

A02

F/TH/23/0497

PROPOSAL: Erection of a detached, pitched roof, timber outbuilding
(retrospective application)

LOCATION: Land Between 44 And 46 Monkton Road Minster Kent

WARD: Thanet Villages

AGENT: Mr John Elvidge

APPLICANT: Mr. A White

RECOMMENDATION: Approve

Subject to the following conditions:

1 The outbuilding shall only be used for purposes incidental to the needs and personal enjoyment of the occupants of the dwelling on the site and shall at no time be used for business or commercial purposes.

{\b GROUND;}

In order that the Local Planning Authority may retain control over the development in the interests of residential amenities of the locality in accordance with the NPPF and policy QD03 of the Thanet Local Plan.

SITE, LOCATION AND DESCRIPTION

The site consists of a rectangular shaped parcel of land, elevated to Monkton Road and enclosed by a wall. Currently on site is a detached garage building that is located in the front portion of the site and to the rear of the site adjacent to the rear boundary, the building subject of this application.

The site shares boundaries to residential properties, the front boundary is onto Monkton Road and there are also dwellings opposite. The area is residential in character with a mix of 2-storey dwellings in the vicinity (detached, semi detached and terrace properties).

The site is not within a conservation area.

RELEVANT PLANNING HISTORY

F/TH/22/0131 - Erection of a detached, two storey three bedroom dwelling. Granted 04/04/2023

PROPOSED DEVELOPMENT

The proposal is for the retention of a pitched roof detached building on the application site located at the southern boundary. The building measures approximately 3.7m in width, 4.8m in depth the verandah creating an extra 0.9m to this depth (total depth 5.7m) and a height of between 2.7-3m (depending where taken due to the change in levels of the site) with a pitched roof.

The building is constructed in timber weatherboarding to all sides. The building will provide a facility for rest and breaks for persons working on the site (the construction of a dwelling house - see planning history).

This application originally was for the use of the building to be used as temporary accommodation during the build. The agent has advised that the applicant has not stayed in the building subject of this application since last summer as it was too cold and uncomfortable, as such this element has been removed from the description.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan 2020

SP35 - Quality Development
QD02 - General Design Principles
QD03 - Living Conditions
TP06 - Car Parking

NOTIFICATIONS

Neighbouring occupiers have been notified and a site notice posted.

Three representations have been received in relation to the original consultation. The concerns can be summarised as follows:

Overlooking into neighbouring properties
Lived in the building
Using a wood fire creating smoke pollution
Water pipe altered and broken
Boarded polystyrene insulation which could be flammable to the walls
Generator put on site with associated noise and exhaust pollution
Building Regulations may be required
Vermin on site

When the description was altered, so it did not include living accommodation, three further representations were received. These can be summarised as follows:

Overlooking
Quasi residential use
Development 1m higher than number 46
Even is solid boundary treatment with number 46 would not provide adequate screening
Members should visit the site

Generator could be a fire hazard

Sewage issues as no. 20 Thorne Roads system goes through the site into Monkton Road

CONSULTATIONS

None

COMMENTS

The application is brought before members at the request of Cllr Smith on the basis of neighbour amenity, noise and nuisance concerns.

Background

A planning application was approved in April 2023 for the erection of a detached, two storey three bedroom dwelling (planning reference F/TH/22/0131). It has been confirmed by the agent that ground preparation has begun on site and the applicant is looking to start building work around the 1st May. The agent has advised that the applicants are hoping to complete the build within 8 weeks or be substantially complete before the end of the summer. It is confirmed that officers have visited the site and construction is now underway of the approved dwelling.

The building subject to this application is in situ and therefore this application is retrospective. This application originally was for the use of the building to be used as temporary accommodation during the build. The agent has again advised that the applicant has not stayed in the building subject of this application since last summer as it was too cold and uncomfortable. As a result during the application process the description was amended from:

Retrospective application for the erection of a detached, pitched roof timber summerhouse for temporary use as residential accommodation during the build of F/TH/22/0131 (12 months) after which it will remain for use as a summerhouse.

The changed and current description is:

Erection of a detached, pitched roof, timber outbuilding (retrospective application)

As such it would be used, once the dwelling is complete and occupied as an ancillary building to the dwelling house. During the build it would be used for rest and breaks for persons working on the site.

Principle

Policy HO23 of the Thanet Local Plan relates to annexe for ancillary accommodation, however, the building is not ancillary to the dwelling permitted as the dwelling has not been constructed and nor is it now proposed to be annexe accommodation.

Likewise the proposal does not currently relate to an existing residential dwelling and so would not automatically be accepted.

The proposal is, however, within the village confines of Minster, flanked between and in front of residential properties. There are no policies that would restrict development in this location in principle. The consented scheme for a detached dwelling house is a material consideration as it should be being built when Members consider this application. Development has been accepted on this site and whilst the proposed building would not currently serve a dwelling it will do within the recent future. As such an objection to the principle of the building could not be sustained.

Character and Appearance

Paragraph 135 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 SP35 relates to the quality of development and states that new development will be required to be of high quality and inclusive design. Policy QD02 is a general design policy and sets out 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. External spaces, landscape, public realm, and boundary treatments must be designed as an integral part of new development proposals and coordinated with adjacent sites and phases.

The application seeks retrospective permission for a detached building at the rear (south) of the building plot between 44 and 46 Monkton Road. The building would be situated adjacent to the eastern side boundary of the application site (shared boundary with no. 44 Monkton Road), approximately 2m from the boundary and the southern boundary (shared boundary with no. 20 Thorne Road), approximately 0.1m from the boundary. The building is constructed in timber weatherboarding (natural finish) with felt roof covering. There are temporary steps (made out of pallets with slabs on top) leading up to a verandah area (this has the pitched roof continuing out over it, from the building). The plans show proposed steps not extending so far into what would be the rear garden. The building measures approximately 3.7m in width, 4.8m in depth the verandah creating an extra metre to this depth and a height of between 2.7-3m (depending where taken due to the change in levels of the site) with a pitched roof.

The building is currently visible from the road and takes the form of a typical garden outbuilding, which would be subservient in size, to the dwelling that is to occupy this site. When the dwelling is constructed the building, subject of this application, would not be overly visible from the public domain and would, therefore, cause no harm to the character and appearance of the area. It, however, would not presently be occupied in conjunction with the dwelling or share its garden as it is not yet constructed. At present whilst the building is seen from the road, its presence is diminished visually given its position so far set back in the plot, together with having an existing detached building in the foreground.

As such the building subject of this application, will not readily be seen in the street scene and would not appear overbearing. Furthermore, the scale and massing of the building is sympathetic to the character of the surrounding residential dwellings and would harm that character. Due to the nature of the development, it is considered there would not be a significant impact on the rural character of the area and predominantly residential street scene.

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

Paragraph 123 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. Paragraph 135 f) details planning decisions should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Policy QD03 of the Local Plan deals specifically with living conditions. Policy QD03 outlines that new development must not lead to unacceptable living conditions through overlooking, noise, vibrations, light pollution, overshadowing, loss of natural light or a sense of enclosure.

The building is single storey, and located at the end of a relatively deep plot (49m).

Whilst the building would be sited within close proximity of the shared boundary to the east and south of the site, it would be single storey, marginal higher than the rear fencing and in a similar location to an outbuilding adjacent to the boundary within no. 44 Monkton Road garden (immediately adjacent to the eastern boundary). As such any resulting impact on neighbour amenity, in terms of overshadowing or overbearing impact, would be limited and is not considered to significantly affect the resident's living conditions. Furthermore, windows at ground floor level (within the front elevation) would face into the application site, away from neighbouring dwellings, thus causing no overlooking issues. Whilst neighbours have raised concerns that these windows and the verandah allow views into their rear first floor windows reducing their privacy and enjoyment I do not consider that this would be a reason for refusal given the distances involved (12m to no. 44) and change in heights and reflection of glazing. Furthermore it is recognised that once a dwelling is built on the site a building of a similar size can be erected without planning permission. To make it 'permitted development' it would need to be moved approximately 2 metres further forward of the rear boundary and the level of the verandah reduced by 7.5cm. There is one side window facing the boundary with no 44 Monkton Road, and two within the rear boundary, however these would face the existing boundary treatment- close boarded fencing which would prohibit views directly into these gardens. It is considered that the proposed development has regard for these two neighbours in accordance with the policy QD03.

With regard to no. 46 Monkton Road, the building is between 6-9m away from the boundary - due to its angle. In addition it is noted that no. 46 Monkton Road is at a lower level to the

site. At present the boundary treatment consists of a low level timber and wire mesh fence and soft planting which allows views into and out of both sites. As part of the original application for the dwelling house there is a condition requiring details of boundary treatments to ensure privacy to both occupiers. Information pertaining to this condition has not been submitted to the Council to date, the trigger point is prior to first occupation/use and as such there is no breach at this point in time and therefore no requirement for the applicant to submit this information currently. As the building will just be being used as a welfare area, similar to that of a mobile unit that could be utilised it is not considered reasonable to require a higher boundary treatment through this application. Whilst views will be gained into this property's rear garden given the use of the building and that this relationship will be temporary - until the dwelling is occupied it is considered acceptable.

The building is located in what will be the rear garden of the dwelling as approved, activity around the building, including any external lighting, general activity, would be similar to the normal use of the residential garden and would not result in excessive noise and disturbance to nearby neighbouring residential occupiers. On this basis it is considered appropriate to require that the outbuilding can only be used incidental to the needs and personal enjoyment of the occupants of the building currently under construction on the site.

The development is therefore considered to be acceptable and meets the requirements of Thanet Local Plan QD03 and the NPPF.

Other matters

In regard to the third party representations it is considered that the use of a wood fire or generator creating smoke pollution is not a material planning consideration and neither is the water pipe being altered and broken (this latter point is a civil matter). Matters pertaining to building regulations and fire safety falls outside of planning control and cannot be considered.

Conclusion

The building occupies a discrete rear location within the site and therefore does not appear overly prominent within the streetscene to warrant refusal. The development will not result in unacceptable harm to residential occupiers given boundary treatments, single storey nature and its use prior to the completion of the dwelling house at such time then more appropriate boundary treatments will be agreed to ensure retention of privacy to the properties when the dwelling was previously approved is occupied.

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

Case Officer

Gillian Daws

TITLE:

F/TH/23/0497

Project

Land Between 44 And 46 Monkton Road Minster Kent

