

A02

FH/TH/24/0677

PROPOSAL: Erection of 1.8 metre high timber fence and gate following demolition of extension and removal of tree together with
LOCATION: removal of rooflight and first floor window in side elevation

61 Victoria Road Margate Kent CT9 1NA

WARD: Margate Central

AGENT: Mr Matthew Gerlack

APPLICANT: Mr Ralph Evans

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 drawing numbered 24/668/JG/PL01 received 10 June 2024.

GROUND:

To secure the proper development of the area.

3 The fence and gate shall be installed in the location shown on the approved drawing, and shall be constructed in timber to match the existing fence.

GROUND:

To secure a satisfactory external treatment and to safeguard the special character and appearance of the designated heritage asset in accordance with Thanet Local Plan policies SP36, HE02 and QD02 and and advice contained within the National Planning Policy Framework, and to ensure the garden is safe and secure for occupiers of the dwelling, in accordance with Thanet Local Plan policy QD03.

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 property is a 2 storey detached dwelling fronting Victoria Road located adjacent to the entrance to Fullers Yard. The property has a lean-to extension to the rear immediately adjacent to the parking and manoeuvring area for Fullers Yard, and a private enclosed garden to the side of the property. The site lies within the Margate Conservation Area.

PROPOSED DEVELOPMENT

It is proposed to erect a 1.8 metre high timber fence and gate to enclose the garden, following demolition of the lean-to extension, removal of the hardstanding and an ornamental tree and landscaping of the garden. It is also proposed to remove the rooflight and a first floor window within the south facing elevation facing the garden.

PLANNING HISTORY

None

Planning History for Fullers Yard Site

F/TH/91/0692 - Change of use from council depot to vehicle repairs, light industrial assembly and storage GRANTED 11.10.1991

F/TH/98/0919 - Renovation of existing industrial complex comprising refurbishment of existing buildings and demolition and replacement of 2 no buildings to provide 6 no small industrial units GRANTED 10.12.1998

The Council's Housing Officer has advised that the property was originally used by the Council's Direct Labour Organisation services when Fullers Yard was used as a repairs yard. However, the property has been part of Council's social housing stock for many years (at least since 1987). Therefore, on the information available it is reasonable to assume that No 61 Victoria Road has lawful use as a dwelling house no longer associated with the Fullers Yard Employment Site development that was granted planning permission for a change of use in 1991.

The building has the appearance of a detached dwellinghouse and without evidence to the contrary the building has residential use, and therefore there would be no loss of employment use in this instance. Furthermore, this is a 'householder' type of application for alterations to a dwellinghouse and it does not seek to change the use of the building.

PLANNING POLICIES

Thanet Local Plan 2020

SP36 - Historic Environment

HE02 - Development in Conservation Areas

E01 - Retention of Employment Sites

QD01 - Sustainable Design

QD02 - General Design Principles
QD03 - Living Conditions
TP06 - Car Parking

NOTIFICATIONS

Neighbours have been notified, a site notice posted and an advert placed in the local newspaper and no representations have been received.

CONSULTATIONS

Conservation Officer - Following a review of the proposed application I would raise no objections.

ANALYSIS

This application is reported to the Planning Committee as the applicant is Thanet District Council. The consideration for Members to assess is the impact on the character and appearance of the area, impact on the living conditions of neighbouring residential occupiers and pedestrian and highway safety.

Character and Appearance

The property is not heritage listed however it lies within the Margate Conservation Area and therefore the development needs to be assessed against Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, which in relation to conservation areas, requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the area. Local Plan Policies SP36 and HE02 relates to development in Conservation Areas and requires appropriate materials and detailing to be included in the design and the extension must not result in the loss of features that contribute to the character or appearance of the conservation area. Any new development that detracts from the immediate or wider landscape setting of any part of a conservation area will not be permitted. This policy is supported by paragraph 203 of the NPPF which states that in determining applications, local planning authorities should take account of the desirability of new development making a positive contribution to local character and distinctiveness.

Thanet Local Plan Policy QD02 relates to general design principles and similarly requires new development to be well designed, respect and enhance the character of the area paying particular attention to context and identity of its location, scale, massing, rhythm, density, layout and use of materials appropriate to the locality. The development itself must be compatible with neighbouring buildings and spaces. This policy is further supported by paragraph 135 of the NPPF which states that decisions should ensure that development will function well and add to the overall quality of the area, and are sympathetic to local character and history, including the surrounding built environment.

There are no alterations proposed to the front of the property and no details have been provided of this elevation. There are no alterations proposed to the side elevation that faces

directly onto the access road into Fullers Yard. The rooflight and first floor window to be removed are located on the side elevation that faces towards the garden and the boundary with No 11 Fullers Yard. The roof tiles and external surfaces of the building are to be finished to match existing and these minor alterations to the building would not detract from the appearance of the building or harm the character and appearance of the conservation area and the wider streetscene.

The main alteration to the property is to its rear elevation where it is proposed to remove the dilapidated lean-to extension which is highly visible and detracts from the appearance of the building and does little to enhance the appearance of the surrounding area. The area occupied by the lean-to is to be replaced by a 1.8 metre high timber panel fence and gate to match existing to provide a secure garden area.

The hardstanding within the garden is to be removed along with the 'ornamental' tree which is planted too close to the wall and the Design and Access Statement advises is causing damage to the neighbouring building. The uppermost part of the tree is visible from Victoria Road and from within Fullers Yard above the height of the wall. Whilst the tree provides some amenity value it appears to be growing out of a raised bed and is located hard against the wall of the adjoining property causing potential structural issues. The tree is not protected by a Tree Preservation Order, however it is protected by virtue of it being within the Conservation Area. The applicant has identified the tree as causing structural damage to the neighbouring property and given its size and location it is highly likely to cause further damage in the future. The tree is mostly screened by surrounding buildings and walls and its removal would not significantly harm the visual amenities of the area in this instance. Given the limited space within the garden and proximity of windows within the building it is unlikely that a replacement tree could be provided within the site.

The garden ground level is to be reduced to below the DPC and new paving slabs installed. The paving used for the hard landscaping would not be immediately visible from the public realm and therefore have a neutral impact on the wider character and appearance of the area.

The Conservation Officer has been consulted and raises no objections to the proposal from a heritage perspective. The removal of the extension and erection of a timber fence to enclose the garden would make a positive contribution to the appearance of the building, and the streetscene in general, and thereby make a positive contribution to the conservation area. The proposal therefore accords with Thanet Local Plan policies SP36, HE02 and QD02 and the NPPF.

Living Conditions

The proposal does not seek to extend the property and there are no additional window or door openings proposed, therefore the alterations would have a neutral impact on the amenities of surrounding residential occupiers.

The repairs and refurbishment of the building, including lowering the garden level to below the DPC, will improve the living conditions for future occupants of the building. The removal of the tree within the garden would safeguard the neighbouring building from future damage.

The continuation of the boundary fence to the rear of the property would provide a safe and secure garden area for the benefit of future occupiers.

The proposed development accords with the requirements of Thanet Local Plan Policy QD03 and the NPPF.

Highway Safety

The property sits immediately adjacent to the access into Fullers Yard from Victoria Road. There is no footpath along the side of the property and access to and from the property remains the same as existing. The proposed development would not encroach onto the parking and manoeuvring area within Fullers Yard and the fencing would provide a clearly defined boundary to the rear of the property.

The gate is shown opening outwards and resting against the rear elevation of the building. Whilst we would normally expect to see gates opening inwards, in this instance the main entrance to the property is within Victoria Road and the gate provides access into the rear private garden. There is no public footpath to the rear of the property and the operation of the gate would be unlikely to obstruct pedestrian or highway access within Fullers Yard. As such the proposed development would not result in any additional harm to pedestrian or highway safety.

Conclusion

The proposed development would not result in harm to the character or appearance of the Conservation Area or adversely impact neighbouring residential occupiers or highway safety. The development is acceptable in all other material respects and accords with the requirements of Thanet Local Plan Policies and the NPPF and the Planning (Listed Buildings and Conservation Areas) Act 1990, and as such it is recommended that Members approve the application, subject to safeguarding conditions.

Case Officer

Rosemary Bullivant

TITLE: FH/TH/24/0677

Project 61 Victoria Road Margate Kent CT9 1NA

Scale:

