



Agenda

Planning Committee

Tuesday 5 March 2024
at 7pm

The Guildhall, St Peter's Place, Canterbury

A. The Committee may only resolve its decisions when exercising its express delegated powers as set out under the name of the Committee in the scheme of delegation approved by the Council.

B. The public (which includes the press) will be excluded from the meeting during any item of business which falls within the exempt provisions of Schedule 12A of the Local Government Act 1972 or the Freedom of Information Act 2000, or both.

Quorum - 7 Councillors

Membership of the Planning Committee

Councillors

Pat Edwards (Chair)

Dan Smith (Vice Chair)

Keith Bothwell

Dane Buckman

Elizabeth Carr-Ellis

Roben Franklin

Robert Jones

Harry McKenzie

Tom Mellish

Peter Old

Paul Prentice

Ian Stockley

David Thomas

Ward

Barton;

Blean Forest;

Swalecliffe;

Wincheap;

St Stephen's;

Wincheap;

Herne and Broomfield;

Sturry;

Heron;

Chestfield;

Barton;

Beltinge;

Heron;

Members of the public may at meetings of the Committee speak for no more than three minutes upon any item which appears on the agenda for the meeting PROVIDED THAT notice has been given to Democratic Services (e-mail democracy@canterbury.gov.uk, telephone 01227 862 009) not later than 12.30pm on the working day before the meeting.

Everyone is welcome to record meetings of the Council and its Committees using whatever non-disruptive methods you think are suitable. If you are intending to do this please mention it to the Democratic Services Officer and do not use flash photograph unless you have previously asked whether you may do so. If you have any questions about this please contact Democratic Services (members of the press please contact the Press Office).

Please note that the Chair of the meeting has the discretion to withdraw permission and halt any recording if in the Chair's opinion continuing to do so would prejudice proceedings at the meeting. Reasons may include disruption caused by the filming or recording or the nature of the business being conducted.

Anyone filming a meeting is asked to only focus on those actively participating but please also be aware that you may be filmed or recorded whilst attending a council meeting and that attendance at the meeting signifies your agreement to this if it occurs. You are also reminded that the laws of defamation apply and all participants whether speaking, filming or recording are reminded that respect should be shown to all those included in the democratic process.

Persons making recordings are requested not to put undue restrictions on the material produced so that it can be reused and edited by all local people and organisations on a non-commercial basis.

If a meeting passes a motion to exclude the press and public then, in conjunction with this, all rights to record the meeting are removed.

Agenda

1 Apologies for absence

2 Substitute councillors

3 Declaration of any interests by councillors or officers

(Councillors and officers are encouraged to give their declarations in advance to Democratic Services where possible.)

TO RECEIVE any declarations of the following in so far as they relate to the business for the meeting:

a. Disclosable Pecuniary Interests

b. Other Significant Interests (what were previously thought of as non-pecuniary Prejudicial Interests)

c. Voluntary Announcements of Other Interests not required to be disclosed as DPIs or OSIs, i.e. announcements made for transparency reasons alone, such as:

- Membership of outside bodies that have made representations on agenda items, or
- Where a Councillor knows a person involved, but does not have a close association with that person, or
- Where an item would affect the wellbeing of a Councillor, relative, close associate, employer, etc but not their financial Position.

[Note: an effect on the financial position of a Councillor, relative, close associate, employer, etc; OR an application made by a Councillor, relative, close associate, employer, etc, would both probably constitute either an OSI or in some cases a DPI].

4 Public participation

If any member of the public wishes to speak on any item / planning application for the meeting they must give notice to Democratic Services by 12.30pm on Monday 4th March 2024. They can do this [online here](#) or by calling 01227 862009 or emailing democracy@canterbury.gov.uk.

It is the usual practice of the Committee to allow any public speakers to be heard immediately before the consideration of the relevant application / item.

Further information about public participation and the procedure at the meeting is included in this agenda or on the Council's website here.

5. Minutes of the Planning Committee meetings of 9 January and 6 February 2024

To RECEIVE the minutes of the above meetings.

6. Application No. CA/23/02378/FUL/ Land between Allora and Mill Tor Marlborough Road, Whitstable

Two-storey detached dwelling together with detached garage

Recommendation: Section 101 grant, subject to safeguarding conditions

Planning Officer: Christian De Grussa

7 Planning Appeals - Decisions

There are no planning appeals decisions to report.

8 Any other urgent business to be dealt with in public

9 Any other urgent business which falls under the exempt provisions of the Local Government Act 1972 or the Freedom of Information Act 2000 or both

It will be necessary to pass a resolution to exclude the press and public for any urgent confidential business under this item.

Criteria for public speakers

It is the usual practice of the Committee to allow any public speakers to be heard immediately before the consideration of the relevant application /item.

The number of speakers for each planning application is limited to:

3 in favour, 3 against the proposal;

a representative of the Parish Council, Canterbury Heritage and Design Forum (previously known as the Canterbury Conservation Advisory Committee) or the Whitstable Society, in whose area the proposed development is situated, and that representative gives notice that he/ she would attend the Committee to support the representation;

a representative of an advisory / amenity group or resident association speaking for a proposal, and one against a proposal whose terms of reference have a direct interest in the proposal;

the Applicant or Agent, but not both, who shall also be afforded the opportunity to speak last.

No more than one person per household shall be entitled to speak, including persons wishing to speak on behalf of someone else, unless offering opposing views.

In circumstances where more than 3 persons wish to speak, those not selected, shall be provided with the names of ward councillors and the nominated speakers in order that they can seek to have their points raised.

All persons speaking shall be strictly limited to 3 minutes each.

There will be no speakers heard on any application where they are supporting the officer recommendation and no councillor wishes to speak against it.

All persons shall have a maximum of two opportunities to speak i.e. at two meetings of the Committee or at one Committee and one Member site visit.

If you wish you may circulate photographs to illustrate a point but written information or circulation of reports or letters will not be allowed.

All persons wishing to speak shall notify Democratic Services **no later than 12.30pm on the working day before the day of the meeting** (by email to democracy@canterbury.gov.uk or by telephone 01227 862 009).

Procedure at committee

All speakers shall be directed to a cordoned off area in the public gallery prior to the start of the meeting, and shall then be directed to the 'public speaking chair' at the appropriate time.

The Chair shall explain procedures and order of applications at the start of the meeting. All site visits shall be determined at the start of the meeting - with the exception of those which might be subsequently agreed during the meeting. Items recommended and agreed for deferral shall also be considered at this stage.

Item 5

Minutes of the Planning Committee meetings of 9 January and 6 February 2024

CANTERBURY CITY COUNCIL

PLANNING COMMITTEE

Minutes of a meeting held on 9 Jan 2024,
At 7.00 pm in The Guildhall, St. Peter's Place, Westgate, Canterbury

Present: Councillor Pat Edwards (Chair)
Councillor Dan Smith (Vice Chair)
Councillor Keith Bothwell
Councillor Dane Buckman
Councillor Roben Franklin
Councillor Robert Jones
Councillor Harry McKenzie
Councillor Tom Mellish
Councillor Peter Old
Councillor Paul Prentice
Councillor Naomi Smith
Councillor Ian Stockley
Councillor David Thomas

Officers:

Stevie Andrews - Planning Manager (Development Manager)
Cath Wallen - Principal Solicitor
Christian DeGrussa - Planning Officer
Kelly Tonkin - Planning Officer
Lauren Wheeler - Democratic Services Officer

451. Apologies

Apologies were received from Councillor Elizabeth Carr-Ellis.

452. Substitute members

Councillor Naomi Smith was present as a substitute for Councillor Carr-Ellis.

453. Declarations of any interests by councillors or officers

A generic announcement was made on behalf of all committee members, as follows:

All or some councillors may have received correspondence from or spoken with applicants, agents, supporters or objectors, and some of the public speakers may also be known to members of the committee due to their work as councillors. Neither circumstance prevents councillors from participating in the meeting. However, any

councillor who considers that they do not have an open mind, in respect of any item on the agenda, should not participate in the meeting when the relevant item is to be discussed.

The following interests were also declared at the meeting:

In respect of Item 7, Application No CA/23/01658/LBC, Councillor Jones made an announcement that he works opposite the application.

454. Public Participation

The public speakers for the meeting were heard immediately before the consideration of the relevant application below

455. Minutes of the meeting held on 12 December 2023

The minutes of the above meeting were agreed as a true record and signed by the Chair.

456. LIST OF APPLICATIONS AND PROPOSALS

The Committee considered the planning applications, received the observations thereon of interested parties, the reports and recommendations of the Head of Planning, and the comments at the meeting from the public speakers on the applications referred to below. At the commencement of the consideration of the applications, the Committee received a presentation about each application, which included a display of plans, drawings and photographs.

Planning Application No. / Site / Page Nos.	Speakers
Item 6 Application No.CA/23/01733/FUL The Brambles, Hawthorn Corner, Herne Bay (pages 10 - 21)	
Item 7 Application No.CA/23/01658/LBC 18-21 Stour Street, Canterbury (pages 22 - 27)	

Planning Application No. / Site / Page Nos.	Speakers
Item 8 Application No. CA/23/00044/VAR 13 High Street, Whitstable (pages 28 - 36)	1. Mick Steward (objector) 2. Evelyn Tuckwood (objector) 3. Mrs Newman (objector)

456.1 Application No.CA/23/01733/FUL The Brambles, Hawthorn Corner, Herne Bay

Two-storey detached dwelling following demolition of existing outbuildings

A proposal was put that planning permission be GRANTED for the development described in the above application.

When put to a vote, the proposal was AGREED by the committee.

A record of the vote was taken as follows:

For the proposal: Councillors Bothwell, Buckman, Edwards, Franklin, Jones, McKenzie, Mellish, Old, Prentice, D Smith, N Smith, I Stockley, Thomas (13)

Against the proposal: None (0)

Abstained from voting: None (0)

456.2 Application No.CA/23/01658/LBC 18-21 Stour Street, Canterbury

[Councillor Jones made an announcement that he works opposite the application.]

Application for Listed Building Consent for external alterations including renewal of Kent Peg roofs and associated lead work and rainwater goods, brickwork repairs and repointing, stone repairs and repointing, Joinery repairs and repainting external joinery.

A proposal was put that Listed Building Consent be GRANTED for the development described in the above application.

When put to a vote, the proposal was AGREED by the committee.

A record of the vote was taken as follows:

For the proposal: Councillors Bothwell, Buckman, Edwards, Franklin, Jones, McKenzie, Mellish, Old, Prentice, D Smith, N Smith, I Stockley, Thomas (13)

Against the proposal: None (0)

Abstained from voting: None (0)

456.3 Application No. CA/23/00044/VAR 13 High Street, Whitstable

Variation of condition 2 of planning permission CA/21/01038 for Single storey rear extension, extractor flue to rear elevation, awning to front elevation and alterations to fenestration to front elevation, to allow alteration to the height and positioning of extraction system

A proposal was made that planning permission be GRANTED under section 101 for the Variation of condition described in the above application, subject to safeguarding conditions, implementation and verification (required prior to permission being granted) of noise mitigation measures set out in 'Noise Survey - Addendum by Peak Acoustics dated 25 October 2023', with the addition of a Condition requiring the flue to be painted matt black and thereafter retained as such.

When put to a vote, the proposal was AGREED by the committee.

A record of the vote was taken as follows:

For the proposal: Councillors Bothwell, Buckman, Edwards, Franklin, Jones, McKenzie, Mellish, Old, Prentice, D Smith, N Smith (11)

Against the proposal: Councillors Stockley, Thomas (2)

Abstained from voting: None (0)

457. Planning Appeals Report

There were no planning appeals decisions to report.

458. Any urgent business to be dealt with in public

There was no other urgent business to be dealt with in public.

