A01

F/TH/16/0423

PROPOSAL:

Change of use from Public House to 4No. 1-bedflats, 3No. 2-bed flats and 3 letting rooms with associated parking, bin and cycle stores, together with micro pub on ground floor and the erection of a first floor extension and erection of 3no. town

LOCATION:

houses with associated gardens and parking.

20 Beach Road Westgate On Sea Kent CT8 8AD

WARD:

Westgate-on-Sea

AGENT:

Mr Stuart Bonnage

APPLICANT:

Mr Alistair Noel

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).

The proposed development shall be carried out in accordance with the submitted application as amended by the revised drawings:

22531A 10 Revision D received 17/08/16

22531A/20 Revision A received 22/03/16

22531A/21 Revision A received 22/03/16

22531A/22 Revision A received 22/03/16

22531A/24 Revision C

22531A/25 Revision E revised 17/08/16

22531A/26 Revision D

22531A/27 received 04/10/16

22531A/28 Revision A

22531A/29 Revision C received 17/08/16

22531A/30 received 04/10/16

GROUND:

To secure the proper development of the area.

3 Prior to the commencement of the development hereby approved samples of the materials to be used in the construction of the external surfaces of the development hereby approved shall be submitted to, and approved in writing by, the Local Planning Authority. Development shall be carried out in accordance with the approved samples.

GROUND:

In the interests of visual amenity in accordance with Policy D1 of the Thanet Local Plan

4 All new window and door openings to The Knot shall have a reveal of not less than 100mm

GROUND:

In the interests of visual amenity in accordance with Policy D1 of the Thanet Local Plan

- 5 No development shall take place until a Construction Environmental Management Plan, which shall include the following details:
- o timing/programme of works of construction
- o mitigation for the construction phase of the development
- o traffic movements to and from the site and any necessary traffic management measures
- o areas for parking, loading, turning and unloading by site personnel, visitors and delivery vehicles
- o wheel washing facilities

has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

GROUND:

To ensure pollution prevention measures are in place for all potentially polluting activities during construction in accordance within National Planning Policy Framework paragraph 109 and in the interests of highway safety

6 No seating (tables, chairs or benches) associated with the A4 planning class premises shall be placed on the forecourt area to the front of the licensed premises at any time.

Ground: In the interests of residential amenity in accordance with policy D1.

7 No deliveries to the site associated with the A4 planning class use (Drinking establishments) shall be received outside of 09:00am to 17:00pm Monday to Friday.

Ground: In the interests of residential amenity in accordance with policy D1.

8 Prior to installation of any new plant and equipment associated with the brewing of alcohol in the basement of the A4 planning class use (drinking establishments), the occupant or operator shall provide the local planning authority with an operational plan. No installation of new plant and equipment shall commence until the operational plan has been agreed in

writing by the local planning authority. The operational plan shall include information (but not limited to):

- a. A plan of the basement area with plant and equipment position shown
- b. List of equipment to be used in the brewing process and its sound power level.
- c. A noise management plan for plant and equipment. This is to include planned mitigation if it is identified as required.
- d. An odour management plan for the brewing equipment and process. This is to include planned mitigation if it is identified as required.

The development shall be carried out in full accordance with the agreed details:

Ground: In the interests of residential amenity in accordance with policy D1.

9 No development in association with the conversion of The Knot shall commence until a scheme to protect the approved residential unit 4 from noise from the 'Micropub' has been submitted to and approved by the Local Planning Authority. The scheme shall be implemented as approved before the unit 4 is occupied.

Ground: To minimise the disturbance of noise that could be caused to incoming occupiers of unit 4 from the adjoining 'Micropub'.

No residential unit within The Knot shall be occupied until a detailed scheme for the parking of cycles and refuse store has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented before the development is first occupied or brought into use and thereafter retained for this purpose.

Ground: To ensure the provision of adequate cycle parking that meets the needs of occupiers of the proposed development and in the interests of encouraging the use of sustainable modes of transport and to ensure there is sufficient space for bins within the development.

