

A03

F/TH/23/0175

PROPOSAL: Erection of 1no. 2-storey detached dwelling together with 2-storey outbuilding containing a garage and two bed self contained annexe.

LOCATION: Plot 6 Land Adjacent To Clifftop North Foreland Avenue
BROADSTAIRS Kent

WARD: Kingsgate

AGENT: Miss Kate Fisher

APPLICANT: Mr & Mrs Morelli

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 29585A_10 Rev A, 29585A_11 Rev A, 29585A_12 Rev A, 29585A_13, Rev A, 29585A_14 Rev A, 29585A_20 Rev A.

GROUND;

To secure the proper development of the area.

3 The area shown on the approved plans for vehicle parking and manoeuvring areas, 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 permitted.

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 TP06 of the Thanet Local Plan.

4 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.

5 No development shall take place until details of the means of foul and surface water disposal, including details of the implementation, management and maintenance of any proposed Sustainable urban Drainage Systems, have been submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with such details as are agreed and thereafter maintained.

GROUND;

To prevent pollution, in accordance with Policy CC02 of the Thanet Local Plan and the advice contained within the National Planning Policy Framework.

6 Prior to the construction of the external surfaces of the development 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 Policies QD02 of the Thanet Local Plan and BSP 7 and 9 of the Broadstairs and St Peter's Neighbourhood Plan.

7 No further development, whether approved by Part 1 Class A, B, C and E 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 ensure a satisfactory external treatment and in the interests of the visual amenities of the locality in accordance with Policy D1 of the Thanet Local Plan.

8 The proposed annexe hereby approved shall not be occupied or used at any time other than for purposes ancillary to the residential use of the host dwelling.

GROUND:

To ensure that an independent residential use is not created to the detriment of the character, appearance and pattern of development of the area, and to the living conditions of any occupiers of the site or neighbouring properties in accordance with policies QD02 and QD03 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, unless otherwise agreed in writing by the Local Planning Authority.

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 The development hereby permitted shall be constructed in order to meet the required technical standard for water efficiency of 110 litres/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 110 litre /person/day, in accordance with Policy QD04 of the Thanet Local Plan.

11 No development shall take place until full details of the finished levels, above ordnance datum, of the proposed buildings, have been submitted to, and approved in writing by, the local planning authority. The development shall be carried out in accordance with the approved levels.

GROUND:

In the interests of residential amenities in accordance with Policy QD03 of the Thanet Local Plan.

SITE, LOCATION AND DESCRIPTION

The application site is essentially rectangular in shape measuring some (65m by 27m) 1,755 sqm and lies to the west of Cliff Promenade in Broadstairs. The land between North Foreland Avenue and Cliff promenade slopes from west to east, with the western part of the site some 3.6 metres higher than the eastern part adjacent to Cliff Promenade (23.8m to 19.5m). It is not subject to any specific designations and is currently vacant with some vegetation.

RELEVANT PLANNING HISTORY

Application site

In 2012, an outline planning application was submitted for the erection of 13no. detached dwellings (OL/TH/12/0550) with all matters reserved. This application was refused in June 2012.

In 2013, an outline planning application was submitted for the erection of 10 no. detached dwellings, with all matters reserved (OL/TH/13/0473). This application was refused in June 2013.

Subsequent to the determination of the 2013 outline application, an appeal before the Planning Inspectorate on the 2012 outline planning application (for 13 no. dwellings on the site) was dismissed, however not for the reasons cited by the Local Planning Authority save for one of the reasons that some of the protected trees on site would be lost, which would harm the character and appearance of the surrounding area.

Following that appeal decision, an outline planning application was refused for the erection of 12 no. detached dwellings with all matters reserved (OL/TH/14/0404) which was refused

in August 2014. Planning consent was granted on appeal following this refusal in March 2016.

In May 2019 a reserved matters application for this application site was approved for a 2 storey 5 bed dwelling (R/TH/19/0303 refers). This was followed in a further application for the erection of a 2-storey detached dwelling together with 2-storey outbuilding containing a garage and two bed self contained annexe which was approved in February 2020 (F/TH/19/1594).

