

A01

F/TH/24/0583

PROPOSAL: Variation of Condition 2 of approved planning permission F/TH/22/0131 "Erection of a detached, two storey three bedroom dwelling" to allow for the installation of four rooflights, amendments to fenestration and positioning of soil pipe (retrospective)

LOCATION: Land Between 44 And 46 Monkton Road Minster Kent CT12 4EB

WARD: Thanet Villages

AGENT: Mr. John Elvidge

APPLICANT: Mr A White

RECOMMENDATION: Approve

Subject to the following conditions:

1 The proposed development shall be carried out in accordance with the submitted application and the approved drawings numbered UDS-44A-PSP-01 Rev B, UDS-44A-FE-01 Rev A and UDS-44A-PE-01 Rev A.

GROUND:

To secure the proper development of the area.

2 Prior to the first use of the site hereby permitted, the vehicular access and associated vehicle crossing point onto the highway, as shown on the approved plan numbered UDS-44A-PSP-01 Revision B should be completed and made operational.

GROUND:

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

3 The gradient of the access hereby approved shall be no steeper than 1 in 10 for the first 1.5 metres from the highway boundary and no steeper than 1 in 8 thereafter.

GROUND:

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

4 The area shown on the approved plan numbered UDS-44A-PSP-01 Revision B 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

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, in accordance with the advice contained within the NPPF.

6 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.

INFORMATIVES

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

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 dwelling which has been built but not yet furnished or occupied.

The site shares boundaries with residential properties to either side and to the rear, the front boundary is onto Monkton Road and there are also dwellings opposite the site. 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/23/0497 Erection of a detached, pitched roof, timber outbuilding (retrospective application). Granted 24/05/2024

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

PROPOSED DEVELOPMENT

The application seeks retrospective permission for a detached dwelling with changes to the external appearance to that previously consented; variation of condition 2 (approved plans). The changes are:

The installation of two rooflights within either side elevation.

The ground floor kitchen window in the front elevation has been widened from 0.65m to 1.1m. To the side elevations, the approved drawings showed a panel of different material between ground and first floor window openings. No contrast panels are proposed/applied.

To the eastern side elevation, the full-height, ground floor glazing was previously shown to be divided into three, fixed panes. However, the right-hand pane has been installed as an opening, while the remaining two panels now comprise a single, fixed pane.

The position of the soil-vent pipe at roof level in the eastern elevation has been altered.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan 2020

SP01 - Spatial Strategy - Housing
SP13 - Housing Provision
SP14 - General Housing Policy
SP26 - Landscape Character Areas - Wantsum North Slopes
SP29 - Strategic Access Management and Monitoring Plan (SAMM)
SP35 - Quality Development
SP43 - Safe and Sustainable Travel
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

Neighbouring occupiers have been notified and a site notice posted.

Four representations have been received in relation to the consultation, with some people commenting more than once. The concerns can be summarised as follows:

- Overlooking from roof lights/windows
- Roof lights should be fitted with obscure glazing
- Question purpose of new door within the west elevation
- Potential for noise from new windows/doors

Minster Parish Council: Further response - "Further to our previous response of No objection.

Minster Parish Council OBJECTS to this application and suggests to Thanet District Council (TDC) that a compromise for this new application would be for the western boundary of the new dwelling to comprise of a 1.6m fence (on the new dwelling side) from at least the front of the new dwelling's garage to the full extent of the rear garden, rather than a 1.2m fence. Such may mitigate some of the concerns of this neighbour. If TDC are minded to agree to this suggestion then our response would be No Objection."

Initial response - No objection

CONSULTATIONS

None carried out.

COMMENTS

The application is brought before members at the request of Cllr Smith on the basis of neighbour amenity 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 is confirmed that officers have visited the site and the dwelling has been constructed but not yet occupied.

Principle

The principle of development for a two storey dwelling with associated access has already been accepted by the approval. This consent has been implemented within the prescribed times, and therefore only the changes sought are the variation of condition will be assessed. A variation of condition application has been submitted in respect of condition 2 of planning reference F/TH/22/0131.

Condition 2 states:

The proposed development shall be carried out in accordance with the submitted application and the approved drawings numbered UDA-44A-PSP-01 Rev B (received 19/04/22), UDS-44A-FE-01 and UDS-44A-PE-01.

GROUND

To secure the proper development of the area.

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 dwelling with changes to the external appearance to that previously consented. The changes are:

- The installation of two rooflights within either side elevation.
- The ground floor kitchen window in the front elevation has been widened.
- To the side elevations, the approved drawings showed a panel of different material between ground and first floor window openings. No contrast panels are proposed/applied.
- To the eastern side elevation, the full-height, ground floor glazing was previously shown to be divided into three, fixed panes. However, the right-hand pane has been installed as an opening, while the remaining two panels now comprise a single, fixed pane.
- The position of the soil-vent pipe at roof level in the eastern elevation has been altered- previously the plans showed the pipe in two different locations

In the front elevation the only change is to the ground floor kitchen window; this has been widened to 1.1m; previously it was 0.65m. Whilst fronting the public highway the property is set back within the plot and has a garage in front of it. This garage obscures clear views of the window. Notwithstanding this the width of the window is comparable to the first floor bedroom window. This change, therefore, raises no concern in terms of visual impact on the character or appearance of the area.

In regard to the side elevations two roof lights have been added to both side elevations (east and west). With regard to the east elevation, this adjoins no. 44 Monkton Road and the roof lights in the west elevation adjoins no. 46 Monkton Road. The roof lights to either side that are nearer the front are visible when approaching from either side along Monkton Road, although not for a long distance due to existing dwellings obscuring views. The ones closer to the rear are not overtly visible. The rooflights in themselves are modest in size and do not over dominate the roof slope. I am therefore of the opinion that no visual harm would result.

In terms of the contrast panels, these were positioned on both side elevations between the ground and first floor windows. Given the dwelling's position, between dwellings this contrast would not have been clearly seen and its omission is not considered detrimental to the overall appearance of the dwelling as built.

Within the eastern side elevation, the full-height, ground floor glazing was previously shown to be divided into three, fixed panes. The variation seeks to regularise the right-hand pane has been installed as opening, while the remaining, two panels now comprise a single, fixed pane. Given its position within the side elevation, to the rear of no. 46 and at ground level no material harm would result to the dwelling's aesthetic or the wider area.

In the previously approved scheme the soil pipe location was shown in error in two different positions on the western elevation; drawing UDS-44A-FE-01 in the position shown on the current plans and drawing UDS-44A-PE-01 showing it further forward. Given the position on the side elevation and its modest height (0.5 metres, which has not changed from that previously approved) within the roof slope no visual harm will result from this clarification of position.

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 widened kitchen window is within the ground floor of the front elevation. This faces part of the garage in the front garden and Monkton Road beyond. Given its location to the front facade it would not create any neighbour amenity issues.

In regard to the side elevations two roof lights have been added to both side elevations (east and west). With regard to the east elevation, adjoining no. 44 Monkton Road. The two roof lights serve a shower room/W.C. and a bedroom. The roof lights have a cill height of 1.8m above the floor level. Given this height no views are seen into the neighbouring property - only the roof and part of the brick work is seen. No material harm will therefore result to the residential amenities of adjoining occupiers..

The dimensions and position of the previously accepted ground floor side windows and now proposed window and door remain the same. These are at ground floor level and since the approval of the dwelling a boundary treatment has been approved. Whilst this is 1.2m existing vegetation on both sides of the first - but the majority being within the neighbours at no. 46 limits views into their garden; which is at a lower level. I, therefore, consider that harmful overlooking would not result. I do not consider that there would be additional noise emanating from the house via this change. This is a residential area and a certain degree of residential noise would be expected with people talking, children playing etc.

The removal of the side panels have no impact upon neighbour amenity.

The soil pipe location has been clarified by the submitted plans in terms of its structure given its position on the roof and modest size no impact will result to neighbour amenity. It is not considered that the soil pipe will create issues relating to odours given its position above the eaves; this is a normal location on residential buildings.

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

Highway Safety & Parking

The number of parking spaces, number spaces remains the same as previously approved, so the impact upon highway safety and parking is considered to be acceptable.

Unilateral Undertaking

A financial contribution was secured through the previous application towards the SPA. No unilateral undertaking has been submitted with this application. The payment for the SPA has been received and confirmed under the previous application, and as such the contribution required to mitigate harm from the residential development on this site, upon the Special Protection Area, have been secured. The application, therefore, complies with Policy SP29 of the Thanet Local Plan and the Habitat Regulations.

Other matters

In regard to the third party representations it is considered that additional noise from an opening door on the side elevation will not result in unacceptable noise from the residential occupiers. The site is within a wholly residential area. Users of these properties would use their gardens and have windows and doors open particularly in the summer months when the weather is warm. The noise generated would be no different to other residential properties in the area.

In terms of all other matters, nothing has changed when compared to the previous application.

In terms of conditions, as the development has been substantially completed - conditions such as the time limit, agreement of materials and energy & water efficiency have not been

included. Conditions that have been attached are those that require something to be maintained or prohibit something.

Conclusion

The principle of development has previously been agreed through the extant consent, which has been implemented and it is considered that the proposed variation of condition 2 to allow for external alterations including alterations to fenestration, removal of panels between ground and first floor windows and relocation of soil pipe would not result in a significant impact upon the character and appearance of the area, or adversely impact upon the living conditions of neighbouring occupiers or highway safety when compared to the previously approved scheme. 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/24/0583

Project Land Between 44 And 46 Monkton Road Minster Kent CT12 4EB

Scale:

