

LAND AT BRAMWELL COURT ADJ WILD THYME BRAMWELL COURT, LAUNDRY ROAD, MINSTER, RAMSGATE

Erection of a detached dwelling and garage

RECOMMENDATION:

REFUSE for the following reasons:

- 1 The application site lies outside the built up area boundary of any settlement and, as such, the proposed development would constitute the unsustainable development of fresh land in the countryside, unrelated to local need and without any special agricultural or other justification, detrimental to the rural character and appearance of the area and of harm to the Landscape Character Area, contrary to policies SS1, SP1, HP2, HP5, QL1, EN1 and QL4 of the Kent and Medway Structure Plan, and Thanet Local Plan Policies H1, D1, TR1, CC1 and CC2, which seek to concentrate development at appropriate locations within the confines of existing urban areas and rural settlements, thereby conserving and enhancing the character, quality and functioning of the countryside.

SITE, LOCATION AND DESCRIPTION

The application site lies within the open countryside, on the east side of Laundry Road. The site is laid to grass and is bounded by semi-mature trees. To the north is a detached house known as Wild Thyme, an off-street car parking area and a terrace of 6 cottages, while to the northwest and southwest are two detached properties and a pair of semi-detached houses.

RELEVANT PLANNING HISTORY

There is an extensive planning history relating to the site, and to the wider area known as Land Adjacent 6 Laundry Road, Minster, which is summarised below:

- In 1985, the erection of 2 houses and garages was approved by Members as a departure to established policy given the perceived benefits of removing an existing of industrial/commercial use and buildings from the site (reference 82/0892)
- This consent was renewed in 1989 under reference 89/0124 and in 1991 under reference 91/1083, by which time the industrial buildings had been removed
- In 1994 a planning application for 6 dwellings was refused as the site lay outside the confines of any settlement and detracted from the landscape character (under reference 94/0854)

- In 1995 this application was resubmitted and approved by Members as the proposal provided parking for residents and would tidy up an overgrown site (under reference 95/0915)
- An outline application for 3 detached dwellings with garages was approved given the above extant consent (reference 98/0066)
- A full application for plot 2 of the above-mentioned consent was approved with an amended design given (reference 98/0482)
- A variation of condition application was approved in 2001 to allow further 3 years in which to submit reserved matters (reference 01/0726)
- In 2004 a full application for 2 detached 4bed dwellings was refused on design grounds, though the site was allocated for residential use on the Isle of Thanet Local Plan 1998 Proposals Map (reference 04/0219)
- A renewal of consent for 3 dwellings was approved in 2004 as the site was allocated in revised deposit draft (reference 04/1418)
- In 2005 the reserved matters of plot 1 of 98/0066 were approved and the dwelling has subsequently been constructed.
- In 2007 a full planning application (reference 07/1488) for a detached dwelling and garage and an outline application (reference 07/1487) for a detached dwelling and garage including access were submitted and subsequently withdrawn.

PROPOSED DEVELOPMENT

This application is for the erection of a dwelling and garage. The proposed dwelling is detached dwellings with accommodation over three floors, of a traditional design, with a pitched tiled roof, multi-stock brick walls with feather-edge stained weatherboarding and timber windows.

PLANNING POLICIES

Thanet Local Plan (2006)

Policy H1 refers to new residential development

Policy TR1 relates to the location of new development

Policy TR11 refers to pedestrian movement

Policy TR16 relates to car parking provision

Policy D1 refers to design and layout of new development

Policies HE11 and 12 relate to archaeology

Kent and Medway Structure Plan (2006)

Policy SP1 seeks to achieve a sustainable pattern and form of development

Policy HP1 refers to housing provision and distribution

Policy HP2 relates to new residential development

Policy HP5 refers to housing in the countryside

Policy TP3 relates to transport and the location of development

Policy TP12 refers to development and highway safety

Policy QL1 relates to high quality development

Policy TP19 refers to car parking standards

NOTIFICATIONS

Neighbouring property owners were notified and a site notice was displayed. No letters of objection have been received.

Minster Parish Council support the proposal.

CONSULTATIONS

The Environment Agency has raised no objection to the proposal, but advise that the site is within a source protection zone.

Southern Water do not wish to comment on this application.

Kent County Council's Archaeological Officer advises that there is a high concentration of archaeological features in the vicinity of the site, and as such a condition requiring a programme of archaeological work prior to the commencement of the development.

Kent Highway Services raise concern that the site is remote from any local schools, bus routes or amenities, and reliance on the private car will be high in this location, but raise no objection to the detail of the access arrangements.

COMMENTS

The application is brought before Members at the request of Cllr Roberts on the grounds that the planning history of the site and the individual circumstances of the applicant are such that planning permission should be granted.

As the application site lies outside the built up area of any settlement it must be considered to rest

within the open countryside. Policies of rural restraint operate within these areas and it must therefore be considered whether there are any material circumstances that justify an exception to these policies. I consider that the main issues in determining this application are the principle of development, the visual impact of the proposal, impact upon neighbouring occupiers, highway safety and archaeology matters.

Principle of Development

The site lies outside the settlement boundary and the proposal for residential development is not acceptable in principle, on the grounds of both local and county policies as well as government advice. Furthermore, the site does not fall within the definition of previously developed land, and as such the proposal is contrary to policy H1 of the Local Plan which aims to locate residential development in the existing built up areas and resists new development on Greenfield land.

There is a history of planning permissions on this site, however these have all now lapsed and cannot be implemented. Notwithstanding this, previous applications were approved, balancing the policy objections with the view by Members that at that time the redevelopment of the site would result in the removal of an industrial use, provide off-street car parking and improve the appearance of the area. That specific land use has now been removed for more than 10 years and a parking area is in existence.

The principle is therefore against residential development of this site. The applicant contends that the planning history is a relevant consideration in the determination of this application, albeit that these consents have lapsed, and that the Council has previously accepted the principle of development on this site, including legal undertakings to provide parking and cease the use of the land for industrial purposes. As the Council's aims to remove the industrial use of the land and provide parking have now been met, I consider that there is now no justification to set aside the strong policy objections that resist new residential development in the countryside.

Visual Impact

The proposed development would introduce additional buildings in the countryside, and although the detailed design is considered acceptable, the proposal would result in the consolidation of buildings in the area, reducing the openness and eroding the rural character and appearance of the area contrary to local and structure plan policy.

Impact on Neighbouring Residents

The separation distance between existing properties and the proposed dwelling are considered sufficient to prevent any loss of light, privacy or sense of enclosure to neighbouring residents.

Highway Safety

The access arrangements to this site are considered satisfactory, and an acceptable level of off-street parking has been provided to serve the dwelling. Highway safety and convenience are therefore considered to be protected.

Archaeology

In order to protect archaeological features in the area it would be appropriate to require a programme of archaeological work should planning permission be granted.

Summary

To summarise, the application site lies within open countryside where policies dictate that new development will not be permitted unless material considerations justify an exception to government guidance and development plan policy. In the opinion of the Local Planning Authority there are no circumstances which justify the granting of permission in this case.

Case Officer

CHERRY BUTCHER

Background papers:

Kent Highway Services comments dated 02 May 2008

Environment Agency comments dated 19 May 2008

KCC Archaeological Officer comments dated 15 May 2008

Southern Water comments dated 14 May 2008