

A04

F/TH/18/0576

PROPOSAL: Erection of 1No two storey 3-bed dwelling and associated parking.

LOCATION: Land To The Side Of Mill Haven Mill Row BIRCHINGTON Kent

WARD: Birchington South

AGENT: Mr Daniel McCarthy

APPLICANT: Mrs Mary-Ann Cresdee

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 02, 03, 07 received on 22 October 2018, and plans numbered 04 and 05 received on 27 September 2018.

GROUND;

To secure the proper development of the area.

3 Prior to 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

4 No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written specification and timetable which has been submitted to and approved by the Local Planning Authority.

GROUND;

To ensure that features of archaeological interest are properly examined and recorded.

5 The rooflights to be provided in the north east elevation of the dwelling hereby approved, shall be provided and maintained with a cill height of not less than 1.73 metres above the finished internal 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.

6 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 first occupation 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.

GROUND;

In the interests of the visual amenities of the area in accordance with Policies D1 and D2 of the Thanet Local Plan

7 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;

To Protect existing trees and to adequately integrate the development into the environment, in accordance with Thanet Local Plan Policies D1 and D2.

8 No further enlargements or alterations of the dwelling house, whether approved by Class A, B or C of the Town and Country Planning (General Permitted Development) (England) Order 2015 (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.

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.

SITE, LOCATION AND DESCRIPTION

The existing bungalow at Mill Haven is detached and set within a large plot, with parking and access from Mill Row. The site currently forms part of the garden serving Mill Haven, with existing trees and shrubs. The site is on the edge of the urban confines and bounded by fields. There are a range of house types both within Mill Row, and neighbouring Mill Haven, with detached, semi-detached and terraced properties all visible, with no distinct prevailing character. The wider pattern of development demonstrates properties have either a direct street frontage or are set back within the plot.

RELEVANT PLANNING HISTORY

No relevant site history.

PROPOSED DEVELOPMENT

The proposal is for the erection of 1 no. two storey 3 bedroom detached family house on the land to the side of Mill Haven, which will utilise the existing access. The proposed dwelling is set back from the front boundary by 14m, and has been orientated with the front elevation facing in an easterly direction towards the access. The dwelling is proposed to be constructed, with weatherboarding, a slate roof and upvc windows and doors. There is a parking courtyard to the front of the property with two parking spaces and provision for vehicles to turn. The property has a good sized garden with private amenity space to the rear and side, with provision made for refuse storage in the front garden, and clothes drying and cycle storage located within the rear garden. The amended plans do not now include the detached garage, which was originally proposed, but set out the two parking spaces instead and retain the good condition wild cherry tree.

DEVELOPMENT PLAN POLICIES

THANET LOCAL PLAN 2006 - SAVED POLICIES

D1 - Design Principles

D2 - Landscaping

H1 - Housing

SR5 - Door step play space

TR12 - Cycling
TR16 - Car parking

NOTIFICATIONS

Letters were sent to neighbouring properties and a site notice has been posted. One comment was received to inform that the site had a former working windmill in 1700s. Any destruction of this area and the base would mean a loss of considerable historical interest and should be preserved. One letter of objection was received from a neighbour, raising the following concerns:

- The lane is already served by 5 dwellings and is only 3.65m in width
- Access and safety issues and no access or turning for HGV or large vans.
- Heavy vehicles would damage the top of my cellar which runs underneath my private roadway.
- There is an underground stream and watercourse within 20 metres of the proposed development which leads to a well.
- Loss of trees.
- Destruction of heritage asset and historical area as identified by the Birchington Heritage Trust
- Noise and disturbance from the construction.
- Loss of privacy due to overlooking from the garage.
- Overdevelopment and overcrowding.
- Legal complications with access arrangements.

Birchington Council - Objection. Overdevelopment with a lack of parking, it is a historic site and will increase traffic going into Mill Row which is not a big road and onto the A28.

CONSULTATIONS

Southern Water - No objection. Formal application required for connection to the public sewer.

Archaeology - No objection. The site lies in a rich archaeological landscape with remains of prehistoric and medieval dates having been found during evaluation works to the south and west recently. In particular a large double ring ditch monument has been identified to the south east of the property. Specifically as has been represented to you the site includes the location of a former flour mill that was in use in the mid 19th century. I have not been able to research the origins of this feature but it would be of interest as a local heritage asset.

The proposed new building is likely to fall on the location of the flour mill and it may be that early remains survive on the site. I would therefore recommend that in any forthcoming consent provision is made for a programme of archaeological works so that any archaeology that is affected by the development can be identified and investigated prior to loss.

Kent Highways - No objection. The provision of one additional dwelling is unlikely to have a notable impact on traffic flows in the area. For a 3 bed dwelling in the suburban location a minimum of 1.5 parking spaces must be provided. Sufficient turning area must be provided within the site to allow cars to park and enter/exit the site in a forward gear.

COMMENT

The application has been called to planning committee by Cllr Coleman-Cooke to enable members to consider whether the proposed development would constitute an overdevelopment of the existing site, whether it is out of character with the area and if parking and traffic issues would be created.

Principle

The site is located within the urban confines of Birchington and on garden land serving Mill Haven. The development would represent development on non-previously developed land which would be contrary to Policy H1 of the Thanet Local Plan; however this needs to be considered having regard to the fact that there is a current need for housing in Thanet and, on this basis, the National Planning Policy Framework (NPPF) requires that applications for housing should be considered in the context of the presumption in favour of sustainable development. Furthermore, the emerging Policy H01 of the submitted Draft Local Plan states that the Council will grant permission for new housing development on residential gardens where it is judged to not be harmful to the character and amenity of the local area. The site is within a sustainable location close to Canterbury Road (A28) with good access to local amenities in Birchington and local transport links. The principle of developing the site is therefore considered to be acceptable and consistent with the principles of the NPPF, subject to the consideration of other material considerations, such as impact on the character and appearance of an area, the living conditions of neighbours and impacts on the highway network, being considered acceptable.

Character and Appearance of the Area

Policy QD02 of the Draft Local Plan states that residential development on garden land will be permitted if it makes a positive visual contribution to the area.

The site is within the urban confines and adjacent to open fields. There is considered to be suitable space within the large plot of 1289 sqm to accommodate an additional dwelling. The site layout of the proposed dwelling has utilised the space effectively to create a rectangular footprint with a narrower frontage and wider side elevations so as not to overcrowd the plot or impinge on the existing dwelling. There is enough space for garden land all around the property, and parking and access to the front. The proposal is in keeping with the pattern of development of the area, as Mill Haven is on a much larger plot than the surrounding dwellings, with the majority of plots at a much higher density. The proposed orientation of the family dwelling is complimentary to the existing dwelling within the plot.

In terms of the design, the proposal has a pitched roof with gable ends to the rear and front elevations, with a canopy over the front entrance, rooms in the roof served by roof lights, windows within the gable ends and a number of patio doors and windows. The property is 6.8m in height to the top of the ridge and 11.5m in depth, with a front and rear elevation of 6m in width and a side projection with gable and chimney feature to the south west elevation, projecting a further 2m x 5m from the main footprint of the house. There is no particular prevailing character within Mill Row and through the neighbouring properties and it is not therefore considered that the design or scale of the proposal would be out of

character. A sample condition for materials is proposed to ensure good quality materials for the dwelling.

The tree removal plan details that there are 9 trees to be removed in total from the site, mainly along the south west facing elevation,. The existing trees are not protected by a Tree Preservation Order, and an Arboricultural Assessment has been submitted identifying the trees to be removed as Grade C2 and of fair condition, and therefore it is not considered that the existing trees are worthy of a Tree Preservation Order.

A landscaping plan has been submitted showing that 8no. New trees are to be planted within the site, which in addition to the trees to be retained, will provide some screening from views of the property from across the fields. It is also noted that the site adjacent to the boundary of the application site has been allocated as a strategic housing site, which may further reduce views into the site in the future.

It is therefore not considered that the proposal creates a harmful impact to the character and appearance of the area and is considered to be in accordance with Policy D1 of the Thanet Local Plan and QD02 of the Draft Local Plan.

Living Conditions

In terms of the impact of the proposal upon neighbouring living conditions, there is considered to be sufficient space around the property and acceptable distances to neighbouring properties following the amendments made to the plans, which show the removal of the originally proposed detached garage, to prevent any significant impact upon neighbouring light or outlook.

The proposed development, is set away from the boundary of the neighbouring property at Mill Lodge by 12 metres and the first floor bedroom window is orientated away from the rear amenity space. There is a distance of 3 metres between the proposed dwelling and Mill Haven, the existing bungalow within the plot and the ground floor windows serve a toilet and utility room, which are not considered to create any overlooking concerns. There are no first floor windows within the north east facing elevation towards the existing dwelling. The rooflights within the north east facing roof slope are all above 1.7m from the cill height and there are not considered to be any harmful overlooking issues created from these windows. The site is bordered by open fields on the north west and south west elevations.

The proposal is therefore considered to be acceptable and in accordance with Policy D1 of the Thanet Local Plan, and the NPPF.

Transportation

Whilst concerns have been raised in relation to parking, the amended plans provide for 2 parking spaces instead of the original detached garage, which exceeds the 1.5 spaces required. Sufficient turning space is also provided. KCC Highways have not raised an objection to the application and do not consider that the creation of one additional dwelling would create a notable impact on traffic flows within the area. Cycle parking is provided in the form of a bike sheds to be provided in the rear garden. The application is therefore

considered to be acceptable in terms of the parking and highways arrangements. The impact on the highway safety and convenience is therefore considered to be acceptable and in accordance with the NPPF.

CONCLUSION

The principle of development is a departure from Policy H1 of the Thanet Local Plan, but Policy H01 in the Draft Local Plan allows for garden land to be built on where not judged harmful to the local area in terms of the character and amenity considerations. The proposal is considered to be acceptable as it is complimentary to the varied character and appearance of the area and provides a family dwelling in a sustainable location within Birchington. There are no harmful impacts to neighbouring living conditions and the proposal does not pose any harmful impacts to highway safety. The application is therefore considered to be an acceptable departure to Policy H1, with a design and layout in accordance with Policies D1 and TR16 of the Thanet Local Plan, and the National Planning Policy Framework.

It is therefore recommended that members approve the application subject to safeguarding conditions.

Case Officer

Lauren Hemsley

TITLE: F/TH/18/0576

Project Land To The Side Of Mill Haven Mill Row BIRCHINGTON Kent

