

unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity on site during this period and has shown it is absolutely certain that nesting birds are not present.

SITE, LOCATION AND DESCRIPTION

Bleak House is a highly prominent grade II listed building currently in use as a single dwelling. The site has a pedestrian access on the corner of Church Road and Fort Road and a vehicular access from Church Road that is shared with the adjacent dwelling, Trotwood. Church Road is a narrow road with no pavement and is enclosed on both sides by walls and fences. Fort Road is a narrow footpath that wraps around the eastern and southern boundaries of the site which are enclosed by a wall. Whilst Bleak House is prominent across Broadstairs, views into the site are limited due to the existing boundary treatment.

RELEVANT PLANNING HISTORY

L/TH/23/1248 - Application for Listed Building Consent for the erection of a glasshouse following partial demolition of courtyard walls together with regrading of south lawn following alterations to paved terrace and formation of steps (Part Retrospective). Pending consideration.

L/TH/22/0863 - Retrospective application for Listed Building Consent for replacement of kitchen roof and internal alterations. Granted 29 July 2022

F/TH/22/0516 - Removal of flat roof and skylights to single storey garage/accommodation area to form an open walled parking courtyard with new gated access, infilling existing garage door and side door openings and relocation of existing metal gates together with the reinstatement of windows and door opening with installation of new doors and windows to the kitchen area. Granted 29 July 2022

L/TH/22/0079 - Part retrospective application for Listed Building Consent for external repointing to brickwork. Granted 02 March 2022

NM/TH/11/0711 - Application for non-material amendment to planning permission F/TH/05/1195 to relocate the boundary wall and gates fronting Church Road. Granted 01 November 2011

L/TH/11/0010 - Application for Listed Building consent for erection of glazed balcony screen to first floor. Granted 07 March 2011

L/TH/10/0801 - Listed Building consent for removal and erection of walls to workshop store, at ground floor, to create dining room, store and kitchen, together with insertion of ventilation duct and 2 No. roof lights. Alterations to ground floor utility and store room walls to provide toilets. Installation of fire door and erection of wall and insertion of door to provide en-suite facilities at first floor. Granted 02 December 2010

F/TH/10/0456 - Change of use from single dwelling to a mixed-use comprising a museum, hotel and ancillary owner's/manager's accommodation. Granted 23 July 2010

L/TH/06/0210 - Internal and external alterations to west elevational wall of garage to provide new garage door, opening and associated piers, including part removal of existing wall. Granted 12 April 2006

F/TH/02/1245 - Change of use of property from residential and museum use to residential use as single dwelling. Granted 12 March 2003

L/TH/02/0912 - Alterations to, and demolition of part of, existing building, together with alterations and additions to existing boundary wall. Granted 11 February 2003

PROPOSED DEVELOPMENT

The initial application proposed "Erection of a glasshouse following partial demolition of courtyard walls together with erection of entrance gates and walls and regrading of south lawn following alterations to paved terrace and formation of steps and a plunge pool (Part Retrospective)." Following the submission of the amended plans removing the erection of entrance gates and walls and plunge pool the description of the application was updated to the following: "Erection of a glasshouse following partial demolition of courtyard walls together with regrading of south lawn following alterations to paved terrace and formation of steps (Part Retrospective)."

No alterations are proposed to the access to the site or existing or approved boundary walls and gates as part of the amended application.

An internal courtyard wall that is located perpendicular to Church Road would be demolished and a glass house would be erected in the resulting space. The glass house would have a brick plinth with glazed walls and roof above. The existing boiler flues would be retained at the front of the glass house.

Amended plans have removed the plunge pool and steps from the western side of the rear garden. The amended plans show a wall to be erected alongside the existing steps on the eastern side of the garden and the rear garden regraded with grass banks and a central level section that extends east to west.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan

SP35 - Quality Development

SP36 - Conservation and Enhancement of Thanet's Historic Environment

HE02 - Development in Conservation Areas

HE03 - Heritage Assets

QD01 - Sustainable Design

QD02 - General Design Principles

QD03 - Living Conditions

TP02 - Walking
TP03 - Cycling
TP06 - Car Parking

Broadstairs and St Peter Neighbourhood Plan

CC1 - Clean Air for Residents
CC2 - Biodiversity
BSP2 - Important Views and Vistas
BSP3 - Protecting and Providing Important Trees
BSP4 - Seafront Character Zones
BSP8 - Local Heritage Assets
BSP9 - Design in Broadstairs & St. Peter's

NOTIFICATIONS

Letters were sent to neighbouring property occupiers, a site notice was posted close to the site and an advert was posted in the local newspaper.

19 letters of objection have been received raising the following concerns:

- Right of access would be restricted
- Access to neighbouring property
- Highway Safety
- No consultation with neighbours prior to submission
- No assessment of impact upon neighbouring property
- Retrospective works are unclear
- Works have been completed without permission
- Impact upon listed building
- Impact upon conservation area
- Impact upon the character and appearance of the area
- No public benefits
- Accuracy of plans and documents
- Application form has not been amended

Broadstairs and St Peter's Town Council - Updated comments received 06 December 2023

The Committee unanimously recommends OBJECTION due to concerns of access to the neighbouring property and impact on parking.

Updated comments received 08 November 2023

The Committee unanimously recommends REFUSAL on the grounds that the amended plans for the removal of the plunge pool have not been submitted as stated on 2nd October 2023. The Committee also have concerns with regards to the restricted access to neighbouring property.

Initial comments received 03 October 2023

The Committee were unable to make a recommendation as the applicant informed the committee that changes had been made to the application. The applicant was advised to contact Thanet District Council Planning for an amended plans application.

The Broadstairs Society - The Society has a difficulty with this particular application. There have been several applications in the past and the Society has either raised no objection or supported them. The building was in a rotten state and the new owners have been exemplary in restoring the interior as well as improving aspects of the exterior.

Subject to the Conservation Officer's views, the Society is of the view that any building, structure or feature within the curtilage of a Grade II Listed Building is subject to the same strictures as the Grade II Listed Building itself. However, because of the District Council's failure to publish a District - wide strategy in accordance with Policy HE03 the Society believes the 19th Century gazebo that was in the garden has now disappeared.

If a plunge pool was agreed would any new owner be as cavalier with its removal as someone has with the gazebo?

What the owners propose to do with the entrance gates, etc seems acceptable but, again, the Conservation Officer must be consulted.

CONSULTATIONS

TDC Conservation Officer - Bleak House is a Grade II listed iconic property in a prominent location in Broadstairs, as well as being within the Broadstairs Conservation Area.

Thanet's Local Plan, policy HE02, states within Section 7 'The character, scale and plan form of the original building are respected and the development is subordinate to it and does not dominate principal elevations.' As well as Section 8 which states 'Appropriate materials and detailing are proposed and the development would not result in the loss of features that contribute to the character or appearance of the conservation area. New development which would detract from the immediate or wider landscape setting of any part of a conservation area will not be permitted.'

Under the Listed Buildings and Conservation Areas Act 1990, Section 16 Paragraph 2 it states In considering whether to grant listed building consent for any works the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

This application is for works to the internal grounds at the North elevation of Bleak House as well as hard landscaping proposed for the garden.

To the North of the site is proposed to add in a glass roof over an area that already exists as an internal courtyard within the grounds. No changes are taking place to the boundary wall which will affect the outlook of the site or the setting and appearance of the surrounding

conservation area. This is an area of modern construction and as such the additional roof encapsulating the space is acceptable. There is also evidence that a glass house of some form has existed in the grounds previously which further supports this stance.

Within the ground of the site the more contentious plunge pool has been removed from the scheme. Elsewhere, later additional concrete forms have also been removed from the site and the ground made good with no further elements being added to the garden or landscaping at this stage.

This comment largely focuses on the implication to the listed property itself rather than the setting and appearance of the surrounding conservation area given that the risk is higher to the building itself.

Overall I am satisfied that the proposed application preserves and enhances the setting and appearance of the iconic listed property whilst adapting the building in a way that is subservient to the existing architectural language. As such I do not object to the application submitted and consider it to comply with the aforementioned legislation.

ANALYSIS

This application has been called to Planning Committee by Cllr Bayford for Members to consider the impact of the development upon the character and appearance of the area and access to the neighbouring property.

Principle

The site comprises an existing dwelling located within the urban confines of Broadstairs. The principle of altering an existing dwelling and works within its curtilage are considered acceptable subject to all other material considerations.

Character and Appearance

The site is located within the Broadstairs Conservation Area the Council, therefore, must take into account Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, which requires that in relation to conservation areas, 'special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the area.'

Paragraph 135 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 SP36 of the Thanet Local Plan states that "The Council will support, value and have regard to the historic or archaeological significance of Heritage Assets."

Policy HE02 of the Thanet Local Plan states that 'within conservation areas, development proposals which preserve or enhance the character or appearance of the area, and accord with other relevant policies of this Plan, will be permitted'. For extensions the policy requires that the 'character, scale and plan form of the original building are respected and the

extension is subordinate to it and does not dominate principal elevations'; and that 'appropriate materials and detailing are proposed and the extension would not result in the loss of features that contribute to the character or appearance of the conservation area'.

Policy HE03 of the Thanet Local Plan states that proposals that affect both designated and non-designated heritage assets, will be assessed by reference to the scale of harm, both direct and indirect, or loss and the significance of the heritage asset in accordance with the criteria in the National Planning Policy Framework.

Policy QD02 of the Thanet Local Plan provides general design principles for new development and states that the primary planning aim in all new development is to promote or reinforce the local character of the area and provide high quality and inclusive design and be sustainable in all other respects.

Policy BSP9 of the Broadstairs and St Peter's Neighbourhood Plan states that development proposals that conserve and enhance the local character and sense of identity of the Plan area will be encouraged. Proposals should take account of the Design Guidelines. Proposals which demonstrate that they reflect the design characteristics of the area and have taken account of the Design Guidelines will be supported.

The site is located in seafront character zone 1 as defined by policy BSP4 of the Broadstairs and St Peter's Neighbourhood Plan. This policy states "All development applications that are located within a seafront character zone must accord with the development principles set out in Appendix 1 and provide a statement setting out how this has been achieved." Within Zone 1 this policy seeks to protect the built environment, discourage changes of use, improve visitor facilities and protect open spaces.

The existing courtyard wall that is set perpendicular to Church Road does not extend above the height of the boundary wall in this location and the proposed glass house would also be set below the height of this boundary wall. Given the enclosed arrangement of this part of the site, that no alterations are proposed to the Church Road boundary wall and that the existing wall and proposed glass house would not extend above the height of the existing boundary wall, these alterations and extensions are not considered to be highly prominent from the public realm and would have no significant impact upon the character and appearance of the area.

Glimpses of the rear garden can be obtained over the existing boundary wall, however due to the height of the wall along Fort Road, this area is not highly prominent from the public realm. The regrading of the garden and the wall alongside the existing steps on the eastern side of the garden would follow the change in land levels and would not extend above the height of the existing terrace. These alterations are therefore not considered to be highly prominent and would not result in any significant harm to the character and appearance of the area.

Overall the proposed alterations are not considered to result in any significant harm to the character and appearance of the area, in line with policies BSP2, BSP4, BSP8 and BSP9 of the Broadstairs and St Peter's Neighbourhood Plan, policies HE02, HE03 and QD02 of the Thanet Local Plan and the National Planning Policy Framework.

Living Conditions

The proposed glass house would infill an internal courtyard area and would not extend above the height of the existing boundary walls. The glass house is therefore not considered to result in any significant overlooking, loss of light, sense of enclosure or noise and disturbance to the neighbouring property occupiers.

The wall alongside the steps and regrading of the rear garden would follow the change in land levels and would not extend above the height of the existing terrace. The proposed steps would be located on the eastern side of the site, adjacent to the footpath. Given the existing terrace and the scale of the alterations to the rear garden, these works are not considered to result in any significant overlooking, loss of light, sense of enclosure or noise and disturbance to the neighbouring property occupiers.

In light of the above the amended development is not considered to result in any significant harm to the living conditions of the neighbouring property occupiers, in line with policy QD03 of the Thanet Local Plan and the National Planning Policy Framework.

Transportation

Following the submission of the amended plans no alterations are proposed to the access to the site as part of this application. The proposed glass house and alterations to the garden would be located within the curtilage of the site and would not significantly alter the amount of accommodation on the site. The amended development is therefore not considered to result in any significant harm to highway safety.

Biodiversity

The site comprises an existing residential dwelling and would be located wholly within its curtilage. Whilst the plans would alter the arrangement of the site, given the use and scale of the proposed changes this development is not considered to result in any significant harm to biodiversity in the area.

Other Matters

Concern has been raised regarding the right of access for the neighbouring property. Rights of access are a separate matter that falls outside of the planning system and cannot be considered in the determination of this application, however following the submission of the amended plans no alterations are proposed to the access to the site.

Concern has been raised regarding the quality and accuracy of the submitted documents. The Council considers that sufficient information has been submitted to determine the application.

Concern has been raised regarding the lack of consultation with the neighbouring properties prior to the submission of the application. No consultation is required prior to the submission of this type of planning application.

Concern has been raised that works have been completed without permission. Retrospective applications are considered in the same way as proposed applications.

Concern has been raised regarding the lack of public benefits that result from this development, however this is not a material consideration of the application for planning permission.

Concern has been raised that the application form has not been amended. The description of the application has been amended in agreement with the applicant and the amended plans would be conditioned to control the development.

Conclusion

It is considered that this development would not result in any significant harm to the character and appearance of the area, the living conditions of the neighbouring property occupiers, highway safety or biodiversity. It is therefore recommended that this application is approved.

Case Officer

Duncan Fitt

TITLE:

FH/TH/23/1036

Project

Bleak House Fort Road BROADSTAIRS Kent CT10 1EY

