

D04

F/TH/19/1481

PROPOSAL: Erection of two storey, two bedroom dwelling with 2No. parking spaces

LOCATION: Land Adjacent To 1 Northbourne Way MARGATE Kent CT9 3NS

WARD: Cliftonville East

AGENT: Mr Doug Brown

APPLICANT: Mr Miguel Blanco

RECOMMENDATION: Defer & Delegate

Defer and delegate for approval subject to the satisfactory completion of a legal agreement within six months of the date of this resolution securing the required planning obligations as set out in this report and the following safeguarding 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 MB/19/11/2a, MB/19/11/3, MB/19/11/3a MB/19/11/5a received 22 December 2019 and the additional plan entitled 'Landscape Plan' received 30 January 2020

GROUND;

To secure the proper development of the area.

3 Prior to the construction of the external surfaces of the development hereby approved a sample of the proposed brick and roof tiles, and details of the colour and finish of the render and block paving 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 and details.

GROUND;

In the interests of visual amenity in accordance with Policy D1 of the Thanet Local Plan.

4 All hard and soft landscape works shall be carried out in accordance with the approved Landscape Plan received 30 January 2020. The works shall be carried out prior to

the first occupation of the dwelling hereby approved. 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

5 Prior to the first use of the site hereby permitted the vehicular access approved and associated vehicle crossing point onto the highway, as shown on the shown on the approved plans numbered MB/19/11/5a received 22 December 2019 and entitled 'Landscape Plan' received 30 January 2020 should be complete.

GROUND;

In the interests of highway safety.

6 No further development within the curtilage of the dwellinghouse hereby approved whether approved by Class A, B, C, D, E, F, G and H of Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order), shall be carried out without the prior permission in writing of the Local Planning Authority.

GROUND;

In the interests of visual amenity in accordance with 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.

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 application site is a modest, undeveloped parcel of land which fronts Elmstone Gardens to the west, and abuts Northbourne Way to the south. The site is located on a prominent corner, which is clearly visible from long views along Northdown Road, along with views from within Elmstone Gardens and Northbourne Way. The application site once contained dense trees and vegetation, alongside the larger and wider site opposite, and has now been cleared other than for a modest boundary hedge, which is still in situ.

The application site lies adjacent to a row of single storey detached bungalows fronting Elmstone Road to the north, and there is a similar row of bungalows fronting Northdown Road to the west, which form part of the Palm Bay Estate. These bungalows are set within largely consistent plots and are broadly uniform in their scale, form and design. Northbourne Way to the rear of the site is characterised by two storey dwellings of a greater variety in terms of their form, scale and design, and plot size and shape. Opposite the application site is a site containing dense trees and vegetation which adjoins Northdown Park to the north, which together forms a vegetative and natural environment to the north of the site.

RELEVANT PLANNING HISTORY

F/TH/19/0365 - Erection of a detached two storey dwelling with 2 parking spaces - Refused 23/05/2019 and dismissed at appeal 22/10/2019.

PROPOSED DEVELOPMENT

The application follows a previously refused application for the erection of a two storey Chalet bungalow which incorporated gabled features and a gabled northern side elevation. This application was refused for reasons relating to its form, scale and design, which was considered to be out of keeping with surrounding development, the loss of the prominent undeveloped open space, and the lack of mitigation to the increased recreational pressure on the Special Protection Area.

The application was subsequently dismissed at appeal for reasons relating to the height, form and design of the proposed Chalet bungalow, which was considered to form a dominant form of development within the street scene comprised entirely of bungalows, out of keeping with the prevailing character of the area.

This application seeks to address this concern, and proposes a revised design which reflects the form, scale and design of the row of detached bungalows to Elmstone Avenue to which it will form a part.

The proposed bungalow is 2-storey, with an attic room provided within the roofspace, and 2no. bedrooms provided at ground floor level, with off-street parking for 2no. Vehicles. The proposed building will be set in line with the existing front building line, and will be set under a hipped pitched roof, with a modest rear projection. The proposal has been amended during the course of the application and now proposes a reduced sized dwelling, set in from the southern boundary by approximately 2.8m at the furthest point and 1.8m at the nearest point, with soft landscaping between the side boundary and the side elevation of the application property.

The dwelling will be finished in bricks and render, with plain brown roof tiles, UPVC windows and composite door. A block paved drive is proposed to the frontage with soft landscaping to part of the frontage and side, and a 1.5m high boundary wall will be provided in line with the side elevation of the proposed dwelling to enclose the rear garden.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan 2006 (Saved Policies)

D1 - Design Principles

D2 - Landscaping

H1 - New Residential Development

TR12 - Cycling

TR16 - Car Parking Provision

NOTIFICATIONS

Letters were sent to neighbouring property occupiers and a site notice was posted near the site. Two letters of objection and two letters of support have been received.

The letters of objection raise the following concerns:

- Proposal will result in an adverse effect on local ecology and amenity.
- The land was deliberately set aside by the estate developer and was planted with trees and shrubs. It was intended as a natural woodland to enhance the area.
- Before the trees and shrubs were cleared the area provided a habitat for birds and animals.
- The land should be replanted with trees and shrubs and restored to the condition it was in when the original owner completed the development of the estate.
- Given the current state of the plot it is unsurprising that in the Planning Inspector's report the site was referred to as open space. Had he seen the site prior to being cleared of trees it is unlikely he would have described the site as merely open space.
- The site should never have been cleared and it should be accepted that the site is a local amenity which was clearly set aside as a natural wooded area.
- Safety concerns regarding the proposed parking spaces and their relationship with the surrounding roads.
- The original proposal to build a two storey house with a dormer was refused because it was completely out of keeping with neighbouring properties. The proposal includes a loft room and it is considered likely that the long term intention is to put a dormer extension which would be out of keeping.

The letters of support raise the following points:

We had numerous issues with poor up keep of this parcel of land by Sunley Homes who rarely made an effort to look after the land which damaged my property.

The applicant is looking to build one single dwelling and there are high numbers of units being granted permission in Thanet.

We are in favour of this small development which would make the most out of an uncared and useful piece of land.

CONSULTATIONS

Southern Water - The exact position of the public assets must be determined on site by the applicant in consultation with Southern Water before the layout of the proposed development

is finalised. All existing infrastructure should be protected during the course of construction works and the public water main requires a clearance of 6m either side to protect it from construction works.

Southern Water requires a formal application for a connection to the public foul sewer to be made by the applicant or developer. Request that informatives are attached to the decision notice, should the proposal be approved.

KCC Highways - The proposed development does not meet the criteria to warrant involvement from the Highway Authority in accordance with current consultation protocol arrangements. Request informatives are attached to the consent in the event planning permission is granted.

Natural England - On the basis of the appropriate financial contribution being secured to the relevant scheme, Natural England concurs with your authority's conclusion that this is suitable mitigation, as such the proposed developments will not have an adverse effect on the integrity of Thanet Coast and Sandwich Bay SPA and Ramsar site.

COMMENTS

This application is brought to Planning Committee as the application is a departure to Policy H1 of the Thanet Local Plan.

The main consideration with regard to this application is the principle of development, the impact of the proposed development on the character and appearance of the area, the impact upon residential amenity, and the impact upon highway safety.

Principle

This application relates to an undeveloped parcel of land adjacent to 1 Northbourne Way and 4 Elmstone Gardens, within Palm Bay Estate in the urban confines of Margate.

The proposed development would represent development of non-previously developed land which would be contrary to Policy H1 of the Thanet Local Plan. This policy constraint, however, needs to be balanced with the fact that there is a current need for housing in Thanet, and on this basis the National Planning Policy Framework (NPPF) indicates that applications for housing should be considered in the context of the presumption in favour of sustainable development.

The application site is located within an established residential area which is served by public transport, in close proximity to amenities including a parade of shops, a park and library, a relatively short distance from Northdown Road and Margate town centre. As such, the application site is considered to be sustainably located.

In determining whether housing on the site would be acceptable, the need for housing in the district will therefore need to be balanced against other material considerations on the site.

Character and Appearance

The National Planning Policy Framework states that development should be sympathetic to local character and the surrounding built environment and establish and maintain a strong sense of place. Policy D1 of the Thanet Local Plan outlines that the design of all new proposals must respect or enhance the character or appearance of the area particularly in scale, massing, rhythm and use of materials.

The application site and the site opposite was left undeveloped when the area was originally developed for housing. The application site previously contained dense vegetation and trees along with the site opposite, and currently comprises natural, open undeveloped land. These sites lie adjacent to Northdown Park which provides a natural, vegetative environment to the north of the application site.

The development of the site for housing will result in the loss of this natural, open space. The Inspector considered the application site to provide a very limited contribution to the character and appearance of the area given its modest size and location on the corner of two roads, and considered its use for any recreational activities to be limited given its proximity to Northdown Park. The Inspector therefore judged that the loss of this small piece of open space to be acceptable in this location. This is a material consideration in the determination of this planning application.

Given the Inspectors view, and the location of the site in between built development to the north side and rear, and in line with the position of built development to the front, it is considered that the loss of this open space would not be significantly harmful to the character and appearance of the area, and is considered capable of providing a compatible form of development within its environment. This would consolidate the existing built environment to the north of Northdown Road and Northbourne Way, and retain the natural, vegetative character to the south of these roads, which compliments Northdown Park.

The size of the plot and dwelling is of a reduced, but comparable size to surrounding plots. The layout and siting of the proposed dwelling would align with the established front building line and position of the adjacent row of bungalows which front Elmstone Gardens and the position of the row of bungalows to the west which front Northdown Road. The bungalow will be set in from the southern side boundary by a minimum of 1.8m, extending to 2.8m, which is considered to be an appropriate amount in relation to the surrounding pattern of development. Soft landscaping in the form of a boundary hedge, grass and small trees is provided within the space to the side of the proposed dwelling, which will reflect and provide a positive transition to the natural and vegetative character to the south of the application site.

The proposed dwelling will be provided with an open, partially landscaped frontage, with 2No. off street parking spaces finished in block paving, which will accord with the characteristic open landscaped frontages and spacious surrounding environment. The provision of parking spaces with their associated hardstanding to part of the frontage is not considered to be out of character given that this is a common feature in the locality. The 1.5m high brick boundary wall, which encloses the rear garden, will follow the line of the side

elevation of the dwelling and is considered to be appropriately located and positively relates to the surrounding brick boundary walls.

The dwelling will be a similar, yet reduced size and width in comparison to the adjacent dwellings owing to its reduced plot size, with adequate spacing around the property provided. The proposed dwelling will retain sufficient separation distance to the adjacent dwelling to the north, which is comparable to the separation between bungalows within this row. As such, the proposed layout and hard and soft landscaping of the application site is considered to positively integrate with the surrounding environment and pattern of development.

The proposed dwelling will follow the simple and traditional form and design of the adjacent row of bungalows to which it will form a part, set under a hipped pitched roof which will accord with the height and roof pitch of these adjacent dwellings. The rear projection will be set under a hipped roof of a reduced height to the main roof, which will break up the built form of this element on this prominent corner and form a subservient element. The dwelling will be finished in brick facing and render, with plain brown tiles which will accord with the established material palette in the area. As such, the proposed dwelling is considered to positively integrate with the form, scale and design of the surrounding largely uniform bungalows within the locality.

The proposed development is therefore considered to be compatible with the surrounding built environment and would be set comfortably within the street scene, and relate well to the pattern of development, character and appearance of the surrounding area, overcoming the Inspectors previous concerns. The proposal would therefore accord with Policy D1 of the Thanet Local Plan and the National Planning Policy Framework, and paragraph 127 of the NPPF.

Living Conditions

The proposed dwelling would retain approximately 2m separation distance to the adjacent neighbour to the north, 4 Elmstone Gardens, and largely aligns with the front and rear elevation of the main body of this dwelling, which does not contain any side elevation windows.

The rear projection will extend beyond the rear elevation of the adjacent neighbour, however given the separation distance of 5.6m to the boundary, and 8m to this neighbour, it is considered that there will be no harm arising from this element. As such, the proposed dwelling is not considered to result in harm to the light to or outlook from the neighbour at no.4 Elmstone Gardens. The proposed dwelling will retain sufficient separation distance to all other adjacent neighbours to prevent harm to their living conditions by way of loss of light/outlook or the creation of a sense of enclosure.

In terms of overlooking, the proposed front elevation windows would directly face the eastern side elevation of the neighbour opposite, no.503 Northdown Road, however this relationship is across a road, with approximately 20m separation distance. This neighbour contains high level side elevation windows within its side elevation and a glazed porch structure, which do

not appear to be the sole windows serving primary habitable rooms. As such, the proposed dwelling is not considered to result in harmful overlooking.

The proposed rear elevation windows include 2no. velux windows to serve an attic room, which could be used as a bedroom. Given their flush position within the roof, only oblique views of adjacent neighbours to the side are likely to be possible, resulting in minimal impact upon neighbouring privacy. The windows will directly face the front parking and garden areas of adjacent neighbours to the rear, which is not considered to constitute private amenity space. As such, the proposed rear windows are not considered to result in harmful overlooking.

In terms of the living conditions of the future occupiers, the proposed provision of accommodation is considered to comprise an acceptable layout, and will exceed the National Described Space Standards for two bedroom two storey dwellings. All windows serving primary habitable rooms will face towards the front or rear of the site, and will therefore provide acceptable outlook, light and ventilation.

The proposed dwelling would be provided with a moderate rear garden, which would provide sufficient space for door step play space in accordance with Policy SR5 of the Thanet Local Plan, along with space for refuse storage and clothes drying facilities.

The proposed development is therefore considered to be acceptable in terms of residential amenity of the adjacent neighbours and the future occupiers of the proposed dwelling in accordance with Policy D1 of the Thanet Local Plan and paragraph 127 of the National Planning Policy Framework.

Highways

The proposed development will be provided with 2no. off-street parking spaces to the frontage, which would provide an acceptable provision of parking to serve the dwelling.

The proposed vehicular access is set back from the Northbourne Way/Elmstone Avenue junction by approximately 6m, which is opposite a bend in the road, and in close proximity to a slipway which serves the houses fronting Northdown Road. The proposed vehicular access would be provided with adequate visibility splays, and is considered to provide sufficient separation to the junction, given the moderate speed limit on the road, and the limited vehicular movements associated with 2No. off road parking spaces, to prevent significant harm to highway safety.

The proposed development is therefore considered to be acceptable in terms of highway safety and highway amenity, in accordance with Policy TR16 of the Thanet Local Plan and paragraph 108 of the National Planning Policy Framework.

The proposed development includes a rear garden which is capable of providing sufficient space for the provision of cycle storage, in accordance with Policy TR12.

Contributions

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.

A draft Unilateral Undertaking for the required financial contribution of £320 for the proposed residential unit to mitigate the additional recreational pressure on the SPA area has been received and is currently in the process of being finalised.

Other Matters

Concerns have been raised regarding the loss of trees on the application site. The trees that were previously present were not protected by a Tree Preservation Order and do not fall within a Conservation Area, and therefore the applicant did not require consent for their removal.

Concern has been raised regarding biodiversity. As the application site has been cleared and now comprises minimal vegetation, the application site is not considered likely to provide a habitat for protected or notable species, and as such it is not considered that any measures or surveys relating to biodiversity are required for this application.

CONCLUSION

The proposed development is considered to have an acceptable impact upon the character and appearance of the area, the living conditions of adjacent neighbours and highway safety and amenity, and as such the proposed dwelling is considered to be an acceptable departure to Policy H1 of the Thanet Local Plan.

It is therefore recommended that Members defer and delegate this application to officers for a period of 6 months for approval, subject to safeguarding conditions and the receipt of a signed Unilateral Undertaking securing the required Special Protection Area Contribution.

Case Officer

Jenny Suttle

TITLE: F/TH/19/1481

Project Land Adjacent To 1 Northbourne Way MARGATE Kent CT9 3NS

