

**A01**

**F/TH/20/1756**

**PROPOSAL:** Erection of two storey three bedroom detached dwelling with associated access, parking and landscaping following

**LOCATION:** demolition of existing bungalow

3 Viking Close BIRCHINGTON Kent CT7 9NH

**WARD:** Birchington North

**AGENT:** Mr Nic Smith

**APPLICANT:** Mr D Manyweathers

**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 006, 007, 008 009, 010 received 21 December 2020 and, 012 received 05 March 2021.

**GROUND:**

To secure the proper development of the area.

3 Prior to the first occupation of the development hereby permitted details of the cycle parking, which shall be in the form of 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

4 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 any part of the development, or in accordance with a programme of works to be agreed in writing with the Local Planning Authority. 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 Policies QD02 and GI04 of the Thanet Local Plan

5 The development hereby permitted shall be constructed using buff multi stock bricks and white, grey and sand coloured, render, application form in accordance with the 21 December 2020 received 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 The first floor window in the northern side elevation of the dwelling hereby approved serving the ensuite for bedroom 2 shall be provided and maintained with obscured glass to a minimum level of obscurity to conform to Pilkington Glass level 4 or equivalent and bottom hung; and shall be installed prior to the 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.

7 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.

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.

**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 application site is located at the southern end of Viking Close and fronts a large open grassed area to the west. The existing property is a single storey detached bungalow set at an angle to the road with a hipped roof which is set below the level of the adjacent open grassed area. To the north of the application site are two similar detached bungalows and to the south the open grassed area extends along the side boundary to Minnis Road. A large two storey detached dwelling is located further to the south and to the rear of the site are 3 flat roof detached dwellings fronting Minnis Road.

### RELEVANT PLANNING HISTORY

There is no planning history for the site.

### PROPOSED DEVELOPMENT

The proposed development is the erection of a two storey three bedroom detached dwelling with associated access, parking and landscaping following demolition of existing bungalow. The proposed dwelling would have a modern flat roof design with an attached garage.

### DEVELOPMENT PLAN POLICIES

#### **Thanet Local Plan**

SP01 - Spatial Strategy - Housing  
SP13 - Housing Provision  
SP14 - General Housing Policy  
SP22 - Size and Type of Dwellings  
SP27 - Green Infrastructure  
SP29 - Strategic Access Management and Monitoring Plan  
SP30 - Biodiversity and Geodiversity Assets  
SP35 - Quality Development  
SP37 - Climate Change  
SP44 - Accessible Locations  
CC01 - Fluvial and Tidal Flooding  
HO1 - Housing Development  
GI06 - Landscaping and Green Infrastructure  
SE05 - Air Quality  
QD01 - Sustainable Design  
QD02 - General Design Principles  
QD03 - Living Conditions  
QD04 - Technical Standards  
QD05 - Accessible and Adaptable Accommodation  
TP03 - Cycling  
TP06 - Car Parking

### NOTIFICATIONS

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

One letter of objection has been received raising the following concerns:

- Impact of the development upon the character and appearance of the area.
- Loss of a bungalow
- Removal of soft landscaping
- Design of the proposed dwelling
- Impact upon wildlife
- Flood risk
- Work has already commenced

Nine letters of support have been received raising the following points:

- Use of green roofs will support biodiversity
- New building would be more energy efficient than the existing building
- Existing building is run down
- New building would improve the appearance of the area
- There is a mix of houses in the area
- Neighbouring properties have flat roofs
- Proposed boundary treatment will improve the appearance of the area
- The development will increase the value of neighbouring properties

**Birchington Parish Council** - Majority vote approved building, on the condition that TDC take appropriate action on one of the removed trees, which Birchington Parish Council are informed was subject to a 'TPO'.

### CONSULTATIONS

**Environment Agency** - Development must be safe and should not increase the risk of flooding We recommend that the requirements of the National Planning Policy Framework and National Planning Policy Guidance (NPPG) are followed. If the proposed development is located within Flood Zone 2 and its vulnerability and flood zone are considered acceptable under the NPPG then a site-specific Flood Risk Assessment (FRA) is required to support any subsequent planning application. This is required by Paragraph 163 of the National Planning Policy Framework (NPPF).

Local Authorities should be satisfied that the FRA appropriately considers:

#### Finished floor levels

Local Authorities should be satisfied that, for any new developments within Flood Zone 2, finished floor levels are set no lower than 300 millimetres above the modelled 1 in 100 chance in any year including an allowance for climate change flood level, to protect people and property from flooding. Where this cannot be achieved owing to other planning constraints, floor levels must be set as high as possible (for extensions to existing buildings, no lower than the existing floor levels) and that flood resistance or resilience measures are considered, where appropriate, up to the design flood level.

## Increase in built footprint

We recommend that built footprint within Flood Zone 2 is not increased. Local Authorities should be satisfied that the development is compliant with their Strategic Flood Risk Assessment (SFRA).

Appropriate mitigation or compensation needs to be incorporated to ensure flood flows are not impeded and, where appropriate, suitable compensatory flood storage needs to be provided. Please note that the use of voids, stilts or undercroft parking as mitigation for a loss in floodplain storage should be avoided, as they may become blocked over time by debris or domestic effects. We generally recommend against these methods as a means of compensation.

## Safe access

The Local Authority's emergency planning team should be consulted to ensure they are satisfied that appropriate safe access and egress routes are achievable.

**KCC Highways** - This development proposal does not meet the criteria to warrant involvement from the Highway Authority in accordance with the current consultation protocol arrangements.

**Southern Water** - Southern Water requires a formal application for a connection to the public foul sewer to be made by the applicant or developer.

## COMMENTS

This application has been brought before members by Cllr Coleman-Cooke to consider the impact of the development upon the character and appearance of the area.

### **Principle**

Policy HO1 of the Thanet Local Plan states permission for new housing development will be granted on non-allocated sites within the confines of the urban area subject to meeting other relevant Local Plan policies. Therefore the principle of development is 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.

The proposed building would be two stories in height with a flat roof. The flat roof across the ground floor of the building would have one consistent level and the first floor would be split into two sections with the south west corner slightly higher than the remainder of the first

floor. The dwelling would have large glazed openings on all elevations and a balcony is proposed on the northern side of the front elevation.

The proposed dwelling would have an increased height compared to the existing bungalow, however Viking Close is set below the level of the grassed area to the south west and the neighbouring roads. The submitted street scene plans also show the proposed dwelling to be similar in height to the rear neighbouring properties on Minnis Road and below the height of the south eastern neighbour, 8 Dane Road.

The building would be constructed from brickwork at ground floor level and white, light grey and sand coloured render at first floor level. There are a variety of different materials visible within the street scene, including brick and render, and the arrangement of the proposed materials is considered to break up the mass of the building and add interest.

A 2.1m high brick boundary wall is proposed to the south eastern side elevation which would drop down to low level metal railings. These railings would then extend around the front of the site. A landscaping plan has been submitted during the application process detailing indian sandstone paving to be used around the property, the planting of seven new trees around the site and soft landscaping.

Overall whilst the property would represent a visual change to the area, given the variety of dwelling visible in the street scene and the scale and design of the neighbouring properties directly to the rear and south east of the application site, it is considered that this change would not be significantly harmful to the character and appearance of the area. The proposed development is therefore considered to comply with policies QD02 and SP35 of the Thanet Local Plan and the National Planning Policy Framework.

### **Living Conditions**

The proposed dwelling would be 0.65m higher than the existing dwelling and due to the change from a pitched roof bungalow to a two storey flat roof house would have an increased bulk at first floor level compared to the existing dwelling. There would be a separation distance of 2.2m between the northern side elevation and the northern boundary with 2 Viking Close. The proposed first floor is set in further from this boundary giving a separation distance of 5.4m to the northern boundary. On the southern side the boundary of the site is shared with an area of open land giving a separation distance of 8.4m from the ground floor and 10.4m from the first floor to the boundary with the southern neighbour. There would be a separation distance of 9.9m from the ground floor rear projection to the rear boundary and 12.2m from the first floor rear elevation to the rear boundary. There would be a total separation distance of 26m from the proposed first floor rear elevation to the closest point of the rear neighbour 167 Minnis Road. The front boundary of the site is shared with a large open grassed area.

The ground floor windows and doors, due to their location and the boundary treatment proposed around the building are not considered to result in any significant opportunity for overlooking.

Floor length doors and windows are proposed in the first floor front elevation and the forward section northern side elevation serving a bedroom and dressing rooms. The proposed balcony would infill this corner at the front of the property. Due to the location of the balcony and these windows they would look towards Viking Close and the open green in front of the property. They are therefore not considered to result in any significant opportunity for overlooking.

Three windows are proposed in the first floor northern side elevation serving ensembles and a dressing room and two windows are proposed in the first floor southern side elevation serving an ensuite and stairwell. These are not considered to be habitable rooms. On the northern side these windows would face towards the blank side roof slope of 2 Viking Close, however given the location of the window serving the ensuite of bedroom 2 and proximity to the neighbouring property, a condition would be imposed requiring this window to be obscure glazed and be bottom hung to prevent overlooking. On the southern side the windows would face across the grassed area between the application site and the dwellings fronting Dane Road and are therefore not considered to provide a significant opportunity for overlooking.

Two bedroom windows are proposed in the first floor rear elevation, however due to the separation distance outlined between neighbours I do not consider the degree of overlooking from the first floor windows to create an unacceptable degree of overlooking to the occupiers of no.167 Minnis Road.

In light of the above it is considered that the proposed development would not result in any significant overlooking, loss of light or sense of enclosure to the neighbouring dwellings in line with policy QD03 of the Thanet Local Plan and the National Planning Policy Framework.

The proposed dwelling would exceed the space standards set out in policy policy QD04 of the Thanet Local Plan and secure doorstep play space would be provided to the rear in accordance with policy GI04. Clothes drying facilities, refuse storage and cycle storage could also be provided in the rear garden and would be conditioned. It is therefore considered that the proposed development would provide an acceptable standard of accommodation for the future occupiers.

In light of the above it is considered that the proposed development would comply with policies QD03 and QD04 of the Thanet Local Plan and the National Planning Policy Framework.

### **Transportation**

The proposed development is located away from the boundary with the highway and increases the amount of off street parking and garage parking available on the site. This development does however increase the number of bedrooms in the property by one. This is considered to be a modest increase and given the increase in off street parking is not considered to result in any significant increase in demand for on street parking or harm to highway safety.

### **Flood Risk**

Policy CC01 states New development in an area identified as being at risk of flooding and falling within Flood Zones 2 and 3, will only be permitted if it can be demonstrated that it satisfies the Sequential Test and where required the Exception Test as set out in the NPPF. The site is located in flood risk zone 2.

Development proposals in these areas shall be accompanied by a Flood Risk Assessment which should address flood risk from all sources of flooding including surface and groundwater flooding.

Any development that takes place in a flood risk area will be expected to incorporate flood resilient measures. The application site comprises an existing bungalow with all accommodation, including bedrooms, located at ground floor level. The proposed dwelling, whilst it would represent a modest increase in floor area would have a raised ground level compared to the existing dwelling and all sleeping accommodation would be located at first floor level. Permeable surfacing would be used around the development and green roofs would be incorporated into the property. It is therefore considered that the proposed development would represent a modest improvement in flood risk compared to the existing arrangement.

### **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.

Whilst the proposed dwelling would increase the number of bedrooms on the site from two to three, this is not considered to be a material increase to result in a cumulative impact on the designated sites. Therefore given the existing dwelling on the site a contribution to mitigate against increased recreational pressure upon the special protection area has therefore not been requested in this instance.

### **Other Matters**

The proposed development would be conditioned to ensure that the new dwelling meets the water and energy efficiency standards set out within policies QD01 and QD04 of the Thanet Local Plan.

Concerns have been raised regarding the removal of a protected tree from within the site. This tree appears to have been removed a significant period of time prior to the submission of this application and prior to the current applicant's ownership of the site. A landscaping plan has been submitted during the application process that includes the addition of seven new trees to the site, including a Sycamore in a similar location to the Sycamore that was covered by TPO 4(1995). It is therefore considered that the proposed plan would result in any increase in biodiversity on the site.

### **Conclusion**

The proposal is for a replacement dwelling with the urban confines of Birchington. 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, the special protection area around the Thanet Coast or other planning matters. Therefore the development is recommended for approval.

### **Case Officer**

Duncan Fitt

TITLE:

F/TH/20/1756

Project

3 Viking Close BIRCHINGTON Kent CT7 9NH

