

To provide satisfactory off street parking for vehicles in accordance with Policy TP06 of the Thanet Local Plan and the advice contained within the NPPF.

5 Prior to the first occupation of the development hereby permitted details of the cycle parking shall be submitted to and approved in writing by the Local Planning Authority.

GROUND

To promote cycling as an alternative form of transport, in accordance with Policy TP03 and SP43 of the Thanet Local Plan.

6 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, in accordance with the advice contained within the NPPF.

7 Prior to the first occupation of the development hereby approved visibility splays of two metres by two metres behind the footway on both sides of the new access with no obstructions over 0.9m above footway level shall be provided and thereafter maintained.

GROUND

In the interest of highway safety in accordance with the advice contained within the NPPF.

8 The development hereby permitted shall be constructed in order to meet the required technical standard for water efficiency of 110litres/person/day, thereby Part G2 Part 36 (2b) of Schedule 1 Regulation 36 to the Building Regulations 2010, as amended, applies.

GROUND

Thanet is within a water stress area as identified by the Environment Agency, and therefore new developments will be expected to meet the water efficiency optional requirement of 110litre /person/day, in accordance with Policy QD04 of the Thanet Local Plan.

9 The development hereby permitted shall be constructed to a high standard of energy efficiency to the equivalent of Level 4 of the Code for Sustainable Homes.

GROUND

All new buildings and conversions of existing buildings must be designed to reduce emissions of greenhouse gases and have resilience to function in a changing climate, in accordance with Policy QD01 of the Thanet Local Plan.

10 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 rear elevation of the dwellings hereby approved without the prior written permission of the Local Planning Authority.

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.

11 Existing trees, shrubs and hedgerows identified for retention within the development site or existing trees growing on an adjacent site, where excavations, changes to land levels or underground works are within the crown spread, shall be protected in accordance with BS 5837 2012 using the following protective fence specification - o Chestnut paling fence 1.2m in height, to BS 1722 part 4, securely mounted on 1.7m x 7cm x 7.5cm timber posts driven firmly into the ground. The fence shall be erected below the outer most limit of the branch spread or at a distance equal to half the height of the tree, whichever is the furthest from the tree, unless otherwise agreed in writing with the Local Planning Authority. The protective fencing shall be erected before the works hereby approved or any site clearance work commences, and shall thereafter be maintained until the development has been completed. At no time during the site works shall building materials, machinery, waste, chemicals, stored or piled soil, fires or vehicles be allowed within the protective fenced area. Nothing shall be attached or fixed to any part of a retained tree and it should not be used as an anchor point. There shall be no change in the original soil level, nor trenches excavated within the protective fenced area.

GROUND

To protect existing trees and to adequately integrate the development into the environment, in accordance with Thanet Local Plan Policy QD02.

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

Thanet District Council recommends that all developers work with a telecommunication partner or subcontractor in the early stages of planning for any new development to make sure that Next Generation Access Broadband is a fundamental part of the project. Access to superfast broadband should be thought of as an essential utility for all new homes and businesses and given the same importance as water or power in any development design. Please liaise with a telecom provider to decide the appropriate solution for this development and the availability of the nearest connection point to high speed broadband.

SITE, LOCATION AND DESCRIPTION

The site forms part of the rear garden for 1 Fair Street, a two storey flint dwelling that fronts Upton Grange. The western boundary of the site is located adjacent to Wilkes Road with the northern boundary adjacent to a pedestrian footpath that extends from the junction with Fair Street and Wilkes Road to Upton Grange. The northern and eastern boundaries of the site are currently enclosed by timber fencing and the southern boundary of the site is shared with 42 Wilkes Road. The site is currently occupied by a number of small trees and the ground level is set below the level of the highway and the surrounding properties. To the south of the site Wilkes Road and Marshall Crescent are characterised by detached bungalows. To

the north of and west of the site fair street is characterised by a variety of different properties including detached bungalows and two storey dwellings.

RELEVANT PLANNING HISTORY

F/TH/09/0739 - Erection of 2no. two storey detached dwellings, with associated single-storey garage to rear. Refused 13 November 2009 due to the impact of the development upon the character and appearance of the area.

PROPOSED DEVELOPMENT

The proposed development is the erection of 2no. two storey 3-bed detached dwellings. Amended plans have been submitted during the application process following concerns raised by Officers regarding the design and orientation of the proposed dwellings.

Two new access for the dwellings would be formed in the centre of the western boundary of the site onto Wilkes Road. The proposed dwellings would have a chalet bungalow design with a gabled two storey front projection and a dormer in the first floor front elevation. The proposed dwellings would be constructed from dark grey slate roof tiles, white rendered walls and stained timber cladding. A timber picket fence and gates would be erected along the eastern boundary of the site.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan 2020

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

Three letters of objection were received to the initial plan, two from the same person raising the following concerns:

- Close to adjoining properties
- Conflict with local plan
- Development too high
- Inadequate access
- Inadequate parking provision
- Loss of light
- Loss of privacy
- Loss of outlook
- Overbearing impact
- More open space needed on development
- Out of keeping with character of area
- Over development
- Resubmission of the 2009 application
- Impact upon drainage
- Proposed materials are inappropriate
- Highway safety

Three further letters of objection were received following the submission of the amended plan, two from the same person, raising similar concerns to the previous letters of objection.

Broadstairs and St Peter's Town Council - Updated comments received 06 May 2020

Recommend refusal on the grounds: Development too high and too close to adjoining properties, dangerous access and egress points, out of keeping with surrounding properties.

Initial comments received 04 October 2020

No comment

The Broadstairs Society - Updated comments received 28 April 2020

The Broadstairs Society continues to object to this proposal being quite out of keeping for the local area, and with access / egress to the property from the road resulting in the creation of an accident black spot. Of which there is already a history of incidents.

Initial comments received 27 September 2019

An earlier application was refused under Delegated Powers. The current proposal has similarities to the earlier application and the reasons for refusal then are appropriate now.

CONSULTATIONS

Environment Agency - We have assessed this application as having a low environmental risk. We therefore have no comments to make.

KCC Archaeology - No comments received.

Southern Water - A formal application for a connection to the public sewage system is required to service this development.

The proposed development would lie within a source protection zone and therefore Southern Water would rely upon consultations with the Environment Agency to ensure the protection of the public water supply source.

COMMENTS

This application has been called in to the Planning Committee by Councillor Garner to consider the impact of the development upon the character and appearance of the area due to the height, scale and design of the proposed dwellings.

Principle

Policy HO1 of the Thanet Local Plan states that 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. All development proposals should also comply with the relevant requirements of SP14 and demonstrate that adequate infrastructure will be in place to serve each unit. The site is located within the urban confines of Broadstairs and consists of garden land. The principle of the erection of a new dwelling within the urban confines is considered acceptable subject to all other material considerations.

Character and Appearance

Paragraph 127 of the National Planning Policy Framework (NPPF) states decisions should ensure that developments will function well and add to the overall quality of the area, are visually attractive as a result of good architecture, layout and appropriate and effective landscaping, sympathetic to local character and history, establish or maintain a strong sense of place, and optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development and create places that are safe, inclusive and accessible. Policy QD02 of the Local Plan outlines that the design of all new proposals must relate to the surrounding development, in terms of form and layout and strengthen links to the adjacent areas. Be well designed, respect and enhance the character of the area paying particular attention to context and identity of its location, scale, massing, rhythm, density, layout and use of materials appropriate to the locality. The development itself must be compatible with neighbouring buildings and spaces and be inclusive in its design for all users.

Policy BSP9 of the Broadstairs Neighbourhood Plan states that Development proposals that conserve and enhance the local character and sense of identity of the Plan area will be

encouraged. Proposals which demonstrate that they reflect the design characteristics of the area and have taken account of the Design Guidelines will be supported.

The proposed dwellings have a modern chalet bungalow design with first floor accommodation. The amended plan submitted during the application process has altered the orientation of the proposed dwelling so that they directly front the highway, similar to the neighbouring properties in the street scene. The amended plan has also reduced the height of the two storey front projection so that it is smaller in scale and set down from the main ridge of the property.

The proposed dwellings would be taller than the neighbouring properties on Wilkes Road, however due to the existing level of the site being lower than the highway and the neighbouring properties this difference in height would not be readily apparent from the public realm. Whilst this would give a slightly contrived relationship with the properties to the south, the existing property on the site, 1 Fair Street, and numbers 2 and 4 Fair Street to the north west of the site, are all also set below the level of the highway and therefore the proposed dwellings would not appear out of keeping with the scale of dwellings in the vicinity and would have a similar relationship to the highway as a number of existing neighbouring properties.

There are a variety of different property designs and materials visible in the street scene and whilst the design of the properties to the south along Wilkes Road and Marshall Crescent is very consistent, the proposed dwellings are located at the end of a row of properties where there is more variety. Whilst the use of slate roof tiles, white render, stained timber cladding and grey aluminium windows would give the properties a modern appearance they similar materials are visible in the surrounding street scene and given this end of row location where there is more variety in design it is considered that the proposed materials would reflect the design characteristics of the area.

The proposed dwellings would sit comfortably within the site along a similar building line to 42 Wilkes Road with a good degree of separation around them. The existing fencing would be retained on the northern and southern boundaries and a new 2m high fencing would be erected along the rear boundary to separate the site from 1 Fair Street. Low level picket fencing and gates is proposed to the front of the site providing a transition between the open frontages visible in Wilkes Road and the boundary walls and fences visible at the junction of Fair Street.

Some small fruit trees in the centre of the site would be removed to facilitate the development, however the larger trees on the northern boundary of the site would be retained. Whilst the loss of these smaller trees is regrettable, as they are fruit trees and due to their limited size they are not suitable for a tree preservation order.

Bin storage is shown on the proposed plans away from the front boundary of the site and would therefore have limited visibility from the public realm.

In light of the above it is considered that the proposed development would not have a significantly harmful impact upon the character and appearance of the area and would

therefore comply with policy QD02 of the Thanet Local Plan, policy BSP9 of the Broadstairs Neighbourhood Plan and the National Planning Policy Framework.

Living Conditions

Plot A would be located on the northern section of the site. This dwelling would be set off the rear boundary of the site by 3.4m and there would be an overall separation distance of 11.4m to 1 Fair Street. There would be a separation distance of 1.7m to the southern side boundary of the site and an overall distance of 3m to the side elevation of plot B. There would be a separation distance of 4.6m from plot B to the rear boundary of the site and a total of 12.6m to 1 Fair Street. On the southern side there would be a separation distance of 2.8m to the side boundary and a total of 4m to the side elevation of 42 Wilkes Road. There is no neighbouring property directly to the north of the site and there would be 17.8m to the side boundary of the closest property on the western side of Wilkes Road, 3 Fair Street.

Due to the level of the site being set below the level of the highway and the level of the neighbouring properties fronting Wilkes Road and the proposed 2m high rear boundary fence the proposed ground floor doors and windows are not considered to result in any significant opportunity for overlooking.

Two windows are proposed in the first floor front elevation of each property serving bedrooms. Three rooflights are proposed in the rear elevations serving bathrooms and an ensuite. These rooflights would all be set at a high level above the internal floor. Due to the arrangement of the windows, the location of the properties and the separation distances to the front and rear neighbours the proposed development is not considered to result in any significant loss of light, sense of enclosure or overlooking to these neighbouring properties.

Floor length first floor windows are proposed in the northern side elevation of plot A serving a bedroom. These windows would look towards the northern boundary of site and the area of soft landscaping on the corner of Fair Street. There would be a separation distance of approximately 64m to the closest neighbouring property directly to the north of the site. These windows are therefore not considered to result in any significant opportunity for overlooking.

There are a number of doors and windows in the northern side elevation of number 42 Wilkes Road. These doors and windows appear to be secondary windows or serve non-habitable rooms and are currently in close proximity to the existing timber boundary fence. The proposed dwellings would not extend beyond the rear elevation of this neighbouring property and given the separation distance outlined above and the existing arrangement, the proposed dwellings are not considered to result in significant loss of light or outlook to this neighbouring property. As noted above due to the change in ground levels the proposed windows in the ground floor southern side elevation are not considered to result in any significant opportunity for overlooking. Floor length windows are proposed in the first floor southern side elevation serving a bedroom. These windows would face towards the blank side roof slope of number 42 Wilkes Road. Whilst there may be some views towards the doors and windows in the ground floor side elevation of no.42, due to the close proximity of the existing 2m high boundary fence and the rooms that they serve, these views are not considered to be significantly harm enough to warrant refusal of the application.

It is therefore considered that the proposed development would not result in any significant harm to the living amenity of the neighbouring property occupiers, in line with policy QD03 of the Thanet Local Plan and the National Planning Policy Framework.

The proposed dwellings are of a similar scale and would have an internal floor area of approximately 106m² and all habitable rooms would receive natural light and ventilation. The floor area of the dwellings would exceed the required floor area set out by policy QD04 of the Thanet Local plan. Both units are provided with amenity areas to the side and rear which is considered to be of a good size and could accommodate clothes drying facilities. One window is located within the first floor rear elevation of 1 Fair Street which would face towards the rear elevation of the proposed dwellings, however as both new dwellings would benefit from both a side and rear gardens the future occupiers are considered to receive an acceptable degree of private amenity space. 1 Fair Street would also be left with an acceptable amenity area. This proposal is therefore considered to provide a good standard of accommodation for the future occupiers.

Transportation

The proposed vehicular access for each dwelling would be located in the centre of the site and each property would benefit from off street parking for at least two vehicles. The proposed site plan indicates that 2m x 2m pedestrian visibility splays can be achieved and in this location the pavement is wide allowing for good visibility in both directions. Furthermore the accesses to the site were proposed in a similar location as part of the 2009 application and no objection was raised by KCC Highways in this instance. Conditions would be imposed to ensure that the proposed accesses are provided and maintained.

Sufficient space is also available within the site for secure cycle storage and this would be conditioned to ensure that it is provided and maintained.

Subject to the required conditions the proposed development is not considered to result in any significant increase in on street parking or harm to highway safety. The proposed development would therefore comply with policies TP02, TP03 and TP06 of the Thanet Local Plan and the National Planning Policy Framework.

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

Southern Water and the Environment Agency have been consulted on this application as the site is located within a groundwater protection zone. The Environment Agency consider the proposed development to have a low environmental risk and therefore the proposed development is not considered to result in any significant harm to this groundwater source.

Conditions would be imposed to ensure that the development achieves a water efficiency standard of 110litres/person/day and energy efficiency to the equivalent of Level 4 of the Code for Sustainable Homes as required by policies QD01 and QD04 of the Thanet Local Plan. An informative would also be added to ensure that provision is made for high speed internet access for the new dwellings in accordance with Broadstairs Neighbourhood Plan Policy BSP12.

KCC Archaeology have previously indicated that a high concentration of remains have previously been found in the area and therefore a condition for an archaeological watching brief would be imposed to ensure that any findings on the site would be monitored and protected in accordance with policy HE01 of the Thanet Local Plan.

Any damage to neighbouring properties either during construction or as a result of the development would be a civil matter and does not form a material consideration in the determination of this application.

Conclusion

The proposed development would provide two additional units to the district's housing supply which brings economic, social and environmental benefits, with a good standard of accommodation provided for the future occupiers and no adverse impacts on the residential amenities of the adjoining occupiers. The amended plans have addressed Officers concerns regarding the impact of the development upon the character and appearance of the area. The development is not considered to have any significant impact on highway safety and any impacts upon the special protection area around the Thanet coast would be mitigated by the contributions secured through the section 106 agreement.

The proposed development is therefore considered to accord with Thanet Local Plan Saved Policies and the advice and guidance of the National Planning Policy Framework and it is recommended that members approve the application, subject to safeguarding conditions.

Case Officer
Duncan Fitt

TITLE:

F/TH/19/1207

Project

1 Fair Street BROADSTAIRS Kent CT10 2JL