- 11 Prior to the commencement of development hereby approved, full details of both hard and soft landscape works, to include:
- o species, size and location of new trees, shrubs, hedges and grassed areas to be planted
- o the treatment proposed for all hard surfaced areas beyond the limits of the highway
- o walls, fences, other means of enclosure proposed

shall be submitted to, and approved in writing by, the Local Planning Authority.

GROUND:

In the interests of the visual amenities of the area and to adequately integrate the development into the environment in accordance with Policies D1 and D2 of the Thanet Local Plan

All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the of any part of the development,

or in accordance with a programme of works to be agreed in writing with the Local Planning Authority. Any trees or plants which within a period of 5 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 any written consent to any variation.

GROUND:

In the interests of the visual amenities of the area in accordance with Policies D1 and D2 of the Thanet Local Plan

A landscape management plan (including long term design objectives), management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned, domestic gardens, shall be submitted to and approved in writing by the local planning authority prior to the occupation of the development or any phase of the development, whichever is the sooner, for its approved use. The landscape management plan shall be carried out as approved.

GROUND:

In the interests of the visual amenities of the area and to adequately integrate the development into the environment in accordance with Policies D1 and D2 of the Thanet Local Plan

Prior to the first occupation of the development hereby permitted the parking / turning facilities as shown on drawing numbered 22531A_10 Revision D shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.

GROUND:

To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety.

SITE, LOCATION AND DESCRIPTION

The application site comprises The Knot Public House/Restaurant/B&B Hotel (ten letting rooms and landlords' flat), its associated garden and parking to the rear. The site is bounded on three sides by roads; Beach Road, Beach Rise and Old Boundary Road. The public House itself comprises a two and a half storey building with semi-basement level. The building is constructed in brick, which has been painted cream, the building appears to have been extended previously and also has an existing flue positioned on the rear elevation.

The car park to the east of The Knot is at a lower level to Old Boundary Road and is enclosed by an existing wall; this is separated from the garden area by an existing close boarded fence. The site is located in the Westgate Conservation Area.

The surrounding area is predominately residential in character; to the north, west and south. To the east of the site are tennis courts and Old Boundary Road leads to a car park owned by TDC, both are outside the Conservation Area.

RELEVANT PLANNING HISTORY

F/TH/08/0104 Erection of terrasol in garden and replacement of window to door Refused 17/03/08

F/TH/04/1387 Change of use of first floor to guest accommodation together with erection of external steel staircase. Granted 04/01/05

PROPOSED DEVELOPMENT

The proposal seeks detailed planning permission for the change of use from Public House to 4No. 1-bed flats, 3No. 2-bed flats and 3 letting rooms with associated parking, bin and cycle stores, together with micro pub on ground floor and the erection of a first floor extension and erection of 3no. town houses with associated gardens and parking.

In terms of the conversion of the public house; at the basement is a two bedroom flat, the ground floor contains two, one bed flat, one, two bed flat and the micro pub. Each flat on this floor has its own access. At first floor level are two one bedroom units (unit 7 would be accessed via an entrance from Beach Road and units 5 and 6 are accessed via the proposed extension to facilitate the stairwells. Two letting rooms are also provided at first floor level and one on the second floor, all of these rooms are accessed from Beach Road and have en suite facilities. The external metal fire escape and flue will be removed as part of the proposal.

Seven parking spaces are provided to the rear of The Knot Public House together with a total of four visitor parking spaces.

With regard to the three town houses (approximately 9.7m to ridge height from road level), with accommodation across four floors, these have a pitched with, with the ridge parallel to Old Boundary Road. The town houses have two parking spaces each to the rear of the properties, these are formed by a mix of carports and open spaces. The three houses are terrace with the property adjoining Beach Lodge being slightly larger. Due to the change in levels access off Old Boundary Road is via steps to the front door, a patio area is provided to the rear with steps leading down into their respective garden areas.

The application was amended during the application process to address concerns raised; this involved the removal of one of the town houses fronting Old Boundary Road, the scheme is now for three instead of four town houses.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan 2006 (Saved Policies)

H1 - Residential Development Sites H4 - Windfall Sites TR16 - Car Parking Provision D1 - Design Principles D2 - Landscape
T1 - Tourist Facilities
SR5 - Play Space
SR11 _ Private Open Space
CF1 - Community Facilities

NOTIFICATIONS

A total of **ten** letters were received to the initial consultation in reference to this application. Of which there are **six** letters objecting to the scheme, **four** supporting the scheme and one petition signed by **six** people. The letters of objection raise the following concerns:

- * Noise nuisance
- * Increase in traffic
- * Insufficient parking for the development in an area that is heavily parked
- * Loss of a community facility
- * The micro pub has no toilets
- * Four dwellings to the rear is an over-development of the site in the Conservation Area
- * Additional stress on the sewer network
- * Sense of enclosure
- * Loss of light
- * Overlooking
- * Potential archaeology
- * Underground stream potential under the car park

Following the further consultation a further **three** letters were received. The following concerns were made:

- * Over development
- * Lack of toilet in the micro pub
- * Parking issues
- * Concern about potential for rubbish generated by multiple occupancy
- * Do not want a pub in a residential area
- * Addition stress on sewer network
- * Overlooking
- * Loss of light

CONSULTATIONS

Westgate Town Council: In spite of the concern at the loss of a large community asset, the Council recognises the compromise made by the provision of a micro pub and B&B

Conservation Officer: Initial comments This part of the conservation area has attractive properties which are apparently mostly 2 storeys high with numerous chimney stacks which add interest to their roofscapes. Old Boundary Road is characterised by properties set in spacious plots and retain generous gaps between properties and gardens with high levels of landscaping which softens the built form. Although there is a lack of uniformity to the architecture in the area but there is consistency and cohesion in the form, scale, layout and use of materials in buildings in the vicinity of the site. In this respect the form and

appearance of buildings are traditional with a harmony between buildings which creates a pleasing built environment and discernible townscape although the area is to some extent compromised in terms of new builds in terms of design and scale.

The proposed new development would insert 4, three storey town houses into the plot. These buildings would take-up the full width of the plot. They are shown to be slightly less tall than the roof ridges of the adjacent Beach Lodge along Old Boundary Road as a result the proposed development would be too close to Beach Lodge and appear bulky in appearance to dominate and overpower their setting.

In my view therefore, although the proposed town houses have some interesting design qualities they would appear out of character in this location. The proposed form of the town houses would give the buildings a bulky and dominant appearance in the plot and street scene. It will therefore form a discordant development to the street with little visual affinity with the character and appearance of the area. As a consequence would erode the character and appearance of the conservation area.

I have no objection to the proposed alterations to the Public House.

Further comments: Support revised proposals

Westgate Conservation Area Advisory Group: We have previous met with the developers and perused the plans. Our only comments are;

Is the access to the B&B rooms only through the Micro-pub? If so, would this leave the micro-pub vulnerable outside of opening hours?

We feel the first floor of the town houses would flow better if the front bathroom was made into an en-suite with Bedroom 2 and Bedroom 3 was allocated the Bed 2 en-suite, either of which could feature a 'Jack and Jill' double door arrangement to allow additional landing access to a bathroom.

KCC Highways and Transportation: Initial comments The proposal are unlikely to generate a significant increase in vehicle movements compared to that which could be generated by the permitted use as a public house, flat and ten letting rooms. The amount of parking proposed is acceptable, however the current layout of the proposed houses, with courtyard parking remote from the front doors of the dwellings it serves, is likely to lead to obstructive parking on the highway in Old Boundary Road. This element of the proposal is therefore currently unacceptable. In addition:

- 1. The existing car park access should be widened to 6 metres, to provide adequate manoeuvring room for the parking spaces nearest the access
- 2. The single car ports shown should have a minimum internal width of 2.9m. Alternatively they can be changed to open spaces and retain their current width
- 3. A minimum of 1 secure cycle parking space per bedroom should be provided for the houses, which could be provided in the rear gardens.

Further comments: I maintain my previous objection I still think the proposals will lead to obstructive parking on the highway outside the three houses fronting Old Boundary Road. The only potential solution is to implement suitable restrictions to prevent parking, but your Parking Services Team would need to be in agreement with this as they would have to make

the order and carry out enforcement. I am however, not sure that you can condition the provision of such restrictions in a planning consent.

Southern Water: Condition (foul and surface water details and measures to protect public sewers) and informatives requested.

Environmental Health: NO OBJECTION subject to condition.

COMMENTS

This application is brought to Planning Committee, as Cllr Partington and Cllr Bambridge have both raised concerns that the proposal represents an over-development of the site.

The key considerations when assessing this proposal are the principle of development, the loss of a community facility, the impact upon character and appearance, impact upon the living conditions, impact on transportation and any other material considerations.

Principle

The application site lies within the built confines of Westgate and within the Westgate Conservation Area. Within this defined area the principle of new residential development is generally considered to be acceptable under policies H1 and H4.

Furthermore, given that the Council does not currently have a five-year supply of deliverable housing sites, housing applications such as this should be considered in the context of the National Planning Policy Framework's (NPPF's) presumption in favour of sustainable development. This is because local policies relating to the supply of housing are no longer considered up-to-date (para 49). Paragraph 14 of the NPPF states that where relevant local polices are out-of-date, planning permission should be granted unless; any adverse impacts of doing so would 'significantly and demonstrably' outweigh the benefits, when assessed against the policies of the NPPF taken as a whole; or specific policies in the NPPF indicate development should be restricted.

The proposed development would provide residential units in a sustainable location within Westgate. Residential use is considered to be compatible with existing uses. In this case the application site lies within the confines of Westgate which is a sustainable location. As a result there is a presumption in favour of development in this area.

Loss of a community facility

The Knot currently operates on a commercial basis; public house/restaurant and letting rooms and the ending of this use would technically constitute the loss of a community facility under policy CF1. Local Plan policy CF1 states:

"...(B)Planning permission will be granted for the re-use of existing community facilities for alternative (community) uses if the alternative uses are not contrary to other local plan policies and the alternative use and location are demonstrated as appropriate

- (C)Planning permission for the change of use or the re-use of existing community facilities for non-community uses will only be granted if:
- (1) It is demonstrated that there is no longer a sufficient need for the facilities to warrant retention for community use;

Or

(2) It can be demonstrated that adequate alternative accommodation appropriate to community use, and suitably located, will be provided. "

The proposal put forward, retains a community facility, albeit at a much smaller scale; micro pub and three letting rooms. It is therefore considered that part (B) of policy CF1 has been met and that there is no policy objection.

Provision of letting rooms

The National Planning Policy Framework encourages local planning authorities to support sustainable rural tourism and leisure developments that benefit business in rural areas, communities and visitors, and which respect the character of the countryside. The document further advises that this should include supporting the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural services centres.

The Good Practice Guide on Planning for Tourism (2006) also advises that the provision of essential facilities for visitors is vital for the development of tourism in rural areas. Tourism can be a key element in rural diversification; help to revitalize market towns and villages, support important rural services and facilities; and underwrite environmental schemes and improvement to the built and the natural environment. But at the same time, the planning system must aim to ensure that these benefits are achieved in the most sustainable manner possible.

In accordance with national planning policy and guidance, policy T1 of Thanet Local Plan is supportive of development which would extend or upgrade the range of tourist facilities to increase the attraction of tourists to the area or extend the season. Whilst the number of letting rooms is decreased from the current offer under this application, the rooms sizes are increased offering a potential higher standard of room to visitors.

Character and Appearance

The Conservation Area boundary runs along the eastern and part of the western boundary of the site. This application site is within the Conservation Area.

In policy terms the NPPF requires that in determining planning applications, the desirability of sustaining and enhancing the significance of heritage assets is considered as well as the desirability of new development making a positive contribution to local character and distinctiveness. Therefore the Council will preserve and where appropriate enhance its qualities and characteristics.

In addition to national planning policy the local planning authority has statutory duties relating to Conservation Areas. S72 Listed Buildings Act 1990 provides: "In the exercise,

with respect to any buildings or other land in a conservation area, of any functions under or by virtue of [the Planning Acts], special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area."

The public house has a presence in the street scene and is quite prominent in Beach Road. The development proposed includes extensions to this building.

The extensions to this building take the form of two rear two storey extensions; flat roof over the extension providing the stairwell to units 4 and 6 and its extended accommodation and gable over the stairwell extension to units 3 and 5. The extensions are proposed to be in matching materials to the main structure. The proposed extensions to the rear of the building will be within a created courtyard area. This is at the back of the proposed town houses and the public house and whilst there are views from public places (Beach Rise) the works are seen against a backdrop of existing buildings. It is considered the proposed extension will not cause any material harm to the character and appearance of the Conservation Area.

The terrace of three town houses front Old Boundary Road. This would fill a visual gap within the street scene. This gap is not considered important to the character of the Conservation Area, indeed the re-use of this site will provide a visual improvement as the development proposal the removal of the majority of the hardstanding and would create a continuation of street frontage residential development. The design and appearance of the buildings have a contemporary appearance, but clearly take reference from the strong gable and bay windows evident in the street scene. Beach Lodge is a two storey property with a semibasement level, the proposed town houses will also have a semi-basement level with three floors above; utilising the roof space. The ridge and eaves height of the proposed town houses do not exceed nor compete with Beach Lodge in terms of its height or scale. With the reduction in the number of town houses, it is considered that there is adequate spacing between buildings to provide an adequate setting around Beach Lodge. With the alterations to the fenestration; reduction in the width of the gable (previously going across the entire width of each dwelling) and widening the left hand unit slightly a more vertical emphasis has resulted to the town houses and in turn a less bulky and dominant appearance. The Conservation Officer has reviewed the amended plans and considers that these are now acceptable. Therefore proposed town houses are not considered to harm the special character of the Conservation Area, and would remove an area of hardsurfacing which detracts from the appearance of the area, replacing this with streetfronting development offering a visual improvement to the area.

Living Conditions

The proposed end town house is flanked by the side wall of Beach Lodge. This adjoining wall is free of fenestration. The proposed dwellings do extend slightly beyond that of Beach Lodge, but given the separation and angles involved no harm of over-looking, overshadowing or loss of light, or sense of enclosure.

The relationship between the proposed new residential units; flats, within The Knot and proposed houses has been considered. There are windows within the proposed development which look out onto windows of other parts of the proposal. However there is a minimum distance of over 26m between habitable rooms within the town houses and flats.

This is considered an acceptable distance not to result in harmful over-looking and indeed harm from the proposed built form.

The relationship between the proposal and those properties in Beach Rise is considered acceptable given the distance of separation.

In terms of the relationship of the proposal and number 18 Beach Road; this property abuts part of the southern boundary of the site and adjoins the building which is proposed to be converted. This is a two storey dwelling with a first floor window facing the site, there is a flat roof garage with a parapet wall abutting the boundary at ground floor. At the current time the building; The Knot has window openings at both ground and first floor on this elevation; the upper floor serving the landlords' flat. Given the existing means of separation and boundary treatment the proposed habitable windows at ground floor would not give rise to overlooking issues. In terms of the first floor windows the additional windows within the proposed extension serve non-habitable areas. Whilst one of the extensions is proposed adjacent to this boundary it is considered no material harm would occur as the site boundary tapers away from this dwelling and it has a flat roof therefore this extension will not cause a significant sense of enclosure or overlooking.

The proposed flats would provide a good standard of accommodation exceeding the minimum overall size required, with acceptable levels of light, outlook, circulation space and good access externally into the units. Unit 4 will back onto the micro pub and there could be potential for noise and disturbance from the use. Environmental Health have requested a condition to protect the occupier of this unit. Subject to this noise protection condition I do not consider that there will be an adverse impact upon the living conditions of existing or future property occupiers, in line with policy D1 of the Thanet Local Plan and the NPPF.

Thanet Local Plan policy SR5 requires doorstep play space to be provided for residential accommodation where two or more bedrooms are proposed. In this case three of the flats have two or more bedrooms and there is only minimal external space available around the building for use by these units. However, given the relatively close proximity to the main commercial area of Westgate and beach, it is considered that the development is acceptable without a designated doorstep play space. An internal store for cycle storage and refuse facilities is proposed to serve the flat units, which provides adequate facilities for future occupiers of the building.

Transportation

The Highways Authority have raised an objection to the proposal. The existing vehicular access will need to be modified, (but remains off Beach Rise) and courtyard area is proposed to be used to serve the new residential units. Two parking spaces (one for each property is provided in the form of a car port) are shown for the three terrace properties and 7 spaces for the flats with room for four spaces for visitors (letting rooms). There is adequate turning space within the parking area with just over 6m separation distance between spaces.

The car park access is shown to be 6 metres wide. The car port spaces shown have a minimum internal width of 2.7m, in line with the highways requirements. It is considered that

there is sufficient space within the proposed dwellings curtilage to accommodate cycle storage.

The Highways Authority also raised concern that the current layout of the proposed houses, with courtyard parking remote from the front doors of the dwellings it serves, is likely to lead to obstructive parking on the highway in Old Boundary Road. In order to resolve this issue the scheme would have to provide parking to the front of the dwellings, in their curtilage. This would create a large swathe of hardstanding to the front of the dwellings. Given that this site is within the Conservation Area where the Local Planning Authority has a duty to preserve or enhance this is not considered to be an appropriate solution and would result in a particular harsh and prominent feature.

It is appreciated that Old Boundary Road is narrow, however the Council is not aware of any particular parking issues in this vicinity, indeed there is a Council owned carpark at the end of Old Boundary Road, which is not heavily utilised, even in the summer months. In the winter months; November to March parking is free.

A cycle store has been proposed for the flats. This provision and its on-going retention can be suitably conditioned if permission is granted.

The concerns raised by the Highways Authority are acknowledged, however in this case it is considered that the scheme's clear benefits need to be balanced against the highway concerns.

Other material considerations

The submitted plans show both an area of hard and soft landscaping, it is considered appropriate to control these details by condition to ensure a high quality development. Soft landscaping is shown around the flat conversion, it is not clear who would maintain these areas, it is suggested that this is controlled by condition.

In terms of the comments raised by Environmental Health, conditions are recommended in relation to the proposed micropub; no seating associated within the A4 use being placed on the forecourt area, no deliveries associated with the A4 use being received outside of the hours of 0900 to 1700 Monday to Friday, details of plant and equipment and mitigation measures being submitted and agreed and a scheme for the protection of noise from the micro pub to unit 4.

The Town Council raised concerns about the access to the letting rooms, it is confirmed that this is via an access off Beach Road and would not be via the micro pub access.

Conclusion

In conclusion, the principle of residential development is acceptable in this location and the scheme is also considered compliant with policy CF1 and T1. The application incorporates elements of design that are evident in the area but with a contemporary feel, to give the design context and therefore the design of the proposal adequately promotes local distinctiveness. The plans show that the proposal will be sufficiently in harmony with the

building characteristics of the area and will enhance the heritage assets of the Conservation Area. The proposal can be achieved without material harm to the amenity of occupants of existing adjoining properties as well as residents of the proposed new dwellings.

In this case there remains a highway objection to the scheme; the remoteness of the car parking provision for the terrace of three dwellings, which front Old Boundary Road. Providing curtilage parking spaces for these dwelling would however necessitate the creation of hardsurfacing to the front of these dwellings which would detract from the design of the units proposed and the Conservation area. Whilst officers acknowledge the concerns of the Highways Authority, in this case it is considered that more weight should be attached to the fact that the proposal will utilise an existing hard surfacing car parking area, which detracts from the visual appearance of the Conservation area, and will provide high quality residential accommodation within the Conservation Area. The proposal also provides adequate amount of off-street parking facilities to the rear of both developments.

Therefore on balance, the proposal is considered to accord with the general principles of the NPPF and Local Plan Policies and accordingly it is recommended that this application is approved, subject to conditions.

Case Officer
Gill Richardson

TITLE:

F/TH/16/0423

Project

20 Beach Road Westgate On Sea Kent CT8 8AD

Scale:

