
Appeal Decision

Site visit made on 13 March 2017

by David Reed BSc DipTP DMS MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 31 March 2017

Appeal Ref: APP/Z2260/W/16/3162744

Land adjacent to 151 Monkton Road, Minster, Ramsgate CT12 4JB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr L Ray & Mr J Jackson against the decision of Thanet District Council.
 - The application Ref F/TH/16/0788, dated 6 June 2016, was refused by notice dated 8 August 2016.
 - The development proposed is the erection of a two-storey dwelling with associated parking and landscaping.
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Decision

1. The appeal is allowed and permission is granted for the erection of a two-storey dwelling with associated parking and landscaping on Land adjacent to 151 Monkton Road, Minster, Ramsgate CT12 4JB, in accordance with the terms of the application, Ref F/TH/16/0788, dated 6 June 2016, subject to the attached schedule of conditions.

Main Issue

2. The main issue is whether the proposal would result in a sustainable form of development having regard to development plan policy and the character and appearance of the area.

Reasons

3. The proposal is for a large four-bedroom, two-storey detached house on the northern side of Monkton Road midway between the villages of Monkton to the west and Minster to the east. The site, currently vacant and overgrown, relates closely to a cluster of residential properties on both sides of the road and is situated next to a pair of semi-detached houses, Nos 151 and 149. There is a scatter of other residential development along the road which runs for about 1 km through the countryside between the two villages.
4. The appeal site lies well outside the built up village confines of both Monkton and Minster as defined by the Thanet Local Plan 2006 (TLP) and consequently in the countryside for planning policy purposes. As such Policy CC1 applies, which restricts new housing 'unless there is a need for the development that overrides the need to protect the countryside'. In addition, Policy H1 precludes housing outside built up confines. However, the Council accepts that it cannot demonstrate a five year supply of deliverable housing sites¹ and consequently

¹ According to the recent appeal decision APP/Z2260/W/16/3151686 the figure is only about 2 years supply.

policies for the supply of housing should not be considered up to date. In these circumstances Policies CC1 and H1 can only be afforded limited weight in this appeal. Policy SP20 in the emerging Thanet Local Plan continues this approach but the plan is at an early stage so again it can only be given limited weight.

5. The villages of Monkton and Minster both offer a good range of services and facilities. Monkton has a village hall, church, primary school and recreation ground whilst Minster has an even wider range of facilities with some shops, post office, primary school and a railway station. The appeal site is within 2 km of most of these facilities and not far from the built-up confines of either village; it is not therefore an isolated location.
6. There is no footway alongside Monkton Road linking the appeal site to Minster, the closest village, but the footway starts about 400 m away, the road is relatively wide and straight with good visibility and there is some street lighting at night. Whilst the lack of a footway would be a deterrent, occasional walking to and from the new house remains likely. In addition, the site is served by limited bus services which stop about 100 m away and the road forms part of a recognised national cycle route. Taking these factors together, even without a footway the site is in a relatively sustainable location and future occupiers would not be wholly reliant on the private car.
7. The proposal would consolidate the existing group of residential properties adjacent to the appeal site which lies in the countryside between the two villages. It would incrementally extend the ribbon development on the northern side of the road. However, the new house would be seen in the context of the pair of recent semi-detached houses just to the east. The three houses would share the existing access drive leading to the parking spaces and garages serving all three properties to the rear. The houses would therefore be seen together as a single, integrated scheme.
8. There is a clearly defined boundary between the site and the agricultural field to the west which would be unaffected together with its hedgerow frontage. In addition, to the north the site adjoins the raised tennis court associated with the grounds of Hoo Farmhouse. The proposal would therefore be seen as rounding off the existing group of properties rather than an encroachment into the remaining open countryside between the two villages. The site is unique in this respect along Monkton Road and its development would not therefore set a precedent for other similar cases.
9. The proposed house would be large in comparison to its semi-detached neighbours, but there are a variety of different house types in the vicinity and the proposal would merely add to that variety. Hoo Farmhouse just to the east is a substantial property and Nos 120/122 diagonally opposite also have the appearance of a single large building. The windows would not be over large in relation to the size of the property and details of the bricks to be used could be controlled by condition. The slightly overhanging two storey front facing gable would be a prominent feature of the house but not excessively so given the set back from the road. The large Sycamore tree to be retained on the road frontage to one side would also attract attention away from it.
10. For these reasons the proposal would result in a sustainable form of development having regard to development plan policy and the character and appearance of the area. Although the proposal would conflict to some extent with Policies CC1 and H1 of the TLP, in the absence of a five year housing land

supply these policies can only be afforded limited weight. There would be no material conflict with Policy D1 of the TLP which requires new development to respect the character and appearance of the surrounding area, particularly in scale, massing, rhythm and use of materials appropriate to the locality.

11. The Council draw attention to a dismissed appeal in the countryside to the south west of St Nicholas at Wade, but this involved the conversion of an existing stable building well away from other buildings as well as being some distance from the settlement concerned².

Other matters

12. The flank wall of the adjacent property, No 151, includes a relatively small window which faces onto the appeal site. Whilst the window serves a living room it is not a principal window and the loss of light would be acceptable given the gap between the two buildings. The proposal includes a side facing en-suite window but this would be obscure glazed to prevent any overlooking. In addition, the eastern elevation would include two small secondary lounge windows but these could also be obscure glazed to prevent any interlooking between them and the side facing window of No 151.
13. There is a need for additional housing of all sizes and levels of affordability.

Conditions

14. The Council has suggested a number of conditions should the appeal be allowed and I have assessed these against the relevant tests, making minor amendments as necessary. In addition to the standard implementation time limit it is necessary to define the plan which has been approved in the interests of certainty. Conditions are required to control the materials to be used to ensure the satisfactory appearance of the development and to ensure the parking/turning area is provided in the interests of highway safety. A further condition is necessary to ensure side facing windows are obscure glazed/non opening to protect the privacy of adjoining occupiers. Finally, conditions are required to ensure that hard and soft landscaping is carried out and maintained and existing trees are protected in the interests of visual amenity.

Conclusion

15. The proposal would provide an additional dwelling with important social and economic benefits for the area and make a small but useful contribution to the housing land supply shortfall in the district. As explained above, the adverse environmental impacts of the proposal are minimal and these are significantly and demonstrably outweighed by the benefits. The presumption in favour of sustainable development therefore applies in this case.
16. Having regard to the above the appeal should be allowed.

David Reed

INSPECTOR

² APP/Z2260/W/15/3130592

Schedule of conditions

- 1) The development hereby permitted shall be begun before the expiration of three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plan: 2016-11-01A received 13 June 2016.
- 3) No development above slab level shall take place until details (and samples if required) of materials and finishes to be used for the external surfaces of the dwelling hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall then be implemented in accordance with the approved details.
- 4) Prior to the first occupation of the dwelling hereby permitted, all windows on the eastern elevation shall be fitted with obscure glass and made non-opening (except for a top light no lower than 1.7 m above finished floor level) and shall be retained as such at all times thereafter.
- 5) Prior to the first occupation of the dwelling hereby permitted, the area shown on the approved plan for the parking and manoeuvring of vehicles shall be laid out and made available for that purpose and shall be retained as such at all times thereafter.
- 6) Prior to the first occupation of the dwelling hereby permitted (or such other time as may be agreed in writing by the local planning authority) all hard and soft landscape works shown on the approved plan shall be carried out together with the recommendations set out in section 4 of the Extended Phase 1 Habitat Survey Report by Corylus Ecology dated May 2016. Any trees or plants which within a period of five 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, unless the local planning authority gives written consent to any variation.
- 7) The development hereby permitted shall be carried out strictly in accordance with the recommendations set out in the arboricultural report prepared by Invicta Arboriculture dated 6 May 2016, and specifically the Tree Protection Plan (Ref IA16/091) at Appendix C. All recommended tree protection works in that report shall be in place prior to the commencement of any development on the site.