

**A01**

**F/TH/19/0256**

PROPOSAL: Erection of additional garage to end of existing garage block

LOCATION: Mount Lavina 195 Canterbury Road BIRCHINGTON Kent CT7 9AH

WARD: Birchington South

AGENT: Mr Tony Michael

APPLICANT: Mr Simon Day

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 001, 003, 004, and 006

**GROUND;**

To secure the proper development of the area.

SITE, LOCATION AND DESCRIPTION

The site is located within the urban confines, within the Birchington Conservation Area and adjacent to a Listed Building no. 197 Canterbury Road. The application site comprises a detached three storey property containing 8no. 2 bed residential units with garages/parking spaces serving the existing flats and amenity space and bin storage to the rear. There is currently a mature Horse Chestnut tree adjacent to the bin storage area.

RELEVANT PLANNING HISTORY

TPO/TH/18/1573 TH/TPO/8(1997)T1- 1No. Cherry - Fell. Refused 07/01/19

TCA/TH/18/1572 1No Horse Chestnut- Fell. Raise no objection 08/01/19

NM/TH/18/1076 Application for a non material amendment of planning permission F/TH/15/0029 for the erection of Mansard roof to accommodate 2no. two bed self contained

flats to allow increase in height and shape of the mansard, insertion of rooflights and smoke vents and internal alterations. Granted 21/09/18

F/TH/18/0290 Variation of condition 2 attached to planning permission reference number F/TH/15/0029 for the erection of Mansard roof to accommodate 2no. two bed self contained flats to allow for increase in roof height, alterations to internal floor layout, installation of 3no. rooflights together with alterations to fenestration. Withdrawn

CON/TH/16/0267 Application for the approval of condition 3 (Materials) and 4 (Joinery) of planning permission F/TH/15/0029 for the erection of Mansard roof to accommodate 2no. two bed self contained flats. Granted 01/03/16

F/TH/15/0029 Erection of Mansard roof to accommodate 2no. two bed self contained flats. Refused 22/10/15. Appeal allowed with conditions 12/02/16

TH/83/1236 Erection of a three storey building comprising of six flats with garages and parking space. Granted 19/01/84

### PROPOSED DEVELOPMENT

Full planning consent is sought for the erection of a single garage to the rear of the site. The proposed garage would be attached to an existing block of 6 single garages. The garages are located off the site's southern boundary. To the east of the block of garages is a substantial Horse Chestnut tree, which has already had permission for felling - TCA/TH/18/1572.

The proposed garage would replicate the design and size of the existing garages in the block and have a maximum height of 2.6m and external width and length of 2.9m and 5.8m respectively. The agent has confirmed that the garage will be utilised by a prospective purchaser of flat 8 who wishes to house his disability scooter.

### DEVELOPMENT PLAN POLICIES

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

- D1 - Design Principles
- D2 - Landscaping
- TR16 - Car Parking Provision

### NOTIFICATIONS

One representation objecting to the application has been received. The concerns raised are summarised as follows:

- \* Current area is used for bin storage and drying clothes
- \* Garage would prevent parking spaces being accessed
- \* Garages are not up to modern standards and cannot be used for the parking of a vehicle

**Birchington Town Council:** No comment

## CONSULTATIONS

**Conservation Officer:** No objection

## COMMENTS

The application is brought before members as the applicant is a Thanet District Council Councillor.

The main considerations in determining this application are the principle of development, the impact on the character and appearance of the area including the Birchington Conservation Area and the setting of nearby Listed Buildings, the impact on the living conditions of future and neighbouring property occupiers and impact on the local highway network.

### **Principle**

In line with Section 38(6) of the Planning and Compulsory Purchase Act 2014, planning decisions must be taken in accordance with the 'development plan' unless material considerations indicate otherwise. The requirements of the National Planning Policy Framework (NPPF) are a significant material consideration in this regard.

The site lies within the urban confines and the principle of the proposed garage within the curtilage of a residential building is acceptable, subject to the assessment of material considerations.

### **Character and Appearance**

Paragraph 127 of the NPPF states decisions should ensure that developments will function well and add to the overall quality of the area, are visually attractive as a result of good architecture, layout and appropriate and effective landscaping, sympathetic to local character and history, establish a strong sense of place and optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development and create places that are safe, inclusive and accessible. Saved policy D1 of the Local Plan outlines that the design of all new proposals must respect or enhance the character and appearance of the area particularly in scale, massing, rhythm and use of materials.

The application property lies within the Birchington Conservation Area and adjacent to Listed Buildings.

The proposed garage would be attached to the existing block of six garages and would, therefore, be seen in this context. The proposed garage would replicate the design, height and use of materials of the existing garages within the block. Whilst the built form would increase to the rear of the building I do not consider it would harm the setting of the adjacent listed buildings nor would it be harmful to the character and appearance of the Conservation Area. It is confirmed that the Conservation Officer concurs with this view.

It is considered that the proposed development would preserve the character and appearance of the building, the Birchington Conservation Area and the setting of neighbouring Listed Buildings.

### **Living Conditions**

Paragraph 117 of the NPPF states that planning decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.

The proposed garage adjoins the existing garage block, with the additional garage located to the eastern end. The proposal would bring built form slightly closer to no. 193 Canterbury Road, however, it would be built to the same modest height as the existing garages. There would still a distance of 16m separating the new garage from no.193. As such, the development is not considered to have an unduly detrimental impact on the light or outlook of any neighbouring occupants or to the rear (The Stables).

The impact upon the neighbouring and future occupiers of the development is therefore considered to be acceptable and in accordance with Policy D1 of the Thanet Local Plan and the NPPF.

### **Transportation**

The approved plans indicate that the 8 approved flats benefit from one garage each and there are two parking spaces to the rear of the site. Although when a site inspection was carried out it was noted that the two parking spaces were not operational as this area has a temporary fence around it. A query was raised with the agent regarding this issue, he has confirmed that the applicant has recently altered the on-site parking and installed additional parking bays (3 in total) opposite the garage block. The re-positioning of these bays means part of the lawned area has been lost due to the creation of the hardsurfacing. This is not, however considered to result in material harm. The plan shows a distance of 6m between the garage block and the re-positioned parking spaces, which complies to the KCC standards. It is however, noted that the depth of the proposed parking spaces is under the required standard of 5m, measuring 4.5m. The agent has indicated that this is suitable as residents have small town cars. It is recognised that this could alter depending on the tenant and would be unsuitable.

Whilst there is no on street parking available in the immediate vicinity of the site along Canterbury Road, the site is located in a highly sustainable location, in close proximity to a range of goods and services within the commercial area of Birchington and has good public transport links. Through the development there would be an increase in parking spaces, although the three parking spaces would be sub-standard. Given the highly sustainable location of the site, I consider that the harm would not be such as to warrant refusal of the application on amenity or highway safety grounds.

**Other matters:**

There is a tree to the rear of the site which is protected due to its location within the Conservation Area. This tree is immediately to the east of the proposed siting of the garage and would be clearly affected. It is confirmed that an application for works to a tree in a Conservation Area was approved in January this year. This application approved the felling of this Horse Chestnut tree, due to its poor condition. The agent has indicated this tree will be felled in April. The impact of the proposed garage upon the tree is therefore not considered unacceptable on this basis.

**Conclusion**

Given the above, the proposed development is considered to be acceptable. The scheme is of an appropriate siting and design, impact upon designated heritage assets, would have an acceptable relationship with surrounding properties, would not undermine highway safety and is consequently recommended for approval, subject to conditions.

**Case Officer**

Gill Richardson

TITLE: F/TH/19/0256

Project Mount Lavina 195 Canterbury Road BIRCHINGTON Kent CT7 9AH

Scale:

