

A01

F/TH/20/0042

PROPOSAL: Erection of 2No. two storey dwellings together with alterations to existing dwelling, including new roof structure to provide additional floor space.

LOCATION: 13 Linden Avenue BROADSTAIRS Kent

WARD: Bradstowe

AGENT: Mr Scott Rigden

APPLICANT: Mr Rigden

RECOMMENDATION: Approve

Subject to the following conditions:

1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

GROUND;

In accordance with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Purchase Act 2004).

2 The development hereby approved shall be carried out in accordance with the submitted drawings numbered 20.1557.PL03 Rev C, 20.1557.PL08 Rev C, 20.1557.PL09 Rev C,, 20.1557.PL10 Rev C, 20.1557.PL11 Rev B, 20.1557.PL12 Rev C,, 20.1557.PL13 Rev A, 20.1557.PL14 Rev A, 20.1557.PL15 Rev B, received 12 March 2020.

GROUND;

To secure the proper development of the area.

3 Prior to the construction of the external surfaces of the new dwellings 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 external materials and external finishes to be used in the extension and alterations to the existing dwelling hereby approved shall be of the same colour, finish and texture as those on the existing property.

GROUND;

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

5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order), no windows or other openings shall be inserted in the first floor side or rear elevations elevation of the dwellings or roof extension hereby approved without the prior written permission of the Local Planning Authority.

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.

6 Prior to the first occupation of the new dwellings, the area shown for the parking and manoeuvring of vehicles shall be operational. The area approved shall thereafter be maintained for that purpose.

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.

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 first occupation of the new dwellings hereby approved secure cycle parking facilities shall be provided in the rear garden and thereafter maintained.

GROUND;

In the interests of promoting increased cycling in accordance with policy TR12 of the Thanet Local Plan

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 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 forms part of the side and rear garden of 13 Linden Avenue and has boundaries with both Linden Avenue and Crow Hill. No. 13 Linden Avenue is a single storey dwelling with a pitched roof located on the northern side of the plot. A high boundary wall and fence extends along the Linden Road boundary and a wall and fence run along the boundary of the site with Crow Hill. The site is on a similar level to Linden Avenue and above the level of Crow Hill. The northern and southern neighbouring properties on Crown Hill are also set on different levels due to the slope of the hill. Within the area surrounding the site on both Linden Avenue and Crow Hill there are a variety of different properties including detached and semi-detached bungalows, and detached, semi-detached and terraced two storey houses, all with diverse materials and designs.

RELEVANT PLANNING HISTORY

There is no relevant planning history for the site.

PROPOSED DEVELOPMENT

The proposed development is the erection of 2No. two storey dwellings together with alterations to existing dwelling, including a new roof structure to provide additional floor space.

The existing dwellings is a single storey pitched roof bungalow with a single storey side and rear projection. The property is located towards the northern boundary of the site and is accessed from Linden Avenue. The existing single storey rear extension would be demolished and the roof would be raised to provide first floor accommodation within the footprint of the existing dwelling. A private amenity space would remain to the rear and the existing off street parking would be maintained.

One new dwelling is proposed to be constructed to the south of the existing dwelling fronting Linden Avenue. The first floor accommodation would be located in the roof and off street parking is proposed to the front. The second new dwelling would be located towards the western corner of the site and would front Crow Hill. The first floor accommodation would again be located in the roof and off street parking would be provided to the south east of this property. Amenity spaces would be provided to the side and rear of each new dwelling.

Amended plans have been submitted during the application process altering the scale and design of plot 2, altering the location of the proposed rooflights within all three properties and the design of the alterations to the existing property.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan 2006 (Saved Policies)

D1 - Design Principles

D2 - Landscaping

H1 - Residential Development Sites

H4 - Windfall Sites
SR5 - Play Space
TR12 - Cycling
TR16 - Car parking provision

Draft Local Plan Policies

SP14 - General Housing Policy
SP22 - Type and Size of Dwellings
SP28 - Protection of International and European Designated Sites
SP29 - Strategic Access Management and Monitoring Plan (SAMM)
SP35 - Quality Development
SP37 - Climate Change
SP43 - Safe and Sustainable Travel
H01 - Housing Development
QD01 - Sustainable Design
QD02 - General Design Principles
QD03 - Living Conditions
QD04 - Technical Standards
QD05 - Accessible and Adaptable Accommodation
TP02 - Walking
TP03 - Cycling
TP06 - Car Parking

NOTIFICATIONS

Letters were sent to neighbouring property occupiers and a site notice was posted close to the site.

Ten letters of objection were received. Four following the submission of the amended plan. The following points were raised:

- Overdevelopment
- Out of keeping with the character of the area
- Limited amenity space for the dwellings
- Forward of the building line
- Close to neighbouring properties
- Height of the proposed development
- Loss of light
- Right to light
- Loss of privacy
- Alterations to the existing boundaries
- Security during construction
- Vibrations during construction
- Impact upon parking and highway safety
- Change to ground levels
- Loss of hedges

- Impact upon ecology
- Noise and disturbance
- Errors on the plans
- No consultation with neighbouring properties
- Increased danger of flooding
- Increased pollution
- Impact upon existing community facilities
- Ownership of the site
- Limited external space
- No objection to the alterations to the existing property

Broadstairs and St Peter's Town Council - The Planning Committee of the Town Council has considered this application and resolved unanimously to recommend REFUSAL with the following concerns: : Overdevelopment, cramming, inadequate space for two more houses.

The Broadstairs Society - The Broadstairs Society is not comfortable with this proposal - for two additional dwellings on this irregularly shaped plot. It is noted that Plot 3 is brought forward of the street building line by about 2 meters. This one would suspect is to give it more clearance at the rear where it abuts plot 1. Also noted is that plot 2 lacks car parking provision. A particular problem given that parking will be an issue given the position on this sharp corner of Linden Avenue. There is a sense of town cramming about this proposal. We feel that placing two, not insignificant sized, houses on this land is being a bit ambitious where just one would sit more comfortably within the general neighbourhood character.

CONSULTATIONS

Southern Water: - The applicant has not stated details of means of disposal of foul drainage from the site. Southern Water requires a formal application for a connection to the foul sewer to be made by the applicant or developer.

COMMENTS

This application has been brought to committee by Cllr Jill Bayford for members to consider the impact of the design and scale of the proposed development upon the character and appearance of the area.

Principle

It is considered that this application can essentially be broken down into two elements; the alterations and extensions to the existing dwelling (13 Linden Avenue), and the erection of the two additional dwellings.

In terms of the alterations and extensions to the existing dwelling, there are no in principle objections to these works.

In terms of the additional dwellings proposed, a full allocation of housing for the plan period has been identified within the Draft Local Plan, which in addition to the properties built,

granted planning permission, empty properties to be brought back into use, and windfall sites, will exceed the Council's requirement of 17,140 of residential units during the plan period up until 2031. The Draft Local Plan has been through examination and full consultation, and modified in response to the Inspector's comments. The Council's Cabinet has approved the recommendation to adopt the Local Plan, and has recommended adoption to Full Council, which is currently expected to take place in July. It is therefore considered that the Draft Local Plan can be given substantial weight in decision making.

In terms of housing need, the inspectors have not amended any of the figures put forward by the Council within their report, and therefore based upon the information contained within the Draft Local Plan, and supported by the Inspectors' report (para 160-177), specifically paragraph 174 where the Inspector accepted that 'the number of dwellings expected to come forward in the first five years from adoption (7,015) exceeds the five-year housing requirement (6,084)', it is considered that the Council do have a 5 year housing supply equating to 5.77 years (with a 20% buffer).

In this case, the application site lies within the urban area of Broadstairs and is considered to be sustainably located within the district. The proposal would represent development on non-previously developed land, but this land is currently garden land associated with 13 Linden Avenue. Development on this site would be contrary to the aims of saved policy H1 of the Local Plan, however draft policy H01 relates to residential development within the urban confines and states "Permission for new housing development will be granted on: Non-allocated sites within the confines of the urban area and villages as shown on the policies map, subject to meeting other relevant Local Plan policies.

The principle of development of this site for housing is considered by officers to be acceptable and consistent with the objectives of the NPPF and the Council's Draft Local Plan.

Character and Appearance

The National Planning Policy Framework (quote relevant paragraph numbers) 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 single storey projection at the rear of the existing property would be demolished and the roof of the remaining dwelling would be extended and altered to provide first floor accommodation. The new roof would have a similar form to the existing dwelling with a gable end fronting Linden Avenue and a pitched roof section with a gable end projecting to the north. At the rear the roof would be altered from gabled to hipped and two pitched roof dormers would be erected, one in the front elevation of the northern side projection and one in the northern side elevation. Three rooflights would be installed in the southern side elevation and two in the rear elevation of the northern side projection.

Plot 2 has been reduced in size during the application process from a four bedroom dwelling to a three bedroom dwelling. This amendment increases the separation distance to the

neighbouring properties resulting in the proposed dwelling sitting more comfortably in the site and improving its relationship with Linden Avenue. This property would be located to the south of number 13 Linden Avenue with the access and front elevation facing this road. The amended plan proposes a two storey dwelling with the first floor rooms located in the roof. The property would have a barn hipped roof design with a front dormer and gabled front projection. One rooflight is proposed in the front elevation and two in the rear elevation. This property is set at an angle to the neighbouring properties reflecting its location on the bend in the road. The amended plan has reduced the size of this property and altered its location increasing the separation distance to the existing and proposed neighbouring properties.

Plot 3 would have a pitched roof design with two pitched roof dormers located in the front elevation and a pitched roof single storey projection extending the from the south eastern side. This property would front Crow Hill and a new pedestrian and vehicular access would be created in the existing boundary wall. This property would be set forward of number 30 Crow Hill by 2.5m, however in this section of Crow Hill there is variation to the building line with the properties to the south east following a curved arrangement.

There is variation to the design, scale and arrangement of the properties in both Linden Avenue and Crow Hill in the area surrounding the site. Following the submission of the amended plans the existing and proposed dwellings are considered to sit comfortably within the site an acceptable level of separation between the properties that is considered to be in keeping with the pattern of development in the area.

The proposed dwellings would be constructed from brick and slate tiles and the alterations to the existing dwelling would be completed using bricks to match the existing house and slate tiles. Samples of the proposed materials would be requested by condition to ensure that they are in keeping with the character and appearance of the area.

The applicant's agent has provided a landscaping plan detailing the proposed boundary treatment and areas of hedging to be removed. Sections of the existing hedging would be retained however it is not possible to protect hedges through the planning system and therefore the existing hedges could be removed at any time. The retention of most of the hedging as indicated within the landscaping plan would reduce the visual change to the character and appearance of the area.

The amended development is therefore not considered to have a significantly harmful impact upon the character and appearance of the area to warrant refusal of the application. The amended plan would therefore comply with policy D1 of the Thanet Local Plan and the National Planning Policy Framework.

Living Conditions

The single storey extension at the rear of the existing dwelling would be demolished and the roof would be extended to provide first floor accommodation. Two dormers are proposed, one in the front elevation of the northern side projection and one in the northern side roof slope. Six rooflights are also proposed in the extended roof. The height of the eaves would be increased from 2.8m to 3m and the overall height of the dwelling would be increased from 4.6 to 6.2m. The footprint of the main dwelling would be maintained. The existing separation

distances to the neighbouring dwellings would be maintained with the closest property, 15A Linden Avenue set 1.6m to the north. There are no windows located in the first floor southern elevation of this neighbouring property and the ground floor southern elevation is currently located within close proximity to the existing boundary fence. There would be a separation distance of 2.8m to plot 2 which is located to the south and 3.2m to plot 3 which is located to the south west from the closest point of the extended dwelling. The proposed dormers would have pitched roofs and are set within the proposed roof, up from the eaves and down from the ridge line. The proposed rooflights are not considered to add any significant bulk or mass to the roof. Given the scale of the proposed extension and the location of the property the proposed extension and alterations are not considered to result in any significant loss of light or outlook to the existing or proposed neighbouring dwellings.

The proposed dormer in the northern side roof slope would serve a bedroom and look across the front and side elevation of 15A Linden Avenue. There would be a separation distance of 4.8m to the northern boundary and a total of 8.6m to the front projection of 15A Linden Avenue from this window. This window is not considered to result in any significant opportunity for overlooking. The dormer proposed in the front roof slope of the northern side projection would face towards Linden Avenue with a separation distance of 23m to the closest property on the eastern side of the road. One new window is also proposed in the extended front gable serving a bedroom. This window would look towards Linden Avenue with a separation distance of 14m to the boundary with the closest property on the eastern side of Linden Avenue. Given the location of the windows and the separation distances to the neighbouring properties they are not considered to result in any significant opportunity for overlooking. The proposed ground floor doors and windows are in similar locations to the existing openings and due to their ground floor location are not considered to result in any significant opportunity for overlooking.

Six rooflights are proposed in the side and rear elevations of the extended roof. The amended plan has increased the height of these windows to 1.7m above the internal floor which is considered to prevent any significant opportunity for overlooking to the existing and proposed neighbouring dwellings.

Plot 2 has been reduced in size following the submission of the amended plan to a three bedroom dwelling increasing the separation distance to the existing and proposed neighbouring properties. This property would have a barn hipped roof with a front gable and dormer and is angled to follow the bend in Linden Avenue. There would be a separation distance of 1.5m to the southern boundary of the site and 3m to the main side elevation of the closest southern neighbour, 28 Crow Hill. There is a change in levels between these properties and there are a number of windows in the northern side elevation of this neighbouring property, however these windows appear to be obscure glazed or to serve non-habitable rooms. The habitable room windows in the rear elevation are set towards the southern side of this elevation increasing the separation distance to the proposed dwelling. This dwelling would angle away from 13 Linden Avenue and there would be a separation distance of 7.6m to the closest point of plot 3. Given the location and scale of the amended plan and the arrangement of the closest neighbouring dwelling this property is not considered to result in any significant loss of light or sense of enclosure to the existing or proposed neighbouring dwellings to warrant refusal of the application.

One dormer, a window and a rooflight are proposed in the front elevation. These windows would face towards Linden Avenue where there is a separation distance of 19m to the closest neighbouring dwelling. Two rooflights are proposed in the rear roofslope serving a bedroom and ensuite. These rooflights are situated with a cill height of 1.7m above the internal floor and therefore offer limited opportunity for overlooking. The ground floor windows are not considered to result in any significant opportunity for overlooking due to their location and the existing and proposed boundary treatment around the site.

Plot 3 would be a pitched roof dwelling with two front dormers and a single storey side projection. This property would front Crow Hill where there would be a separation distance of 2m to the northern neighbour 30 Crow Hill and 12m to the southern neighbour 28 Crown Hill. There would also be a separation distance of 21m to the closest property on the south western side of the road 37 Crow Hill. As outlined above there would be a separation distance of 3.2m from the rear elevation of this dwelling to the rear of 13 Linden Avenue at the closest point. There are two windows in the side elevation of 30 Crow Hill, however this neighbouring property is set on a higher ground level than the site and these windows appear to be secondary windows that are already in close proximity to the existing boundary treatment. Given this existing relationship and the separation distance to the other neighbouring properties the proposed dwelling on plot 3 is not considered to result in any significant loss of light or sense of enclosure to warrant refusal of the application.

The four rooflights proposed in the rear elevation of plot 3 would serve bedroom bedrooms, however are set at 1.7m above the internal floor and would therefore offer limited opportunity for overlooking. Whilst the dwelling would be on a higher ground level compared to the properties on the south western side of the road given the separation distance and that the windows in the front elevation of plot 3 would face the front elevations of these neighbouring properties that are clearly visible from the public realm, they are not considered to result in any significant opportunity for overlooking. The ground floor rear windows are not considered to result in any overlooking due to the proposed boundary treatment around the site.

The proposed dwellings and extensions are considered to be of an adequate size with all habitable rooms receiving light, outlook and ventilation. Each property would benefit from a private amenity space that would be considered suitable for doorstep play space and provide space for clothes drying.

Two additional residential dwellings and the extension to the existing dwelling is not considered to result in a significant increase in noise and disturbance to the existing neighbouring residential properties to warrant refusal of the application.

In light of the above the amended plan is considered not considered to result in any significant harm to the living amenity of the neighbouring residential property occupiers and would provide an acceptable standard of accommodation for the future occupiers, in line with policy D1 of the Thanet Local Plan and the National Planning Policy Framework.

Highway Safety

The existing parking arrangement would be maintained on the northern side of 13 Linden Avenue and two parking spaces would be provided for each new dwelling. Cycle storage for each new dwelling could be accommodated within the garden and would be conditioned to

ensure that it is provided and maintained. Parking along Crow Hill and Linden Avenue is unrestricted.

Whilst there may be seasonal variations in demand for parking in the area the provision of two additional three bedroom dwellings with off street parking is not considered to result in a significant increase in demand or harm to highway safety to warrant refusal of the application.

Financial 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.

The applicant has submitted a legal agreement securing the required contribution of £848 towards the Strategic Access Management and Monitoring (SAMM) plan to offset the potential impact on protected birds at European designated sites from increased visitors from the district to these areas. This approach has been considered by the Council and Natural England as acceptable for new residential development, as necessary to deal with the potential effects of increased disturbance to both summer and winter birds, in accordance with the Habitats Regulations.

Other Matters

Noise and disturbance during construction including through vibration is considered to be temporary in nature and would be covered by other legislation.

Right to light is a separate legal matter and does not form a material consideration in the determination of this application.

The provision of two new dwellings is not considered to result in a significant degree of pollution to warrant refusal of the application.

The site is located within Flood zone one which presents a low risk of flooding. A flood risk assessment is not required for the proposed development in this location. Southern Water have been consulted and require an application for formal connection to the foul sewer to be

submitted. The proposed development is therefore not considered to result in a significant increase in risk of flooding.

As the site is currently in use as a residential garden the development is not considered to have a significantly harmful impact upon local ecology to warrant refusal of the application.

The applicant's agent has provided confirmation that the existing boundaries of the site with the neighbouring dwellings would be maintained. Any damage to neighbouring properties as a result of the proposed development is a civil matter and does not form a material consideration in the determination of this application.

Conclusion

The proposal is for 2 dwellings with the urban confines of Broadstairs and would make a minor contribution to the Council's housing supply. It is considered that there would be no significant adverse effect from the proposed development on the character or appearance of the area, living conditions, highways and other planning matters, and a unilateral obligation has secured the required mitigation towards the Special Protection Area. Therefore the development is recommended for approval.

Case Officer

Duncan Fitt

TITLE:

F/TH/20/0042

Project

13 Linden Avenue BROADSTAIRS Kent

