

A03

F/TH/23/0972

PROPOSAL: Variation of condition 2 of planning permission F/TH/21/1877 for the "Erection of a two storey 3-bed dwelling with associated parking and landscaping" to allow the erection of single storey rear extension and dormer to the rear creating a five bedroom dwelling

LOCATION: Land Adjacent 198 Monkton Street Monkton Kent

WARD: Thanet Villages

AGENT: Mr Mohamed Abdulla

APPLICANT: Ms A Gerlack

RECOMMENDATION: Approve

Subject to the following conditions:

1 The proposed development shall be carried out in accordance with the submitted application and the revised drawings numbered A1/102 (received 21/07/2023), A1/101 (received 18/07/23) and A1/102 Revision A (received 02/02/22) part superseded by A1/105 Revision A (received 01/11/23).

GROUND

To secure the proper development of the area.

2 The external materials and external finishes to be used in the development hereby approved shall match the existing, as detailed on the approved plan numbered A1/102 received 21/07/2023.

GROUND:

In the interests of visual amenity in accordance with Policy QD02 of the Thanet Local Plan.

3 Prior to the first occupation of the development hereby approved, all hard and soft landscape works shown on the Landscape Plan (A1/102 RevA), received 02/02/2022, shall be carried out and fully implemented. 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.

4 Prior to the first occupation of the dwelling hereby approved the area shown on the Landscape Plan, A1/102 Rev A received 02/02/2022, for the parking of vehicles shall be operational. The area approved shall thereafter be maintained for that purpose.

GROUND

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

5 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.

6 Prior to the first occupation of the dwelling hereby approved provision and maintenance of the pedestrian visibility splays shown on the submitted plans with no obstructions over 0.6 metres above carriageway level within the splays shall be provided and thereafter maintained.

GROUND

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

7

The area shown on the approved plan numbered A1/105 Revision A (received 01/11/23) 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

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

8 The development hereby permitted shall incorporate measures to prevent the discharge of surface water onto the highway.

GROUND

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

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.

INFORMATIVES

Information on how to appeal this planning decision or condition is available online at <https://www.gov.uk/appeal-planning-decision>

Please ensure that you check the above conditions when planning to implement the approved development. You must clear all pre-commencement conditions before development starts on site. Processing of conditions submissions can take up to 8 weeks and this must be factored into development timescales. The information on the submission process is available here:

<https://www.thanet.gov.uk/info-pages/planning-conditions/>

Please be aware that your project may also require a separate application for Building Control. Information can be found at:

<https://www.thanet.gov.uk/services/building-control/> or contact the Building Control team on 01843 577522 for advice.

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

A formal application for connection to the water supply is required in order to service this development. Please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire S021 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk.

It is the responsibility of the applicant to ensure, before the development hereby approved is commenced, that all necessary highway approvals and consents where required are obtained and that the limits of highway boundary are clearly established in order to avoid any enforcement action being taken by the Highway Authority.

Across the county there are pieces of land next to private homes and gardens that do not look like roads or pavements but are actually part of the road. This is called 'highway land'. Some of this land is owned by The Kent County Council (KCC) whilst some are owned by third party owners. Irrespective of the ownership, this land may have 'highway rights' over the topsoil.

Information about how to clarify the highway boundary can be found at <https://www.kent.gov.uk/roads-and-travel/what-we-look-after/highway-land/highway-boundary-enquiries>

For the avoidance of doubt, the provision of contributions to as set out in the unilateral undertaking made on 12/01/2022 submitted with this planning application, and hereby approved, shall be provided in accordance with The Schedule of the aforementioned deed.

SITE, LOCATION AND DESCRIPTION

The site lies within the village confines of Monkton and was previously associated with 198 Monton Street (comprising its side garden). The site is slightly elevated in terms of its position to the public footpath that runs in front of the site and is enclosed to Monkton street by a low boundary wall. There is an existing telegraph pole to the front on the public highway between the site and no. 200 Monkton Street, this has been re-positioned to its previous location- its repositioning was secured under planning application F/TH/21/1877 under condition 8, to enable off street parking for the development.

RELEVANT PLANNING HISTORY

F/TH/21/1877 - Erection of two storey 3 bed dwelling with associated parking and landscaping. Approved 28th February 2022.

F/TH/12/0162 Erection of 1No. Dwelling Refused - Appeal Allowed

This is for an end of terrace property. It was refused for the following reasons

"The application site, which is to be developed, does not constitute previously developed land and as such the proposed residential development would involve the release of greenfield land, where there is no identified need, contrary to policy H1 of the Thanet Local Plan, which seeks to concentrate development on brownfield land at appropriate locations within the confines of existing urban areas and rural settlements.

The proposed development, by virtue of its design, scale and location would result in the loss of open space reducing the sense of openness and appearing cramped within the streetscene, to the detriment of the character and appearance of the surrounding area, contrary to Thanet Local Plan Policy D1, South East Plan Policy BE1 and advice contained within the National Planning Policy Framework."

In terms of the main points advised upon by the Inspector:

The Inspector in his report concluded that the appeal site was suitable for residential development.

In terms of form and character he advised that the proposal would perpetuate the form, scale, width, design and materials of the existing pair of semi-detached houses. He also did not see an objection to the houses becoming a terrace. In terms of infilling he considered that this would be similar to the existing pattern of development. He did not consider that the

proposal would appear cramped or overdeveloped, accordingly the proposal was considered not to harm the character and appearance of the area.

In terms of neighbour amenity he did not consider that there would be substantial harm to the amenity of no. 200 Monkton Street.

The proposal did not afford off street parking; he did not consider that this was an issue.

PROPOSED DEVELOPMENT

This is a part retrospective application for the variation of condition 2 for the approved planning permission for F/TH/21/1877 for the erection of two storey three bedroom detached dwelling with associated parking and landscaping.

This application requests a change in the design and appearance of the dwelling by incorporating a single storey rear extension and flat roof dormer extension to the rear roof slope.

The rear single storey extension would have a flat roof with lantern light centrally placed. It would have a depth of 4m and extend across the width of the approved dwelling.

The dormer roof extension would extend across the rear roof slope and sit approximately 0.15 and 0.2m from each end and would be set down from the ridge by approximately 0.2m and above the eaves by approximately 0.3m. The dormer would have tile hanging to its cheeks to match the roof. The proposal would create a five bedroom house.

The previously approved scheme had a kitchen/dining area, W.C, and lounge at ground floor with the first floor accommodating three bedrooms, family bathroom and utility. It had a footprint of some 59 sqm (11.8 metres by 5.4 metres) with a height of 8.3m. The scheme presented to Members has at ground floor a study/bedroom (previously the kitchen/dining area), W.C and dining/kitchen area. The first floor comprises 3 bedrooms, family bathroom and utility and the roof space a fifth bedroom.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan 2020

SP01 - Spatial Strategy - Housing

SP13 - Housing Provision

SP14 - General Housing Policy

SP26 - Landscape Character Area - Wantsum North Slopes

SP29 - Strategic Access Management and Monitoring Plan (SAMM)

SP35 - Quality Development

SP36 - Conservation and Enhancement of Thanet's Historic Environment

SP43 - Safe and Sustainable Travel

HE01 - Archaeology

HE03 - Heritage Assets

HO1- Housing Development

GI04 - Amenity Green Space and Equipped Play Areas
QD01 - Sustainable Design
QD02 - General Design Principles
QD03 - Living Conditions
QD04 - Technical Standards
TP02 - Walking
TP03 - Cycling
TP06 - Car Parking

NOTIFICATIONS

Letters were sent to adjoining occupiers and a site notice posted close to the site. 12 representations were received. The concerns can be summarised as follows:

- Built without consent for the changes
- Out of keeping
- Insufficient parking
- Highway safety grounds
- Affects the size of the rear garden
- Impact upon neighbour privacy
- Results in overshadowing
- Loss of natural light to neighbours
- Overbearing structure proposed

Monkton Parish Council: *"The Parish Council have considered the above application and would like to submit their objections to this proposal for the reasons outlined below:*

It is noted that the developers have in fact already built the five bed house thus breaching the initial planning permission granted and therefore suggest this is actually a retrospective rather than an amended planning application. We would therefore encourage TDC to issue a stern notice of compliance.

The builders have gone ahead with the proposed alterations without planning permission and whilst the street view of the new construction adheres to the original plan, the rear dwarfs the neighbouring property, no 200A. The dormer windows are huge and seriously overlook 200A's small back garden and the drawings do not show the full impact of this construction. An extension of this size will be overbearing, negatively impact on adjacent properties and result in significant overdevelopment of the site.

It is a small, constricted site, and consideration must be given to neighbouring properties and the Millers Lane/Monkton St junction opposite.

Kent Design Guide Parking Standards requires a 4+ bedroom rural new build to have 3 parking spaces. This simply can not be accommodated on this restricted site, even with amended plans, and would therefore result in on-street parking.

To place a 5 bed house at this location without adequate off street parking will impact on highway safety. Nos 196 and 198 Monkton Street have no off street parking provision. This is a narrow lane and the addition of any on street parking from the new build - which is directly opposite the Millers Lane junction, already a difficult junction to negotiate - will result in an obstruction to the junction.

On street parking is, as we stated in our original objections, already causing access problems at this junction. It is now often impossible to exit left from Millers Lane into Monkton Street due to on street parking outside the site. Cars are therefore forced to turn right and then turn round further up Monkton Street. This is totally unacceptable.

In conclusion, it is for the reasons outlined above that the Parish Council strongly object to this application and would appreciate you taking into account these comments when making your decision."

CONSULTATIONS

Southern Water: Southern Water has no objections to the above variation of condition 02. The comments in our response dated 22/12/2021 remain unchanged and valid.

KCC Highways: Final comment - Within application F/TH/21/187, the concern is raised regarding a telegraph pole which is situated to the front of land adjacent to 198 Monkton Street. It is unclear from current plans if this has been relocated as per Condition 8, as this has not been included. If this has not yet been relocated it should be ensured that the condition for its relocation or removal is retained.

I refer to the above planning application and confirm that provided the following requirements are secured by condition or planning obligation, then I would raise no objection on behalf of the local highway authority:-

Prior to above ground works the exact location of the telegraph pole removal/reposition shall be submitted to the Local Planning Authority on a scale drawing in accordance with KCC specification. Confirmation of the acceptance of the proposed location from the telecommunication company shall also be provided. The relocation/removal shall be fully carried out prior to first occupation of the dwelling hereby approved.

Submission of a Construction Management Plan before the commencement of any development on site to include the following:

- (a) Routing of construction and delivery vehicles to / from site
 - (b) Parking and turning areas for construction and delivery vehicles and site personnel
 - (c) Timing of deliveries
 - (d) Provision of wheel washing facilities
 - (e) Temporary traffic management / signage
- Use of a bound surface for the first 5 metres of the access from the edge of the highway.

Provision and maintenance of the pedestrian visibility splays shown on the submitted plans with no obstructions over 0.6 metres above carriageway level within the splays, prior to the use of the site commencing.

Provision and permanent retention of the vehicle parking spaces shown on the submitted plans prior to the use of the site commencing.

Provision of measures to prevent the discharge of surface water onto the highway.

Planning permission does not convey any approval for construction of the required vehicular crossing, or any other works within the highway for which a statutory licence must be obtained.

Applicants should contact Kent County Council - Highways and Transportation (web: www.kent.gov.uk/roads_and_transport.aspx or telephone: 03000 418181) in order to obtain the necessary Application Pack.

Informative: It is important to note that planning permission does not convey any approval to carry out works on or affecting the public highway.

Any changes to or affecting the public highway in Kent require the formal agreement of the Highway Authority, Kent County Council (KCC), and it should not be assumed that this will be a given because planning permission has been granted. For this reason, anyone considering works which may affect the public highway, including any highway-owned street furniture, is advised to engage with KCC Highways and Transportation at an early stage in the design process.

Across the county there are pieces of land next to private homes and gardens that do not look like roads or pavements but are actually part of the public highway. Some of this highway land is owned by Kent County Council whilst some is owned by third party owners. Irrespective of the ownership, this land may have highway rights over the topsoil.

Works on private land may also affect the public highway. These include works to cellars, to retaining walls which support the highway or land above the highway, and to balconies, signs or other structures which project over the highway. Such works also require the approval of the Highway Authority.

Kent County Council has now introduced a formal technical approval process for new or altered highway assets, with the aim of improving future maintainability. This process applies to all development works affecting the public highway other than applications for vehicle crossings, which are covered by a separate approval process.

Should the development be approved by the Planning Authority, it is the responsibility of the applicant to ensure, before the development is commenced, that all necessary highway approvals and consents have been obtained and that the limits of the highway boundary have been clearly established, since failure to do so may result in enforcement action being taken by the Highway Authority. The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under the relevant legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.

Guidance for applicants, including information about how to clarify the highway boundary and links to application forms for vehicular crossings and other highway matters, may be found on Kent County Council's website:

<https://www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/highways-permissionsand-technical-guidance>. Alternatively, KCC Highways and Transportation may be contacted by telephone: 03000 418181

Initial Comment- This application is a variation of plans from those approved under application reference F/TH/21/1877, increasing the number of bedrooms of this dwelling. The increase in bedrooms does not alter the parking provisions required for this site as per Kent Parking Standards, however the plans submitted in support of this variation do not include the area available to accommodate parking.

It is appreciated this may be unchanged from previous plans however this should be made clear prior to submission of my further formal comment. Therefore, I would be grateful if a block plan of the site would be submitted for further assessment.

TDC Conservation Officer: "Following a review of the proposed variation of condition I would not raise any objections."

COMMENTS

This application is referred to the Planning Committee at the request of Cllr Abi Smith due to concerns that the development would have inadequate parking, neighbour amenity issues and that the application is retrospective.

Section 73 of the 1990 Town and Country Planning Act provides that applications may be made for planning permission without complying with conditions applied to a previous permission. Planning authorities may decide whether to grant permission, subject to differing conditions, remove the conditions altogether or refuse to alter conditions. Thus it is possible to apply for conditions to be struck out, or for their modification (as in this case to allow modification to the design) or relaxation.

Section 73 makes it clear that in considering an application to remove/modify/relax a condition or conditions a local planning authority may only consider the question of the condition/s. However, just like the determination of any other application due regard must be paid to the development plan and other material considerations. The national planning practice guidance outlines that any permission granted under section 73 takes effect as a new, independent permission to carry out the same development as previously permitted subject to new or amended conditions. The new permission would sit alongside the original permission, which remains intact and unamended. It would be open to the applicant to decide whether to implement the new permission or the one originally granted.

Principle

The previously approved application for residential development (Reference F/TH/21/1877) has been implemented, although what has been built is not in accordance with the previously approved plans (hence the reason for this application). The previous approval therefore established the principle of residential development on the site and is extant.

Character and Appearance

Paragraph 130 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 or maintain a strong sense of place, and optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development and create places that are safe, inclusive and accessible. Policy QD02 of the Thanet Local Plan 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.

The proposed single storey rear extension would increase the depth of the building by approximately 4m when compared to the approved scheme (the depth of the dwelling as approved was 11.8m. It would have a flat roof with lantern roof light placed centrally. The flat roof would have a height of 3m (excluding the lantern light - this adds a further 0.7m heightwise). Given the position, to the rear of the development and flanked by existing dwellings it is not considered to result in a significant visual change to the building from the public realm.

The amended plan does not increase the overall height of the dwelling (the overall height of the dwelling being 8.3m), however, it does increase the eaves height from 4.7m to approximately 5m and change the design of the rear roof slope; integrating the dormer extension has increased the bulk of the roof to accommodate the rooms within the roof space. Given the roof extension, is to the rear roof slope it would have limited visibility due to its location. The property has a smaller flat roof dormer; approved as part of the original scheme in the front catslide.

There are a variety of different properties visible in the street scene and whilst the proposed variation alters the design and increases the bulk of the roof to the rear of the proposed dwelling it would not alter its overall ridge height or significantly alter the overall footprint. It is, therefore, considered that the variation of condition 2 complies with policies QD02 and SP35 of the Thanet Local Plan and the National Planning Policy Framework.

Landscape character

The site is within the village confines and within the Wantsum North Slopes as defined in Policy SP26 of the Local Plan - Landscape Character Areas. Key characteristics of the Wantsum North Slopes Landscape Character Area are the very open landscape with few features and the preamble to the policy states 'the former shoreline is more distinct in some places than in others, with the variation in the contour pattern'. It is also stated that the 'openness of this landscape provides wide and long views of the former Wantsum Channel area and Pegwell Bay'.

The proposed altered design of the dwelling would be seen in the context of a row of dwellings, and the proposed dwelling's position would be similar to the adjacent dwellings, it is therefore not considered that this would create material harm. The proposal is therefore considered to adhere to policy SP26.

Impact upon setting of listed building

The listed building in question is - Royal Exchange, Millers Lane, which is opposite the application site. The proposed dwelling would be positioned in between existing dwellings; the proposed extensions sought through this variation of condition are to the rear and therefore I do not consider that it will have a significant impact upon the setting of this building. The Conservation Officer has confirmed she has no objections in relation to the proposal. I therefore consider the scheme to be acceptable in terms of policy HE03.

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 and QD04 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.

The overall ridge height of the proposed dwelling would not change compared to the approved scheme, although the eaves height will increase. The bulk of the rear roof would be altered to allow for roof accommodation, however, this would not alter the approved width of the property. The built form of the dormer itself would not affect neighbour amenity. In terms of the increase in height from 4.7m to 5m is a difference of 0.3m, whilst there will be some increased impact it is not considered to be so significant that it would create harm to either of the occupants that flank the site. In terms of overlooking from the rear dormer, whilst it would be at an increased height it would not cause a harm that would be different to first floor rear windows.

The main rear elevation would extend further out than no. 200 to the west of the site, however given the separation (2.2m) between the dwellings, I do not consider there to be harm from overshadowing, loss of light or creating an overbearing impact given this distance

and that it is single storey and would be similar to what could be achieved under permitted development had the dwelling been built out and occupied.

In relation to no. 198 the extended house would extend approximately 6.2m further, than the main rear section of this building, however, weight is placed on the fact that this element is single storey with a maximum height of 3m. No. 198 is sited approximately 0.8m from the shared boundary). Given this height, there would be limited loss of sunlight in the evening. Whilst the extended dwelling would have a presence to this neighbour in terms of outlook it is not considered to be so detrimental that it would create unacceptable harm. It is, therefore, considered that there would be an impact but would not be sufficient to result in any significant loss of light or sense of enclosure to the occupants of no.198

The proposed development is, therefore, considered to be acceptable in terms of the living conditions of adjacent neighbouring properties, in accordance with Policy QD03 of the Thanet Local Plan and paragraph 130 National Planning Policy Framework.

The proposed dwelling would exceed the space standards set out in policy QD04, all habitable rooms would receive natural light, ventilation and outlook and an amenity space is proposed at the rear of the site. This development is, therefore, considered to provide an acceptable standard of accommodation for the future occupants, in line with policies GI04, QD03 and QD04 of the Thanet Local Plan and the National Planning Policy Framework.

It is, therefore, considered that the amendments now proposed would not result in any significant harm to the living amenity of the neighbouring property occupiers, in line with policies GI04, QD03 and QD04 of the Thanet Local Plan and paragraph 130 of the National Planning Policy Framework.

Transportation

Paragraph 110 of the NPPF states that In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that amongst other aims: a) appropriate opportunities to promote sustainable transport modes can be - or have been - taken up, given the type of development and its location and b) safe and suitable access to the site can be achieved for all users. Paragraph 111 of the NPPF states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual impacts on the road network would be severe.

Under Policy QD01, all developments are required to: 1) Achieve a high standard of energy efficiency to the equivalent of Level 4 of the Code for Sustainable Homes, 2) Make the best use of solar energy passive heating and cooling, natural light, natural ventilation and landscaping, 3) Provide safe and attractive cycling and walking opportunities to reduce the need to travel by car.

Policy QD02 relates to general design principles and states amongst other principles that developments must incorporate a high degree of permeability for pedestrians and cyclists, provide safe and satisfactory access for pedestrians, public transport and other vehicles, ensuring provision for disabled access and Improve people's quality of life by creating safe

and accessible environments, and promoting public safety and security by designing out crime. Policy TP01 states that new development will be expected to be designed so as to facilitate safe and convenient movement by pedestrians including people with limited mobility, elderly people and people with young children.

No changes to the approved parking arrangements are proposed as part of this application and the built development is located away from the boundary with the highway.

This development would increase the amount of habitable accommodation in the property; no changes are proposed to the existing off-street parking at the front of the property. On street parking is unrestricted in this section of Monkton Street. The proposal previously showed one off street parking space, for the three bedroom unit.

During the consideration of the application a proposed block plan was requested. This shows two parking spaces for the five bedroom unit, an EV charging point, visibility splays and bin storage.

KCC, Highways have confirmed that they have no objection subject to planning conditions relating to the relocation of the telegraph pole, Construction Management Plan, pedestrian visibility splays, retention of parking spaces and discharge of surface water onto the highway.

It is confirmed that there is an existing telegraph pole to the front on the public highway between the site and no. 200 Monkton Street, its repositioning was secured under planning application F/TH/21/1877 under condition 8, to enable off street parking for the development.

In a village location KCC guidance advises that a three bedroom property should have two independently accessible spaces. The submitted block plan indicates that there would be sufficient room to accommodate two off street parking spaces and as such, I consider the development as amended would not lead to a harmful highway impact. It is therefore considered that given the location of the site and the existing off street parking space that this development would not result in any significant harm to highway safety.

This variation of condition application is, therefore, not considered to result in any significant harm to highway safety or increase in demand for on street parking.

In relation to the condition suggested by KCC, in my view it is not necessary to attach the condition relating to the relocation of the telegraph pole as this has already taken place, so that its new position does not affect access and egress into the site. In regard to the construction management plan, it is confirmed that the previous consent F/TH/21/1877 did not include this. Furthermore as development has already started and a significant portion of it completed this is considered unnecessary and unreasonable in this instance.

Contributions

Natural England has previously advised that the level of population increase predicted in Thanet should be considered likely to have a significant effect on the interest features for

which the Thanet Coast and Sandwich Bay Special Protection Area (SPA) and RAMSAR have been identified.

Thanet District Council produced the 'The Strategic Access Management and Monitoring Plan (SAMM)' to deal with these matters, which focuses on the impacts of recreational activities on the Thanet section of the Thanet Coast and Sandwich Bay Special Protection Area (SPA). The studies indicate that recreational disturbance is a potential cause of the decline in bird numbers in the SPA. To enable the Council to be satisfied that proposed residential development will avoid a likely significant effect on the designated sites (due to an increase in recreation) a financial contribution is required for all housing developments to contribute to the district wide mitigation strategy. This mitigation has meant that the Council accords with the Habitat Regulations.

The previous permission, which has been implemented, permitted a three bed dwelling on the site. The number of bedrooms on the site through the variation is proposed to increase from three to five.

The payment to the SAMM plan secured as part of the 2019 application has been paid. Whilst this application does increase the number of bedrooms in the property this could have been carried out without the need for planning permission after the dwelling house had been fully constructed. It is, therefore, not considered to result in any significant increase in recreational pressure when compared to the extant scheme. It is, therefore, considered that no further contribution is required in this instance.

Other Matters

Previously KCC have confirmed that they have no objection subject to a watching brief condition the agent confirmed acceptance of this condition in the original submission. It is confirmed to Members that this condition has now been fully discharged under planning reference ARCH/TH/23/1309 and on 13th November 2023.

Conclusion

Overall given the location of the proposed changes and the variety of properties visible in the surrounding area this application is not considered to result in any significant harm to the character and appearance of the area or the amenity of the neighbouring property occupiers. It is therefore recommended that members approve this application as it is considered in accordance with the Thanet Local Plan and all relevant supporting guidance.

Case Officer

Gillian Daws

TITLE:

F/TH/23/0972

Project

Land Adjacent 198 Monkton Street Monkton Kent

