

**A02**

**F/TH/23/1599**

**PROPOSAL:** Erection of 1 No two storey 4-bed detached dwelling together with associated access, parking, landscaping and 1 no. single storey outbuilding to rear boundary.

**LOCATION:** 23 Seven Stones Drive BROADSTAIRS Kent CT10 1TW

**WARD:** Viking

**AGENT:** Hume Planning Consultancy Ltd

**APPLICANT:** Mr Niku Banaie

**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 documentation entitled 'Preliminary Ecological Appraisal' received on 5th December 2023, and the submitted revised plans nos. 000, 0201, 1200, 1201, 1202, 1203, 1204, 2200, 2201, 2202, 2203, 2204, 3000, 3001 and 3002 received on 1st May 2024

**GROUND;**

To secure the proper development of the area.

3 The area shown on the approved plan numbered 0201b received on 1st May 2024 for vehicle parking, 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

4 Prior to the occupation of the development hereby permitted, secure cycle parking facilities for 4no. bikes shall be provided within the site and thereafter maintained.

## **GROUND**

To promote cycling as an alternative form of transport, in accordance with Policy TP03 and SP43 of the Thanet Local Plan.

5 Prior to the construction of the external surfaces of the development hereby approved; 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 plans numbered 1204, 2200, 2201, 2202, 2203, 2204 received on 1st May 2024, 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

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

7 Prior to the installation of the windows and doors hereby approved, design details including colour and texture shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

## **GROUND**

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

8 Prior to the first occupation of the development hereby approved, full details of both hard and soft landscape works, to include

- o species, size and location of new trees, shrubs, hedges and grassed areas to be planted,

- o the treatment proposed for all hard surfaced areas beyond the limits of the highway,

- o walls, fences, other means of enclosure proposed,

- o ecological enhancements to be provided within the site including native landscapes;

shall be submitted to, and approved in writing by, the Local Planning Authority.

## **GROUND**

In the interests of the visual amenities of the area and to make a positive contribution to biodiversity, in accordance with Policies QD02 and SP30 of the Thanet Local Plan, and the advice as contained within the NPPF.

9 All hard and soft landscape works, including ecological enhancement features, shall be carried out in accordance with the approved details. The works shall be carried out prior to the first occupation/use of any part of the development, or in accordance with a programme of works to be agreed in writing with the Local Planning Authority.

Following completion of the landscape and enhancement works, photographic evidence of implementation shall be submitted to and approved in writing by the Local Planning Authority in order to verify the works have been completed in accordance with the approved plans, and to enable the full discharge of this condition. 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 as those originally planted, unless written approval to any variation is provided by the Local Planning Authority. All ecological enhancement features shall thereafter be maintained.

#### **GROUND**

In the interests of the visual amenities of the area, biodiversity enhancement, and to adequately integrate the development into the environment in accordance with Policies QD02, SP30 and GI04 of the Thanet Local Plan

10 No development shall take place until a precautionary bird and hedgehog mitigation strategy has been submitted to and approved in writing by the Local Planning Authority. The mitigation strategy must provide the following information

- a) Site plan showing the areas of suitable bird and hedgehog habitat to be removed and retained within the development site
- b) Methodology to clear the vegetation
- c) Time of year to carry out the works
- d) Details of how the retained habitat will be managed.

All works must be carried out in accordance with the approved mitigation strategy.

#### **GROUND**

In order to safeguard protected species that may be present, in accordance with Policy SP30 of the Thanet Local Plan and advice as contained within the NPPF.

11 Prior to the installation of any external lighting a "lighting design strategy for biodiversity" for the site boundaries has been submitted to and approved in writing by the local planning authority. The lighting strategy shall

- a) Identify those areas/features on site that are particularly sensitive for badgers and bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory;

b) Show how and where external lighting will be installed so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory.

c) Details of the types of lighting to be used including their fittings, illumination levels and spread of light

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy and these shall be maintained thereafter in accordance with the strategy.

#### **GROUND**

In order to limit the impact upon protected species that may be present, in accordance with Policy SP30 of the Thanet Local Plan and the advice as contained within the NPPF.

12 The windows to be provided in the southern elevation of the development hereby approved shall be provided and maintained with a cill height of not less than 2.3 metres above the finished internal floor level at ground floor level and not less than 2m above the finished internal floor level at first floor level.

#### **GROUND**

To safeguard the residential amenities currently enjoyed by the occupiers of nearby residential properties in accordance with Policy QD03 of the Thanet Local Plan.

13 The flat grass roof area of the single storey development projecting from the rear of the two storey development shall not be used as a roof terrace, without the prior permission in writing of the Local Planning Authority.

#### **GROUND**

To safeguard the residential amenities currently enjoyed by the occupiers of nearby residential properties in accordance with Policy QD03 of the Thanet Local Plan.

14 Prior to the first use of the roof terrace area on the front elevation hereby permitted, privacy screening of a minimum height of 2m shall be installed along the southern and northern edges for a distance of 2.4m , as shown on the approved plans numbered 2200 and 2201 received on 1st May 2024, and thereafter maintained.

#### **GROUND**

To safeguard the residential amenities currently enjoyed by the occupiers of nearby residential properties in accordance with Policy QD03 of the Thanet Local Plan.

15 Prior to the installation of the brown metal gates to the front boundary hereby approved, manufacturers details including how they operate and their overall design and finish shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

#### **GROUND**

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

16 Prior to the first occupation of the development hereby permitted, boundary fencing measuring 2m in height from ground level, as shown on the approved plan numbered 0201 received on 1st May 2024, shall be installed along the southern and northern boundaries of the site, and thereafter maintained.

## **GROUND**

To safeguard the residential amenities currently enjoyed by the occupiers of nearby residential properties in accordance with Policy QD03 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>

A formal application for connection to the public sewerage system is required in order to service this development. Please contact Southern Water, Southern House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or [www.southernwater.co.uk](http://www.southernwater.co.uk).

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

## **SITE, LOCATION AND DESCRIPTION**

No. 23 Seven Stones Drive is a two storey detached dwelling located within a sloping cul-de-sac comprising large detached properties with a variety of scale and architectural styles. It has a large area of amenity space to the front with a driveway leading up to an attached garage, and a substantial area of private amenity space at the rear which runs in a downward slope, whose rear boundary finishes on South Cliff Parade. The proposed development seeks to use a large part of the private rear amenity space, for the proposed development whilst still allowing for the donor site to retain a large area of private amenity space for the host dwelling.

The rear of the amenity space is located within the South Cliff Parade Area of High Townscape Value identified in the Broadstairs and St Peter's Neighbourhood Development Plan.

## **PROPOSED DEVELOPMENT**

The proposed development is for the erection of 1 no. two storey 4-bedroom detached dwelling, together with associated access, parking (including a basement level garage) and landscaping within part of the rear amenity space belonging to No. 23 Seven Stones Drive, which will be directly accessed from, and face over, South Cliff Parade. A single storey outbuilding is proposed on the new rear boundary of the site.

## **DEVELOPMENT PLAN POLICIES**

## **Thanet Local Plan**

SP01 - Spatial Strategy - Housing  
SP29 - Strategic Access Management and Monitoring Plan (SAMM)  
SP30 - Biodiversity and Geodiversity Assets  
SP35 - Quality Development  
SP37 - Climate Change  
SP43 - Safe and Sustainable Travel  
H01 - Housing Development  
GI04- Amenity Green Space and Equipped Play Areas  
QD01 - Sustainable Design  
QD02 - General design Principles  
QD03 - Living Conditions  
QD04 - Technical Standards  
CC02 - Surface Water Management  
CC03 - Coastal Development  
TP02 - Walking  
TP03 - Cycling  
TP06 - Car Parking

## **Broadstairs and St Peter's Neighbourhood Plan:**

BSP 7 Areas of High Townscape Value  
BSP9 Design in Broadstairs and St Peters

## PLANNING HISTORY

FH/TH/22/0555 Granted 06.07.2022

Erection of a front porch following demolition of existing, erection of a single storey rear extension with terrace to the rear, together with conversion of garage to habitable accommodation and alterations to fenestration.

## NOTIFICATIONS

Letters were sent to neighbouring property occupiers, a site notice was posted close to the site. No. 6 objections have been received including additional comments to original objections.

The objections raised the following points:

- Overlooking from green roof - restrict access to maintenance only
- Loss of Privacy
- Over development of the site
- Out of character
- Not in keeping with existing building line
- Front boundary wall and gates too high
- Disproportionate compared to plot size

- Too tall
- Loss of collective mature green space to rear of properties
- Separation between buildings is a criteria for High Townscape value and this does not meet it.
- Negative impact on the openness of this area of High Townscape value.
- 2.4m gap between the main property and the northern boundary through which vehicles could pass into the rear garden area and park in the design which does not safeguard the residential living conditions of adjoining residents
- Why have an inclined access to a green roof if it is not going to be used in such a way ?
- Regarding the proposed 2 metre high fence boundary surrounding the new building. Why is this required as the current fence of number 26, and the walls of 25, & 24 serve as boundary markers. There is also the question of access to these should repair become necessary if the proposed fencing is placed against current boundary markers.
- The planning application should appear under South Cliff Parade, as the current development of 23 Seven Stones Drive with boundary indicated is a separate property unless, of course, both will be known as Seven Stones Drive.
- Concern over potential excavations and use of spoils.
- Full understanding of the differing land height before permission is granted;
- Reduce floor height to reduce overall height of the building;
- Planning Condition added in relation to "as-built" land heights - including requirement for before & after survey prior to building approval
- Barrier with a gate across the top end needed to stop access to the grass roof, except for essential maintenance, as without this it would be extremely dangerous with the big drop down to ground level on either side.
- Concerns relating to trapped wildlife between the proposed and existing neighbouring boundary treatments.
- Other development caused widespread issues during construction - vehicles everywhere, vibrations, noise, cracking. Is there any way we can agree on a "no music" policy on site during this construction and an open, accurate communication from the developer informing us when major vibrations are happening?
- Cancel the roof terrace aspect of the annexe altogether. Remove access to the terrace from the house and garden. Remove the two windows that face from the annexe onto my property.

**Broadstairs and St Peter's Town Council** - No comment

### CONSULTATIONS

**Kent Highways:** Referring to the above description, it would appear that this development proposal does not meet the criteria to warrant involvement from the Highway Authority in accordance with the current consultation protocol arrangements. If there are any material highway safety concerns that you consider should be brought to the attention of the HA, then please contact us again with your specific concerns for our consideration.

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

### **Southern Water:**

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

To make an application visit Southern Water's Get Connected service: [developerservices.southernwater.co.uk](https://developerservices.southernwater.co.uk) and please read our New Connections Charging Arrangements documents which are available on our website via the following link: [southernwater.co.uk/developing-building/connection-charging-arrangements](https://southernwater.co.uk/developing-building/connection-charging-arrangements)

The Council's Building Control officers or technical staff should be asked to comment on the adequacy of soakaways to dispose of surface water from the proposed development.

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. For further advice, please contact Southern Water, Southern House, Yeoman Road, Worthing, West Sussex, BN13 3NX (Tel: 0330 303 0119).

Website: [southernwater.co.uk](https://southernwater.co.uk) or by email at: [SouthernWaterPlanning@southernwater.co.uk](mailto:SouthernWaterPlanning@southernwater.co.uk)

*Additional comments* - The comments in our response dated 11 January 2024 remain unchanged and valid for the amended details.

### **KCC Biodiversity**

Conditions for a precautionary approach to clearance / construction re: birds and hedgehog, enhancement plan to include native landscaping scheme, and a sensitive lighting plan are sufficient.

### **COMMENTS**

This application is referred to the Planning Committee at the request of Cllr Bright for members to consider whether the size and scale of the development is inappropriate to the setting.

### **Principle**

In line with Section 38(6) of the Planning and Compulsory Purchase Act 2014, planning decisions must be taken in accordance with the 'development plan' unless material considerations indicate otherwise. The requirements of the National Planning Policy Framework (NPPF) are a significant material consideration in this regard.

The NPPF states that housing applications should be considered in the context of the presumption of sustainable development. In determining whether housing on the site would



be acceptable, the need for housing in the district will therefore need to be balanced against other issues such as the impact upon the countryside, sustainability of the site, character and appearance of the proposed development and highway safety.

Policy SP01 of the Thanet Local Plan sets out the spatial strategy for the district and states that the primary focus for new housing development in Thanet is the urban area as identified on the Policies Map. Policy HO1 of the Thanet Local Plan states that residential development on non-allocated sites within the confines of the urban area can be granted where it meets the objectives of other relevant Local Plan policies.

The application proposes to erect a 1 No two storey 4-bed detached dwelling together with associated access, parking and landscaping within the rear amenity space of No. 23 Seven Stones Drive, which is located within the urban confines of Broadstairs and, therefore, accords with these two policies.

Policy QD02 of the Thanet Local Plan permits residential development on garden land where not judged harmful to the local area in terms of the character and residential amenity, the intrinsic value of the site as an open space is not considered worthy of retention, and where the proposal will not conflict with any other requirements of other design policies and Policy HO1.

The proposed development is, therefore, considered to be acceptable in principle, subject to the assessment of all other material planning considerations, including the character and appearance of the area and residential amenity.

### **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 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.

Broadstairs and St Peters Neighbourhood plan policy BSP7 sets out that the primary planning objective within areas of high townscape value is the conservation and / or enhancement of the special local character. Policy BSP9 requires development should enhance and conserve local distinctiveness by demonstrating high quality design which both respects and responds to the distinctive character of Broadstairs & St Peter's.

The proposed development is for the erection of 1 no. two storey 4-bedroom detached dwelling, together with associated access, parking (including a basement level garage) and

landscaping, as well as 1 no. single storey outbuilding within part of the rear amenity space belonging to No. 23 Seven Stones Drive, which will be directly accessed from, and face over, South Cliff Parade.

The property has been designed acknowledging the sloping nature of the application site, with the proposed dwelling consisting of a two storey structure with basement level garage, and staggered front elevation, set back from the front boundary by 13.11m to the deepest part of the front projection and 17.54m to the shallowest part.

Whilst the proposed development has a total depth of 41.8m approximately, this comprises three main elements.

The first of which is the single storey front projection, below which is the basement level garage and above is the proposed roof terrace. This has a total depth of 5.85m and width of 5.35m.

The second element is the single storey flat roof rear projection, which houses the dining, kitchen and swimming pool areas with grass roof above, and also has a maximum width of 5.35m and a total depth of 29.84m approximately.

The third and final element is the two storey section of the proposed dwelling which forms a t-shape, which has a maximum depth of 11.57m closest to the southern boundary, and a reduced depth to the north of only 6.5m. It has a proposed width of 12.36m approximately at ground floor level and a slightly larger width at first floor level, as it projects to the north by a further 1.25m beyond the ground floor immediately below.

Although the dwellings along South Cliff Parade vary in age, scale and height, there is evidence of modern design within the streetscene, with both Nos. 8 and 6 South Cliff Parade, to the north, having strong linear forms, staggered levels and large openings to the front, and use of similar palettes and materials mixing light cladding / renders, glazing and flint.

An essential part of the character of the area is derived from the open spaces to the front of the sites, which is reinforced by Policy BSP7 of the Neighbourhood plan. Whilst wide gaps between the residential units are common to the middle and northern sections of South Cliff Parade, apart from the gap forming the application site, the detached dwellings on either side have much smaller distances between their shared boundaries, and therefore wide gaps and spaces are not considered to be a typical feature at this end of the road. Furthermore, all benefit from uninterrupted sea views across the highway and public green space located directly opposite.

By virtue of its location, the proposed dwelling will be visible from public viewpoints along the highway and well-used public walkway on the clifftop directly opposite. Nevertheless, it is clear from the submitted plans that the proposed two storey dwelling with staggered first floor, balconies and roof terrace to the front elevation, have been thoughtfully designed to remain in keeping with the wider streetscene, where a number of these features are present.

Whilst the eaves level of the proposed dwelling is higher than the neighbouring properties on either side, the ridge itself slopes downwards from east to west, being almost level with the main ridge of No. 10 to the south and lower than No. 9 to the north, to create a clever transition in height between the two neighbouring sites and not appearing overly prominent on the site. Taking this together with the fact that the two storey element of the proposed dwelling sits in line with the shallowest part the front elevation belonging to No. 9, and the proposed single storey front projection sits in line with the garage belonging to No. 10, it sits comfortably within the building line along this end of South Cliff Parade. Whilst the proposed development will appear 3-storey when directly viewed from the front due to the excavated driveway, this will appear similar to the dwelling approved at 1 Seven Stones Drive, which is again a modern flat roof part 2-storey, part 3-storey development. From longer views the development will appear similar in scale to the adjacent 2-storey development. The scale and height of the proposed development is therefore considered to be acceptable.

The use of a white stone cladding, and powder coated aluminium framed windows / doors creates a similar strong horizontal appearance to that seen at Nos. 8 and 6 South Cliff Parade, whilst also referencing No. 8 and the front boundary walls belonging to the application site at No. 10 with the addition of flint, which to add interest and prevent the dwelling from appearing too stark. The front elevations are further softened with the addition of a timber entrance door and brown metal gates which blend in with the varied brickwork, use of timber and the brown roof tiles found on Nos. 9 and 10 South Cliff Parade set on either side of the application site.

Given that the neighbouring roofscapes, properties and front boundary walls vary in scale and height, and the dwelling will be set back from the front and sides, reducing to single storey at the rear, the proposed development is not considered to appear unduly out of proportion or overly bulky or dominant on the site, taking into account the specific characteristics of the Area of high townscape value.

Taking this altogether, the design and site layout is considered to both promote local distinctiveness and reflect local character and the identity of South Cliff Parade and Seven Stones Drive, blending in well and not appearing overly prominent or out of keeping.

Off street parking, hard standing driveways, small areas of lawn and varying heights of front boundary walls are a common feature along this section of South Cliff Parade, and as such, the introduction of a driveway which leads to a basement level garage and area of hard standing for parking, is not considered to be an unusual feature. Given that a flint boundary wall will be built up to 2.3m in height (which is only 0.68m higher than the existing front boundary wall) with the addition of brown metal gates, which is a similar height to No. 8's front boundary, much of the lowest part of the hard standing will be screened from public view, and as an area of retained lawn up will remain visible, it is not considered that the parking, excavation and front elevation would be out of character with the surrounding streetscene.

The single storey rear extension is unlikely to be visible from a public viewpoint, so there are no visual concerns regarding this element.

A single storey flat roof outbuilding is proposed to be set along the rear boundary, but as this will be set back from the front boundary by 58m, single storey in height and constructed with flint. It is proposed to blend in with the new flint boundary wall and any views will be limited. It is therefore not considered to create any harm to the character and appearance of the wider area.

The proposal therefore complies with Policies SP35 and QD02 of the Thanet Local Plan and the National Planning Policy Framework.

## **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. Paragraph 130 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. This policy states that all new development should:

- 1) Be compatible with neighbouring buildings and spaces and not lead to 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 property has been designed with the sloping nature of the application site,, with the host dwelling forming a two storey structure with basement level garage, and staggered front elevation, set back from the front boundary by 13.11m from the deepest part of the front projection and 17.54m from the shallowest part.

Whilst the proposed development has a total depth of 41.8m approximately, this comprises of three main elements, as described above.

Due to the varying ground levels of the site and those ground levels in the adjacent neighbouring properties, the two storey structure has been given a monopitch roof which will have a total height of 9m above the ground level belonging to No. 10 South Cliff Parade to the south and 7.83m above the ground level belonging to No. 9 South Cliff Parade to the north. Taking this together with the fact that the proposed dwelling has been sensitively located in line with the building line of the neighbouring properties, so that the single storey front projection is in line with the garage belonging to No. 10, and the two storey element does not project out any further than the front elevation of No. 9, the proposal is not

considered to create any sense of enclosure, overshadowing or loss of light to the front elevations of the neighbouring properties.

In terms of any harm to the rear of the adjacent properties, the northern end of the proposed first floor level will only project 0.32m beyond the two storey element of the existing rear elevation of No. 9, and there is a total separation distance of 1.60m to their blank side elevation. Whilst on the southern end of the proposed dwelling, although it has a deeper projection, the two storey part of the development angles away from No. 10 with a separation distance to the blank side elevation of their main dwelling (not the garage) of between 8.62m and 12.54m. From evaluation of the submitted plans and a site visit, it is clear that the proposed single storey rear elevation is also unlikely to create any neighbouring harm, with amended plans showing that whilst the single storey rear projection will protrude some distance, it will maintain a gap of approximately 0.80m from the proposed 2m high side boundary treatment. For no.10, the single storey rear projection is located beyond their garage and shed, so they will have limited views of the extension, and it will not affect their light/outlook due to the distance from habitable room windows.

For the properties in Seven Stones Drive the proposed rear extension will be visible to no.26 Seven Stones Drive, with the extension projecting above the proposed 2m high fence by 1.22m to the east, which reduces to 0.81m to the west. For no.25 the extension is unlikely to be visible at their ground level. There is a distance of 12m approximately between the rear elevation of no. 26 and their rear boundary, and therefore at this distance, along with the modest height increase above the boundary fence, the impact upon light and outlook to no.26 is considered to be acceptable.

Objections have been received regarding overlooking and loss of privacy from the proposed development. Similarly objections were received with regard to views from the roof terraces on the single storey front projection and from the grass roof to the rear.

With regards to the overlooking and loss of privacy from the proposed windows and openings in the development, submitted plans show that all windows within the northern elevation will be narrow, high level windows which will be set at 2.30m above finished floor level at ground floor level, and between 2m and 2.7m above finished floor level at first floor level. As the height actually exceeds the 1.7m height required for these types of high level windows, and are at such a height that they will form light sources only, they are not considered to create any harmful overlooking or loss of privacy.

In terms of the introduction of the first floor bedroom window to the rear (west), and the ground floor window on the northern elevation of the single storey front projection, they have been fitted with external stone clad louvres. Whilst all other windows at ground floor level will look out towards the sea, or towards the middle of the garden and together with landscaping which slopes upwards and the introduction of the 2m fence proposed along the common boundaries, any views will be suitably screened, and are therefore also not considered to create any overlooking or loss of privacy.

In terms of overlooking from the proposed grass roof on the single storey rear projection towards the rear elevations and into the private amenity spaces of neighbouring properties,, plans show this will be accessible for maintenance purposes only. This will be conditioned

with no usage as a roof terrace, and as such it is not considered to create any neighbouring harm.

In terms of overlooking from the proposed roof terrace above the ground floor front projection, revised plans have now included 2m high privacy screening on either side of the balustrading for a distance of 2.54m to restrict backward views towards No. 9 and 10 South Cliff Parade. Whilst some views will be possible from the end of the balustrading on the sides of the roof terrace, given there will be a distance of 12.15m to the front elevation of No. 9 and a distance of 7.67m to the blank side elevation of No. 10, views will be limited to front amenity space, it is not considered to create any significant neighbouring harm.

By virtue of their setting on the front elevation, all other openings will look directly out over the front amenity space to the sea beyond and are not considered to create any neighbouring harm.

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.

Single storey outbuilding:

1 no. single storey outbuilding (annotated as annexe) is proposed for the rear of the site, set against the new 2.99m high flint boundary wall, that will formally separate the private amenity space belonging to the host dwelling No. 23 Seven Stones Drive from the proposed dwelling.

It will project to the same height as the flint wall, and width of 4.2m and a depth of 5.82m and have 1no. opening formed of two sliding doors with a height of 2.37m on its southern elevation. As these will be largely screened by the proposed 2m fencing proposed along the boundaries to the south and north, with only 0.37m of the windows will be visible above it, and there is a total separation distance of 11.10m between it and the boundary shared with No. 24 Seven Stones Drive, and approximately 16.9m to the rear of their conservatory, and a separation distance of approximately 27m to the rear extension belonging to No. 9 South Cliff Parade, it is not considered to create any harm to neighbouring amenity.

Future occupiers:

In terms of the living conditions of the future occupiers of the proposed dwelling/s, Policy QD03 requires new development to be of an appropriate size and layout with sufficient usable space to facilitate comfortable living conditions and meet the standards set out in Policy QD04. The internal space standards referred to in Policy QD04 are the National Described Space Standards (March 2015). Paragraph 130 of the National Planning Policy Framework requires development to provide a high standard of amenity for existing and future users. All windows serving primary habitable rooms are required to provide an acceptable level of outlook, natural light and ventilation for all primary habitable rooms. The scheme would comply with this requirement.

Doorstep playspace is required for all 2-bed units or more under Policies QD03 and GI04 of the Thanet Local Plan, along with refuse storage, clothes drying and cycle storage space. The proposed dwelling has an enclosed doorstep playspace. The private garden space appears proportionate to the size of the proposed dwelling and would be of a similar size to rear gardens at the neighbouring properties.

In summary it is considered that the proposed level of accommodation for future occupiers would be acceptable and policy compliant.

## **Highways**

Paragraph 110 of the NPPF says that in assessing applications for development it should be ensured that:

- a) appropriate opportunities to promote sustainable transport modes can be - or have been - taken up, given the type of development and its location;
- b) safe and suitable access to the site can be achieved for all users;
- c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code 46; and
- d) 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.

Local Plan Policies TP02 and TP03 concern walking and cycling. They require that new development will be expected to be designed to facilitate safe and convenient movement by pedestrians and the safety of cyclists and facilities for cyclists. Policy TP06 states that proposals for development will be expected to make satisfactory provision for the parking of vehicles, including disabled parking. Suitable levels of provision will be considered in relation to individual proposals taking account of the type of development, location, accessibility, availability of opportunities for public transport, likely accumulation of car parking, design considerations.

The proposed scheme would create a driveway and area of hardstanding to the front amenity space which would provide ample space for off street parking, including a basement level garage. Two gates will also be inserted within the front boundary. Given the property's size, cycle parking could be provided elsewhere within the associated amenity space.

Whilst it is not ideal that the wall will be increased in height from 1.66m approximately to 2.37m, given that the road surface is particularly wide and there are already many variations of wall height either side of driveways along South Cliff Parade, it can be expected that both vehicular users and pedestrians will be well used to seeing cars existing from properties along this road. Furthermore, the length and slope of the driveway may also allow the vehicular users with the property to see traffic approaching before they get to the end. It is therefore, on balance, not considered to create enough harm to warrant refusal. It must be noted however that details of the gates have not been provided, and as such will be conditioned.

Kent Highways do not consider the application meets the criteria to warrant their involvement.

The property is located in a highly sustainable location, within easy walking distance of local beaches, a local park, and public transport (with only 527m approximately to the No. 69 bus route at the end of South Cliff Parade which provides a regular service which takes approximately 5 minutes to Broadstairs and 7 minutes to Ramsgate). The site is also located opposite a shared cycle / pedestrian path, within easy walking distance to Broadstairs seafront and town centre.

As such, the proposed dwelling is not considered to have an adverse effect on highway safety or parking in the surrounding area and complies with policy TP02, TP03 and TP06.

### **Biodiversity**

As the existing site is currently laid to lawn, and consists of different levels with bushes, pathways and an old pond, the applicant commissioned a Preliminary Ecological Appraisal which suggested that no protected species on site have been identified.

Taking this together with the fact that an SPA contribution is also being secured for this site, Kent Biodiversity have confirmed they are content for safeguarding conditions for a precautionary approach to clearance / construction relating to birds and hedgehogs, an enhancement plan to include native landscaping scheme, and a sensitive lighting plan to be added.

The proposal is therefore considered to be in accordance with Policy SP30 of the Thanet Local Plan.

### **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, and an appropriate assessment has been carried out.

This application includes a signed Unilateral Undertaking (UU) which provides the required financial contribution (£530) for a single four bedroom residential unit to mitigate the



additional recreational pressure on the SPA area, and is therefore in accordance with Policy SP29 of the Thanet Local Plan.

### **Other matters**

The proposed excavation works for the erection of the dwelling are in excess of 40metres of the clifftop and therefore the provision of Policy CC03 do not apply.

### **Conclusion**

The proposed dwelling is located within the urban confines within a residential garden that fronts onto South Cliff Parade. The design and scale of the proposed dwelling is considered to be in keeping with the street scene, and the surrounding pattern of development, and would not detract from the area of high townscape value.

The impact upon neighbouring occupiers is considered to be acceptable, subject to safeguarding conditions that restrict use of flat roofs, ensure privacy screens, and limit the size of side windows. There are considered no highway safety concerns subject to conditions on the proposed gates.

It is therefore recommended that members approve the application subject to safeguarding conditions.

### **Case Officer**

Tanya Carr

TITLE:

F/TH/23/1599

Project

23 Seven Stones Drive BROADSTAIRS Kent CT10 1TW

