

Public Document Pack

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Our ref: Planning/Agenda
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PLANNING COMMITTEE

21 SEPTEMBER 2022

A meeting of the Planning Committee will be held at **7.00 pm on Wednesday, 21 September 2022** in the Council Chamber, Council Offices, Cecil Street, Margate, Kent.

Membership:

Councillor Tomlinson (Chair); Councillors: Coleman-Cooke (Vice-Chair), Albon, J Bayford, Crittenden, Everitt, Garner, Hart, Keen, Pat Moore, Paul Moore, Rusiecki, Shrubbs, Wing and Wright

A G E N D A

Item
No

Subject

1. **APOLOGIES FOR ABSENCE**

2. **DECLARATIONS OF INTEREST**

To receive any declarations of interest. Members are advised to consider the advice contained within the Declaration of Interest advice attached to this Agenda. If a Member declares an interest, they should complete the [Declaration of Interest Form](#)

3. **MINUTES OF PREVIOUS MEETING** (Pages 3 - 12)

To approve the Minutes of the Planning Committee meeting held on 17 August 2022, copy attached.

4. **SCHEDULE OF PLANNING APPLICATIONS** (Pages 13 - 16)

To consider the report of the Deputy Chief Executive, copy attached for Members of the Committee.

Note: Copies of correspondence relating to applications received will be available for members' perusal in the Members' Room from 5.00pm on the Friday before the meeting until the date of the meeting.

For Approval

<u>Item No</u>	<u>Subject</u>
4a	<u>A01 F/TH/22/0560 ADDINGTON HOUSE BUSINESS CENTRE ADDINGTON PLACE RAMSGATE KENT CT11 9JG</u> (Pages 17 - 32)
4b	<u>A02 FH/TH/22/0433 9 WISHING TOWERS 18 EASTERN ESPLANADE MARGATE KENT CT9 3BG</u> (Pages 33 - 42)
4c	<u>A03 F/TH/22/0940 9 WISHING TOWERS 18 EASTERN ESPLANADE MARGATE KENT CT9 3BG</u> (Pages 43 - 50)
4d	<u>A04 F/TH/22/0579 RICHBOROUGH ENERGY PARK SANDWICH ROAD RAMSGATE KENT CT13 9NL</u> (Pages 51 - 70)
4e	<u>A05 FH/TH/22/0894 54 STONE ROAD BROADSTAIRS KENT CT10 1DZ</u> (Pages 71 - 80)
4f	<u>A06 FH/TH/22/1039 19 CHURCH ROAD RAMSGATE KENT CT11 8RF</u> (Pages 81 - 88)
4g	<u>A07 F/TH/22/0494 JOSS GAP ROAD BROADSTAIRS KENT</u> (Pages 89 - 106)
4h	<u>A08 F/TH/22/0889 60 NORTHUMBERLAND AVENUE MARGATE KENT CT9 3BJ</u> (Pages 107 - 112)
4i	<u>A09 FH/TH/22/1032 71 WEST DUMPTON LANE RAMSGATE KENT CT11 7BX</u> (Pages 113 - 118)
4j	<u>A10 DM/TH/22/1181 GARAGE BLOCKS AT TOMLIN DRIVE MARGATE KENT</u> (Pages 119 - 124)



Please scan this barcode for an electronic copy of this agenda.

Planning Committee

Minutes of the meeting held on 17 August 2022 at 7.00 pm in Council Chamber, Council Offices, Cecil Street, Margate, Kent.

Present: Councillor Tomlinson (Chair); Councillors Coleman-Cooke, Albon, Austin, Crittenden, Everitt, Hart, Paul Moore, Rusiecki, Shrubbs, Wing and Wright

In

Attendance: Councillors Dexter, Rogers and Shonk

1. **APOLOGIES FOR ABSENCE**

Apologies were received from Councillors Jill Bayford and Garner, in their place were Councillors Austin and Wallin.

2. **DECLARATIONS OF INTEREST**

Councillor Wing declared a significant interest in item 41 - (FH/TH/22/0271) as it was her home address that she was seeking to build an extension on.

3. **MINUTES OF PREVIOUS MEETING**

Councillor Albon proposed, Councillor Rusiecki seconded and Members agreed that the minutes of the meeting held on 20 July 2022 be approved as a correct record.

4. **SCHEDULE OF PLANNING APPLICATIONS**

- (a) **A04 F/TH/22/0549 - 20 - 24 Harbour Street, Ramsgate, Kent, CT11 8HA**

PROPOSAL: Variation of condition 2 of planning permission for F/TH/18/0238 for the "change of use from retail (class A1) and taxi office (class sui-generis) and associated store rooms to consulting rooms at basement level (use class D1) retail (class A1) and taxi office (class sui-generis) at ground floor level together with a 2 storey rear extension with side and rear dormer windows, balcony to rear at first floor level and alterations to fenestration to facilitate 5No 2 bedroom and 1no 3 bedroom self-contained flats on upper floors" to allow the retention of UPVc windows to the rear elevation, alterations to fenestrations, reduction in size of rear balcony, and retention of rear extension for use as bike store.

Mr Cove spoke in favour of the application.

It was proposed by the Chair and seconded by the Vice Chair:

'THAT the officer's recommendation be adopted, namely:

That the application be approved for the following reasons:

The development hereby permitted shall be carried out using only the following approved plans:

92/P01 received 15/02/18 (Proposed Basement and Ground Floor)
92/P03 Rev A received 21/07/22 (Proposed First and Second Floor)
92/P03A (proposed third floor and roof plans)
92/P04 received 15/02/18 (Proposed SW Harbour Street Elevation)
92/P05 received 15/02/18 (Proposed SE Side Elevation)
92/P06 A (Proposed Rear Elevation)
92/P07 received 15/02/18 (Proposed Section AA)
92/P08 received 15/02/18 (Proposed Section BB)

GROUND:

To secure the proper development of the area.

The outrigger shall be used for secure cycle parking facilities as shown on drawing number 92/P03 received 21/07/22 and thereafter retained.

GROUND:

In the interests of promoting increased cycling in accordance with policy TP03 of the Thanet Local Plan.

The refuse storage facilities as shown upon the drawing number 92/P03 received on 21/07/22, shall be used for that purpose only and shall be kept available for that use at all times.

GROUND:

To secure a satisfactory standard of development and in the interests of the amenities of the area, in accordance with policy QD03 of the Thanet Local Plan.

Upon being put to the vote, the motion was declared **CARRIED**.

(b) **A05 FH/TH/22/0797 - 26 Grenville Way, Broadstairs, Kent, CT10 2JR**

PROPOSAL: Erection of a single storey front and rear extension

Mrs King spoke on behalf of Mrs Thompson against the application.

It was proposed by the Chair and seconded by the Vice Chair:

‘THAT the officer’s recommendation be adopted, namely:

That the application be approved for the following reasons:

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 development hereby approved shall be carried out in accordance with the submitted drawings numbered 976A received 20 July 2022.

GROUND:

To secure the proper development of the area.

The external materials and external finishes to be used in the extensions hereby approved shall be of the same colour, finish and texture as those on the existing property.

GROUND:

In the interests of visual amenity in accordance with Policy QD02 of the Thanet Local Plan.

It was proposed by the Chair and seconded by the Vice Chair:

‘THAT this motion be withdrawn in favour of an alternative proposal:’

It was proposed by Councillor Everitt and seconded by Councillor Albon:

“TO defer to officers to seek amendments to alter the extension from pitched roof to flat roof, and bring back to members for determination.”

Upon being put to the vote, the motion was declared **CARRIED**.

- (c) **R07 F/TH/22/0660 - 7, 11 and 15 Westcliff Terrace Mansions, Ramsgate, Kent CT11 0JD**

PROPOSAL: Part retrospective application for replacement window at basement level, replacement and repair to part of balustrading to the rear, installation of door entry systems to front doors and proposed boiler flues to front and rear elevations

Mr Rigden spoke in favour of the application on behalf of Mr Evans.

Councillor Rogers spoke in favour of the application under 20.1 council procedure.

It was proposed by the Chair and seconded by the Vice Chair:

‘THAT the officer’s recommendation be adopted, namely:

That the application be refused for the following reasons:

The proposed development, by virtue of the provision, location and arrangement of the external boiler flues and door entry systems and the materiality of the replacement balustrading would form discordant and

unsympathetic additions and alterations to the Listed Building, and result in a disorderly and cluttered appearance to the front and rear elevations, which would detract from the significance of the Listed Building and result in severe harm to the special character and appearance of the Pegwell Conservation Area, which is not outweighed by the public benefits of the proposal. The proposal would therefore be contrary to Policies HE02 and QD02 of the Thanet Local Plan and paragraphs 130, 197 and 202 of the National Planning Policy Framework.

Upon being put to the vote, the motion was declared **LOST**.

It was proposed by the Chair and seconded by the Councillor Moore:

‘THAT the application be approved as members consider the works would not affect the Pegwell conservation area and the building is subject to safeguarding conditions going forward’

Upon being put to the vote, the motion was declared **CARRIED**.

(d) **R08 L/TH/22/0661 - 7, 11 and 15 Westcliff Terrace Mansions, Ramsgate, Kent, CT11 0JD**

PROPOSAL: Part retrospective application for Listed Building Consent for replacement window at basement level, replacement and repair to part of balustrading to the rear, installation of door entry system to front doors and proposed boiler flues together with internal alterations including the insertion of internal partitions to create en-suite bathrooms to third floor flats

Mr Rigden declined to speak again as he felt like he would be repeating himself from the statement of R07.

Councillor Rogers spoke again under 20.1 of the council procedure in favour of the works.

It was proposed by the Chair and seconded by the Vice Chair:

‘THAT the officer’s recommendation be adopted namely:

That the application be refused for the following reasons:

The retrospective and proposed works to replace part of balustrading to the rear, installation of door entry systems to front doors, installation of boiler flues to front and rear elevations, internal alterations including the insertion of internal walls to provide en-suites and replacement of lathe and plaster with plasterboard and skim would result in the loss or disruption of original historic fabric, and form discordant and unsympathetic additions and alterations which poorly relate to the host building and disrupt the historic layout of the internal space. The proposal would therefore cumulatively significantly detract from, and result in severe harm to, the significance of the Grade II heritage asset, which is not outweighed by public benefits, contrary to Policy HE03 of the Thanet Local Plan and paragraphs 197, 199, 200 and 202.

Upon being put to the vote, the motion was declared **LOST**.

It was proposed by the Chair and seconded by Councillor Austin:

‘THAT the application be approved as members consider that the harm resulting from the development would be outweighed by the public benefits from securing the optimum viable use through the full extent of the works, subject to safeguarding conditions.’

Upon being put to the vote, the motion was declared **CARRIED**.

The Chair adjourned for 5 minutes following the conclusion of this item.

(e) **A01 F/TH/22/0732 - 53 - 57 High Street, Margate, Kent, CT9 1DX**

PROPOSAL: Change of use from retail (Use Class E(a)) to a digital technology and education campus (Use Class F1a) with ancillary cafe facilities and co-working / studio space, cycle storage, refuse storage together with installation of plant at roof level, and elevational refurbishments

It was proposed by the Chair and seconded by the Vice Chair:

‘THAT the officer’s recommendation be adopted namely:

That the application be approved for the following reasons:

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 proposed development shall be carried out in accordance with the submitted application and the approved drawings numbered 08695 LEP-SC-00-DR-A-20015 PA02(received 23/06/22), 08695-LEP-SC-01-DR-A-20016 Revision PA02 (received 23/06/22), 08695-LEP-SC-02-DR-A-20017 Revision PA02 (received 23/06/22), 08695-LEP-SC-03-DR- A-20018 Revision PA02 (received 23/06/22), 08695-LEP-SC-04-DR-A-20019 Revision PA02 (received 23/06/22) and 08695-LEP-SC-XX-DR-A-20035 Revision PA02 (received 23/06/22)

GROUND:

To secure the proper development of the area.

3. The use hereby permitted shall only be carried out between the hours of 6am and 11pm on any given day.

GROUND:

To safeguard the residential amenities currently enjoyed by the occupiers of nearby residential properties in accordance with Policy QD03 of the Thanet Local Plan.

4. All external roof top mechanical plant hereby permitted shall only be operated between the hours of 7am and 11pm on any day.

GROUND:

To safeguard the residential amenities currently enjoyed by the occupiers of nearby residential properties in accordance with Policy QD03 of the Thanet Local Plan.

5. Noise from the running/operation of any mechanical plant shall not exceed at the façade of the nearest noise sensitive receptors: 44 dB LAr (day-time) / 45 dB LAr (up to 20.00 hrs) and 39 dB LAr (20.00 to 23.00hrs). All measurements shall be defined and derived in accordance with BS4142: 2014

GROUND:

To safeguard the residential amenities currently enjoyed by the occupiers of nearby residential properties in accordance with Policy QD03 of the Thanet Local Plan.

6. An acoustic assessment of compliance with condition 5 shall be submitted to the Local Planning Authority no later than two months after commencement of the operation of the development hereby permitted.

GROUND:

To safeguard the residential amenities currently enjoyed by the occupiers of nearby residential properties in accordance with Policy QD03 of the Thanet Local Plan.

7. The area shown on ground floor plan 08695-LEP-SC-00-DR-A-20015 PA01 adjacent to ground floor windows to the High Street elevation shall be kept unobstructed of any internal structures to maintain views into the building.

GROUND:

To maintain an active frontage and avoid visual fragmentation of the retail area to the detriment of the character of the area and the vitality and viability of the town centre, in accordance with Policies QD02 and E04 of the Thanet Local Plan.

Upon being put to the vote, the motion was declared **CARRIED**.

- (f) **A03 F/TH/22/0574 - St Lawrence Tavern, High Street, St Lawrence, Ramsgate, Kent**

PROPOSAL: Erection of new timber pergola to outside seating area.

It was proposed by the Chair and seconded by the Vice Chair:

'THAT the officer's recommendation be adopted, namely:

That the application be approved for the following reasons:

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 proposed development shall be carried out in accordance with the submitted application as amended by the revised drawings numbered 22-034-SGB-002A, 22-034-SGB-003A and 22-034-SGB-004A, received on 20th June 2022.

GROUND:

To secure the proper development of the area.

3. The pergola roof hereby permitted shall be constructed using a red/brown felt in accordance with drawing nos. 22-034-SGB-002A and 22-034-SGB-003A received on 20th June 2022 unless otherwise agreed in writing by the Local Planning Authority.

GROUND:

In the interests of visual amenity in accordance with Policy QD02 of the Thanet Local Plan.

Upon being put to the vote, the motion was declared **CARRIED**.

(g) **A06 FH/TH/22/0801 - Waybank, Way Hill, Minster, Ramsgate, Kent**

PROPOSAL: Retrospective application for the change of use of garage to ancillary living accommodation and garage.

It was proposed by the Chair and seconded by the Vice Chair:

'THAT the officer's recommendation be adopted namely:

That the application be accepted for the following reasons:

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 drawings numbered 05042_MH02 received 10 June 2022.

GROUND:

To secure the proper development of the area.

3. The annexe hereby approved shall be used as ancillary accommodation, incidental to the enjoyment of the main dwelling house.

GROUND:

To ensure that an independent residential use is not created that would fall below the Nationally Described Space Standards identified within Policies QD03 and QD04 of the Thanet Local Plan, and to safeguard the character, appearance and pattern of development of the area, in accordance with Policies QD02 and paragraph 130 of the National Planning Policy Framework.

Upon being put to the vote, the motion was declared **CARRIED**.

- (h) **A02 F/TH/22/0669 - 4 Downbarton Farm Cottages Down, Barton Road, St Nicholas-at-Wade, Kent, CT7 0QQ**

PROPOSAL: Change of use from agricultural land to residential garden in association with 4 Downbarton Farm Cottages

It was proposed by the Chair and seconded by the Vice Chair:

‘THAT the officer’s recommendation be adopted namely:

That the application be approved for the following reasons:

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 drawings numbered AB/294/002 Rev a received 31 May 2022.

GROUND:

To secure the proper development of the area.

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order), no outbuildings shall be erected on the land subject to this application hereby approved without the prior written permission of the Local Planning Authority.

GROUND:

To safeguard the character and appearance of the countryside and the landscape character area, and residential amenities currently enjoyed by the occupiers of nearby residential properties in accordance with Policies QD02, QD03, SP24 and SP26 of the Thanet Local Plan.

4. If, during development, significant contamination is suspected or found to be present at the site, then works shall cease, and this contamination shall be fully assessed and an appropriate remediation scheme agreed with the Local Planning Authority. The approved works shall be implemented within a timetable agreed by the Local Planning Authority and shall be of such a nature as to render harmless the identified contamination given the proposed end use of the site and surrounding environment, including controlled waters. Prior to first occupation/use and following completion of approved measures, a verification report shall be submitted to the Local Planning Authority for approval.

GROUND:

To ensure that the proposed development will not cause harm to human health or pollution of the environment, in accordance with Policy SE03 of the Thanet Local Plan and the advice contained within the National Planning Policy Framework.

Upon being put to the vote, the motion was declared **CARRIED**.

- (i) **R09 FH/TH/22/0271 - 53 Addington Street, Ramsgate, Kent, CT11 9JJ**

The Chair paused proceedings briefly and Councillor Wing left the meeting just before the discussion of this item.

PROPOSAL: Erection of first floor extension to rear elevation with new walkway and roof terrace, together with railings to front elevation and alterations to existing outbuilding.

It was proposed by the Chair and seconded by the Vice Chair:

'THAT the officer's recommendation be adopted namely:

That the application be refused for the following reasons:

The proposed high level walkway and first floor roof terrace, by virtue of their prominent location, height and design, would create an alien feature that is architecturally unrelated to the size and scale of the existing building, and detracts from the visual amenities of the locality, resulting in harm to the significance of the conservation area, and the character and appearance of the area, contrary to Policies SP35, HE02 and QD02 of the Thanet Local Plan and the NPPF.

The proposed rear extension and balcony by virtue of their excessive depth, height and bulk, and orientation to/relationship with the adjoining buildings, would result in an unacceptable degree of overshadowing, subsequent loss of daylight and the creation of a sense of enclosure; detrimental to the amenities enjoyed by the occupiers thereof, contrary to Policy QD03 of the Thanet Local Plan and paragraph 130 of the NPPF.

The proposed high level walkway and roof terrace, by virtue of its height, location, proximity to and relationship with adjacent neighbouring properties, would result in an unacceptable degree of overlooking and subsequent loss of privacy to those properties, as well as an increased levels of noise and disturbance to nearby habitable bedroom windows, severely detrimental to the amenities enjoyed by the occupiers thereof, contrary to Policy QD03 of the Thanet Local Plan and paragraph 130 of the NPPF.

Upon being put to the vote, the motion was declared **CARRIED**.

Meeting concluded: 9:28PM

THANET DISTRICT COUNCIL

PLANNING COMMITTEE

21st SEPTEMBER 2022

BACKGROUND PAPERS TO SCHEDULE OF APPLICATIONS

The Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000 (as amended)

(A) Standard Reference Documents - (available for inspection at the Council offices and via thanet.gov.uk and gov.uk)

1. Thanet District Council Local Plan and associated documents.
2. Cliftonville Development Plan Document
3. Broadstairs and St Peters Neighbourhood Plan
4. The National Planning Policy Framework and the National Planning Practice Guidance issued by the Ministry of Housing, Communities and Local Government.

(B) Register of Applications for Planning Permission (Article 40 of the Town and Country Planning (Development Management Procedure) (England) Order 2015))

(Copy of applications together with accompanying plans or drawings are available for inspection via the Council's website <https://planning.thanet.gov.uk/online-applications/> or at the Council offices)

(C) Background Papers in relation to specific reports in the Schedule of Planning Applications

(Copies of background papers and any appeal decisions referred to are available via the Council's website <https://planning.thanet.gov.uk/online-applications/>)

I certify that the above items are not exempt information.

(D) Exempt information in accordance with paragraph of Schedule 12 (A) of the Local Government Act 1972.

N/A

I certify that the above items are exempt information.

Prepared by: IAIN LIVINGSTONE



SIGNED:.

Proper Officer

DATE:12TH SEPTEMBER 2022

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THANET DISTRICT COUNCIL

REPORT OF THE ACTING DIRECTOR OF PLACE

PART A

TO: THE PLANNING COMMITTEE

DATE: 21 September 2022

Application Number	Address and Details	Recommendation
A01 F/TH/22/0560	Addington House Business Centre Addington Place RAMSGATE Kent CT11 9JG Change of use and conversion of existing offices/store buildings to provide 8no. self-contained flats, with erection of 2-storey front extension, and the provision of associated parking Ward: Central Harbour	Approve
A02 FH/TH/22/0433	9 Wishing Towers 18 Eastern Esplanade MARGATE Kent CT9 3BG Erection of third floor rear extension Ward: Cliftonville East	Approve
A03 F/TH/22/0940	9 Wishing Towers 18 Eastern Esplanade MARGATE Kent CT9 3BG Part retrospective application for installation of timber double glazed windows to replace existing single glazed timber windows Ward: Cliftonville East	Approve
A04 F/TH/22/0579	Richborough Energy Park Sandwich Road RAMSGATE Kent CT13 9NL Extension of electricity battery storage facility to provide additional 249mw capacity including electrical plant and equipment, alterations to land levels,	Approve
MAJOR		

landscaping and associated works,
following removal of existing wind
turbine, site clearance and levelling

Ward: Thanet Villages

A05 FH/TH/22/0894 **54 Stone Road Broadstairs Kent** Approve
CT10 1DZ

Erection of two storey front and rear
extension, together with 4 roof lights,
ground floor terrace and first floor
balcony and alterations to external
materials

Ward: Bradstowe

A06 FH/TH/22/1039 **19 Church Road RAMSGATE Kent** Approve
CT11 8RF

Installation of door to front elevation
together with infilling existing door to
side elevation with panel and
installation of window to side elevation

Ward: Eastcliff

A07 F/TH/22/0494 **Joss Gap Road BROADSTAIRS Kent** Approve

Formation of a footpath on the south
side of Joss Gap Road between
Convent Road and the existing shared
pedestrian and cycle facility, together
with the erection of a 2m high timber
fence and planting

Ward: Kingsgate

A08 F/TH/22/0889 **60 Northumberland Avenue** Approve
MARGATE Kent CT9 3BJ

Variation of conditions 2 and 3 of
planning permission F/TH/20/1044 for
the "Erection of a two storey 5 bed
dwelling following demolition of existing
bungalow" to allow alterations to

A01

F/TH/22/0560

PROPOSAL: Change of use and conversion of existing offices/store buildings to provide 8no. self-contained flats, with erection of 2-storey front extension, alterations to windows and doors, and the provision of associated parking

LOCATION:

Addington House Business Centre Addington Place
RAMSGATE Kent CT11 9JG

WARD: Central Harbour

AGENT: Mr Jason Drew

APPLICANT: Mr J Gold

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 proposed development shall be carried out in accordance with the submitted application as amended by the revised drawings numbered 04577_RC03 Rev E, and 04577_RC04 Rev C, received 09 September 2022.

GROUND:

To secure the proper development of the area.

3 No development shall take place until details of the means of foul and surface water disposal, including details of the implementation, management and maintenance of any proposed Sustainable urban Drainage Systems, have been submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with such details as are agreed and thereafter maintained.

GROUND:

To protect the district's groundwater, and to ensure the development is served by satisfactory arrangements for the disposal of surface water, in accordance with Policies SE04 and CC02 of the Thanet Local Plan and advice contained within the NPPF.

4 Prior to the first occupation of the development hereby permitted, the first floor windows within the eastern side elevation of the existing building (facing the neighbouring garage) shall be fixed shut and provided with acoustic and obscure glazing, to a minimum

level of obscurity to conform to Pilkington Glass level 4 or equivalent. The glazing as implemented shall be permanently retained thereafter.

GROUND:

To safeguard the residential amenities of the future occupiers of the development, in accordance with Policy QD03 of the Thanet Local Plan.

5 The first floor hallway window in the north western elevation of the flat development hereby approved shall be provided and maintained with obscured glass to a minimum level of obscurity to conform to Pilkington Glass level 4 or equivalent and shall be installed prior to first occupation of the development hereby permitted and permanently retained thereafter.

GROUND:

To safeguard the residential amenities currently enjoyed by the occupiers of nearby residential properties in accordance with Policy QD03 of the Thanet Local Plan.

6 Prior to the first occupation of the flats hereby permitted, details of the clothes drying facilities shall be submitted to and approved in writing by the Local Planning Authority. The clothes drying facilities shall be provided in accordance with the approved details and thereafter maintained.

GROUND:

To safeguard the residential amenities currently enjoyed by the occupiers of nearby residential properties in accordance with Policy QD03 of the Thanet Local Plan.

7 The refuse storage facilities, as specified upon the approved drawing numbered 04577_RC03 Rev E, shall be provided prior to the first occupation of the flats hereby approved and shall be kept available for that use at all times.

GROUND:

To safeguard the residential amenities currently enjoyed by the occupiers of nearby residential properties in accordance with Policy QD03 of the Thanet Local Plan.

8 Prior to the first occupation of the development hereby approved, details of the design of the electric vehicle charging points, to be located as shown on the approved plan numbered 04577_RC03 Rev E, shall be submitted to, and approved in writing by, the Local Planning Authority, and thereafter implemented and maintained as approved.

GROUND:

To enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations in accordance with paragraph 112 of the NPPF.

9 The bricks to be used in the erection of the extension hereby approved shall be of the same colour, finish and texture as those on the existing building.

