

A05

FH/TH/20/1550

PROPOSAL: Insertion of window to first floor side elevation

LOCATION: 3 Upton Grange Broadstairs Kent CT10 2NS

WARD: Viking

AGENT: No agent

APPLICANT: Mrs Rachel Humber

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 and the approved drawings numbered 022, 023 and 025.

GROUND;

To secure the proper development of the area.

SITE, LOCATION AND DESCRIPTION

The application relates to a detached two storey dwelling on the eastern side of Upton Grange, a cul-de-sac off Vale Road, Broadstairs. The property has a hipped roof to the shared boundary with number 2 Upton Grange and a full two gable storey to the other side elevation, with a cat slide single storey element up to the chimney breast. A pitched roof garage (pitch parallel to the road) double garage abuts part of the shared boundary with number 2 Upton Grange.

To the south east of the dwelling within the curtilage there are two trees, protected by a Tree Preservation Order (No. 3(2002)).

The cul-de-sac is characterised by relatively large dwellings set in large plots giving a spacious feel.

RELEVANT PLANNING HISTORY

CD/TH/20/0782 Application for a Certificate of Lawful Development for proposed use for the erection of a single storey and two storey rear extension together with erection of a single storey side extension. Certificate Granted

PROPOSED DEVELOPMENT

Full planning consent is sought for the insertion of window to first floor side elevation. The window would be within an extension which is currently under construction. The extension being constructed is deemed permitted development by a Certificate of Lawful Development approved earlier this year. This first floor window would however not be permitted under the Development Order and therefore consent is sought for this alone.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan 2020

QD02 - General Design Principles

QD03 - Living Conditions

TP02 - Walking

TP03 - Cycling

TP06 - Car Parking

NOTIFICATIONS

Letters were sent to adjoining occupiers, a site notice posted close to the site.

Two representations were received (for the same objector). The concerns can be summarised as follows:

- * The development is not been carried out in accordance with the plans
- * Concern about neighbour impact

Broadstairs Town Council: No comment

CONSULTATIONS

No consultations carried out.

COMMENTS

This application is referred to the Planning Committee as the applicant is the wife of a member of staff.

The main considerations in assessing the submitted scheme are the principle of development, the impact upon the character and appearance of the area, the impact upon living conditions of neighbouring property occupiers and the impact upon highway safety.

Principle

In line with Section 38(6) of the Planning and Compulsory Purchase Act 2014, planning decisions must be taken in accordance with the 'development plan' unless material considerations indicate otherwise. The requirements of the National Planning Policy Framework (NPPF) are a significant material consideration in this regard.

The proposal relates to an existing residential dwelling and therefore the principle of alteration is considered to be acceptable.

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

Character and Appearance

Paragraph 127 of the 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 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 place that are safe, inclusive and accessible. Policy SP35 relates to the quality of development and states that new development will be required to be of high quality and inclusive design. Policy QD01 relates to sustainable design and sets out that all new buildings and conversions of existing buildings must be designed to reduce emissions of greenhouse gasses and have resilience to function in a changing climate. Policy QD02 is a general design policy and sets out that the primary planning aim in all new development is to promote or reinforce the local character of the area and provide high quality and inclusive design and be sustainable in all other respects. External spaces, landscape, public realm, and boundary treatments must be designed as an integral part of new development proposals and coordinated with adjacent sites and phases.

In design terms, the first floor side window would be of the same appearance as those within the house and would be of a size that is appropriate to the dwelling.

The extension being constructed cannot be reviewed through this application as it is classed as permitted development.

The proposal is therefore considered to be acceptable in terms of the character and appearance of the area, in accordance with Policies SP35, QD01 and QD02 of the Thanet Local Plan and the National Planning Policy Framework.

Living Conditions

Paragraph 117 of the NPPF states that planning decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.

Policy QD03 of the Local Plan deals specifically with living conditions. This policy states that all new development should:

- 1) Be compatible with neighbouring buildings and spaces and not lead to the unacceptable living conditions through overlooking, noise or vibration, light pollution, overshadowing, loss of natural light or sense of enclosure.
- 2) Be of appropriate size and layout with sufficient usable space to facilitate comfortable living conditions and meet the standards set out in QD04.
- 3) Residential development should include the provision of private or shared external amenity space/play space, where possible.
- 4) Provide for clothes drying facilities and waste disposal or bin storage, with a collection point for storage containers no further than 15 metres from where the collection vehicle will pass.

The first floor side (south east elevation) window would serve bedroom 2 (there is a smaller window serving this room on the north western elevation). The main issue in terms of living conditions is the impact of this opening through prospective overlooking. Views from this window would be to the side garden, the application dwelling and also the side elevation of the neighbouring property no. 4 Upton Grange. It is considered that overlooking the side section of no. 4 Upton Grange will not lead to direct overlooking of the private most part of the garden, close to the dwelling itself. Taking account of the above, as well as the siting and angle of no.3 in relation to no.4's garden, and while noting the concerns of a third party, it is considered that this window will not lead to direct and intrusive overlooking that will be harmful to residential amenity.

Whilst a third party has raised concerns about three ground floor windows being installed which don't match the submitted plans, these would be classed as permitted development.

Transportation

Given the nature of the proposal; the insertion of an additional window there is considered to be no impact upon highway safety or the wider highway network.

The impact upon highway safety is therefore considered to be acceptable.

Conclusion

The proposal would not result in any significant harm to the character and appearance of the area, and the impact upon the living conditions of neighbouring residential occupiers and highway safety is in line with Local Plan Policies QD02 and QD03 and the NPPF.

It is therefore recommended that Members approve the application.

Case Officer

Gill Richardson

TITLE:

FH/TH/20/1550

Project

3 Upton Grange Broadstairs Kent CT10 2NS

