

A01

F/TH/17/0295

PROPOSAL: Erection of 3no. 3-bed detached chalet bungalows

LOCATION: Plots 5, 6 And 7 Youngs Nursery Arundel Road RAMSGATE
Kent CT12 5DZ

WARD: Cliffsend And Pegwell

AGENT: No agent

APPLICANT: Mr Dillon, Chandler And Sells

RECOMMENDATION: Approve

Subject to the following conditions:

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

GROUND:

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

2 The proposed development shall be carried out in accordance with the submitted application as amended by the revised drawings numbered 2017-020-03 Rev B, 2017-020-04 Rev B, 2017-020-05 Rev B, and 2017-020-02 Rev C, received 17th May 2017; revised drawings numbered 2017-020-09 Rev C, 2017-020-10 Rev C, and 2017-020-11 Rev C, received 16th May 2017; revised drawing numbered 2017-020-01 Rev A, received 30th March 2017; revised drawing numbered 2017-020-12 Rev A, received 28th April 2017; and drawings numbered 2017-020-06, 2017-020-07, and 2017-020-08, received 1st March 2017.

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 underground water supply sources (which shall include proposed surface water and foul drainage plans) shall be submitted to, and approved in writing by the Local Planning Authority.

GROUND:

To prevent pollution in accordance with the NPPF.

4 Prior to the commencement of the development hereby approved, the applicant, or their agents or successors in title, shall secure the implementation of a programme of archaeological work, in accordance with a written scheme of investigation which has first been submitted to and approved in writing by the Local Planning Authority

GROUND:

To ensure that the archaeological history of the site is recorded in accordance with the advice contained within National Planning Policy Framework.

5 No development shall take place until the access and highway improvements (including the provision of a footway, the provision of a bell mouth at the junction, and alterations to the bus shelter/stopping zone) as shown on plans numbered 2017-020-01 Rev A and 2017-020-02 Rev C, are provided and made operational.

GROUND:

In the interests of highway safety.

6 Prior to the commencement of works hereby permitted, construction vehicle loading/unloading and turning facilities, and parking facilities for site personnel and visitors shall be provided for the duration of construction.

GROUND:

In the interests of highway safety.

7 The area shown on the approved plan numbered 2017 - 020 - 02 Rev C as vehicle parking spaces and turning 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 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.

8 Prior to the commencement of 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

9 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 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

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

GROUND:

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

11 Prior to the first occupation of plot 7 hereby permitted, a 1.8m high obscure glazed privacy screen shall be erected along the northern side of the rear balcony, and thereafter maintained.

GROUND:

In the interests of neighbouring privacy, in accordance with Policy D1 of the Thanet Local Plan.

12 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order), no windows or other openings shall be inserted in the first floor rear elevation of the dwelling on plot 5 hereby approved without the prior written permission of the Local Planning Authority.

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.

INFORMATIVES

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

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 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/>

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

SITE, LOCATION AND DESCRIPTION

The site is located within the village confines of Cliffsend, within an area which is predominantly in residential use. Properties within the area are a mixture of bungalows, chalet bungalows with accommodation within the roof and some two storey dwellings. To the east of the site, beyond the dwellings on Windsor Road are agricultural fields.

The existing site has been recently cleared, and is part of the larger grassed site containing numerous poly tunnels and associated buildings along part of its western boundary with Arundel Road. The application site is non previously developed land, although 2no. dwellings have recently been constructed on land that was originally part of the Youngs Nursery site.

RELEVANT PLANNING HISTORY

OL/TH/07/1366 - Outline application for twelve dwellings following demolition of existing buildings, including layout and means of access - Refused and Dismissed at Appeal

F/TH/12/0916 - Erection of two storey dwelling, together with associated car parking - Granted

OL/TH/13/0426 - Outline application for 9no. dwellings including matters of access, layout and scale - Refused. This decision was appealed and the Inspector allowed the appeal, granting permission subject to conditions.

F/TH/15/0096 - Erection of detached two storey dwelling - Granted - 16/04/15

F/TH/15/0920 - Erection of two-storey detached dwelling - Granted - 17/12/15

PROPOSED DEVELOPMENT

The application is for the erection of 3no. dwellings on part of the land where permission for 9no. dwellings was previously approved. Two dwellings that front Canterbury Road West have already been approved and constructed. This proposal is for land adjacent to the recently constructed dwellings, but the proposed 3no. dwellings would front Arundel Road. The proposed dwellings are all detached, contain 4no. bedrooms, and are of a chalet bungalow design. Each of the proposed dwellings has a driveway to the front, with parking for at least 2no. vehicles, and a rear garden.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan 2006

H1 - Residential Development Sites
H4 - Windfall Sites
HE12 - Archaeological Assessment
TR12 - Cycling
TR16 - Car Parking Provision
D1 - Design Principles
D2 - Landscaping
SR5 - Playspace
CC2 - Landscape Character Areas
EP13 - Groundwater Protection Zones
SR11 - Private Open Space

NOTIFICATIONS

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

Cliffsend Parish Council - We are aware that Southern Water will not accept proposed surface water drainage, and they have advised that no deep piling allowed. we would like this point reiterated.

Will there be a new public road?

There appears to be a small living area for the amount of bedrooms? The amount of bedrooms is a lot compared to the amount of car parking spaces.

We are also concerned with what is happening to the piece of land between plot 7 & 9?

CONSULTATIONS

KCC Highways and Transportation - (final comment) I refer to the amended plans submitted for the above on 30th March and confirm I now have no objections subject to safeguarding conditions.

(original comment) I refer to the above planning application and note that it is not a reserved matters application further to the extant outline permission 13/0426, which required improvements to Arundel Road

and its junction with Canterbury Road West. As such the required improvements should be included in the current application at least to the extent of the site frontage in Arundel Road and at the junction with Canterbury Road West. The outline of the improvements appears to be

shown on the site plan but are not encompassed by the application red line, and in fact the application red line also does not include an access to the existing highway.

The highway improvements approved under the outline consent included closure of the existing bus lay-by through infilling with an extended footway, relocation of the bus stop and an improved width and radius on the east side of Arundel Road. The bus stop has already been relocated as part of the previous wider highway improvements along Canterbury road West and so the developer is no longer required to do this. In addition I understand the Parish Council wish to retain some parking within the lay-by, which currently provides 2 parking spaces at the eastern end. It would be acceptable to retain these spaces and therefore the infilling of the lay-by with a footway would only need to extend from the improved radius at the junction up to the current extent of double yellow lines approximately half way along the lay-by. This work would not involve any stopping up of the highway as the new footway would remain part of the highway. The application red line should therefore be amended accordingly and the necessary improvements indicatively shown on the plans, so that suitable conditions can then be attached to the planning consent. The parking arrangements shown for the dwellings are acceptable.

Environment Agency - We have assessed this application as having a low environmental risk. We therefore have no comments to make.

However the following points should be noted wherever infiltration drainage (such as soakaways) is proposed at a site:

- o Appropriate pollution prevention methods (such as trapped gullies or interceptors) should be used to prevent hydrocarbons draining to ground from roads, hardstandings and car parks. Clean uncontaminated roof water should drain directly to the system entering after any pollution prevention methods.
- o No infiltration system should be sited in or allowed to discharge into made ground, land impacted by contamination or land previously identified as being contaminated.
- o There must be no direct discharge to groundwater, a controlled water. An unsaturated zone must be maintained throughout the year between the base of the system and the water table.

A series of shallow systems are preferable to systems such as deep bored soakaways, as deep bored soakaways can act as conduits for rapid transport of contaminants to groundwater.

Southern Water - The proposed surface water drainage is not acceptable to Southern Water. Alternative methods for surface water disposal, avoiding infiltration to the ground, should be investigated.

The proposed site lies within Source Protection Zone and is situated above Southern Water adits in very close proximity of the Public Water Supply Abstraction (groundwater sources). These are critically important public water supply abstractions with extensive shallow adits and disinfection only treatment of the public water supply mean that careful consideration must be given to the protection of the public water supply. Southern Water will rely upon consultations with the Environment Agency, to ensure the imposition and enforcement of appropriate conditions.

Southern Water will object to any discharge to underground strata. Thanet Chalk block is probably the most contaminated aquifer in our region and has the highest level of protection being a WFD Groundwater Protection Area. Given the already high nitrate levels in the Thanet Chalk, which exceed the DW PCV, we would not expect the EA to approve any more discharges to ground that would add to the nitrogen loading.

KCC Biodiversity - An ecological scoping survey has been carried out and assessed that the site has limited potential for protected species to be present as the site is entirely bare earth as all the vegetation on the site has recently been cleared.

When we commented on the application in April 2017 we highlighted that the vegetation present within the site had potential to be utilised by protected/notable species. Our comments included the below information to highlight that site clearance must not be carried until the requested ecological survey(s) and necessary mitigation had been implemented.

Comments provided April 2017:

To avoid a breach of wildlife legislation further site clearance works cannot commence until all the reptile survey has been carried out and any necessary mitigation implemented.

As no ecological surveys have been carried out across the whole of the site there is no understanding of the ecological interest of the proposed development site and if protected/notable species were present within the development site prior to any of the site clearance works commencing.

We understand from reviewing the aerial photos and speaking the applicant that the site has been regularly cleared over the years and there is limited connectivity to the surrounding habitat. So while we are unable to advise that the works did not result in the killing/injuring of protected species the semi-regular clearance of the site would have resulted in less time for any significant reptile populations establishing on site.

We accept the due to the current condition of the site there is no requirement for any details of ecological mitigation to be submitted for comments. However we advise that there is a need for the landscaping to be beneficial for biodiversity and features to be incorporated in to the development which will benefit biodiversity. This advice is in accordance with Paragraph 118 of the NPPF "opportunities to incorporate biodiversity in and around developments should be encouraged".

KCC Archaeology - Can we request a condition for a programme of archaeological works be attached which will hopefully involve dealing with the remaining site as a whole rather than piecemeal as we have had so far.

COMMENTS

The application is brought before Planning Committee as a departure to Local Plan Policy H1. The main considerations are the principle of the development, impact on character and appearance of the area, impact on living conditions and highway safety.

Principle

The site is non-previously developed land. Policy H1 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. This policy constraint, however, need to be balanced with the fact that there is a current need for housing in Thanet, and on this basis the National Planning Policy Framework (NPPF) indicates that applications for housing should be considered in the context of the presumption in favour of sustainable development.

The principle of residential development on this site has been established by the Planning Inspector's decision on the previous outline application, which encompassed the current site and the surrounding site, and granted approval for residential development on the basis of the improvement to the visual presentation of the site, the beneficial impacts on the local services, and the weight of increasing the supply of housing on the decision making process. This decision is a material planning consideration in the process.

Further to this decision, three full applications for the erection of single dwellinghouses on both the adjacent site (which falls within the overall site originally granted outline consent), and part of the application site itself, have been granted planning approval.

Policy SR11 of the Thanet Local Plan seeks to protect the development of private open space where it provides active recreational facilities; meets a deficiency in recreational facilities or has intrinsically beneficial qualities and makes a contribution to the character of the area either in itself or by virtue of the longer distance views it affords. The site does not provide any opportunity for recreation and, subject to the assessment of whether the site contributes to the character of the area which will be assessed later in this report, the proposal would not be contrary to this policy.

The development of this site therefore is acceptable in principle subject to the detailed consideration of the impact on the character and appearance of the area, neighbouring properties, and highways safety.

Character and Appearance

The site lies within an area characterised by detached dwellings that are either single storey or 2-storey in height. The site includes three of nine plots previously granted outline planning permission for residential development, with two of the adjacent plots each granted planning permission within the last year for single detached chalet style bungalows.

Development within the village is varied, with each dwelling typically of a different design to the next. It is therefore essential that not all of the 9no. dwellings that are likely to come forward are of the exact same design.

The submitted street elevation shows that the proposed dwellings are varied in their design, although they share similar characteristics. They each have pitched roofs, with dormer windows or gables within the southern elevations, and each front elevation differs with either a porch, overhang or staggered building line. The scale and height of the proposed development is considered to be in keeping with the area, and the plots are in keeping with the surrounding pattern of development, and are similar to the plot sizes of the previous approval. The only concerns when considering the proposed plans was the scale of plot 7, which was significantly larger than the other two plots, and would have appeared overly dominant from the road. Amended plans have been submitted showing the scale of this dwelling reduced at first floor level, and the side elevation fronting Canterbury Road West less dominant in appearance now, with just a single gable feature. The scale and design of plot 7 is considered to be acceptable.

Proposed materials include brick, cladding, slate roof, UPVC windows and doors, and permeable paving to the front of the property. These materials are considered to be acceptable and in keeping with the character of the area, subject to the submission of samples.

Overall the development would be in accordance with Policy D1 of the Thanet Local Plan and the guidance within National Planning Policy Framework, as it would preserve the character of the area.

Living Conditions

The nearest neighbouring dwelling is at least 15m from the proposed development, so there will be limited impact upon neighbouring light or outlook.

With regards to loss of privacy, the rear elevation of the 2-storey element of the proposed dwellings is almost 19m from the side elevation of the neighbouring property to the rear. This distance does not cause a concern for plots 6 and 7, which will look onto the side elevation of the neighbouring property, but concern has been raised with plot 5, and the potential for direct overlooking of the neighbouring properties rear garden. Amended plans have been submitted showing the first floor rear balcony within plot 5 removed and replaced with a high level window. The impact upon privacy for the neighbouring property to the rear is now considered to be acceptable.

With regards to the proposed dwellings, there is considered to be no loss of light or outlook, as all three dwellings generally follow the same front and rear building lines. Plot 7 is provided with a balcony to the rear, and amended plans have been submitted showing the

provision of an obscure glazed privacy screen to the side, in order to avoid significant overlooking of plot 6.

The properties are of good size, and each property is provided with a secure rear garden area, which complies with Policy SR5 of the Thanet Local Plan.

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

Transportation

The proposal includes parking for a minimum of 2no. vehicles for each of the detached dwellings. The parking areas are accessed off Arundel Road.

KCC Highways and Transportation have been consulted, and have advised that the highway improvements as required through the original outline application should be carried out. These include the closure of the existing bus lay-by through infilling with an extended footway, relocation of the bus stop and an improved width and radius on the east side of Arundel Road. The bus stop has already been relocated as part of the previous wider highway improvements along Canterbury road West, so KCC have advised that the developer is no longer required to do this. KCC are also aware that the Parish Council wish to retain some parking within the lay-by, which currently provides 2 parking spaces at the eastern end. As such, KCC have advised that it would be acceptable to retain these spaces, with the footway infill only needing to extend from the improved radius at the junction up to the current extent of double yellow lines approximately half way along the lay-by. Amended plans have been submitted showing these highway improvements, which KCC now raise no objection to, subject to safeguarding conditions.

KCC also raise no objections to the parking arrangements shown for the dwellings.

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

Drainage

The proposed site lies within Source Protection Zone and is situated above Southern Water adits in very close proximity of the Public Water Supply Abstraction (groundwater sources). These are critically important public water supply abstractions with extensive shallow adits and disinfection only treatment of the public water supply mean that careful consideration must be given to the protection of the public water supply.

Southern Water has advised that the proposed surface water drainage is not acceptable, and that alternative methods for surface water disposal, avoiding infiltration to the ground, should be investigated.

The applicant has advised that they have contacted Southern Water to discuss alternative options, and that Southern Water have agreed that surface water runoff from the scheme can be discharged into the nearest combined drain, instead of through the soak away

system. The applicant has advised that they are happy to do this and obtain all formal consents from southern water.

The Environment Agency have assessed this application as having a low environmental risk, and therefore have no comments to make.

Drainage provision is therefore considered to be acceptable.

Biodiversity

An ecological scoping survey has been submitted, which assesses the site as having limited potential for protected species to be present, as the site is entirely bare earth as all the vegetation on the site has recently been cleared.

KCC accept the due to the current condition of the site there is no requirement for any details of ecological mitigation to be submitted for comments, but advise that there is a need for the landscaping to be beneficial for biodiversity and features to be incorporated in to the development which will benefit biodiversity. This can be incorporated within any future landscaping plan, to be submitted via condition.

The impact upon biodiversity is considered to be acceptable, on the basis of the surveys submitted, although it is not clear whether species may have been present on the site prior to the clearance of the site, but this is not a planning consideration and is covered by Wildlife Legislation.

Archaeology

Thanet is rich in archaeological potential, and in this instance KCC have recommended a condition for a programme of archaeological works for the overall site, rather than through piecemeal development. The impact is acceptable subject to this condition, which is supported through Policy HE12 and the NPPPF.

Conclusion

Given the planning history of the site, the proposal would represent sustainable residential development within the village confines of Cliffsend, with no significant harm to the living conditions of neighbouring properties or highways safety. It is therefore recommended that members approve the application.

Case Officer

Emma Fibbens

TITLE:

F/TH/17/0295

Project Plots 5, 6 And 7 Youngs Nursery Arundel Road RAMSGATE Kent CT12 5DZ

Scale:

