

D08

F/TH/19/0925

PROPOSAL: Erection of a two storey 3-bed dwelling with associated parking following demolition of existing stables

LOCATION: Land Adjacent Former Primrose Cottage Wayborough Hill
Minster RAMSGATE Kent

WARD: Thanet Villages

AGENT: Mrs Jane Scott

APPLICANT: Mr P Warman

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 18.1227.MB.PL001, and un-numbered drawings, labelled proposed dwelling at Wayborough Hill, Minster, showing proposed block plan, rear and side elevations with, ground floor and first floor plans, and front and side, elevations with roof plan, received 4 July 2019.

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 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.

5 Prior to the first occupation of the development hereby approved, full details of both hard and soft landscape works, to include

- o species, size and location of new trees, shrubs, hedges and grassed areas to be planted.

- o the treatment proposed for all hard surfaced areas beyond the limits of the highway.

- o walls, fences, other means of enclosure proposed.

shall be submitted to, and approved in writing by, the Local Planning Authority.

GROUND;

In the interests of the visual amenities of the area and to adequately integrate the development into the environment in accordance with Policies D1 and D2 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 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.

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

The applicant is advised to consult the Environment Agency directly regarding the use of a cess pit. The owner of the premises will need to empty and maintain the cess pit to ensure its long term effectiveness.

A formal application for connection to the water supply is required in order to service this development. Please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire S021 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk.

SITE, LOCATION AND DESCRIPTION

The site is located outside of the urban confines, and consists of a parcel of land comprising a stable and horse paddock. The site sits back from Wayborough Hill and is screened by mature trees and hedges. Access to the site is from Wayborough Hill. To the south of the site is land formerly known as Primrose Cottage on which there appears to be a storage building alongside the boundary. To the west of the site is a further piece of land which appears mainly laid to grass and surrounded by mature trees but this is not shown to be in the same ownership of the application. To the west of the site is open agricultural land.

PROPOSED DEVELOPMENT

The proposed development seeks planning permission to erect a two storey, 3 bedrooled, dwelling following demolition of the existing stables. The footprint of the proposed dwelling would be larger than the previously approved stable conversion. The ridge height of the dwelling would be approximately 6.5 metres and includes a projection to the front, creating an 'L' shaped footprint with the addition of 3 dormer extensions within the roof to provide first floor accommodation. A parking and turning area would be provided to the front of the dwelling with a new gravel drive located alongside the existing gravel access drive that is currently a shared access. The existing access onto Wayborough Hill would remain unaltered.

PLANNING HISTORY

F/TH/18/0672 - Change of use from a stable to a dwelling. Granted 19.10.2018

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

QD03 - Living Conditions

QD04 - Technical Standards

NOTIFICATIONS

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

I oppose this application as there are many bat's around this area trees and a huge amount of wildlife. I think this will put all of this precious nature at danger.

Minster Parish Council - No objection.

CONSULTEES

Southern Water - The applicant is advised to consult the Environment Agency directly regarding the use of a cess pit. The owner of the premises will need to empty and maintain the cess pit to ensure its long term effectiveness.

The planning application form makes reference to drainage using Sustainable Urban Drainage Systems (SUDS).

Under current legislation and guidance SUDS rely upon facilities which are not adopted by sewerage undertakers. Therefore, the applicant will need to ensure that arrangements exist for the long term maintenance of the SUDS facilities. It is critical that the effectiveness of these systems is maintained in perpetuity. Good management will avoid flooding from the proposed surface water system, which may result in the inundation of the foul sewerage system.

Thus, where a SUDS scheme is to be implemented, the drainage details submitted to the Local Planning Authority should:

- Specify the responsibilities of each party for the implementation for the SUDS scheme
- Specify a timetable for implementation
- Provide a management and maintenance plan for the lifetime for the development.

This should include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme through its lifetime.

Due to changes in legislation that came into force on 1st October 2011 regarding the future ownership of sewers it is possible that a sewer now deemed to be public could be crossing the above property. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and potential means of access before any further works commence on site.

For further advice the applicant is advised to contact Southern Water, Sparrowgrove House Sparrowgrove, Otterbourne, Hampshire S021 2SW (Tel: 0330 3030119), www.southernwater.co.uk or by email at developerservices@southernwater.co.uk.

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, 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.

The site is previously developed land, with the principle of a dwelling having previously been approved in this location through the extant consent for the conversion of the stables. ASs such, it is not considered that the proposed dwelling would appear isolated, and a dwelling in this location has previously been determined as sustainable development. Given this

fallback position, the principle of development is considered to be acceptable subject to the impact upon the countryside and Landscape Character Area being acceptable.

Character and Appearance

The site is a parcel of land comprising a stable and horse paddock. The site sits back from Wayborough Hill and is screened by mature trees and hedges. Access to the site is from Wayborough Hill.

It is proposed to erect a 2-storey dwelling, incorporating rooms within the roof space, following demolition of the existing stable building. The proposed dwelling would be located in the same location as the stable block albeit with a larger footprint. The footprint of the building would extend forwards a further 2 metres from the existing front elevation (towards the access road), and includes a 4.6 metre by 11 metre extension at the northern end, creating an 'L' shaped footprint. A one metre deep, pitched roof, porch would be added to the front elevation with the pitched roof matching the pitches of the dormer extensions and the end projection would be finished with a barn hip roof.

The southern elevation of the proposed dwelling would remain parallel to the rear boundary and include two dormer extensions within the roof. The ridge height of the proposed dwelling would finish at approximately 6.5 metres, which is higher than the existing stable block, but would be at the same height as the dwelling recently approved in the neighbouring site to the north.

Concern is therefore raised with the enlarged size of the dwelling in comparison to the previously approved application, and the potential harm to visual amenity as a result of this enlargement.

The site is fairly well screened from Wayborough Hill and Laundry Road to the west and Way Hill to the east due to the presence of mature trees surrounding the site. It is noted the trees to the east and west of the site and along the boundary within the adjacent site of Dellside to the north and within the land of Primrose Cottage to the south, are protected by a Tree Preservation Order (TH/TPO/6(1991)). Further trees and bushes are present alongside Wayborough Hill and directly to the front of the site but these are not specifically covered by a tree preservation order.

Glimpses of the existing stable block can be seen through existing access and gaps in vegetation from Wayborough Hill but the site is otherwise fairly well screened from Wayborough Hill and wider views. The dwelling now proposed, being taller and wider with a large expanse of roof may be more visible from wider views than the previously approved single storey stable conversion, however, any views of the proposed dwelling that would be glimpsed would be seen in the context of the existing cluster of buildings.

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 located in an area comprising a cluster of buildings bounded by mature trees and soft landscaping. With regards to this policy the

proposed development 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, which Policy CC2 aims to protect, than the existing stable and nearby development. The proposed development therefore accords with this countryside policy.

The previously approved scheme, whilst including contemporary glazing along its front elevation, retained the character and appearance of a low level rural building such as outbuildings and stables. The proposed dwelling by contrast would have a row of 7 rooflights within the front roofslope to provide light to the hall and landing with a dormer window providing light and ventilation to a bedroom. Further dormer windows and two rooflights are shown within the rear roofslope, providing light to bedrooms and en-suite WC/shower rooms. The additional window openings at first floor level, together with associated light emitting from the property would draw attention to this additional built form, however, it is noted that the materials proposed for the external surfaces of the dwelling are timber cladding and slate for the roof, and these are considered to be traditional materials in keeping with development in this rural location.

The proposed dwelling would add larger built form within this countryside location but its visual impact would be limited due to the proposed use of sympathetic natural materials of timber and slate and the existing trees and hedges within and surrounding the site, creating screening of the proposed development. As many of the mature trees screening the site are protected by a Tree Preservation Order any future removal of trees in this location would require consent and any trees removed would require replacement planting. As such the site can be assured the benefit of substantial natural screening into the future.

Given the discrete location of the proposed dwelling together with the traditional materials proposed, 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 CC1 and CC2 of the Thanet Local Plan, and paragraphs 79 and 127 of 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 dwelling would be located some distance from neighbouring residential occupiers and would have little impact on neighbouring residential amenity. The primary windows are

located to the front and rear elevations and would not result in overlooking or loss of privacy directly facing neighbouring properties.

The extant and current proposals would provide living accommodation within the site with the relationship to the adjacent sites remaining essentially the same. The proposed dwelling would be sited some distance from other dwellings and would therefore not have a detrimental impact upon neighbouring residential occupiers through noise disturbance, overlooking or loss of privacy. 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.

Highway Safety

The site has an existing access which is shared with the neighbouring site. It is proposed to provide a parking and turning area to the front of the dwelling with a new gravel drive located alongside the existing gravel access drive. The existing access onto Wayborough Hill would remain unaltered.

Wayborough Hill is no longer a through road since being closed off at its northern end. The road serves a fairly low number of dwellings and other uses, including the site and its recent

horse stabling activity, and the addition of one dwelling would be unlikely to cause significant harm to the highway network through additional vehicular movements. The site is large enough to provide off street parking and there would be 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.

Archaeology

The KCC Heritage Map shows a number of areas of archaeological interest close to the site. The Kent Archaeological Officer has not commented on the current proposal but given the similarities between the two schemes his comments on the previous scheme are still relevant. He commented that the proposed development would be partially built on the footprint of the former stable building together with a new access to the building and notes that there may already be some disturbance to archaeology from the present building. He raises concerns that it is possible that important archaeology will be affected by development groundworks and has recommended a condition to ensure that an appropriate programme of archaeological works is secured to mitigate this impact.

The Archaeological Officer recommends that Historic England be consulted with respect to potential effects of the development on the setting of the Scheduled Monument. The application site contains a stable block with nearby built form and the application site is heavily screened by mature trees from the site containing the Scheduled Monument. The edge of the field containing the Scheduled Monument is approximately 60 metres away from the front edge of the proposed dwelling and further physically separated by the presence of Wayborough Hill running north-south across the entrance to the site. The impact of the proposed dwelling on the setting of the Scheduled Monument is therefore not considered to be significantly different to the existing built form within the site and it was therefore not considered necessary to consult Historic England in this instance.

Other Matters

Way House and Wayborough House and the attached garden wall are Grade II Listed. The stable building is located a considerable distance from the heritage assets and the site is screened by large mature trees and hedges. To the west of the site lies an area defined as 'Ancient Monuments' but this area is located on the far side of Wayborough Hill away from the application site and is not considered to be harmful to the nearby heritage assets.

A representation has been received regarding potential danger to bats and wildlife in the area. As this is a rural location it is likely that there is a fair amount of wildlife present but the stable block to be demolished is in a sound condition and having been recently used for the stabling of horses it is unlikely that bats would be present within this structure. Furthermore, 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.

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 discrete location of the development, the existing screening around the site, the presence of extant consent for a dwelling in this location (which is considered to be a sustainable location in relation to 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. 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/19/0925

Project Land Adjacent Former Primrose Cottage Wayborough Hill Minster
RAMSGATE Kent