459. ANY OTHER URGENT BUSINESS WHICH FALLS UNDER THE EXEMPT PROVISIONS OF THE LOCAL GOVERNMENT ACT 1972 OR THE FREEDOM OF INFORMATION ACT 2000 OR BOTH

There was no other urgent business which fell under the exempt provisions

460. Date of next meeting

The date of the next meeting was Tuesday 6th Feb 2024

There being no other business the meeting closed at 8.36 pm

CANTERBURY CITY COUNCIL

PLANNING COMMITTEE

Minutes of a meeting held on 6 February 2024,
At 7.00 pm in The Guildhall, St. Peter's Place, Westgate, Canterbury

Present: Councillor Pat Edwards (Chair)
Councillor Dan Smith (Vice Chair)
Councillor Keith Bothwell
Councillor Dane Buckman
Councillor Roben Franklin
Councillor Robert Jones
Councillor Harry McKenzie
Councillor Tom Mellish
Councillor Peter Old
Councillor Paul Prentice
Councillor David Thomas

Officers:

Simon Thomas - Head of Planning and Health
Stevie Andrews - Planning Manager (Development Manager)
Cath Wallen - Principal Solicitor
Elizabeth Donnachie - Planning Officer
Ashley Kynes - Planning Officer
Lauren Wheeler - Democratic Services Officer

512. Apologies

Apologies were received from Councillor Carr-Ellis, Councillor Ian Stockley

513. Substitute members

There were no substitute members.

514. Declarations of any interests by councillors or officers

A generic announcement was made on behalf of all committee members, as follows:
All or some councillors may have received correspondence from or spoken with applicants, agents, supporters or objectors, and some of the public speakers may also be known to members of the committee due to their work as councillors. Neither circumstance prevents councillors from participating in the meeting. However, any

councillor who considers that they do not have an open mind, in respect of any item on the agenda, should not participate in the meeting when the relevant item is to be Discussed.

The following interests were also declared at the meeting:

In respect of item 7, Application No CA/23/02091/FUL, Councillor McKenzie was predetermined and left the Chamber for the item following the speaker section.

In respect of item 8, Application No CA/23/02067/LDC, Councillor Franklin, Councillor Old, and Councillor Smith declared an interest in respect of the application having been made by party member Councillor Sole.

515. Public Participation

The public speakers for the meeting were heard immediately before the consideration of the relevant application below.

516. LIST OF APPLICATIONS AND PROPOSALS

The Committee considered the planning applications, received the observations thereon of interested parties, the reports and recommendations of the Head of Planning, and the comments at the meeting from the public speakers on the applications referred to below. At the commencement of the consideration of the applications, the Committee received a presentation about each application, which included a display of plans, drawings and photographs.

Planning Application No. / Site / Page Nos.	Speakers
Item 5 Application No. CA/23/01248/FUL 48 St Dunstans Street. Canterbury (pages 9-21)	<ol style="list-style-type: none"> 1. Ashley Newstead (supporter) 2. Noemi Bryd (counsel for the agent) 3. Mrs Dunkel (objector)
Item 7 Application No. CA/23/02091/FUL Calcott Bungalow, Calcott Hill, Sturry (pages 32-39)	<ol style="list-style-type: none"> 1. Ms B Goldin (Applicant/supporter), read by Ward Councillor McKenzie

Planning Application No. / Site / Page Nos.	Speakers
Item 8 Application No. CA/23/02067/LDC Birch Lodge, Kingston (pages 40-43)	

516.1 Application No. CA/23/01248/FUL 48 St Dunstons Street. Canterbury

Two and a half-storey building with retail use at ground floor and 2 apartments at first floor and within roof space.

A proposal was put that planning permission be GRANTED for the development described in the above application, subject to safeguarding conditions.

When put to a vote, the proposal was AGREED by the committee.
 A record of the vote was taken as follows:

For the proposal: Councillors Bothwell, Buckman, Edwards, Franklin, Jones, McKenzie, Mellish, Old, Prentice, D Smith, Thomas (11)

Against the proposal: None (0)

Abstained from voting: None (0)

516.2 Application No. CA/20/00399/VAR Disused Railway Embankment From All Saints Close To Northwood Road, Whitstable

The application was withdrawn prior to the meeting.

516.3 Application No. CA/23/02091/FUL Calcott Bungalow, Calcott Hill, Sturry

[Councillor McKenzie was predetermined and left the Chamber for the item following the speaker section.]

Change of use from residential dwelling to mixed use comprising first floor flat and a dental and aesthetics clinic and associated external alterations together with extension to car park and creation of new vehicular access.

A proposal was put that planning permission be REFUSED for the development described in the above application.

