

A04

F/TH/21/0045

PROPOSAL: Part retrospective application for the variation of condition 2 for the approved planning permission for F/TH/20/0042 for the erection of 2No. two storey dwellings together with alterations to existing dwelling, including new roof structure to provide additional floor space to allow alterations to the design and scale of plot 3

LOCATION: 13 Linden Avenue BROADSTAIRS Kent CT10 1HR

WARD: Bradstowe

AGENT: Mr Harvey Rigden

APPLICANT: Mr Scott 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.PL08 Rev C, 20.1557.PL09 Rev C, 20.1557.PL10 Rev C, 20.1557.PL11 Rev B, 20.1557.PL12 Rev C received 12th March 2020, and numbered 20.1557.PL03 Rev E, 20.1557.PL13 Rev I and, 20.1557.PL14 Rev H received 13 January 2021.

GROUND;

To secure the proper development of the area.

3 Plot 3 hereby permitted shall be constructed in accordance with the submitted materials schedules numbered 20.1557.M01 Rev B and 20.1557.M02 Rev B received 26 March 2021 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.

4 Prior to the construction of the external surfaces of Plot 2 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 QD02 of the Thanet Local Plan.

5 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 QD02 of the Thanet Local Plan.

6 No further alterations to the roofs, or extensions to the existing dwelling or approved dwellings hereby permitted, whether approved by the provisions of Schedule 2, Part 1, Classes A, B or C 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:

To safeguard the residential amenities currently enjoyed by the occupiers of nearby residential properties and the amenity of the future occupiers of the site in accordance with policies QD03 and QD04 of the Thanet Local Plan.

7 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 elevation of the plot 3 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 QD03 of the Thanet Local Plan.

8 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 QD02 of the Thanet Local Plan.

9 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.

10 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 TP03 of the Thanet Local Plan

11 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.

12 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.

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

SITE, LOCATION AND DESCRIPTION

The site previously formed part of the side and rear garden of 13 Linden Avenue and has boundaries with both Linden Avenue and Crow Hill. The site is on a similar level to Linden Avenue and above the level of Crow Hill and the northern and southern neighbouring properties on Crow 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.

This application requests changes to the approved plans for plot 3. Plot 3 is located on the western side of the site and fronts Crow Hill. The alterations proposed as part of this application to plot 3 are substantially complete.

RELEVANT PLANNING HISTORY

F/TH/20/0988 - Erection of 2No. two storey dwellings together with alterations to existing dwelling, including new roof structure to provide additional floor space. Refused 20 November 2020 for the following reason: 'The proposed development, by virtue of the design and scale of the proposed dwellings at plot 2 and 3 and their proximity to each other, would appear cramped and congested in the street scene, resulting in significant harm to the character and appearance of the area, not outweighed by any public benefits, contrary to Thanet Local Plan Policy QD02 and paragraphs 127 and 130 of the National Planning Policy Framework.'

F/TH/20/0042 - Erection of 2No. two storey dwellings together with alterations to existing dwelling, including new roof structure to provide additional floor space. Granted 21 May 2020

PROPOSED DEVELOPMENT

This is a part retrospective application for the variation of condition 2 for the approved planning permission for F/TH/20/0042 for the erection of 2No. two storey dwellings together with alterations to existing dwelling, including new roof structure to provide additional floor space to allow alterations to the design and scale of plot 3.

The changes to plot 3 proposed as part of this application are similar to those proposed as part of application reference F/TH/20/0988, however no changes are proposed to plot 1 or 2 as part of this application.

This application proposes that the approved side projection is increased in scale to provide an ensuite at first floor level. This alteration creates a flush rear elevation and an additional rooflight is proposed in the front elevation. Bi-folding doors have been moved from the rear elevation to the southern side elevation and two new windows are included in the rear elevation. The materials around the dwelling have also been altered to include horizontal weatherboarding and lead dormers.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan Policies

SP01 Spatial Strategy Housing
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)
SP30 - Biodiversity and Geodiversity Assets
SP35 - Quality Development
SP37 - Climate Change
SP43 - Safe and Sustainable Travel
CC02 - Surface Water Management
H01 - Housing Development
HE01 - Archaeology
QD01 - Sustainable Design

QD02 - General design Principles
QD03 - Living Conditions
QD04 - Technical Standards
QD05 - Accessible and Adaptable Accommodation
SE04 - Groundwater Protection
SE08 - Light Pollution
TP02 - Walking
TP03 - Cycling
TP06 - Car Parking

Broadstairs Neighbourhood Plan Policies

BSP9 - Design in Broadstairs & St. Peter's
BSP12 - Full Fibre Broadband Connections

NOTIFICATIONS

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

No responses have been received.

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: Increase in bulk and scale.

CONSULTATIONS

Southern Water - No objection.

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

The previously approved application for residential development (Reference F/TH/20/0042) has been implemented, therefore the principle of residential development on the site is considered acceptable.

Character and Appearance

Paragraph 127 of 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 QD02 of the Thanet Local Plan provides general design principles for new development and states 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. Policy BSP9 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 should take account of the Design Guidelines. Proposals which demonstrate that they reflect the design characteristics of the area and have taken account of the Design Guidelines will be supported.

Plot 3 has a pitched roof design with two pitched roof dormers located in the front elevation and a two storey pitched roof projection extending from the south eastern side. This property fronts Crow Hill and a new pedestrian and vehicular access would be located to the front and side. This property is 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. When compared to the previously approved dwelling the single storey side projection has been increased in scale to allow for an ensuite to be included at first floor level. When compared to the approved dwelling the side projection would be increased in height by 0.6m and 0.7m in depth. No changes are proposed to the width of the side projection. Whilst the height and depth would be increased the setback from the front elevation would remain the same. Given the modest change in scale of this section of the building and the location of the doors and windows it is considered to result in a limited visual change from the public realm.

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. Whilst this application increases the size of plot 3 given the modest scale of the change, it is still considered to sit comfortably within the site with an acceptable level of separation between the properties that is considered to be in keeping with the pattern of development in the area.

The materials for plot 3 include yellow brick, natural slate roof tiles, lead dormers and horizontal cladding to the gable ends. Given the variety of properties and materials visible in the street scene these materials are not considered to result in any significant harm to the character and appearance of the area.

The proposed 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 QD02 of the Thanet Local Plan, Policy BSP9 of the Broadstairs Neighbourhood Plan and the National Planning Policy Framework.

Living Conditions

Plot 3 is a pitched roof dwelling with two front dormers and a two storey side projection. This property fronts Crow Hill where there is a separation distance of 2m to the northern neighbour 30 Crow Hill and 12m to the southern neighbour 28 Crown Hill. There is also a separation distance of 21m to the closest property on the south western side of the road 37 Crow Hill. There is also 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 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 in the rear elevation of plot 3 serve two bedrooms, however are set at 1.7m above the internal floor and therefore offer limited opportunity for overlooking. Whilst the dwelling is 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 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 playspace and provide space for clothes drying.

The alterations to plot 3 are not considered to result in significant increase in noise and disturbance to the existing neighbouring residential properties to warrant refusal of the application.

In light of the above the alterations to plot 3 are 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 QD03 of the Thanet Local Plan and the National Planning Policy Framework.

Highway Safety

No changes to the approved parking arrangements are proposed as part of this application and the alterations to plot 3 are located away from the boundary with the highway. This application is therefore not considered to result in any significant harm to highway safety or increase in demand for on street parking.

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.

There are no changes in the number of bedrooms proposed in this application and the previously approved application, and the 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 for the previous application has been paid. It is therefore considered that sufficient mitigation for the impacts of the development upon the Thanet Coast and Sandwich Bay Special Protection Area (SPA) is in place and no further contribution has been requested as part of this application.

Other Matters

Should the application be approved an informative would be required to advise the applicant that all new residential development within the Plan area should include the necessary infrastructure to allow full fibre connections upon the completion of the development in order to comply with policy BSP12 of the Broadstairs Neighbourhood Plan.

The applicant's agent has confirmed that the proposed development would meet the water and energy efficiency standards set out within policies QD01 and QD04 of the Thanet Local Plan. These standards would be conditioned.

Permitted development rights would be removed for any further alterations to the roof or extensions of the properties to prevent a reduction in the size of the amenity areas of the properties or harm to the living conditions of the future occupiers of the site and the neighbouring property occupiers.

Conclusion

The proposal would alter the design of one of the approved dwellings under application F/TH/20/0042 (plot 3). The increased scale of this dwelling does not result in harm to the character of the area or the amenities of neighbouring properties. Therefore the application is recommended for approval.

Case Officer

Duncan Fitt

TITLE: F/TH/21/0045

Project 13 Linden Avenue BROADSTAIRS Kent CT10 1HR

