

PROPOSED DEVELOPMENT

The application proposes the change of use of the building from a public house to a house in multiple occupation for 15 people together with alterations to the existing single storey rear conservatory. The rooms would each have a kitchenette and shower rooms, toilets and a laundry room would be shared. A patio would be provided to the rear along with refuse and cycle storage areas for use by future occupants of the rooms. The public house has been vacant since November 2014.

DEVELOPMENT PLAN POLICIES

H1 – Housing
H11 – Non-self Contained Residential Accommodation
H4 – Windfall housing Sites
D1 – Design
TR12 – Cycling
TR16 – Car Parking

NOTIFICATIONS

Neighbour notification letters were sent to properties directly surrounding the site and a site notice posted near the site. One objection has been received in response raising the following concerns:

- Impact on neighbouring amenity
- Impact on neighbouring property values

Ramsgate Town Council: Strongly objects to the application and considers it to be overdevelopment; cramming people into limited space with limited facilities will create a living slum. This standard of accommodation should not be tolerated in this day and age in Thanet. There is also no parking provision.

CONSULTATIONS

Housing Improvement Officer: The applicant has already been in contact with us relating to amenities and I gave them some advice. The advice was whilst there are adequate kitchens, shared showers and WC's and the room sizes were acceptable we were concerned that with 15 rooms there will be a need for significant management arrangements. From our experience this type of larger HMO have caused problems relating to the management particularly around anti-social behaviour, noise and waste. With the potential of 15 occupiers and visitors there could be large amounts of activity from people coming and going at all times. At present we do not have any Mandatory Licenced HMO's in the adjoining roads.

Environmental Health Officer: Given the proposed use as an HMO there needs to be adequate sound insulation between adjacent walls and floors. The applicant should be referred to Building Control for both consultation on the installation of noise insulation between rooms for residential purposes, and of the suitability of the existing structure for

conversion to residential accommodation. Should Building Control not wish to comment, the applicant should be required as a condition of approval, if given, to submit a noise insulation scheme, together with appropriate cross-sections, for the conversion. This should ensure that the proposal satisfies the Building Regulations, Approved Document E: Resistance to the Passage of Sound.

Building Control Officer: Advised that the laundry within the basement identified on the original plans would not achieve adequate head height and should be relocated. The remainder of the development could meet building regulations. Amended plans relocated the laundry room to the ground floor in place of the originally proposed sixteenth room.

Waste and Recycling Officer: The storage area would be okay but would be better for the bins to all be together at the far end by the big gates.

COMMENTS

The application is brought before members at the request of Councillor Campbell for the following reasons: over development, lack of parking facilities, cramped and unsuitable accommodation.

The main considerations in determining this application are the principle of the change of use, the impact on the character and appearance of the area, the impact on the living conditions of future and neighbouring property occupiers and impact on the local highway network.

Principle

Housing

The site lies within the urban confines and the proposal is for non self contained accommodation. In the local plan it is stated that whilst the Council does not wish to encourage the proliferation of HMOs it recognises that such sharing arrangements can provide a source of cheap rented accommodation and are typically suited to the needs of small households. Policy H11 of the Local Plan allows for the provision of HMOs, subject to account being taken of the existing concentration of such accommodation in the local area and the likely impacts in terms of potential noise, disturbance as well as the visual impact and the adequacy of car parking provision and bin storage

Loss of Community Facility

Policy CF1 of the Thanet Local Plan and the National Planning Policy Framework strongly support the retention of community facilities, unless there is evidence to suggest that the community use of the building is no longer needed. Policy CF1 only allows the change of use of existing community facilities for non-community uses if it is demonstrated that there is no longer a sufficient need for the facilities to warrant retention for community use, or if it can be demonstrated that adequate alternative accommodation appropriate to community use will be provided. The applicant has sought to justify the loss of the public house on viability grounds and the provision of alternative public houses in close proximity to the application site.

The applicant's supporting document includes a letter from Porters Chartered Surveyors stating that between August 2013 and September 2014 Shepherd Neame had been marketing the public house as a tenancy, however, despite offering the tenancy on easy terms at a low rent of £150 per week they were unable to secure a suitable tenant. The marketing of the freehold of the property commenced in early September 2014. For Sale boards were erected and at the time of submission of the application the boards remain on the premises making it clear that the freehold of the property is for sale to all local residents. In addition, the property was marketed via the internet, on Porters websites, the Publicans Morning Advertiser and Daltons Weekly. The details were emailed to approximately 400 applicants on Porters mailing list who had contacted them previously expressing interest in freehold properties in the area. Further advertisements were placed in national trade magazines primarily aimed at the licensed trade. During the six months that the For Sale boards have been erected on the premises no direct communication has been received from community groups enquiring as to the suitability of the premises for their use. Porters confirm that only one serious offer for the premises was received during the marketing period and that was by the applicant of this planning application.

In addition to this, supporting evidence, produced by Shepherd Neame, has been provided to support the application. The document highlights that trade has been declining since 2001, with the number of barrels a year reducing from 82.63 in 2001 to 9.93 in 2014. Shepherd Neame advise within the document that they have supported the public house with investment and they consider that the premises has become increasingly and now terminally unviable.

The evidence submitted suggests that there is no viable community use for the site. The applicant has provided a clear explanation for why the continued use of the public house is no longer viable (including representations from Shepherd Neame and Porters). Nor has any alternative community use been forthcoming. It is therefore considered, regrettably, that the loss of the community facility in this instance is justified, and should not be refused under Policy CF1 of the Thanet Local Plan.

Character and Appearance

The building occupies a prominent corner location at the junction of traffic lights and fronts both Margate Road and Princes Road. The surrounding area is predominantly in residential use with some commercial properties. Due to the height of the existing wall to the boundary with Princes Road, the proposed bin store and cycle storage areas would not be highly visible from the public highway and would be accessible through gates within the wall. There are no alterations proposed to the front or side elevations of the building. The alterations proposed to the existing single storey rear conservatory involve the replacement of the glazed roof with slates and replacement of the glazed panels with brickwork to match the existing together with the insertion of windows and door to the rear. Whilst this addition is visible from public vantage points it is not considered that the proposed alterations to the existing structure would cause material harm to the character and appearance of the area.

Living Conditions

In terms of living conditions, the application proposes the change of use to a house in multiple occupation comprising fifteen rooms for single occupancy. The plans indicate five rooms on each of the three floors, at ground floor there would be a laundry room, two shared shower rooms and two further toilets and there would be a shared shower room and additional toilet to first and second floors. All occupants would have access to a patio to the rear of the property and refuse would be stored to the rear of the site and these arrangements are considered acceptable. Each of the rooms would have a bed, kitchenette, wardrobe, table and chair and range in size from 12.97m² to 18.66m². Whilst the proposed rooms would not provide a high standard of accommodation, based on their size, they would provide the necessary facilities and meet private sector housing licencing requirements and are therefore considered adequate.

The application building is detached and the nearest neighbouring property no. 70 Margate Road is in residential use. Concern has been highlighted by the Housing Officer that houses in multiple occupation of the size proposed have caused issues relating to anti-social behaviour, noise and waste in their experience and the smooth operation of these properties relies heavily upon management arrangements. The applicant has provided information relating to the management procedures they employ within their other houses in multiple occupation and these are extremely comprehensive. However, management procedures cannot be conditioned as part of a house in multiple occupation licence. In accordance with Thanet Local Plan Policy H11 account must be taken of the likely or experienced effect of the proposed used on the character and amenity of the locality resulting from noise, disturbance and visual impact. The existing lawful use of the building as a public house with accommodation to upper floors has the potential to generate a degree of noise and disturbance as would alternative community facilities. The housing department confirm that they do not have any mandatory licenced houses in multiple occupation in the adjoining roads and therefore the proposal would not result in an intensification or concentration detrimental to the amenity and character of the neighbourhood. These factors should be considered and balanced against the fact that the former public house is located on the corner of busy road junction and as such the local environment is generally noisier than the majority of residential areas in Thanet.

Highways

Whilst the application does not propose off street parking, it is located on the corner of a busy traffic light junction and there is limited on street car parking available in the vicinity of the site. The application makes cycle parking provision to the rear of the site. The site is within close proximity of a convenience store and benefits from good bus and train public transport links. I am therefore satisfied that no material harm would be caused to the local highway network or highway safety.

Other Matters

Concern has been raised regarding the impact the proposed change of use may have upon neighbouring property values; however this is not a material planning consideration.

Conclusion

It is considered that the proposed change of use would comply with Thanet Local Plan Policy CF1, would not cause harm to the character or appearance of the area or highway safety and would provide an adequate standard of accommodation for future occupiers, in accordance with Thanet Local Plan Policies and the National Planning Policy Framework. However, in determining this application Members should give very careful consideration to the potential impact upon the residential amenity of the area . This is a finely balanced case, which Officers consider would justify the grant of planning permission in this instance, and should Members agree then it is recommended that permission be granted subject to the conditions set out in this report.

CASE OFFICER
Helen Johnson

Title: F/TH/15/0084

Project name: Derby Arms, 72 Margate Road, Ramsgate

Notes:

Scale: 1:1,250

Author:



Legend

F/TH/15/0084

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