

D06

F/TH/19/0738

PROPOSAL: Variation of condition 2 attached to planning permission F/TH/18/0335 for the erection of 1 no. 4-bed two storey dwelling together with cycle store to rear to allow for enlargement of dormer window with Juliet balcony and insertion of second floor window to rear elevation together with internal alterations

LOCATION: 58 Northdown Road BROADSTAIRS Kent CT10 2UW

WARD: St Peters

AGENT: Mr Shaik Hussain

APPLICANT: Mr & Mrs Latif

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 02r3 and 03r3 received on 4th September 2019.

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 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

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 drawings for application F/TH/18/0335 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

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.

SITE, LOCATION AND DESCRIPTION

The application site is rectangular and measures approximately 42sqm. It lies between numbers 58 and Northdown Road and is 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

NM/TH/19/0453 - Application for a non material amendment of planning permission F/TH/18/0335 for the erection of 1No 4-bed two storey dwelling together with cycle store to

rear to increase the dormer size and internal alterations to allow alterations to internal layout and dormer windows. Withdrawn.

F/TH/18/0335 - Erection of 1No 4-bed two storey dwelling together with cycle store to rear. Approved 17th August 2018

PROPOSED DEVELOPMENT

Planning permission was granted in August 2018 for the erection of a 4 bed two storey dwelling together with cycle store to the rear on the application site (F/TH/19/0453). This consent is extant and could, therefore, be built out up to the 17th August 2021.

This application seeks consent to allow the enlargement of the dormer window, the insertion of a Juliet balcony and a second floor window together with the rearrangement of the internal layout of the dwelling.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan 2006

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.

Two letters by the same author objecting to the application have been received. Their comments are summarised below:

- Close to adjoining properties;
- Conflict with Local Plan;
- Development too high;
- Loss of light;
- Loss of privacy; noise nuisance;
- Out of keeping with the character of the area;
- Strain on existing community services;
- Traffic/Highways;
- Affect of building work on our house's foundations;
- Safety for users of the bridleway; and

- Affect on local ecology

Broadstairs Town Council; Object to the application on the basis of lack of information on the plans and application.

CONSULTATIONS

Natural England: On the basis of the appropriate financial contributions being secured, Natural England concurs with TDC's view that this is suitable mitigation and, as such, the proposed development would not have an adverse effect on the integrity of Thanet Coast and Sandwich Bay Special Protection Area and Ramsar site.

Environment Agency: No objection

KCC Public Rights of Way Officer: No comment

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.

COMMENTS

Principle

As set out above the principle of developing a 4 bed two storey dwelling has already been accepted under the previous application.

It falls, therefore, only to consider the acceptability of the alterations now proposed under this application.

Character and Appearance

This variation proposes the redevelopment of the site with the same style and scale of building of dwelling previously approved, but with a larger dormer window to the rear with a Juliet balcony and a new window to the first floor facing no. 60 Northdown Road.

This application would see the proposed dwelling located in the same position within the site as the previous application. The design of the building, its elevations and dimensions

(including eaves and ridge height) will also essentially remain the same. Whilst the dormer window to the rear would be enlarged in this application and would include a Juliet balcony, it would still be set down from the ridge and in from the sides of the roof and it is considered that it would still be read as part of the roof of the dwelling. The other alterations are minor in nature and help to facilitate the internal rearrangement of the dwelling.

Given the above, it is not considered that the proposed variation would have an adverse impact on the character and appearance of the area.

Living Conditions

As set out above, the dimensions and location of the proposed dwelling remain unchanged (other than the enlarged dormer and Juliet balcony) as does the number of bedrooms within it. The impact of the proposed development on the residential amenities of adjoining residents and the future occupiers of the site were considered to be acceptable under the previous application.

As with the previously approved application the main windows serving the proposed dwelling are located to the front and rear of the dwelling. One window is proposed in this application at first floor level on the flank wall facing number 60. This window would serve a bathroom and is shown to be obscure glazed on the drawings, it is considered appropriate that a condition is imposed to ensure that it is obscurely glazed and thereafter retained as such. No windows are proposed in the flank elevation facing no. 58. Concerns have been raised by adjoining residents about the potential for overlooking from the proposed dormer window and the Juliet balcony. It is acknowledged that there may be some potential for some views of the adjoining plots to be gained from the dormer window, but it is considered that any views would be to the very bottom of the gardens and not of the areas directly adjacent to the rear elevation of the neighbours given the acute angle between the window and these private areas. It is not considered that this relationship would be significantly worse than that from upper floor windows elsewhere within such residential areas and from that previously approved. There are no properties to the rear that the proposed dwelling would impact upon. Given the above, it is considered that the proposed variation would not have an adverse impact on the residential amenities of surrounding occupiers.

The proposed dwelling would be meet the National Technical Space Standards for new residential dwellings. 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.

Highways

This application does not increase the number of bedrooms from the previously approved dwelling and the proposal would retain off street parking for one vehicle to the front of the dwelling.

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 this application would result in any adverse impact on parking or traffic generation in the area.

Drainage

It is not considered that the proposed variation would have an impact on drainage. It is, however, proposed to impose a condition requiring details of the means of foul and surface water disposal to be submitted and agreed.

Other Matters

The whole of Thanet District is within the Zone of Influence of the SAMM area. The Council can only agree to a proposed residential development if we know that it will not have a significant effect on the protected sites. The only methodology recognised by Natural England to demonstrate that development will have no significant impact upon the protected sites is by contributing towards the mitigation measures within the SAMM.

The Council has sought contributions on the "10 or more" basis pending the finalising of the Council's housing target within the new Local Plan. With the submission of the Draft Local Plan to the Planning Inspectorate on the 30th October 2018, the Council has set the housing target within the plan period to 2031 as 17,140. In agreement with Natural England, any planning application for new residential development of any amount, including developments for the creation of new units within changes of use, submitted or validated after the 30th October 2018 will be required to contribute towards the SAMM prior to any approval of an application.

This application for a new residential dwelling requires the payment of this contribution. The applicant has agreed to pay the contribution and has submitted an undertaking to that effect. An appropriate assessment has been carried out and, on the basis of the mitigation being secured, it is not considered that the development would harm the integrity of the designated sites.

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 the extant planning consent and the fact 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 defer the application for approval subject to the receipt of an acceptable unilateral undertaking to cover the mitigation towards the impact on the designated sites.

Case Officer

Annabel Hemmings

TITLE:

F/TH/19/0738

Project

58 Northdown Road BROADSTAIRS Kent CT10 2UW

