

**A02**

**F/TH/17/0592**

**PROPOSAL:** Change of use of existing single dwellinghouse into 2no. 3 bedroom and 1no. 4 bedroom terrace houses with erection of single storey ground floor extension to side elevation,  
**LOCATION:** alterations to fenestration, installation of balcony at second floor level to front elevation, raised rooflights to main roof and new vehicular access onto Kingsgate Avenue

97 Kingsgate Avenue BROADSTAIRS Kent CT10 3LH

**WARD:** Kingsgate

**AGENT:** Chris Chambers

**APPLICANT:** Mr Alastair Narraway

**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 and the plans numbered 105-100 & 105-101 received by the Local Planning Authority on 20th June 2017, the amended plan numbered 105/02 Rev A received by the Local Planning Authority on 7th July 2017 and the amended plan numbered 105/03 Rev C received by the Local Planning Authority on 1st August 2017.

**GROUND:**

To secure the proper development of the area.

3 Prior to the first occupation of the dwelling the windows to be provided at second floor level in the north west and south west elevations hereby permitted shall be provided and maintained with obscure glass and non-opening below 1.7metres.

**GROUND:**

To safeguard the residential amenities currently enjoyed by neighbouring property occupiers in accordance with Policy D1 of the Thanet Local Plan and the National Planning Policy Framework.

4 Prior to the first occupation of the dwellings obscure glazed privacy screens at a height of 1.8 metres shall be installed to the south west elevations of the balconies at first floor level to the north west elevation and thereafter maintained.

**GROUND:**

To safeguard the residential amenities currently enjoyed by neighbouring property occupiers in accordance with Policy D1 of the Thanet Local Plan and the National Planning Policy Framework.

5 The first 5 metres of the access from the edge of the highway hereby permitted shall be constructed of a bound material.

**GROUND:**

In the interests of highway safety.

6 Prior to the first use of the vehicular access, measures to prevent the discharge of surface water onto the highway shall be provided and thereafter maintained.

**GROUND:**

In the interests of highway safety.

7 Prior to the first occupation of the dwelling hereby approved 2m x 2m pedestrian visibility splays behind the footway/carrage way on both sides of the access with no obstructions over 0.6m above footway level shall be provided and thereafter maintained.

**GROUND:**

In the interests of highway safety.

8 Prior to the first occupation of the dwellings hereby approved visibility splays as shown on approved plan numbered 105-100 received by the Local Planning Authority on 20<sup>th</sup> June 2017 at the access with Kingsgate Avenue with no obstructions over 900 mm above carriage way level within the shaded area shall be provided and thereafter maintained.

**GROUND:**

In the interests of highway safety.

9 Prior to the first occupation of the dwelling hereby approved the vehicle parking spaces shown on the approved plans shall be provided and thereafter retained.

**GROUND:**

In the interests of highway safety.

10 Prior to the first occupation of the dwelling hereby approved, the cycle parking facilities shown on the approved plans shall be provided and thereafter retained.

**GROUND:**

In the interests of highway safety.

11 Prior to the first occupation of the dwelling hereby approved, the cycle parking facilities shown on the approved plans shall be provided and thereafter retained.

**GROUND:**

In the interests of highway safety.

12 Prior to the first occupation of the houses hereby approved, the bin store shown on the approved plans numbered 105-100 & 105-101 received by the Local Planning Authority on 20<sup>th</sup> June 2017 shall be provided and thereafter maintained.

**GROUND:**

To secure the proper development of the area.

13 Existing trees, shrubs and hedgerows identified for retention within the development site or existing trees growing on an adjacent site, where excavations, changes to land levels or underground works are within the crown spread, shall be protected in accordance with BS 5837: 2005 using the following protective fence specification:-

o Chestnut paling fence 1.2m in height, to BS 1722 part 4, securely mounted on 1.7m x 7cm x 7.5cm timber posts driven firmly into the ground. The fence shall be erected below the outer most limit of the branch spread or at a distance equal to half the height of the tree, whichever is the furthest from the tree, unless otherwise agreed in writing with the Local Planning Authority.

The protective fencing shall be erected before the works hereby approved or any site clearance work commences, and shall thereafter be maintained until the development has been completed.

At no time during the site works shall building materials, machinery, waste, chemicals, stored or piled soil, fires or vehicles be allowed within the protective fenced area.

Nothing shall be attached or fixed to any part of a retained tree and it should not be used as an anchor point.

There shall be no change in the original soil level, nor trenches excavated within the protective fenced area.

**GROUND:**

In the interests of the visual amenities of the area and to adequately integrate the development into the environment, in accordance with Thanet Local Plan Policies D1 and D2.

14 Prior to the commencement of the development hereby approved the window and door details 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

15 Prior to the first occupation of the dwelling the windows to be provided at first floor level in the south west elevation hereby permitted shall be fixed shut and provided and maintained with obscure glass.

