

A06

F/TH/18/0335

PROPOSAL: Erection of 1No 4-bed two storey dwelling together with cycle store to rear

LOCATION: Land On The South West Side Of Northdown Road
BROADSTAIRS Kent

WARD: St Peters

AGENT: Richard Williams

APPLICANT: Elizabeth Mansell

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 drawings numbered 001/006 received 8th March 2018, 001/03A received 14th March, 2018, 001/08A received 18th April 2018, 001/04A received 7th, June 2018, 001/05B received 7th June 2018 and 001/07B, received 2nd July 2018.

GROUND;

To secure the proper development of the area.

3 No development shall take place until details of the means of foul and surface water disposal, including details of the implementation, management and maintenance of any proposed Sustainable urban Drainage Systems, have been submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with such details as are agreed and thereafter maintained.

GROUND;

To prevent pollution, in accordance with the advice contained within the National Planning Policy Framework.

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

GROUND;

In the interest of highway safety.

5 Prior the construction of the external surfaces of the development hereby approved samples of the materials to be used 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

6 The first floor window in the south elevation of the dwelling hereby approved shall be provided and maintained with obscure glass and non-opening below 1.7m above the internal finished floor level.

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.

7 The area shown on the approved plan numbered 001/07B for vehicle parking and manoeuvring 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 vehicles 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.

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

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.

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SITE, LOCATION AND DESCRIPTION

The application site is rectangular and measures approximately 42sqm. It lies between numbers 58 and 60 Northdown Road, and would be separated from no. 58 by an existing Bridleway TB21. The site formerly provided an access into the fields associated with Hopeville Farm lying to the rear and it is noted that the site is non previously developed land.

RELEVANT PLANNING HISTORY

There is no planning history for the site.

PROPOSED DEVELOPMENT

This application seeks consent for the erection of a detached four bedroom dwelling comprising a hall, living room, open plan kitchen, dining, family room on the ground floor, three bedrooms and a bathroom on the first floor with a master bedroom within the roof. The dwelling would be served by a car parking area to the front, and a garden to the rear with a small outbuilding for cycle/general storage. It would be separated from the existing bridleway by a 1.8m fence.

DEVELOPMENT PLAN POLICIES

D1 - Design Principles
D2 - Landscaping
H1 - Residential Development Sites
H4 - Windfall Sites
SR5 - Play Provision
TR12 - Cycling
TR16 - Car Parking Provision
EP13 - Groundwater Protection Zones

NOTIFICATIONS

Letters were sent to adjoining residents, a site notice posted close to the site and the application publicised in a local newspaper.

Five letters objecting to the proposal have been received (with some people commenting more than once). Their comments are summarised below:

- Affect on local ecology;
- Close to adjoining properties;
- Development too high;
- Inadequate access;
- Increase in traffic;
- Increase in pollution;
- Loss of light;
- Loss of privacy;
- Over development;
- Strain on existing community facilities;

- Trees chopped down on site already;
- Road used as a rat run;
- Security issues during and after construction;
- Litter in Bridleway;
- Devaluation in property prices;
- Building would be completely different to others in the road - making it an eyesore;
- Dormer window will overlook our rear garden and conservatory;
- Bridleway will become alleyway and unsafe encouraging anti social behaviour;
- Road is already overpopulated;
- Door to property will open onto the Bridleway;
- St Peters is losing its appeal as a village due to houses being added anywhere a piece of land can be found;
- Noise during and after construction;
- Intrusive development from fields behind;
- Disruption to sewerage system in the local area;
- This land was classed as private land not to be built on and we have a right of access onto the Bridleway;
- Parking issues;
- Potential for damage to existing properties;

Broadstairs Town Council: Object for the following reasons - Close to adjoining properties; general dislike of the proposal; town cramming/over development; main sewer located under proposed development; the land is a KCC Bridleway and the applicant is not the freeholder of the land.

Broadstairs Society: Objects for the following reasons - close to adjoining properties; general dislike of the proposal; over development; application is speculative; applicant does not know the area; over development of the site; plans to build over the sewer will complicate matters.

CONSULTATIONS

Environment Agency: Assessed the application as having a low environmental risk. No comments to make.

Southern Water: There is a public sewer crossing the site. The exact position of the public sewer must be determined by the applicant before the layout of the proposed development is finalised. It might be possible to divert the public sewer as long as this would not result in an unacceptable loss of hydraulic capacity. Southern Water can advise on this issue.

A formal application is required for the connection to the public sewer. An informative to that effect will be attached.

There are no dedicated surface water sewers in the vicinity of the development. Details of surface water disposal will be secured by condition.

The proposed development would lie within a Source Protection Zone. Southern Water will rely on the Environment Agency to ensure the protection of the public water supply source.

KCC Public Rights of Way Initially objected to the application on the basis that the proposed development will be built directly on the Bridleway - TB21.

Following the submission of additional information from the applicant the objection has been withdrawn. They advise that the application shows that the build would leave a width of 3.9 metres for the Bridleway.

COMMENTS

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

Principle

Whilst the site lies within the defined settlement of Broadstairs, it is non-previously developed land.

Policy H1 of the Thanet Local Plan requires that residential development on non-allocated sites will be permitted only on previously developed land within existing built-up confines unless specifically permitted by other local plan policies, however this policy no longer accords with the requirements of the National Planning Policy Framework, as the Council no longer has a 5 year supply of housing land, and as such this policy has little weight at this time.

The principle of development is therefore considered to be acceptable subject to other material considerations, such as the impact upon the countryside, sustainability of the site, character and appearance of the proposed development, and highway safety.

