coaches. Further consideration needs to be given to this matter before planning consent is given and suggest that the applicant discusses this further with the team that organises the tunnel maintenance.

**Conservation Officer:** No objection in principle, however, raises concerns about the information provided to assess the impact on heritage assets in the vicinity.

**Environmental Health:** Would request that the applicant provides an assessment on noise from parked HGV refrigeration units as well as a statement on air quality based on the transport assessment. Given that air quality is a significant issue in Thanet consider that this issue needs to be considered at this stage to ensure that the proposal is adequately assessed.

Understand that similar lorry parks in Kent have had problems with anti-social behaviour of some drivers in terms of litter and use of the surrounding areas as toilets. Would, therefore, request that details of litter bins and waste collections as well as toilet facilities are submitted.

**Environmental Health;** Additional comments - Would request that a condition be included on any permission to control noise from the site including noise from idling vehicles and HGV refrigeration units.

I would also like to clarify the requirement for the applicant to provide further information on air quality, I do not consider that an air quality assessment is necessary. However, the applicant should demonstrate that the air quality impacts of the development have been considered and determined to be insignificant. The design and access statement states that



the development will not add significant vehicle movements to the existing road network. This information should be used to assess the impact on air quality from the operation of the proposed development. Given that the location of the development is of a significant distance from residential properties and other sensitive receptors I do not consider that an air quality condition is appropriate for this development and would not wish to raise an objection.

## COMMENTS

This application falls to be determined by the Planning Committee as it is a Thanet Council planning application and a departure from the Local Plan.

### **Principle**

As set out above, the site lies within the Port of Ramsgate. Saved policy EC9 of the Council's Local Plan specifically relates to the port and states

"Further development will be permitted at the Ramsgate New Port, as shown on the proposals map, if it facilitates the improvement of Ramsgate as a port for shipping, traffic through the port, new routes and complementary land based facilities, subject to the following criteria:

1. A demonstrable port related need for any proposed land based facilities to be located in the area of the new port, and also a demonstrable lack of suitable alternative inland locations; and
2. Compatibility with the character and function of Ramsgate seafront and the Royal Harbour as a commercial and leisure facility; and
3. An acceptable environmental assessment of the impact of the proposed development upon the harbour, its setting and surrounding property, and the impact of any proposed land reclamation upon nature conservation, conservation of the built environment, the coast and archaeological heritage, together with any proposals to mitigate the impact.

Land reclamation will not be permitted beyond the western extremity of the existing limit of reclaimed land.

The Council's Emerging Local Plan also has makes specific references to the port. Policy SP02 - Economic Growth- states that the growth of the Port of Ramsgate is supported as a source of employment and as an attractor of inward investment. Policy SP09 relates specifically to Ramsgate and states that in relation to Ramsgate Port that further development at Ramsgate Port which would facilitate its improvement as a port for shipping, increase traffic through the port, and introduce new routes and complementary land based facilities including marine engineering, is supported subject to the same criteria as the current policy.

The proposal for a lorry/coach park would technically be a departure from the Council's planning policies for the port as it cannot be considered as development that needs a port location. It, therefore, falls to consider whether the proposal would undermine the purpose of the policy and whether such a departure could be considered acceptable.

Both the current policy and emerging policy for the port support reuse of the port and activity and job creation within it. The parking of lorries and coaches would be akin to uses that have previously taken place on the application site and a redundant piece of land would be returned to an active use. There would be minimal physical development required to implement the consent and it is considered that such works that would be undertaken are reversible in nature. Given the above, and the fact that the consent is sought for a temporary period of two years, it is not considered that this proposal would undermine the future use of port.

It is also noted that proposal would bring economic benefits to the area both in terms of payments directly for the lorry/coach parking and also from potential tourism/visitor spending from the occupiers of coaches parked at the application site.

It is, therefore, considered that the use of the site as a 90 space lorry/coach park for a temporary two year period could be considered an acceptable departure from Policy EC9 in principle, subject to all other material considerations.

### **Character and Appearance**

Whilst the site lies adjacent to the south of the conservation area, the application site is clearly commercial in nature and of a different character and appearance to that of the conservation area. The significant land level change between the built development within the conservation area and the port means that the land is seen in a different context to the conservation area.

As stated above the application site is already fenced and hard surfaced and seen as part of the port and there would be minimal works required on site to implement the proposal. The presence of lorries and coaches on the site would be a kin to the previous uses on the site and it is considered that these vehicles would be seen against the surrounding port related development and would be considered acceptable within this commercial environment.

The concerns of the Conservation Officer are recognised, but it is noted that he raises no objection to the proposal in principle. It is considered that adequate information has been submitted in support of the application to sufficiently assess the impact of the proposed development on the nearby conservation area and listed buildings/structures and their settings. Therefore no additional information is required from the applicants.

It is not, therefore, considered that there would be an adverse effect on the character and appearance of the nearby conservation area or the architectural and historic interest of nearby listed buildings/structures or their settings.

### **Living Conditions**

Given its commercial nature the application site is located away from any residential dwellings and with other surrounding noise sensitive uses. It is, however, noted that the Council's Environmental Health Team have raised concerns about the potential of noise generation from HGV refrigeration units. They advise that a noise assessment should be

carried out and a condition will be attached to secure this assessment. It is noted that the front elevation of the nearest residential property to the application site is approximately 97m from the application site and at a significantly higher level being on the adjacent cliff. It is not considered that any noise/disturbance generated from this proposal would be significantly higher than the extant planning use of the site and the working harbour adjoining the site, which would allow the whole area in question to be used by vehicles for the purposes of shipping. This is a legitimate fall-back position that could occur at any time. It is therefore not considered appropriate that a condition requiring an assessment is required, however a restrictive condition on the level of noise at the closest residential facade is considered sufficient to safeguard residential amenity.

Concerns have also been raised in relation to air quality and that a statement should be produced on air quality based on the transport assessment. A condition to secure this statement would be imposed. The supporting information advises that the majority of vehicles using the proposed lorry/coach park would use the dedicated access road via the tunnel which links directly to the A299 and, as such, HGVs and coaches would not, in most instances, have to travel through the town of Ramsgate to reach the site. It is, however, acknowledged that there are some instances, albeit infrequent, where the tunnel is closed for maintenance and vehicles would have to use alternative routes to reach the port. It is noted that the maximum anticipated number of HGVs/coaches movements to and from the proposed park would be 100 vehicles per day. It is noted that a port related use (such as the cross channel service which operated until 2013 and which frequently generated freight movements in excess of 500 vehicles per day) could commence without the need for a further grant of planning consent. This is a legitimate fall-back position which could result in significantly higher levels of large vehicles entering and exiting the site under the current arrangements for tunnel maintenance which could have the potential to result in issues with air quality.

Notwithstanding this, whilst there may be some limited impact from the proposal in terms of air quality it is not considered that this would be so severe to warrant a recommendation of refusal.

Toilet, shower and waste facilities would be provided for users of the lorry/coach park in the existing terminal building and, as set out above, park would be managed 24 hours a day, all year.

It is not, therefore, considered that there would be an adverse effect on the residential amenities of adjoining occupiers.

### **Transportation**

Whilst it is noted that the majority of lorries and coaches that would use the park would access and exit the site via the tunnel, concerns have been expressed by both local residents and KCC as the Highway Authority as how the park would be accessed when the tunnel is closed for maintenance. Local residents advise that Military Road is not suitable for large vehicles such as HGVs and that the use of the road by them would result in highway safety issues, together with congestion whilst the large vehicles manoeuvre and also be

detrimental to the businesses located along Military Road and the attraction of Ramsgate as a tourism destination in general.

The supporting information advises that the majority of vehicles using the proposed lorry/coach park would use the dedicated access road via the tunnel which links directly to the A299 and, as such, HGVs and coaches would not, in most instances, have to travel through the town of Ramsgate to reach the site. It is, however, acknowledged that there are some instances, albeit infrequent, where the tunnel is closed for maintenance and vehicles would have to use alternative routes to reach the port. It is noted that the maximum anticipated number of HGVs/coaches movements to and from the proposed park would be 100 vehicles per day. It is noted that a port related use (such as the cross channel service which operated until 2013 and which frequently generated freight movements in excess of 500 vehicles per day) could commence without the need for a further grant of planning consent. This is a legitimate fall-back position which could result in significantly higher levels of large vehicles entering and exiting the site under the current arrangements for tunnel maintenance.

Notwithstanding this, whilst some inconvenience would occur on the highway network from the proposed use, particularly on Military Road, if the tunnel was closed for maintenance in the daytime, these occasions would not be so prevalent to result in severe harm to the highways network to warrant refusal of the application, and no objection is raised by KCC Highways. However, it is understood that the applicant is in discussions with the Highways Authority about when tunnel maintenance occurs to minimise any disruption (as requested by the KCC Highways Officer), and an informative is put forward to encourage a separate agreement between the two parties.

### **Flooding**

The application is supported by a Flood Risk Assessment and it is noted that the majority of the application site lies in flood zone 1 (at least risk of flooding), however, a small part of the site (the western boundary of the proposed site) lies within flood zone 2 (between 1 in 100 and 1 in 1000 annual probability of flooding).

The storage of vehicles is considered to be a less vulnerable use and it is noted that the site is managed 24 hours a day, 365 days a year by staff located in the existing terminal building which is located within flood zone 1. Given the uses that take place at the port, the weather is already constantly monitored and the port already has action plans in place in case of flooding. In the case of the proposed lorry park, should monitoring pick up an elevated risk of potential flooding, staff will not permit parking adjacent to the western boundary fence.

Whilst this will slightly reduce the area available for parking, it is considered that this action will satisfactorily mitigate any risk of flooding.

In terms of surface water, the area is already hard surfaced and the proposal will not result in additional hard surfacing. It is not, therefore, considered that there would be any additional risk of surface water flooding from the proposal.

## **Other Matters**

Concerns have also been raised by residents that the proposal would prevent the use of the port for a ferry and that the scheme is an unimaginative scheme for the site and there are more lucrative and imaginative proposals from the local community. Each point will be considered in turn below.

The applicants have confirmed that the proposal would not prevent the use of the port by a ferry.

The proposal under consideration is for the change of use to a 90 space lorry and coach park for a temporary two year period and this is the only proposal under consideration.

## **Conclusion**

As set out above, the application is reported to Members of the Planning Committee as a Council application and on that it is a departure. Saved policy EC9 relates to the port and supports port related activities. Whilst the proposed lorry/coach park is not a port related activity, it is akin to previous uses on the site, would require limit works to facilitate it and such works that would be required would be reversible. Given the above, and the fact that the consent is sought for a temporary period of two years, it is not considered that this proposal would undermine the future use of port and has the potential to bring economic benefits to the area. It is, therefore, considered that the use of the site as a 90 space lorry/coach park for a temporary two year period could be considered an acceptable departure from Policy EC9 in principle, subject to all other material considerations.

Concerns have been raised in relation to potential noise from the proposed use, air quality issues and traffic movements to and from the port especially when the tunnel is shut for maintenance. It is noted that the application site is within a working port which generates noise and attracts vehicles with the potential to generate air quality issues which access and exit the port generally through the tunnel, but also when the tunnel is closed for maintenance. It is noted, however, that a port related activity generating both significant noise and traffic generation could commence on the site without the need for a further grant of planning permission which is a legitimate fall-back position. It is, therefore, considered that given the distance between the application site and the nearest resident properties and the significant changes in level together with the safeguarding conditions proposed and that the use would be for a temporary period of two years that the proposal use would have an adverse effect on the amenities of the area.

The officer recommendation is, therefore, approval.

