

A05

FH/TH/23/1345

PROPOSAL: Erection of single storey garden annexe to rear of garden following demolition of 2 no. existing outbuildings

LOCATION: 33 Nash Court Gardens MARGATE Kent CT9 4DG

WARD: Salmestone

AGENT: Mr Jason Drew

APPLICANT: Ms Robinson

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 05167_OB02 Rev B, received 09 October 2023.

GROUND;

To secure the proper development of the area.

3 Prior to the construction of the external surfaces of the development hereby approved details the materials to be used in the construction of the building(s) shall be submitted to, and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

GROUND

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

4 The annexe hereby approved shall be used as ancillary accommodation, incidental to the enjoyment of the main dwellinghouse.

GROUND:

To ensure that an independent residential use is not created that would fall below the Nationally Described Space Standards identified within Policies QD03 and QD04 of the Thanet Local Plan, and to safeguard the character, appearance and pattern of development

of the area, in accordance with Policies QD02 and paragraph 130 of the National Planning Policy Framework.

SITE, LOCATION AND DESCRIPTION

The site consists of a 2-storey semi-detached dwelling. The proposal lies within the rear garden of the dwelling. The site is located to the south of Nash Court Gardens, and backs onto a housing development accessed from Nash Road. There are a number of properties with existing outbuildings to rear gardens on neighbouring sites.

RELEVANT PLANNING HISTORY

No relevant planning history

PROPOSED DEVELOPMENT

The proposal is for the erection of a flat roof outbuilding within the rear garden. The proposed outbuilding measures 6.3m x 5.6m, with a height of 2.8m. The outbuilding will be metal clad to the sides and rear, and vertical composite board clad to the front elevation. The outbuilding will accommodate a double bedroom, en-suite, lounge and dining/kitchen area, with the design and access statement confirming it will be used by an elderly family member.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan 2020

QD02 - General Design Principles

QD03 - Living Conditions

NOTIFICATIONS

Neighbouring occupiers have been notified and a site notice posted. No letters have been received.

CONSULTATIONS

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

Our initial investigations indicate that there are no public surface water sewers in the area to serve this development. Alternative means of draining surface water from this development are required. This should not involve disposal to a public foul sewer and should be in line with the Hierarchy of H3 of Building Regulations with preference for use of soakaways

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.

ANALYSIS

The application is brought before members as the applicant is a relative of a Council employee.

Principle

Policy HO23 of the Thanet Local Plan 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;
- Is occupied only in connection with the main dwelling in single family use;
- 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.

The proposed annexe is located within the rear garden of the application property, and therefore lies within its curtilage. There is no separate access to the outbuilding and it will fall within the same ownership as the application property, with the intention being that the annexe will be lived in by an elderly family member. When no longer required as an annexe for this purpose the outbuilding could be used for any alternative use incidental to the use of the dwelling. The submitted plans show no boundary demarcation or sub-division, and the annexe is modest in scale, with a height of only 2.8m, set within a deep garden.

The principle of the proposed development is therefore considered to comply with Policy HO23 of the Thanet Local Plan.

Character and Appearance

Policy QD02 of the Local Plan outlines that the primary planning 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 outbuilding is located at the end of the rear garden, and will not therefore be visible from Nash Court Gardens.

To the rear of the site, a housing development has recently been approved. The approved layout plan shows that the area adjacent to the proposed outbuilding will be an access road. It is therefore possible that the outbuilding would be visible above the existing boundary treatment; however, the proposed outbuilding is only 2.8m in height, and therefore it's likely that only the top of the outbuilding will be visible above the boundary treatment, assuming the final boundary will be 2m in height. There are a number of other outbuildings to the rear gardens of properties in Nash Court Gardens, and the proposed outbuilding will replace two existing outbuildings. The proposed outbuilding will therefore be in keeping with the existing character of the area.

A tree exists to the rear of no.35 Nash Court Gardens, and the plan for the neighbouring development suggests that a small corner of the proposed outbuilding could fall within the root protection zone of the tree. However, there are two existing outbuildings in the position of the proposed outbuilding, and therefore it's unlikely that the proposed outbuilding will have any greater impact than existing.

The impact on the character and appearance of the area is therefore considered to be acceptable, and in accordance with Policy QD02 of the Thanet Local Plan.

Living Conditions

Policy QD03 of the Thanet Local Plan states that 'all new development should 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; be of appropriate size and layout with sufficient usable space to facilitate comfortable living conditions and meet the standards set out in QD04; include the provision of private or shared external amenity space/play space, where possible; 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 proposed outbuilding is single storey, and located at the end of a deep garden, and therefore will have no impact upon light to, outlook from, or privacy of the existing properties in Nash Court Gardens.

For the development to the rear the proposed outbuilding lies adjacent to a new access road rather than any proposed dwellings, and therefore given its single storey height and the distance to the nearest neighbouring window within the extant scheme, the impact upon neighbouring amenity for these future residents is considered to be acceptable.

The proposal is therefore considered to comply with Policy QD03 of the Thanet Local Plan.

Conclusion

The impact upon visual and neighbouring amenity is considered to be acceptable, and therefore it is recommended that Members approve the application subject to safeguarding conditions.

Case Officer
Tanya Carr

TITLE:

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Project

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