For the proposal: Councillors Bothwell, Buckman, Edwards, Franklin, Jones, Mellish, Old, Prentice, D Smith, Thomas (10)

Against the proposal: None (0)

Abstained from voting: None (0)

516.4 Application No. CA/23/02067/LDC Birch Lodge, Kingston

[Councillor Franklin, Councillor Old, and Councillor D Smith declared an interest in respect of the application having been made by party member Councillor Sole.]

Application for lawful development certificate for proposed replacement of the ground floor rear UPVC window with UPVC french doors.

It was put to the committee that the proposal was Lawful.

For the proposal: Councillors Bothwell, Buckman, Edwards, Jones, Mellish, Prentice, Thomas (8)

Against the proposal: None (0)

Abstained from voting: Councillors Franklin, Old, D Smith (3)

517. Planning Appeals Report

There were no planning appeals decisions to report.

518. Any urgent business to be dealt with in public

There was no other urgent business to be dealt with in public.

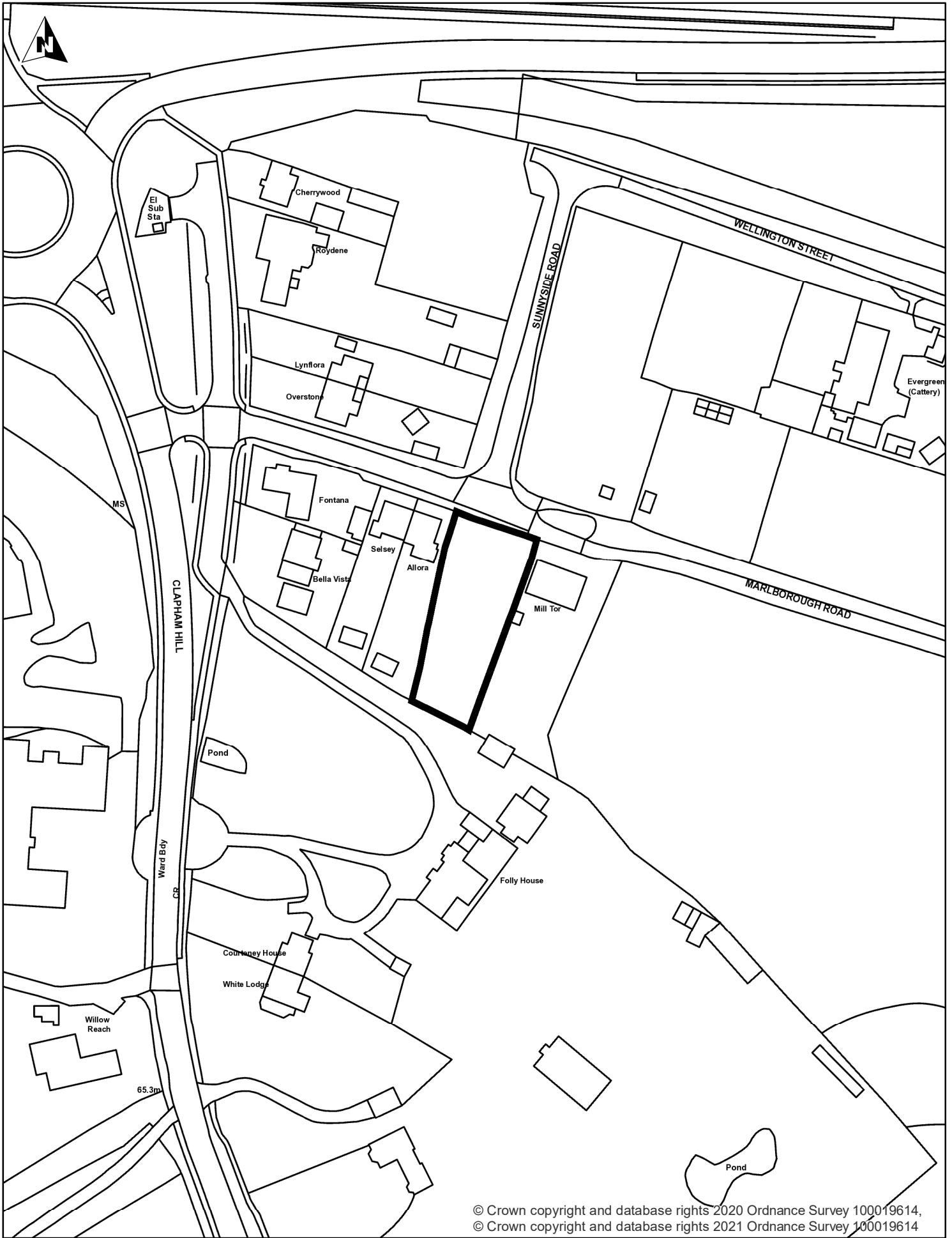
519. ANY OTHER URGENT BUSINESS WHICH FALLS UNDER THE EXEMPT PROVISIONS OF THE LOCAL GOVERNMENT ACT 1972 OR THE FREEDOM OF INFORMATION ACT 2000 OR BOTH

There was no other urgent business which fell under the exempt provisions

There being no other business the meeting closed at 8.00pm

Item 6

Application No. CA/23/02378/FUL/ Land between Allora and Mill Tor



Case Ref: CA/23/02378/FUL

Author: Planning Services

Scale 1:1,250

Map Dated: 23/02/2024

Marlborough Road (Street)

Tarmac

Unmade Surface

Selsey

Allora

Mill Tor



DAWSON WILLIAMSON
 ARCHITECTS
 Bradford Edinburgh
 01274 551 300
 info@dawsonwilliamson.co.uk

S1022 506 Rev 6
 TITLE SITE DRAWINGS
 SITE EXTENTS COMPARISON PLAN
 SCALE 1:100 @ A1; 1:200 @ A3
 PRELIMINARY
 CLIENT MRS H MARTIN
 PROJECT NEW DWELLING HOUSE
 LAND BETWEEN ALLORA & MILL TOR
 MARLBOROUGH ROAD
 KENT
 CT5 3DH

Rev 1	24.10.2023	Preliminary Issue
Rev 2	26.10.2023	Additional line added adjacent eastern boundary to Mill Tor
Rev 3	09.11.2023	Updated as per Client comments.
Rev 4	06.12.2023	Digitise This Surveys data added in relation to measured fence line to be erected.
Rev 5	07.12.2023	Minor adjustment as per Client email of 07.12.2023.
Rev 6	07.12.2023	Minor adjustment as per Client email of 07.12.2023.

Ordnance Survey Plan Data
 PJ Thomason and Associates (2001) Data
 Digitise This Surveys (2023) Data, Measured Fence to be erected

DO NOT SCALE FROM THIS DRAWING
 Notes
 All dimensions to be checked on site
 Any discrepancies to be reported immediately to the Architect
 Drawing to be read in conjunction with all relevant design information, including Architects, Services, Civil and Structural Engineers drawings
 All existing site, tree, building and survey information has been compiled from different sources, including information supplied by third parties
NOT FOR CONSTRUCTION

PLANNING COMMITTEE

APPLICATION NUMBER:	CA/23/02378
SITE LOCATION:	Land Between Allora and Mill Tor, Marlborough Road, Whitstable, CT5 3DH
PROPOSAL:	Two-storey detached dwelling together with detached garage
APPLICATION TYPE:	Full planning application
DATE REGISTERED:	25th December 2023
TARGET DATE:	19th February 2024
LISTED BUILDING:	No
CONSERVATION AREA:	No
WARD:	Gorrell
APPLICANT:	Ms Hazel Martin
AGENT:	Mr David Williamson
CASE OFFICER:	Christian De Grussa
WEBLINK:	https://drive.google.com/drive/folders/1c2BVVU-ljqkWxVJdXcFrvrL0jPKRrAyC
RECOMMENDATION:	Section 101 grant, subject to safeguarding conditions

SITE LOCATION AND DESCRIPTION

1. The site comprises a rectangular plot of mown grassland between the existing dwellings Allora and Mill Tor on Marlborough Road. It lies within a small cluster of houses grouped around the junction of Marlborough Road and Clapham Hill, just to the south of Whitstable. Within the group, the properties are a mixture of medium-sized, detached and semi-detached houses and bungalows, arranged in a linear fashion, on evenly-spaced and regularly shaped plots.

RELEVANT PLANNING HISTORY

2. **CA/22/00974** - full planning application allowed on appeal for a detached two-storey dwelling.

PROPOSED DEVELOPMENT

3. Full planning permission is sought for a two-storey detached dwelling and garage. This is an amended scheme to that approved on appeal under application CA/22/00974 in that a more contemporary design is now proposed under this application, with the dwelling being set further back within the plot to accommodate a single bay garage.

REPRESENTATIONS

4. Letters were sent to neighbouring occupiers and a site notice was placed in the vicinity of the site. No letters of representation were received.

DEVELOPMENT PLAN POLICIES

Canterbury District Local Plan 2017

DBE3 - Expectation of high quality design

DBE4 - Residential Space Standards

HD8 - New Dwellings in the Countryside

LB5 - Sites of International Conservation Importance

LB9 - Biodiversity

SP1 - Sustainable development

SP4 - Residential development directed to urban areas

SP6 - SAMMs Thanet Coast and Sandwich Bay/Thames and Swale SPAs

T9 - Parking standards

Draft Canterbury District Local Plan 2045

SS1 - Environmental Strategy for the District

SS2 - Sustainable Design Strategy for the District

SS3 - Development Strategy for the District

W3 - Whitstable urban area

DS6 - Sustainable design

DS13 - Movement hierarchy

DS14 - Active and Sustainable transport

DS15 - Highways and Parking

DS17 - Habitats of International Importance

DS18 - Habitats and landscapes of national importance

DS21 - Supporting biodiversity recovery

DM5 - Parking design

DM11 - Residential design

ASSESSMENT

5. The application is brought to the Planning Committee to determine as it represents a departure from the Canterbury District Local Plan 2017. The main considerations in the assessment of this application are:
 - Principle
 - Character and appearance
 - Living conditions
 - Parking and highway safety
 - Ecology and biodiversity

Principle

6. As mentioned previously in this report, planning permission was recently granted on appeal under application CA/22/00974 for a new dwelling. Given the fallback of this previous planning permission, the principle of the development is considered to be acceptable.

Character and appearance

7. The Local Plan requires that new development has sufficient regard for the character and context of the application site.
8. The Inspector on the previous appeal noted that *“the new dwelling proposed would be somewhat larger, and more modern in its styling, than either of its immediate neighbours. However, given the sizes and general character of the other properties in the area generally, I do not consider that the design would be out of place.”*
9. The majority of proposed dwelling would be sited further back within the plot than the previously approved scheme, but this would still follow the general linear pattern of development that characterises the streetscene, with the front building line of the proposed garage continuing that of the neighbouring property Mill Tor to the east. Whilst its footprint is larger, the proposed dwelling would remain spaced well away from either of the side boundaries with the neighbouring properties and sit comfortably within the plot. The scale and contemporary design of the proposed dwelling are also considered to be acceptable given the variation found in the wider vicinity along both Marlborough Road and Clapham Hill.
10. Given the above assessment, the proposal is considered to not result in harm to the character of the area, in accordance with policy DBE3 of the Canterbury District Local Plan 2017 and the NPPF.

Living conditions

11. The Local Plan aims to secure a good standard of amenity for all existing and future occupants of land and buildings and all new housing proposals should have an

acceptable standard of accommodation in terms of internal layout, room sizes and amenity space.

Existing neighbours

12. The proposed dwelling would be sited further back within the plot than the previously approved scheme, but would remain spaced well away from either of the side boundaries with the neighbouring properties and so would not result in an overbearing form of development. A first floor window is proposed to the east elevation facing the garden of the neighbouring Mill Tor and to prevent overlooking and loss of privacy, a condition requiring the window to be obscure glazed and non-opening below 1.7m is recommended.
13. In light of the above, the proposal is considered to not have a harmful impact on the living conditions of neighbouring property occupiers, in accordance with policy DBE3 of the Canterbury District Local Plan 2017 and the NPPF.

Future occupiers

14. The proposed dwelling exceeds the Government's internal space standards for new residential development. The block plan shows adequate external amenity space to be provided, with space outside the proposed dwelling for refuse and cycle storage.
15. In light of the above, it is considered that the proposal would offer occupiers an acceptable standard of accommodation, in accordance with policies DBE4 and DBE6 of the Canterbury District Local Plan 2017 and the NPPF.

Parking and highway safety

16. The Local Plan requires that development proposals will ensure safe movement within and around the proposed development.
17. As per the previous appeal decision, Marlborough Road and the neighbouring roads Sunnyside and Wellington Street serve only a handful of properties before leading to dead-ends and so the creation of a new access together with the limited uplift in the number of vehicle movements resulting from the proposed dwelling is acceptable. The scheme would also make provision for sufficient on-site parking and the ability to enter and exit the site in forward gear, as per the Council's vehicle parking standards.
18. Given the above, the proposal is considered to not result in harm to highway safety, in accordance with policies DBE3 and T9 of the Canterbury District Local Plan 2017 and the NPPF.

Ecology and biodiversity

19. Under the provisions of the Habitats Regulations, the Council is required to consider the potential impacts of new development on European-designated sites including Special Protection Areas (SPA), Special Areas of Conservation (SAC) or Ramsar

sites and where appropriate, mitigate the effect of proposed development upon such protected sites.

20. The proposed development would place increased pressure on the special character and ecological importance of the Thanet Coast and Sandwich Bay SPA and the Thames, Medway and Swale Estuaries SPA that, without mitigation, would be detrimental to the ecological importance of the area.
21. Subject to the legal agreement securing the required mitigation, the proposal is considered to comply with policies LB5, LB9 and SP6 of the Canterbury District Local Plan 2017 and the NPPF.

RECOMMENDATION

22. For the reasons set out above, it is recommended that planning permission be granted subject to safeguarding conditions and the completion of a legal agreement.
23. On the basis of the assessment above, the proposed development complies with the relevant policies of the adopted Local Plan. The draft Local Plan to 2045 is a material consideration in the assessment of this application. Having regard to the relevant policies in the draft Local Plan and the weight of the draft Local Plan, it does not indicate that a decision should be made other than to grant the application on the basis of the assessment above.

DRAFT CONDITIONS FOR DECISION NOTICE

Application No: **CA/23/02378**

Proposal: **Two-storey detached dwelling together with detached garage**

Location: **Land Between Allora and Mill Tor, Marlborough Road, Whitstable, CT5 3DH**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: In pursuance of Section 91(1) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby approved shall be carried out in accordance with the submitted drawings received on 14/11/23:

- S1022-501-Rev 1 - Site Drawings Ordnance Survey Plan
- S1022-501-Rev 3 - GA Plans Ground Floor Level
- S1022-507-Rev 1 - Site Drawings Adjacent Plot Comparison
- S1022-535-Rev 2 - Proposed Drawings GA Elevations
- S1022-522-Rev 3 - GA Plans First Floor Level
- S1022-534-Rev 2 - Proposed Drawings GA Elevations
- S1022-521-Rev 3 - GA Plans Ground Floor Level
- S1022-531-Rev 1 - Proposed Drawings Site Elevations
- S1022-506-Rev 6 - Site Drawings Site Extents Comparison Plan
- Location Plan

REASON: To secure the proper development of the area.

3. Prior to the first occupation of the development, details of secure cycle parking facilities shall be submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved details and shall be provided prior to the first occupation of the dwelling and thereafter maintained.

REASON: In the interests of promoting increased cycling in accordance with the National Planning Policy Framework and in accordance policy.

4. The first floor ensuite bathroom window hereby approved in the east flank elevation shall be non-opening up to 1.7m above the finished floor level of the room that they serve and shall be provided and maintained with obscured glass to a minimum level of obscurity to conform to Pilkington Glass level 3 or equivalent. The window shall

only be installed in accordance with this specification and shall be permanently retained as such thereafter.

REASON: To safeguard the privacy and amenities currently enjoyed by the occupiers of adjoining residential properties in accordance with policy DBE3 of the Canterbury District Local Plan 2017

5. Prior to the first occupation or use of the development, the area shown on the deposited plan for the access and parking and manoeuvring of vehicles shall be operational. The area agreed shall thereafter be maintained for that purpose.

REASON: In the interests of highway safety and in accordance with policy T9 of the Canterbury District Local Plan 2017.