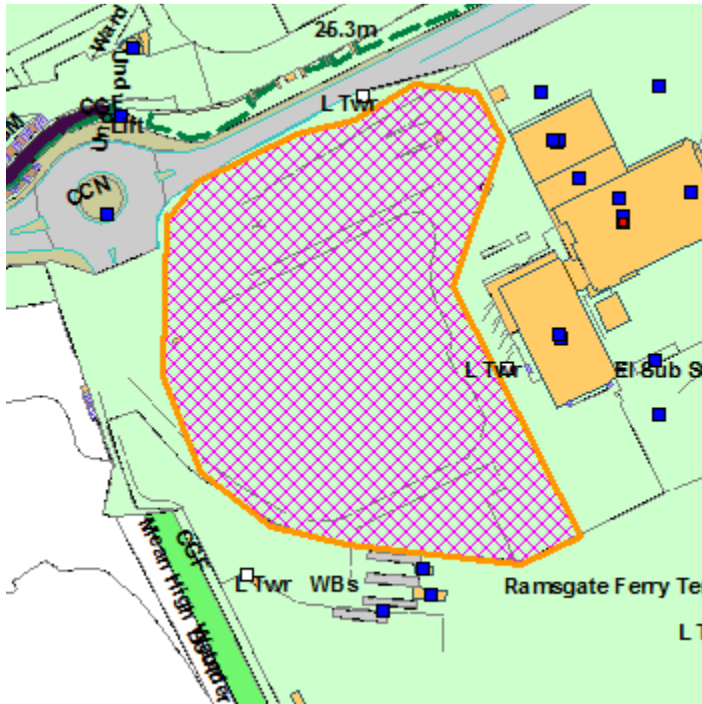
## **Case Officer**

Annabel Hemmings

TITLE: F/TH/17/1397

Project Dock Hereditament And Premises Port Of Ramsgate Royal Harbour Approach Ramsgate Kent

Scale:



**A05**

**F/TH/17/1521**

**PROPOSAL:** Variation of condition 2 attached to planning permission

F/TH/17/0029 for erection of a single storey two bedroom dwelling and single garage to allow for the conversion of garage to habitable room and erection of a link from bedroom to dwelling to form a three bedroom dwelling

**LOCATION:**

Land Adjacent Apple Garth Green Road BIRCHINGTON Kent

**WARD:**

Birchington North

**AGENT:**

Mr Richard Passmore

**APPLICANT:**

Mr Wilson

**RECOMMENDATION:**

Approve

Subject to the following conditions:

1 The development hereby permitted shall be begun before the expiration of three years from 20 April 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 development hereby approved shall be carried out in accordance with the submitted drawings numbered P001 and P002 received 12 October 2017 and P002b received 02 January 2017.

**GROUND:**

To secure the proper development of the area.

3 Prior to the commencement of the development hereby approved samples of the materials to be used in the construction of the external surfaces 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.

4 Prior to the first occupation of the 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

## SITE, LOCATION AND DESCRIPTION

The site is located within the urban confines of Birchington, in a backland location to the rear of 6 Green Road, adjacent to the existing backland development Applegarth. The site is not readily visible from Green Road.

The application site is an L shaped plot which originally formed part of the garden to Applegarth, however appears to have been severed some time ago, and is now bounded by 1.8m fences and mature hedges to the East, South and West elevations. The site is accessed via an existing access from Green Road to the North of 6 Green Road, which currently serves Applegarth.

The site is located within a wholly residential area, characterised by predominantly detached dwellings. Green Road primarily comprises street frontage development, with large single and two storey dwellings of varied designs set within good sized plots, producing a spacious character to the area. There is evidence of backland forms of development within the immediate locality, for example Applegarth, adjacent to the proposed application site, and houses to the rear of development fronting Grenham Road. Furthermore 1no. bungalow was granted planning permission in 2014 to the rear of 12 Green Road.

## RELEVANT PLANNING HISTORY

F/TH/17/0029 - Erection of a single storey two bedroom dwelling and single garage -  
Granted 20/04/17

## PROPOSED DEVELOPMENT

This application follows the previously approved application for the erection of 1no. detached bungalow with a detached garage reference F/TH/17/0029 and seeks to vary condition 2 of the approved application, to allow for the conversion of the garage to a habitable room, alterations to design and the erection of a single storey side extension to link the previously approved garage to the dwelling to allow for the provision of a 3 bedroom bungalow.

The previous approval was for the erection of a single storey detached dwelling with a detached garage, and comprised a simple, traditional design, set under gable pitched roofs. The dwelling was to be constructed with red multi stock brickwork, plain roof tiles and white UPVC windows. A driveway was sited to the west of the bungalow, and a small front and medium sized rear garden was to be provided.



This proposal will maintain the siting, scale and design of the approved main dwelling, and seeks to incorporate the previously approved detached garage, which will now comprise the kitchen and a hallway/lobby area, which will allow the property to increase the number of bedrooms to 3.

The pitched roof of the previously approved garage building will be retained, and a part hipped part flat roof will attach this element to the main dwelling. The driveway to the west of the bungalow, and the front and rear gardens will be retained.

The proposal seeks alterations to fenestration; to allow for a window/door to the front elevation of the single storey side element, the alteration of the previously approved window/door to the east of the rear elevation to bi-folding/French doors and the installation of 1no. rooflight to the west roof slope of the main dwelling and 3no. rooflights to the west roof slope of the single storey side element. The application also seeks to alter the approved materials of the elevations to a brick plinth with render above.

## DEVELOPMENT PLAN POLICIES

Thanet Local Plan 2006 (Saved Policies)

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

## NOTIFICATIONS

Letters were sent to neighbouring property occupiers and a site notice was posted near the site. Four letters of objection have been received. The letters raise the following concerns:

- The proposal will incorporate additional windows which will result in a lack of privacy to number 6 Green Road.
- Proposal results in overdevelopment.
- The original application should not have been approved. The proposed increase in footprint by attaching the garage and converting it to a kitchen represent an unacceptable high density level on an already overdeveloped site.
- The garage should be maintained in order to ensure there is sufficient space for parking of bicycles or other vehicles.
- Insufficient information regarding proposed building materials and the overall visual impact cannot be assessed.
- No details of revised arrangements for the vehicular access are shown on the revised drawings.

**Birchington Parish Council** - No objections.

## CONSULTATIONS

**Environmental Health** - No objections to the proposal. There are no environmental health issues.

**Southern Water** - Requires a formal application for a connection to the public foul sewer to be made by the applicant or developer.

## COMMENTS

The site previously formed part of the residential garden to Applegarth, however the site appears to have been severed from Applegarth for some time. As such the site is considered to comprise non-previously developed land and therefore the application is brought before members as a departure to Policy H1 of the Thanet Local Plan.

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

### **Principle**

The proposed development would represent development on non-previously developed land within the urban confines and is therefore 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.

The site is located within the urban confines of Birchington, within walking distance of the train station, bus stops and facilities and services in Birchington High Street and as such the location of the site is considered to be sustainable. The principle of the development is therefore considered to be acceptable as a departure to Policy H1 of the Thanet Local Plan, subject to the consideration of all other material planning considerations.

There is a fall-back position for this application in that the previous approval comprises an extant consent for the erection of a dwelling on this site, through which the principle of development was assessed to be acceptable. There have been no material changes since. The principle of development is therefore considered to be acceptable.

### **Character and Appearance**

The proposed plot is of a smaller scale than the overriding character of Green Road and will be located to the rear of 6 Green Road and will not directly address a street. There is limited visibility of the site and therefore it is not important for this open space to be retained as it does not contribute to the character of the area. Whilst we would not normally encourage backland development, consideration must be given to the existing character of the area, which comprises some backland development in the immediate locality, for example the

adjacent properties Applegarth and 16a Grenham Road. With this in mind, the proposed bungalow is not considered to appear out of character with the pattern of development in this location.

The proposed dwelling is modest in scale, of a single storey height and comprises a simple form and design. The proposal will be of a smaller scale than the majority of dwellings fronting Green Road, relating more in scale and form to dwellings fronting Berkeley Road to the East. The proposed linked single storey side element will retain a similar form and design to the previously approved garage, with the gabled roof and hipped roof linking to the main body of the property, and will reflect the simple appearance and design of the bungalow. The limited simple palette of materials comprising a brick plinth, render and tiles will reflect the varied character and appearance of the area, and will not appear obtrusive in the context of existing development.

The proposed bungalow will be located relatively close to Applegarth to the East, however given the single storey nature of the proposal, together with the fact both adjacent roofs will pitch away from one another, there will be a visible separation at first floor level. Furthermore there will be adequate separation distance to no.6 Green Road (approx. 15m to the main body of the property) and dwellings to the rear. Given the modest height and backland location of the proposal to the rear of 6 Green Road, the dwelling will have significantly limited visibility from the street scene, which together with its siting and relationship with adjacent dwellings, will not result in harm to the character and appearance of the area.

Therefore given the modest scale and simple form and design of the dwelling, together with its location to the rear (which limits the visibility of the development), and the existing surrounding pattern of development, the proposal is not considered to result in harm to the character and appearance of the area. The proposal will therefore accord with Policy D1 of the Thanet Local Plan and the National Planning Policy Framework.

### **Living Conditions**

The proposed site is currently enclosed by a 1.8m fence and large conifer hedges. There will be a 1.2m separation distance to the nearest adjacent neighbouring property, Applegarth to the East. Given the presence of the existing boundary treatment, together with the modest scale of the proposal, which will measure 2.5m to the eaves with a roof that pitches away from Applegarth to the East, the proposal is not considered to result in significant harm to the living conditions of adjacent neighbouring property Applegarth. There is considerable separation distance to all other adjacent neighbours, given the modest scale of the proposal to prevent any adverse impacts by way of loss of light, or sense of enclosure.

All primary windows which serve habitable rooms will be located to the front and rear elevation of the dwelling, with significant separation distance to all adjacent neighbours to prevent any harmful impacts of overlooking.

A window will be provided to the East side elevation, but this will serve a bathroom and be obscure glazed, and will therefore have a limited impact.

The proposal incorporates 4no. rooflights to the west of roof slopes to the bungalow/single storey element. The 3no. rooflights to the single storey element will have a cill height of approximately 2.4m above internal finished floor level and the 1no. rooflight to the main roof slope of the bungalow will have a cill height of approximately 3.4m above internal finished floor level. Given the high level location of these rooflights and their angled siting within the roof slope, these openings will not result in impacts of overlooking to the adjacent neighbour to the west.

The applicant proposes to install a driveway to the East side elevation of the proposed bungalow with access provided by the existing access between 6 to 8 Green Road. Given the proximity of the proposed driveway and access to number 6 Green Road, vehicular movements associated with the new dwelling have the potential to cause noise and disturbance to neighbouring properties. However, in this case, given that there is currently a driveway to Applegarth and the access road is already used to serve this dwelling, I am of the opinion that the vehicular movements that will be generated by the proposed development will not increase significantly above the existing situation. Furthermore there will be a separation distance of approx. 15m from the proposed driveway to the neighbouring properties rear elevation and an approx. 8m separation distance from the existing access to the side elevation of the neighbouring property, which is considered to be sufficient to limit any impacts of noise and disturbance.

In terms of the living conditions of future occupiers of the property, the proposal provides a medium sized garden to the rear and small garden to the front of the dwelling with space for refuse storage, cycle storage, clothes drying facilities and doorstep play space. Each of the habitable rooms are of an adequate size and benefit from natural daylight, outlook and ventilation. The proposal is therefore considered to provide acceptable living conditions for future occupiers of the dwelling and is therefore acceptable in accordance with Policies D1 and SR5 of the Thanet Local Plan.

### **Highways**

There is availability of on street parking along Green Road and within nearby streets. The proposal includes the provision of car parking through a driveway with access from the existing access serving Applegarth. The existing access is just over a cars width and the proposal allows for turning space to ensure vehicles could exit and enter the access in a forward gear. Whilst this proposal involves the removal of the garage which was provided in the previous application, there is sufficient parking provision provided via the driveway for the single car, in conjunction with the parking availability on Green Road to satisfy the parking provision for a dwelling of this size.

The site is located in a sustainable location in the village of Birchington within walking distance to a range of amenities and the train station and regular bus routes. Therefore the proposal is not considered to result in any adverse impacts with regard to highway safety or highway amenity.

## CONCLUSION

Overall the proposed dwelling, whilst comprising backland development on non-previously developed land is not considered to be out of keeping with the pattern of development of the surrounding area and will be consistent with the principles set out within the NPPF, whilst providing residential accommodation, for which there is a need. The impact upon the character and appearance of the area, neighbouring property occupiers living conditions and highway safety is considered to be acceptable and in accordance with Policy D1 of the Thanet Local Plan. It is therefore recommended that members approve the application as an acceptable departure to Policy H1 of the Thanet Local Plan.

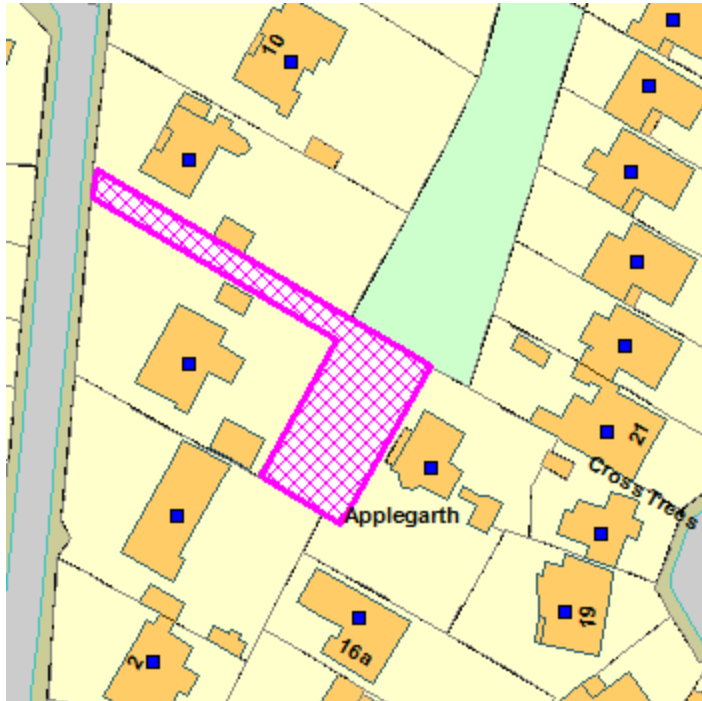
### **Case Officer**

Jenny Suttle

TITLE: F/TH/17/1521

Project Land Adjacent Apple Garth Green Road BIRCHINGTON Kent

Scale:



**R06**

**F/TH/17/1188**

PROPOSAL:                   Erection of 1no. attached dwelling

LOCATION:                    2 Willow Avenue BROADSTAIRS Kent CT10 2LP

WARD:                        St Peters

AGENT:                      Mr T Michael

APPLICANT:                 Maybank Homes, care of TMC Commerci

RECOMMENDATION:         Refuse Permission

For the following reasons:

1       The proposed dwelling, by virtue of its scale, unrelated design and materials, siting and prominent corner plot location, will result in an incongruous and dominant form of development within the street scene, out of keeping with the established building line, the surrounding pattern of development and the uniform design and appearance of surrounding dwellings, to the detriment of the character and appearance of the area, contrary to Policy D1 of the Thanet Local Plan and paragraphs 17, 58 and 64 of the National Planning Policy Framework

## SITE, LOCATION AND DESCRIPTION

The site is located in a wholly residential area of Broadstairs, to the north east edge of the Wimpy estate and adjacent to the arterial route of Rumsfield Road to the east. Willow Avenue is characterised by uniform two storey semi-detached modern Chalet style dwellings, located within relatively consistent plots, set back from the road, which follow an established building line. The south west side of Rumsfield Road is characterised by two storey modern semi-detached houses with gabled roofs, set back from the road which follow an established building line. There is a generally open character to the area, with properties set consistently back from the highway, and greenery to corner plot dwellings.

2 Willow Avenue is located on a prominent corner plot, fronting Willow Avenue to the south east, and side on to Rumsfield Road to the north-east. The property is set back from Willow Avenue and Rumsfield Road, with a single storey side element which is approx. 2.2m wide and has a large side garden, which contributes to the open character of the area. A single storey garage has been erected to the rear of the plot.

## RELEVANT PLANNING HISTORY

There is extensive planning history relating to this site including:

F/TH/14/0613 - Erection of a two storey side extension - Granted - Not implemented  
F/TH/13/1019 - Erection of attached 3-bed, 2-storey dwelling with associated parking - Withdrawn  
F/TH/12/0930 - Erection of a first floor side extension - Granted - Not implemented  
CD/TH/12/0477 - Application for Lawful Development Certificate for the erection of a garage - Certificate Issued  
F/TH/12/0204 - Erection of single storey side extension to provide a single garage, together with erection of 2m boundary fence - Granted - Not implemented  
F/TH/11/0851 - Erection of a single storey side and rear extension - Granted

## PROPOSED DEVELOPMENT

The application has been amended and proposes the erection of an attached two storey dwelling, which incorporates the existing single storey side element to the original property. The dwelling will measure approx. 4.4m in width at first floor and 5.5m to the front element of the ground floor and approx. 3m in width to the rear of the ground floor, as the existing property will retain part of the existing single storey rear element.

The ground floor of the property will be set forward of 2 Willow Avenue by approx. 0.5m, and will extend an additional 1.1m in width, with a false pitch roof to the front elevation and a flat roof to the remainder. The first floor of the dwelling will follow the depth, eaves and ridgeline of the existing dwelling, and will incorporate a front dormer of the same dimensions as the existing property. The property will be designed with 2no. windows to the ground floor and 2no. windows to the first floor of the front elevation, with the entrance door located to the centre of the side elevation, and double doors to the front of the side elevation, together with 2no. windows to the first floor side elevation. The property will be finished in render to the elevation, with interlocking tiles to the roof slope to match the existing property and cedar cladding to the dormers.

The dwelling will be enclosed by a 1.8m high fence which will be set back by 1.5m from the footpath. Access will be achieved through a gate to the north east side of the boundary treatment, with associated path.

## DEVELOPMENT PLAN POLICIES

### **Thanet Local Plan 2006 (Saved Policies)**

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



## NOTIFICATIONS

Letters were sent to neighbouring property occupiers and a site notice was posted near the site. No letters of objection have been received.

## CONSULTATIONS

**Southern Water** - Requires a formal application for a connection to the public foul sewer to be made by the applicant or developer.

## COMMENTS

This application has been called to Planning Committee by Councillor Gregory to allow members to consider the impact upon the character and appearance of the area.

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

### **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. Furthermore, albeit further to consultation, the emerging Policy H01 of the draft preferred options document states that the Council will grant permission for new housing development on residential gardens where it is judged to not be harmful to the character and amenity of the local area.

The principle of developing the site is therefore considered to be acceptable and consistent with the principles of the NPPF, subject to other material planning considerations being acceptable.

### **Character and Appearance**

2 Willow Avenue is a two storey semi-detached modern chalet style dwelling set within a spacious corner plot. Dwellings in the vicinity of the site, fronting both Willow Avenue and Rumsfield Road are typically of similar plot sizes and follow an established building line set back from the highway. Corner plots within the estate are typically large with development set back from both the front and side boundaries adjacent to the highway. This is particularly characteristic of the corner plots with side elevations fronting Rumsfield Road. To the rear of the application site is a row of two storey semi-detached dwellings with front garage projections. The side elevation of the existing dwelling, no.2 Willow Avenue, falls in line with the single storey front garage projections to the properties located to the rear of the site.

Section 7 of the NPPF encourages authorities to refuse "development of poor design", and development "which fails to take the opportunities available for the improving the character and quality of an area and the way it functions should not be accepted".

I am mindful of the previously approved applications to extend and alter the property, however the most similar proposal, a two storey side extension, was of a reduced width of 3.5m, only projected beyond the two storey front elevation of properties to the rear of the site by 1m, and appeared of a proportionate size and scale for that of an extension to a property.

The proposed dwelling, by virtue of its increased width to 4.4m at first floor level will result in a loss of space on this prominent corner plot, projecting beyond the established front building line of properties which front Rumsfield Road by a considerable degree, and projecting beyond the established building line of properties to the front of the site. The estate is characterised by large corner plots, with development set back from the street giving an open characteristic to the street scene. There are no other examples of properties protruding forward of the building line at two storey level to this degree. The proposed dwelling will therefore result in a dominant form of development, completely out of keeping with the established character of the area, in a highly prominent location.

Whilst the permitted development single storey garage to the rear projects forward of the front building line in Rumsfield Road, the garage is a single storey form of development which is clearly subservient to the surrounding two storey dwellings, and is therefore not comparable when considering the visual impact upon the area.

The proposed dwelling is to be attached to an existing dwelling, and will be of a similar width, and will therefore clearly identify as a row of three terraced dwellings. The area is dominated by pairs of semi-detached dwellings of a uniform design, and therefore the creation of a row of three terraces will be completely out of keeping with the pattern of surrounding development, and the uniform form, scale and design of semi-detached properties in the area. The proposed development, and the uncharacteristic terraced block it will create, is all the more harmful given the highly prominent corner plot location of the site, which will be regularly viewed by those passing along Rumsfield Road, a busy through route.

Whilst effort has been made to design the dwelling to appear as a two storey side extension to 2 Willow Avenue, considerations regarding a new dwelling do not relate solely to the appearance of proposed dwellings, and also concern the pattern of development of the area. The erection of an end of terrace property will be completely out of character with the coherent pattern of development of semi-detached properties. Furthermore the proposed plot is an awkward contrived shape, with the existing dwelling attempting to retain part of the ground floor below the first floor of the proposed dwelling, and the off road parking to the front of the site for 2 Willow Avenue. This shape of plot will be discordant with the general plot sizes and shapes within the area, in contest with the principle of good design and layout as set out by Policy D1 of the Thanet Local Plan.

The proposed materials are to be painted render to the ground floor elevations, grey UPVC windows and Cedral cladding to the first floor gable and front and rear dormers. The surrounding Chalet style bungalows along with the existing property are finished in brickwork to the ground floor and red tile hanging to the dormers and first floor side gable. The

proposed materials will therefore clearly contrast with the uniform appearance to the surrounding chalet style properties, which will further emphasise the inappropriate form, scale and design of the proposed dwelling in this highly prominent location.

Overall by virtue of the proposed scale, siting, design and materials of the proposed development, it is considered that the proposed two storey dwelling would result in a prominent and incongruous feature within the street scene, unrelated to the uniform pattern of surrounding development and the open character of the area, contrary to Policy D1 of the Thanet Local Plan and the NPPF.

### **Living Conditions**

The proposed dwelling is to be attached to the existing dwelling, and will project forward at single storey level by 0.5m of the front elevation of no. 2, and does not project beyond the rear elevation of no.2 Willow Avenue, and will therefore not impact upon neighbouring light and outlook.

There will be a minimum of 15m separation distance between the rear elevation of the proposed development and the neighbouring property to the rear, however, the proposed rear windows will look onto a side elevation of the neighbouring property that contains a landing window and a secondary window, and which is already overlooked by the rear windows of no.2 Willow Avenue. The proposed development will not overlook the private amenity space of the neighbouring property. As such, the impact upon neighbouring privacy is considered to be acceptable.

With regard to the living conditions of the future occupiers, the proposed dwelling has provision for a side and rear garden enclosed by a 1.8m high fence which will provide adequate space for refuse storage, cycle storage, clothes drying facilities and doorstep play space. All primary habitable rooms are served by front or rear elevation windows which provide an acceptable standard of light and outlook, and all rooms are a sufficient size to provide an acceptable standard of amenity for future occupiers. The proposed dwelling will therefore provide adequate living conditions for the future occupiers for the proposed dwelling, in accordance with Policies D1 and SR5 of the Thanet Local Plan and the National Planning Policy Framework.

The impact of the proposed development on the living conditions of neighbouring property occupiers with regard to loss of light, sense of enclosure or loss of privacy, and the living conditions of future occupiers of the development, is considered to be acceptable and in accordance with Policy D1 of the Thanet Local Plan and the NPPF.

### **Highways**

The proposed dwelling is likely to result in an increased demand for parking; however, this would be addressed through the provision of 2no. allocated parking spaces to the rear of the site, and there is capacity for on-street parking in the surrounding area. The site is also served by public transport.

Given the parking provision provided, which can achieve the necessary pedestrian visibility splays, and the sustainable location of the site, it is not considered that the proposal will result in significant material harm to the local highway network or highway safety, in accordance with Policy TR16 of the Thanet Local Plan and the NPPF.

### CONCLUSION

Overall the proposed dwelling, by virtue of its scale, unrelated design and materials and siting forward of the established building line, in a highly prominent location, is considered to result in an incongruous and dominant form of development within the street scene, which will appear significantly out of keeping with the pattern of surrounding development, which is characterised by semi-detached properties and established building lines, along with spacious corner plots. It is therefore considered that the proposal fails to have regard or respond to the character and appearance of the area, detrimental to the visual amenities thereof. It is therefore recommended that members refuse this application.

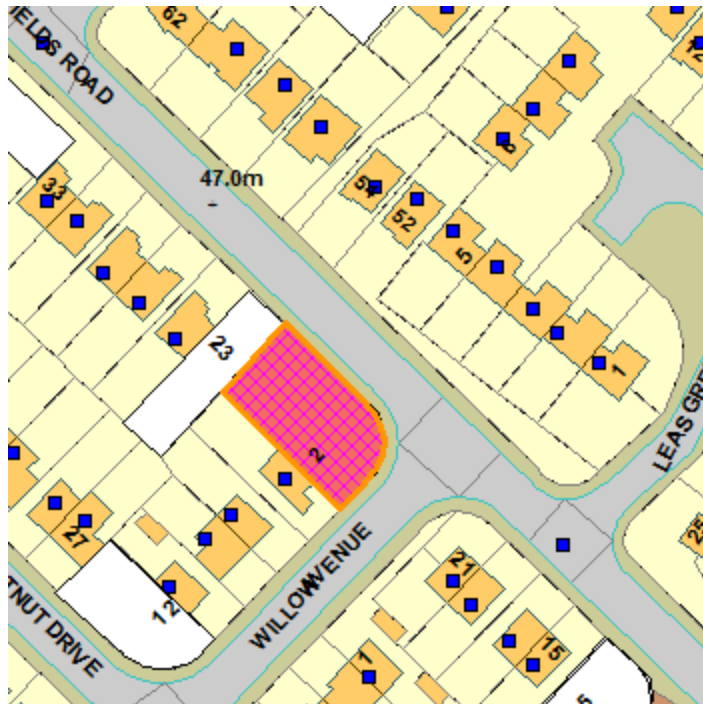
### **Case Officer**

Jenny Suttle

TITLE: F/TH/17/1188

Project 2 Willow Avenue BROADSTAIRS Kent CT10 2LP

Scale:



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**R07**

**FH/TH/17/1442**

**PROPOSAL:** Erection of part two storey part single storey side and rear extension with juliet balcony to rear and dormer window to front elevation following demolition of garage

**LOCATION:** 20 Millmead Avenue MARGATE Kent CT9 3LP

**WARD:** Dane Valley

**AGENT:** Mr John Lowden

**APPLICANT:** Mr Jonathan Bentman

**RECOMMENDATION:** Refuse Permission

For the following reasons:

1 The proposed two storey side extension, by virtue of its considerable width, scale and design will result in a discordant and unduly prominent form of development, which will unbalance, and appear disproportionate and unrelated to the design of the existing property, significantly out of keeping with the surrounding pattern of development and the character and appearance of the area, contrary to Policy D1 of the Thanet Local Plan and paragraphs 17,58 and 64 of the National Planning Policy Framework.

## SITE, LOCATION AND DESCRIPTION

Millmead Avenue is located within a wholly residential area of Margate, characterised by two storey semi-detached and detached houses of early 20th century origin to the west of the road and single storey detached and semi-detached bungalows to the east of the road, set within generally consistent plots, which follow an established building line.

20 Millmead Avenue is a two storey arts and craft style dwelling designed with a gable front projection to the principle elevation with a double bay window and a modest two storey pitched roof element which hips away from the road, set back from the front projection. The property has been extended at single storey level to the north side elevation and there is a single storey garage to the south, set back from the two storey pitched roof element.

The property is located to the end of a row of properties of this uniform form, scale and design and is set within a wide plot in comparison to its surrounding neighbours, retaining approx. 10m separation distance to the adjacent neighbour to the south west at first floor level.

## RELEVANT PLANNING HISTORY

FH/TH/16/0628 - Erection of a single storey rear/side extension along with raised decking with new fencing screen and gate - Granted 26/07/16.

## PROPOSED DEVELOPMENT

The application proposes the erection of a part two storey part single storey side and rear extension, following the demolition of the existing single storey garage. The two storey side extension will extend 6m in width and will extend from and maintain the same eaves, ridge line and depth as the existing two storey pitched roof element, which is set back from the main dwelling. The two storey side extension comprises of a double garage to the ground floor and a four paned pitched roof dormer to the centre of the first floor of the extension, and a Juliet balcony to the rear.

To the rear of the two storey side extension will be a single storey rear extension measuring approx. 3.5m in depth with a height of 3.3m to the parapet which will connect to the existing single storey rear extension. All materials are proposed to match the existing property.

## 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. No letters of representation have been received.

## CONSULTATIONS

None received.

## COMMENTS

This application has been called to Planning Committee by Councillor Taylor to allow members to consider the impact upon the character and appearance of the area.

The main considerations in determining this application is the impact of the development on the character and appearance of the area and the impact upon living conditions of neighbouring property occupiers.

### **Character and Appearance**

20 Millmead Avenue is located at the end of a row of two storey arts and craft style dwellings, all of which comprise a front gable projection, and a modest two storey pitched



roof element, set back from the front gable. To the south of the site is a row of two storey 1930's semi-detached houses of a consistent form and scale.

The proposed two storey side extension will extend an overall width of 6m, extending from the existing 1.5m wide two storey pitched roof side element which is characteristic of this row of properties. The additional width of the two storey side extension will double the width of the two storey body of the existing property, and will be 1.5m wider than the principle front gable projection to the property. Therefore, when compared to the existing form and scale of the property, the width of the proposed extension is considered to appear considerably out of proportion with the existing property, resulting in a horizontal emphasis to the principle elevation, which will diminish the primacy of the principle front gable projection. Furthermore there is little articulation to the front elevation first floor roof slope, beside the central rear dormer, which will result in bland appearance to this large two storey side extension, out of keeping with the existing detailed and staggered design of the principle elevation.

Whilst the form and siting of the extension, which will retain the depth, eaves and ridge of the existing two storey pitched roof side element is supported, and it is acknowledged that there is sufficient separation distance to the adjacent property to the south west to accommodate a two storey side extension, the proposed width of the extension is considered to be excessive and out of keeping with the surrounding pattern of development and the character and appearance of the area.

Amended plans were sought to reduce the width of the extension to appear proportionate with the existing property and maintain the primacy of the principle front projection, thereby preserving the consistency and cohesion associated with this row of arts and craft houses. However amended plans were not forthcoming.

Therefore the proposed extension by virtue of its considerable width and lack of articulation is considered to result in a discordant and unduly prominent form of development, which will unbalance and appear out of proportion with the existing property, and result in an development which fails to relate to the consistent uniform scale and form of this row of properties, to which it forms a part. The proposed extension will therefore fail to sufficiently have regard to, or respond to the character and identity of the area, contrary to Policy D1 of the Thanet Local Plan and paragraph 17 of the National Planning Policy Framework.

## **Living Conditions**

The proposed part two storey part single storey side/rear extension will retain approx. 3m separation distance to the adjacent neighbour to the south west at two storey level and 4m separation distance at single storey level. The two storey element of the extension will extend approximately in line with the two storey rear elevation of the adjacent neighbour. The adjacent neighbouring property has 1no. ground floor window which appears to serve a kitchen and 2no. first floor windows which appear to serve a bathroom. Given these windows do not appear to be the only window serving a primary habitable room, there is considered to be sufficient separation distance to prevent significant harm to the living conditions of this neighbour by virtue of a loss of light/outlook and sense of enclosure.

The single storey extension to the rear of the two storey side extension will extend beyond the main rear elevation of the existing property. Given the single storey height of the extension and 4m separation distance, this element is not considered to result in harm to the residential amenity of the adjacent neighbour.

The proposal incorporates 1no. pair of double doors to the ground floor which will be in roughly the same location as an existing door and window to the garage and 1no. high level window to the rear element of the extension. Given the provision of existing openings, together with the ground floor location of these openings, and the relatively high boundary treatment, these openings are not considered to result in harmful overlooking to the adjacent neighbour. There is proposed to be 1no. small window to the first floor side elevation, which provided it is obscure glazed and fixed shut, (which can be secured by condition), will not result in adverse impacts of overlooking.

The proposal is therefore considered to be acceptable in terms of residential amenity, in accordance with Policy D1 of the Thanet Local Plan and the National Planning Policy Framework.

### CONCLUSION

Overall the proposed two storey side element of the extension, by virtue of its considerable width, scale and design is considered to result in a discordant and unduly prominent form of development, which will unbalance, and appear out of proportion with the existing property, and will appear significantly out of keeping with the consistent uniform scale, form and design of this row of properties, to which it forms a part. The proposal is therefore considered to fail to have regard or respond to the character and appearance of the area, detrimental to the visual amenities thereof. It is therefore recommended that members refuse this application.

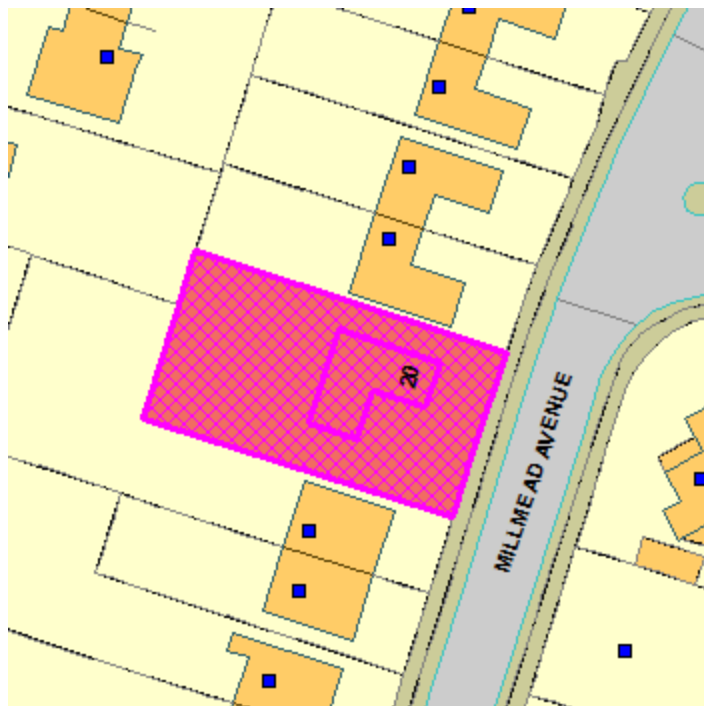
### **Case Officer**

Jenny Suttle

TITLE: FH/TH/17/1442

Project 20 Millmead Avenue MARGATE Kent CT9 3LP

Scale:



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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 £25 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.