

**A04**

**OL/TH/17/0305**

PROPOSAL: Outline application for the erection of 2No. semi-detached two storey dwellings, with alteration to existing access, including layout and access

LOCATION: Land Rear Of Ashbre Manor Road St Nicholas At Wade BIRCHINGTON Kent

WARD: Thanet Villages

AGENT: Mrs Jane Scott

APPLICANT: Mr & Mrs G Bailey

RECOMMENDATION: Approve

Subject to the following conditions:

1 Approval of the details of the scale and appearance of any buildings to be erected, and the landscaping of the site, (hereinafter called 'the reserved matters') shall be obtained from the Local Planning Authority in writing before any development is commenced.

GROUND:  
As no such details have been submitted.

2 Plans and particulars of the reserved matters referred to in Condition 1 above, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.

GROUND:  
In accordance with Section 92(2) of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

3 Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this permission.

GROUND:  
In accordance with Section 92(2) of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

4 The development hereby permitted shall be begun before the expiration of 2 years from the date of approval of the last of the reserved matters to be approved.

GROUND:  
In accordance with Section 92(2) of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

5 Prior to the first use of the development hereby permitted, the means of access as shown on drawings numbered 2757-SK01E and 706/201, shall be provided and thereafter maintained.

GROUND:

In the interests of Highway Safety.

6 Details to be submitted pursuant of Condition 1 above shall include a bound surface material for the first 5m of the access from the edge of the highway.

GROUND:

In the interests of highway safety.

7 Prior to the first occupation of the development hereby permitted, the approved visibility splays as shown on plans numbered 706/202 and 706/201, received 01 March 2017, shall be provided with no obstructions over 0.9m above carriageway level. The approved splays shall thereafter be implemented in full and maintained.

GROUND:

In the interests of highway safety.

8 Prior to the first occupation of the development hereby permitted, the refuse storage facilities and refuse storage collection point, as shown on the approved plan numbered 2757-SK01E, shall be provided and thereafter maintained.

GROUND:

To secure a satisfactory standard of development and in the interests of the amenities of the area, in accordance with Policy D1 of the Thanet Local Plan.

9 Prior to the first occupation of the development, the area shown on plan numbered 2757-SK01E for the parking and manoeuvring of vehicles shall be operational prior to any part of the development hereby approved being brought into use. The area approved shall thereafter be maintained for that purpose.

GROUND:

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

10 The development hereby approved shall be carried out in accordance with the submitted plans numbered 2757-SK01E, 706/201, and 706/202, received 01 March 2017.

GROUND:

To secure the proper development of the area.

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

A formal application for connection to the public sewerage system is required in order to service this development. Please contact Southern Water, Southern House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or [www.southernwater.co.uk](http://www.southernwater.co.uk).

### SITE, LOCATION AND DESCRIPTION

The site consists of an open maintained garden area that is used by Ashbre, a detached bungalow. The application site is to the rear of Ashbre, and is served by an independent vehicular access onto Manor Road, which runs along the south eastern boundary of Ashbre. The site was previously used as an orchard, but is now utilised as additional garden land for Ashbre, which is used for storage etc,. The site is enclosed on all sides by a hedge.

To the southern and eastern side of the application site is countryside. To the western side is the rear garden of Queensland, another detached bungalow. Opposite the site are pairs of semi-detached dwellings within spacious plots. The surrounding area is characterised by a mix of detached and semi-detached dwellings, with some terraced, and there is a mix of single storey and 2-storey dwellings.

### RELEVANT PLANNING HISTORY

There is no relevant planning history for the application site, but there is planning history for the adjoining site (which forms part of the same allocated housing site), which has received planning approval for 17no. dwellings (F/TH/15/0770) for part of the site, and has a resolution for approval by committee for 39.no dwellings (F/TH/15/1204) for the other part of the site.

### PROPOSED DEVELOPMENT

The application is in outline form, with consideration of access and layout. The proposal is for 2no. semi-detached dwellings, to be served off an existing access onto Manor Road. Five parking spaces are proposed in the form of 2no. space per dwelling and one visitor parking space. Turning provision is provided to the front of the proposed dwellings, and gardens to the rear of each dwelling.

## DEVELOPMENT PLAN POLICIES

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

CC1 - Impact on Countryside  
CC2 - Landscape Character Area  
H1 - Housing  
D1 - Design  
TR12 - Cycle Parking  
TR16 - Parking Provision  
SR5 - Play Provision  
HE11 - Archaeological Assessment  
HE12 - Archaeological Sites and Preservation

## NOTIFICATIONS

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

St.Nicholas Parish Council - Councillors considered this application at last night's Parish Council meeting and objected to them. They felt that the plans involved an over development in the rear garden of the existing house and were concerned that the vehicular access plans were inadequate.

## CONSULTATIONS

KCC Highways and Transportation - It would appear that this development proposal does not meet the criteria to warrant involvement from the Highway Authority in accordance with the current consultation protocol arrangements.

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

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

Part H3 of the Building Regulations prioritises the means of surface water disposal in the order

- a Adequate soakaway or infiltration system
- b Water course
- c Where neither of the above is practicable sewer

Southern Water supports this stance and seeks through appropriate Planning Conditions to ensure that appropriate 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. When it is proposed to connect to a public sewer the prior approval of Southern Water is required.

## COMMENTS

The application is brought before members as a departure to Thanet Local Plan Policy H1.

### **Principle**

The site is non-previously developed land and falls outside of the urban confines, and is therefore contrary to Policy H1 of the Thanet Local Plan that states that new residential development shall be on previously developed land within the urban confines. 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'.

There is a current need for housing within Thanet. The NPPF states in para 49 that housing application should be considered in the context of the presumption in favour of sustainable development. In determining whether the development of the site is 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 site is allocated for residential development at rural settlements under Policy H04 of the Emerging Local Plan, with the village confines to be extended to include the application site and surrounding land. Currently the Local Planning Authority cannot demonstrate a 5 year supply of housing, and therefore all applications for residential development must be considered on their own merits. Whilst the application site would be a departure to current Local Plan Policy H1, the direction of travel of the new Policy document to allocate the site for housing development has some weight in decision-making to support a proposal for housing development on the site. The site also forms part of a much larger allocation site for housing for a total of 50 units. Part of the larger allocation site has already had planning permission granted for 17no. dwellings, and the other part is resolved to be approved for 39no. dwellings, subject to the submission of a legal agreement. The approval of the adjoining site for residential development is a material consideration, and sets a precedent for the principle of the development as sustainable development being accepted in this location.

### **Character and Appearance**

The application is in outline form, with consideration to be given to the access and layout of the proposed development. The proposal is for the erection of 2no. semi-detached dwellings with 5no. parking spaces and a turning head.

The application site is to the rear of Ashbre, but is separated off from the property with a separate boundary around the site. The land is well maintained and was previously an orchard, but is now used as an additional garden to the property for storage etc. The land is served by a separate vehicular access, which runs along the south eastern boundary of Ashbre.

The proposal consists of backland development, which would normally be considered out of keeping with the surrounding pattern of development. However, one application has recently

been approved and another application resolved to be approved for residential development on the two adjoining sites, all of which form part of the larger allocated housing site within the Draft Local Plan. Should these sites be delivered, as expected, the proposed development the subject of this application would be located centrally within the overall housing development. This would reduce the visual impact of the development, and see it forming part of a larger comprehensive development. There is also an existing vehicular access to the site, which has always been separate from Ashbre, and therefore the visual impact of the development when viewed from the road to the front of Ashbre would remain mostly unchanged.

In terms of the plot size, the proposed layout plan shows that there is adequate space provided to the side, front and rear of the plot to enable a spacious setting around the development to be maintained. There are a variety of plot sizes in the surrounding area, so the size of plots as proposed is not considered to be out of keeping with the surrounding pattern of development. The semi-detached nature of the proposed development is also in keeping with the form of surrounding development. Whilst there are many detached properties in the area, there are semi-detached properties opposite the site and further north along Manor Road. The form of development is therefore considered to be acceptable.

A plan showing the relationship of the proposed development with the neighbouring adjacent development has been submitted. The plan shows that there would be adequate separation distance between the proposed dwellings and the adjacent development, along with similar building lines, and the semi-detached nature of the proposed development would appear in keeping with the form of development on the adjacent development site. It is therefore considered that the proposed development would not compromise the delivery of development on the adjacent site.

Scale and appearance is not a matter for consideration, however, illustrative elevation plans have been submitted that show the dwellings at 2-storey. The provision of 2-storey dwellings would be acceptable if surrounded by the approved development, as there would be very limited visibility of the dwellings; however, if the surrounding development were not constructed then it is considered the proposed development should be single storey in height or of a chalet bungalow design, which would be better related to the existing bungalow Ashbre, which is to the front of the site; and in order to reduce any visual impact upon the countryside, and retain the rural character of the area. The height of the development considered to be acceptable is therefore dependant upon the timing of the reserved matters application in relation to the construction of the adjoining development.

No trees are being removed as a result of the proposed development other than small fruit trees, and there is plenty of space for new tree planting, details of which would form part of a future reserved matters application.

The impact upon the character and appearance of the area is considered to be acceptable.

### **Living Conditions**

The neighbouring occupiers mostly affected would be the occupants of Ashbre and the future occupants of the recently approved development on the adjacent site. Given the

distance to any neighbouring or future property, the impact upon light and outlook is considered to be acceptable.

In terms of overlooking, an assessment of the full impact is not possible until the scale and appearance, and the internal layout of the dwellings, is understood. However, there would be a minimum distance of at least 21m between the front window in the proposed dwelling and the rear elevation of Ashbre, and given the orientation of the proposed dwellings, which is away from the rear garden of Ashbre and towards the side access road, the impact upon the privacy of the occupiers of Ashbre is unlikely to be significant.

The impact upon the future occupiers of the surrounding development is also unlikely to be significant given the distances proposed.

There would be increased noise and disturbance for the occupiers of Ashbre due to the intensified use of the vehicular access, however, the access would only serve two units and therefore the number of vehicle movements is likely to be minimal. There is also a distance of more than 5m between the access and the side elevation of Ashbre, so the impact is unlikely to be significant.

Doorstep play space has been provided for the proposed dwellings, in accordance with Policy SR5 of the Thanet Local Plan, and space for refuse storage and refuse collection has been clearly identified upon the plan.

The impact upon the living conditions of both existing neighbouring properties and the occupiers of the future development is therefore considered to be acceptable.

## **Transportation**

The vehicular access is existing, and given the number of units proposed, the number of vehicle movements will be minimal and will not affect highway safety.

Adequate visibility splays of 2.4m by 43m are achievable at the access point, and the width of the access would allow for two vehicles to pass one another. Turning is proposed within the site, meaning that vehicles can enter and leave the site in a forward gear, and 5no. parking spaces are proposed in the form of 2no. spaces per dwelling and one visitor parking space, which is considered acceptable for the size of the development.

The impact upon highway safety is considered to be acceptable.

## **Conclusion**

The principle of residential development is contrary to Policy H1 of the Thanet Local Plan, however, the site is allocated for residential development within the emerging plan, which has some weight, and the site lies adjacent to the edge of St.Nicholas Village, which has a number of facilities and services. In considering the access, the access road is existing and would benefit from adequate visibility splays and turning within the site, and in terms of the layout, the proposal is considered to be in keeping with the form and pattern of surrounding development, whilst providing adequate off-street parking. The principle of development and

the layout and access as proposed is therefore considered to be acceptable, and it is therefore recommended that members approve the application.

**Case Officer**

Emma Fibbens



TITLE: OL/TH/17/0305

Project Land Rear Of Ashbre Manor Road St Nicholas At Wade BIRCHINGTON  
Kent

Scale:

