

D09

F/TH/19/0251

PROPOSAL: Erection of a two storey three bedroom dwelling with detached garage and associated works.

LOCATION: Royal Exchange Millers Lane Monkton RAMSGATE Kent

WARD: Thanet Villages

AGENT: Mr John Sheridan

APPLICANT: Mr J Dyer

RECOMMENDATION: Defer & Delegate

Defer & Delegate for Approval subject to the submission of an acceptable signed unilateral undertaking and 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 3078/01 received 28 February 2019, 3078/02,, 3078/04 Rev A, 3078/05 Rev B, 3078/06 Rev B,, 3078/07 Rev B, 3078/08 Rev B, 3078/09 and, 3078/10 received 9 July 2019.

GROUND;

To secure the proper development of the area.

3 The development hereby approved shall be constructed at the ground level shown on drawings numbered 3078/02 Rev A and 3078/10 received 9 July 2019.

GROUND:

To secure the proper development of the area.

4 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

5 Prior to the first occupation of the development hereby approved visibility splays of 43m x 2.4m x 43m shall be provided to the access on to Millers Lane as shown on the approved plan no3078/04 Rev A with no obstructions over 0.6m above carriageway level within the splays, which shall thereafter be maintained.

GROUND;

In the interest of highway safety.

6 No further alterations to the building, or the erection of garden buildings, or erection of boundary or internal fences or means of enclosure, whether permitted by Classes A, B, C, D, or E of Part One or Class A of Part Two of Schedule 2 to the Town & Country Planning (General Permitted Development) Order 1995 or not, shall be carried out without the prior permission in writing of the District 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.

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 Prior to the commencement of development works (including site clearance), details of a precautionary mitigation methodology for protected species shall be submitted to, and approved in writing by, the local planning authority. This will include a walkover survey of the site and details of associated mitigation measures. The approved details shall be implemented in accordance with the methodology.

GROUND:

In order to safeguard protected species that may be present, in accordance with the National Planning Policy Framework.

9 Prior to first occupation, details of how the development will enhance biodiversity will be submitted to, and approved by, the local planning authority. This will include the installation of bat boxes and the planting of native shrub/tree species. The approved details will be implemented and thereafter retained.

GROUND:

In order to safeguard protected species that may be present, in accordance with the National Planning Policy Framework.

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.

For the avoidance of doubt, the provision of contributions to as set out in the unilateral undertaking made on submitted with this planning application, and hereby approved, shall be provided in accordance with The Schedule of the aforementioned deed.

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/>

SITE, LOCATION AND DESCRIPTION

The site lies immediately adjacent to the built up village confines of Monkton as defined by the Thanet Local Plan 2006. The site is currently overgrown with trees and bushes and is unused garden land for The Royal Exchange which is a Grade II Listed Building. Whilst The Royal Exchange is a Grade II Listed Building the site does not lie within the Monkton Conservation Area which is located to the south of Monkton Street. The perimeter of the site comprises trees and bushes and there is open agricultural land to the north and west of the site.

PROPOSED DEVELOPMENT

The proposed development seeks planning permission to erect a two storey, 3 bedrooled, detached dwelling and a single storey pitched roof detached garage with vehicular access onto Millers Lane.

PLANNING HISTORY

OL/TH/12/0333 - Erection of a detached dwelling, refused on 28 August 2012 for the following reasons:

1. The application site, which is to be developed, is in the countryside and does not constitute previously developed land and as such the proposed residential development would result in an unsustainable and inappropriate form of development and involve the release of greenfield land, where there is no identified need, contrary to policies CC1 and H1 of the Thanet Local Plan 2006, which seek to protect the countryside from non-essential development and concentrate development on brownfield land at appropriate locations within the confines of existing urban areas and rural settlements.
2. The proposed development, by virtue of its siting and location, would result in the loss of an open space in the countryside and represent an unduly prominent form of development, severely detrimental to the character and appearance of the surrounding area, contrary to

Thanet Local Plan 2006 Policies CC2, D1, South East Plan 2009 Policy BE1 and the National Planning Policy Framework.

3. The proposal fails to demonstrate that the site is capable of providing an access incorporating the necessary visibility splays which are essential in the interests of highway safety. The proposed development will also generate an increase in pedestrian traffic on a highway lacking adequate footways with consequent additional hazards to all users of the road, to the detriment of highway safety, contrary to policy D1 of the Thanet Local Plan 2006 and the National Planning Policy Framework.

OL/TH/06/0383 - Erection of a detached dwelling, refused on 22 May 2006 for the following reason:

The site is outside the built up area boundary of any settlement and, as such, represents an inappropriate form of development within the open countryside, detrimental to the amenities of the rural location, of harm to the Landscape Character Area, and in the opinion of the District Planning Authority there are no circumstances which justify the granting of permission in this case. As such, the proposal is considered to represent an undesirable form of development, contrary policies ENV1 and RS5 of the Kent Structure Plan and policies H1, HNP3, TR1, CC1 and CC2 of the Revised Deposit Draft Thanet Local Plan.'

DEVELOPMENT PLAN POLICIES

Thanet Local Plan Policy (2006) Saved Policies

CC1 - Development in the Countryside (urban and rural confines)

CC2 - Landscape Character Areas

D1 - Design Principles

D2 - Landscaping

H1- Housing

H4 - Windfall Sites

SR5 - Play space

TR12 - Cycling

TR16 - Car Parking Provision

Draft Local Plan to 2031

QD03 - Living Conditions

QD04 - Technical Standards

NOTIFICATIONS

Neighbouring residents have been notified, a site notice displayed and an advert placed in the Thanet Extra. Two representations have been received raising the following concerns:

- There is no ecological survey - there could be great crested newts within the area as there is a large colony of these amphibians at Monkton Nature Reserve at the northern end of Millers Lane.

- Millers Lane has been deemed unfit for HGV access - normal waste collection vehicles are not permitted and smaller ones make a special collection for the residents. How are heavy construction vehicles going to access the site?
- Lack of parking for visitors on the single track road.
- Millers Lane is a single track road without any designated passing places. Any vehicle parked in the lane will block it. There is no indication of how the road will be kept open during the clearance/building periods.
- There is no provision to protect the existing trees, which could well be felled by anyone buying the property, thus harming the local wildlife population.
- The current submission acknowledges the existence of the local bat community (provision of bat boxes) it provides no guarantees that the clearance and building work will only occur in the early spring and autumn months to protect their community.
- Concerns over adequate electricity supply. The six residences in Millers Lane are supplied by overhead lines from two sources. It is questionable that there is capacity for an additional dwelling without significant work.
- Concerns over capacity of any telephone/internet connection.

Monkton Parish Council - Objection on the following grounds:

1. This proposed development is outside of the Village confines.
2. Access to the property is unsuitable and would present a danger to the neighbouring properties using the road.

CONSULTEES

Conservation Officer - The Royal Exchange building is a Grade II listed property located just outside of Monkton Conservation Area in Ramsgate. This application is for the construction of a new dwelling, to the north of the site of the existing listed building.

Under the Listed Buildings and Conservation Areas Act 1990, Section 66 Paragraph 1 it states when considering whether to grant planning permission for development which affects a listed building or its setting, the local authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Additionally Policy HE02 (Draft Thanet Local Plan) Section 8 states appropriate materials and detailing are proposed and the extension would not result in the loss of features that contribute to the character of the conservation area. NPPF Section 16, 185, states Plans should set out a positive strategy for the conservation and enjoyment of the historic

environment, including the desirability of sustaining and enhancing the significance of heritage assets, and putting them to viable uses consistent with their conversion.

This rural site would have represented a sense of openness to the character of the area with the existing building situated at the forefront next to Millers Lane. This location would have been preferable when the dwelling on the site previously functioned as an Inn, offering services to those travelling to and from the surrounding coastline.

In the past it is likely that this property would have stood relatively alone in its location, however through time the town has developed and encroached much closer to the site and the area has become considerably more residential. This is typical of the expansion of smaller towns and should not be considered a detriment to the character of the area or the listed building but perhaps makes it more acceptable to blend further development into the setting where appropriate.

The proposed dwelling has been designed to be sympathetic and reflective of the surrounding character of the area. The proposed is set at a slightly lower level to reduce the level of impact to views of the site and any external materials have been chosen in order to not detract from the nearby listed building, thus becoming subservient.

A large amount of trees and woodland currently occupies the site, right up to close proximity of the listed building. Some of this landscaping is due to be removed in order to accommodate the proposed development however enough is being retained so that the setting of the listed property remains unaffected. Due to this proposed development location behind the landscaping and listed building there is little to no impact to the nearby Monkton Conservation Area.

Overall this proposed development has been designed in a way that is sympathetic to the nearby listed building and does not compete or alter the views of the setting of the existing property. In order to enable this development to take place a currently unmanaged site will be partially cleared improving views of the area and that of the listed building. In my opinion it meets local and national guidance and therefore I do not object to this application.

Kent Highways & Transportation - The splays shown on the plans are as suggested under the previous application and acceptable. Whilst pedestrian access is not ideal this is a low-speed, partly-lit environment with low traffic levels and the proposal for one dwelling is unlikely to add materially to vehicle or pedestrian movements. The distance to the footway network in Monkton Street is also relatively short at around 100 metres. There are no recorded personal injury crashes in the last twenty years in this section of Millers Lane or at the junction with Monkton Street. More recent appeal decisions for similar scale proposals in similar locations also suggest a recommendation for refusal on the lack of a footway is unlikely to be upheld.

Arboricultural Consultant - The photos do not give much information about the trees, and on-line aerial photos & StreetView images are relatively old and appear to pre-date the clearance works recorded in the tree survey. However, none of the trees appear of great individual merit.

- A full assessment of the tree report recommendations is hampered as the RH edge of the tree schedule details (Appendix I) are missing. So the reasons for removal of e.g. G10 (3x Plum) is not clear other than they may be close to the proposed house and their physiological condition is stated as "Decline".
- G14 is identified for removal in the report (para. 5.2), but shown retained on the Tree Retention and Protection plan (partially beneath the footprint of the proposed garage and driveway). It appears only some of them need to be removed.
- The proposed removal of young Elm trees (T's 12, 13 & 18) is reasonable as they are likely to have short useful life expectancies
- The trees along the western boundary of the site (including a group of semi-mature Hawthorn G19, around 6m tall, shown closest to (but outside the RPA of) the house) would screen the new development from the adjacent farmland, and provide a defined boundary feature. However, I'm not sure how visible they are from the public realm; the latest StreetView images (July 2009) show a line of tall trees along Monkton Street, obscuring views of the site.

In summary, the extent of tree removal necessary to implement the proposed development does not appear sufficient to justify refusal on its own. The house is shown close to the hedgerow trees along the western boundary, and there may be pressure to reduce / maintain at a lower height. However, I think it would be difficult to sustain a TPO on these trees.

Kent Biodiversity Officer - (Final Comment)

We have reviewed the updated information in support of this application and advise that sufficient information has been provided to determine the planning application. Therefore, we require no additional information.

Protected Species Current photographs of the site show that the trees are unlikely to support roosting bats because of their relative immaturity. However, the photographs show that the site is more open and supporting more scrub/ruderal vegetation than the aerial imagery suggested upon our original review of the application.

While we take the view that the site is unlikely to support Great Crested Newts and reptiles (due to its poor habitat connectivity), there is potential for species such as badgers and hedgehogs (a priority species under the NERC Act 2006) to be present.

The vegetation on-site appears optimal for breeding birds and, therefore, site clearance works will have to be carried outside the bird breeding season. As such, the timings of works could affect any hibernating hedgehogs which may be present.

As the site is relatively small and isolated, we advise that a suitable precautionary mitigation methodology for protected/priority species is the most pragmatic approach. We advise details of the precautionary mitigation methodology is submitted and secured via an attached condition if planning permission is granted. Suggested wording:

"Prior to commence of development works (including site clearance), details of a precautionary mitigation methodology for protected species will be submitted to, and

approved by, the local planning authority. This will include a walkover survey of the site and details of associated mitigation measures. The approved details will be implemented in accordance with the methodology."

Ecological Enhancement In alignment with paragraph 175 of the National Planning Policy Framework 2019, the implementation of enhancements for biodiversity should be encouraged. The submitted 'Design and Access' statement states that bat boxes will be attached to the new dwelling. We are supportive of this enhancement and would recommend that planting of native species is also included, where possible. As such, we advise that a condition is attached to planning permission, if granted, to secure the implementation of enhancements. Suggested wording:

"Within six months of development works commencing, details of how the development will enhance biodiversity will be submitted to, and approved by, the local planning authority. This will include the installation of bat boxes and the planting of native shrub/tree species. The approved details will be implemented and thereafter retained."

(Initial Comment)

We have reviewed the ecological information submitted in support of this application and we advise that additional information is required prior to determination of the planning application.

The development site is bordered by mature scrub/young woodland but poorly connected to the wider natural landscape. A tree survey has been undertaken but the report does not reference the site's ecology. Although we take the view that site is likely to be relatively low in biodiversity, protected species may be present and, therefore, need consideration in the determination of the planning application.

From the aerial imagery available to us, the development site is unlikely to be utilised by terrestrial protected species, such as Great Crested Newt, due to the poor connectivity and distance from suitable habitat. Therefore, we advise that a general ecological survey is not required at this time.

Bats The arboricultural report references mature trees which may offer potential for roosting bats and biological record data confirm their presence in the area.

All bat species are protected and, under paragraph 99 of Government Circular (ODPM 06/2005) Biodiversity and Geological Conservation - Statutory Obligations & Their Impact Within the Planning System, *"It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted otherwise all relevant material considerations may not have been addressed in making the decision."*

Therefore, we would request that up-to-date photographs of the trees on-site are submitted so an assessment can be made regarding bat roost suitability. If there are suitable roost features on-site, there will likely be need for further surveys prior to determination.

Breeding Bird Informative The trees and scrub present on-site provide opportunities for breeding birds. Any work to vegetation that may provide suitable nesting habitats should be carried out outside of the bird breeding season (March to August) to avoid destroying or damaging bird nests in use or being built. If vegetation needs to be removed during the breeding season, mitigation measures need to be implemented during construction in order to protect breeding birds. This includes examination by an experienced ecologist prior to starting work and if any nesting birds are found, development must cease until after the juveniles have fledged. We suggest the following informative is included with any planning consent:

"The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this Act. Trees and scrub are present on the application site and are to be assumed to contain nesting birds between 1st March and 31st August, unless a recent survey has been undertaken by a competent ecologist and has shown that nesting birds are not present."

Ecological Enhancement In alignment with paragraph 175 of the National Planning Policy Framework 2019, the implementation of enhancements for biodiversity should be encouraged. The submitted 'Design and Access' statement states that bat boxes will be attached to the new dwelling. We are supportive of this enhancement and would recommend that planting of native species is also included, where possible. As such, we advise that a condition is attached to planning permission, if granted, to secure the implementation of enhancements. Suggested wording:

"Prior to the completion of the development hereby approved, details of how the development will enhance biodiversity will be submitted to, and approved by, the local planning authority. This will include the installation of bat boxes and the planting of native shrub/tree species. The approved details will be implemented and thereafter retained."

Southern Water - requires a formal application for connection to the public sewer to be made by the applicant or developer.

Southern Water supports this stance and seeks through appropriate Planning Conditions to ensure that suitable means of surface water disposal are proposed for each development. It is important that discharge to sewer occurs only where this is necessary and where adequate capacity exists to serve the development. Where it is proposed to connect to a public sewer the prior approval of Southern Water is required.

Natural England - No objection subject to securing appropriate mitigation.

COMMENTS

This application is brought before the Planning Committee as the proposal represents a departure from Policy H1 of the Thanet Local Plan, as the site is located in the countryside.

The main issues raised by this proposal are the effect of the proposal upon the character and appearance of the surrounding area and the adjacent Listed Building as a heritage asset, the impact upon the living conditions of the occupiers of nearby residential properties and whether there is a need for the development that overrides the need to protect the countryside.

Principle of Development

The site lies within an area designated as countryside as defined by the Thanet Local Plan and is therefore contrary to Policy H1 of the Thanet Local Plan, which requires that new residential development should be on previously developed land within the urban confines.

However currently the Council does not have a 5 year supply of deliverable housing sites as required by paragraph 11 of the NPPF. For residential development, this means that proposals for housing should be considered in the context of the National Planning Policy Framework's presumption in favour of sustainable development (paragraph 11). This is because local policies (including defined development boundaries) relating to the supply of housing are no longer considered up to date (paragraph 11). Paragraph 11 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.

Policy CC1 of the Thanet Local Plan states that within the countryside, new development will not be permitted unless there is a need for the development that overrides the need to protect the countryside. There is a need for housing within Thanet, however, the need for housing has to be balanced against the impact on the countryside and the sustainability of the site.

Policy CC2 relates to the Landscape Character Area and this site lies within The Former Wantsum North Shore Area where the policy states development will only be permitted that would not damage the setting of the Wantsum Channel and long views of Pegwell Bay, the Wantsum Channel, the adjacent marshes and the sea.

Paragraph 79 of the National Planning Policy Framework states decisions should avoid the development of isolated homes in the countryside unless the development would re-use redundant or disused buildings and enhance its immediate setting.

Recent Planning Inspector Appeals upheld for housing development within the countryside (Erection of a two-storey dwelling on land adjacent to 151 Monkton Road, Minster (F/TH/16/0788 - Appeal Ref APP/Z2260/W/16/3162744) determined 31 March 2017 and Erection of 36 dwellings with construction of new access from Monkton Road (OL/TH/16/0654 - Appeal Ref: APP/Z2260/W/16/3164748) determined 3 April 2017) found the sites to be sustainably located.

In this instance the application site lies immediately adjacent to the village confines of Monkton. Properties directly opposite, to the east of Millers Lane, including Nos 1 to 4

Millers Lane are inside the village confines with the boundary continuing along the rear gardens of properties in Parsonage Fields.

The location of this site, close to the built confines and close to a range of services and facilities, with access to public transport, is considered to be a sustainable location, taking account of the criteria within the comments of the Planning Inspector in the recent appeal decisions referred to above.

The principle of development is therefore considered to be acceptable subject to the impact upon the countryside and Landscape Character Area being acceptable, along with the sustainability of the development.

Character and Appearance

The site lies immediately adjacent to the built up village confines of Monkton as defined by the Thanet Local Plan 2006, with the boundary located along Millers Lane to the front of the site, and consequently in the countryside for planning policy purposes. Properties to the east of Millers Lane, including Nos 1 to 4 Millers Lane, are inside the village confines with the boundary continuing along the rear gardens of properties in Parsonage Fields. Development within the village is mostly linear street frontage development with the occasional sporadic development such the two storey detached property, Whitelands, located on the opposite corner to the south and The Royal Exchange.

The site forms the garden area to The Royal Exchange but is currently overgrown and not in use as a garden. The triangular parcel of land is bounded by trees and bushes and fronts Millers Lane and would be severed from The Royal Exchange. The site is on the edge of the built development with open agricultural land to the north and west of the site. The proposed development would comprise a two storey detached dwelling with a detached single storey pitched roof garage with a new vehicular access onto Millers Lane. The design of the dwelling has been amended since its initial submission and reduced in scale in order that the building can sit more comfortably within the site away from the rear boundary and maintain a set back from the highway. The front elevation of the dwelling would be set back between 4.5 and 6.5 metres from the highway and this would be in keeping with the properties opposite and properties fronting Monkton Street to the south which are set back approximately 7 metres.

The tree and hedge lined boundary to the west forms a natural boundary to the edge of the built form of the village. The erection of a dwelling on this site would be seen in the context of the existing group of properties opposite, when viewed from the south from Monkton Street. Longer views of the dwelling, from the Canterbury Road (A253) to the north, (over 170 metres away) would be partially screened by the boundary trees and any glimpses of the dwelling would be viewed in the context of existing built form.

The applicant has provided a drawing showing comparative roof levels between The Royal Exchange, the proposed dwelling and Nos 3 and 4 Millers Lane. Due to the changes in land levels, indicated on the Block Plan, the ridge of the proposed dwelling would be no higher than The Royal Exchange and would be significantly lower than Nos 3 and 4 opposite. It is proposed to render the external surfaces of the dwelling and this would complement the

white painted brickwork of The Royal Exchange. The roof would be finished with plain red tiles to match the Kent Peg tiles on the listed building. The detached garage would be finished in red stock brickwork with red coloured plain tiles. Precise details of the materials to be used are to be submitted for approval but generally the materials and finish proposed would not appear out of keeping with other properties in the area where there is a mix of finish types.

With regards to Thanet Local Plan Policy CC2, the District Landscape Assessment Survey informing the policy recognises the very open landscape comprising few features, the openness of this landscape providing wide and long views of the former Wantsum Channel area and Pegwell Bay. In this instance the site is mostly screened by trees and hedges and is located opposite built development. With regards to this policy the proposed dwelling would not in itself intrude into the open landscape and is considered to have no greater material impact on the open character of the area, that Policy CC2 aims to protect, than the existing stable and nearby development. The development therefore accords with this countryside policy.

Given the fairly discrete location of the proposed development, together with the use of materials respecting those used in the vicinity, it is considered that there would be minimal visual harm to the surrounding countryside. On this basis the need for the proposed development is considered to outweigh the harm to the countryside, and provide a sustainable form of development in keeping with the character and appearance of the area. The proposed development is therefore considered to comply with Policies D1 and CC1 of the Thanet Local Plan, and paragraphs 79 and 127 of the NPPF.

Impact on Heritage Assets

The determination of the previous Outline planning application (OL/TH/12/0333) considered that the heavily wooded land to the north did not contribute significantly to the historic context of The Royal Exchange from when it was an inn and staging post for horse-drawn coaches and therefore the application was not refused for any reason relating to the setting of the listed building.

Conservation Officer comments for the current proposal concurs with this view advising it is likely that this property would have historically stood relatively alone in its location, however over time the village has developed and encroached closer to the site and the area has become considerably more residential. This village expansion should not be considered detrimental to the character of the area or the listed building but perhaps makes it more acceptable to blend further development into the setting where appropriate.

It is further noted that the proposed dwelling 'has been designed to be sympathetic and reflective of the surrounding character of the area. The proposal is set at a slightly lower level to reduce the level of impact to views of the site and any external materials have been chosen in order to not detract from the nearby listed building, thus becoming subservient.'

Furthermore due to the siting of the proposed dwelling, more than 40 metres from the listed building, and screened behind landscaping there would be little to no impact to the setting of the listed building or the nearby Monkton Conservation Area. It is also noted that improved

management of the overgrown site would improve views of the listed building and of the area overall. As such the proposed development would not be harmful to the setting of the listed building or the wider character and appearance of the area, including the nearby Conservation Area, and the proposal is therefore in line with the aims of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the NPPF.

Living Conditions

With regards to living conditions for future occupiers Policy QD03 of the Council's Draft Local Plan to 2031 requires new development to be of appropriate size and layout with sufficient usable space to facilitate comfortable living conditions and meet the standards set out in policy QD04. The internal space standards referred to in policy QD04 are the National Described Space Standards (March 2015) recognises the Council's belief that everyone has the right to a high standard of residential accommodation with sufficient space to meet their own needs. The draft policy is in line with the aims of paragraph 127 of the National Planning Policy Framework which requires a high standard of amenity for existing and future users. The room sizes within the proposed development would meet the National Described Space Standards.

The proposed dwelling would be located approximately 20m away from the front elevations of nearby residential properties and would therefore have little impact upon neighbouring residential amenity with regards to loss of outlook. The primary windows are located to the front and rear elevations and would not result in significant overlooking or loss of privacy given the distance, and presence of boundary trees.

With regards to amenity for future occupiers the site has ample space for clothes drying, refuse storage and storage facilities.

The proposal is for a three bedroomed dwelling and as such would be required to provide safe doorstep play space for young children to meet the aims of Local Plan Policy SR5. The site would be able to comfortably provide safe play space to meet the aims of this policy.

It is therefore considered that the living conditions for future occupiers and neighbouring residential occupiers accord with the aims of Thanet Local Plan Policy D1, Draft Local Plan policies QD03 and QD04 and paragraph 127 of the NPPF.

Planning Obligations

Natural England has previously advised that the level of population increase predicted in Thanet should be considered likely to have a significant effect on the interest features for which the Thanet Coast and Sandwich Bay Special Protection Area (SPA) and RAMSAR have been identified. Thanet District Council produced the 'The Strategic Access Management and Monitoring Plan (SAMM)' to deal with these matters, which focuses on the impacts of recreational activities on the Thanet section of the Thanet Coast and Sandwich Bay Special Protection Area (SPA). The studies indicate that recreational disturbance is a potential cause of the decline in bird numbers in the SPA. To enable the Council to be satisfied that proposed residential development will avoid a likely significant effect on the designated sites (due to an increase in recreation) a financial contribution is required for all

housing developments to contribute to the district wide mitigation strategy. This mitigation has meant that the Council accords with the Habitat Regulations and an appropriate assessment has been undertaken.

The agent has confirmed the applicant's willingness to sign up to the Unilateral Undertaking which provides the required financial contribution for the residential unit to mitigate the additional recreational pressure on the SPA area, and therefore subject to the submission of a signed unilateral agreement, the impact upon the SPA is considered to be acceptable.

Transportation

The 2012 Outline application (OL/TH/12/0333) was refused for failing to demonstrate the site was capable of providing an access incorporating the necessary visibility splays essential for highway safety. The current proposal includes details of 43 metre by 43 metre visibility splays which is considered acceptable. Kent Highways advise that 'whilst pedestrian access is not ideal this is a low-speed, partly-lit environment with low traffic levels and the proposal for one dwelling is unlikely to add materially to vehicle or pedestrian movements.' They also comment on the short distance to the footway network in Monkton Street and that 'there are no recorded personal injury crashes in the last twenty years in this section of Millers Lane or at the junction with Monkton Street.'

The proposal provides two off-street parking spaces for the dwelling in front of the garage. The 'vision splays' drawing (3078/04) indicates the hedges to the front boundary would be cut back and low level shrubs would be maintained below 1 metre in height which would adequately maintain visibility from the new access.

Whilst concerns have been raised over the narrowness of Millers Lane and potential congestion there is ample on street parking availability within nearby Monkton Street and the proposal provides off-street parking within the site which meets the requirements of KCC Highways. The addition of one dwelling would therefore be unlikely to cause significant harm to the highway network from the additional vehicular movements. There is room within the site for the safe storage of bicycles. The impact upon highway safety is therefore considered to be acceptable and in accordance with Policies TR12 and TR16 of the Thanet Local Plan, and the NPPF.

Biodiversity

Concern has been raised over potential harm to local wildlife due to the sites proximity to the Monkton Nature Reserve, loss of existing trees and potential harm to the local bat community.

The site is undeveloped and Kent County Council's Biodiversity Officer has been consulted regarding the development of the site. Following their initial feedback the applicant has provided an ecological assessment and this has been reviewed by KCC, who conclude the the site is unlikely to support Great Crested Newts and reptiles (due to its poor habitat connectivity), although there is potential for species such as badgers and hedgehogs to be present. They also advise vegetation on-site appears optimal for breeding birds and,

therefore, site clearance works will have to be carried outside the bird breeding season. As such, the timings of works could affect any hibernating hedgehogs which may be present.

They advise that as the site is relatively small and isolated, a suitable precautionary mitigation methodology for protected/priority species is the most pragmatic approach and have requested a condition for details of a precautionary mitigation methodology to be submitted.

With regards to enhancing biodiversity they note the applicant's Design and Access statement states that bat boxes will be attached to the new dwelling, which they support, and it is further recommended that native shrub/tree species are provided to further enhance biodiversity.

Two planning conditions, mentioned above, have been advised by Kent Biodiversity to ensure the mitigation measures mentioned above are carried out along with the development in order to safeguard protected species that may be present, and that the enhanced biodiversity measures are carried out in accordance with the National Planning Policy Framework. Subject to these safeguarding conditions the impact upon biodiversity is considered to be acceptable.

Other Matters

Concerns raised regarding electricity supply and capacity for telephone/internet connection are not matters considered through the planning application.

Southern Water raise no objections but advise a formal application be made by the applicant or development for connection to the public sewer system in order that the development can be serviced.

According to the KCC Heritage Map there are no archaeological features of interest close to the site, and as such no archaeology conditions are considered to be necessary.

Conclusion

The NPPF states that in the absence of a 5 year housing land supply, that permission should be granted, unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. It is considered that given the location of the development, immediately adjacent to the built confines of the village, which is considered to be a sustainable location in relation to Monkton and Minster village and services, that the social and economic benefits of providing one dwelling would, on balance, outweigh the visual harm to the countryside and surrounding environment in this instance. There are considered to be no concerns in relation to neighbour amenity or highway safety, and the design is considered to be suited to the rural setting of the site and the adjacent listed building. As such the proposed development is considered to comply with Policy CC1 of the Thanet Local Plan and the NPPF.

It is therefore recommended that members defer the application for approval as an acceptable departure to Policy H1 of the Thanet Local Plan, subject to safeguarding conditions and the submission of a signed legal agreement.

Case Officer

Rosemary Bullivant

TITLE: F/TH/19/0251

Project Royal Exchange Millers Lane Monkton RAMSGATE Kent