Adjoining site to the south

F/TH/23/0474 - Erection of 1No four storey 5-bed detached dwelling together with erection of garage and outbuilding, formation of swimming pool including associated access and landscaping. Under consideration.

F/TH/21/0331 - Erection of 1No two storey 5 bed detached dwelling. Approved 16th August 2021.

R/TH/19/0332 - Application for the approval of all reserved matters to outline planning permission OL/TH/14/0404 for the erection of 1No three storey 4 bed detached dwelling. Approved 16th May 2019.

Adjoining site to rear

F/TH/19/0881 - Erection of 1No. three storey building with undercroft containing 8No. self contained flats with associated parking and landscaping. Approved 13th September 2019.

F/TH/18/1754 - Variation of conditions 2, 3 and 4 of planning permission F/TH/18/0851 for the erection of 1No. three storey building containing 7No. self-contained flats with associated parking and landscaping following the demolition of Redriff to allow undercroft parking and relocation of parking and cycle storage. Approved 3rd April 2019.

F/TH/18/0851 - Erection of 1No. three storey building containing 7No. self contained flats with associated parking and landscaping following the demolition of Redriff. Approved 19th October 2019.

PROPOSED DEVELOPMENT

Planning permission is sought for the erection of a 2-storey detached dwelling together with 2-storey outbuilding containing a garage and two bed self contained annexe.

The dwelling would have an entrance hall, lounge, living room, kitchen and utility room with a gym and swimming pool at ground floor level. At first floor level it would comprise 4 bedrooms all ensuite and 3 with dressing rooms.

The annexe would house 8 garage spaces at ground floor level with a 2 bed annexe at first floor containing a kitchen, open plan living space and two bedrooms both ensuite and a dressing room to one.

The property would be served by an amenity area mainly to its rear and there is space for cycle and refuse storage within the site. Vehicular and pedestrian access to the site would be taken from Cliff Promenade.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan 2020

SP01 - Spatial Strategy - Housing
SP12 - Broadstairs
SP13 - Housing Provision
SP14 - General Housing Policy
SP26 - Landscape Character Areas
SP27 - Green Infrastructure
SP29 - Strategic Access Management and Monitoring Plan
SP30 - Biodiversity and Geodiversity Assets
SP35 - Quality Development
SP36 - Conservation and Enhancement of Thanet's Historic Environment
SP43 - Safe and Sustainable Travel
SP44 - Accessible Locations
H01 - Housing Development
HO23 - Ancillary Accommodation for Family Member
GI04 - Amenity Green Space and Equipped Play Areas
QD01 - Sustainable Design
QD02 - General Design Principles
QD03 - Living Conditions
QD04 - Technical Standards
HE01 - Archaeology
CC02 - Surface Water Management
CC03 - Coastal Development
SE04 - Groundwater protection
SE06 - Noise Pollution
SE08 - Light Pollution
TP02 - Walking
TP03 - Cycling
TP06 - Car Parking

Broadstairs and St Peter's Neighbourhood Plan

BSP2 - Important Views and Vistas
BSP4 - Seafront Character Zones
BSP7 - Areas of High Townscape Value
BSP9 - Design in Broadstairs and St Peter's

NOTIFICATIONS

Letters were sent to adjoining residents, a site notice posted close to the site and the application publicised in a local newspaper.

Nine representations have been received objecting to the application have been received with some people making more than one representation. Their comments are summarised below.

- Industrial style design of the annexe is not in keeping with the area;
- Size of the development is overbearing;
- Combined house and annexe is an overdevelopment in terms of size;
- Other annexes in the area are attached to the main dwelling;
- The proposed annexe should be single storey with a flat roof;
- Sympathetic in relation to the reasons given for annexe, but no justification for the garages provided;
- No need for the amount of parking proposed;

A petition against the proposal has also been submitted and signed by the occupants of the 8 apartments in Redriff. It raises the following objections to the proposal.

- When planning was previously granted, Redriff apartments were under construction. They are now occupied and the council should not base its decision on this application on approval having been granted in the past;
- General overdevelopment of plot - density and overcrowding;
- Scale and height of annexe;
- Proximity of annexe to Redriff;
- Increased noise and disturbance from annexe and garage;
- Loss of light to Redriff due to scale of annexe;
- Loss of privacy and overlooking;
- Design deficiencies - expanse of the building's rear facade and its finish.

Broadstairs Town Council: No comment.

Broadstairs Society: Raise no objection to the development. It is noted, however, that this development comprises two separate dwellings that form part of the development as a whole, though markedly distant from each other. A caveat should be added to any approval to ensure that these units are not divided. Access is not clearly defined.

CONSULTATIONS

Natural England: DESIGNATED SITES [EUROPEAN] - NO OBJECTION SUBJECT TO SECURING APPROPRIATE MITIGATION

This advice should be taken as Natural England's formal representation on appropriate assessment given under regulation 63(3) of the Conservation of Habitats and Species Regulations 2017 (as amended). You are entitled to have regard to this representation.

With regard to European Sites, Natural England does not object to the granting of this permission subject to the advice given below.

Natural England advises that the specific measures previously identified and analysed by your Authority to prevent harmful effects on coastal European Sites from increased recreational pressure should be applied to this proposed development at appropriate assessment.

Your authority has measures in place to manage these potential impacts through the agreed strategic solution which we consider to be ecologically sound. Natural England is of the view that if these measures, including contributions to them, are implemented, they will be effective and reliable in preventing harmful effects on the European Site(s) for the duration of the proposed development.

Providing that the appropriate assessment concludes that these measures must be secured as planning conditions or obligations by your authority to ensure their strict implementation for the full duration of the development, and providing that there are no other adverse impacts identified by your authority's appropriate assessment, Natural England is satisfied that this appropriate assessment can ascertain that there will be no adverse effect on the integrity of the European Site in view of its conservation objectives.

If your authority's appropriate assessment has identified any other adverse impacts from the proposed development in addition to those that may be caused by increased recreational pressure and which have not been addressed by your Authority, you must consult Natural England for further advice on this appropriate assessment. Permission should not be granted until such time as Natural England has been able to consider these additional impacts and respond.

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

In situations where surface water is being considered for discharge to our network, we require the below hierarchy for surface water to be followed which is reflected in part H3 of the Building Regulations. Whilst reuse does not strictly form part of this hierarchy, Southern Water would encourage the consideration of reuse for new developments - Reuse, infiltration, watercourse, storm sewer, combined sewer.

It is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.

KCC Highways: Non protocol application.

COMMENTS

This application is reported to Planning Committee by Councillor Pugh for Members to consider the impact of the development on the views of and landscape of the coastline.

The main considerations with regard to the planning application are the principle of development; the impact upon the character and appearance of the local area; the impact upon living conditions of the occupiers of neighbouring properties and future occupiers of the development; highway safety, biodiversity impacts, drainage and flood risk considerations together with Environmental Health considerations.

Principle

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that all planning applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

Policy SP01 of the Local Plan (Spatial Strategy - Housing) states that the primary focus for new housing development in Thanet is the urban area. Policy H01 (Housing Development) states that permission for new housing development will be granted on sites allocated for this purpose and on non allocated sites within the confines of the urban area and villages.

The application lies within the defined settlement of Broadstairs and whilst not previously developed, it is noted that residential development of the site has been considered accepted previously by both the council and the Planning Inspectorate.

Furthermore, the council does not currently have a 5 year housing supply and, as such, the tilted balance set out in paragraph 11 of the National Planning Policy Framework applies. This states that applications for housing should be considered in the context of the presumption in favour of sustainable development. Paragraph 11 of the NPPF describes the presumption in favour of sustainable development and closes by saying that where development plan policies are out of date, planning permission should be granted "unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole or specific policies in this Framework indicate development should be refused".

Policy HO23 of the Local Plan - Ancillary Accommodation for a Family Member - states that proposals to provide an annexe for ancillary accommodation will be permitted where the proposed annexe is: within the curtilage of the principal dwelling and shares its vehicular access; has a functional connection with the main dwelling; is in the same ownership as the main dwelling; designed in such a way as to easily allow the annexe to be used as an integral part of the main dwelling when it is no longer needed for independent occupation; has no boundary demarcation or sub division of the land between the main dwelling and the annexe; of a scale subservient to the principal dwelling and complies with the Council's design policies.

In this instance, the proposed annexe would sit within the curtilage of the principal dwelling and share its vehicular access, is in the same ownership as the main dwelling, no subdivision is proposed between the dwelling and the annexe building and although large would be subservient in scale to the main dwelling. The applicant's submission states that the annex will be used by their son. The annex would, however, be self contained, but would be linked via the garden and its position to the rear of the site to the proposed main

dwelling. It is, therefore, considered that the proposed building could be considered to meet the requirements of Policy HO23.

On that basis, it is considered that residential development on the site should be considered acceptable in principle.

Character and Appearance

Paragraph 130 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 outlines that the primary aim of new development is to promote or reinforce local character and provide high quality and inclusive design that is sustainable in all other respects. Proposals should therefore relate to surrounding development, form and layout, be well designed, pay particular attention to context and identity of location, scale, massing, rhythm, density, layout and materials, and be compatible with neighbouring buildings and spaces. Any external spaces and landscape features should be designed as an integral part of the scheme.

Policies BSP2, BSP4, BSP7 and BSP9 of the Broadstairs and St. Peter's Neighbourhood Plan are also relevant to this application. Policy BSP2 (Important View and Vistas) states that development proposals should respect and not detract from the views and views identified as important within Broadstairs and St Peter's. Policy BSP4 (seafront Character Zones) seeks to ensure that all development located within a seafront character zone accords with the development principles for that zone and includes a statement setting out how that has been achieved. It is noted that the application site lies within seafront character zone 5 which relates to stretches of coastline that are predominantly undeveloped where it is seen as important to protect the remaining unspoilt predominantly rural sections of the coast.

Policy BSP7 (Areas of High Townscape value) states that within such areas the conservation or enhancement of the local character will be the primary planning aim and that development will be supported only where the design, scale of development, separation between buildings, use of materials and landscaping are complementary to the special character of the area. Policy BSP9 of the Broadstairs and St Peter's Neighbourhood Plan sets out that development proposals should conserve and enhance local character and design features, aim to strongly reflect the characteristics of the area, and to ensure that they do not lead to an unacceptable impact on neighbouring amenity.

Whilst the application site and a small area surrounding it fronting Cliff Promenade is currently undeveloped, it lies within the wider developed area of North Foreland and is not the rural undeveloped coastline that policy BSP4 seeks to protect.

As set out above, the proposed development is a two storey dwelling and a further building to the rear of the site would provide garaging for eight vehicles at ground floor level and a two bed self contained annexe at first floor level. Areas for cycle and refuse storage are proposed together with off street parking. Vehicular access and pedestrian access to the site would be taken from Cliff Promenade, with areas of garden to the front and rear.

The proposed development would be seen against the various residential development along Cliff Promenade and North Foreland Avenue and surrounding roads and it is not considered that it would be overly dominant or imposing when seen in long or short views.

The proposed dwelling is contemporary in design with some pitched roof elements and large amounts of glazing with the annexe being more simplistic in design. It is noted that the individual design of properties within the area varies considerably, with a wide range of styles, proportions and materials. It is, therefore, considered that the dwelling and the annexe would add to the variety that currently exists within the area and it is noted that the proposed dwelling and annexe would be constructed of a variety of materials currently found within the North Foreland area. No objection is therefore raised to the approach adopted for the proposed dwelling or its proposed materials, although it is considered appropriate that given the location of the site within the area of high townscape value that a condition is imposed to ensure that samples of the proposed materials are agreed with officers.

The main house would be set in from the application site's northern boundary by approximately 6m at its closest point and from its southern boundary by 1.8m again at the closest point. It would sit just over 15m from the rear of the application site and would be set back from Cliff Promenade by 15.5m. The proposed annexe would sit to the rear of the main dwelling at its closest point by approximately 1m. It is considered that the degree of separation between the proposed dwelling and the application site boundaries is comparable with the spaces around other dwellings in Cliff Promenade. It is, therefore, not considered that the proposed dwelling would have an adverse effect on the spacing and openness of the area. It is also noted that there are a variety of dwellings with outbuildings in various locations within their curtilage in the surrounding area and it is not considered that the location of the proposed annexe would be at odds with the character or appearance of the area in terms of its relationship with the host dwelling or surrounding properties.

The proposed main dwelling is two storeys in height some 11 metres at its highest. Properties within this part of Cliff Promenade are a mix of two storey and two storey with rooms in the roof and it is not considered that the proposed two storey dwelling would be out of keeping with this. The annexe is also 2 storeys in height and given its footprint has the potential to compete with the host dwelling and surrounding properties. It is, however, proposed to reduce the height of the ground level at the rear of the site to the same level as the ground level for the main dwelling. This would result in the annexe sitting lower within the site and appearing more subservient in relation to the host dwelling and other surrounding dwellings.

It is, therefore, considered that the proposed dwelling would not have an adverse impact on the character or appearance of the area and the application meets the criteria of saved policies QD02 of the Local plan and BSP2, BSP4, BSP7 and BSP9 of the Broadstairs and St. Peter's Neighbourhood Plan and the guidance of the NPPF.

Living Conditions

Paragraph 119 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.

Local Plan policies QD03, QD04 and GI04 are also relevant to this application. Policy QD03 (Living Conditions) 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. Policy QD04, requires all new residential development to meet the Nationally Described Space Standards and also a water efficiency standard. Policy GI04 states that new family dwellings (those with 2 or more bedrooms) will be expected to incorporate garden space in order to provide a safe "doorstep play area" for young children. With doorstep playspace being defined as playspace for young children which is immediately adjacent to, closely visible and safely accessible from the dwellings served.

It falls, therefore, to assess the impact of the proposed development on the residential amenities of surrounding occupiers and the standard of accommodation being proposed for future occupiers.

The application site sits between two vacant plots. The plot to the north of the application site had planning consent for a dwelling, but this permission was not implemented and has now expired. It is not considered that granting consent for this application would prevent the plot being developed in the future subject to the appropriate permission being granted.

Planning permission was granted for a dwelling on the plot to the south in August 2021 (F/TH/21/0331 refers) and this consent can be implemented until August 2024. It is noted that the consented dwelling was set in from the southern boundary of the application site by some 6 metres and that there would be one high level window in the northern elevation of the dwelling approved on that site facing the application site which serves a bathroom and it is noted that there is a condition on the application requiring all bathroom, ensuite and WC windows to be obscure glazed. Given this, and the set in from the southern boundary of this proposed dwelling and the lack of any openings in its southern flank, it is considered that the proposed development would not prevent that consented dwelling on the adjoining plot being built out. It is also noted that there is a current application for a dwelling on the plot to the south for the erection of 1No four storey 5-bed detached dwelling together with erection of garage and outbuilding, formation of swimming pool including associated access and landscaping (F/TH/23/0474 refers) which is under consideration. This has limited openings in its north facing flank and as stated above the set in and lack of openings in the southern

flank wall of the dwelling currently under consideration means that it is unlikely to prejudice that proposal coming forward should planning permission be granted.

The site's eastern (front) boundary is to Cliff Promenade with the sea beyond and its western (rear) boundary is to Redriff Apartments. Planning permission was granted in October 2018 for the erection of a 3 storey building containing 7 apartments (F/TH/18/0851) with a subsequent application approved in April 2019 to allow undercroft parking within the development and relocation of parking and cycle storage (F/TH/18/1754). In September 2019 a further planning permission was granted on the site to allow an additional 2 bed unit to be added to the development (F/TH/19/0881 refers). This is the development that has been built out (8 apartments) and sits to the rear of the application site. As set out above, land levels in this area slope west to east, with the Redriff apartment site sitting at approximately 28 m above sea level at its frontage to North Foreland Avenue and dropping to just over 23m at its boundary with the application site. Whilst it is noted that the rear elevation of the proposed annexe would sit 2 metres from the rear boundary of Redriff Apartments, the applicants are proposing to reduce the land levels to the rear of the site so that they are the same as the land levels for the main dwelling (amounting to a reduction of about 2 metres). Given this and the fact that the rear elevation of the Redriff Apartment buildings is set some 15 metres from the rear boundary of the site, it is not considered that the proposed annexe would be overbearing or result in a loss of light to the residents of that development. The relationship was also considered acceptable in the previously approved application F/TH/19/1594 which approved an identical annex, taking account of the committed development at Redriff (approved previous to the approval on this site).

Concerns have been raised by the residents in Redriff Apartments that there is the potential for overlooking into their communal garden to occur from the staircase to the annexe. The stairwell is a means of access and exit only which people would pass over rather than spend any length of time on, especially given the garden area and other facilities that the occupiers of the annexe have access to. Given this, together with the proposed changes in level and the distances involved, it is not considered that there would be any severe overlooking from the proposed annexe to Redriff Apartments or its gardens to result in significant harm to occupiers.

In terms of the standard of accommodation provided in the proposed development, the proposed dwelling would provide large rooms with a high level of light and ventilation. It would also be served by off street parking and private residential amenity space which allows for cycle and bin storage. The Council is using the Nationally Described Space Standards for housing to assess the internal floor space size of new residential development to ensure that a good standard of accommodation for future occupiers is achieved. The property has four bedrooms and for a two storey dwelling the technical standards state a range of sizes from 97 sqm (for a 5 person dwelling) to 124 sqm for an 8 person dwelling. The proposed dwelling is generous in size and is larger than the highest floor area required under the standards. As such, it is considered that the proposed dwelling would provide a good standard of accommodation for residential amenity for future.

The annexe has two beds with these bedrooms shown as doubles. The Nationally described space standards for a two bed, 4 person single storey dwelling is 70 sqm. The proposed annexe is nearly double the required floor space at 135 sqm and it is considered

that the future occupiers would enjoy a high level of natural light and ventilation. Whilst it is noted that the annexe would sit above a garage for 8 vehicles, it is noted that the garage, whilst large, is domestic and would be used for the parking of cars and maybe some minor repairs or maintenance such as car washing which would be expected in a residential area. As such, it is not considered that there would be any noise and disturbance from the use of the garage that would adversely impact the future occupiers of the annexe. Given the above, it is considered that the proposed annexe would provide a good standard of accommodation for its future occupiers.

It is noted that there is some potential for mutual overlooking between the annexe (whose windows are located to its front) and the proposed dwelling and its garden. But given that the annexe and dwelling would be occupied as an additional accommodation in association with the main dwelling, this interrelationship is considered acceptable.

Given the above, it is considered that the proposed development would meet the criteria of policies QD03, QD04 and GI04 and the guidance of the NPPF.

Highways

Paragraph 110 of the NPPF states that in assessing applications for development it should be ensured that adequate opportunities to promote sustainable transport modes have been taken up; safe and suitable access to the site can be achieved for all users and any significant impacts from the development on the transport network (in terms of capacity and congestion) or on highway safety, can be cost effectively mitigated to an acceptable degree. It goes on to state that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe (paragraph 111). Applications for development should give priority to pedestrian and cycle movements and secondly (as far as possible) facilitate access to high quality public transport, address the needs of people with disabilities and reduced mobility, create places that are safe, secure and attractive, allow for the efficient delivery of goods and access by service and emergency vehicles and be designed to enable charging of plug in and other ultra low emission vehicles (paragraph 112). These aims are reflected in the Council's Local Plan policies.

Due to the location of the site, the majority of trips generated by any development will be by car, as the site is not within close proximity of local services and facilities to promote non-car use.

Cliff Promenade is a private road, subject to relatively low speeds. The development is for a single dwelling with associated annexe building and it is not considered unlikely to have a significant safety on the adopted highway network.

The proposal makes provision for on site car parking spaces as well (as garaging for eight vehicles) within the site together with cycle storage. It is considered that this amount of car and cycle parking is sufficient to serve the proposed development. It is not, therefore, considered that the proposed development would have an adverse effect in relation to highways and parking.

Ecology

The NPPF states at paragraph 175 that the planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible. The NPPF then states at paragraph 180 that "if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused."

Thanet Local Plan Policy SP30 (Biodiversity and Geodiversity Assets) states development proposals will, where appropriate, be required to make a positive contribution to the conservation, enhancement and management of biodiversity and geodiversity assets resulting in a net gain for biodiversity assets. Sites should be assessed for the potential presence of biodiversity assets and protected species. For sites where important biodiversity assets, including protected species and habitats including SPA functional land, or other notable species, may be affected, an ecological assessment will be required to assess the impact of the proposed development on the relevant species or habitats. Planning permission will not be granted for development if it results in significant harm to biodiversity and geodiversity assets, which cannot be adequately mitigated or as a last resort compensated for, to the satisfaction of the appropriate authority.

As stated above, the application site is currently vacant with some vegetation within it which is not considered to be of merit or worthy of protection. The proposal whilst seeing the site developed would provide areas of landscaping and a formal garden area within the site and it is considered that planting within these areas would provide opportunities to enhance the ecology/biodiversity within the plot. It is, therefore, considered that the proposed development would not have an adverse impact on the ecology.

Archaeology

Paragraph 197 of the NPPF states that In determining applications, local planning authorities should take account of: a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and c) the desirability of new development making a positive contribution to local character and distinctiveness. It goes on (paragraph 199) to state that "when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance." In paragraph 202 the NPPF states that "where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

Policy HE01 of the Local Plan relates to Archaeology and states that the Council will promote the identification, recording, protection and enhancement of archaeological sites,

monuments and historic landscape features, and will seek to encourage and develop their educational, recreational and tourist potential through management and interpretation.

Kent's Historic Environment Record has been reviewed and no findings are shown in or adjacent to the application site. As such, it is not considered that the proposed development would have an adverse impact on archaeology.

Flooding and Drainage

Paragraph 159 of the NPPF refers that inappropriate development in areas at risk of flooding should be avoided. Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future).

Policy CC02 (Surface Water Management) states that "New development is required to manage surface water resulting from the development using sustainable drainage systems (SuDs) wherever possible. SuDs design, together with a robust long term maintenance plan should be included as an integral part of the master planning and design process for new development and should, wherever possible, incorporate multi-functional benefits for people and wildlife.

Southern Water has reviewed the application and raises no objection to the proposal.

It is unclear what the existing drainage arrangements for the site are and it is considered appropriate that a condition requiring details of the proposed foul and surface water drainage is imposed. This will ensure that the proposed dwelling would not result in an impact in terms of flooding or drainage.

Contributions

Thanet District Council has produced the Strategic Access Management and Monitoring Plan (SAMM) 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 the proposed development will avoid a likely significant effect on the designated sites (due to an increase in recreational activities) and to comply with the Habitat Regulations a financial contribution is required to contribute to the district wide mitigation strategy. This is secured under policy SP29 of the Council's Local Plan. It is considered that the request meets the tests for inclusion within a S106 legal agreement/undertaking. The required contribution in this instance would be £530. A signed and completed undertaking for the SAMM contribution has been provided.

Other Matters

Policy CC03 of the Local Plan relates to coastal development and states that proposals for new development within 40 metres of the coastline or clifftop must demonstrate to the satisfaction of the Council that it will not: 1) expose people and property to the risks of coastal erosion and flooding for the life of the development; or 2) accelerate coastal erosion due to increased surface water run off; and 3) impact on natural habitats

through the process of coastal squeeze or otherwise restrict the capacity of the coastline to adjust to sea-level rise and climate change.

Whilst the frontage of the application site would be within 40 metres of the cliff edge (approximately 30 metres), it is noted that the house itself would be set in some 13 metres from that frontage. As such, it is considered that policy CC03 does not apply to this application.

Conclusion

This application would see the provision of residential accommodation in the form of a dwelling and associated annexe which will make a contribution, albeit extremely modest, to the district's housing supply.

With the imposition of safeguarding conditions, it is considered that there would be no adverse impact on the character or appearance of the area, the living conditions of adjoining occupiers, highways or parking, biodiversity, archaeology, or drainage or flooding and the development would provide a good standard of accommodation for future occupiers.

A signed and completed undertaking for the required SAMM contribution has been provided.

Taking national and local planning policies into account, and having regard for all relevant material considerations, it is recommended that planning permission be approved.

Case Officer

Annabel Hemmings

TITLE:

F/TH/23/0175

Project

Plot 6 Land Adjacent To Clifftop North Foreland Avenue BROADSTAIRS
Kent

