

**A02** **F/TH/20/0187**

**PROPOSAL:** Erection of 1 No 3-bed detached dwelling following demolition of existing side extension to existing dwelling

**LOCATION:** 158 Percy Avenue BROADSTAIRS Kent CT10 3LF

**WARD:** Kingsgate

**AGENT:** Miss Harris

**APPLICANT:** Mr And Mrs Binskin-Barnes

**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 proposed development shall be carried out in accordance with the submitted application as amended by the revised drawings numbered 1354-004B, 1354-006B, 354-007B received 05 May 2020 and the submitted plan numbered 1354-005 received 10 February 2020.

**GROUND:**

To secure the proper development of the area.

3 The first floor window in the north side elevation of the dwelling hereby approved shall be provided and maintained with obscured glass to a minimum level of obscurity to conform to Pilkington Glass level 4 or equivalent and shall be installed prior to first occupation of the development hereby permitted and permanently retained thereafter.

**GROUND:**

To safeguard the residential amenities currently enjoyed by the occupiers of nearby residential properties in accordance with Policy QD03 of the Thanet Local Plan.

4 The external surfaces of the proposed dwelling hereby approved shall be finished in white render and weatherboarding to the elevations, clay roof tiles and grey windows and doors, as outlined within the submitted application form received 10 February 2020 and illustrated on the approved plan numbered 1354-006B received 05 May 2020.

**GROUND:**

In the interests of visual amenity in accordance with Policy QD02 of the Thanet Local Plan.

5 Prior to the construction of the external surfaces of the development hereby approved samples of the proposed weatherboarding and roof tiles 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 unless otherwise agreed in writing by the Local Planning Authority.

**GROUND:**

In the interests of visual amenity in accordance with Policy QD02 of the Thanet Local Plan.

6 Prior to the first occupation of the dwellings 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. 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 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 and to adequately integrate the development into the environment in accordance with Policy QD02 of the Thanet Local Plan.

7 The areas shown on the approved plan numbered 1354-004B received 05 May 2020 for vehicle parking and manoeuvring, 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 approved.

**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 Policies QD03 and TP06 of the Thanet Local Plan.

**INFORMATIVES**

For the avoidance of doubt, the provision of contributions to as set out in the unilateral undertaking 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 the applicant to ensure, prior to the commencement of the development hereby approved, that all necessary highway approvals and consents where required are obtained and that the limits of highway boundary are clearly established in order to avoid any enforcement action being by the Highway Authority. The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under such legislation and common law. It is therefore important for the applicant to contact KCC Highway and Transportation to progress this aspect of the works prior to commencement on site

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](http://www.southernwater.co.uk).

### SITE, LOCATION AND DESCRIPTION

158 Percy Avenue is a large two storey detached early 20th century dwelling located on a corner plot towards the end of the Avenue, fronting Percy Avenue to the west and abutting Second Avenue to the south. The surrounding area is characterised by substantial detached and semi-detached dwellings of predominantly similar, varied designs, set within generous plots with a good degree of separation from one another. The application site consists of the existing side garden to no.158 Percy Avenue.

### RELEVANT PLANNING HISTORY

No relevant planning history.

### PROPOSED DEVELOPMENT

This application proposes the erection of a two-storey 3-bed chalet style dwelling within the side garden of 158 Percy Avenue, following the demolition of the existing two-storey side extension. The proposal has been amended through the course of the application and has been reduced in depth at first floor level, reduced in width and set in further from the southern side boundary of the site. The roof form has been reduced through a barn-hip to the front elevation, together with a reduction in the size and roof forms of the side dormer and side gable projection.

### DEVELOPMENT PLAN POLICIES

#### **Thanet Local Plan**

- SP14 - General Housing Policy
- SP22 - Type and Size of Dwellings
- SP27 - Green Infrastructure
- SP28 - Protection of International and European Designated Sites
- SP29 - Strategic Access Management and Monitoring Plan (SAMM)
- SP30 - Biodiversity and Geodiversity Assets

SP35 - Quality Development  
SP37 - Climate Change  
SP43 - Safe and Sustainable Travel  
H01 - Housing Development  
HE01 - Archaeology  
QD01 - Sustainable Design  
QD02 - General design Principles  
QD03 - Living Conditions  
QD04 - Technical Standards  
QD05 - Accessible and Adaptable Accommodation  
SE05 - Air Quality  
SE08 - Light Pollution  
TP02 - Walking  
TP03 - Cycling  
TP06 - Car Parking

## NOTIFICATIONS

Letters were sent to the neighbouring occupiers and a site notice was posted near the side. 11 letters of objection have been received from the general public. These letters raise the following concerns:

- Proposal is overdevelopment of the existing site, which will result in the loss of openness and sense of spaciousness on Second Avenue.
- The proposed dwelling is too large and would not be in keeping with the surrounding area.
- The dwelling will appear cramped and the frontage of the property will not be adequately set back from Second Avenue, out of keeping with the position of properties which front Second Avenue.
- Object to the loss of garden space, soft landscaping and wildlife habitat.
- Development will result in adverse impacts of overlooking and a loss of privacy.
- Development will result in noise and disturbance.
- Development will result in a loss of light and an overbearing impact.
- Development will result in a sense of enclosure.
- Development will result in addition of extra traffic and parking pressure in an already congested area, particularly in the summer months.

**Broadstairs and St Peters Town Council** - The Planning Committee of the Town Council has considered this application and resolved by a majority to recommend no objection with the following concern: building line.

## CONSULTATIONS

**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.

**Southern Water** - Requires a formal application for a connection to the public sewerage system to be made by the applicant or developer. Request informatives are attached to the consent should planning permission be granted.

## COMMENTS

The application has been called to Planning Committee by Cllr Bob Bayford to consider the impact on the character and appearance of the area.

The main considerations with regard to this planning application will be the consideration of the principle of the development, the impact of the proposed development on the character and appearance of the area, the residential amenity of neighbouring and future property occupiers and highway amenity and highway safety.

### **Principle**

Policy HO1 of the Thanet Local Plan states that residential development on non-allocated sites within the confines of the urban area can be granted where it meets other relevant Local Plan policies.

Policy QD02 of the Thanet Local Plan permits residential development on garden land where it is not judged harmful to the local area in terms of the character and residential amenity, the intrinsic value of the site as an open space is not considered worthy of retention, and there is no conflict with any other design policies of Policy H01.

The application site is located within the urban confines of Broadstairs, and therefore the principle of development is in accordance with Policy HO1 of the Thanet Local Plan, subject to the assessment of all other material planning considerations, including the impact upon character and residential amenity.

### **Character and Appearance**

The proposal involves the loss of the side garden area to no. 158 Percy Avenue. The site is not of particularly high amenity value to warrant retention as an open space, and therefore no concerns are raised with the principle of its development, subject to a spacious setting being maintained around the properties in keeping with the surrounding pattern of development.

The proposed dwelling will be sited roughly in line with the existing dwelling, and the first floor rear elevation will accord with the two storey rear elevation of the existing dwelling, with a single storey rear projection extending an additional 3m in depth. The dwelling will be set in from the southern side boundary by approximately 3m (2.5m to the side entrance projection) and will retain 1.7m separation distance to the existing dwelling to the north. The dwelling will extend approximately 2.5m in height to the eaves, with the first floor accommodation provided within the roof space.

The proposed subdivided plots will provide plots of a reduced, yet suitably comparable size and shape to surrounding plots, which are considered to adequately reflect the surrounding pattern of development. The proposed built form and footprint of the dwelling is considered to be proportional to the size of the plot, and relate to the siting and layout of the existing property (number 158). The proposed dwelling will be sited approximately in line with the single storey garage of the adjacent dwelling to the rear, and will be set forward of the main body of this neighbour by approximately 3.7m.

Whilst the proposed dwelling will involve the development of the side garden, and will be set forward of the main body of the adjacent neighbour to the rear, the proposed dwelling is meaningfully set in from the side boundary adjacent to Second Avenue and will be provided with a separation distance of 12m to this neighbour from the two storey body of the proposed dwelling. The proposed dwelling is of a compact scale, and forms a clearly subservient form of development to the existing property number 158, providing a transition to the single storey detached bungalows to the south. The design and form of the dwelling minimises its built form at first floor/roof level, with its roof hipping away from Second Avenue and the existing property, with a modest side dormer and barn hipped entrance projection, which increases the sense of space around the dwelling and separation to the surrounding neighbours. As such, the proposed dwelling through its revised scale, form and siting is considered to be set comfortably within its surroundings, and suitably maintain the spacious character of the area.

In terms of design, the proposed dwelling addresses both Percy Avenue and Second Avenue and incorporates design features which relate to the surrounding built environment such as the front and side projections, which break up the built form and add interest to the elevations. The dwelling will be finished in white render and pale colour weatherboarding to the elevations, with clay roof tiles and grey windows and doors, which is considered to provide a contemporary appearance, whilst relating to the surrounding material palette.

The proposed dwelling will retain the existing relatively high soft landscaping to its western boundary adjacent to Percy Avenue and will be provided with a low boundary fence and soft landscaping to part of the southern boundary in front of the main body of the dwelling, with 2No. off street car parking spaces to the side. The remainder of the southern boundary will incorporate a relatively high close boarded fence with soft landscaping in front. The arrangement of the boundary treatments will provide a characteristic open frontage to the front elevation facing Second Avenue and will relate to the position of existing high boundary treatments. The proposed development incorporates minimal hard surfacing and will be provided with a high provision of soft landscaping which will soften the impact of the proposed development and will integrate the development into its environment.

The proposed development is therefore considered to be compatible with the character and appearance of the area, in accordance with Policy QD02 of the Thanet Local Plan and the National Planning Policy Framework.

## **Living Conditions**

The proposed development will involve the demolition of the two storey side extension to the existing property and will retain a separation distance of approximately 1.7m to the existing property. The existing property (158) will include 1No. side elevation window facing the proposed dwelling, which will be obscure glazed and will not serve a habitable room. The two storey body of the proposed dwelling will align with that of the existing property, with a single storey rear extension extending beyond, of a relatively modest depth, a height of approximately 3m. Given the siting of the proposed dwelling and the separation distance to this neighbour, together with the compact scale of the proposed dwelling and the window arrangement of the existing property, the proposed dwelling is not considered to result in harm to their residential amenity by way of loss of light, outlook or the creation of a sense of enclosure. Sufficient separation distance will be retained to all other adjacent neighbours to prevent harm deriving from the built form of the dwelling.

In terms of overlooking, the proposed first floor north side elevation window will be obscure glazed and will serve a bathroom, which is not a primary habitable room. This window will face the predominantly blank side elevation of the existing property, which contains 1No. obscure glazed window serving a hallway, and is therefore not considered to result in harmful overlooking.

The proposed development will incorporate 1No. first floor rear elevation window. The existing property number 158 contains 2No. first floor rear elevation windows, and a first floor rear balcony, and the proposed window will be sited in line with these windows. The proposed first floor window to the proposed dwelling will face the side elevation of the garage and the front portion of the side elevation of the adjacent neighbour to the rear, with an approximately 15m separation distance to the side elevation of this adjacent neighbour. Given the presence of existing first floor rear elevation windows which are sited in closer proximity to the adjacent neighbours rear garden, together with the position of the proposed windows and the relationship with the adjacent neighbour, this window is not considered to result in significantly harmful additional overlooking.

In terms of the living conditions of the future occupiers of the proposed dwellings, the proposed dwelling exceeds the relevant Nationally Described Space Standards and provides suitable internal space and internal layout. All primary habitable rooms are served by external windows which provide satisfactory light, outlook and ventilation.

The dwelling will be provided with a good sized rear garden, which will provide suitable doorstep play space in accordance with Policy GI04 of the Thanet Local Plan and is capable of accommodating sufficient refuse and cycle storage.

Concern has been raised regarding additional noise and disturbance. The application site is located within an established residential area where some associated noise and disturbance is an established and expected feature and it is not considered that the erection of an additional dwelling, which will be provided with a good standard of amenity for the future occupiers, will materially alter the existing noise and disturbance associated with this residential area.

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 QD03, QD04 and GI04 of the Thanet Local Plan, and the National Planning Policy Framework.

## **Highways**

The proposed development will incorporate 2No. off street parking spaces to the frontage of the existing property number 158, and 2No. Off street parking spaces within the south west corner of the site, accessed via Second Avenue. The proposed provision of off-street parking is considered to be sufficient for both the existing dwelling and the proposed dwelling, and adequate visibility splays will be provided for both vehicular accesses.

The proposed dwelling will be provided with a shed within its rear garden which will provide suitable secure cycle storage.

The proposed development is therefore considered to be acceptable with regards to highway safety and amenity, in accordance with Policies TP03 and TP06 of the Thanet Local Plan and the National Planning Policy Framework.

## **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.

This application includes a Unilateral Undertaking which provides the required financial contribution of £424 to mitigate the impact from the additional 3 bed residential dwelling on the Special Protection Area.

## **Conclusion**

Following the receipt of amended plans, the development is considered to reflect the character and appearance of the area without resulting in a detrimental impact on neighbouring living conditions, or highway safety. A signed unilateral undertaking has been submitted securing the mitigation required to the SPA. It is therefore recommended that Members approve the application, subject to safeguarding conditions.



**Case Officer**  
Jenny Suttle

TITLE: F/TH/20/0187

Project 158 Percy Avenue BROADSTAIRS Kent CT10 3LF