**GROUND:**

To safeguard the residential amenities currently enjoyed by neighbouring property occupiers in accordance with Policy D1 of the Thanet Local Plan and 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

SITE, LOCATION AND DESCRIPTION

The site is located within the urban confines and comprises a detached three storey property (with basement) set within a spacious plot. The property benefits from balconies at first floor level to the front and rear elevations, an integral garage and vehicular access from Kingsgate Avenue.

RELEVANT PLANNING HISTORY

The most recent planning site history:

F/TH/03/0503 - Erection of a two storey, four bed detached dwelling house with roof-top balcony following demolition of existing dwellinghouse - granted 23/10/2003.

PROPOSED DEVELOPMENT

The application proposes the change of use of the existing dwellinghouse into 2no. 3 bedroom and 1no. 4 bedroom terrace houses. The scheme involves the erection of a modest single storey extension to the side of the property, together with alterations to fenestration and the installation of a balcony at second floor level to the front elevation. There are raised roof lights proposed to the main roof. The proposed houses would benefit from private amenity space to the rear and car parking to the front of the property which would be accessed via a new vehicular access from Kingsgate Avenue.

DEVELOPMENT PLAN POLICIES

Saved Thanet Local Plan Policies

H1 - Housing

H4 - Windfall Sites  
D1 - Design  
D2 - landscaping  
D7 - Area of High Townscape Value  
SR5 - Play Space  
TR12 - Cycling  
TR16 - Car Parking

## NOTIFICATIONS

Neighbour notification letters were sent to properties directly surrounding the site and a site notice was posted near the site.

There have been five objections received to the original plans, raising the following concerns:

- o Overlooking
- o Loss of privacy
- o Overdevelopment
- o Highways impacts
- o Standard of accommodation for future occupiers of the houses
- o Impact on the character and appearance of the area
- o Construction and traffic noise
- o Loss of existing trees

Following receipt of amended plans which: corrected the existing plans, confirmed that existing trees were to be retained, provided further access details, bin store details, confirmed obscure glazing and privacy screening to existing balconies. Three objections have been received, raising the following concerns:

- o Overdevelopment
- o Out of keeping with the surrounding area
- o Environmental health impact due to positioning of waste
- o Traffic access
- o Noise
- o More open space needed

## CONSULTATIONS

**Kent County Council Highways and Transportation** - whilst the proposed development within this application does not meet the criteria to warrant involvement from the Highway Authority in accordance with the current protocol arrangements, due to concerns raised during the consultation period regarding highway safety and amenity, the Highway Authority were consulted.

The Highways Officer requested a condition regarding pedestrian visibility splays in addition to the usual conditions relating to parking and vehicle visibility splays.

**Broadstairs Town Council** - raises an objection, considering that the proposal is out of keeping with the character of the area, overdevelopment, traffic/highways impacts.

## COMMENTS

The application is brought before members at the request of Councillor Bayford, as Ward Councillor, on the grounds of over development, overlooking and being out of keeping with the area.

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

### **Principle**

The site lies within the urban confines and the principle of the proposed change of use, is acceptable, subject to the assessment of the material considerations.

### **Character and Appearance**

The site comprises a single, detached dwelling set within a spacious plot, located towards the northern end of Kingsgate Avenue. The existing dwelling lies adjacent to a detached two storey property, and to the other side boundary lies the hardstanding parking area serving a block of flats (Kingsgate Court) set back from the road frontage. Kingsgate Court is predominantly three storey, reducing to a single storey to the rear of the application site.

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

This section of Kingsgate Avenue is characterised by dwellings of differing design, material, scale and density, with mature planting. There are examples of detached, semi-detached and flatted development in the immediate area.

The application proposes minor alterations to the existing building to facilitate the change of use, together with a modest single storey side extension and installation of a balcony at second floor level to the front elevation. The addition of doors at ground floor level and alterations to fenestration to the front elevation would not result in a significant change to the appearance of the building or streetscene and would be in keeping with development in the area.

The property currently benefits from hard standing to the front, available for car parking and this area will serve the parking needs of future occupiers, with a revised access from Kingsgate Avenue. The proposed bin store to the front of the property would be constructed in timber, set back from the road frontage and obscured by an existing substation within the site.

There are protected trees within the site, and there are no works proposed to these trees or any loss of existing trees within the site. It is not considered that works to or the loss of protected trees would be required in order to facilitate the change of use. There will need to be some works undertaken to the existing planting beyond the front boundary of the site in order to secure highway safety.

The proposed single storey extension to the side elevation, providing a porch area, is modest in scale and as such the separation between the existing property and neighbouring properties would be maintained.

Balconies are typical within residential areas that lie in close proximity to the beach. There is an existing balcony to the front elevation of the property, at first floor level, and there are examples of balconies in the vicinity of the site which vary in terms of material and design.

For the reasons outlined above it is considered that the proposed change of use respects the character and appearance of the surrounding area, in terms of scale, massing and rhythm whilst retaining gaps in development and existing mature trees. The proposed development would therefore not cause material harm to the character and appearance of this Area of High Townscape Value and accords with Saved Thanet Local Plan Policies D1 and D7 and the National Planning Policy Framework.

## **Living Conditions**

In terms of living conditions, the proposed change of use would provide 2no. 3 bedroom houses and 1no. 4 bedroom house. The units would each benefit from a living room, kitchen/diner and toilet at ground floor level, with three bedrooms and bathrooms to the first floor. Plot 2 (the middle house) would benefit from a second floor providing a further bedroom and ensuite bathroom, whilst Plots 1 & 2 would have utility areas at basement level. Plot 3 benefits from a larger living space at ground floor level. Plot 1 (3 bed house) would have a total floor area of 100m<sup>2</sup>, Plot 2 (4 bed house) a total floor area of 122m<sup>2</sup> and Plot 3 (3 bed house) a total floor area of 102m<sup>2</sup>. Each house would have a rear garden containing a storage shed and future occupiers would have access to communal refuse storage to the front of the site.

It is considered that the habitable rooms within the proposed houses would benefit from adequate natural light and ventilation and the rear gardens would provide private amenity space at an appropriate scale for clothes drying and the provision of safe doorstep play space for small children in accordance with Saved Thanet Local Plan Policy SR5.

The existing opening at first floor level to the side elevation facing the neighbouring property no. 95 Kingsgate Avenue would be fixed shut and obscure glazed. This would protect the privacy currently enjoyed by this neighbouring property occupier and the bedroom this window would serve also benefits from windows and doors out on to a balcony to the rear elevation, providing natural light and ventilation.

The plans propose the use of the existing room at second floor level as a bedroom with ensuite, to Plot 2. The windows to the rear and side elevation of this bedroom will be

obscure glazed. In order to protect neighbouring residential amenity a safeguarding condition would be attached to the consent requiring that these openings at second floor level are obscure glazed and fixed shut below 1.7 metres. This bedroom would benefit from windows and doors out on to a balcony to the front elevation, providing natural light and ventilation.

The existing property benefits from balconies to the rear at first floor level. There are no enlargements proposed to these and an obscure glazed screen is proposed to the left hand side elevation of each of these balconies to safeguard the privacy of future occupiers and the privacy of the neighbouring property no. 95 Kingsgate Avenue. There will be no material change in the impact of the balconies to the neighbouring property occupiers to the rear of the site, above the existing relationship.

The proposed balcony at second floor level to the front elevation would overlook the highway and due to its siting and scale would not result in an unacceptable sense of overlooking or loss of privacy to the private amenity space of neighbouring property occupiers. Concerns have been raised that the proposed balcony would result in a loss of privacy to habitable room windows of neighbouring properties on the opposite side of Kingsgate Avenue. Having regards to the separation distances and relationship with the built form of these neighbouring properties it is not considered that the proposed balcony would result in harm to the living conditions of these neighbouring property occupiers.

The only extension to the proposed building relates to a modest single storey side extension to the elevation facing the parking area of Kingsgate Court. Due to its positioning the proposed extension would have no impact upon neighbouring amenity.

For the reasons outlined above it is considered that the proposal would provide a good standard of accommodation for future occupiers and would not cause material harm to the living conditions of neighbouring property occupiers.

Concern has been raised regarding odour that may result from the location of the proposed bin store. The bins that would be contained within the bin store would be council issue wheelie bins with lids. Having regards to the design of the bins, siting of the bin store and separation distance between the store and nearest neighbouring property occupier, together with the level of demand for refuse storage, it is not considered that this would have a significant material impact.

## **Transportation**

The existing house benefits from an integral garage and hardstanding to the front of the property, together with vehicular access from Kingsgate Avenue. There is currently high level planting within the verge to the front of the property, partially obscuring the front elevation of the property and existing access.

The application proposes 6no. car parking spaces to the front of the property for use by the future occupiers and visitors of the three houses. This is considered an adequate layout and level of provision for residential accommodation in a suburban area. The scheme proposes the re-siting of the existing vehicular access and the submitted plans indicate that adequate



vehicular visibility splays can be achieved, and this together with lower level planting to the verge to the front of the site would ensure adequate pedestrian visibility splays. These would be secured by condition.

Concern has been raised regarding noise from parking. Having regards to the level of car parking provision and location of the hardstanding to the front of the site, adjacent to the parking area serving Kingsgate Court, it is not considered that the proposal would result in a significant increase in level of noise.

Each of the proposed houses would benefit from a timber shed within the rear garden, providing secure, covered cycle parking.

For these reasons outlined above, it is considered that, subject to the imposition of safeguarding conditions, the proposal is unlikely to result in material harm to highway safety or amenity to warrant refusal of the application.

### **Conclusion**

In conclusion, it is considered that subject to appropriate safeguarding conditions, the proposed change of use would preserve the character and appearance of the building and the Area of High Townscape Value, provide a good standard of accommodation for future occupiers and cause no material harm to the living conditions of neighbouring property occupiers or highway safety and therefore accords with Saved Thanet Local Plan Policies and the National Planning Policy Framework. The application is therefore recommended for approval.

### **Case Officer**

Helen Johnson

TITLE: F/TH/17/0592

Project 97 Kingsgate Avenue BROADSTAIRS Kent CT10 3LH

Scale:

