

**A02**

**F/TH/17/0986**

PROPOSAL:                   Erection of 2No. two storey 4-bed dwellings

LOCATION:                    Land Adjacent 1 Albert Road BROADSTAIRS Kent

WARD:                        Beacon Road

AGENT:                      Mr Andrew Evans

APPLICANT:                 Mr J Leech

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 drawing numbered 17.1116.AE.P01 Revision C (received 17/08/17), 17.1116.AE.P02 Revision D (17/08/17), 17.1116.AE.P03 Revision C (received 17/08/17), 17.1116.AE.P04 Revision C (received 17/08/17), 17.1116.AE.P05 Revision B (17/08/17) and 17.1116.AE.P06 (received 23/08/17).

GROUND:

To secure the proper development of the area.

3       No development shall take place on any external surface of the development hereby permitted until details of the type, colour and texture of all materials to be used for the external surfaces of the dwellings have been submitted to and approved in writing by the Local Planning Authority. The 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       Prior to first occupation of the development hereby permitted, a plan shall be submitted to and approved in writing by the Local Planning Authority indicating the positions, heights, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the occupation hereby permitted is commenced or before the building(s) are occupied or in accordance with a timetable to be approved in

writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

**GROUND:**

To ensure that the development is compatible with the amenities of the locality in accordance with the NPPF.

5 No further roof alterations whether approved by the Town and Country Planning (General Permitted Development) (England) Order 2015 Class B or C of Part 1 Schedule 2 (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.

6 Prior to the first occupation of the hereby approved visibility splays of 2metres by 2metres behind the footway on both sides of the dwelling access with no obstructions over 0.6m above footway level shall be provided and thereafter maintained.

**GROUND:**

In the interest of highway safety.

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 No development shall commence on site until full details of the surface water drainage arrangements have been submitted to and approved in writing by the Local Planning Authority. The drainage details shall be constructed as approved before any part of the development hereby permitted is brought into use.

**GROUND:**

To ensure that there is a satisfactory means of drainage in accordance with the NPPF.

**INFORMATIVES**

Public Utility apparatus may be affected by this proposal. Contact the appropriate utility service to reach agreement on any necessary alterations, which have to be carried out at the expense of the developer.

If required, street furniture will need to be repositioned at the Applicants own expense.

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/>

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 application site relates to a regular shaped parcel of land between numbers 1 and 3 Albert Road and 52 Whitfield Road, Broadstairs. The site is enclosed by a wall approximately 1m high to the Albert Road frontage. It is noted that there is a street light in situ on the public footpath in front of the site. The front portion of the site is overgrown in nature and there is a flat garage to the eastern end of the site. The rear portion of the site is associated with number 52, as part of its curtilage.

### RELEVANT PLANNING HISTORY

F/TH/17/0689 Erection of 4No. two storey dwellings. Withdrawn prior to determination 26/06/17, due to officer concerns

F/TH/08/0443 Erection of a single storey dwelling. Refused 28/05/08 Appeal dismissed.

The reason for refusal was:

1. The proposed dwelling, by virtue of its prominent siting and its proximity to and relationship with the adjoining properties in Albert Road, would result in the loss of openness between dwellings, therefore comprising a cramped and congested form of development, that would appear out of character with the pattern of development in the locality and incongruous within the street scene, to the detriment of the visual amenities of the area, contrary to Thanet Local Plan Policies D1 and SR11.

The Inspector considered that the proposed single storey bungalow would infill what is now the only significant gap in the development in the immediate area, and would give a congested appearance to its frontage. In terms of the layout he noted that 'the front wall of the bungalow would be in line with the existing bungalow at 1 Albert Road, and would be forward from the building line of the semi-detached houses to the east. Together with the loss of openness from the site, the proposed bungalow would be out of keeping with the overall character of the surrounding area.' He concluded that the proposal would appear unreasonably congested on its site, and it would be out of keeping with the pattern of development in the surrounding area.

This appeal decision is still considered to be a material consideration in the determination of residential development on the site.

F/TH/04/0804 Erection of a detached, hipped-roofed bungalow, on land to be severed from the existing garden of No. 1 Albert Road. Refused 18/02/05

### PROPOSED DEVELOPMENT

Full planning consent is sought for the erection of two linked detached dwellings fronting Albert Road in Broadstairs. The properties are two storey dwellings with rooms within the roof space. The proposed dwellings would contained four bedrooms. The dwellings are separated by two carports for each dwelling.

The application form details that the proposed roof materials will be plain red concrete tiles, facing brickwork with uPVC windows.

### DEVELOPMENT PLAN POLICIES

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

- Policy D1 - Design
- Policy D2 - Landscaping
- Policy H1 - Residential development sites
- Policy H4 - Windfall Sites
- Policy TR12 - Cycling
- Policy TR16 - Car parking provision
- Policy SR5 - Doorstep and local play space
- Policy SR11 - Private Open Space

### NOTIFICATIONS

**Initial objections** Neighbours were notified and six objections were received, the objections can be summarised as follows:

Plans are inaccurate; missing extension off neighbouring property

Overlook neighbours gardens and result in loss of privacy

The bedroom in the roof would encourage the provision of roof extensions outside of the control of planning; resulting in privacy issues

This scheme is worse than the previous scheme

Gardens are too small

Increase the risk of traffic accidents resulting from additional traffic/parking

Impact of development on objector's health

Development is over-bearing

Development would kill soft landscaping

Loss of light and result in overshadowing

Noise and disturbance

Loss of the look of the road

Raise questions if the dwellings will be rented?

It is noted that some objectors have written in more than once.

**Further objections:**

4 further letters received. The following concerns are raised

Overlooking

Noise and pollution problems

Loss of light and sunlight

Dormer extensions could be incorporated at a later date

Highway safety issues

Development too high

Eyesore

Bike store will be used for motorbikes which will lead to horrendous noise

It is noted that some objectors have written in more than once.

**Final objections:**

6 letters were received in relation to the plans now before the Planning Committee. The following concerns are raised:

Overlooking from roof lights

Bedroom is elevated 3m above the height of property number 54

Better design will be no roof lights at rear and a dormer to the front

Block out sun

Noise from the development

Concern in relation to the size of the smaller bedroom windows for health and safety of occupier

Re-numbering issue for the road

Development will be unsaleable

Plans not accurate; not including the elevated bedroom to the rear of number 56

Impact on objectors garden and wildlife

Planning history

It is noted that some objectors have written in more than once.

Cllr. Matterface has expressed an interest in the development of this site during the previous application and again during the consideration of the current scheme. On the basis of the impact on the residential amenities of neighbours at 54 and 56 Whitfield Avenue, the application is requested to be determined by the Committee.

**CONSULTATIONS**

**Broadstairs Town Council:** Resolved to refuse the application on the basis that the development is too high, overdevelopment, overshadowing, neighbours 'loss of light and privacy, overlooking and the detrimental impact on the residential amenities of nos. 52, 54 and 56 Whitfield Avenue.

**Further comments:** Resolved unanimously to recommend refusal with the following comments - too high, overdevelopment, overshadowing, neighbours' loss of light, neighbours' loss of privacy, overlooking, poor design and the detrimental impact on the residential amenities of nos. 52, 54 and 56 Whitfield Avenue.

**Broadstairs Society:** Objection to the new proposal as it is still out of keeping with the character of the area and overdevelopment. It is also considered to be too high and more open space required.

**Further comments** The Society's objections still stand. It would be an overdevelopment of this site and there are privacy issues with neighbours together with increased traffic usage.

**Southern Water:** Request an informative (connection to public sewerage system) and condition relating to surface water disposal.

## COMMENTS

This application is referred to the Planning Committee at the request of Cllr. Matterface on the basis of the impact on neighbours at number 54 and 56 Whitfield Avenue.

### **Principle**

The 2008 appeal decision, referred to above is still considered to be a material consideration in the determination of residential development on the site.

However, the Council does not currently have a five-year supply of deliverable housing sites, housing applications such as this, should be considered in the context of the National Planning Policy Framework's (NPPF's) presumption in favour of sustainable development.

This is because local policies relating to the supply of housing are no longer considered up-to-date (para 49). Paragraph 14 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.

In this case the application site lies within a residential area of Broadstairs, however, the proposal needs to be assessed in detail to make a full assessment.

### **Character and Appearance**

The Council's general policy for development is that any form of development must respect the character and appearance of the area. Thanet Local Plan policy D1 requires all new development to be of high quality, and to protect or enhance the appearance and character of the area, whilst paragraphs 131-134 of the NPPF advises that good design is a core planning principle, and design proposals should respond and reinforce the local character.

The Inspector's report, made reference to the open space/gap which makes a contribution to the area and the proposal will lead to its loss. It was also highlighted that the erection of the single dwelling on the site would result in a cramped and congested form of development out of keeping with the character with the pattern of the development and that whilst the proposed dwelling would have been in line with the existing bungalow at 1 Albert Road, it would be forward of the semi- detached houses to the east.

The application site is now larger than the site which was considered in 2008 (by some 33 sqm) as it now includes part of the rear garden of no. 52 Whitfield Avenue and allows the proposed dwellings to be set back further within the site and, therefore, to come only marginally forward of the semi-detached properties to the east.

It is acknowledged that the erection of the proposed dwellings would result in some loss of the space that the Inspector considered important, but given the increased size of the application site and the proposed design of the houses (with the single storey carports provided a break between the units), it is considered that this harm would be less than substantial in comparison to the solid block of a building which filled the smaller site in 2008.

Development within the vicinity of the application site, along Albert Road comprises two storey development, with the exception of the bungalow to south-western side of the site. The site appears to have previously residential curtilage for No.1 Whitfield Avenue and has limited depth although the Inspectors view was that that the proposed bungalow would be out of keeping with the overall character of the area. The proposal is now for two semi-detached two storey dwellings with rooms within the roof space. The proposed dwellings are of the same height as other two storey dwellings in the road, although it is noted that their roofs are full hips and half hips, which reduces the verticality. My view is that it is not necessary to replicate this given the plots location to other dwellings in Whitfield Avenue, which have a variety of roof heights and an example of roof conversion; rear dormer in a two storey property. My view is that the proposal would still conform with the character of the area.

The proposal is for two, two storey dwellings with rooms within the roof space to provide four bedrooms per dwelling. The built form would allow a pedestrian access to the rear of each property and a carport for each dwelling separating the residential units from one another. The dwellings would be positioned forward of the two storey dwellings to the east in Albert Road, which they have a close physical affinity to and would be read in conjunction with. The proposed dwellings siting is considered appropriate given the positions of No 1 and 3 Albert Road.

In terms of the overall appearance of the dwellings, the proposed dwellings do not directly replicate other two storey dwellings within Albert Road; however the rhythm in terms of spacing between dwellings is similar with the positioning of the garages. The dwellings also have a reasonable balance in terms of the fenestration arrangement to the front elevation.

The height, mass and detailed design of the dwellings, including the front elevation incorporating projecting side windows is appropriate for this site and provides for an attractive mix of dwelling types within the street scene. The dwellings would retain sufficient

spacing to the side boundaries of their plots as to not appear cramped and to safeguard the suburban character of the locality.

### **Living Conditions**

The proposed dwelling would be two storeys with a room in the roof and therefore has the potential to impact upon the amenities of those residents living nearby.

To the north of the site is no.56 Whitfield Avenue and its associated curtilage, as this is located northwards of the development the impact upon light received by this property would be minimal. In terms of outlook, no.56 has a rear garden from which the development would be visible. However, the distance of separation from the proposal would reduce any impact in this regard.

With regard to No 54 Whitfield Road, this property would share its southern boundary with the site. With regard to overlooking, concerns were previously expressed by officer and subsequently a revised scheme has been submitted which removes first floor windows from the scheme. Roof lights are proposed but these are proposed at 1.5m at cill level. In terms of outlook, no.54 has a rear garden from which the development would be visible and fairly imposing. However, the proposed dwellings gardens would separate the built for from the boundary reducing the impact in this regard.

In terms of overlooking, the front windows face south over the frontage of properties on the opposite side of the road. Therefore views would be limited to public areas only.

To the north side of the proposed dwellings there is their allocated amenity area for each unit, no indication is given of the proposed boundary treatment to enclose these areas and make them private, however this can be controlled by condition.

### **Transportation**

In-front of the dwellings is one off-street parking spaces for each unit, together with the space provided by the carport.

In terms of parking provision, the carport provides space for 1 vehicle per dwelling and there is an additional space to the front of each dwelling. This is sufficient for a four bedroom property and accords with the current parking standards.

In terms of the street light it is recommended that an informative is attached to advise that if street furniture will need to be repositioned at the applicant's own expense.

### **Conclusion**

The application site consists of garden land; non-previously developed land within the urban confines. The proposed housing development would be contrary to Policy H1 of the Thanet Local Plan, however given the current housing need within Thanet and the location of the site could support a housing development, and therefore the principle of housing on this site is considered acceptable. Two dwellings proposed on the site, is considered appropriate to



the sites character and appearance. Whilst it is acknowledged that there would be some loss of openness with the proposed development within the gap, it is considered that given the increased size of the application site and the design of the houses (linked via single storey car ports to help break up their built form), this harm is outweighed by the economic and social benefits from the development of the two houses given the overriding need in the district. There would be no adverse effect on the living conditions of neighbouring residential occupiers and highway safety, therefore, the proposal accords with Thanet Local Plan policies and the NPPF.

**Case Officer**

Gill Richardson

TITLE: F/TH/17/0986

Project Land Adjacent 1 Albert Road BROADSTAIRS Kent

Scale:

