

Public Document Pack

Date: 9 September 2019
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PLANNING COMMITTEE

18 SEPTEMBER 2019

A meeting of the Planning Committee will be held at **7.00 pm on Wednesday, 18 September 2019** in the Council Chamber, Council Offices, Cecil Street, Margate, Kent.

Membership:

Councillor Tomlinson (Chairman); Councillors: Coleman-Cooke (Vice-Chairman), Albon, J Bayford, Dennis, Duckworth, Garner, Hart, Hopkinson, Huxley, Keen, Stevens, Taylor and Towing

A G E N D A

Item
No

Subject

1. **APOLOGIES FOR ABSENCE**

2. **DECLARATIONS OF INTEREST** (Pages 3 - 4)

To receive any declarations of interest. Members are advised to consider the advice contained within the Declaration of Interest advice attached to this Agenda. If a Member declares an interest, they should complete the [Declaration of Interest Form](#)

3. **MINUTES OF PREVIOUS MEETING** (Pages 5 - 12)

To approve the Minutes of the Planning Committee meeting held on 21 August 2019, copy attached.

4. **SCHEDULE OF PLANNING APPLICATIONS** (Pages 13 - 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/19/0799 - 56 EASTERN ESPLANADE, BROADSTAIRS** (Pages 19 - 26)

4b **A02 - FH/TH/19/0955 - SHALLOWS COTTAGE SHALLOWS ROAD, BROADSTAIRS** (Pages 27 - 34)

4c **A03 - FH/TH/19/0902 - 4 WHYTECLIFFS, BROADSTAIRS** (Pages 35 - 40)

4d **A04 - F/TH/19/0994 - GARAGES ADJACENT TO 82 TO 90 CHICHESTER ROAD, RAMSGATE** (Pages 41 - 46)

For Refusal

4e **R05 - FH/TH/19/0956 - 20 FREDA CLOSE, BROADSTAIRS** (Pages 47 - 50)

For Deferral

4f **D06 - F/TH/19/1026 - LAND ADJACENT 150 MONKTON STREET, MONKTON, RAMSGATE** (Pages 51 - 80)

4g **D07 - F/TH/19/0729 - THE MILL HOUSE, WAY HILL, MINSTER, RAMSGATE** (Pages 81 - 92)

4h **D08 - F/TH/19/0925 - LAND ADJACENT FORMER PRIMROSE COTTAGE, WAYBOROUGH HILL, MINSTER, RAMSGATE** (Pages 93 - 104)

4i **D09 - F/TH/19/0251 - ROYAL EXCHANGE MILLERS LANE, MONKTON, RAMSGATE** (Pages 105 - 122)



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

THANET DISTRICT COUNCIL DECLARATIONS OF INTEREST

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.
4. **Complete the declaration of interest form and submit it to Democratic Services.**

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.
4. **Complete the declaration of interest form and submit it to Democratic Services.**

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 Committee Services Manager well in advance of the meeting.

Public Document Pack Agenda Item 3

Planning Committee

Minutes of the meeting held on 21 August 2019 at 7.00 pm in Council Chamber, Council Offices, Cecil Street, Margate, Kent.

Present: Councillor Michael Tomlinson (Chairman); Councillors Coleman-Cooke, Albon, J Bayford, Duckworth, Garner, Hart, Keen, Stevens, Taylor and Campbell

In Attendance: Councillor Wright

481. APOLOGIES FOR ABSENCE

Apologies were received from Councillors Dennis, Huxley and Hopkinson for whom Councillors Rusiecki, Campbell and Currie were present. Apologies were also received from Councillor Towing.

482. DECLARATIONS OF INTEREST

There were no declarations of interest.

483. MINUTES OF PREVIOUS MEETING

Councillor Albon proposed, the Vice Chairman seconded and Members AGREED that the minutes of the Planning Committee held on 17 July 2019 be approved and signed by the Chairman.

484. SCHEDULE OF PLANNING APPLICATIONS

485. A01 - L/TH/19/0674 - QUAY EDGE, CROSSWALL AND WEST PIER, RAMSGATE HARBOUR, MILITARY ROAD, RAMSGATE

PROPOSAL: Application for Listed Building Consent for the installation of quayside railings

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

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 development hereby approved shall be carried out in accordance with the submitted drawings numbered 3608_501, 3608_503 and the Design, Access and Heritage, Statement received 17 May 2019 and 3608_504, received 28 May 2019.

GROUND;

To secure the proper development of the area.”

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

Then, it was proposed by Councillor Campbell and seconded by Councillor Rusiecki:

That the application be REFUSED for the following reason:

The proposed development, by virtue of design and location of the railings, and the enclosure of the Grade II* Listed structure, would result in harm to the significance of the designated heritage asset, not outweighed by public benefits, contrary to paragraph 196 of the National Planning Policy Framework.

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

486. A02 - FH/TH/19/0803 - 9 EDMANSON AVENUE, MARGATE

PROPOSAL: Erection of a single storey rear extension following part demolition of existing conservatory and extension, together with alterations to roof to facilitate loft conversion and insertion of velux windows to front, rear and both side elevations

It was proposed by Councillor Campbell, seconded by Councillor Rusiecki and RESOLVED:

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

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

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

GROUND;

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

2 The proposed development shall be carried out in accordance with the submitted application as amended by the revised drawings numbered 19/394/JG/PL01 Rev A received 24 July 2019.

GROUND;

To secure the proper development of the area.”

487. D03 - F/TH/19/0364 - LAND WEST OF FARLEY ROAD, MARGATE

PROPOSAL: Erection of 8No 3bed detached dwellings with parking and associated works

Speaking in favour of the application was Mr Brown.

Speaking raising points of concern was Mr Dickman.

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 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 03-G, received 9th August 2019; the revised drawings numbered 04-C, 05-C, 06-C, 10-A, 07-C, and 08-C, received 30th May 2019; and plan numbered 09-A, received 19 March 2019.

GROUND:

To secure the proper development of the area.

3 Prior to the commencement of development hereby permitted, details of the measures to be undertaken to protect the public water supply main shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

GROUND:

To protect the public water supply, in accordance with the NPPF.

4 No works shall take place (including site clearance and levelling) until the Precautionary Mitigation Strategy outlined in the submitted Ecological Appraisal and Precautionary Reptile Mitigation; Calumma; 14th May 2019; paragraph 7.3 has been implemented. On completion of the works a letter from the ecologist shall be submitted to, and approved in writing by the Local Planning Authority, confirming that the reptile precautionary mitigation strategy has been implemented.

GROUND:

In order to safeguard protected species that may be present, in accordance with the National Planning Policy Framework.

5 Prior to the first occupation of the development hereby approved, full details of both hard and soft landscape works, to include

- species, size and location of new trees, shrubs, hedges and grassed areas to be planted, which shall include the provision of at least 36no. new trees, and hedge planting to both the eastern and western boundaries, as shown on plan numbered 03-G;
- the treatment proposed for all hard surfaced areas beyond the limits of the highway, in accordance with plan numbered 03-G;
- walls, fences, and other means of enclosure, to include the new fencing and gate along the southern boundary adjoining the receptor site;
- details of external lighting;
- ecological enhancements as identified within the submitted management plan and ecological report.

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.

6 Prior to the commencement of development hereby permitted, a "bat sensitive lighting plan" for the site boundaries shall be submitted to and approved in writing by the local planning authority. The lighting strategy shall:

- a) Identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory;
- b) Show how and where external lighting will be installed so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory (including details of light spill which shall not exceed 1LUX on and outside the red line boundary of the site).

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy and these shall be maintained thereafter in accordance with the strategy.

GROUND:

In order to safeguard protected species that may be present, in accordance with the National Planning Policy Framework.

7 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.

GROUND:

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

8 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:

To Protect existing trees and to adequately integrate the development into the environment, in accordance with Thanet Local Plan Policies D1 and D2.

9 The reptile receptor site shall be managed and maintained in accordance with the Management Plan (White Horse Ecology), dated 10th April 2018.

GROUND:

In order to safeguard protected species that may be present, in accordance with the National Planning Policy Framework.

10 Prior to the first occupation of the development, the area shown on plan numbered 03-G for the parking and manoeuvring of vehicles shall be operational. The area approved shall thereafter be maintained for that purpose.

GROUND:

Development without adequate provision for the parking or turning of vehicles 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.

11 Prior to the commencement of work on site the provision of construction vehicle loading/unloading, turning facilities and parking facilities for site personnel and visitors should be submitted to and approved in writing by the local planning authority. This should be provided for the duration of construction

GROUND:

In the interests of highway safety.

12 Prior to the first occupation of the development hereby permitted, the vehicular access as shown on plan numbered 03-G shall be provided and thereafter maintained.

GROUND:

In the interests of highway safety.

13 Prior to the commencement of any development on site (including site clearance and levelling), details to include the following shall be submitted to and approved by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

(a) Routing of construction and delivery vehicles to / from site, including entry points to the site

- (b) Parking and turning areas for construction and delivery vehicles and site personnel
- (c) Timing of deliveries
- (d) Provision of wheel washing facilities
- (e) Temporary traffic management / signage
- (f) Measures to control noise affecting nearby residents
- (g) Dust control measures

GROUND:

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

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

GROUND:

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

15 No further extensions or alterations, whether approved by Class A, B, or C of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order), shall be carried out without the prior permission in writing of the Local Planning Authority.

GROUND:

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

16 Prior to the first occupation of the development hereby permitted, the refuse collection point, as shown on plan numbered 03-G, shall be provided and thereafter maintained.

GROUND:

In the interests of living conditions for future occupiers, in accordance with Policy D1 of the Thanet Local Plan, and the NPPF.

17 The development hereby permitted shall be constructed at the land levels as shown on the approved section plans, numbered 07-C and 08-C.

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.

488. D04 - F/TH/19/0337 - 4 WALNUT TREE COTTAGES, COLDSWOOD ROAD, MANSTON

PROPOSAL: Change of use of existing garage to 3-bed dwelling together with single storey side extension and alterations to roof

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

“That the application be DEFERRED AND DELEGATED to officers for approval 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 A1/102 received 1 April 2019.

GROUND;

To secure the proper development of the area.

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

GROUND;

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

4 The area shown on the approved plan numbered A1/102 for vehicle parking and manoeuvring areas, shall be kept available for such use at all times and such land and access thereto shall be provided prior to the first occupation of the dwelling hereby permitted.

GROUND;

Development without adequate provision for the parking or turning of vehicles 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 dwelling hereby approved the 1.8 metre high fence, forming the common boundary with the host dwelling within the rear garden, shall be erected in the location shown on approved drawing numbered 1A/102 and thereafter retained for that purpose.

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.”

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

Meeting concluded : 8.15 pm

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THANET DISTRICT COUNCIL

PLANNING COMMITTEE

18 SEPTEMBER 2019

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: 9TH SEPTEMBER 2019

THANET DISTRICT COUNCIL

REPORT OF THE DIRECTOR OF CORPORATE RESOURCES

PART A

TO: THE PLANNING COMMITTEE

DATE: 18 September 2019

Application Number	Address and Details	Recommendation
A01 F/TH/19/0799	<p>56 Eastern Esplanade BROADSTAIRS Kent CT10 1DU</p> <p>Part retrospective application for the erection of a two storey side and single storey front extension, together with installation of front balcony and alterations to fenestration and external materials to create 1No. self-contained unit of holiday accommodation at first floor level, and 1no. additional holiday let/ancillary accommodation at ground floor level</p> <p>Ward: Bradstowe</p>	Approve
A02 FH/TH/19/0955	<p>Shallows Cottage Shallows Road BROADSTAIRS Kent CT10 2RB</p> <p>Erection of two storey detached garage/store</p> <p>Ward: St Peters</p>	Approve
A03 FH/TH/19/0902	<p>4 Whytecliffs BROADSTAIRS Kent CT10 1SW</p> <p>Erection of a two storey rear extension together with first floor side extension over existing garage</p> <p>Ward: Viking</p>	Approve
A04 F/TH/19/0994	<p>Garages Adjacent To 82 To 90 Chichester Road RAMSGATE Kent CT12 6NZ</p>	Approve

Variation of condition 5 of planning permission F/TH/19/0177 for the erection of 3No. dwellings to allow alterations to materials

Ward: Newington

THANET DISTRICT COUNCIL

REPORT OF THE DIRECTOR OF CORPORATE RESOURCES

PART B

TO: THE PLANNING COMMITTEE

DATE: 18 September 2019

Application Number	Address and Details	Recommendation
R05 FH/TH/19/0956	20 Freda Close BROADSTAIRS Kent CT10 2ED Erection of single storey flat roof front extension Ward: Viking	Refuse Permission

THANET DISTRICT COUNCIL

REPORT OF THE DIRECTOR OF CORPORATE RESOURCES

PART C

TO: THE PLANNING COMMITTEE

DATE: 18 September 2019

Application Number	Address and Details	Recommendation
D06 F/TH/19/1026	<p>Land Adjacent 150 Monkton Street Monkton Ramsgate Kent</p> <p>Erection of 9No. two-storey 4 bed dwellings with associated parking</p> <p>Ward: Thanet Villages</p>	Defer & Delegate
D07 F/TH/19/0729	<p>The Mill House Way Hill Minster RAMSGATE Kent</p> <p>Change of use of existing stables to a single dwelling.</p> <p>Ward: Thanet Villages</p>	Defer & Delegate
D08 F/TH/19/0925	<p>Land Adjacent Former Primrose Cottage Wayborough Hill Minster RAMSGATE Kent</p> <p>Erection of a two storey 3-bed dwelling with associated parking following demolition of existing stables</p> <p>Ward: Thanet Villages</p>	Defer & Delegate
D09 F/TH/19/0251	<p>Royal Exchange Millers Lane Monkton RAMSGATE Kent</p> <p>Erection of a two storey three bedroom dwelling with detached garage and associated works.</p> <p>Ward: Thanet Villages</p>	Defer & Delegate

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A01

F/TH/19/0799

PROPOSAL: Part retrospective application for the erection of a two storey side and single storey front extension, together with installation of front balcony and alterations to fenestration and external materials to create 1No. self-contained unit of holiday accommodation at first floor level, and 1no. additional holiday let/ancillary accommodation at ground floor level

LOCATION: 56 Eastern Esplanade BROADSTAIRS Kent CT10 1DU

WARD: Bradstowe

AGENT: No agent

APPLICANT: Mr P Marsh

RECOMMENDATION: Approve

Subject to the following conditions:

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

GROUND;

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

2 The development hereby approved shall be carried out in accordance with the submitted drawings numbered 150.02D received 21 June 2019.

GROUND;

To secure the proper development of the area.

3 The development hereby approved shall be used as holiday accommodation, or accommodation incidental to the enjoyment of the main dwellinghouse no.56 Eastern Esplanade; and at no time shall the units be occupied continuously for a period exceeding 6 weeks by the same person(s), or reoccupied within 3 months of vacating the accommodation by the same person(s).

GROUND;

To prevent the permanent self-contained residential use of the units, which fall below the Nationally Described Space Standards identified within Policy QD04 of the Draft Local Plan.

4 An up to date register of all current occupants shall be kept for the units of accommodation, hereby approved, and shall contain the name, main or home addresses and periods of occupation by any occupant(s); this log shall be kept up to date for a period and cover at least the last 12 months. The log shall be made available for inspection on demand at any reasonable hour by an officer of the Local Planning Authority.

GROUND;

To safeguard against permanent residential use of the units to ensure the continued availability of holiday accommodation in the area, in accordance with Policy T1 of the Thanet Local Plan

SITE, LOCATION AND DESCRIPTION

56 Eastern Esplanade is a mid/late 20th century two storey detached property set within a large plot. The property has been extended and is set under a double pitched roof, with a front projection and recessed element. The approved extensions and alterations have been partially constructed.

The application property is located to the end of a row of similar large detached two storey properties, of varied designs, set within relatively consistent plots which front Eastern Esplanade to the south. To the north of the site is Stone Bay School comprising three storey large period buildings and associated single and two storey buildings with grounds.

The site is located within a predominantly residential area characterised by detached properties set within mid to large plots, within relatively close proximity of Broadstairs town centre to the south and overlooking Stone Bay to the east.

RELEVANT PLANNING HISTORY

FH/TH/18/0358 - Erection of two storey side extension and single storey front extension, together with 2No. Balconies to front elevations and alterations to fenestration - Granted 04/05/2018

NM/TH/19/0076 - Application for a non material amendment of planning permission FH/TH/18/0358 for the erection of two storey side extension and single storey front elevation and alterations to fenestration to reduce the width of ground floor front bay and balcony above - Granted 15/02/19

Development has commenced on site for the above planning application and non-material amendment, and therefore the above permissions are extant.

PROPOSED DEVELOPMENT

The application follows the previously approved planning application and non material amendment (references FH/TH/18/0358 and NM/TH/19/0076) which approved the built form

of the two storey side extension, single storey front extension, front balconies and alterations to fenestration and external materials which has been partially constructed at the site.

This application proposes the part retrospective alteration of the use of the previously approved two storey side extension from ancillary accommodation at ground floor level and an additional bedroom at first floor level, to 2No. holiday lets (with the potential for the ground floor unit to be used as ancillary accommodation to the property). The 1No. 1 bedroom holiday let at ground floor level, would be accessed via the main property entrance, and therefore could also be used as ancillary accommodation to the property; and the 1No. Self-contained studio holiday let is accessed via the separate access to the south side elevation.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan 2006 (Saved Policies)

D1 - Design Principles
D9 - Accommodation for Elderly Relatives
T1 - Tourist Facilities
T3 - Self-Catering Accommodation
TR16 - Car Parking Provision

NOTIFICATIONS

Letters were sent to neighbouring property occupiers and a site notice was posted near the site. 8 letters of objection have been received. The letters of objection raise the following concerns:

- Concern regarding the proximity of holiday lets close to Stone Bay School.
- Holiday lets would result in noise and disruption.
- The turnover of tenants would be disruptive for neighbours.
- The proposal results in a loss of privacy.
- The proposal results in overdevelopment.
- The work to utilise the extension as holiday lets was carried out without planning permission.
- The proposal will change the nature of the immediate neighbourhood and community.
- The proposal will result in a reduction in surrounding property values.
- The plans show provision for 5No. Parking spaces to the front of the property is out of keeping with the neat front gardens to neighbouring properties and would result in disruption from vehicular movements.
- Holiday lets are out of character.
- Concern about the nature of individuals staying in the holiday accommodation.

Broadstairs and St Peters Town Council - The Planning Committee of the Town Council has considered this application and resolved unanimously to recommend refusal with the

following concerns: out of keeping with the character of the area, overdevelopment and too close to adjoining properties.

CONSULTATIONS

None received.

COMMENTS

This application is brought to Planning Committee, as it has been called in by Councillor Bayford due to concerns regarding the impact of the development upon the character and appearance of the area, and residential amenity of adjacent neighbours.

The main consideration with regard to this application is the principle of development, the impact of the proposed development on the character and appearance of the area, the impact upon residential amenity, and the impact upon highway safety.

Principle

Policy T1 of the Thanet Local Plan states that planning permission will be granted for development which would extend or upgrade the range of tourist facilities increase the attractions of tourists to the area or extend the season. Policy T3 of the Thanet Local Plan relates specifically to self-catering (including holiday homes/flats). The preamble to the policy highlights that such facilities provide choice for the tourist and are to be supported. The principle of the holiday lets would therefore be acceptable in principle, subject to the impact upon the character and appearance of the area and neighbouring living conditions.

Policy D9 of the Thanet Local Plan permits accommodation for elderly relatives where such accommodation is physically linked to the existing dwelling unit. The ground floor unit is accessed via the existing property, and therefore could be used as ancillary accommodation to the existing dwelling. The proposed ground floor unit of accommodation forms of an extension of the existing property, and has been designed so that it could be assimilated back into the existing property if not required for family members or a holiday let. The proposed ground floor unit would therefore comply with both Policies T1 and D9 of the Thanet Local Plan, and is therefore acceptable in principle subject to the impact upon the character and appearance of the area and neighbouring living conditions.

Character and Appearance

The built form and design of the extensions and alterations to the property have previously been considered and found to be acceptable, and benefit from extant planning permission.

The two storey side extension is considered to be a proportional addition, which integrates well with the original property and retains sufficient separation to the adjacent neighbour to the south. The extensions and alterations are considered to produce a cohesive design and appearance to the property which adds to the varied character of the area.

The proposed hardstanding to accommodate off street parking to the frontage of the application property will not significantly increase the existing level of hardstanding and will retain a landscaped garden area to the north. The proposed level of hardstanding to soft landscaping is considered to be comparable to similar properties in the vicinity and is therefore not considered to be out of character or harmful to the visual amenity of the area.

The application site is located on a road in relatively close proximity to Broadstairs town centre, which includes Bed and Breakfast accommodation, Guest Houses and several purpose built flats and large properties converted into flats to the south, together with large detached residential properties.

The modest size of each holiday let will naturally restrict occupation of each unit, and the application property, and adjacent properties are large in size, and could therefore accommodate a large number of occupants. As such, the potential level of occupation and activity associated with the proposed holiday lets is not considered to significantly alter or exceed that of the occupation of the application property by a single family. Furthermore, the application site is located on a road which is characterised by a variety of unit sizes and mixed tourist and residential accommodation. As such, the proposed use of the two storey side extension as 2No. Holiday lets are not considered to significantly alter the character, or be out of character with the surrounding area.

The proposed development is therefore considered to be acceptable in terms of the character and appearance of the area, in accordance with Policy D1 of the Thanet Local Plan and the National Planning Policy Framework.

Living Conditions

The built form and design of the two storey side extension, single storey front extension, provision of 2No. Front balconies and alterations to fenestration has previously been considered and found to be acceptable, and benefits from extant planning permission.

The scale, separation distance to, and relationship with the adjacent neighbour to the south of the two storey side extension is not considered to result in harm to the residential amenity of this neighbour deriving from the built form. The single storey front extensions are modest in scale and retain considerable separation distances to adjacent neighbours which prevents harm.

In terms of overlooking, the ground floor south side elevation window and door of the two storey side extension face the blank side elevation of the adjacent neighbours garage which is sited at the boundary, and therefore do not result in harmful overlooking. There are no first floor side elevation windows to the two storey extension. The first floor rear elevation window to the two storey side extension is considered to be modest addition to an existing situation, which will only enable oblique views to adjacent neighbours to the side, which are not considered to be significantly harmful, and has significant

The 2No. balconies are located to the front of the property, which face the road and the seafront beyond, which do not constitute private amenity spaces. The balcony to the recessed extension extends in line with the first floor rear elevation of the adjacent neighbour

to the south. Given the siting and limited depth of this balcony, only constrained oblique views of the adjacent neighbour will be possible, which are not considered to be significantly harmful.

The use of the two storey side extension as 2No. Holiday lets does not increase the level of overlooking above the previously approved extension, which benefits from extant planning permission.

Concern has been raised regarding the level of occupation and activity associated with the use of the two storey side extension as 2No. Holiday lets with regards to the creation of noise and disturbance.

The modest size of each holiday let will naturally restrict occupation of each unit, and the application property, and adjacent properties are large in size, and could therefore accommodate a large number of occupants. As such, the potential level of occupation and activity associated with the proposed holiday lets is not considered to significantly alter or exceed that of the occupation of the application property by a large single family. The holiday lets are located within a detached property, which will retain approximately 4m separation distance to the nearest adjacent neighbour. There are limited side window openings; 1No. Window and 1No. Door to the ground floor side elevation which immediately face the side elevation of the adjacent neighbours garage which will limit noise transmission from the holiday lets. Furthermore, the application site is located on a road which is characterised by a variety of unit sizes and mixed tourist and residential accommodation. As such, the proposed use of the two storey side extension as 2No. Holiday lets are not considered to result in significant harm to residential amenity by way of noise and disturbance to adjacent neighbours.

The application proposes to moderately extend the existing off road parking. Given the limited number of holiday lets proposed and their modest size the proposed development is not considered to significantly increase the level of vehicular movements at the application property. The north side elevation of the adjacent neighbour contains minimal ground floor openings which appear to comprise secondary windows and windows serving non-habitable rooms. As such, the development is not considered to result in significant harm to the adjacent neighbour by way of noise and disturbance deriving from additional vehicular movements.

In terms of the living conditions of the occupiers of the proposed holiday lets, the proposed 1 bedroom holiday let would have an overall floor area of approximately 33sqm, and the proposed studio holiday let would have an overall floor area of 24sqm. These floor areas would fall below the Nationally Described Space Standards and the Councils Flat Conversion Guidelines for minimum floor areas for self-contained studio and 1 bedroom self-contained flats. However, as the proposed use of the units is for holiday accommodation or ancillary accommodation, and given that the occupation would be limited to the short term, it is considered that they will provide an acceptable standard of accommodation. The use of the units as holiday lets will be secured by conditions so that they do not become permanent residential accommodation.

The main living areas of the holiday lets will be provided with large front facing floor to ceiling windows, and the bedroom to the proposed 1 bedroom flat will be provided with an external window, which will provide adequate light, outlook and ventilation for the proposed holiday lets.

The proposed development is therefore considered to be acceptable in terms of residential amenity of the adjacent neighbours and the future occupiers of the proposed holiday lets, in accordance with Policy D1 of the Thanet Local Plan and the National Planning Policy Framework.

Highways

The property benefits from a large area to its frontage for off street parking which can accommodate approximately 4-5 vehicles and there is unrestricted parking on Eastern Esplanade which has capacity to accommodate additional parking. As such there is considered to be sufficient provision of both off and on road parking to serve any additional parking demand deriving from the proposed development.

The proposed development by virtue of the limited number of holiday lets and their modest size is not considered to result in a significant effect upon the vehicular movements in the vicinity of the application site.

The proposal is therefore considered to be acceptable in terms of highway safety and amenity, in accordance with Policy TR16 of the Thanet Local Plan.

Other Matters

The impact of development upon property values is not a material consideration in the determination of planning applications.

Concern was raised about the nature of individuals staying in the holiday accommodation, and proximity of the holiday lets to the adjacent school. The proposed development does not increase the level of overlooking above the extant extensions and alterations, and users of the holiday lets is not a material planning consideration.

Conclusion

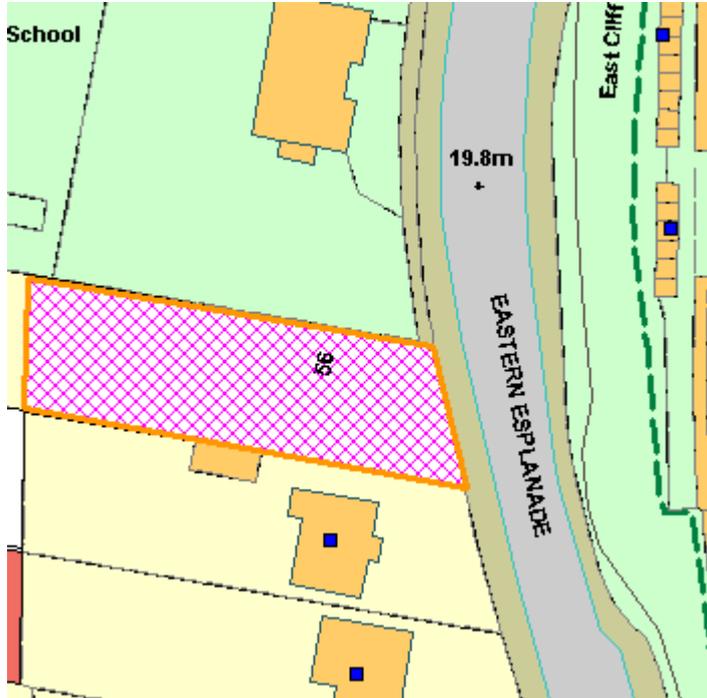
The proposed development is considered to be acceptable in terms of the principle of development, the character and appearance of the area, the living conditions of adjacent neighbours and highway safety and amenity. The proposed development will therefore accord with the relevant policies of the Thanet Local Plan and the National Planning Policy Framework. It is therefore recommended that Members approve the application, subject to safeguarding conditions.

Case Officer

Jenny Suttle

TITLE: F/TH/19/0799

Project 56 Eastern Esplanade BROADSTAIRS Kent CT10 1DU



SITE, LOCATION AND DESCRIPTION

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

Shallows Cottage is a detached dwellinghouse situated on a road known as Shallows Road off Dane Court Road. Shallows Road serves this dwelling only which is to the south of the dwelling. To its other boundary is St. Peters public footpath. The site is fairly well screened from both the footpath and road existing vegetation and trees. Shallows Cottage is not immediately visible from Dane Court Road due to it being sited a fair distance from the main highway. Furthermore in longer views it is also not particularly prominent across the fields due to it being enclosed by established trees/vegetation and being set lower to Shallows Road.

RELEVANT PLANNING HISTORY

PN01/TH/19/0757 Erection of single storey rear extension to extend 8m in depth, 2.5m to eaves and overall height of 4m. Prior approval is not required. 8th July 2019.

PROPOSED DEVELOPMENT

Planning consent is sought for the erection of a detached two storey garage/store with the curtilage of Shallows Cottage. The proposed garage/store is located to the south west of the dwelling, adjacent to Shallows Road, set in approximately 4.9m from the road.

The detached outbuilding would have a width of 6m and depth of 12m with an overall height of 5.3m and eaves height of 2.7m. The submitted application form indicates that the proposed building would be constructed of stock bricks, plain tiles with timber windows and doors.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan (2006)

- D1 - Design Principles
- CC1 - Development in the Countryside
- CC2 - Landscape Character Area
- CC5 - Green Wedge

NOTIFICATIONS

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

Broadstairs Town Council - No comment.

CONSULTATIONS

Environment Agency - No objections or conditions. An informative is suggested in terms of the soakaway and unexpected contamination.

COMMENTS

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

The main issues raised by this proposal are the effect of the proposals upon the character and appearance of the green wedge and whether there is a need for the development that overrides the need to protect the countryside landscape character area and the green wedge.

Principle

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

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

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

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

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

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

The rear extension element of the proposal is considered to be a departure from the local plan as it does not comply with the aims of Policy CC5 as it results in the extension of an isolated group of houses within the green wedge, and other than the personal needs of the applicant, it is not essential for the proposed development to be located within the green wedge.

Character and Appearance

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

Shallows Cottage is a detached dwellinghouse situated on a road known as Shallows Road off Dane Court Road. Shallows Road serves this dwelling only To its other boundary is St. Peters public footpath. The site is fairly well screened from both the footpath and road existing vegetation and trees. Shallows Cottage is not immediately visible from the public highway due to it being sited a fair distance from the main highway (Dane Court Road), being enclosed by established trees/vegetation and being set lower to Shallows Road (a level distance of approximately 1.7m).

Given the isolated views of the Shallows Cottage and its associated buildings/structures from public vantage points, it being the only dwelling served by Shallows Road, the screen of well established vegetation (save from the site access and the changes in ground levels between Shallows Road and Shallows Cottage and associated land, it is considered that the proposed outbuilding would be largely hidden from view outside of the site.

With regards to the proposed materials, no specific details have been given of the precise nature of the bricks and roof tiles. It is considered that appropriate materials could be achieved by way of a condition requiring details.

The site falls within an existing residential garden, and is enclosed by a substantial boundary vegetation. I therefore consider the proposal would not result in the loss of openness of the rural landscape or result in skyline intrusion and would not result in the loss or interruption of long views of the coast and the sea nor would it create intrusion into the skyline and therefore accords with Policies CC1 and CC2.

The proposed outbuilding is considered to be a departure from the local plan as it does not comply with the first three aims of Policy CC5, however due to the proposed garage's discrete location within the curtilage of Shallows Cottage, it would not be easily visible from

views within the green wedge and as such the proposal is not considered to be detrimental to the aims of the policy.

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

I consider the siting and design would be in keeping with the main dwelling and the development is unlikely to have an adverse impact on the character and appearance of the area and therefore accords with Thanet Local Plan policy D1 and the NPPF. On this basis the proposed development is considered to be an acceptable departure to Policy CC5 of the Thanet Local Plan.

Living Conditions

The existing dwellinghouse is relatively isolated in terms of its position to other residential properties. There is a distance of approximately some 200m between the boundary of the application site and the nearest residential property on Dane Court Road.

Given the scale of proposed development and distance of the site from neighbouring residential occupiers I consider the proposed development is unlikely to result in an unacceptable impact on the living conditions of neighbouring property occupiers, through overlooking or loss of privacy, and accords with Policy D1 of the Thanet Local Plan and the National Planning Policy Framework. It is, however, considered appropriate to attach a condition requiring that the outbuilding remains as ancillary to the use of the main dwelling house.

Highway Safety

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

Conclusion

The proposed outbuilding to Shallows Cottage is contrary to the Green Wedge policy as it is non essential development within it however, it would not create built form within the open countryside that would interrupt views across it and therefore the purpose of the green wedge would not be diminished in this instance. There are no other issues raised by this application. The proposed development is considered to be an acceptable departure from Policy CC5, as the aims of the policy would not be significantly harmed and therefore it is recommended that Members approve the application.

Case Officer
Gill Richardson

TITLE: FH/TH/19/0955

Project Shallows Cottage Shallows Road BROADSTAIRS Kent CT10 2RB



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A03

FH/TH/19/0902

PROPOSAL: Erection of a two storey rear extension together with first floor side extension over existing garage

LOCATION: 4 Whytecliffs BROADSTAIRS Kent CT10 1SW

WARD: Viking

AGENT: No agent

APPLICANT: Miss Suzanne Banks

RECOMMENDATION: Approve

Subject to the following conditions:

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

GROUND;

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

2 The development hereby approved shall be carried out in accordance with the submitted drawings numbered BS/B-19/33-02 received 26 June 2019.

GROUND;

To secure the proper development of the area.

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

GROUND;

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

SITE, LOCATION AND DESCRIPTION

4 Whytecliffs is a late 20th century two storey detached property with a gabled form, with a single storey garage located to the west, finished in brick and render and sited on a moderate plot.

The application site is located within a residential cul-de-sac characterised by similar late 20th century two storey detached and semi-detached properties, sited on moderate sized plots.

RELEVANT PLANNING HISTORY

None.

PROPOSED DEVELOPMENT

The application proposes the erection of a two storey side and rear extension.

The proposed two storey side extension is proposed to extend a width of approximately 2.9m, a depth of approximately 10.7m and shall be set back from the two storey front elevation of the application property by 0.5m, set down from the ridge by approximately 0.6m, set under a partially hipped partially flat roof.

The proposed two storey rear element will extend a depth of approximately 3.2m from the existing rear elevation, and will continue the gabled form of the roof.

The extension is proposed to be finished in render to the first floor front elevation and part of the side elevation, brick facing to the remaining elevations and roof tiles 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. One letter of objection has been received. The letter raises the following concerns:

- The proposed development would appear to turn the three bedroom property into a five bedroom property.
- Concern regarding potential additional parking demand arising from the increased size of the property.
- The rear extension will result in a loss of privacy and will be overpowering.
- The rear extension will result in a loss of light.
- Proposal will reduce property values.

Broadstairs and St Peters Town Council - No comment.

CONSULTATIONS

None received.

COMMENTS

This application is brought to Planning Committee, as the applicant is related to an employee of Thanet District Council.

The main consideration with regard to this application is the consideration of the impact of the proposed development on the character and appearance of the area and the residential amenity of neighbouring property occupiers.

Character and Appearance

The surrounding area is characterised by similar two storey detached and semi-detached properties of varied designs, many of which include two storey side extensions and recessed side elements.

The proposed two storey side and rear extension by virtue of its size, design and set back/lower location in relation to the main body of the application property is considered to be a subservient addition, which will relate well to the form and design of the application property. Two storey side extensions and recessed elements are characteristic features of the locality, and as such the proposed extension is not considered to be out of character with the surrounding area.

The adjacent neighbouring property to the west angles away from the proposed two storey side extension, with an approximately 1.3m separation distance at the closest point, and 2.2m separation distance at the front elevation of the proposed extension. Given the relatively modest separation distances between properties in the area, this separation, together with the form of the roof, which will pitch away from the adjacent neighbour (thereby maintaining the sense of space at roof level), is not considered to result in a cramped form of development within the area.

The extension is proposed to be finished in materials to match and will therefore assimilate with the existing property.

The proposed development is therefore considered to be acceptable in terms of the character and appearance of the area, in accordance with Policy D1 of the Thanet Local Plan and the National Planning Policy Framework.

Living Conditions

The proposed two storey side extension is sited adjacent to the side elevation of the adjacent neighbour to the west, which contains a garage with no side windows. The extension will extend approximately 4.2m beyond the two storey rear elevation of this neighbour, and will be set in line with the rear elevation of the adjacent neighbours rear conservatory, with an approximately 1.3m separation distance at the closest point.

The nearest ground floor rear elevation window to the adjacent neighbour to the west is a door which serves the garage, which does not constitute a primary habitable room and there is a rooflight at first floor level, which does not appear to be the sole window serving the room. Given the separation distance to the proposed extension and angled siting of this rooflight, the proposed extension is not considered to result in significant harm to the

residential amenity of this room. There will be an approximately 5.8m separation distance to the first floor rear elevation window which will provide sufficient separation to prevent harm to living conditions deriving from the built form of the proposed extension.

The proposed two storey rear extension will extend approximately 3.2m beyond the rear elevation of the adjacent neighbour to the east, with an approximately 1.8m separation distance at the closest point. The nearest opening to the proposed extension is a door serving this adjacent neighbour's garage and there will be an approximately 5m separation distance to the nearest rear elevation windows to the main body of the adjacent neighbour's property. This separation distance, together with the moderate size of the proposed extension is considered to prevent significant harm to the residential amenity of this adjacent neighbour deriving from the built form of the extension.

In terms of overlooking, the proposed development will include 2No. first floor rear elevation windows, which will extend forward, and alter the position of existing first floor rear elevation windows. Views from these windows to adjacent neighbours to the side will be oblique views, which are not considered to be significantly harmful. These windows will face the side elevation of the adjacent neighbour to the rear, which includes 1No. modest first floor window that does not appear to serve a primary habitable room. There is also a separation distance of approximately 9m. Having regard to the existing situation, together with the separation distance and relationship with the adjacent neighbour to the rear, these windows are not considered to result in direct overlooking or significantly alter the established situation.

The proposed two storey side and rear extension does not include any side elevation windows.

The proposed development 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.

Other Matters

The impact of a development upon property values is not a material planning consideration in the determination of planning applications.

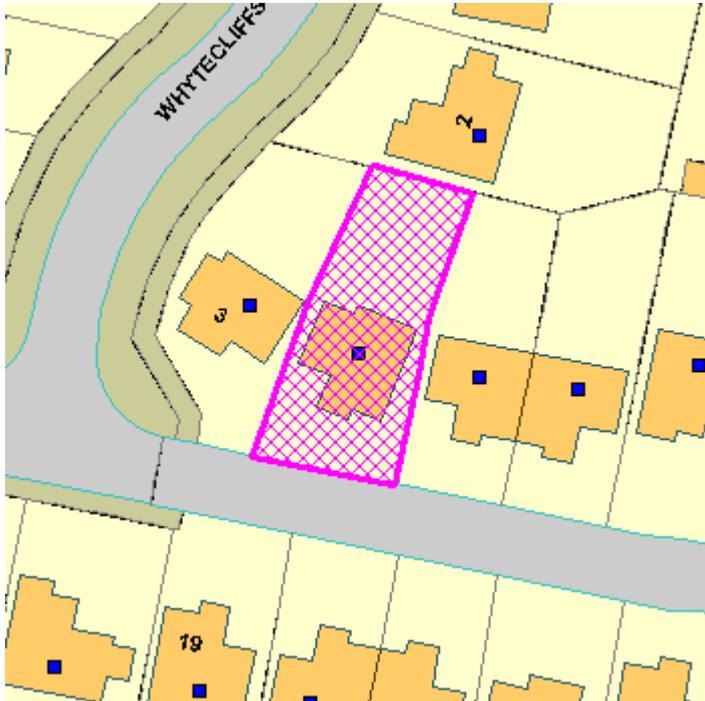
Conclusion

The proposed development is considered to be acceptable in terms of the character and appearance of the area and the living conditions of adjacent neighbouring properties. The proposed development will therefore accord with Policy D1 of the Thanet Local Plan and the National Planning Policy Framework. It is therefore recommended that Members approve the application, subject to safeguarding conditions.

Case Officer
Jenny Suttle

TITLE: FH/TH/19/0902

Project 4 Whytecliffs BROADSTAIRS Kent CT10 1SW



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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 and in the interests of highway safety.

5 The development shall be carried out in accordance with the submitted details of materials outlined in the 'Chichester Road Development' Document received 18 July 2019, which include: Ibstock Coleridge Yellow Multi Bricks, Ibstock Alford Red Bricks, Creamy White Render BS 4800 : 10 B 15, Monier/Redland Concrete interlocking roof tiles Landmark Double Pantile, colour: Brown Brindle, Eternite Rivendale Slates, colour: Cromleigh Graphite, Angles ridge and hip tiles: Eternite Fibre Cement fittings, colour: Black, 44, 600 x 600mm Marshalls Regent Paving colour: Buff and Marshalls Drivesett Tegula Priora Permeable Block Paving, colour: Traditional.

The materials hereby approved shall be used on the areas identified in the approved plans numbered 20 Rev B received 14 December 2016 and 21 Rev C and 22 Rev B received 25 January 2017, with the exception of the roof tile finish to the rear bungalow which shall be finished in Eternite Rivendale Slates, colour: Cromleigh Graphite, Angles ridge and hip tiles: Eternite Fibre Cement fittings, colour: Black .

GROUND:

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

6 All first floor side elevation windows shall be provided and maintained with obscure glazing and shall be non-opening up to a height of 1.7m above internal finished floor level.

GROUND:

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

SITE, LOCATION AND DESCRIPTION

The site is located off Newington Road on Chichester Road. The area is wholly residential, with a mix of one, two and three storey buildings. To the east of the site there is a three storey block of flats, whilst to the west lies a terrace of two storey dwellings, which are set perpendicular to the road.

The site is currently under construction for the extant planning permissions of the 3No. Dwellings upon the application site. The site was previously used as garage blocks and hardstanding for car parking.

The buildings in the area are typically constructed of red brick work with areas of either painted render or hanging tiles, under a concrete tile roofs. There are more varied building types, designs and material finishes in the wider area to the east.

RELEVANT PLANNING HISTORY

F/TH/19/0177 - Variation of condition 6 of planning permission F/TH/16/1703 for the erection of 3No. Dwellings to allow alterations to materials - Granted 24 April 2019.

F/TH/16/1703 - Variation of condition 2, 3, and 4 of planning permission F/TH/14/0087 for erection of 3No. dwellings to allow for changes to the design and layout together with the parking and highway works - Granted 16 February 2017

F/TH/14/0087 - Erection of 3no. dwellings - Granted - 24 March 2014

OL/TH/09/0699 - Outline application for the erection of 1no. 4 bed dwelling following demolition of existing garages with all matters reserved - Granted - 29 October 2009

PROPOSED DEVELOPMENT

The approved 2014 application was for the erection of 3No. dwellings and associated parking following demolition of the existing garages.

The approved 2016 application amended the design, location and scale of the dwellings approved in 2014.

The approved 2019 application amended the material finish of the dwellings.

Development has commenced on site following the approval of the 2016 application through the demolition of the garages on the site, therefore the above permissions are extant.

This application proposes to alter the roof tiles used upon the proposed bungalow to the rear of the site from Monier/Redland Concrete interlocking roof tiles Landmark Double Pantile, colour: Brown Brindle 44 to Eternit Rivendale Slates colour: Cromleigh Graphite.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan 2006 (Saved Policies)

H1 - New Residential Development

H4 - Windfall Sites

TR12 - Cycling

TR16 - Car Parking Provision

D1 - Design Principles

D2 - Landscaping

SR5 - Doorstep Play Space

NOTIFICATIONS

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

CONSULTATIONS

None received.

COMMENTS

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

The main consideration with regard to this application is the consideration of the impact of the proposed development on the character and appearance of the area and the residential amenity of neighbouring property occupiers.

Principle

The principle of housing development has been established on the site through the three previous applications for planning permission and development has commenced through the demolition of the garages following the grant of the 2016 consent. These previous permissions are therefore considered extant, and as such the principle of residential development on the site is acceptable.

Character and Appearance

The application proposes to change the roof tile finish of the bungalow to the rear of the application site from red/brown concrete interlocking roof tiles to grey Eternite rivendale slates. Whilst red and brown plain concrete roof tiles is the predominant roof tile finish within the vicinity of the application site, there are examples of slate roof finishes in the wider area particularly upon properties fronting Newington Road to the east, and there are varied roof forms and finishes in the area, such as the flat roof flat block Library House to the east. Furthermore, slate tiles and synthetic slate roof tile finishes are an established and traditional roof finish, and are a common material finish within the District.

The location of the proposed bungalow to the rear of the two storey semi-detached dwellings which front Chichester Road, and the single storey scale and height of the bungalow will minimise the visibility and prominence of the roof tile finish within the wider area. The proposed roof tiles are considered to relate to the proposed brick facing elevational finish of the bungalow, providing an integrated material finish and appearance to this property.

As such, given the limited visibility of the proposed roof tiles, their traditional appearance and finish and the variety within the wider area, together with their compatibility with the material finish of the host property, the proposed roof tiles are considered to be a minor alteration which will not result in harm to the character and appearance of the area. The proposed

development will therefore accord with Policy D1 of the Thanet Local Plan and the National Planning Policy Framework.

Living Conditions

This application makes no changes to the layout or scale of the dwellings approved under the extant 2016 and 2019 applications and therefore the impact upon the neighbouring properties is considered acceptable.

Highways

This application makes no changes to the parking or access arrangements for the dwellings approved under the extant 2016 and 2019 applications and therefore the impact upon the neighbouring properties is considered acceptable.

Contributions

Natural England has previously advised that the level of population increase predicted in Thanet should be considered likely to have a significant effect on the interest features for which the Thanet Coast and Sandwich Bay Special Protection Area (SPA) and RAMSAR have been identified.

Thanet District Council produced the 'The Strategic Access Management and Monitoring Plan (SAMM)' to deal with these matters, which focuses on the impacts of recreational activities on the Thanet section of the Thanet Coast and Sandwich Bay Special Protection Area (SPA). The studies indicate that recreational disturbance is a potential cause of the decline in bird numbers in the SPA. To enable the Council to be satisfied that proposed residential development will avoid a likely significant effect on the designated sites (due to an increase in recreation) a financial contribution is required for all housing developments to contribute to the district wide mitigation strategy. This mitigation has meant that the Council accords with the Habitat Regulations.

Receipt of the required £960 SPA contribution has been received following the granting of planning permission reference F/TH/19/0177 and therefore the appropriate mitigation for the additional recreational pressure on the SPA area has been provided for this development.

Conclusion

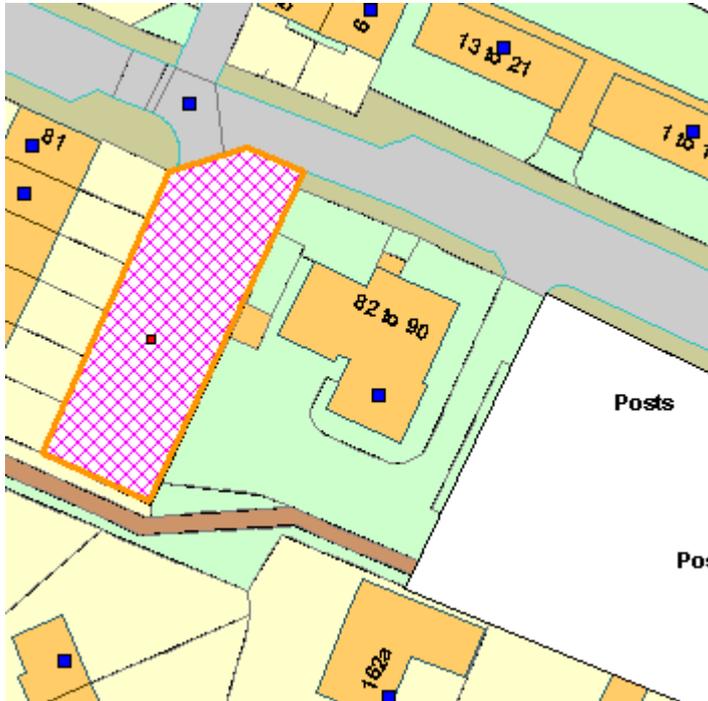
It is considered that the principle of the proposed development is acceptable. Furthermore, it is considered that the proposal would be of no detriment to the character and appearance of the area, the living conditions of neighbouring properties or future residents, or the local highway network, and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

Case Officer

Jenny Suttle

TITLE: F/TH/19/0994

Project Garages Adjacent To 82 To 90 Chichester Road RAMSGATE Kent CT12 6NZ



TR16 - Car Parking

NOTIFICATIONS

Letters were sent to the neighbouring property occupiers and a site notice was posted close to the site. One representation has been received raising no objection to the application.

Broadstairs and St Peter's Town Council - The Planning Committee of the Town Council has considered this application and resolved unanimously to recommend approval.

CONSULTATIONS

None received.

COMMENTS

This application is brought before members at the request of Cllr David Saunders to allow Members to consider the impact of the development upon the character and appearance of the area.

Principle

The application site is located within a residential area of Broadstairs. The principle of extending an existing residential dwelling is considered acceptable, subject to the detail of the scheme.

Character and Appearance

The location of 20 Freda Close, significantly forward of the neighbouring properties to the south west and on the corner of Weatherly Drive result in a property that is in a highly prominent in views in both directions along Freda Close and from Weatherly Drive.

The proposed single storey front extension would have a flat roof design that would extend above the existing eaves and intersect the existing pitched roof. The flat roof square design of the proposed extension is considered to be of poor design quality and the intersection of the flat roof with the existing pitched roof would create an awkward relationship that further highlights the limited design quality of the proposal.

The proposed extension would project 3m beyond the existing south east elevation which is already situated 5.5m forward of the neighbouring property. This would create a poor quality development in a highly prominent location. The existing hedge limits some views of the front of the property however the presence of this hedge cannot be guaranteed and the intersection of the flat roof with the pitched roof would still be visible over the existing hedge.

It is acknowledged that there are some examples of flat roofs within Freda Close, however these are limited modest porch extensions that are set below the height of the eaves and behind existing pitched roof front extensions and garages set between the properties. These

are therefore not considered comparable to this proposal and should be given limited weight in the determination of this application.

Paragraph 130 of the NPPF states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. It is therefore considered that the proposed development would result in a highly prominent and incongruous feature that is architecturally unrelated to the host dwelling and significantly harmful to the character and appearance of the area, contrary to policy D1 of the Thanet Local Plan and the National Planning Policy Framework.

Living Conditions

The proposed extension would measure 3m deep, 4.5m wide, 2.9m to the eaves and 3.1m in total height. There is a separation distance of 1.5m to the side boundary with 19 Freda Close and 6m to the closest point of this neighbouring property from the proposed extension. Due to the corner plot location of the site and the location of the proposed extension there is a separation distance of 15m to the boundary of the next closest neighbouring property from the proposed extension.

French doors are proposed in the side elevation facing towards the junction with Weatherly Drive and a rooflight is proposed at high level within the proposed flat roof. The proposed doors would face into the existing front garden and due to the high level location of the rooflight it would offer limited opportunity for overlooking.

Given the location of the extension it is not considered to result in any significant loss of light, sense of enclosure or overlooking to the neighbouring property occupiers, in line with policy D1 of the Thanet Local Plan and the National Planning Policy Framework.

Transportation

The proposed development makes no changes to the existing parking arrangements at the property and does not increase the number of bedrooms on the site. It is therefore considered that the proposed development would not result in any significant increase in demand for parking or harm to highway safety.

Conclusion

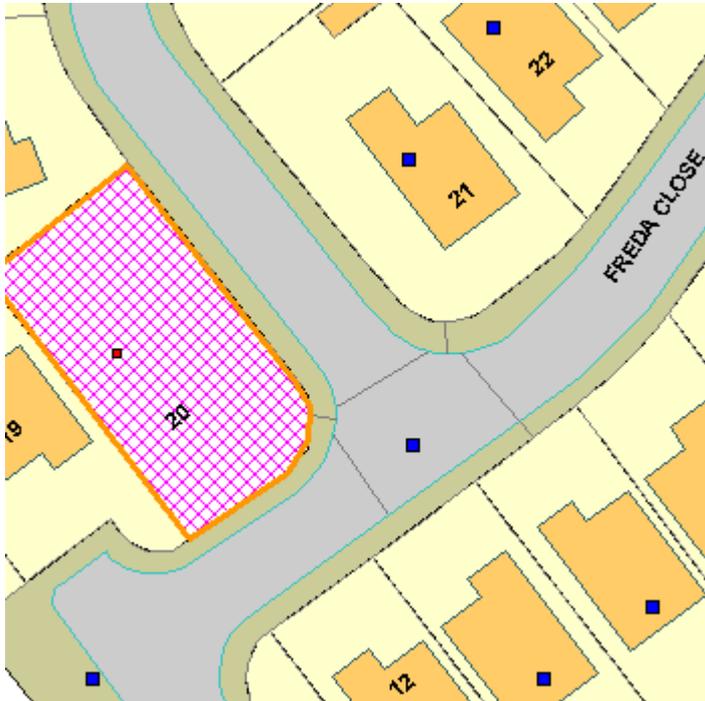
The proposed extension by virtue of its design and location, is considered to result in a highly prominent and incongruous feature that is architecturally unrelated to the host dwelling and is significantly harmful to the character and appearance of the area, contrary to policy D1 of the Thanet Local Plan and the National Planning Policy Framework. It is therefore recommended that members refuse this application.

Case Officer

Duncan Fitt

TITLE: FH/TH/19/0956

Project 20 Freda Close BROADSTAIRS Kent CT10 2ED



D06

F/TH/19/1026

PROPOSAL: Erection of 9No. two-storey 4 bed dwellings with associated parking

LOCATION: Land Adjacent 150 Monkton Street Monkton Ramsgate Kent

WARD: Thanet Villages

AGENT: Miss Hannah Garlinge

APPLICANT: Mr Harry Ling

RECOMMENDATION: Defer & Delegate

Defer & Delegate for Approval subject to the submission of an acceptable signed unilateral undertaking and 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 drawings numbered:

- 17-0515-01 Revision A (26/07/2019)
- 17-0515-10 Revision D (26/07/2019)
- 17-0515-11 Revision A (26/07/2019)
- 17-0515-18 (26/07/2019)
- 17-0515-20 Revision B (26/07/2019)
- 17-0515-21 Revision A (26/07/2019)
- 17-0515-22 Revision A (26/07/2019)
- 17-0515-23 Revision B (26/07/2019)
- 17-0515-24 Revision A (26/07/2019)
- 17-0515-25 Revision A (26/07/2019)
- 17-0515-26 Revision B (26/07/2019)
- 17-0515-27 Revision A (26/07/2019)
- 17-0515-28 Revision A (26/07/2019)
- 17-0515-29 Revision A (26/07/2019)
- 17-0515-30 (26/07/2019)
- 17-0515-31 (26/07/2019)
- 17-0515-32 (26/07/2019)
- 17-0515-33 (26/07/2019)
- 17-0515-35 (26/07/2019)
- 17-0515-36 (26/07/2019)

17-0515-37 (26/07/2019)
17-0515-40 (26/07/2019)
17-0515-41 (26/07/2019)
17-0515-42 (26/07/2019)
2018_23_001 (01/08/2019)
2018/23_002 (26/07/2019)
2018/23_003 (26/07/2019)

GROUND;

To secure the proper development of the area.

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

4 All hard and soft landscape works shall be carried out in accordance with the approved details- 2018_23 001. 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.

GROUND;

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

5 A landscape management plan (including long term design objectives), management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned, domestic gardens, shall be submitted to and approved in writing by the local planning authority prior to the occupation of the development, whichever is the sooner, for its approved use. The landscape management plan shall be carried out as approved.

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

6 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;

To protect existing trees and to adequately integrate the development into the environment, in accordance with Thanet Local Plan Policies D1 and D2.

7 Prior to the commencement of any development on site, a construction management plan to include the following details shall be submitted to and approved by the Local Planning Authority and should be carried out in accordance with the approved 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
- (d) Provision of wheel washing facilities
- (e) Temporary traffic management / signage

GROUND;

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

8 The construction of the development hereby permitted shall incorporate measures to prevent the discharge of surface water onto the highway.

GROUND;

In the interests of highway safety.

9 The area shown on the approved plan numbered 17-0515 - 10 Revision D for vehicle parking and manoeuvring areas, shall be kept available for such use at all times and such land and access thereto shall be provided prior to the first occupation of the dwelling hereby permitted.

GROUND;

Development without adequate provision for the parking or turning of vehicles 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.

10 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.

11 Prior to the first occupation of the development hereby permitted details of the cycle parking, which shall be in the form of a covered and secure enclosure shall be submitted to and approved in writing by the Local Planning Authority.

GROUND;

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

12 Prior to the first occupation of the development hereby permitted, the proposed footway improvements shown on plan numbered 17-0515-10 Rev D or amended as agreed with the Local Planning Authority shall be completed and operational.

GROUND;

In the interests of highway safety.

13 Prior to the first occupation of any dwelling hereby approved visibility splays of 1 metre by 1 metre behind the footway on both sides of the vehicular accesses with no obstructions over 0.6m above footway level shall be provided and thereafter maintained.

GROUND;

In the interest of highway safety.

14 Prior to the first occupation of plots 1 and 2 (as shown on drawing numbered 17-0515-10 Revision D an enclosure of not more than 0.9m shall be provided along the frontage of plots 1 and 2 until the proposed boundary hedge is established.

GROUND;

In the interests of highway safety.

15 Where infiltration is to be used to manage the surface water from the development hereby permitted, it will only be allowed within those parts of the site where information is submitted to demonstrate to the Local Planning Authority's satisfaction that there is no resultant unacceptable risk to controlled waters and/or ground stability, in consultation with the Environment Agency. The development shall only then be carried out in accordance with the approved details.

GROUND;

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

16 If, during development, significant contamination is suspected or found to be present at the site, then works shall cease, and this contamination shall be fully assessed and an

appropriate remediation scheme agreed with the Local Planning Authority. The approved works shall be implemented within a timetable agreed by the Local Planning Authority and shall be of such a nature as to render harmless the identified contamination given the proposed end use of the site and surrounding environment, including controlled waters. Prior to first occupation/use and following completion of approved measures, a verification report shall be submitted to the Local Planning Authority for approval.

GROUND;

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

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

GROUND;

To ensure that the development does not result in pollution as the site is underlain by a principal aquifer, in accordance with paragraph 178 of the National Planning Policy Framework.

18 No development shall take place (including any ground works, site or vegetation clearance) until a method statement to safeguard badger, foraging and commuting bats, breeding birds, great crested newt, reptiles and hedgehog has been submitted to and approved in writing by the local planning authority. The content of the method statement shall include the:

- a) Purpose and objectives for the proposed works;
- b) Detailed design(s) and/or working method(s) necessary to achieve stated objectives;
- c) Extent and location of proposed works, including the identification of a suitable receptor site (where appropriate), shown on appropriate scale maps and plans;
- d) Timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction;
- e) Persons responsible for implementing the works, including times during construction when specialist ecologists need to be present on site to undertake / oversee works;
- f) Use of protective fences, exclusion barriers and warning signs;
- g) Initial aftercare and long-term maintenance (where relevant);
- h) Disposal of any wastes for implementing work.

The works shall be carried out in accordance with the approved details and shall be retained in that manner thereafter.

GROUND;

To protect habitats and species identified in the ecological surveys from adverse impacts during construction, in accordance with paragraph 170 of the National Planning Policy Framework.

19 Prior to the commencement of the development hereby approved, details of how the development will enhance biodiversity will be submitted to, and approved in writing by, the Local Planning Authority. These shall include, and expand on, the recommendations within the Preliminary Ecological Report (t4 Ecology) dated June 2018. The approved details will be implemented and thereafter retained.

GROUND:

To enhance biodiversity in accordance with paragraph 170 of the National Planning Policy Framework.

20 No development shall take place until a detailed surface water drainage scheme for the site has been submitted to (and approved in writing by) the local planning authority. The detailed drainage scheme shall be in conformity with the submitted surface water drainage strategy and shall demonstrate that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100 year storm) can be accommodated and disposed of within the curtilage of the site without increase to flood risk on or off-site. The drainage scheme shall also demonstrate that silt and pollutants resulting from the site use and construction can be adequately managed to ensure there is no pollution risk to receiving waters.

GROUND;

To ensure the development is served by satisfactory arrangements for the disposal of surface water and to ensure that the development does not exacerbate the risk of on/off site flooding, in accordance with the NPPF

21 No building hereby permitted shall be occupied until an operation and maintenance manual for the proposed drainage scheme is submitted to and approved in writing by the Local Planning Authority. The manual shall include the following details:

- A description of the drainage system and its key components
- A general arrangement plan with the location of drainage measures and critical features clearly marked
- An approximate timetable for the implementation of the drainage system
- Details of the future maintenance requirements of each drainage or SuDS component, and the frequency of such inspections and maintenance activities

GROUND;

To ensure that any measures to mitigate flood risk and protect water quality on/off the site are fully implemented and maintained (both during and after construction) as per the requirements of the NPPF.

22 No building of the development hereby permitted shall be occupied until a Verification Report pertaining to the surface water drainage system, carried out by a suitably qualified professional, has been submitted to the Local Planning Authority which demonstrates the suitable operation of the drainage system such that flood risk is appropriately managed, as approved by the Lead Local Flood Authority. The Report shall contain information and

evidence (including photographs) of earthworks; details and locations of inlets, outlets and control structures; extent of planting; details of materials utilised in construction including subsoil, topsoil, aggregate and membrane liners; full as built drawings; and topographical survey of 'as constructed' features.

GROUND;

To ensure that flood risks from development to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development as constructed is compliant with the National Planning Policy Framework.

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

GROUND;

To ensure that features of archaeological interest are properly examined and recorded in accordance with paragraph 199 of the National Planning Policy Framework.

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

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

The applicant is advised that separate prior approval is required from Kent Highway Services for the new vehicle crossing/removal of the existing vehicle crossing/works within the highway and in this regard they should contact KHS on 08458 247800

There is a risk that invasive non-native species, listed on schedule 9 of the wildlife and countryside act 1981 (as amended) which makes it an offence to plant or otherwise cause it to grow in the wild, will colonise the site during the proposed works. Planning consent for a development does not provide a defence against prosecution under this act. Measures will need to be undertaken to ensure that any invasive species are eradicated prior to commencement of development, and that precautionary working methods are followed during site works, to ensure that no offence occurs.

SITE, LOCATION AND DESCRIPTION

The application site is currently in use as a paddock with menage, accessed from Monkton Road, and there are also stable buildings on the land. Whilst the site is bounded by other residential properties to either side, although there is access track to the eastern side, the site lies outside the village confines of Monkton and is considered to lie within the countryside for planning purposes.

The application site is a rectangular shaped parcel of land fronting onto Monkton Street, at the western side of the main area of Monkton. The site is some 0.6ha in size.

RELEVANT PLANNING HISTORY

F/TH/18/0897 Erection of 9No two storey 4 bedroom dwellings with associated parking. Refused by Planning Committee 13/12/18 for the following reason:

The proposed development, by virtue of its location, scale and layout, would result in the loss of an important gap within the village which provides for views of the Stour Marshes and Wantsum Channel North Shore, and is considered to be a valued undeveloped landscape identified within the development plan, the loss of which would be significantly harmful to the character and appearance of the village, and the countryside as a landscape character area, contrary to Thanet Local Plan Policies CC1, CC2 and R2 and paragraph 170 of the National Planning Policy Framework.

A planning appeal against the refusal was dismissed on the 22nd July 2019.

F/TH/01/0015 Change of use of land and conversion of barn for the keeping of horses. Granted 08/03/01

PROPOSED DEVELOPMENT

This is a full application for the development of 9 dwellings. The layout plans shows two vehicular access points either side of the proposed open space which is located centrally and within the front portion of the site. The dwellings are positioned around the perimeter of the site. There are four dwelling types:

Dwelling types 1 & 2 are positioned on plots 3 and 6. A type 1 & 2 dwelling is detached and residential accommodation is over two floors. The upper floor has four bedrooms. The dwelling has a gable feature to the front elevation and gable projections within the rear elevation.

Dwelling types 1a & 2a is a handed version of types 1 and 2 these dwellings are located on plots 4 and 5.

Dwelling type 3 is positioned on plot 7 on the western side of the site and again is a four bedroom detached property. This has a barn hip to the southern elevation and a gable end to the northern side.

Dwelling type 4 is located on plots 1, 2, 8 and 9 and are semi-detached dwellings and again is a four bedroom dwelling and incorporates a barn hip.

Garage accommodation is provided for all the detached dwellings and off street parking is provided for the semi-detached - two spaces per dwelling and a visitor space.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan Policies (2006)

H1 - Residential Development Sites
H4 - Windfall Sites
CC1 - Development in the Countryside
CC2 - Landscape Character Areas
D1 - Design Principles
D2 - Landscaping
R1 - General Levels of Development
R2 - Village Gaps
EP13 - Groundwater Protection Zones
TR12 - Cycling
TR16 - Car Parking Provision
SR5 - Doorstep Playspace
SR11 - Private Open Space

Draft Local Plan 2019

SP23 - Landscape Character Areas

NOTIFICATIONS

38 Letters of representations have been received, including 9 letters of support. The concerns can be summarised as follows:

- * No change to the previous application which was refused
- * Affect local ecology
- * Close to adjoining properties
- * Conflict with Local Plan
- * Development too high
- * General dislike of proposal
- * Inadequate access
- * Inadequate parking provision
- * Inadequate public transport provisions
- * Increase danger of flooding
- * Increase in traffic
- * Increase in pollution
- * Information missing from plans
- * More open space needed on development

- * Noise nuisance
- * Not enough information given on application - no details of Unilateral Undertaking published
- * Out of keeping with character of area
- * Over development
- * Strain on existing community facilities
- * Traffic or highways
- * Loss of privacy
- * Overbearing impact
- * Object to building on designated open space
- * Impact on listed buildings
- * Will endanger children using the walking bus
- * Concern about pollutants infiltrating the underground water
- * Proposal does not meet SuDs requirements
- * Drainage problems
- * Environment Agency note that SuDs may not be acceptable in this location
- * Proposal will place pressure on works to tree subject of a Tree Preservation Order on an adjacent site
- * Unlikely young villagers will be able to afford the properties
- * No local need for four bedroom houses
- * Financial mitigation will only benefit the Council
- * Land owner has not complied with planning condition on a 2001 application relating to height of frontage hedge

The letters of support states the proposal:

- * Scheme not over crowded
- * Plenty of parking
- * Enhance the area which is currently an eyesore
- * New footpath is a benefit to the village; need to make sure it is secured if permission is approved

Monkton Residents Association: Concerns raised are:

Only change from previous application is unpublished Unilateral Undertaking. It is impossible to comment on the effectiveness of this mitigation. Concerns also raised about highway issues, intrusion into the countryside, loss of village gap and drainage issues. Once an asset like this is lost it is irreplaceable and harmful effects on the nearby designated European sites would be the same. Monkton already has a housing allocation which we consider to be more than enough for the village. We do not consider that there is any mitigation that could effectively make any positive difference.

Monkton Parish Council: Object to the development on the following grounds:

1 Village Gap - The site is identified in TDC planning policy as a Village Gap which is important in defining the linear village character & retaining open views. As such the site is afforded protection against development.

2 Site outside village confines - This also affords protection against development. It is understood intrusion development into open countryside, on Village Gaps and outside Village Confines are all subject to saved policies under the Local Plan.

3 Does application justify a genuine need for development on protected site - Planning policy indicates that consent for development on this site will only be given where there is a demonstrable and justified need for development. Monkton PC is of the opinion a need has neither been justified or demonstrated in this case.

4 Drainage & surface water concerns -The responses from the Environment Agency & Southern Water both express serious concerns about drainage & surface water proposals on this site. Both Agencies highlight many complex problems related to the site ¿both in terms of environmental sensitivity, and the difficulty in future regulation of what would have to be a site specific drainage system, managed in perpetuity by the site owners. It would appear neither Agency is really supportive of development.

Monkton Parish Council ask that TDC give full consideration to the drainage issues as stated by Nicola Dyas in her letter of objection. Ms Dyas not only farms the land neighbouring the application site, she is also the regional representative of the Drainage Board and as such her objections are of considerable to Monkton Parish Council. It would seem the SuD is located at the top of the site in a position where it is totally ineffective as surface water drains away from in not into it.

5 History of unsuccessful applications - There is a history of declined (including refusal on appeal) and withdrawn applications relating to this site. In all cases, the status of the site - i.e. that it is a Village Gap, and development would be outside the village confines, this has been key to refusal in previous applications.

6 Sufficient housing land supply identified under Proposed Local Plan - The Applicant is reliant, in the Planning Statement, on the fact that TDC does not have a 5 year housing land supply. It is noted, under the proposed Local Plan, sufficient sites have been identified to cater for local housing need up to 2031 (but not including this site although it was submitted for inclusion). The Local Plan does include 2 large sites in Monkton. NB other minor sites have also recently been approved for development in Monkton, though not as part of the Local Plan. Arguably, therefore, Monkton has contributed proportionately and sufficiently to housing land supply.

Based on the above, Monkton PC draw the conclusion that this application is speculative in nature, and not based on a reasoned and identified housing need.

7 Highways - It is noted KCC Highways have given consent to the proposals. Monkton Parish Council are concerned that sufficient concern may not have been given to the inevitable on street parking that will occur where minimum guidelines are applied. (The recent Monocstone Mews development is a clear example of the negative effects of on street parking resulting from insufficient parking facilities in a new development). On street parking (which already exists from adjacent cottages) will compromise site lines.

Monkton School have also expressed concerns over the potential loss of their 'walking bus' which could occur if road safety is compromised in front of this site. The School have made an extensive representation regarding the negative impact of the development on the School, independently.

8 Other general concerns raised by Villagers - This development, in combination with other development schemes, will create additional strain on infrastructure & services, including Minster Surgery.

TPOs on trees bordering the west side of the site have not been identified on the plans, and appropriate provisions put in place.

The case that the development brings economic and social benefit to the village is questionable. Monkton has very few facilities anyway, most of which would not benefit from this application. Consideration should be given with regard to the wildlife that inhabits the location and the loss of valuable habitat for a number of species, including bats, adders, rabbits, newts to name but a few. There would be a severe impact on the neighbouring properties both in terms of loss of protected outlook and noise intrusion. Inevitably there will be a visual and heritage impact on neighbouring listed buildings. Consideration should also be given regarding the enforcement of construction vehicle provisions should the development be granted permission.

Monkton Parish Council called a public meeting to discuss this application. At this meeting, 53 villagers attended, of which 51 voted against development on the basis that:

The impact of this development vastly outweighs its benefit.

It is noted the applicants will be submitting a Unilateral Undertaking with this application which we request the right to comment on once it has been finalised and published.

Monkton Parish Council therefore ask that the above reasons are taken into consideration and that this application is refused on the grounds outlined as above.

CONSULTATIONS

TDC Conservation Officer: No objection -The Land Adjacent to 150 Monkton Street is a large plot of land that currently remains undeveloped, there are multiple listed buildings within close proximity of the site including Vicarage House which directly overlooks the site. No heritage designation protects the site proposed for development within this application and it sits outside the main confines of the village itself.

Opposite the site is the prominent Grade II listed property Vicarage house, which largely contributes to the character of the surrounding area. However, adjacent and to the rear to this site is already a modern development, presumably built on land once associated or within the boundary of the listed building. In my opinion the proximity of that new development would have a greater impact upon the setting of the listed property, rather than the works being proposed across from it as they appear within the same street scene and surround the property. In my opinion, the openness that once would have complemented these properties has already been compromised.

That being said, having a vast open field opposing the listed building supports the predominant character of Vicarage House and its assertive position on the road. An element of openness has been retained within the proposed development due to the incorporation of green space to the centre of the site. The properties are then positioned around this space meaning only two elevations are directly adjacent to the main road. Glimpse views have been incorporated throughout the site retaining the vista of the landscape beyond the new properties further reducing the impact of this development. Some harm would be caused to the setting of this listed property, however I would deem the level of that harm less than substantial when compared to the public benefit of having these new dwellings.

Further listed properties, No 148 Field Cottages and Field House, both Grade II listed are also within close proximity to the site. Mitigation measures have been made within the proposal in order to set the new properties back from any existing built form, allowing views of the road frontage to be maintained and to cause less of an impact on the character of the area. Other listed properties in the area are not considered to be harmed by the work proposed in this application as they are outside of the immediate area of the site and would their setting would not be impacted.

Although some harm could be considered to be caused to the setting of the surrounding area and the listed buildings, in particular Vicarage House, this possible harm is outweighed by the introduction of a new development which has been designed with consideration to the existing character and surroundings. An appropriate number of dwellings have been designated for this site when considering the extent of the plot, resulting in the proposed works being less than dominating of the area. In my opinion this application meets national and local legislation in regards to heritage implications and therefore I do not object.

TDC Environmental Health: No objection subject to a Construction Environmental Management Plan secured by condition.

Kent County Council Highways and Transportation: I have no objection in respect of highway matters. Adequate visibility is achievable from the proposed site accesses.

Whilst I would prefer to see a footway connection to the existing footway network near the junction of Monkton Street with Seamark Close, this does not appear to be achievable. The amount of additional vehicular and pedestrian traffic likely to be generated by the proposals is not significant. The section of Monkton Street having no footway between the site and the existing footway network near Seamark Close is relatively short, within a low speed environment, and has no recorded personal injury crashes in the 5 years to the end of 2018.

The proposals include a 1.8 metre-wide footway for a length of approximately 90 metres along the site frontage, providing an improved pedestrian route for both residents of the development and existing pedestrians.

Adequate parking facilities are proposed within the site. The routing of the private pathways to plots 1 and 2, and the use of boundary treatments to prevent direct access to the highway for these plots means that unacceptable on-street parking is unlikely to occur, although I suggest some form of fencing will need to be in place until the hedging is established. Conditions are recommended.

Kent County Council Ecological Advice Service: We have reviewed the ecological information submitted in support of this planning application and advise that sufficient information has been provided. If planning permission is granted, we advise that conditions securing the production of a biodiversity method statement and an ecological enhancement plan are attached. Developer Contributions will need to be provided due to the increase in dwellings within the zone of influence (7.2km) of the Thanet Coast and Sandwich Bay Special Protection Area.

Kent County Council Archaeology: No comments received at the time of writing.

Environment Agency: No objection subject to planning conditions in relation to water pollution and contamination. Note that use of infiltration SuDS may not be appropriate in this location.

Southern Water: No objections

Kent County Council Flood and Water Management: In principle, we are satisfied with the drainage design where permeable paving will be implemented in patios and driveways/access road. We would therefore have no objection to this application.

At detailed design stage, we would recommend that the model details for the permeable paving system are submitted.

Conditions are recommended in terms of detained sustainable surface water drainage scheme and verification report pertaining to the surface water drainage system.

COMMENTS

The application has been brought before members as a departure to Saved Policies H1 and R2 of the Thanet Local Plan as the site is located within the open countryside, inside a village gap. Furthermore the application has been called in by Cllr. Reece Pugh on the grounds that not enough consideration has been given to the issue of site lines on Monkton Street and the impact it will have on the environment and local nature.

Planning History

With regard to the planning history detailed above; Members will note that an earlier application for nine dwellings was refused by Members in December 2018 (the application had an officer recommendation of approval). The reason for refusal was:

The proposed development, by virtue of its location, scale and layout, would result in the loss of an important gap within the village which provides for views of the Stour Marshes and Wantsum Channel North Shore, and is considered to be a valued undeveloped landscape identified within the development plan, the loss of which would be significantly harmful to the character and appearance of the village, and the countryside as a landscape character area, contrary to Thanet Local Plan Policies CC1, CC2 and R2 and paragraph 170 of the National Planning Policy Framework.

The applicants subsequently appealed Thanet District Council's decision. The Planning Inspector dismissed the appeal, but not on the grounds cited within the reason for refusal. The Inspector considered that there were three main issues relating to the proposal:

- i) the character and appearance of the area;
- ii) heritage assets; and
- iii) the integrity of designated European sites.

The Inspectors view on each of these issues is detailed below:

- i) the character and appearance of the area

"Whilst the introduction of built form within this site would conflict in principle with the development plan, it is clear that the uninterrupted views through towards the marshes and the channel, and the contribution to the landscape area that the site may have historically made, have been eroded through the passage of time and the natural evolution of the surrounding landscape, including the vegetation and trees within the site boundaries. The dwellings would be carefully orientated to allow visual gaps which would enhance long reaching views of the countryside as it now appears and so would create a permeable development.

In addition there are a number of functional gaps, one being close to the site, which allow these long views, and provide open and accessible space in which to appreciate the landscape. As such I do not consider that the development proposed would result in harm to the overall character of the site or the surrounding area."

"This secondary enclave pattern of built form would not be out of character with the general grain of development that has evolved within the village. Furthermore, it would create an engaging and inclusive layout, providing a level of space between each section of development to retain a level of permeability and provide views through the site to the wider landscape beyond."

It concluded that "The proposal would provide housing in a location that is well connected, and therefore whilst I acknowledge the conflict with the development plan in respect of policies CC1 and R2, I have found that the proposal would not result in harm to the character and appearance of the area. Furthermore, the Framework provides that development that would support the use of under-utilised land should be supported if it would help to meet identified needs."

- ii) heritage assets

Vicarage House – "...the proposal would result in some harm to the setting of the listed building. Taking into account the increase in development near to the asset, and the erosion of openness of its setting due in part to the overgrown nature of the front boundary of the appeal site, I consider this harm to be less than substantial however I attach significant weight to that harm. Balanced against this harm is the contribution of 9 dwellings to the supply of housing within the district, located within a well-designed and carefully considered

scheme. In these particular circumstances I consider that there are public benefits that would outweigh the less than substantial harm to the heritage asset."

No. 148 Field Cottages and Field House – *"...Plots 1 and 2 would be set back from the main highway so that views of these buildings would be maintained, and the built form in itself would not have a harmful impact on the setting of these buildings as they are currently enjoyed as part of an active, bustling, road frontage."* The Inspector concluded that the proposal would not result in harm to the setting of these listed buildings.

The Parsonage, Lantern Cottage and No. 153 Monkton Road – *"It does not at present contribute to the setting of these assets and the proposal would not have a harmful effect on these buildings."*

iii) the integrity of designated European sites

The Inspector considered that there was a potential for recreational disturbances to the SPA and SSSI through additional residential development and no mitigation or alternative situations had been put forward.

The Inspector in the planning balance stated:

"Paragraph 177 of the Framework is clear in advising that the presumption in favour of development does not apply where a proposal is likely to have a significant effect on a SPA, either alone or in combination with other projects, unless an appropriate assessment has concluded that it will not adversely affect the integrity of the site. For the reasons set out above, I have found that the proposal would be harmful to the integrity of the protected sites and no mitigation measures have been put forward to address the harm. This provides a clear reason for refusing the appeal proposal."

Although I have found that the proposal would be acceptable in terms of its effect on the character and appearance of the area, and the setting of nearby heritage assets, this would not overcome the harm in relation to the SPA and SSSI."

The application before the Council is identical to the proposal considered by the Planning Inspectorate, other than the submission of a unilateral undertaking to secure a contribution to mitigate recreation impact on protected sites. The conclusions of the Planning Inspector, in considering the previous application against the same policy framework as the current application is a significant material consideration and should be given significant weight in the determination of this application.

Principle

In line with Section 38(6) of the Planning and Compulsory Purchase Act 2014, planning decisions must be taken in accordance with the 'development plan' unless material considerations indicate otherwise. The requirements of the National Planning Policy Framework (NPPF) are a significant material consideration in this regard.

The 'development plan' for Thanet is the 2006 'adopted' Local Plan. Paragraph 213 of the NPPF allows local planning authorities to give due weight to adopted albeit outdated policies

according to their degree of consistency with the policies in the NPPF. Paragraph 48 of the NPPF also allows weight to be given to policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies and the degree of consistency with national policy.

Since the determination of the previous planning application, the Council's new Local Plan has progressed to examination, which is still ongoing at the time of writing. The site in question is still outside the urban confines in the new local plan.

The site constitutes non previously developed land, which is currently in use as a land for keeping horses and which lies outside any defined settlement. The proposal is, therefore, contrary to the aims of Saved Policy H1 of the Thanet Local Plan which states that residential development on non-allocated sites will be permitted on previously developed land within the existing built up confines unless specified by other Local Plan Policies. However this policy no longer accords with the requirements of the National Planning Policy Framework, as the Council no longer has a 5 year supply for housing, and as such this policy has little weight at this time. Saved Policy R1 of the Thanet Local Plan also limits development at rural settlements to minor development within the confines and under Saved Policy R2 of the Thanet Local Plan the site is considered to be an important gap in the built area of the village which contributes to the character and amenity of the village and as such will not be considered suitable for development.

Saved Policy CC1 of the Thanet Local Plan states that new development will not be permitted unless there is a need for the development that overrides the need to protect the countryside. The site is also covered by the Former Wantsum North Shore Character Area under Saved Thanet Local Plan Policy CC2.

There is a current need for housing within Thanet, which is being reviewed through the Local Plan process. The emerging Local Plan, recently went to examination by the Planning Inspectorate, seeks to identify a 5 year supply of housing land, and it is expected that the Council will be able to demonstrate this supply on adoption of the new local plan early next year at the latest. At the current time, the Council is not formally confirming that it can demonstrate a 5 year supply of housing land.

On this basis the NPPF states in Paragraph 11 states that where there are no relevant development plan policies, of the policies which are most important for determining the application are out-of-date granting permission unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the [policies in this Framework taken as a whole.

In determining whether housing on the site would be acceptable, the need for housing in the district will therefore need to be balanced against other issues such as the impact on the countryside, sustainability of the site, character and appearance of the proposed development and highway safety.

The proposal provides nine houses, the proposal would have a modest economic benefit and would result in an additional nine families residing in a small village, supporting the local community facility and vibrancy of the village community without overwhelming the infrastructure available.

The development of this site for housing could, therefore, be acceptable subject to the detailed consideration of all material considerations including the impact upon the countryside, and character and appearance of the area, the impact on the living conditions of neighbouring property occupiers and highway safety.

Impact on Countryside

The site falls outside of the village confines and within a Landscape Character Area. Saved Policies CC1 and CC2 of the Thanet Local Plan look to protect the open landscape, and the wide, long views of the Former Wantsum Channel Area and Pegwell Bay.

The site lies outside of the urban confines, within the Former Wantsum North Shore Landscape Character Area and is identified within the Thanet Local Plan as an important gap in the built area of Monkton village which contributes to the character and amenity of the village and as a result is not considered suitable for development. In the draft local plan the site lies within the Chalk Slopes and the Marshes character areas, where the particular characteristics are quite steep hill slopes and the landscape is very open and the latter character area is characterised by a vast, flat, open landscape defined by the presence of an ancient field system.

Paragraphs 78 and 79 of the NPPF promotes sustainable development in rural areas stating that housing should be located where it will enhance or maintain the vitality of rural communities and new isolated homes within the countryside should be avoided. The site is bounded by residential properties to either side and as such the proposed development would not result in isolated dwellings within the countryside but would be seen in the context of residential development. The proposed housing development would be well located within the village and the infant school and recreation ground (community facility) would be accessible by foot.

NPPF paragraph 170 stipulates that the planning system should contribute to and enhance the natural and local environment by, amongst other things, protecting and enhancing valued landscapes.

The site does not contain any protected trees. The applicant has submitted a full Tree Survey which identifies that two (T1- hawthorn and T3- cherry) will be removed, these however will be replaced. T1 is identified as high quality and value and the cherry as low quality and value. It would of course be desirable if these trees were to be retained but as the trees are not protected this is not considered essential. The report also contains a Tree Protection Plan which identifies the location ground and root protection areas this also identifies the protection measures for trees along the boundary in the neighbouring site, No.164 covered by a Tree Preservation Order (TH/TPO/(1999)).

The application site is private land in use for the keeping of horses, and therefore given that it does not provide any active recreational opportunities, development of the space is permitted by Saved Policy SR11 of the Thanet Local Plan unless the site has intrinsically beneficial qualities and makes a contribution to the character of the area either by itself or by virtue of the longer distance views it affords. Paragraph 170b) of the NPPF protects and recognises the intrinsic character and beauty of the countryside and supports thriving communities within it.

The site is identified within the Local Plan as a village gap (saved policy R2). The pre-amble to the policy describes these sites as road frontage sites which provide outlook into open countryside or onto other open spaces, or form an important break in the built environment of those villages. The site is open to the rear presently and as such long views within the Landscape Character Area are appreciated from within the site. The application proposes native hedge planting along this rear boundary, to provide a soft rural edge to the development.

The layout of the dwellings is formed around a central open space, from Monkton Road it is considered that this space would be perceived as a gap between built development. It is appreciated that it would not extend the full depth of the site, which would allow full interrupted views into open countryside. The proposed two storey development, however, is separated by both visual spaces and single storey development in the form of gardens and garaging to offer more relief. The central area of the site has been kept devoid of built development through the proposed layout, although it is appreciated that built development has been set further back into the site along the rear perimeter. From the public highway the 'gap' would still be appreciated albeit to a lesser degree and would still provide an important break in the built environment, although it is appreciated that there would be some degree of loss of outlook to the wider countryside.

The application site comprises relatively flat land, with existing development to the east and west boundaries, the locality is therefore already partly residential in character. Quite clearly, the proposed development would see a permanent change of land use (and therefore character) to residential use, and would inevitably result in a permanent effect upon the landscape, but views of the development would be localised. In terms of the environmental impacts of the scheme, the proposal seeks to retain a green space within the development and retain trees with the exception of two; additional planting is also proposed within the site and to the perimeter. Due to the location of the site, which is bound to both sides by existing residential development, the proposal would appear as a logical in-fill rather than extending into open countryside. It is considered; on balance the site would retain the sense of openness as a 'gap' in built development from public vantage points. The proposed additional landscaping would reduce the visual impact of the proposed development.

Based on the views of the site from the north, the layout, density and scale of development proposed, it is considered that there would be minimal environmental harm from the development of part of the village gap with loss of the full views to the countryside that the site currently affords, including the Landscape Character Area.

The Planning Inspector considered in their assessment of the same scheme that whilst there was conflict with policies CC1 and R2 of the Thanet District Local Plan due to its location

within the countryside and designation as a village gap, because of the natural evolution of the wider landscape there would be no conflict with the overall aim of policy CC2 as the development as proposed would not damage the setting of the Wantsum Channel or long views of the adjacent marshes. The Inspector also added that the NPPF provides that development that would support the use of under-utilised land should be supported if it would help to meet identified needs. Therefore the development is not considered to harm the identified landscape character area/s under policy CC2 and emerging policy SP23.

Character and Appearance

Paragraph 170 of the NPPF states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Development in Monkton Street is predominantly linear in form, although there are small enclaves of development that extends back in depth into the plot, including Vicarage Garden (opposite the site), Monkton Manor and Parsonage Fields, although the latter is on a more comprehensive scale. The layout would therefore not be dissimilar to other development in the immediate locality.

The density of the scheme equates to 15 dwellings per hectare, which is relatively low, however, given the sensitive nature of the site, being a village gap and its proximity to listed buildings this is considered to be appropriate.

There is no discernible building form or architectural theme along Monkton Street with a mix of ages, scale styles of property creating an interesting and diverse street scene.

Scale of development & materials proposed

Plot 9 (at the western end of the site and fronting Monkton Street) presents its side elevation to the road. The side elevation contains two windows; one at ground and one at first floor level rather than having a blank gable end to the road. The elevation also utilises different materials to add interest. Whilst it normally it would be preferable for the front elevation to front the road, however, there are other examples in the street - corner of Monkton Street and Seamark Close. Therefore the development will not appear out of character in the locality.

Overall it is considered that the scheme would respond positively to local character, provide dwellings which exhibit individual architectural quality and house-types with well-defined public and private spaces. The public realm proposed in the development through additional planting and distinctive features - water feature would also assist in creating a sense of place, and provide space that is overlooked and active, promoting natural surveillance and inclusive access, as well as including parking facilities that are well integrated as part of the overall design. In totality it is considered that the scale, layout, density, height and massing of buildings and overall elevation design would harmonise with the character and appearance of the surrounding area.

Impact on listed buildings

Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that when considering whether to grant planning permission for development which affects a listed building or its setting to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

The Framework defines Listed Buildings as a designated heritage asset and defines the setting of a heritage asset as 'the surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve.

Paragraph 193 of the Framework advises that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance and any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

Paragraph 196 advises that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

The NPPG also advises that a thorough assessment of the impact on the setting needs to take into account, and be proportionate to the significance of the heritage asset under consideration and the degree to which the proposed changes enhance or detract from that significance and the ability to appreciate it. Whilst setting is often expressed by reference to visual considerations it can include other factors such as the historic relationship between places.

Near to the site is Grade II listed buildings Nos. 163 (Vicarage House), 155, 153a, 153, 148 and 150 (Field Cottages) and 146 (Field House) Monkton Street. In terms of impact to the listed buildings the accompanying Heritage Report (which is identical to the previously submitted report) notes that this section of Monkton has been excluded from the Conservation Area which they consider is due to the modern mix of development. They also consider that the setting of The Vicarage has already been compromised by the development of Vicarage Gardens. In terms of the submitted scheme the report contends:

"The creation of an open space with soft landscape and pond retains the rural feel and the openness that the site currently offers and is considered to improve the current outlook from The Vicarage. This is further enhanced by the use of hedges as boundary treatment and to break up any perceived mass of building elevations."

It is recognised this identified village gap contributes to the general character of this part of the village together with the setting of the listed building particularly Vicarage House.

Vicarage House is a striking two storey dwelling with attic constructed in brown brick with a plain tile roof opposite the site.

The setting of a heritage asset is not a fixed concept; it is concerned with the way the heritage asset is experienced. Vicarage House is viewed with the contact of residential development with pockets of open space along Monkton Street. At the western side of the application site and in a setback position there are utilitarian buildings. It is therefore considered that the setting of the listed building would be semi-rural.

The proposal would introduce built form opposite Vicarage House. The scheme creates an area of open space through the front and mid-section of the site between plots 2 and 9. Given an open space at the front of the site would be maintained albeit at a lesser scale, it is considered that the harm would be 'less than substantial harm' in terms of the NPPF. The cumulative effect of the works would be that the listed building would remain a dominant feature of the street scene. It is considered the area to the front would retain a significant level of openness and would preserve the semi-rural setting of the listed building, thereby resulting in minimal harm to the setting of no. 163.

The Conservation Officer has fully considered the scheme and has confirmed that the harm is less than substantial and is outweighed by the introduction of a new residential development, of appropriate number, designed with consideration to the existing character and surroundings taking into account the Council's current lack of a five year housing supply.

Due regard must be had to the recent Inspector's decision that considered this scheme in the context of the Listed buildings. The Inspector held that whilst there was some harm to the setting of Vicarage House, this harm would be less than substantial and the public benefits would outweigh this (as detailed earlier in the planning history section) in accordance with Paragraph 196 of the NPPF .

Officers therefore consider that whilst the proposed development will affect the setting of the designated heritage assets, the layout, height and siting of the dwellings proposed would minimise the harm caused and not dominate the listed buildings. Having special regard to Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 a balancing exercise needs to be carried out against the harm identified against the public benefits (as required by NPPF para 196). This will be considered in the conclusion of the report.

Living Conditions

Paragraph 117 of the NPPF states that planning decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.

The distances between the new dwellings fronting Monkton Road and those boundaries behind are approximately 11m. There would be no overbearing or overshadowing issues experienced by virtue of the ability to achieve a separation distance

With regard to adjoining existing development, I do not consider that harm will occur to dwellings to the east of the application site from plot 1 as the proposal is separated by a field access and garden in terms of overbearing or overshadowing (the distance is a minimum of 15.6 metres. A first floor window is proposed to a bedroom to plot 1. It is recommended that this is fitted with obscure glazing to safeguard residential amenity.

Plot 3 has first floor windows/French doors with the east (rear) elevation. These openings serve bedroom 1 and bedroom 2, there is a distance of approximately 10 metres to the plots boundary to the access track and approximately 14 metres to the boundary with 150 Field Cottage. These bedroom windows would look onto the very rear section of 150 Field Cottage. It is therefore considered that this relationship is acceptable.

No. 164 Monkton Street is located approximately 14m from the application site boundary. This property has a first floor window within the side elevation and the proposed dwelling is approximately a distance of 10 metres to the boundary of the development site (a total separation of approximately 24 metres). Given the distance I do not consider material harm will occur to the outlook of occupiers of that property nor in terms of any sense of enclosure or loss of light occurring from the proposed development. In terms of overlooking plot 8 and 9 would overlook into the front garden area; given that it is the front garden which is not private; this is considered to be an acceptable relationship. Plot 7 faces the side elevation of no. 164 but also has views into their rear garden, as previously mentioned there is a 10 metre distance between the rear of plot 7 and the site boundary. In addition there is an existing tree (within the curtilage of no. 164 and hedge planting which would limit views, particularly during the summer months. The first rear French doors/window serving bedroom 4 has the potential for views out across no. 164. Given the existing vegetation coverage along this boundary and the distance of separation it is considered that harm would not result.

The proposed dwellings should provide a high standard of accommodation to meet the expectations of future occupiers, including the provision of safe doorstep play space, and good sized rooms with outlook and ventilation which are fit for purpose.

Officers consider that the layout and dwellings has been designed in a manner which achieves an appropriate relationship with the existing dwellings whilst being sympathetic to the character of the surrounding area and the wider landscape. All in all, it is considered that the living conditions of existing and future residents would be protected from any materially detrimental impacts.

Transportation

Where concerning the promotion of sustainable transport, the NPPF in para. 103 states that the Government recognises that different policies and measures will be required in different communities and opportunities to maximise sustainable transport solutions will vary from urban to rural areas.

Paragraph 102 of the NPPF requires Councils, when making decision should ensure:

- a) Appropriate opportunities to promote sustainable transport modes can be - or have been - taken up, given the type of development and its location;

- b) Safe and suitable access to the site can be achieved for all users; and
- c) Any significant impacts from the development on the transport network (in terms of capacity and congestion) or on highway safety, can be cost effectively mitigated to an acceptable degree.

In its capacity as the Local Highways Authority, Kent County Council has considered the proposal and concluded that it would be acceptable from a highways perspective subject to a number of conditions including visibility splays and completion of footpath improvements.

The Council's adopted parking standards state that a maximum of two independently accessible spaces per unit should be provided for four bedroom dwellings. Also 0.2 space per dwelling is required for visitor parking. Parking spaces in front of garages should measure 5.5 metres by 2.5 metres and open sided spaces should measure 5 metres x 2.5 metres. The proposed development has been laid out in a manner that adheres to these standards and pays regard to the need to plan for sustainable access for all.

The transport impacts of the development are not considered to be severe and, from this perspective, refusal of planning permission on such grounds would not be justified. Therefore it is considered that the proposal, during either construction or when developed would not have a detrimental effect upon the highway network or the general accessibility of the surrounding area.

Ecology

One aim of sustainable development should be to conserve and enhance the habitats and species on site. This is reflected in NPPF paragraph 170 which recognises that the planning system should contribute to and enhance the natural and local environment by, amongst other things: protecting and enhancing sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan); recognising the wider benefits of the best and most versatile agricultural land, and of trees and woodland; and minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

By way of mitigation the submitted report recommends any trenches be covered over with wooden sheeting at night and fencing off the demolition and construction zone and associated compounds would be advisable during the construction/demolition phase, the grass paddock is maintained and grazed up until the point of construction, low level lighting scheme, if works to buildings/vegetation are proposed during the bird breeding season (March-September) a check should be made for nests prior to works commencing, if nests are present, they should be left intact and undisturbed until the young fledge, bird boxes installed, habitat box on tree and boundaries remain relatively open, such that wildlife can continue to radiate in the area.

A number of reasonable and necessary conditions are recommended to ensure that any ecological harm from the development is mitigated. It is also confirmed that KCC Ecological Advice Service have confirmed that they have no objection to the scheme subject to conditions securing a biodiversity Method Statement and ecological enhancements.

Therefore in conclusion on this issue, it is considered that the proposal would not give rise to significant adverse effects upon ecology and nature conservation subject to mitigation measures proposed which can be secured by condition.

Trees

No. 164 Monkton Street, to the east of the site has two trees covered by a Tree Preservation Order (TH/TPO/10(1999), with the trees closely located to the application site boundary. It is confirmed that the proposed dwellings are outside the root protection area of these trees with rear and side walls of the dwellings approximately a minimum of 2 metres away. The proposed dwellings are therefore located a sufficient distance away not to result in undue pressure for their removal.

Archaeology

Paragraph 184 of the NPPF states that heritage assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations. In determining planning applications, NPPF paragraph 189 states that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. Furthermore, para 192 of the NPPF states that in determining applications, local planning authorities should take account of:

- a) The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) The positive contribution that conservation of heritage assets can make sustainable communities including their economic vitality; and
- c) The desirability of new development making a positive contribution to local character and distinctiveness

Although the site is not identified as an area of Archaeological importance, Thanet District as a whole is rich in archaeological potential. As the site comprises mainly non previously developed land, it is considered appropriate, to condition that the development is subject to the submission for a programme of archaeological work, with a specification to be agreed by the Council prior to the commencement of development. Subject to this safeguarding condition the impact upon archaeology is considered to be acceptable.

Flood Risk and Drainage

Part 14 of the NPPF sets out the Government's stance on climate change, flooding and coastal changes, recognising that planning plays a key role in, amongst other things, providing resilience to the impacts of climate change. Inappropriate development in areas at risk of flooding should be avoided.

The site is currently undeveloped with only low level buildings in situ and is located in Flood Zone 1; it is therefore at low risk from tidal/fluviial flooding.

Southern Water does not raise any concerns regarding the proposal. The Environment Agency also do not raise an objection to the proposal but seek a number of safeguarding conditions to protect the Source Protection Zone 3, Principal aquifer and shallow surface drainage adjacent.

Concerns have been raised about the potential flooding of adjacent sites resulting from the creation of hardsurfaced areas and from the presence of dwellings on the site. The surface water drainage strategy outlines a series of potential measures to reduce run off from the site through water butts within the proposed gardens, permeable paving/surfacing across all hardstanding surfaces stored within the sub-base and then discharged to the ground via infiltration. The report details that due to the relatively steep gradient across the site, it will be necessary to install check dams into the sub-base of the permeable paving system. Check dams interrupt the flow of water and flattens the gradient of the channel, thereby reducing the velocity of water run-off.

KCC Flood and Water Management have confirmed that they have no objection to the scheme and are satisfied that a scheme will work based on these measures, although they have sought a condition for a detailed sustainable surface water drainage scheme to demonstrate that surface water generated by this development for all rainfall durations and intensities up to and including the climate change adjusted critical 100 year storm can be accommodated and disposed of within the site without increasing flood risk on or off the site.

The Environment Agency have not objected to the scheme subject to safeguarding conditions, however they have stated that the use of infiltration from sustainable drainage systems may not be appropriate due to the site being in a groundwater source protection area. This has been taken into account in the submitted Flood Risk Assessment and drainage assessment. It is considered that by attaching the recommended conditions, a detailed scheme would be required to achieve the aims of the drainage strategy and if/where infiltration is proposed this would need to be agreed in consultation with the Environment Agency prior to the development commenced. Therefore subject to the safeguarding conditions, the development would not result in an increased flood risk and will incorporate sustainable drainage systems, in accordance with paragraph 165 of the NPPF.

Contributions

Natural England has previously advised that the level of population increase predicted in Thanet should be considered likely to have a significant effect on the interest features for which the Thanet Coast and Sandwich Bay Special Protection Area (SPA) and RAMSAR have been identified.

Thanet District Council produced the 'The Strategic Access Management and Monitoring Plan (SAMM)' to deal with these matters, which focuses on the impacts of recreational activities on the Thanet section of the Thanet Coast and Sandwich Bay Special Protection Area (SPA). The studies indicate that recreational disturbance is a potential cause of the decline in bird numbers in the SPA. To enable the Council to be satisfied that proposed

residential development will avoid a likely significant effect on the designated sites (due to an increase in recreation) a financial contribution is required for all housing developments to contribute to the district wide mitigation strategy. This mitigation has meant that the Council accords with the Habitat Regulations and an appropriate assessment has been undertaken.

This application includes a draft Unilateral Undertaking (UU) which provides the required financial contribution for the 9no. 4 bed residential units to mitigate the additional recreational pressure on the SPA area. This draft matches the Council's published draft on our website, which is available for applicants to use. Subject to the completion of the UU through signatory and ownership checks, this UU provides sufficient mitigation to avoid a significant effect on the protected sites.

Conclusion

This is an application for full planning permission for 9 dwellings on Monkton Street.

NPPF paragraph 10 stipulates that at its heart is a presumption in favour of sustainable development. For decision-taking (NPPF para 11) this means approving development proposals that accord with the development plan without delay; but where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless; any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or specific policies in the Framework indicate development should be restricted.

It has been acknowledged that the site is currently situated outside a defined settlement boundary, and therefore for all intents and purposes rural policies of restraint apply. The site, however in officers opinion represents a logical in-fill development within the village, despite being allocated as a village gap that would not compromise the established form and character of the locality.

In terms of the economic dimension of sustainable development, the provision of 9 dwellings would give rise to employment during the construction phase of the development, and is likely to result in an increase in the use of local services and facilities, both of which will be of benefit, albeit modest, to the local economy.

In terms of the social dimension to sustainable development, Paragraph 59 of the NPPF 2018 refers to 'the Government's objective of significantly boosting the supply of homes'. The NPPF points out that 'small and medium sized sites can make an important contribution to meeting the housing requirement of an area , and are often built-out relatively quickly' and that 'development in one village may support services in a village nearby'

The scheme brings forward modest benefits with 9 additional market dwellings, a small contribution to market housing in the area, it is likely to support shops and services in Monkton and further afield and it would allow increased social interaction between residents existing and new, and employment personnel albeit in a modest way. The scheme is considered to be well designed and safe as sought by paragraph 8.b) of the NPPF.

In terms of the environmental dimension of sustainable development, the environmental issues are assessed in earlier sections of this report but to summarise, the proposal would result in some harm to the setting of adjacent listed buildings and would result in a loss of outlook to the countryside and a reduction in the size of the village gap, however, these harms are minimised by the gaps between the proposal and the listed buildings, the scale and layout of the development.

In determining the previous application, Members raised strong concerns about the impact of the scheme upon the character and appearance and loss of the village gap and the impact upon designated heritage assets. Members resolved to refuse the application. The decision was appealed and the Inspector considered that these matters were not so harmful to warrant refusal with the previous concerns of the Committee dismissed by the Inspector. This decision has significantly weight in the determination of the current application, as the proposals are identical. The Inspector, however considered that the site impacted upon European sites and there was no mitigation in place to offset this impact. The current scheme includes a draft Unilateral Undertaking as required by Thanet District Council to secure the mitigation. The draft follows the requirement of the Council's template Unilateral Undertaking and accords with the monetary value required. Officers consider the proposal now addresses the concerns expressed by the Planning Inspector on appeal.

The development of nine dwellings, in a sustainable location is considered to satisfy economic and social objectives as required by the NPPF, with harm to the environmental objectives alleviated through the design and layout of the scheme. Therefore the adverse effects of the proposed development on this site in the countryside and the harm to the significance of designated heritage assets are not considered to significantly and demonstrably outweigh the public benefits from the development.

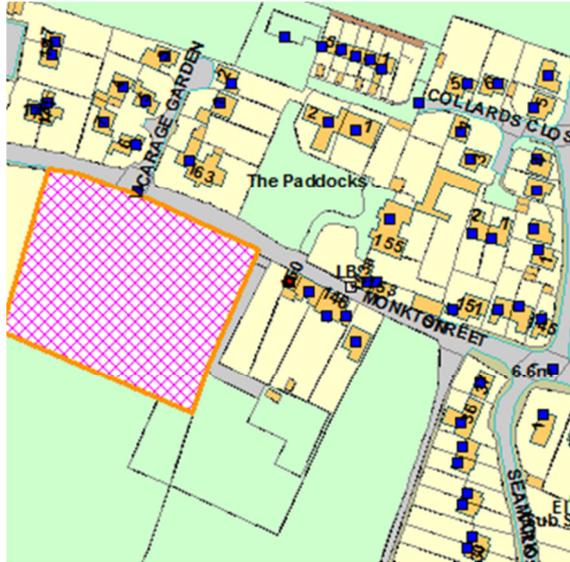
All outstanding matters of planning importance would be addressed by safeguarding conditions and the proposed development would go towards meeting the shortfall of housing within the District. It is therefore recommended to Members that this application is deferred and delegated to officer to approve, subject to safeguarding conditions and the completion of the unilateral undertaking to secure the identified mitigation for the protected sites.

Case Officer

Gill Richardson

TITLE: F/TH/19/1026

Project Land Adjacent 150 Monkton Street Monkton Ramsgate Kent



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D, or E of Part One or Class A of Part Two of Schedule 2 to the Town & Country Planning (General Permitted Development) Order 1995 or not, shall be carried out without the prior permission in writing of the District Planning Authority.

GROUND:

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

6 The change of use hereby permitted shall be carried out in accordance with the works identified within the Structural Survey Report, dated 15th April 2019.

GROUND:

To limit the visual impact upon the countryside, in accordance with Policies CC1 and D1 of the Thanet Local Plan.

7 Prior to the commencement of development, details of how the development will enhance biodiversity will be submitted to, and approved in writing by, the Local Planning Authority. This will include the recommendations in the Preliminary Roost Assessment (Arbtech July 2019). The approved details will be implemented and thereafter retained.

GROUND;

In accordance with paragraph 175 of the National Planning Policy Framework.

SITE, LOCATION AND DESCRIPTION

The application site comprises a regular shaped parcel of land measuring approximately 0.12 hectares on the south-eastern side of the road.

The Mill House is located on a triangular plot at the junction towards the north, end of Way Hill. The application site is located to the north-east of this. To the north eastern side of the application site is a detached property known as 'Larksfield'. The stable buildings subject of this conversion are located close to the common boundary with 'Larksfield', in the north corner of the site. Two of the buildings are constructed in timber and have pitched roofs, the third building is concrete block and has a monopitch roof. Opposite the site is agricultural land. The site is enclosed by a Leylandii hedge and close boarded fence.

RELEVANT PLANNING HISTORY

F/TH/92/0570 Use of stable building for the stabling of horses not associated with the dwelling and change of use of stables and agricultural land for the keeping of horses for leisure purposes. Granted 27/05/93

PROPOSED DEVELOPMENT

The proposed development seeks planning permission to convert the existing stables into a three bedroomed residential dwelling. A small link extension is proposed to connect the existing stable buildings and a glazed corridor will be erected to the front of the smaller

existing stable building with weatherboarding to the side to enclose the building. In addition the roof of the concrete stable will be replaced and roof lights installed within the roofs of all the buildings.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan (2006 Saved Policies)

H1 - Residential Development Sites
H4 - Windfall Sites
CC1 - Development in the Countryside (urban and rural confines)
CC2 - Landscape Character Area
CC7 - Rural Lanes
D1 - Design Principles
D2 - Landscaping
SR5 - Play Space
TR12 - Cycling
TR16 - Car Parking Provision

NOTIFICATIONS

Letters were sent to adjoining residents, a site notice posted close to the site and the application publicised in a local newspaper.

One representations were received. The concerns can be summarised as follows:

- Contrary to CC7 which indicates that developments such as this within the rural lanes is not permitted
- Rear wall of the stables constitutes part of boundary- as such residential use will significantly increase noise
- Access required to objectors land which would cause great disturbance and inconvenience
- Increase in traffic by a third in a narrow lane
- Proposal not of any great quality or impressive design
- Question if two timber sheds can be converted adequately
- Consider conversion could not provide adequate proper accommodation for a family and must be marked on the basis that a single person or persons would wish to purchase it at a relatively low asking price

Minster Parish Council: No objection

CONSULTATIONS

Environment Agency: The proposal has a low environmental risk, we therefore have no comments.

Southern Water: The exact position of the public water main must be determined on site by the applicant before the layout of the proposed development is finalised.

All existing infrastructure, including protective coatings and cathodic protection, should be protected during the course of construction works. No excavation, mounding or tree planting should be carried out within 6 metres of the public water main without consent from Southern Water.

Natural England: On the basis of the appropriate financial contributions being secured to the relevant scheme. NE concurs with your authority's conclusion that this is suitable mitigation, as such the proposed developments will not have an adverse effect on the integrity of Thanet Coast and sandwich Bay SPA and Ramsar site.

Kent County Council Ecological Advice Service: Further comments- The additional information is sufficient to determine the planning application. Bats were a primary concern with this development proposal. The Preliminary Roost Assessment (PRA), submitted by the applicants, concluded that the buildings have negligible potential for bat roosts. The PRA recommends the installation of bird and bat boxes, and should be secured by condition - ecological enhancements.

Initial comments - Advise that a bat scoping survey is undertaken on the buildings to assess the likely presence/absence of roosting bats. If bats are found to be utilising the buildings, there will likely be a need for further surveys. Survey results, along with any recommended further surveys and/or necessary mitigation measures, must be submitted to the local authority prior to the determination of the application.

COMMENTS

This application is referred to the Planning Committee as it represents a departure from Policy H1, as the site is located in the countryside.

The main considerations are the principle of the development, the effect the proposal would have upon the character and appearance of the surrounding area, impact on living conditions and whether there is a need for the development that overrides the need to protect the countryside.

Principle

In line with Section 38(6) of the Planning and Compulsory Purchase Act 2014, planning decisions must be taken in accordance with the 'development plan' unless material considerations indicate otherwise. The requirements of the National Planning Policy Framework (NPPF) are a significant material consideration in this regard.

The site lies within an area designated as countryside as defined by the Thanet Local Plan and is, therefore, contrary to Policy H1 of the Thanet Local Plan, which requires that new residential development should be on previously developed land within the urban confines.

However currently the Council does not have a 5 year supply of deliverable housing sites as required by paragraph 11 of the NPPF. For residential development, this means that

proposals for housing should be considered in the context of the National Planning Policy Framework's presumption in favour of sustainable development (paragraph 11). This is because local policies (including defined development boundaries) relating to the supply of housing are no longer considered up to date (paragraph 11). Paragraph 11 of the NPPF states that where relevant local policies are out-of-date, planning permission should be granted unless; any adverse impacts of doing so would "significantly and demonstrably" outweigh the benefits, when assessed against the policies of the NPPF taken as a whole; or specific policies in the NPPF indicate development should be restricted.

Policy CC1 of the Thanet Local Plan states that within the countryside, new development will not be permitted unless there is a need for the development that overrides the need to protect the countryside. There is a need for housing within Thanet, however, the need for housing has to be balanced against the impact on the countryside and the sustainability of the site.

Policy CC2 relates to the Landscape Character Area and this site lies within The Former Wantsum North Shore Area where the policy states development will only be permitted that would not damage the setting of the Wantsum Channel and long views of Pegwell Bay, the Wantsum Channel, the adjacent marshes and the sea.

Policy CC7 states that where development would adversely affect the landscape, amenity, nature conservation, historical or archaeological interest of the rural lanes will not be permitted.

Paragraph 79 of the NPPF states decisions should avoid the development of isolated homes in the countryside unless the development would re-use redundant or disused buildings and enhance its immediate setting (para 79c).

It was evident from a site inspection that the stables and land associated with this land parcel no longer served the use originally intended and was vacant.

The principle of development is, therefore, considered to be acceptable subject to the impact upon the countryside and Landscape Character Area being acceptable, along with the sustainability of the development.

Landscape Character

The site is within the Wantsum North Shore - it is characterised by quite steep hill slopes leading down from the Central Chalk Plateau to the former Wantsum Channel. It acknowledges that from the upper slopes it affords extensive views across the whole of the former Wantsum Channel. The buildings subject of this change of use and conversion are existing and single storey with only modest extensions proposed to link the buildings.

Given that the proposal relates to the conversion of existing buildings together with modest extensions to facilitate this conversion it is not considered that it would have an adverse effect on the landscape character or the amenity, nature conservation, historical or architectural interest as Way Hill as a designated rural lane. As such, it is not considered

that the proposed development would conflict with the aims and objectives of policy CC2 or CC7 of the Local Plan.

Sustainability

The nearest bus stop is at the junction between The Lanes and Way Hill which is approximately a 700 metre walk/cycle from the application site. The number 42 service which used to stop there was cancelled earlier this year. Now the nearest bus stop to this site is on Tothill Street, close to the junction with Foxborough Lane. Whilst this is not ideal (being located some metres from the application site) it is noted that there are other dwellings within the vicinity and the proposal will form part of this grouping of dwellings. There is also the potential to cycle to the centre of Minster.

This proposal is very similar to the recent proposal for the conversion of a stable block to residential at 1 Dellside, Wayborough Hill (considered under reference F/TH/16/1020). The neighbouring proposal was originally recommended for refusal by officers on the grounds that the proposal did not constitute sustainable development; however, Members felt that on the basis of both the location of development (close to the centre of Minster village and services), and the re-use of a redundant building, that the development did constitute unsustainable development within the countryside, in accordance with the NPPF. Furthermore there was a subsequent application adjacent to Primrose Cottage, also on Wayborough Hill, also for conversion. The recent planning decision is a material consideration in assessing this application given the similarities in the proposal.

Structural Quality

A Structural Survey Report has been submitted with the application that confirms the stables are capable of being converted to a dwelling and, having inspected the site, it is confirmed that the buildings appear sound and in good repair. It is therefore considered that the redundant stable buildings are capable of being converted to a residential dwelling, and would therefore comply with paragraph 79c) of the NPPF, which considers the re-use of a redundant building or disused buildings.

Character and Appearance

Paragraph 127 of the NPPF states decisions should ensure that developments will function well and add to the overall quality of the area, are visually attractive as a result of good architecture, layout and appropriate and effective landscaping, sympathetic to local character and history, establish a strong sense of place and optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development and create places that are safe, inclusive and accessible. Saved policy D1 of the Local Plan outlines that the design of all new proposals must respect or enhance the character and appearance of the area, particularly in scale, massing, rhythm and use of materials.

The site is a parcel of land comprising stable buildings and horse paddock. The site sits back from Way Hill and is screened by trees/hedges. Access to the site is from Way Hill.

The works proposed to convert the stables into a three bedroomed residential dwelling would result in modest alterations to the existing buildings, the stables would not be increased in height increase in height, although the roof material changes - asbestos board/concrete interlocking tiles to slate tiles. There would be small elements of infilling between the stable blocks with flat roof extensions at approximately eaves level to the existing buildings. In addition a glass corridor is proposed to the front of the timber stables continuing in-line with the concrete stable. This corridor would be fully glazed with a timber door in the south east facing elevation. The building would be subdivided internally to provide living accommodation with roof lights and an additional window in the north east facing elevation to provide additional light to the three rooms.

Externally, the proposal would retain much of the original stable design which already appears quite domestic in design. As set out above, the existing roof would be replaced with slate tiles; new supports will be required to take the additional load. Insulation would also be incorporated into the conversion. The windows and doors would be timber. Overall the proposed conversion would retain the existing characteristics of the stable buildings and the proposed materials would result in a dwelling that would, in officer opinion, assimilate well into the site and not appear dominant or intrusive within the wider realm. .

The existing concrete hard standing to the front of the stable buildings would be retained and used as a patio area. The existing access would be utilised and would be a resin bound material to prevent run off of material onto the highway.

The tree/hedges to the road boundary are indicated to be retained on proposed block plan and the paddock utilise as a grassed area. The retention of the existing landscaping to the road frontage and relatively enclosed nature of the site would help the development assimilate into its countryside setting or landscape character area.

Given the discrete location of the stable buildings to be converted, the modest external alterations to the buildings (which would maintain the existing building form), it is considered that there would be minimal visual harm to the surrounding countryside. On this basis the need for the proposed development is considered to outweigh the harm to the countryside, and provide a sustainable form of development in keeping with the character and appearance of the area. The proposed development is therefore considered to comply with Policy CC1 of the Thanet Local Plan, and paragraphs 79c) and 127 of the NPPF.

Living Conditions

Paragraph 117 of the NPPF states that planning decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.

The proposed dwelling would be separated from the dwelling to the north; Larksfield by its vehicular access. Their garage is adjacent to Way Hill, although at a slight angle to the highway. Larksfield and the stable buildings subject to this application have a distance of approximately 19m apart. Given this degree and the modest nature of the extension there will be no material harm resulting from the proposed extensions.

The existing openings within the buildings will largely be utilised for the proposed dwelling. . Window openings are within the southwest facing elevation, facing into the site. Whilst the north east elevation has a proposed window this faces onto the road and hedgerow. Roof lights are all proposed to the south west facing elevation, again facing into the site. Given that most windows are existing, face into the site or highway boundary and within the roof space, I consider that no impact will occur through overlooking.

It is appreciated that the proposed residential use will bring different activity to the site when compared with that associated with the stable use. Given, however, that there is sporadic residential dwellings along Way Hill and the proposal is for one modest three bedroom dwelling, it is not considered to result in levels of noise or disturbance which will result in material harm.

Local Plan policy SR5 requires new dwellings with two bedrooms or more to provide safe doorstep play space for young children. The proposed dwelling would have its associated amenity space in front of the building. The amenity space is commensurate to the size of the dwelling proposed. The private garden would provide a safe play space and space for clothes drying, refuse storage and storage facilities within the curtilage of the dwelling.

In terms of the living conditions of the future occupiers of the proposed dwellings, the Council's Draft Local Plan to 2031 has now been examination and can be attributed modest weight in the consideration of planning applications. Policy QD03 of the Draft Plan requires new development to be of an appropriate size and layout with sufficient usable space to facilitate comfortable living conditions and meet the standards set out in Policy QD04, which are the National Described Space Standards (March 2015). Policy D1 of the Thanet Local Plan requires development to provide a high quality layout and paragraph 127 of the National Planning Policy Framework requires development to provide a high standard of amenity for existing and future users, with all windows serving primary habitable rooms required to provide an acceptable level of outlook, natural light and ventilation for the rooms. The proposed dwellings meet all of these criteria in terms of the overall floor space and window provision to habitable rooms.

The impact of the proposed development on surrounding occupiers and its future occupiers, is, therefore, considered to be acceptable and in accordance with Policy D1 of the Thanet Local Plan, policies QD03 and QD04 of the Draft Local Plan and the guidance of the NPPF.

Transportation

The site has an existing vehicular access. Way Hill is no longer a through road since being closed off at its northern end. This section only serves two further properties to the north and an electrical substation. The addition of one dwelling would be unlikely to cause significant harm to the highway network through additional vehicular movements. The site is large enough to provide off street parking/manoeuvring and there would be room within the site for the safe storage of bicycles. The impact upon highway safety is therefore considered to be acceptable and in accordance with Policies TR12 and TR16 of the Thanet Local Plan, and the NPPF.

Contributions

Natural England has previously advised that the level of population increase predicted in Thanet should be considered likely to have a significant effect on the interest features for which the Thanet Coast and Sandwich Bay Special Protection Area (SPA) and RAMSAR have been identified.

Thanet District Council produced the 'The Strategic Access Management and Monitoring Plan (SAMM)' to deal with these matters, which focuses on the impacts of recreational activities on the Thanet section of the Thanet Coast and Sandwich Bay Special Protection Area (SPA). The studies indicate that recreational disturbance is a potential cause of the decline in bird numbers in the SPA. To enable the Council to be satisfied that proposed residential development will avoid a likely significant effect on the designated sites (due to an increase in recreation) a financial contribution is required for all housing developments to contribute to the district wide mitigation strategy. This mitigation has meant that the Council accords with the Habitat Regulations.

This application includes a Unilateral Undertaking (UU) which provides the required financial contribution for the 3 bed residential units to mitigate the additional recreational pressure on the SPA area. The applicant's agent has submitted the draft UU which is satisfactory to the LPA.

Other Matters

A third party has raised concerns about access to their land, that the property should only be marketed to single people at a low price and question whether the buildings could be adequately converted. The issues raised relating to access is a separate civil matter between parties and outside the remit of planning. It is also not for the Local Planning Authority to determine how the buildings, if converted should be marketed or who would occupy it. The accommodation would of course need to comply to Building Regulation standards in terms of for example its structure, resistance to the passage of sound and fire safety.

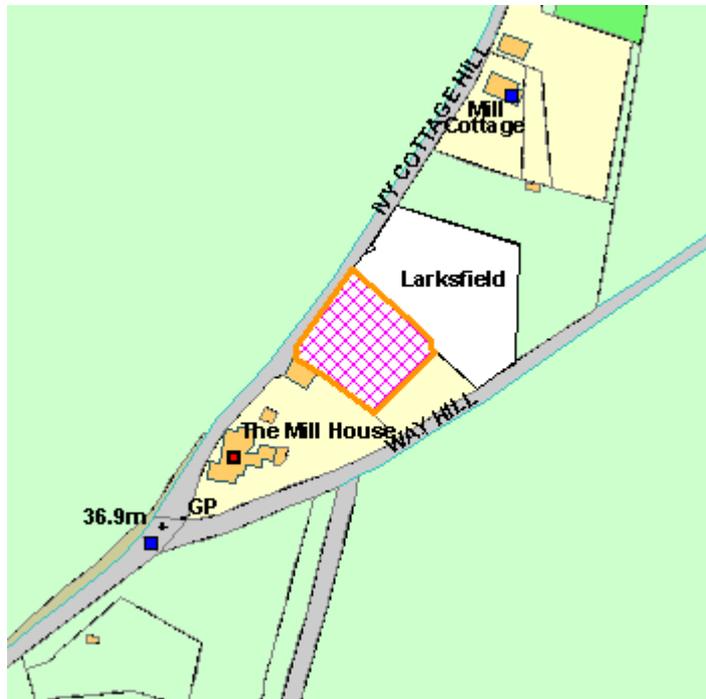
Conclusion

The proposed development is considered to be sustainably located, and would result in the conversion of an existing stable block with only modest external alterations/extensions. Given that there is a need for housing, alongside the minimal visual impact that would result from this conversion, it is considered that on balance, the need for the development would outweigh the need to protect the countryside. The social and economic benefits from the provision of a single dwelling is therefore considered to outweigh the minor environmental harm, and as such the proposed development is considered to comply with Policy CC1 of the Thanet Local Plan and the NPPF. It is therefore recommended that members defer and delegate to officers to approve the application as an acceptable departure to Policy H1 of the Thanet Local Plan, subject to safeguarding conditions, to include the removal of permitted development rights for the proposed dwelling and the receipt of the signed UU to secure the SAMM contributions.

Case Officer
Gill Richardson

TITLE: F/TH/19/0729

Project The Mill House Way Hill Minster RAMSGATE Kent



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D08 **F/TH/19/0925**

PROPOSAL: Erection of a two storey 3-bed dwelling with associated parking following demolition of existing stables

LOCATION: Land Adjacent Former Primrose Cottage Wayborough Hill
Minster RAMSGATE Kent

WARD: Thanet Villages

AGENT: Mrs Jane Scott

APPLICANT: Mr P Warman

RECOMMENDATION: Defer & Delegate

Defer & Delegate for Approval subject to the submission of an acceptable signed unilateral undertaking and 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 18.1227.MB.PL001, and un-numbered drawings, labelled proposed dwelling at Wayborough Hill, Minster, showing proposed block plan, rear and side elevations with, ground floor and first floor plans, and front and side, elevations with roof plan, received 4 July 2019.

GROUND;

To secure the proper development of the area.

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

5 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.

6 All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the 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.

GROUND;

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

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

GROUND;

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

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

The applicant is advised to consult the Environment Agency directly regarding the use of a cess pit. The owner of the premises will need to empty and maintain the cess pit to ensure its long term effectiveness.

A formal application for connection to the water supply is required in order to service this development. Please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire S021 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk.

SITE, LOCATION AND DESCRIPTION

The site is located outside of the urban confines, and consists of a parcel of land comprising a stable and horse paddock. The site sits back from Wayborough Hill and is screened by mature trees and hedges. Access to the site is from Wayborough Hill. To the south of the site is land formerly known as Primrose Cottage on which there appears to be a storage building alongside the boundary. To the west of the site is a further piece of land which appears mainly laid to grass and surrounded by mature trees but this is not shown to be in the same ownership of the application. To the west of the site is open agricultural land.

PROPOSED DEVELOPMENT

The proposed development seeks planning permission to erect a two storey, 3 bedrooled, dwelling following demolition of the existing stables. The footprint of the proposed dwelling would be larger than the previously approved stable conversion. The ridge height of the dwelling would be approximately 6.5 metres and includes a projection to the front, creating an 'L' shaped footprint with the addition of 3 dormer extensions within the roof to provide first floor accommodation. A parking and turning area would be provided to the front of the dwelling with a new gravel drive located alongside the existing gravel access drive that is currently a shared access. The existing access onto Wayborough Hill would remain unaltered.

PLANNING HISTORY

F/TH/18/0672 - Change of use from a stable to a dwelling. Granted 19.10.2018

DEVELOPMENT PLAN POLICIES

Thanet Local Plan Policy (2006) Saved Policies

CC1 - Development in the Countryside (urban and rural confines)

CC2 - Landscape Character Areas

D1 - Design Principles

D2 - Landscaping

H1- Housing

H4 - Windfall Sites

SR5 - Play space

TR12 - Cycling

TR16 - Car Parking Provision

Draft Local Plan

QD03 - Living Conditions

QD04 - Technical Standards

NOTIFICATIONS

Neighbouring residents have been notified, a site notice displayed and an advert placed in the Thanet Extra. One representation has been received raising the following concerns:

I oppose this application as there are many bat's around this area trees and a huge amount of wildlife. I think this will put all of this precious nature at danger.

Minster Parish Council - No objection.

CONSULTEES

Southern Water - The applicant is advised to consult the Environment Agency directly regarding the use of a cess pit. The owner of the premises will need to empty and maintain the cess pit to ensure its long term effectiveness.

The planning application form makes reference to drainage using Sustainable Urban Drainage Systems (SUDS).

Under current legislation and guidance SUDS rely upon facilities which are not adopted by sewerage undertakers. Therefore, the applicant will need to ensure that arrangements exist for the long term maintenance of the SUDS facilities. It is critical that the effectiveness of these systems is maintained in perpetuity. Good management will avoid flooding from the proposed surface water system, which may result in the inundation of the foul sewerage system.

Thus, where a SUDS scheme is to be implemented, the drainage details submitted to the Local Planning Authority should:

- Specify the responsibilities of each party for the implementation for the SUDS scheme
- Specify a timetable for implementation
- Provide a management and maintenance plan for the lifetime for the development.

This should include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme through its lifetime.

Due to changes in legislation that came into force on 1st October 2011 regarding the future ownership of sewers it is possible that a sewer now deemed to be public could be crossing the above property. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and potential means of access before any further works commence on site.

For further advice the applicant is advised to contact Southern Water, Sparrowgrove House Sparrowgrove, Otterbourne, Hampshire S021 2SW (Tel: 0330 3030119), www.southernwater.co.uk or by email at developerservices@southernwater.co.uk.

COMMENTS

This application is brought before the Planning Committee as the proposal represents a departure from Policy H1 of the Thanet Local Plan, as the site is located in the countryside.

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

Principle of Development

The site lies within an area designated as countryside as defined by the Thanet Local Plan and is therefore contrary to Policy H1 of the Thanet Local Plan, which requires that new residential development should be on previously developed land within the urban confines.

However currently the Council does not have a 5 year supply of deliverable housing sites as required by paragraph 11 of the NPPF. For residential development, this means that proposals for housing should be considered in the context of the National Planning Policy Framework's presumption in favour of sustainable development (paragraph 11). This is because local policies (including defined development boundaries) relating to the supply of housing are no longer considered up to date (paragraph 11). Paragraph 11 of the NPPF states that where relevant local policies are out-of-date, planning permission should be granted unless; any adverse impacts of doing so would "significantly and demonstrably" outweigh the benefits, when assessed against the policies of the NPPF taken as a whole; or specific policies in the NPPF indicate development should be restricted.

Policy CC1 of the Thanet Local Plan states that within the countryside, new development will not be permitted unless there is a need for the development that overrides the need to protect the countryside. There is a need for housing within Thanet, however, the need for housing has to be balanced against the impact on the countryside and the sustainability of the site.

Policy CC2 relates to the Landscape Character Area and this site lies within The Former Wantsum North Shore Area where the policy states development will only be permitted that would not damage the setting of the Wantsum Channel and long views of Pegwell Bay, the Wantsum Channel, the adjacent marshes and the sea.

Paragraph 79 of the National Planning Policy Framework states decisions should avoid the development of isolated homes in the countryside unless the development would re-use redundant or disused buildings and enhance its immediate setting.

The site is previously developed land, with the principle of a dwelling having previously been approved in this location through the extant consent for the conversion of the stables. ASs such, it is not considered that the proposed dwelling would appear isolated, and a dwelling in this location has previously been determined as sustainable development. Given this

fallback position, the principle of development is considered to be acceptable subject to the impact upon the countryside and Landscape Character Area being acceptable.

Character and Appearance

The site is a parcel of land comprising a stable and horse paddock. The site sits back from Wayborough Hill and is screened by mature trees and hedges. Access to the site is from Wayborough Hill.

It is proposed to erect a 2-storey dwelling, incorporating rooms within the roof space, following demolition of the existing stable building. The proposed dwelling would be located in the same location as the stable block albeit with a larger footprint. The footprint of the building would extend forwards a further 2 metres from the existing front elevation (towards the access road), and includes a 4.6 metre by 11 metre extension at the northern end, creating an 'L' shaped footprint. A one metre deep, pitched roof, porch would be added to the front elevation with the pitched roof matching the pitches of the dormer extensions and the end projection would be finished with a barn hip roof.

The southern elevation of the proposed dwelling would remain parallel to the rear boundary and include two dormer extensions within the roof. The ridge height of the proposed dwelling would finish at approximately 6.5 metres, which is higher than the existing stable block, but would be at the same height as the dwelling recently approved in the neighbouring site to the north.

Concern is therefore raised with the enlarged size of the dwelling in comparison to the previously approved application, and the potential harm to visual amenity as a result of this enlargement.

The site is fairly well screened from Wayborough Hill and Laundry Road to the west and Way Hill to the east due to the presence of mature trees surrounding the site. It is noted the trees to the east and west of the site and along the boundary within the adjacent site of Dellside to the north and within the land of Primrose Cottage to the south, are protected by a Tree Preservation Order (TH/TPO/6(1991)). Further trees and bushes are present alongside Wayborough Hill and directly to the front of the site but these are not specifically covered by a tree preservation order.

Glimpses of the existing stable block can be seen through existing access and gaps in vegetation from Wayborough Hill but the site is otherwise fairly well screened from Wayborough Hill and wider views. The dwelling now proposed, being taller and wider with a large expanse of roof may be more visible from wider views than the previously approved single storey stable conversion, however, any views of the proposed dwelling that would be glimpsed would be seen in the context of the existing cluster of buildings.

With regards to Thanet Local Plan Policy CC2, the District Landscape Assessment Survey informing the policy recognises the very open landscape comprising few features, the openness of this landscape providing wide and long views of the former Wantsum Channel area and Pegwell Bay. In this instance the site is located in an area comprising a cluster of buildings bounded by mature trees and soft landscaping. With regards to this policy the

proposed development would not in itself intrude into the open landscape and is considered to have no greater material impact on the open character of the area, which Policy CC2 aims to protect, than the existing stable and nearby development. The proposed development therefore accords with this countryside policy.

The previously approved scheme, whilst including contemporary glazing along its front elevation, retained the character and appearance of a low level rural building such as outbuildings and stables. The proposed dwelling by contrast would have a row of 7 rooflights within the front roofslope to provide light to the hall and landing with a dormer window providing light and ventilation to a bedroom. Further dormer windows and two rooflights are shown within the rear roofslope, providing light to bedrooms and en-suite WC/shower rooms. The additional window openings at first floor level, together with associated light emitting from the property would draw attention to this additional built form, however, it is noted that the materials proposed for the external surfaces of the dwelling are timber cladding and slate for the roof, and these are considered to be traditional materials in keeping with development in this rural location.

The proposed dwelling would add larger built form within this countryside location but its visual impact would be limited due to the proposed use of sympathetic natural materials of timber and slate and the existing trees and hedges within and surrounding the site, creating screening of the proposed development. As many of the mature trees screening the site are protected by a Tree Preservation Order any future removal of trees in this location would require consent and any trees removed would require replacement planting. As such the site can be assured the benefit of substantial natural screening into the future.

Given the discrete location of the proposed dwelling together with the traditional materials proposed, it is considered that there would be minimal visual harm to the surrounding countryside. On this basis the need for the proposed development is considered to outweigh the harm to the countryside, and provide a sustainable form of development in keeping with the character and appearance of the area. The proposed development is therefore considered to comply with Policies CC1 and CC2 of the Thanet Local Plan, and paragraphs 79 and 127 of the NPPF.

Living Conditions

With regards to living conditions for future occupiers Policy QD03 of the Council's Draft Local Plan to 2031 requires new development to be of appropriate size and layout with sufficient usable space to facilitate comfortable living conditions and meet the standards set out in policy QD04. The internal space standards referred to in policy QD04 are the National Described Space Standards (March 2015) recognises the Council's belief that everyone has the right to a high standard of residential accommodation with sufficient space to meet their own needs. The draft policy is in line with the aims of paragraph 127 of the National Planning Policy Framework which requires a high standard of amenity for existing and future users. The room sizes within the proposed development would meet the National Described Space Standards.

The dwelling would be located some distance from neighbouring residential occupiers and would have little impact on neighbouring residential amenity. The primary windows are

located to the front and rear elevations and would not result in overlooking or loss of privacy directly facing neighbouring properties.

The extant and current proposals would provide living accommodation within the site with the relationship to the adjacent sites remaining essentially the same. The proposed dwelling would be sited some distance from other dwellings and would therefore not have a detrimental impact upon neighbouring residential occupiers through noise disturbance, overlooking or loss of privacy. With regards to amenity for future occupiers the site has ample space for clothes drying, refuse storage and storage facilities.

The proposal is for a three bedroomed dwelling and as such would be required to provide safe doorstep play space for young children to meet the aims of Local Plan Policy SR5. The site would be able to comfortably provide safe play space to meet the aims of this policy.

It is therefore considered that the living conditions for future occupiers and neighbouring residential occupiers accord with the aims of Thanet Local Plan Policy D1, Draft Local Plan policies QD03 and QD04 and paragraph 127 of the NPPF.

Planning Obligations

Natural England has previously advised that the level of population increase predicted in Thanet should be considered likely to have a significant effect on the interest features for which the Thanet Coast and Sandwich Bay Special Protection Area (SPA) and RAMSAR have been identified. Thanet District Council produced the 'The Strategic Access Management and Monitoring Plan (SAMM)' to deal with these matters, which focuses on the impacts of recreational activities on the Thanet section of the Thanet Coast and Sandwich Bay Special Protection Area (SPA). The studies indicate that recreational disturbance is a potential cause of the decline in bird numbers in the SPA. To enable the Council to be satisfied that proposed residential development will avoid a likely significant effect on the designated sites (due to an increase in recreation) a financial contribution is required for all housing developments to contribute to the district wide mitigation strategy. This mitigation has meant that the Council accords with the Habitat Regulations and an appropriate assessment has been undertaken.

The agent has confirmed the applicant's willingness to sign up to the Unilateral Undertaking which provides the required financial contribution for the residential unit to mitigate the additional recreational pressure on the SPA area, and therefore subject to the submission of a signed unilateral agreement, the impact upon the SPA is considered to be acceptable.

Highway Safety

The site has an existing access which is shared with the neighbouring site. It is proposed to provide a parking and turning area to the front of the dwelling with a new gravel drive located alongside the existing gravel access drive. The existing access onto Wayborough Hill would remain unaltered.

Wayborough Hill is no longer a through road since being closed off at its northern end. The road serves a fairly low number of dwellings and other uses, including the site and its recent

horse stabling activity, and the addition of one dwelling would be unlikely to cause significant harm to the highway network through additional vehicular movements. The site is large enough to provide off street parking and there would be room within the site for the safe storage of bicycles. The impact upon highway safety is therefore considered to be acceptable and in accordance with Policies TR12 and TR16 of the Thanet Local Plan, and the NPPF.

Archaeology

The KCC Heritage Map shows a number of areas of archaeological interest close to the site. The Kent Archaeological Officer has not commented on the current proposal but given the similarities between the two schemes his comments on the previous scheme are still relevant. He commented that the proposed development would be partially built on the footprint of the former stable building together with a new access to the building and notes that there may already be some disturbance to archaeology from the present building. He raises concerns that it is possible that important archaeology will be affected by development groundworks and has recommended a condition to ensure that an appropriate programme of archaeological works is secured to mitigate this impact.

The Archaeological Officer recommends that Historic England be consulted with respect to potential effects of the development on the setting of the Scheduled Monument. The application site contains a stable block with nearby built form and the application site is heavily screened by mature trees from the site containing the Scheduled Monument. The edge of the field containing the Scheduled Monument is approximately 60 metres away from the front edge of the proposed dwelling and further physically separated by the presence of Wayborough Hill running north-south across the entrance to the site. The impact of the proposed dwelling on the setting of the Scheduled Monument is therefore not considered to be significantly different to the existing built form within the site and it was therefore not considered necessary to consult Historic England in this instance.

Other Matters

Way House and Wayborough House and the attached garden wall are Grade II Listed. The stable building is located a considerable distance from the heritage assets and the site is screened by large mature trees and hedges. To the west of the site lies an area defined as 'Ancient Monuments' but this area is located on the far side of Wayborough Hill away from the application site and is not considered to be harmful to the nearby heritage assets.

A representation has been received regarding potential danger to bats and wildlife in the area. As this is a rural location it is likely that there is a fair amount of wildlife present but the stable block to be demolished is in a sound condition and having been recently used for the stabling of horses it is unlikely that bats would be present within this structure. Furthermore, all bat species are protected and, under paragraph 99 of Government Circular (ODPM 06/2005) Biodiversity and Geological Conservation - Statutory Obligations & Their Impact Within the Planning System.

Conclusion

The NPPF states that in the absence of a 5 year housing land supply, that permission should be granted, unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. It is considered that given the discrete location of the development, the existing screening around the site, the presence of extant consent for a dwelling in this location (which is considered to be a sustainable location in relation to Minster village and services), that the social and economic benefits of providing one dwelling would, on balance, outweigh the visual harm to the countryside and surrounding environment in this instance. There are considered to be no concerns in relation to neighbour amenity or highway safety, and the design is considered to be suited to the rural setting of the site. As such the proposed development is considered to comply with Policy CC1 of the Thanet Local Plan and the NPPF.

It is therefore recommended that members defer the application for approval as an acceptable departure to Policy H1 of the Thanet Local Plan, subject to safeguarding conditions and the submission of a signed legal agreement.

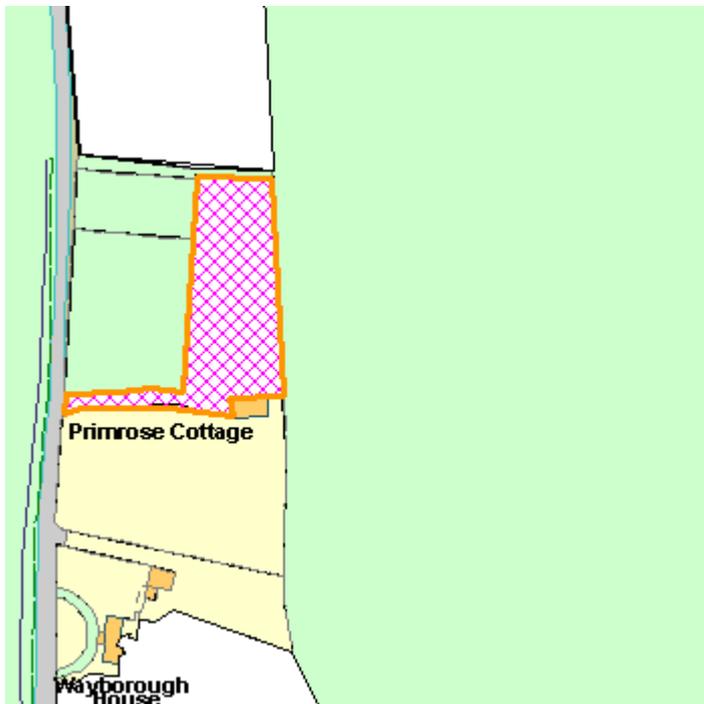
Case Officer

Rosemary Bullivant

Agenda Item 4h

TITLE: F/TH/19/0925

Project Land Adjacent Former Primrose Cottage Wayborough Hill Minster
RAMSGATE Kent



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5 Prior to the first occupation of the development hereby approved visibility splays of 43m x 2.4m x 43m shall be provided to the access on to Millers Lane as shown on the approved plan no3078/04 Rev A with no obstructions over 0.6m above carriageway level within the splays, which shall thereafter be maintained.

GROUND;

In the interest of highway safety.

6 No further alterations to the building, or the erection of garden buildings, or erection of boundary or internal fences or means of enclosure, whether permitted by Classes A, B, C, D, or E of Part One or Class A of Part Two of Schedule 2 to the Town & Country Planning (General Permitted Development) Order 1995 or not, shall be carried out without the prior permission in writing of the District Planning Authority.

GROUND:

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

7 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.

8 Prior to the commencement of development works (including site clearance), details of a precautionary mitigation methodology for protected species shall be submitted to, and approved in writing by, the local planning authority. This will include a walkover survey of the site and details of associated mitigation measures. The approved details shall be implemented in accordance with the methodology.

GROUND:

In order to safeguard protected species that may be present, in accordance with the National Planning Policy Framework.

9 Prior to first occupation, details of how the development will enhance biodiversity will be submitted to, and approved by, the local planning authority. This will include the installation of bat boxes and the planting of native shrub/tree species. The approved details will be implemented and thereafter retained.

GROUND:

In order to safeguard protected species that may be present, in accordance with the National Planning Policy Framework.

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.

For the avoidance of doubt, the provision of contributions to as set out in the unilateral undertaking made on submitted with this planning application, and hereby approved, shall be provided in accordance with The Schedule of the aforementioned deed.

It is the responsibility of developers to have the appropriate waste storage facilities and containers in place prior to the property being occupied. For more information, please contact Waste and Recycling on 01843 577115, or visit our website <http://thanet.gov.uk/your-services/recycling/waste-and-recycling-storage-at-new-developments/new-developments/>

SITE, LOCATION AND DESCRIPTION

The site lies immediately adjacent to the built up village confines of Monkton as defined by the Thanet Local Plan 2006. The site is currently overgrown with trees and bushes and is unused garden land for The Royal Exchange which is a Grade II Listed Building. Whilst The Royal Exchange is a Grade II Listed Building the site does not lie within the Monkton Conservation Area which is located to the south of Monkton Street. The perimeter of the site comprises trees and bushes and there is open agricultural land to the north and west of the site.

PROPOSED DEVELOPMENT

The proposed development seeks planning permission to erect a two storey, 3 bedrooed, detached dwelling and a single storey pitched roof detached garage with vehicular access onto Millers Lane.

PLANNING HISTORY

OL/TH/12/0333 - Erection of a detached dwelling, refused on 28 August 2012 for the following reasons:

1. The application site, which is to be developed, is in the countryside and does not constitute previously developed land and as such the proposed residential development would result in an unsustainable and inappropriate form of development and involve the release of greenfield land, where there is no identified need, contrary to policies CC1 and H1 of the Thanet Local Plan 2006, which seek to protect the countryside from non-essential development and concentrate development on brownfield land at appropriate locations within the confines of existing urban areas and rural settlements.
2. The proposed development, by virtue of its siting and location, would result in the loss of an open space in the countryside and represent an unduly prominent form of development, severely detrimental to the character and appearance of the surrounding area, contrary to

Thanet Local Plan 2006 Policies CC2, D1, South East Plan 2009 Policy BE1 and the National Planning Policy Framework.

3. The proposal fails to demonstrate that the site is capable of providing an access incorporating the necessary visibility splays which are essential in the interests of highway safety. The proposed development will also generate an increase in pedestrian traffic on a highway lacking adequate footways with consequent additional hazards to all users of the road, to the detriment of highway safety, contrary to policy D1 of the Thanet Local Plan 2006 and the National Planning Policy Framework.

OL/TH/06/0383 - Erection of a detached dwelling, refused on 22 May 2006 for the following reason:

The site is outside the built up area boundary of any settlement and, as such, represents an inappropriate form of development within the open countryside, detrimental to the amenities of the rural location, of harm to the Landscape Character Area, and in the opinion of the District Planning Authority there are no circumstances which justify the granting of permission in this case. As such, the proposal is considered to represent an undesirable form of development, contrary policies ENV1 and RS5 of the Kent Structure Plan and policies H1, HNP3, TR1, CC1 and CC2 of the Revised Deposit Draft Thanet Local Plan.'

DEVELOPMENT PLAN POLICIES

Thanet Local Plan Policy (2006) Saved Policies

CC1 - Development in the Countryside (urban and rural confines)

CC2 - Landscape Character Areas

D1 - Design Principles

D2 - Landscaping

H1- Housing

H4 - Windfall Sites

SR5 - Play space

TR12 - Cycling

TR16 - Car Parking Provision

Draft Local Plan to 2031

QD03 - Living Conditions

QD04 - Technical Standards

NOTIFICATIONS

Neighbouring residents have been notified, a site notice displayed and an advert placed in the Thanet Extra. Two representations have been received raising the following concerns:

- There is no ecological survey - there could be great crested newts within the area as there is a large colony of these amphibians at Monkton Nature Reserve at the northern end of Millers Lane.

- Millers Lane has been deemed unfit for HGV access - normal waste collection vehicles are not permitted and smaller ones make a special collection for the residents. How are heavy construction vehicles going to access the site?
- Lack of parking for visitors on the single track road.
- Millers Lane is a single track road without any designated passing places. Any vehicle parked in the lane will block it. There is no indication of how the road will be kept open during the clearance/building periods.
- There is no provision to protect the existing trees, which could well be felled by anyone buying the property, thus harming the local wildlife population.
- The current submission acknowledges the existence of the local bat community (provision of bat boxes) it provides no guarantees that the clearance and building work will only occur in the early spring and autumn months to protect their community.
- Concerns over adequate electricity supply. The six residences in Millers Lane are supplied by overhead lines from two sources. It is questionable that there is capacity for an additional dwelling without significant work.
- Concerns over capacity of any telephone/internet connection.

Monkton Parish Council - Objection on the following grounds:

1. This proposed development is outside of the Village confines.
2. Access to the property is unsuitable and would present a danger to the neighbouring properties using the road.

CONSULTEES

Conservation Officer - The Royal Exchange building is a Grade II listed property located just outside of Monkton Conservation Area in Ramsgate. This application is for the construction of a new dwelling, to the north of the site of the existing listed building.

Under the Listed Buildings and Conservation Areas Act 1990, Section 66 Paragraph 1 it states when considering whether to grant planning permission for development which affects a listed building or its setting, the local authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Additionally Policy HE02 (Draft Thanet Local Plan) Section 8 states appropriate materials and detailing are proposed and the extension would not result in the loss of features that contribute to the character of the conservation area. NPPF Section 16, 185, states Plans should set out a positive strategy for the conservation and enjoyment of the historic

environment, including the desirability of sustaining and enhancing the significance of heritage assets, and putting them to viable uses consistent with their conversion.

This rural site would have represented a sense of openness to the character of the area with the existing building situated at the forefront next to Millers Lane. This location would have been preferable when the dwelling on the site previously functioned as an Inn, offering services to those travelling to and from the surrounding coastline.

In the past it is likely that this property would have stood relatively alone in its location, however through time the town has developed and encroached much closer to the site and the area has become considerably more residential. This is typical of the expansion of smaller towns and should not be considered a detriment to the character of the area or the listed building but perhaps makes it more acceptable to blend further development into the setting where appropriate.

The proposed dwelling has been designed to be sympathetic and reflective of the surrounding character of the area. The proposed is set at a slightly lower level to reduce the level of impact to views of the site and any external materials have been chosen in order to not detract from the nearby listed building, thus becoming subservient.

A large amount of trees and woodland currently occupies the site, right up to close proximity of the listed building. Some of this landscaping is due to be removed in order to accommodate the proposed development however enough is being retained so that the setting of the listed property remains unaffected. Due to this proposed development location behind the landscaping and listed building there is little to no impact to the nearby Monkton Conservation Area.

Overall this proposed development has been designed in a way that is sympathetic to the nearby listed building and does not compete or alter the views of the setting of the existing property. In order to enable this development to take place a currently unmanaged site will be partially cleared improving views of the area and that of the listed building. In my opinion it meets local and national guidance and therefore I do not object to this application.

Kent Highways & Transportation - The splays shown on the plans are as suggested under the previous application and acceptable. Whilst pedestrian access is not ideal this is a low-speed, partly-lit environment with low traffic levels and the proposal for one dwelling is unlikely to add materially to vehicle or pedestrian movements. The distance to the footway network in Monkton Street is also relatively short at around 100 metres. There are no recorded personal injury crashes in the last twenty years in this section of Millers Lane or at the junction with Monkton Street. More recent appeal decisions for similar scale proposals in similar locations also suggest a recommendation for refusal on the lack of a footway is unlikely to be upheld.

Arboricultural Consultant - The photos do not give much information about the trees, and on-line aerial photos & StreetView images are relatively old and appear to pre-date the clearance works recorded in the tree survey. However, none of the trees appear of great individual merit.

- A full assessment of the tree report recommendations is hampered as the RH edge of the tree schedule details (Appendix I) are missing. So the reasons for removal of e.g. G10 (3x Plum) is not clear other than they may be close to the proposed house and their physiological condition is stated as "Decline".
- G14 is identified for removal in the report (para. 5.2), but shown retained on the Tree Retention and Protection plan (partially beneath the footprint of the proposed garage and driveway). It appears only some of them need to be removed.
- The proposed removal of young Elm trees (T's 12, 13 & 18) is reasonable as they are likely to have short useful life expectancies
- The trees along the western boundary of the site (including a group of semi-mature Hawthorn G19, around 6m tall, shown closest to (but outside the RPA of) the house) would screen the new development from the adjacent farmland, and provide a defined boundary feature. However, I'm not sure how visible they are from the public realm; the latest StreetView images (July 2009) show a line of tall trees along Monkton Street, obscuring views of the site.

In summary, the extent of tree removal necessary to implement the proposed development does not appear sufficient to justify refusal on its own. The house is shown close to the hedgerow trees along the western boundary, and there may be pressure to reduce / maintain at a lower height. However, I think it would be difficult to sustain a TPO on these trees.

Kent Biodiversity Officer - (Final Comment)

We have reviewed the updated information in support of this application and advise that sufficient information has been provided to determine the planning application. Therefore, we require no additional information.

Protected Species Current photographs of the site show that the trees are unlikely to support roosting bats because of their relative immaturity. However, the photographs show that the site is more open and supporting more scrub/ruderal vegetation than the aerial imagery suggested upon our original review of the application.

While we take the view that the site is unlikely to support Great Crested Newts and reptiles (due to its poor habitat connectivity), there is potential for species such as badgers and hedgehogs (a priority species under the NERC Act 2006) to be present.

The vegetation on-site appears optimal for breeding birds and, therefore, site clearance works will have to be carried outside the bird breeding season. As such, the timings of works could affect any hibernating hedgehogs which may be present.

As the site is relatively small and isolated, we advise that a suitable precautionary mitigation methodology for protected/priority species is the most pragmatic approach. We advise details of the precautionary mitigation methodology is submitted and secured via an attached condition if planning permission is granted. Suggested wording:

"Prior to commence of development works (including site clearance), details of a precautionary mitigation methodology for protected species will be submitted to, and

approved by, the local planning authority. This will include a walkover survey of the site and details of associated mitigation measures. The approved details will be implemented in accordance with the methodology."

Ecological Enhancement In alignment with paragraph 175 of the National Planning Policy Framework 2019, the implementation of enhancements for biodiversity should be encouraged. The submitted 'Design and Access' statement states that bat boxes will be attached to the new dwelling. We are supportive of this enhancement and would recommend that planting of native species is also included, where possible. As such, we advise that a condition is attached to planning permission, if granted, to secure the implementation of enhancements. Suggested wording:

"Within six months of development works commencing, details of how the development will enhance biodiversity will be submitted to, and approved by, the local planning authority. This will include the installation of bat boxes and the planting of native shrub/tree species. The approved details will be implemented and thereafter retained."

(Initial Comment)

We have reviewed the ecological information submitted in support of this application and we advise that additional information is required prior to determination of the planning application.

The development site is bordered by mature scrub/young woodland but poorly connected to the wider natural landscape. A tree survey has been undertaken but the report does not reference the site's ecology. Although we take the view that site is likely to be relatively low in biodiversity, protected species may be present and, therefore, need consideration in the determination of the planning application.

From the aerial imagery available to us, the development site is unlikely to be utilised by terrestrial protected species, such as Great Crested Newt, due to the poor connectivity and distance from suitable habitat. Therefore, we advise that a general ecological survey is not required at this time.

Bats The arboricultural report references mature trees which may offer potential for roosting bats and biological record data confirm their presence in the area.

All bat species are protected and, under paragraph 99 of Government Circular (ODPM 06/2005) Biodiversity and Geological Conservation - Statutory Obligations & Their Impact Within the Planning System, *"It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted otherwise all relevant material considerations may not have been addressed in making the decision."*

Therefore, we would request that up-to-date photographs of the trees on-site are submitted so an assessment can be made regarding bat roost suitability. If there are suitable roost features on-site, there will likely be need for further surveys prior to determination.

Breeding Bird Informative The trees and scrub present on-site provide opportunities for breeding birds. Any work to vegetation that may provide suitable nesting habitats should be carried out outside of the bird breeding season (March to August) to avoid destroying or damaging bird nests in use or being built. If vegetation needs to be removed during the breeding season, mitigation measures need to be implemented during construction in order to protect breeding birds. This includes examination by an experienced ecologist prior to starting work and if any nesting birds are found, development must cease until after the juveniles have fledged. We suggest the following informative is included with any planning consent:

"The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this Act. Trees and scrub are present on the application site and are to be assumed to contain nesting birds between 1st March and 31st August, unless a recent survey has been undertaken by a competent ecologist and has shown that nesting birds are not present."

Ecological Enhancement In alignment with paragraph 175 of the National Planning Policy Framework 2019, the implementation of enhancements for biodiversity should be encouraged. The submitted 'Design and Access' statement states that bat boxes will be attached to the new dwelling. We are supportive of this enhancement and would recommend that planting of native species is also included, where possible. As such, we advise that a condition is attached to planning permission, if granted, to secure the implementation of enhancements. Suggested wording:

"Prior to the completion of the development hereby approved, details of how the development will enhance biodiversity will be submitted to, and approved by, the local planning authority. This will include the installation of bat boxes and the planting of native shrub/tree species. The approved details will be implemented and thereafter retained."

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

Southern Water supports this stance and seeks through appropriate Planning Conditions to ensure that suitable means of surface water disposal are proposed for each development. It is important that discharge to sewer occurs only where this is necessary and where adequate capacity exists to serve the development. Where it is proposed to connect to a public sewer the prior approval of Southern Water is required.

Natural England - No objection subject to securing appropriate mitigation.

COMMENTS

This application is brought before the Planning Committee as the proposal represents a departure from Policy H1 of the Thanet Local Plan, as the site is located in the countryside.

The main issues raised by this proposal are the effect of the proposal upon the character and appearance of the surrounding area and the adjacent Listed Building as a heritage asset, the impact upon the living conditions of the occupiers of nearby residential properties and whether there is a need for the development that overrides the need to protect the countryside.

Principle of Development

The site lies within an area designated as countryside as defined by the Thanet Local Plan and is therefore contrary to Policy H1 of the Thanet Local Plan, which requires that new residential development should be on previously developed land within the urban confines.

However currently the Council does not have a 5 year supply of deliverable housing sites as required by paragraph 11 of the NPPF. For residential development, this means that proposals for housing should be considered in the context of the National Planning Policy Framework's presumption in favour of sustainable development (paragraph 11). This is because local policies (including defined development boundaries) relating to the supply of housing are no longer considered up to date (paragraph 11). Paragraph 11 of the NPPF states that where relevant local policies are out-of-date, planning permission should be granted unless; any adverse impacts of doing so would "significantly and demonstrably" outweigh the benefits, when assessed against the policies of the NPPF taken as a whole; or specific policies in the NPPF indicate development should be restricted.

Policy CC1 of the Thanet Local Plan states that within the countryside, new development will not be permitted unless there is a need for the development that overrides the need to protect the countryside. There is a need for housing within Thanet, however, the need for housing has to be balanced against the impact on the countryside and the sustainability of the site.

Policy CC2 relates to the Landscape Character Area and this site lies within The Former Wantsum North Shore Area where the policy states development will only be permitted that would not damage the setting of the Wantsum Channel and long views of Pegwell Bay, the Wantsum Channel, the adjacent marshes and the sea.

Paragraph 79 of the National Planning Policy Framework states decisions should avoid the development of isolated homes in the countryside unless the development would re-use redundant or disused buildings and enhance its immediate setting.

Recent Planning Inspector Appeals upheld for housing development within the countryside (Erection of a two-storey dwelling on land adjacent to 151 Monkton Road, Minster (F/TH/16/0788 - Appeal Ref APP/Z2260/W/16/3162744) determined 31 March 2017 and Erection of 36 dwellings with construction of new access from Monkton Road (OL/TH/16/0654 - Appeal Ref: APP/Z2260/W/16/3164748) determined 3 April 2017) found the sites to be sustainably located.

In this instance the application site lies immediately adjacent to the village confines of Monkton. Properties directly opposite, to the east of Millers Lane, including Nos 1 to 4

Millers Lane are inside the village confines with the boundary continuing along the rear gardens of properties in Parsonage Fields.

The location of this site, close to the built confines and close to a range of services and facilities, with access to public transport, is considered to be a sustainable location, taking account of the criteria within the comments of the Planning Inspector in the recent appeal decisions referred to above.

The principle of development is therefore considered to be acceptable subject to the impact upon the countryside and Landscape Character Area being acceptable, along with the sustainability of the development.

Character and Appearance

The site lies immediately adjacent to the built up village confines of Monkton as defined by the Thanet Local Plan 2006, with the boundary located along Millers Lane to the front of the site, and consequently in the countryside for planning policy purposes. Properties to the east of Millers Lane, including Nos 1 to 4 Millers Lane, are inside the village confines with the boundary continuing along the rear gardens of properties in Parsonage Fields. Development within the village is mostly linear street frontage development with the occasional sporadic development such the two storey detached property, Whitelands, located on the opposite corner to the south and The Royal Exchange.

The site forms the garden area to The Royal Exchange but is currently overgrown and not in use as a garden. The triangular parcel of land is bounded by trees and bushes and fronts Millers Lane and would be severed from The Royal Exchange. The site is on the edge of the built development with open agricultural land to the north and west of the site. The proposed development would comprise a two storey detached dwelling with a detached single storey pitched roof garage with a new vehicular access onto Millers Lane. The design of the dwelling has been amended since its initial submission and reduced in scale in order that the building can sit more comfortably within the site away from the rear boundary and maintain a set back from the highway. The front elevation of the dwelling would be set back between 4.5 and 6.5 metres from the highway and this would be in keeping with the properties opposite and properties fronting Monkton Street to the south which are set back approximately 7 metres.

The tree and hedge lined boundary to the west forms a natural boundary to the edge of the built form of the village. The erection of a dwelling on this site would be seen in the context of the existing group of properties opposite, when viewed from the south from Monkton Street. Longer views of the dwelling, from the Canterbury Road (A253) to the north, (over 170 metres away) would be partially screened by the boundary trees and any glimpses of the dwelling would be viewed in the context of existing built form.

The applicant has provided a drawing showing comparative roof levels between The Royal Exchange, the proposed dwelling and Nos 3 and 4 Millers Lane. Due to the changes in land levels, indicated on the Block Plan, the ridge of the proposed dwelling would be no higher than The Royal Exchange and would be significantly lower than Nos 3 and 4 opposite. It is proposed to render the external surfaces of the dwelling and this would complement the

white painted brickwork of The Royal Exchange. The roof would be finished with plain red tiles to match the Kent Peg tiles on the listed building. The detached garage would be finished in red stock brickwork with red coloured plain tiles. Precise details of the materials to be used are to be submitted for approval but generally the materials and finish proposed would not appear out of keeping with other properties in the area where there is a mix of finish types.

With regards to Thanet Local Plan Policy CC2, the District Landscape Assessment Survey informing the policy recognises the very open landscape comprising few features, the openness of this landscape providing wide and long views of the former Wantsum Channel area and Pegwell Bay. In this instance the site is mostly screened by trees and hedges and is located opposite built development. With regards to this policy the proposed dwelling would not in itself intrude into the open landscape and is considered to have no greater material impact on the open character of the area, that Policy CC2 aims to protect, than the existing stable and nearby development. The development therefore accords with this countryside policy.

Given the fairly discrete location of the proposed development, together with the use of materials respecting those used in the vicinity, it is considered that there would be minimal visual harm to the surrounding countryside. On this basis the need for the proposed development is considered to outweigh the harm to the countryside, and provide a sustainable form of development in keeping with the character and appearance of the area. The proposed development is therefore considered to comply with Policies D1 and CC1 of the Thanet Local Plan, and paragraphs 79 and 127 of the NPPF.

Impact on Heritage Assets

The determination of the previous Outline planning application (OL/TH/12/0333) considered that the heavily wooded land to the north did not contribute significantly to the historic context of The Royal Exchange from when it was an inn and staging post for horse-drawn coaches and therefore the application was not refused for any reason relating to the setting of the listed building.

Conservation Officer comments for the current proposal concurs with this view advising it is likely that this property would have historically stood relatively alone in its location, however over time the village has developed and encroached closer to the site and the area has become considerably more residential. This village expansion should not be considered detrimental to the character of the area or the listed building but perhaps makes it more acceptable to blend further development into the setting where appropriate.

It is further noted that the proposed dwelling 'has been designed to be sympathetic and reflective of the surrounding character of the area. The proposal is set at a slightly lower level to reduce the level of impact to views of the site and any external materials have been chosen in order to not detract from the nearby listed building, thus becoming subservient.'

Furthermore due to the siting of the proposed dwelling, more than 40 metres from the listed building, and screened behind landscaping there would be little to no impact to the setting of the listed building or the nearby Monkton Conservation Area. It is also noted that improved

management of the overgrown site would improve views of the listed building and of the area overall. As such the proposed development would not be harmful to the setting of the listed building or the wider character and appearance of the area, including the nearby Conservation Area, and the proposal is therefore in line with the aims of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the NPPF.

Living Conditions

With regards to living conditions for future occupiers Policy QD03 of the Council's Draft Local Plan to 2031 requires new development to be of appropriate size and layout with sufficient usable space to facilitate comfortable living conditions and meet the standards set out in policy QD04. The internal space standards referred to in policy QD04 are the National Described Space Standards (March 2015) recognises the Council's belief that everyone has the right to a high standard of residential accommodation with sufficient space to meet their own needs. The draft policy is in line with the aims of paragraph 127 of the National Planning Policy Framework which requires a high standard of amenity for existing and future users. The room sizes within the proposed development would meet the National Described Space Standards.

The proposed dwelling would be located approximately 20m away from the front elevations of nearby residential properties and would therefore have little impact upon neighbouring residential amenity with regards to loss of outlook. The primary windows are located to the front and rear elevations and would not result in significant overlooking or loss of privacy given the distance, and presence of boundary trees.

With regards to amenity for future occupiers the site has ample space for clothes drying, refuse storage and storage facilities.

The proposal is for a three bedroomed dwelling and as such would be required to provide safe doorstep play space for young children to meet the aims of Local Plan Policy SR5. The site would be able to comfortably provide safe play space to meet the aims of this policy.

It is therefore considered that the living conditions for future occupiers and neighbouring residential occupiers accord with the aims of Thanet Local Plan Policy D1, Draft Local Plan policies QD03 and QD04 and paragraph 127 of the NPPF.

Planning Obligations

Natural England has previously advised that the level of population increase predicted in Thanet should be considered likely to have a significant effect on the interest features for which the Thanet Coast and Sandwich Bay Special Protection Area (SPA) and RAMSAR have been identified. Thanet District Council produced the 'The Strategic Access Management and Monitoring Plan (SAMM)' to deal with these matters, which focuses on the impacts of recreational activities on the Thanet section of the Thanet Coast and Sandwich Bay Special Protection Area (SPA). The studies indicate that recreational disturbance is a potential cause of the decline in bird numbers in the SPA. To enable the Council to be satisfied that proposed residential development will avoid a likely significant effect on the designated sites (due to an increase in recreation) a financial contribution is required for all

housing developments to contribute to the district wide mitigation strategy. This mitigation has meant that the Council accords with the Habitat Regulations and an appropriate assessment has been undertaken.

The agent has confirmed the applicant's willingness to sign up to the Unilateral Undertaking which provides the required financial contribution for the residential unit to mitigate the additional recreational pressure on the SPA area, and therefore subject to the submission of a signed unilateral agreement, the impact upon the SPA is considered to be acceptable.

Transportation

The 2012 Outline application (OL/TH/12/0333) was refused for failing to demonstrate the site was capable of providing an access incorporating the necessary visibility splays essential for highway safety. The current proposal includes details of 43 metre by 43 metre visibility splays which is considered acceptable. Kent Highways advise that 'whilst pedestrian access is not ideal this is a low-speed, partly-lit environment with low traffic levels and the proposal for one dwelling is unlikely to add materially to vehicle or pedestrian movements.' They also comment on the short distance to the footway network in Monkton Street and that 'there are no recorded personal injury crashes in the last twenty years in this section of Millers Lane or at the junction with Monkton Street.'

The proposal provides two off-street parking spaces for the dwelling in front of the garage. The 'vision splays' drawing (3078/04) indicates the hedges to the front boundary would be cut back and low level shrubs would be maintained below 1 metre in height which would adequately maintain visibility from the new access.

Whilst concerns have been raised over the narrowness of Millers Lane and potential congestion there is ample on street parking availability within nearby Monkton Street and the proposal provides off-street parking within the site which meets the requirements of KCC Highways. The addition of one dwelling would therefore be unlikely to cause significant harm to the highway network from the additional vehicular movements. There is room within the site for the safe storage of bicycles. The impact upon highway safety is therefore considered to be acceptable and in accordance with Policies TR12 and TR16 of the Thanet Local Plan, and the NPPF.

Biodiversity

Concern has been raised over potential harm to local wildlife due to the sites proximity to the Monkton Nature Reserve, loss of existing trees and potential harm to the local bat community.

The site is undeveloped and Kent County Council's Biodiversity Officer has been consulted regarding the development of the site. Following their initial feedback the applicant has provided an ecological assessment and this has been reviewed by KCC, who conclude the the site is unlikely to support Great Crested Newts and reptiles (due to its poor habitat connectivity), although there is potential for species such as badgers and hedgehogs to be present. They also advise vegetation on-site appears optimal for breeding birds and,

therefore, site clearance works will have to be carried outside the bird breeding season. As such, the timings of works could affect any hibernating hedgehogs which may be present.

They advise that as the site is relatively small and isolated, a suitable precautionary mitigation methodology for protected/priority species is the most pragmatic approach and have requested a condition for details of a precautionary mitigation methodology to be submitted.

With regards to enhancing biodiversity they note the applicant's Design and Access statement states that bat boxes will be attached to the new dwelling, which they support, and it is further recommended that native shrub/tree species are provided to further enhance biodiversity.

Two planning conditions, mentioned above, have been advised by Kent Biodiversity to ensure the mitigation measures mentioned above are carried out along with the development in order to safeguard protected species that may be present, and that the enhanced biodiversity measures are carried out in accordance with the National Planning Policy Framework. Subject to these safeguarding conditions the impact upon biodiversity is considered to be acceptable.

Other Matters

Concerns raised regarding electricity supply and capacity for telephone/internet connection are not matters considered through the planning application.

Southern Water raise no objections but advise a formal application be made by the applicant or development for connection to the public sewer system in order that the development can be serviced.

According to the KCC Heritage Map there are no archaeological features of interest close to the site, and as such no archaeology conditions are considered to be necessary.

Conclusion

The NPPF states that in the absence of a 5 year housing land supply, that permission should be granted, unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. It is considered that given the location of the development, immediately adjacent to the built confines of the village, which is considered to be a sustainable location in relation to Monkton and Minster village and services, that the social and economic benefits of providing one dwelling would, on balance, outweigh the visual harm to the countryside and surrounding environment in this instance. There are considered to be no concerns in relation to neighbour amenity or highway safety, and the design is considered to be suited to the rural setting of the site and the adjacent listed building. As such the proposed development is considered to comply with Policy CC1 of the Thanet Local Plan and the NPPF.

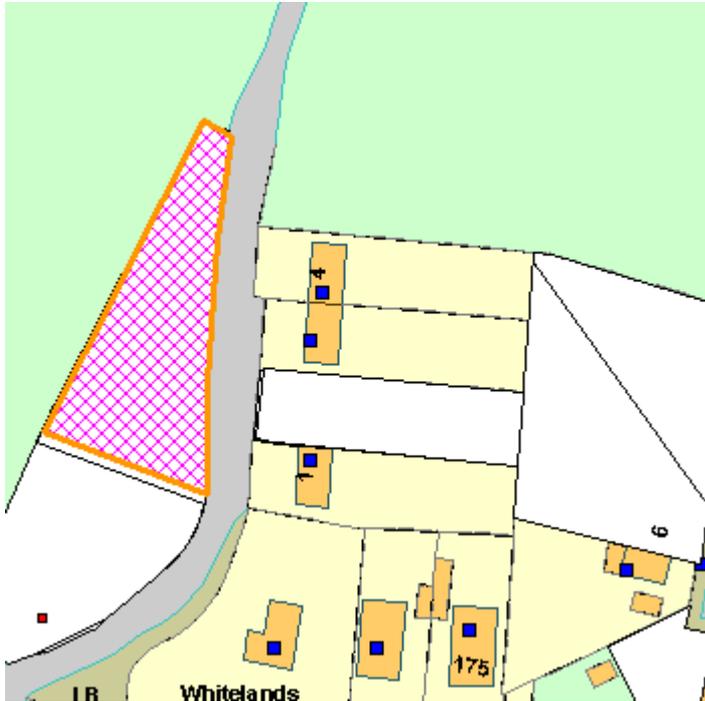
It is therefore recommended that members defer the application for approval as an acceptable departure to Policy H1 of the Thanet Local Plan, subject to safeguarding conditions and the submission of a signed legal agreement.

Case Officer

Rosemary Bullivant

TITLE: F/TH/19/0251

Project Royal Exchange Millers Lane Monkton RAMSGATE Kent



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