Character and Appearance

As set out above, the application site forms part of a redundant access to the agricultural lane to the rear, with a Bridleway located immediately to the south. Whilst non previously developed land itself, the site is surrounded by residential development and it is considered that its development for a residential dwelling would be appropriate when considering the pattern of surrounding development.

The plot width and depth is similar to other residential plots within the area and the proposed dwelling would match the established building line of this part of Northdown Road and have a similar footprint and scale as other nearby properties. The proposed dormer is set in and down within the roof and would be seen as part of the roof rather than an addition. The dwelling takes its design and material cues from surrounding dwellings without seeking to mirror them. This is considered an acceptable approach. The proposed dwelling would have a 1.8m high fence along its boundary with the bridleway and the flank edge of the proposed dwelling would be set in a metre from that boundary.

Given the varying design of the neighbouring properties, and the location of the proposed dwelling between existing dwellings, it is considered that there would be no significant impact upon the character and appearance of the area.

Living Conditions

The proposed dwelling will measure approx. 4.5m wide, 12.4m in depth, 5m to the eaves and 8m in height. The proposed rooms within the development are of a good size and would have natural ventilation and light. Off street parking would be provided to the front of the property and a large garden area to the rear. It is considered that the proposed dwelling would provide a good standard of accommodation for future occupiers.

The main windows serving the proposed dwelling are located to the front and rear of the dwelling. No windows are proposed in the flank wall of the development facing no. 60, but there is a window on the ground floor and first floor on the southern elevation (facing no. 58) of the proposed dwelling. The ground floor window is a secondary window serving the open plan kitchen/dining/family area and any views from this window would be limited given its ground floor location and the adjacent 1.8m boundary fence. The first floor window is a landing window and, whilst it would not serve a habitable room, the applicants propose that this should be obscure glazed. It is noted, however, that the windows in the flank wall of no. 58 are obscure glazed and appear to be secondary windows or windows to non-habitable rooms. Concerns have been raised by the adjoining residents about the potential for overlooking from the proposed dormer window. It is acknowledged that there may be some potential for some views of the adjoining plots to be gained from the dormer window, but any views would be of the gardens and not of the most private area of the garden. It is not considered that this relationship would be any worse than that from upper floor windows elsewhere within such residential areas.

There are no properties to the rear that the proposed dwelling would impact upon.

The impact upon the neighbouring living conditions is therefore considered to be acceptable.

Transportation

The traffic generation from a single additional dwelling is not considered to be significant and it is noted that off street car parking would be provided to the front of the dwelling for one car. This is similar to other dwellings in the area and it is noted that there are no restrictions for on road parking on this part of Northdown Road.

It is not considered that the proposal would result in any adverse impact on parking or traffic generation in the area.

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

Other matters

Southern Water has advised that there is a public sewer running through the site. They have advised that it may be possible for the sewer to be diverted. The agent advises that discussions have taken place with Southern Water and agreement has been reached in relation to the location and design of footings. This matter is, however, the subject of other legislation and would not prevent the granting of planning consent for the proposed

development. It is considered appropriate to add an informative to highlight the requirement to contact Southern Water in relation to this matter. Southern Water have also advised that a formal application is required for a connection to be made by the applicant or developer, this can be added as an informative to any approval.

Other objections raised by local residents that have not been covered in the report above include loss of trees, strain on existing facilities, noise and security issues during and after construction, potential damage to existing properties, litter and anti-social behaviour and that the application site is classified as private land not to be built on. Responses to these issues are provided below.

- Land cleared of trees - the site is not within a conservation area and is not subject to any Tree Preservation Orders. As such, no consent/notification was required for the removal of trees from the site.

- Strain on existing facilities - given the very modest scale of the proposed development (a single dwelling) it is not considered that any moderate increase on the use of the existing facilities from the proposed dwelling would be significant enough to warrant refusal of the application. It could be argued that the proposed dwelling may help support local facilities/services in a minor way.

- Noise and Security issues during construction - it is inevitable that there may be some disruption during the construction of a development, but this is generally for a short temporary period. It is unclear from the representations what the specific concerns are in relation to noise and security after the dwelling is constructed, but this would be a single dwelling in an established residential area. It is not considered that it would generate significant noise or security issues.

- Litter and anti-social behaviour - There is no reason to believe that the erection of the proposed dwelling would lead to anti-social behaviour or litter, but these are subject to other legislation.

- Application site is classified as private land not to be built on - the site has no formal designation in the Thanet Local Plan and there is nothing in planning policy which would prevent the development of this site. Any other covenants/legal constraints would be a civil matter and would not prevent a grant of planning consent for the proposed development.

Conclusion

The application site is located on non-previously developed land. The proposal is therefore contrary to Thanet Local Plan Policy H1. However, this policy now has limited weight and given that the application site is within a residential area within the defined settlement of Broadstairs, the principle of a dwelling on this site is therefore considered acceptable.

The proposed dwelling is of a design, layout and scale that is considered to be in keeping with the existing pattern of development in the area, and which is not considered to result in any significant or demonstrable harm to the visual amenities of the immediate area. In addition, the impact upon highway safety is considered to be acceptable and given the

design of the property, there is considered to be no significant impact upon neighbouring living conditions. The erection of a dwelling, in this location would not have a significant impact upon the countryside, and forms sustainable development in accordance and the requirements of the National Planning Policy Framework. It is therefore recommended that Members approve the application as an acceptable departure to Policy H1 of the Thanet Local Plan.

Case Officer

Annabel Hemmings

TITLE: F/TH/18/0335

Project Land On The South West Side Of Northdown Road BROADSTAIRS Kent

Scale:

