

A02

F/TH/17/0344

PROPOSAL: Retrospective application for erection of 3No. dwellings with associated parking

LOCATION: Land Adjacent Brooksend Lodge Canterbury Road
BIRCHINGTON Kent CT7 0JW

WARD: Thanet Villages

AGENT: Mrs Jane Scott

APPLICANT: Mrs M Montgomery

RECOMMENDATION: Approve

Subject to the following conditions:

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

GROUND:

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

2 The development hereby approved shall be carried out in accordance with the submitted drawing numbered 17/231/JG/PL01 Rev B, received 08 March 2017, and plan numbered 17/231/JG/PL02 Rev C, received 16 March 2017.

GROUND:

To secure the proper development of the area.

3 No further alterations to the building, or the erection of garden buildings or the installation of satellite antennae, or erection of boundary or internal fences or means of enclosure, whether approved by 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.

4 Prior to the first occupation of the development, the area shown on plan numbered 17/231/JG/PL02 Rev C for the parking and manouvering of vehicles shall be operational prior to any part of the development hereby approved being brought into use. The area approved shall thereafter be maintained for that purpose.

GROUND:

Development without adequate provision for the parking or turning of cars is likely to lead to parking inconvenient to other road users and detrimental to amenity and in pursuance of policy D1 of the Thanet Local Plan.

5 All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the first occupation of any part of the development, or in accordance with a programme of works to be agreed in writing with the Local Planning Authority. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size and species, unless the Local Planning Authority gives any written consent to any variation.

GROUND:

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

6 The development hereby permitted shall be constructed using slate, pre-treated softwood feather edge cladding planks with natural oak stain, and pre-treated softwood external windows and doors with classic heritage oak.

GROUND:

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

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

GROUND:

To ensure that the proposed development will not cause harm to human health or pollution of the environment, in accordance with the advice contained within the National Planning Policy Framework.

SITE, LOCATION AND DESCRIPTION

The site is located outside of the urban confines, on the edge of Birchington, and is accessed from Canterbury Road. The site has previously been in agricultural use for a mix of grazing and horticulture. Adjacent to the western boundary of the site is Brooksend Lodge, a 2-storey residential dwelling. Immediately to the east and south of the site is agricultural land, but a further 7no. residential dwellings and a petrol station are located within close proximity of the eastern boundary of the site, at the bottom of the hill leading into Birchington.

RELEVANT PLANNING HISTORY

F/TH/94/0057 - CHANGE OF USE TO FARM SHOP WITH RETAILING OF ANIMAL FEEDS AND LOCALLY PRODUCED CRAFT PRODUCTS - Refused

Prior Notification for the change of use of agricultural building to 3no. dwellings - Prior Approval Not Required

PROPOSED DEVELOPMENT

It has previously been determined that prior approval for the conversion of the existing agricultural buildings to 3no. dwellings was not required, however, during further visits to the site following the commencement of construction works it was determined that the works did not constitute conversion works, and instead constituted new development.

The proposal is therefore for the erection of 3no. 3-bedroom single storey dwellings, with associated gardens and parking for 6no. vehicles, and utilising the existing site access. The new development is of the same footprint, height and scale as the previously existing building, with the main changes being to the design and materials. The buildings have been constructed in block, with a brickwork base and slate roof, and are to be clad with timber cladding, with the windows to be timber double glazed units.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan 2006

CC1 - Impact on Countryside

H1 - Housing

D1 - Design

TR12 - Cycle parking

TR16 - Proposed parking

NOTIFICATIONS

Neighbouring occupiers have been notified and site notice posted. No letters of objection have been received.

Monkton Parish Council - No comment received.

CONSULTATIONS

KCC Highways and Transportation - The site has an existing access, with an already consented use. It is unlikely that the proposal for 3 new dwellings will result in a notable increase in movements compared to the existing approved use and as such the highway authority (HA) would not raise any concerns in relation to safety on the public highway.

I confirm that subject to safeguarding conditions I would raise no objection on behalf of the local highway authority.

Environmental Health - Given that this application is for new residential properties and the potential for historic contaminants from the former agricultural use of the site, I would request conditions be added to safeguard the development and ensure appropriate remediation is undertaken to render the site suitable for its intended use.

COMMENTS

The application is brought before members as the site lies outside of the urban confines, and is therefore a departure to Policy H1 of the Thanet Local Plan.

Principle

The proposal would represent development on land outside of the urban confines, which would be contrary to Policy H1 of the Thanet Local Plan; however this needs to be considered having regard to the fact that there is a current need for housing in Thanet and, on this basis, the National Planning Policy Framework (NPPF) requires that applications for housing should be considered in the context of the presumption in favour of sustainable development.

Whilst the site lies outside of the urban confines, it is accessed off a main through road, with good access into Birchington as well as out of the Thanet. There is a footpath outside of the property that leads directly to the local centre of Birchington, which is approximately 1 mile from the site. Within closer walking distance (approximately 200m) is a petrol station with shop, and within approximately 800m walking distance is another petrol station, two shops, a café and the local primary school. A bus stop also lies within 140m of the site, which provides links with Canterbury, and on the opposite side of the road is the bus stop that would allow for links with Birchington and Margate. The buses along this route are also extremely frequent given that this is the main bus route between Thanet and Canterbury. For a site falling outside of the urban confines the site is quite well connected to public transport, schools and facilities, all of which contribute to the sustainability of the development.

Whilst the proposal is for new build, the site is previously developed land, and parts of the brickwork from the existing buildings have been retained, which contributes in a small part to the sustainability of the development.

On the basis of the points above, when weighed against the need for housing, the proposal could be viewed as an acceptable departure to Policy H1 of the Thanet Local Plan, and

consistent with the principles of the NPPF, subject to the consideration of other material considerations, such as the impact upon the countryside and character and appearance of an area, and the impacts upon the highway network being considered acceptable.

Impact upon Countryside

Policy CC1 of the Thanet Local Plan states that development is only considered to be acceptable where the need for the development outweighs the need to protect the countryside.

There is a need for housing, and the site is previously developed land. The previous buildings on the site were agricultural glasshouses with some brickwork at lower levels and glazed areas above with some metal cladding. The agent has advised that the proposed development is of the same footprint and dimensions as the original buildings. As such the visual impact is dependent upon the design and materials of the proposed development, along with the residential use of the site and the impact this would have upon the character of the area.

The proposed development has been partially constructed using blocks and brick, and a slate roof. The applicant intends to clad the buildings with traditional timber cladding, and the windows are also to be constructed of timber. It is considered that the design and materials are in keeping with the rural traditional character of the area, with a barn style appearance that would be in keeping with the countryside location of the development.

The development is also setback from the road, with the area of land to the front and rear of the site to remain in agricultural use. Low post and rail fences are proposed to enclose the private garden areas to the dwellings, along with hedges, which will limit the visual impact of the development and the residential use of the site.

The size, layout and general design of the building is similar to the original building, and the materials and boundary treatment are in keeping with the rural location and appearance of the site, the impact of the proposed development upon the countryside. Therefore in this specific instance the character and appearance of the area, is considered to be acceptable.

Living Conditions

The closest neighbouring property is Brooksend Lodge, which is 24m from the proposed development. There will be no impact upon light or outlook, and the proposed development is single storey, so there will be no loss of privacy. Whilst there may be some increased noise and disturbance from both the use of the site and the access, the provision of only three units, along with the distance, is not likely to result in a significant impact upon the living conditions of the neighbouring occupiers. As such the impact upon the neighbouring living conditions is considered to be acceptable.

With regards to the living conditions of future occupiers, each of the properties are provided with a small garden, in accordance with Policy SR5 of the Thanet Local Plan, and there is adequate external space for refuse storage and clothes drying facilities. The impact upon the living conditions of future occupiers is therefore considered to be acceptable.

Transportation

The proposal provides for 2.no parking spaces per 3-bed dwelling, with turning within the site. The site is accessed via an existing access road that has good visibility for both pedestrians and vehicles.

As previously stated, there is also a footpath outside of the property that leads directly to the local centre of Birchington, which is approximately 1 mile from the site, and within closer walking distance (approximately 200m) is a petrol station with shop, and within approximately 800m walking distance is another petrol station, two shops, a café and the local primary school. A bus stop also lies within 140m of the site, which provides links with Canterbury, and on the opposite side of the road is the bus stop that would allow for links with Birchington and Margate.

KCC Highways and Transportation have been consulted and have advised that it is unlikely that the proposal for 3 new dwellings will result in a notable increase in movements compared to the existing approved use and as such the highway authority (HA) would not raise any concerns in relation to safety on the public highway.

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

Conclusion

Whilst the site lies outside of the urban confines, and is contrary to Policy H1 of the Thanet Local Plan, there is a need for housing within the district, and the site is previously developed land with a proposed development that does not exceed the footprint or scale of the original buildings, and is of a design and materials in keeping with the rural character of the area. The site also has good access to public transport and facilities, and there is considered to be no impact upon neighbouring living conditions or highway safety. It is therefore recommended that members approve the application as an acceptable departure to Policy H1 of the Thanet Local Plan.

TITLE:

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Project

Land Adjacent Brooksend Lodge Canterbury Road BIRCHINGTON Kent
CT7 0JW