GROUND:

In the interests of visual amenity in accordance with Policy QD02 of the Thanet Local Plan

10 Prior to the installation of the black metal windows and doors hereby approved, details and manufacturer's specification of the windows and doors shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

GROUND:

In the interests of visual amenity in accordance with Policy QD02 of the Thanet Local Plan

11 Prior the installation of the cladding on the external surfaces of the development hereby approved, details of the cladding shall be submitted to, and approved in writing by, the Local Planning Authority. Development shall be carried out in accordance with the approved cladding unless otherwise agreed in writing by the Local Planning Authority.

GROUND:

In the interests of visual amenity in accordance with Policy QD02 of the Thanet Local Plan

12 Prior to the first occupation of the development, the secure cycle parking facilities, as shown on approved drawing no. 04577_RC03 Rev E shall be provided and thereafter maintained.

GROUND:

To promote cycling as an alternative form of transport, in accordance with Policy TP03 and SP43 of the Thanet Local Plan.

13 Prior to the commencement of any development on site details to include the following shall be submitted to and approved by the Local Planning Authority and should be carried out in accordance with the approved details.

- (a) Routing of construction and delivery vehicles to / from site
- (b) Parking and turning areas for construction and delivery vehicles and site personnel
- (c) Timing of deliveries
- (d) Provision of wheel washing facilities
- (e) Temporary traffic management / signage
- (f) Measures to control noise affecting nearby residents
- (g) Dust control measures
- (h) Access arrangements

GROUND:

In the interests of highway safety and neighbouring amenity, in accordance with Policy QD03 of the Thanet Local Plan and the advice contained within the NPPF.

14 The area shown on the approved plan numbered 04577_RC03 Rev E for vehicle parking and manoeuvring areas, shall be kept available for such use at all times and such land and access thereto shall be provided prior to the first occupation of the dwelling hereby permitted.

GROUND:

To provide satisfactory off street parking for vehicles in accordance with Policy TP06 of the Thanet Local Plan and the advice contained within the NPPF

INFORMATIVES

Please ensure that you check the above conditions when planning to implement the approved development. You must clear all pre-commencement conditions before development starts on site. Processing of conditions submissions can take up to 8 weeks and this must be factored into development timescales. The information on the submission process is available here:

<https://www.thanet.gov.uk/info-pages/planning-conditions/>

Please be aware that your project may also require a separate application for Building Control. Information can be found at:

<https://www.thanet.gov.uk/services/building-control/> or contact the Building Control team on 01843 577522 for advice.

A formal application for connection to the public sewerage system is required in order to service this development. Please contact Southern Water, Southern House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk.

It is the responsibility of the applicant to ensure, prior to the commencement of the development hereby approved, that all necessary highway approvals and consents where required are obtained and that the limits of highway boundary are clearly established in order to avoid any enforcement action being by the Highway Authority. The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under such legislation and common law. It is therefore important for the applicant to contact KCC Highway and Transportation to progress this aspect of the works prior to commencement on site

It is the responsibility of developers to have the appropriate waste storage facilities and containers in place prior to the property being occupied. For more information, please contact Waste and Recycling on 01843 577115, or visit our website <http://thanet.gov.uk/your-services/recycling/waste-and-recycling-storage-at-new-developments/new-developments/>

For the avoidance of doubt, the provision of contributions as set out in the unilateral undertaking made on 9th September 2022, submitted with this planning application, and hereby approved, shall be provided in accordance with The Schedule of the aforementioned deed.

SITE, LOCATION AND DESCRIPTION

The application site is located within the Ramsgate Conservation Area and contains a simple L shaped two storey building accommodating commercial/industrial uses which fronts the internal courtyard to the rear of commercial buildings which front Addington Place. The

building's rear elevation is sited hard up against the north western boundary, abutting Hertford Place. The surrounding area comprises a high density built environment with both commercial and residential uses.

The immediate area surrounding the application site is characterised by predominantly Victorian two and three storey with basement level terraced houses to the south west of the application site. To the north of the site is a modern courtyard development of three storey terraced houses. Immediately to the east and south east are two and single storey commercial and garage buildings. Further to the south east is the Listed Georgian terrace, Nelson Crescent of four storey terraced houses with basement levels.

The rear elevation of the existing building comprises a predominantly blank two storey rear elevation which is constructed of a variety of flint, brickwork of varying ages and rendered elements.

RELEVANT PLANNING HISTORY

F/TH/20/0969 - Erection of 5no. 3-storey 3-bed and 1no. 3-storey, 4-bed terraced dwellings following demolition of existing offices, stores and laundry.

REFUSED (by planning committee) - 23rd July 2021 - for the following reasons:

'The proposed development would provide insufficient and unsatisfactory parking provision upon the application site to serve the 6No. residential family dwellings proposed, resulting in additional parking pressure in an area where there is limited parking, resulting in harm to highway safety and highway amenity, contrary to Policy TP06 of the Thanet Local Plan and paragraph 111 of the National Planning Policy Framework.

The proposed development, by virtue of its size, scale and layout, would result in a cramped and congested form of development with limited open space, which will fail to enhance the character and appearance of the conservation area, to the detriment of the visual amenities of the area, contrary to Policies QD02 and HE02 of the Thanet Local Plan, and paragraphs 127 and 197 of the National Planning Policy Framework'.

An appeal to this decision is currently pending

PROPOSED DEVELOPMENT

The proposal is for the change of use of the existing commercial building, which is currently used for storage and office use, to a residential use that incorporates 8no. self-contained flats. In terms of the unit breakdown this includes 3no. 3-bed, 3no. 2-bed and 2no. 1-bed units.

External alterations include the provision of a first floor extension fronting onto the internal courtyard area, and some alterations to the existing fenestration, with a few windows changed to doors and vice versa. A single window is proposed within the Hertford Place elevation. All new and replacement windows will be with black metal framed windows.

Parking provision is provided in the form of one parking space per unit, which will be served via an existing access into the site. No amenity space is provided.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan 2020

SP01 - General Housing Policy
SP29 - Strategic Access Management and Monitoring Plan (SAMM)
HO1 - Housing Development
HE01 - Archaeology
HE02 - Development in Conservation Areas
GI04 - Amenity Space/Equipped Play
QD02 - General Design Principles
QD03 - Living Conditions
QD04 - Technical Standards
TP03 - Cycling
TP06 - Car Parking

NOTIFICATIONS

Neighbouring occupiers have been notified and a site notice displayed close to the site. Three letters of objection have been received, and four letters of support.

The main concerns are:

- Increased traffic and impact on pedestrians from car movements,
- Only one space per flat but many have two or three bedrooms so more parking needed, lack of parking in the surrounding area,
- No amenity space provided,
- Use of UPVC for windows in a conservation area,
- Will result in overcrowding in an already densely populated area,
- Flats are too small and will provide poor living conditions,
- Collection of rubbish may cause a problem.

The letters of support comment that:

- the proposal repurposes an existing building with minimum effort on the local area, and will be a great improvement to the area,
- It will have a courtyard feel and will honour its commercial history,
- It will provide affordable units that each have a parking space, and as they all exceed the minimum space standards it will not be the overdevelopment of the site,
- Provides more living accommodation for families in an environmentally friendly way,
- Proposal preserves the historic flint panel within its fabric,
- Sustainably located site.

Ramsgate Heritage and Design Forum - Concern re over-development with parking provision dominating any amenity space for residents. The proposed UPVC windows are

not acceptable in the conservation area. The single aspect rooms are less than ideal and the design could be more ambitious and appealing. This could be a site for much needed studio or live/work space. Objection.

CONSULTATIONS

KCC Highways -

(final comment)

The parking spaces have been amended in line with previous comments, which is acceptable. EVC points have been outlined, which is acceptable.

The external cycle storage is noted for visitors. Wall / ceiling storage relies on residents being able to lift cycles. I suggest that a minimum of 50% provision for the flats is provided externally for cases where the internal system cannot be utilised.

Thanet Waste & Recycling have confirmed that while Addington Place is narrow, collections currently take place utilising smaller vehicles. The refuse storage will require 1 x 1100/1280 litre lidded waste bin, 1 x 1100/1280 litre lidded dry mixed recycling bin and 1 x 1100/1280 litre lidded paper and card bin. Food recycling will require a 1 x 180 litre food waste bin, which will need to be maintained. The bin storage needs to be sufficiently large enough for operatives to access the bins with ease.

Due to the restricted nature of Addington Place, consideration will need to be given to the size of vehicles during construction. Contractor parking should not block the highway and consideration should be given to the timings of deliveries. This can be secured by way of a suitable condition.

In line with the above, I confirm that subject to safeguarding conditions, then I would raise no objection on behalf of the local highway authority.

(Initial comment)

The site is currently occupied by commercial units accessed via Addington Place with parking provided to an internal courtyard. The proposed residential use will not represent a material increase in the use of the access. Therefore, it would not be justified to object to the application on these grounds. The proposal does not provide any visitor parking. Due to the site's location in close proximity to the town centre, access to public transport, and immediate parking restrictions, visitor parking can be accommodated without compromising the local highway network in the immediate vicinity.

Further details are required with regard to the following:

- The parking spaces need to be reviewed. The application proposes 1 parking space per unit. However, the parking spaces should measure 2.5 metres x 5 metres. Spaces should be widened to 2.7 metres where spaces abut a boundary, which includes spaces for Flats 1 and 8.
- All Electric Vehicle chargers provided for homeowners in residential developments must be provided to Mode 3 standard (providing up to 7kw) and SMART (enabling Wifi connection).

- A cycle store has been indicated but no details have been submitted such as the number of spaces. Cycle storage measuring 2.0 metres in width by 2.5 metres in length needs to be provided for each dwelling.
- A refuse storage area has been indicated fronting Addington Place. It is advised that TDC Waste and Recycling are consulted to provide a formal response to the proposals.

KCC Archaeology - With it only being a first floor extension I don't think an archaeology condition is needed.

TDC Waste and Recycling - We have had a look and the location of the bin store looks fine. The road itself is narrow and therefore the collections at present are made by smaller vehicles and the residents receive a weekly waste collection and alternate week recycling collections. Not sure where they have got the bin sizes and material type from but they will need 1 x 1100/1280 litre lidded waste bin, 1 x 1100/1280 litre lidded dry mixed recycling bin and 1 x 1100/1280 litre lidded paper and card bin. If they would like to participate in the food recycling they will need a 1 x 180 litre food waste bin, however someone will need to take the responsibility of making it clean.

Unable to figure out the bin store dimensions but they need it to be large enough for the bins listed above and for our staff to maneuver them to enabling emptying - we have found lately that some bin stores are very tight.

TDC Conservation Officer - Following a review of the proposed application I would like to state that I have no objections given there is improvement to materials across the site.

TDC Environmental Health - Thank you for consulting Environmental Protection on the above planning application for which we have considered the potential for environmental health impacts. I note from the site plan that the proposed development is adjacent to a car workshop which gives cause for concern in relation to noise and odour. Particularly as flat 8 has windows opening onto the commercial premises. EH would not object to the application providing mitigation is incorporated within the scheme to protect occupants of flat 8 from noise, odour and fumes should they arise from the neighbouring existing use.

Southern Water - Southern Water requires a formal application for a connection to the public sewer to be made by the applicant or developer.

The Council's Building Control officers or technical staff should be asked to comment on the adequacy of soakaways to dispose of surface water from the proposed development.

We request that should this planning application receive planning approval, a drainage condition is attached to the consent.

It is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.

Natural England - Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

DESIGNATED SITES [EUROPEAN] - NO OBJECTION SUBJECT TO SECURING APPROPRIATE MITIGATION

This advice should be taken as Natural England's formal representation on appropriate assessment given under regulation 63(3) of the Conservation of Habitats and Species Regulations 2017 (as amended). You are entitled to have regard to this representation. With regard to European Sites, Natural England does not object to the granting of this permission subject to the advice given below.

Natural England advises that the specific measures previously identified and analysed by your Authority to prevent harmful effects on coastal European Sites from increased recreational pressure should be applied to this proposed development at appropriate assessment.

Your authority has measures in place to manage these potential impacts through the agreed strategic solution which we consider to be ecologically sound. Natural England is of the view that if these measures, including contributions to them, are implemented, they will be effective and reliable in preventing harmful effects on the European Site(s) for the duration of the proposed development.

Providing that the appropriate assessment concludes that these measures must be secured as planning conditions or obligations by your authority to ensure their strict implementation for the full duration of the development, and providing that there are no other adverse impacts identified by your authority's appropriate assessment, Natural England is satisfied that this appropriate assessment can ascertain that there will be no adverse effect on the integrity of the European Site in view of its conservation objectives.

COMMENTS

The application is brought before members following a call in by Cllrs Austin and Wing to allow members to consider whether the proposal would result in the overdevelopment of the site. The applicant is also related to an employee of the Council.

The main considerations with regard to this application is the principle of development, the impact of the proposed development on the character and appearance of the Conservation Area, the impact upon residential amenity, and the impact upon highway safety.

Principle

Policy HO1 of the Thanet Local Plan permits new housing development on non-allocated sites within the confines of the urban area and villages, subject to meeting other relevant Local Plan policies, including General Housing Policy SP14. Within the Thanet Local Plan

there is an allowance for 2,025 units of the required housing supply over the plan period to be provided through windfall sites, which usually consist of previously developed non-allocated sites.

The application site is located within the urban confines of Ramsgate and is currently occupied by light industrial/commercial premises within two storey buildings and associated hardstanding. The application proposes the change of use of the existing buildings to create 8no. residential units. The proposed development would therefore accord with Policy HO1.

The proposal would involve the loss of existing commercial premises. There are no policies which protect the existing employment use in this location.

The principle of development is therefore considered to be acceptable, subject to the assessment of all other material planning considerations.

Character and Appearance

As the site is located within a Conservation Area the Local Planning Authority must have regard for Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 which requires special attention to be paid to the desirability of preserving or enhancing the character and appearance of the area.

The proposal is for the conversion of the existing building, with the main external alteration being the erection of a first floor rear extension. The proposed extension is flat roof, with a eaves level to match the existing building. It projects into the rear courtyard area of the site and will have limited visibility from the wider area. Materials are proposed to match the existing building, with the proposed windows material (as amended) to be black metal, either critall or aluminium, which is considered to be a suitable material within the conservation area. The scale and design of the proposed extension is not considered to cause harm to the character and appearance of the conservation area.

Within the existing building, three windows at first floor level facing into the courtyard are to be replaced with french doors and balconette, which adds interest to the elevation. The balconette will be black powder coated metal and conditioned as such. At ground floor level a pair of doors is being replaced with a window, one window is reducing in size, and a further door is changing in design. Where windows and doors are being altered, cladding is being used to cover the new masonry, which again adds interest to the building given the current limited palette of material offered. Within the new first floor extension a window with cladding is proposed, in addition to the ground floor level, which will tie in with the alterations within the main building.

Within the Hertford Place elevation the only alteration proposed is the addition of a new ground floor window, which will again be black crittall framed following the submission of the amended plans. There are currently no ground floor windows within this elevation, but two existing windows exist at ground floor level. The proposed window will line up with one of the first floor windows, and will cause no significant harm to the character of the conservation area.

The agent has confirmed that all existing windows and doors will be replaced with black metal framed windows and doors, either aluminium or critall, which will result in an enhancement to the conservation area given that they will replace existing white UPVC windows.

Within the courtyard area of the site it is intended for car parking to be provided. The area provides current car parking provision, and therefore there will be no visual change.

Within the existing wall fronting Addington Place a small area of wall is being demolished to accommodate the refuse storage space. Whilst this will mean the waste will be visible from the street, it will be setback from the road and secured internally within the building, with visibility only being likely directly outside the building. This location for the refuse will mean that it is easily accessible by the waste collection vehicles, and therefore when balancing this benefit with the limited impact upon the conservation area, the impact is considered to be acceptable.

The development is therefore considered to be acceptable in terms of its impact upon the special character and appearance of the Conservation Area and will accord with Policies HEO2 and QD02 of the Thanet Local Plan and the National Planning Policy Framework.

Living Conditions

Policy QD03 of the Thanet Local Plan states that all new development should, be compatible with neighbouring buildings and spaces and not lead to the unacceptable living conditions through overlooking, noise or vibration, light pollution, overshadowing, loss of natural light or sense of enclosure; be of appropriate size and layout with sufficient usable space to facilitate comfortable living conditions and meet the standards set out in QD04; include the provision of private or shared external amenity space/play space, where possible; and provide for clothes drying facilities and waste disposal or bin storage, with a collection point for storage containers no further than 15 metres from where the collection vehicle will pass.

- Impact on neighbouring occupiers

In terms of the impact upon neighbouring occupiers, the main consideration is the first floor rear extension and its impact upon the rear windows within no. 4 Hertford Place. The neighbouring rear windows can be seen from the rear courtyard area. There is a door closest to the side boundary with the development, with a ground floor window and first floor window. Between the proposed extension and the neighbouring property is a side pedestrian access route, which provides a separation distance of 1.2m. The existing single storey rear extension has a mono-pitch roof, with the highest point closest to the neighbour. Given this design, the proposed first floor extension will result in an increased height of only 1.4m on the boundary. Given this limited height increase, the separation distance, and the nearest opening within the neighbouring property being a door rather than a habitable room window, it is considered that the impact upon light and outlook to the occupiers of no.4 is likely to be acceptable.

No additional window/door openings are being provided within the courtyard facing elevation of the building other than the new first floor window within the proposed extension, which faces towards a parking area, and will therefore not overlook any private amenity space.

Within the Hertford Place elevation a new window opening is proposed at ground floor level, which will not result in any loss of privacy given its ground floor location. The existing first floor windows will serve a lounge area and a hallway. The lounge window will overlook a parking area, and no private amenity space and is therefore acceptable. The hallway window could potentially overlook the rear garden of no.1 Hertford Place, and therefore obscure glazing of this window is recommended.

Within the existing side elevation facing the adjacent garage workshop building there are 5no. existing windows at first floor level. These currently face towards the garage, however, there is an application pending for the redevelopment of the garage site for residential use. If this were to be approved then the existing windows would directly face into the front garden of the the proposed dwellings. Whilst the front garden provides parking and some amenity space, which is not private, the location and proximity of the windows would provide the perception of overlooking, and as such it is recommended that the windows are obscure glazed, especially as they are all secondary windows or non-habitable room windows.

The proposed parking area currently serves parking spaces, so there will be no increase in noise and disturbance. The change of use of the commercial units from office/store buildings to a residential use could result in a reduction in noise and disturbance.

- *Impact on future occupiers*

In terms of the living conditions for future occupiers, the proposed flats meet, and in most cases exceed, the applicable Nationally Described Space Standards. Other than the 1-bed units, which comply almost exactly with the standards, the units exceed the minimum standard by 5-17sqm. All primary habitable rooms are served by front windows into the courtyard area, which provide suitable light, outlook and ventilation.

The development is sited in close proximity to existing commercial development including car repair activities. Environmental Health have commented that complaints have been received relating to odour and noise from this neighbouring use, and that it is necessary that mitigation is incorporated into the scheme to protect future occupants of Plot 8 from noise, odour and fumes. A condition requiring a scheme to address the issue of noise and odour has been recommended by Environmental Health for minimising the effects to Plot 8, however, this condition was not considered to be reasonable given that it could result in the requirement for air conditioning units, which themselves require consent. The windows serve internal landing and storage space, with one window a secondary window, and therefore they could be fixed shut with acoustic glazing in order to reduce any impact to the future users of the flat. A safeguarding condition that details this requirement is recommended.

Policies QD03 and GI04 of the Thanet Local Plan require that doorstep playspace be provided for all new family units (2-bed or more) where possible. The external space associated with the building has been used for parking provision to achieve a parking space per unit, and as a result there is no spare space for doorstep playspace provision. As the

proposal is for the conversion of an existing building, the external space to the front of the building would be the only potential amenity space; however, the use of this space for amenity space would require the reduction of parking provision for the site, which residents and members have previously indicated to be an important requirement of any development of this site. Whilst the 2 bedroom units would not be provided with doorstep playspace, due to the size of the 2 bedroom units and the provision of off-street parking serving those dwellings, on balance the quality of accommodation is considered sufficient to comply with Policy QD03 of the Thanet Local Plan.

Refuse storage to serve the proposed development has been provided within the building with access onto Addington Place. The Council's Waste and Recycling department has been consulted who advise that the location of the refuse store is considered acceptable, and that whilst the road is narrow, collections are presently made by smaller vehicles. The proposed refuse store is therefore considered to be suitable and acceptable.

Clothes drying facilities have been conditioned but could be overcome through the provision of airing cupboards or tumble dryers within the units.

The proposed development is therefore considered to be acceptable in terms of residential amenity of the adjacent neighbours and the future occupiers of the proposed flats in accordance with Policies QD03, QD04 and GI04 of the Thanet Local Plan, and the National Planning Policy Framework.

Transportation

The application site is located within close proximity to Ramsgate Town Centre which provides a range of services, facilities and good public transport links and is therefore considered to be sustainably located. There is limited unrestricted and restricted on-street parking in the surrounding area.

The parking spaces are accessed via an existing access into the site. The proposal incorporates one parking space per flat, which achieves the maximum parking standard requirement for the site in an edge of centre location. A turning area is provided off the access, along with an external cycle store.

KCC Highways have been consulted and have advised that the proposed residential use will not represent a material increase in the use of the access. Whilst no visitor parking has been provided KCC believe that given the sustainability of the site the lack of visitor parking will not cause a highway safety concern.

KCC Highways have raised some concerns regarding the size of the parking spaces, the need for electric vehicle charging provision, confirmation a cycle space per flat is achieved, and further details on the refuse storage and collection ability. An amended plan has been submitted, which enlarges the parking spaces as requested, provides an electric vehicle charging point per parking space, and provides internal wall mounted cycle storage within flats in addition to the external storage area. The applicant has confirmed that the external storage area could achieve storage for 4 bikes, which could serve visitors.

TDC's Waste and Recycling team has been consulted and as previously mentioned they've advised that the location of the refuse store is considered acceptable, and that whilst the road is narrow, collections are presently made by smaller vehicles. An amended plan has been submitted adjusting the size of the refuse storage area as recommended by the waste and recycling team.

KCC Highways has advised that on the basis of the amended plans and confirmation from the waste and recycling team that the refuse storage is acceptable, that they have no objections to the proposed development.

The proposed development is therefore considered to be acceptable in terms of highway amenity and highway safety, in accordance with Policy TP03 and TP06 of the Thanet Local Plan.

Contributions

Natural England has previously advised that the level of population increase predicted in Thanet should be considered likely to have a significant effect on the interest features for which the Thanet Coast and Sandwich Bay Special Protection Area (SPA) and RAMSAR have been identified.

Thanet District Council produced the Strategic Access Management and Monitoring Plan (SAMM) to deal with these matters, which focuses on the impacts of recreational activities on the Thanet section of the Thanet Coast and Sandwich Bay Special Protection Area (SPA). The studies indicate that recreational disturbance is a potential cause of the decline in bird numbers in the SPA. To enable the Council to be satisfied that proposed residential development will avoid a likely significant effect on the designated sites (due to an increase in recreation) a financial contribution is required for all housing developments to contribute to the district wide mitigation strategy. This mitigation has meant that the Council accords with the Habitat Regulations and an appropriate assessment has been carried out on this basis.

This application includes a valid Unilateral Undertaking to provide the required financial contribution of £2,636.00 for the proposed 3no. 3-bed flats, 3no. 2-bed flats, and 2no. 1-bed flats to mitigate the additional recreational pressure on the SPA area.

Conclusion

The site is sustainably located within the urban confines, and therefore the proposed change of use from commercial to residential is considered to comply with Policy HO1 of the Thanet Local Plan.

The proposed first floor extension and other external alterations will have an acceptable impact upon neighbouring living conditions, and a limited impact upon the surrounding conservation area, with the new/replacement metal windows resulting in an enhancement. The proposed flat development will achieve minimum space standards and be provided with suitable refuse storage and cycle storage.

Parking is provided in the form of one space per unit, which achieves the maximum parking standard requirement for the site.

A signed legal agreement has been submitted securing the SPA contribution, which complies with the habitats regulations.

The proposed amended development is therefore considered to be acceptable and in accordance with the relevant Thanet Local Plan policies and the National Planning Policy Framework. It is therefore recommended that members approve the application.

Case Officer

Emma Fibbens

TITLE: F/TH/22/0560

Project Addington House Business Centre Addington Place RAMSGATE Kent CT119JG



A02

FH/TH/22/0433

PROPOSAL: Erection of third floor rear extension

LOCATION: 9 Wishing Towers 18 Eastern Esplanade MARGATE Kent CT9 3BG

WARD: Cliftonville East

AGENT: Mr Charles Baxter

APPLICANT: Mr Croker

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 proposed development shall be carried out in accordance with the submitted application and the approved drawings numbered CBL-XX-DR-A-0100 Rev G (received 17/08/22), CBL-03-DR-A-0100 Rev D, CBL-03-DR-A-0200-Rev G (received 17/08/22) and CBL-03-DR-A-0201 Rev D.

GROUND

To secure the proper development of the area.

3 The external materials and external finishes to be used in the extension hereby approved shall be detailed on the approved drawings.

GROUND

In the interests of visual amenity in accordance with Policies QD02 and HE02 of the Thanet Local Plan

INFORMATIVES

Please be aware that your project may also require a separate application for Building Control. Information can be found at:

<https://www.thanet.gov.uk/services/building-control/> or contact the Building Control team on 01843 577522 for advice.

Please ensure that you check the above conditions when planning to implement the approved development. You must clear all pre-commencement conditions before development starts on site. Processing of conditions submissions can take up to 8 weeks and this must be factored into development timescales. The information on the submission process is available here:

<https://www.thanet.gov.uk/info-pages/planning-conditions/>

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 application site relates to a building known as Wishing Towers situated on the northern side of Eastern Esplanade (B2051), Margate, close to the junction with Devonshire Gardens. To the rear of the building is Walpole Bay lawns- which is a large expanse of grass adjacent to a clifftop promenade. The building whilst not being listed is of character and has towers to each of the four corners of this older part of the building. It is constructed in render to the lower floor with red brick to the upper floors.

RELEVANT PLANNING HISTORY

F/TH/22/0940 Retrospective application for installation of timber double glazed windows to replace existing single glazed timber windows. Under consideration.

FH/TH/21/0970 Erection of third floor rear extension. 28th July 2021 Granted

PROPOSED DEVELOPMENT

Full planning consent is sought for the erection of a third floor extension to provide additional living space for a third floor flat. This application follows an earlier consented application for a similar extension that was approved in 2021.

DEVELOPMENT PLAN POLICIES

SP35 - Quality Development
SP36 - Conservation and Enhancement of Thanet's Historic Environment
HE02 - Development in Conservation Areas
QD02 - General Design Principles
QD03 - Living Conditions
TP06 - Car Parking

NOTIFICATIONS

Letters were sent to adjoining occupiers, a site notice posted close to the site and the application publicised in a local newspaper.

Thirteen representations were received objecting to the application with one objector commenting more than once. The concerns raised are summarised below.

- Close to adjoining properties
- Loss of privacy
- Noise nuisance
- Damp issues
- Conflict with local plan
- Development too high
- General dislike of proposal
- Out of keeping with character of area
- Vent to our building will now protrude far above the roofline
- Rear elevation is just as visual important as the front in this case as it is seen from the Green and promenade
- Extension will compromise the functionality of objectors bedroom which abuts the extension
- Affect local ecology
- Over development
- Loss of light
- Inadequate access
- Not enough information given on application
- Information missing from plans

CONSULTATIONS

TDC Conservation Officer: 9 Wishing Towers is an unlisted property located in a prime location within Margate conservation area.

Thanet's Local Plan, policy HE02, states within Section 7 'The character, scale and plan form of the original building are respected and the development is subordinate to it and does not dominate principal elevations.'

As well as Section 8 which states 'Appropriate materials and detailing are proposed and the development would not result in the loss of features that contribute to the character or appearance of the conservation area. New development which would detract from the immediate or wider landscape setting of any part of a conservation area will not be permitted.'

NPPF Section 16, Paragraph 197 states, In determining applications, local planning authorities should take account of (c) the desirability of new development making a positive contribution to local character and distinctiveness.

Previously a proposal was submitted for very similar works in this location under reference FH/TH/21/0970 which had timber windows and a subservient flat roof form. As such the principle of this development has already been demonstrated as acceptable.

This application is for a very similar scheme, with timber picture windows, however, the roof form caps the adjacent property very slightly. The property is not listed but within the conservation area and, as such, its possible addition needs to be carefully considered. The proposed location of the window is to the rear of the site which is visible from the conservation environment, however, due to its size and placement in the gap of the adjacent property, it is not considered to cause a substantial level of harm and, therefore, is acceptable.

If the property was still a stand alone building I do not believe the proposed would be acceptable as it would appear incongruous in context of the four 'towers'. However, given the modern construction adjacent to the property the west elevation to the towers has already been compromised and their form somewhat disrupted. That being said the overlap applied to the adjacent later addition property does appear somewhat clunky and of poor design. In my opinion if it was slightly recessed and in line with the adjacent flat roof it would be slightly more cohesive.

As already stated the proposed application is not considered to cause substantial harm to the setting and appearance of the surrounding conservation area and as such meets with local and national legislation, subsequently I do not object to the proposed.

COMMENTS

This application is referred to the Planning Committee at the request of Cllr Towing, due to concerns that the development would be above the existing roof line and the windows are not in keeping with the rest of the building.

The proposal relates to an existing residential flat and therefore the principle of its extension is considered to be acceptable.

The main considerations with regard to this planning application will be the impact of the proposed development on the character and appearance of the area, the residential amenity of neighbouring property occupiers and highways.

Principle

The proposal relates to an existing residential flat and, therefore, the principle of its extension is considered to be acceptable.

The main considerations with regard to this planning application will be the impact of the proposed development on the character and appearance of the area, the residential amenity of neighbouring property occupiers and highways.

Character and Appearance

The site is located within the Clifftop Conservation Area. The Council must therefore take into account Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, which requires that in relation to conservation areas, 'special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the area.'

Paragraph 197 of the National Planning Policy Framework (NPPF) requires local planning authorities to take account of the desirability of sustaining and enhancing the significance of heritage assets, and the desirability of new development making a positive contribution to local character and distinctiveness. The NPPF requires that where a development causes substantial harm, or less than substantial harm but where the harm is not outweighed by public benefit, permission should be refused. Policy HE02 of the Thanet Local Plan relates to development within conservation areas and requires that appropriate materials and detailing are proposed and that developments would not result in the loss of features that contribute to the character or appearance of the conservation area. New development which would detract from the immediate or wider landscape setting of any part of a conservation area will not be permitted.

Paragraph 130 of the NPPF states decisions should ensure that developments will function well and add to the overall quality of the area, are visually attractive as a result of good architecture, layout and appropriate and effective landscaping, sympathetic to local character and history, establish or maintain a strong sense of place, and optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development and create places that are safe, inclusive and accessible. Policy QD02 of the Thanet Local Plan outlines that the primary aim of new development is to promote or reinforce local character and provide high quality and inclusive design that is sustainable in all other respects. Proposals should therefore relate to surrounding development, form and layout, be well designed, pay particular attention to context and identity of location, scale, massing, rhythm, density, layout and materials, and be compatible with neighbouring buildings and spaces. Any external spaces and landscape features should be designed as an integral part of the scheme.

9 Wishing Towers relates to a flat within a building which fronts Eastern Esplanade, Cliftonville. The building's side and rear elevations are also visible from the public domain due to its siting as the road turns the corner. Views are also possible from the public green to the rear. The building is of a distinct character constructed in red brick and cream render with four 'turrets' in the four corners of the building at third floor level, the third floor level also appears to have balcony areas.

This application also seeks a third floor extension to create additional living space to the existing lounge which is positioned in one of the rear 'turrets'. The extension is approximately 2.3m in width and extends back 3.9m (towards the front of the building). It has an overall height of 2.3m. As mentioned in the planning history section of this report an extension has previously been approved in this location in the same location. This application also has a small step in at the front where the approved scheme did not. The previously consented scheme measured approximately 2.3m in width and extended back approximately 3.9m and had a height of 2.1m. The key differences between the two schemes is, therefore, the difference in height (200mm) and the step-in.

With regards to the character and appearance of the area, the proposed extension would be located entirely to the rear and would be screened to some degree from the road by a neighbouring property that projects out beyond the rear of the area where the extension is proposed and also the turreted element of the subject building. The use of render would

match the existing building and timber windows are appropriate in the Conservation Area; this window and materials is as per the earlier approved scheme.

It is confirmed that the Conservation Officer has not objected to the proposal, however, she notes that 'the overlap applied to the adjacent later addition property does appear somewhat clunky and of poor design. In my opinion if it was slightly recessed and in line with the adjacent flat roof it would be slightly more cohesive.' Whilst I note the comment I do not consider this to be a reason for refusal as the level of visual harm to the Conservation Area is not substantial.

Given the above, It is considered the proposed extension would not appear out of keeping within the wider character and appearance of the area including Conservation Area, and would meet the aims of Thanet Local Plan Policies HE02 and QD02 and the guidance within the National Planning Policy Framework (NPPF).

Living Conditions

Paragraph 119 of the NPPF states that planning decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.

Local Plan Policy QD03 (Living Conditions) states that All new development should: 1) Be compatible with neighbouring buildings and spaces and not lead to the unacceptable living conditions through overlooking, noise or vibration, light pollution, overshadowing, loss of natural light or sense of enclosure. 2) Be of appropriate size and layout with sufficient usable space to facilitate comfortable living conditions and meet the standards set out in QD04. 3) Residential development should include the provision of private or shared external amenity space/play space, where possible. 4) Provide for clothes drying facilities and waste disposal or bin storage, with a collection point for storage containers no further than 15 metres from where the collection vehicle will pass.

The proposed extension would bound the applicants flat to the eastern side and a neighbouring flat block to the west.

The neighbouring building to the west is no. 16 Eastern Esplanade, which is occupied as flats. The built form of this building to the side of the extension extends out further than the subject building of Wishing Towers and the extension sought. It would be adjacent to the side wall that has no side windows. Therefore in terms of overlooking, loss of light or being overbearing, I do not consider that it would have a harmful impact to the residential amenities of the occupiers of this building.

To the rear of the site is a green area, and therefore the extension will result in no greater harm to this area than currently exists from views out across it.

Concerns have been raised about noise transfer between units, but it is noted that the building is in use as flats and it is unlikely that general domestic use of a flat would create noise and disturbance above that which would result in significant harm to the existing living conditions of the neighbouring property. In terms of noise transmission any extension would

need to comply with Part E of the Building Regulations for the passage of sound between two residential units and it is considered that the issue of transmission can be adequately dealt with through compliance with building regulations requirements (including details of sound resistance). Taking into account the above, the development is not considered to result in the creation of unacceptable living conditions through noise or vibration and therefore will be in compliance with Policy QD03.

The proposal is, therefore, considered to be acceptable with regards to residential amenity in regard to existing residents, and in terms of space standards and provision of gardens for future residents. in accordance with Policy QD03 of the Thanet Local Plan and the National Planning Policy Framework.

Transportation

Policy QD02 relates to general design principles and states amongst other principles that developments must incorporate a high degree of permeability for pedestrians and cyclists, provide safe and satisfactory access for pedestrians, public transport and other vehicles, ensuring provision for disabled access and Improve people's quality of life by creating safe and accessible environments, and promoting public safety and security by designing out crime. Policy TP01 states that new development will be expected to be designed so as to facilitate safe and convenient movement by pedestrians including people with limited mobility, elderly people and people with young children

The proposed scheme does not create more bedrooms but extra space connected to the lounge-a dining room. On this basis it is not considered to generate more occupants or result in a higher traffic generation or demand for parking. There is also parking available on road on Eastern Esplanade and surrounding roads.

The impact upon highway safety and parking, is therefore considered to be acceptable in terms of policies QD02 and TP01.

Other matters

Use of the room cannot be controlled by the planning permission only that it is residential; however, it is not considered that the use of the proposed extension (indicated to be an extension to the lounge) would not create additional noise levels that one would expect to find in a residential scenario.

Conclusion

The proposed development is considered to relate adequately to its site and wider setting, (including the Conservation Area) and whilst prominent would not result in visual, neighbour or highway safety harm. No objections have been received on technical grounds and materials can be suitably conditioned.

It is therefore recommended that Members approve the application subject to safeguarding conditions.

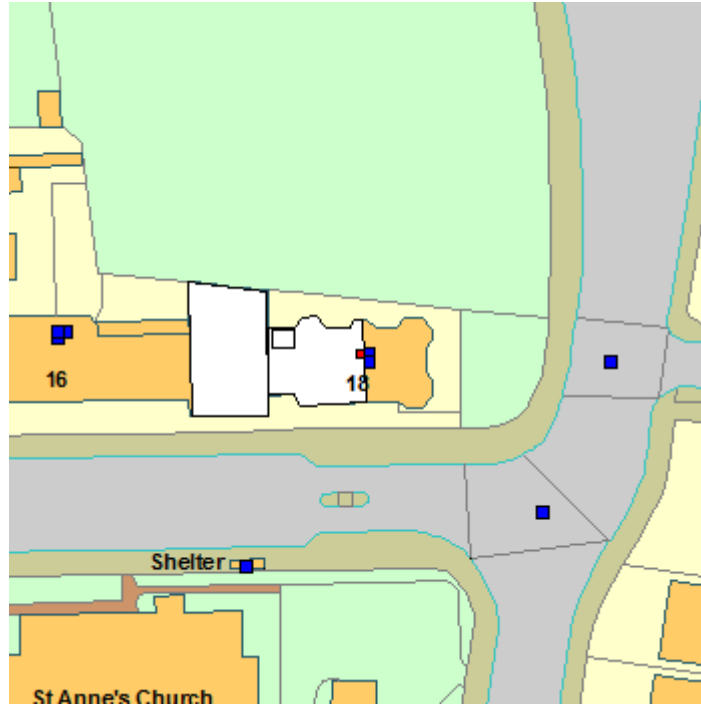
Case Officer
Gill Richardson

TITLE:

FH/TH/22/0433

Project

9 Wishing Towers 18 Eastern Esplanade MARGATE Kent CT9 3BG



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A03

F/TH/22/0940

PROPOSAL: Part retrospective application for installation of timber double glazed windows to replace existing single glazed timber windows

LOCATION:

9 Wishing Towers 18 Eastern Esplanade MARGATE Kent CT9 3BG

WARD: Cliftonville East

AGENT: Mr Charles Baxter

APPLICANT: Mr & Mrs Charles Baxter

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 CBL-03-DR-A-0101 Rev (received 17/08/2022)

GROUND;

To secure the proper development of the area.

3 The replacement windows hereby permitted shall be timber double glazed windows, and shall accord with the detailed finish and design as annotated and illustrated on the approved plan numbered CBL-03-DR-A-0101 Rev (received 17/08/2022)

GROUND;

To secure a satisfactory external treatment and to safeguard the significance and special character and appearance of the area as a Conservation Area in accordance with advice contained within the National Planning Policy Framework.

INFORMATIVES

Please be aware that your project may also require a separate application for Building Control. Information can be found at:

<https://www.thanet.gov.uk/services/building-control/> or contact the Building Control team on 01843 577522 for advice.

Please ensure that you check the above conditions when planning to implement the approved development. You must clear all pre-commencement conditions before development starts on site. Processing of conditions submissions can take up to 8 weeks and this must be factored into development timescales. The information on the submission process is available here:

<https://www.thanet.gov.uk/info-pages/planning-conditions/>

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 application site relates to a building known as Wishing Towers situated on the northern side of Eastern Esplanade (B2051), Margate, close to the junction with Devonshire Gardens. To the rear of the building is Walpole Bay lawns- which is a large expanse of grass adjacent to a clifftop promenade. The building whilst not being listed is of character and has towers to each of the four corners of this older part of the building. It is constructed in render to the lower floor with red brick to the upper floors.

RELEVANT PLANNING HISTORY

FH/TH/22/0433 Erection of third floor extension. Under consideration.

FH/TH/21/0970 Erection of third floor rear extension. 28th July 2021 Granted

PROPOSED DEVELOPMENT

Full planning consent is sought for the installation of timber double glazed windows to replace the authorised casement Upvc windows that have been installed so that they revert back to the original windows which were timber.

The proposal would see the removal of the existing picture style windows that are currently in situ and replaced with timber double glazed windows that have vertical glazing bars to have a more traditional style.

DEVELOPMENT PLAN POLICIES

SP36 - Conservation and enhancement of Thanet's Historic Environment

HE02 - Development in Conservation Areas

QD02 - General Design Principles

QD03 - Living Conditions

NOTIFICATIONS

Letters were sent to adjoining occupiers, a site notice posted close to the site and the application publicised in a local newspaper.

Two representations were received objecting to the application. The concerns raised are summarised below.

- Close to adjoining properties
- Conflict with local plan
- General dislike of proposal
- Out of keeping with character of area
- Loss of heritage
- Information missing from plans
- Not enough info given on application- no reference given to the style of windows
- Other - give details
- Over development
- Concern that works have been carried out within planning consent
- Concerns raised in relation to the third floor extension built (approved under F/TH/21/0970) and current application FH/TH/22/0433 for a third floor extension

CONSULTATIONS

TDC Conservation Officer: Following a review of the proposed application I would like to state that I have no objections and believe there to be a minimal implication to the significance of the surrounding conservation area.

COMMENTS

This application is referred to the Planning Committee at the request of Cllr. Towing due to concerns that the windows would not be in keeping with the Conservation Area, and the windows installed are illegal.

Principle

There is no in principle objection to the alteration or extension of an existing residential flat.

The main considerations with regard to this planning application will be the consideration of the impact of the proposed development on the character and appearance of the Conservation Area, the residential amenity of future occupants and neighbouring property occupiers and highway impacts.

Character and Appearance

The site is located within the Clifftop Conservation Area. The Council must therefore take into account Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, which requires that in relation to conservation areas, 'special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the area.'

Paragraph 197 of the National Planning Policy Framework (NPPF) requires local planning authorities to take account of the desirability of sustaining and enhancing the significance of heritage assets, and the desirability of new development making a positive contribution to local character and distinctiveness. The NPPF requires that where a development causes substantial harm, or less than substantial harm but where the harm is not outweighed by public benefit, permission should be refused.

Policy HE02 of the Thanet Local Plan requires that appropriate materials and detailing are proposed and that developments would not result in the loss of features that contribute to the character or appearance of the conservation area. New development which would detract from the immediate or wider landscape setting of any part of a conservation area will not be permitted.

Paragraph 130 of the NPPF states decisions should ensure that developments will function well and add to the overall quality of the area, are visually attractive as a result of good architecture, layout and appropriate and effective landscaping, sympathetic to local character and history, establish or maintain a strong sense of place, and optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development and create places that are safe, inclusive and accessible.

Policy QD02 of the Thanet Local Plan outlines that the primary aim of new development is to promote or reinforce local character and provide high quality and inclusive design that is sustainable in all other respects. Proposals should therefore relate to surrounding development, form and layout, be well designed, pay particular attention to context and identity of location, scale, massing, rhythm, density, layout and materials, and be compatible with neighbouring buildings and spaces. Any external spaces and landscape features should be designed as an integral part of the scheme.

This application is for replacement timber windows for a flat within a building known as the Wishing Towers. This is a prominent residential building on Eastern Esplanade within the Conservation Area. Due to its prominence and sensitive nature of the conservation area it is important that alterations such as these are conducted with sensitivity.

This proposal seeks to reinstate the original styled windows within vertical glazing bars rather than the un-authorized Upvc double glazed picture style windows that are in situ at present. The proposed windows will also be double glazed.

The proposed windows in this application are of a suitable design and use materials that reflect these issues. The proposed timber double glazed windows will sufficiently replicate and maintain the traditional materiality, design and appearance of the original windows, and is not considered to result in significant harm to the special character and appearance of the Conservation Area. The windows will be suitable for the building and will be an acceptable addition to the Conservation Area, representing an overall improvement to the existing picture style windows that are in situ.

The proposed development is, therefore, considered to be suitably compatible with the character and appearance of the Conservation Area, in accordance with Policies HE02 and QD02 of the Thanet Local Plan and the National Planning Policy Framework.

Living Conditions

Paragraph 119 of the NPPF states that planning decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.

Local Plan Policy QD03 (Living Conditions) states that All new development should: 1) Be compatible with neighbouring buildings and spaces and not lead to the unacceptable living conditions through overlooking, noise or vibration, light pollution, overshadowing, loss of natural light or sense of enclosure. 2) Be of appropriate size and layout with sufficient usable space to facilitate comfortable living conditions and meet the standards set out in QD04. 3) Residential development should include the provision of private or shared external amenity space/play space, where possible. 4) Provide for clothes drying facilities and waste disposal or bin storage, with a collection point for storage containers no further than 15 metres from where the collection vehicle will pass.

As this proposal is a like for like replacement of windows (no new additional openings being created) the work will create no neighbour amenity issues in terms of overlooking, overbearing or overshadowing.

The proposed development is, therefore, considered to be acceptable in terms of residential amenity, in accordance with Policy QD03 of the Thanet Local Plan and the National Planning Policy Framework.

Transportation

Policy QD02 relates to general design principles and states amongst other principles that developments must incorporate a high degree of permeability for pedestrians and cyclists, provide safe and satisfactory access for pedestrians, public transport and other vehicles, ensuring provision for disabled access and Improve people's quality of life by creating safe and accessible environments, and promoting public safety and security by designing out crime. Policy TP01 states that new development will be expected to be designed so as to facilitate safe and convenient movement by pedestrians including people with limited mobility, elderly people and people with young children, whilst Policy TP03 states new development will be expected to consider the need for the safety of cyclists and incorporate facilities for cyclists into the design of new and improved roads, junction improvements and traffic management proposals.

Given the nature of the proposal there will be no impact upon highway safety and therefore the proposal is considered to be acceptable.

Conclusion

The proposed development would enable the continued preservation of the property and make a positive contribution to the character and appearance of the Clifftop Conservation Area. The development is acceptable in all other material respects and accords with the

requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990, Thanet Local Plan Policies HE02, QD02 and QD03 and the NPPF.

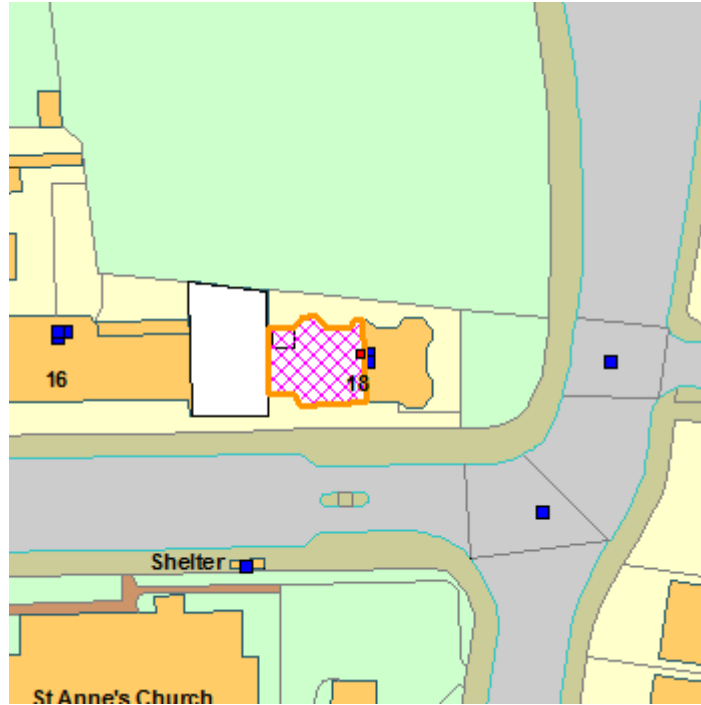
It is, therefore, recommended that Members approve the application subject to safeguarding conditions.

Case Officer

Gill Richardson

TITLE: F/TH/22/0940

Project 9 Wishing Towers 18 Eastern Esplanade MARGATE Kent CT9 3BG



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A04

F/TH/22/0579

PROPOSAL: Extension of electricity battery storage facility to provide additional 249mw capacity including electrical plant and equipment, alterations to land levels, landscaping and associated works, following removal of existing wind turbine,
LOCATION: site clearance and levelling

Richborough Energy Park Sandwich Road RAMSGATE Kent
CT13 9NL

WARD: Thanet Villages

AGENT: Mr Jon Bradburn

APPLICANT: Sheaf Energy LTD

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 drawings numbered 05 Rev C, 06 Rev C, 07 Rev A, 08 Rev A and 09 Rev A received, 22 April 2022 and 03 Rev C received 04 July 2022.

GROUND;

To secure the proper development of the area.

3 Prior to the commencement of any development on site details to include the following shall be submitted to and approved by the Local Planning Authority and should be carried out in accordance with the approved details.

- (a) Routing of construction and delivery vehicles to / from site
- (b) Parking and turning areas for construction and delivery vehicles and site personnel
- (c) Timing of deliveries
- (d) Provision of wheel washing facilities
- (e) Temporary traffic management / signage
- (f) Measures to control noise affecting upon birds within the adjacent SSSI
- (g) Dust control measures

- (h) Access arrangements
- (I) Details of anticipated number of hourly, daily and total HGV movements and timescale for the same
- (j) Details of the largest size of vehicle likely to visit the site
- (K) Details of any abnormal loads
- (L) Details of herras fencing to be erected along the site boundaries adjacent to the construction footprint.
- (M)Details of any required mitigation for protected sites

GROUND

In the interests of highway safety, neighbouring amenity and protected species, in accordance with policies QD02 QD03 and SP30 of the Thanet Local Plan and the advice contained within the NPPF.

4 Prior to the commencement of any development on site a detailed ecological mitigation and habitat creation plan to include the following shall be submitted to and approved by the Local Planning Authority and should be carried out in accordance with the approved details.

- o Updated Preliminary Ecological Survey (if existing survey data is over 2 years old)
- o Any specific species surveys recommended.
- o Overview of mitigation and habitat creation required.
- o Detailed methodology for the mitigation and habitat creation/enhancement.
- o Timing of the works
- o Details of who will implement the works
- o Interim management plan until site wide management plan has been impelmented.
- o Map showing the areas of the mitigation areas, habitat creation and enhancement areas

GROUND

In the interests of the visual amenities of the area and to make a positive contribution to biodiversity, in accordance with Policies QD02 and SP30 of the Thanet Local Plan, and the advice as contained within the NPPF.

5 No Development shall take place until a detailed sustainable surface water drainage scheme for the site has been submitted to (and approved in writing by) the local planning authority. The detailed drainage scheme shall demonstrate that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100 year storm) can be accommodated and disposed of within the curtilage of the site without increase to flood risk on or off-site. The drainage scheme shall also demonstrate that silt and pollutants resulting from the site use and construction can be adequately managed to ensure there is no pollution risk to receiving waters.

GROUND

To ensure the development is served by satisfactory arrangements for the disposal of surface water and to ensure that the development does not exacerbate the risk of on/off site flooding, in accordance with Policy CC02 of the Thanet Local Plan and advice contained within the NPPF

6 No building on any phase (or within an agreed implementation schedule) of the development hereby permitted shall be occupied until a Verification Report, pertaining to the surface water drainage system and prepared by a suitably competent person, has been submitted to and approved by the Local Planning Authority. The Report shall demonstrate the suitable modelled operation of the drainage system where the system constructed is different to that approved. The Report shall contain information and evidence (including photographs) of details and locations of inlets, outlets and control structures; landscape plans; full as built drawings; information pertinent to the installation of those items identified on the critical drainage assets drawing; and, the submission of an operation and maintenance manual for the sustainable drainage scheme as constructed.

GROUND

To ensure the development is served by satisfactory arrangements for the disposal of surface water and to ensure that the development does not exacerbate the risk of on/off site flooding, in accordance with Policy CC02 of the Thanet Local Plan and advice contained within the NPPF

7 Prior to the development being operational, a management plan to include the following shall be submitted to and approved by the Local Planning Authority and should be carried out in accordance with the approved details.

- o Map showing the areas of the mitigation areas, habitat creation and enhancement areas to be managed.
- o Overview of management to be implemented.
- o Detailed management plan capable of being a 5 year rolling plan.
- o Details of how the management will be funded.
- o Who will carry out the works.

GROUND

In the interests of the visual amenities of the area and to make a positive contribution to biodiversity, in accordance with Policies QD02 and SP30 of the Thanet Local Plan, and the advice as contained within the NPPF.

8 If, during development, significant contamination is suspected or found to be present at the site, then works shall cease, and this contamination shall be fully assessed and an appropriate remediation scheme agreed with the Local Planning Authority. The approved works shall be implemented within a timetable agreed by the Local Planning Authority and shall be of such a nature as to render harmless the identified contamination given the proposed end use of the site and surrounding environment, including controlled waters. Prior to first occupation/use and following completion of approved measures, a verification report shall be submitted to the Local Planning Authority for approval.

GROUND

To ensure that the proposed development will not cause harm to human health or pollution of the environment, in accordance with Policy SE03 of the Thanet Local Plan and the advice contained within the National Planning Policy Framework.

9 Ground levels should be raised to 3.0 mAOD across the entire site, elevating the development above the 2.89 mAOD flood level for the 0.5% AEP event including climate change to the year 2052.

GROUND

To reduce any impact of flooding in accordance with Policy CC02 of the Thanet Local Plan and advice contained within the NPPF.

10 Sensitive equipment should be located at least 300mm above the design flood level (2.89mAOD)

GROUND

To reduce any impact of flooding in accordance with Policy CC02 of the Thanet Local Plan and advice contained within the NPPF.

INFORMATIVES

Information on how to appeal this planning decision or condition is available online at <https://www.gov.uk/appeal-planning-decision>

Please be aware that your project may also require a separate application for Building Control. Information can be found at:

<https://www.thanet.gov.uk/services/building-control/> or contact the Building Control team on 01843 577522 for advice.

Please ensure that you check the above conditions when planning to implement the approved development. You must clear all pre-commencement conditions before development starts on site. Processing of conditions submissions can take up to 8 weeks and this must be factored into development timescales. The information on the submission process is available here:

<https://www.thanet.gov.uk/info-pages/planning-conditions/>

SITE, LOCATION AND DESCRIPTION

The site is located to the west of the A256 and extends along the northern bank of the river Stour. It appears to have previously been in use in association with Richborough Power station and contained various buildings and railway sidings. The Sandwich Bay and Hacklinge Marshes SSSI extends along the northern boundary and to the west of the site. The site is currently occupied by a large telecommunications mast and a wind turbine. An access road extends along the full length of the site and much of the site surrounding the wind turbine and mast appears to be managed grassland with ballast from the railway visible below.

RELEVANT PLANNING HISTORY

F/TH/21/1811 Variation of condition 2 and removal of condition 4 of planning consent

F/TH/21/0831 Extension of the existing 400kV substation to remove restriction and allow alterations to boundary fence and use of 4t Telehandler October to March. Granted 06 June 2022

F/TH/21/0831 - Extension of the existing 400kV substation. Granted 15 September 2021

F/TH/21/0305 - Development of an electrical battery storage facility with 71.6MW capacity including the installation of 33 batteries, electrical plant and equipment, alterations to land levels, landscaping and associated works. Granted 30 April 2021

F/TH/20/1467 - Development of an electrical battery storage facility with 49.9MW capacity including the installation of 23 batteries, electrical plant and equipment, alterations to land levels, landscaping and associated works. Granted 09 February 2021.

NM/TH/18/0389 - Application for Non-material amendment for a application for the approval of appearance, layout and scale pursuant to condition 1 of planning permission reference F/TH/13/0760 for the installation of 3.1km underground high voltage DC cable from Pegwell Bay to Former Richborough Power Station, together with erection of converter station building, substation building, spare parts building, storage unit, outdoor electrical equipment for substation and for converter station, associated temporary construction compounds, and fence to boundary of substation and converter station for alterations to design of associated buildings and layout. Granted 29 May 2018.

NM/TH/17/0681 - Non-material amendment of planning reference F/TH/13/0760 to allow changes to the gradient of land at parts of the cable route. Granted 20 June 2017.

R/TH/16/0128 - Application for the approval of appearance, layout and scale pursuant to condition 1 of planning permission reference

F/TH/13/0760 for the installation of 3.1km underground high voltage DC cable from Pegwell Bay to Former Richborough Power Station, together with erection of converter station building, substation building, spare parts building, storage unit, outdoor electrical equipment for substation and for converter station, associated temporary construction compounds, and fence to boundary of substation and converter station. Granted 24 May 2016.

NM/TH/15/0997 - Application for non-material amendment to planning permission F/TH/12/1016 to phase submission details. Granted 30 October 2016.

NM/TH/15/0996 - Application for non-material amendment to planning permission F/TH/12/1015 to phase submission of details. Granted 04 January 2016.

DM/TH/15/0981 - Application for determination as to whether prior approval is required for demolition of turbine hall frame. Prior approval not required 21 October 2015.

F/TH/15/0380 - Formation of internal access road. Granted 07 July 2015.

NM/TH/15/0161 - Application for non-material amendment to planning permission F/TH/13/0760 to introduce phasing of submission of details of site waste management plan, incident management plan and landscaping. Granted 16 March 2015

NM/TH/15/0129 - Application for non-material amendment to planning permission F/TH/13/0760 to amend site levels. Granted 16 March 2015.

F/TH/14/0388 - Installation of 0.45m razor wire to existing perimeter fence. Granted 17 June 2014.

F/TH/13/0760 - Installation of 3.1km underground high voltage direct current (HVDC) cable from Pegwell Bay to former Richborough Power Station, being part of a 130km HVDC electrical interconnector with an approximate capacity of 1000 megawatts (MW) extending from Zebrugge (Belgium) to the former Richborough Power Station site, together with outline application for the erection of converter station building (max height 30.8m), substation building (max height 15m) outdoor electrical equipment for substation (max height 12.7m) and for converter station (max height 11.8m), underground cables from substation and converter station and construction of internal roads, including access and landscaping. together with associated temporary construction compounds. Granted 19 December 2013.

F/TH/12/1016 - Formation of internal road network, erection of weighbridge and office building together with associated landscaping. Granted 13 June 2013.

F/TH/12/1015 - Redevelopment of a 1.22 ha (3.02 acre) part of the Richborough Power Station site to create a 42.4 MW capacity sui generis Peaking Plant Facility with associated areas for parking, access, landscaping and associated works, including 4 x 35 metres high exhaust stacks (Duplicate of application submitted to Dover District Council, as the majority of the site falls within the district of Dover). Granted 13 June 2013.

F/TH/11/0727 - Demolition of the 3 no. cooling towers and 1 no. Chimney, creation of a site compound and associated works. Granted 28 February 2012.

PROPOSED DEVELOPMENT

The proposed development is an extension of electricity battery storage facility to provide additional 249mw capacity including electrical plant and equipment, alterations to land levels, landscaping and associated works, following removal of existing wind turbine, site clearance and levelling.

The proposed batteries would capture excess energy that has been generated, primarily from renewable sources and would release it into the national grid when required.

The proposed batteries would be contained within single storey containers with green roofs and similar structures are proposed around the site containing other associated equipment. A substation would be located at the eastern end of the site with a maximum height of 15m.

DEVELOPMENT PLAN POLICIES

CC01 - Fluvial and Tidal Flooding
CC02 - Surface Water Management
CC07- Richborough
GI01- Protection of Nationally Designated Sites (SSSI) and Marine Conservation Zones (MCZ)
GI06 - Landscaping and Green Infrastructure
HE01 - Archaeology
HE03 - Heritage Assets
QD01 - Sustainable Design
QD02 - General design Principles
QD03 - Living Conditions
SE03 - Land affected by Contamination
SE05 - Air Quality
SE06 - Noise Pollution
SE08 - Light Pollution
SP24 - Development in the Countryside
SP26 - Landscape Character Areas
SP27 - Green Infrastructure
SP28 - Protection of the International and European Designated Sites
SP30 - Biodiversity and Geodiversity Assets
SP31 - Biodiversity Opportunity Areas
SP35 - Quality Development
SP37 - Climate Change
TP01 - Transport Assessments and Travel Plans
TP06 - Car Parking

NOTIFICATIONS

A site notice was posted close to the site and an advert was posted in the local paper.

No responses have been received.

Minster Parish Council - No objections.

CONSULTATIONS

Environment Agency - Update comments received 07 June 2022

Based on the submitted information we consider that planning permission could be granted for the proposed development if the following planning conditions are included as set out below. Without these conditions, the proposed development poses an unacceptable risk to the environment and we would object to the application.

Condition 1

Ground levels should be raised to 3.0 mAOD across the entire site, elevating the development above the 2.89 mAOD flood level for the 0.5% AEP event including climate change to the year 2052

Condition 2

Sensitive equipment should be located at least 300mm above the design flood level (2.89mAOD)

Informative

A Flood Risk Activity Permit may be required for the works. For more information on flood risk activities and their associated criteria, please visit: Flood risk activities: environmental permits - GOV.UK (www.gov.uk)

Initial comments received 29 April 2022

We cannot find a flood risk assessment (FRA) with the submitted documents. As the required FRA has not been provided we are unable to assess this application.

The application site lies within Flood Zone 3/2 defined by the Environment Agency Flood Map as having a high/medium probability of flooding. Paragraph 163, footnote 50 of the National Planning Policy Framework (NPPF) requires applicants for planning permission to submit a Flood Risk Assessment (FRA) when development is proposed in such locations.

An FRA is vital if the local planning authority is to make informed planning decisions. In the absence of an FRA, the flood risk resulting from the proposed development is unknown. The absence of an FRA is therefore sufficient reason in itself for a refusal of planning permission.

KCC Biodiversity - *Updated comments received 24 August 2022*

We have reviewed the ecological information submitted with the planning application and we are satisfied that the survey information is appropriate and sufficient

When we previously commented we raised concerns that the redline boundary on the proposed layout plan appears to be larger larger than the redline boundary within the plans

within the ecology report and therefore we are concerned that the impact on the habitats and species found within the site have not been fully assessed. However more detailed plans have been submitted and they confirm that the calcareous grassland to the north of the site will not be lost as a result of the proposed development.

The report has confirmed that the following are present within or adjacent to the site:

Open Mosaic Grassland on Previously Developed Land

Acid Grassland

Calcareous grassland

Reptiles

Invertebrate

Suitable habitat for breeding and wintering birds (peregrine falcon was confirmed as probably breeding during the surveys)

The site is adjacent to the Sandwich Bay and Hackling Marshes SSSI and the proposal will result in the partial loss of an area of the Woods and Grassland Minster Marshes LWS.

The mitigation proposed includes the following:

Habitat enhancement and creation of all habitats found within the site. The habitat creation/enhancement will be carried out within the site and within the wider land holdings.

Precautionary mitigation for protected/notable species within the site.

We advise that we are satisfied that the proposed mitigation is appropriate but there will for a detailed mitigation and habitat creation plan to be submitted if planning permission is granted.

The proposal will result in the partial loss of an area of LWS and while we accept that the mitigation is appropriate and we highlight that there is a need to ensure the proposed habitat creation/enhancement is actively managed. If planning permission is granted there is a need for a management plan to be submitted.

SSSI

As NE have been commenting on the impacts on the SSSI we will defer to them on this matter.

Initial comments received 26 May 2022

We have reviewed the ecological information submitted with the planning application and we are satisfied that the survey information is appropriate and sufficient. However we advise that additional information is required, prior to determination, assessing the impact on the habitat and species found within the site during the surveys.

The redline boundary on the proposed layout plan appears larger than the redline boundary within the plans within the ecology report and therefore we are concerned that the impact on the habitats and species found within the site have not been fully assessed. In particular it appears that much of the habitat to the north of the site will be lost as a result of the current proposals and as a result insufficient information on the habitat and species mitigation/compensation has not been submitted to enable the impact to be fully addressed.

To address this concern we advise the following plans are submitted:

Plan showing the habitats to be lost as a result of the proposed development

Plans showing the area of habitat creation and enhancement as a result of the proposed development.

The plans will enable us to fully understand the impact of the proposed development and consider if the mitigation/compensation proposed within the submitted document is appropriate and sufficient or if additional information is required.

We highlight that there is a need to ensure that, if planning permission is granted, the mitigation is appropriate as the proposal will result in the partial loss of an area of a Local Wildlife Site, direct loss of priority habitats and habitat where protected/notable species have been recorded.

KCC Flood and Water Management - Updated comments received 27 May 2022

Kent County Council as Lead Local Flood Authority have reviewed the Flood Risk Assessment and the Drainage Strategy prepared by RMA Environmental dated April 2022 and agree in principle to the proposed development.

The proposals seek to utilise tanked filter drains with a piped outlet into the Tidal section of the River Medway with an unrestricted discharge.

Should your authority be minded to grant permission for the proposed development, we recommend the following conditions are attached:

Condition: Development shall not begin in any phase until a detailed sustainable surface water drainage scheme for the site has been submitted to (and approved in writing by) the local planning authority. The detailed drainage scheme shall be based upon the Flood Risk Assessment and the Drainage Strategy prepared by RMA Environmental dated April 2022 and shall demonstrate that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100 year storm) can be accommodated and disposed of without increase to flood risk on or off-site.

The drainage scheme shall also demonstrate (with reference to published guidance):

that silt and pollutants resulting from the site use can be adequately managed to ensure there is no pollution risk to receiving waters.

appropriate operational, maintenance and access requirements for each drainage feature or SuDS component are adequately considered, including any proposed arrangements for future adoption by any public body or statutory undertaker.

The drainage scheme shall be implemented in accordance with the approved details.

Reason:

To ensure the development is served by satisfactory arrangements for the disposal of surface water and to ensure that the development does not exacerbate the risk of on/off site flooding. These details and accompanying calculations are required prior to the commencement of the development as they form an intrinsic part of the proposal, the approval of which cannot be disaggregated from the carrying out of the rest of the development.

Condition:

No building on any phase (or within an agreed implementation schedule) of the development hereby permitted shall be occupied until a Verification Report, pertaining to the surface water drainage system and prepared by a suitably competent person, has been submitted to and approved by the Local Planning Authority. The Report shall demonstrate that the drainage system constructed is consistent with that which was approved. The Report shall contain information and evidence (including photographs) of details and locations of inlets, outlets and control structures; landscape plans; full as built drawings; information pertinent to the installation of those items identified on the critical drainage assets drawing; and, the submission of an operation and maintenance manual for the sustainable drainage scheme as constructed.

Reason:

To ensure that flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems, and to ensure that the development as constructed is compliant with and subsequently maintained pursuant to the requirements of paragraph 165 of the National Planning Policy Framework.

Initial comments received

Unfortunately no surface water drainage strategy has been provided for the proposed development. We would therefore recommend the application is not determined until a complete surface water drainage strategy has been provided for review.

At a minimum, a drainage strategy submission must comprise:

A location plan

A site layout

A drainage proposal schematic or sketch

A clear description of key drainage features within the drainage scheme (e.g. attenuation volumes, flow control devices etc.)

Information to support any key assumptions (e.g. impermeable areas, infiltration rates etc.)

Supporting calculations to demonstrate the drainage system's operation and drainage model network schematic

Drainage strategy summary form (from our Drainage and Planning Policy Statement)

Consideration of key questions and / or local authority planning policy requirements.

KCC Highways - I refer to the above planning application and note that I have no objection to the proposals but require a Construction Management Plan (CMP) to be submitted for approval by condition. The CMP should include the following:

Provision of construction vehicle loading/unloading and turning facilities

Provision of parking facilities for site personnel and visitors

Provision of wheel washing facilities if necessary

Details of anticipated number of hourly, daily and total HGV movements and timescale for the same

Details of the largest size of vehicle likely to visit the site

Details of any abnormal loads

Informative:

It is important to note that planning permission does not convey any approval to carry out works on or affecting the public highway.

KCC Public Rights of Way - No comment

Ministry of Defence - The Ministry of Defence has no safeguarding concerns to this proposal.

Natural England - Updated comments received 10 August 2022

No objection - subject to appropriate mitigation being secured

We consider that without appropriate mitigation the application would:

damage or destroy the interest features for which Sandwich Bay to Hacklinge Marshes Site of Special Scientific Interest has been notified.

In order to mitigate these adverse effects and make the development acceptable, the following mitigation measures are required / or the following mitigation options should be secured:

Measures to mitigate against noise impact during construction.

We advise that an appropriate planning condition or obligation is attached to any planning permission to secure these measures.

Initial comments received 19 May 2022

FURTHER INFORMATION REQUIRED TO DETERMINE IMPACTS ON DESIGNATED SITES

As submitted, the application could have potentially significant effects on the Sandwich Bay to Hacklinge Marshes Site of Special Scientific Interest (SSSI). Natural England requires further information in order to determine the significance of these impacts and the scope for mitigation.

The following information is required:

Detailed information on the proposed drainage strategy in relation to Sandwich Bay to Hacklinge Marshes SSSI and measures proposed to mitigate any potential impacts.

Detailed information on avoidance and/or mitigation of noise and other impacts on birds that are the interest features of the nearby SSSI.

Information confirming whether any SSSI designated land will be directly impacted.

Without this information, Natural England may need to object to the proposal.

Network Rail - No objections

TDC Environmental Health - The Planning Statement confirms that no EIA is necessary for noise or air quality:

- o There will be no impact in terms of Noise and Vibration, and any noise arising from the equipment will be minimal and indistinguishable from the background level. This is because the only moving parts are the cooling fans located within the containers.
- o The proposals will have no impact upon air quality. There are no emissions other than hot-air from the cooling system.

Environmental Health accepts the statement and offer no further comments.

COMMENTS

This application has been brought before members by Cllr Smith to consider environmental impacts of the development and by Cllr Pugh to consider the economic benefits of the development.

Principle

The site was previously occupied by the Richborough Power Station and its associated buildings and railway sidings. It now comprises managed grassland with hedgerows and trees located around the boundaries of the site and is located in the countryside.

Policy SP37 of the Thanet Local Plan states "New development must take account of the need to respond to climate change:

- 1) by minimising vulnerability and providing resilience to the impacts of climate change through the use of up to date technologies, efficient design and appropriate siting and positioning of buildings;
- 2) mitigating against climate change by reducing emissions and energy demands through the use of up to date technologies;
- 3) realise and make best use of available opportunities to reduce the impact of climate change on biodiversity and the natural environment by providing space for habitats and species to move through the landscape and for the operation of natural processes, particularly at the coast."

The February 2022 review of the National Policy Statement for Energy welcomes the government's commitment to deliver net zero by 2050 and states that; "Meeting our net zero target will require a significant scale and pace of change in delivering new energy infrastructure."

Part of the site has been allocated under policy CC07 of the Thanet Local Plan as an area for the development of renewable energy facilities if it can be demonstrated that the development will not be detrimental to nearby sites of nature conservation value or that any potential effects can be fully and suitably mitigated.

The proposed batteries do not generate electricity and therefore do not constitute a form of renewable energy. This proposal would store energy that is generated from other sources when it is not required and would then perform a function similar to the peaking plant that has previously been approved on the site by releasing this energy at times of peak demand when other sources may not be available or are slow to respond. By storing energy in this way, for use at a later time, more renewable energy would be utilised. Whilst not directly supported by policy CC07 of the Thanet Local Plan, the proposed development would comply with the spirit of this policy by improving the country's energy resilience and making better use of renewable energy sources. Therefore the principle of development is considered to be in accordance with the site allocation policy.

The remainder of the site is located within the open countryside as defined by policy SP24 of the Thanet Local Plan permits development on non-allocated sites in the countryside subject to a number of restrictions:

"Development on non-allocated sites in the countryside will be permitted for either:

- 1) the growth and expansion of an existing rural business;
- 2) the development and diversification of agricultural and other land based rural businesses;
- 3) rural tourism and leisure development;
- 4) the retention and/or development of accessible local services and community facilities; or
- 5) the redevelopment of a brownfield site for a use that is compatible with its countryside setting and its surroundings.

All development proposals to which this policy applies should be of a form, scale and size which is compatible with, and respects the character of, the local area and the surrounding countryside and its defining characteristics. Any environmental impact should be avoided or appropriately mitigated."

This proposal would be an extension of the existing approved battery development and the adjacent allocation. Furthermore it is unlikely that this development could reasonably be located elsewhere due to its position on the grid, therefore this proposal is likely to be considered to meet the first exemption in policy SP24.

Part of the former Power Station site is subject to a Channel Tunnel Rail Link safeguarding direction. In accordance with the direction, the Council has consulted HS1 (south) limited who have stated that they have no interest in this application.

The principle of a battery storage facility on the site is therefore considered to be acceptable subject to all other material considerations.

Character and Appearance

The site is located within the Stour Marshes Landscape Character Area (Policy SP26 of the Thanet Local Plan). This policy states that development should be directed away from this area as it is largely undeveloped and key to retaining the island character of Thanet. This policy must be weighed against the allocation of part of the site under policy CC07 and the existing and previous development on the site.

Policy SP26 specifically states that the Stour Marshes area "is characterised by a vast, flat, open landscape defined by the presence of an ancient field system, defined by an extensive ditch and dyke system, the sea walls and isolated groups of trees. The former grazing land has been improved and managed as arable farmland, however, it still retains its network of ditches which provide biodiversity interest. It is important to conserve the long distance views to the Thames Estuary to the north and Pegwell Bay to the south."

The batteries would be kept within single-storey shipping containers with a maximum height of 2.9m and a new substation and converter station to connect these batteries to the national grid would be erected in the eastern end of the site, this would require equipment of up to 15m. This substation would be the tallest equipment on the site and is adjacent to the approved battery storage developments. The land within the site would be raised to 3m AOD which is a maximum change of approximately 1m to give a consistent level across the site and to avoid any significant flood risk.

The site is largely enclosed by trees and soft landscaping which limit views into the site and due to the height of the proposed batteries they are unlikely to extend above the height of the surrounding landscaping.

Some trees have been identified for removal as part of this scheme, however they are generally located away from the boundaries of the site and are not currently protected. These trees could therefore be removed at any time without consent from the local planning authority. The taller equipment that is proposed on the site would be located towards the eastern end and within the area that is allocated for energy related development.

Grass and low level planting is proposed in areas around the site and whilst limited in area, will provide some soft landscaping within the site. 4m high fencing is proposed around the site, the submitted information indicates that this would be weldmesh style fencing and green in colour.

The Saxon Shore Way (A public right of way) runs along the southern side of the river Stour adjacent to the site and would provide the closest public viewpoints. Given the hedgerow and trees along the site boundary views into the site are likely to be highly localised and as noted above the taller development proposed on the site would be sited towards the existing approved development at the eastern end of the site, minimising the incursion into the open countryside.

Given the arrangement of the structures on the site, the existing soft landscaping and the location of the site it is considered that the proposed development would not have a significantly harmful impact upon the character and appearance of the area or the landscape character area, in line with policy QD02 and SP26 of the Thanet Local Plan and the National Planning Policy Framework.

Living Conditions

The site forms part of the existing Richborough Energy Park and is located a substantial distance from the closest residential properties. The development would have a maximum height of 15m. Given the location of the site it is considered that the proposed development

would not result in any significant increase in loss of light, sense of enclosure, overlooking or noise and disturbance to any residential properties.

Transportation

The site is located within the existing Richborough Energy Park and would be accessed from the existing connection to the A256. The information submitted with the application has indicated that there would be limited vehicular movements to and from the site when it is in operation. KCC Highways have reviewed the application and raised no objection subject to the submission of a construction management plan. It is therefore considered that the proposed development would have no significant impact upon highway safety.

Biodiversity

The western part of the site is located within a locally designated wildlife site as defined by policy GI02 of the Thanet Local Plan. This policy states "Development which would have a detrimental impact on locally designated wildlife sites will not be permitted unless suitable mitigation can be provided either on or off site within Thanet. Exceptionally, where a strategic need for a proposed development is identified which outweighs the importance of the locally designated sites and cannot be located elsewhere, an equivalent area of habitat will be created elsewhere at a suitable location well related to other existing habitats.

Wherever possible and appropriate, new developments will provide a net environmental gain in accordance with Policy SP30, and include measures to enhance and improve wildlife connectivity to designated wildlife sites."

The Sandwich Bay to Hacklinge Marshes SSSI (Site of Special Scientific Interest) is located directly to the north of the site. Policy GI01 states "Development which would materially harm either directly, indirectly or cumulatively, or detract from the scientific or nature conservation interest of a Site of Special Scientific Interest, National Nature Reserve or Marine Conservation Zone will not be permitted.

Exceptionally, where it can be demonstrated that the need for the proposed development is compelling and overrides the national importance of the site, and it has been demonstrated that no suitable alternative site exists, mitigating measures will be required to maintain the integrity of the site, to the satisfaction of the appropriate authority.

The proposed development will, wherever possible and appropriate, include measures to enhance and improve connectivity to designated sites."

The applicant has submitted an ecological impact assessment which has been reviewed by both Natural England and KCC Biodiversity. Both consultees initially objected to the application due to the potential impacts of the development upon both the locally and internationally designated wildlife sites due to the submitted information being unclear about the areas to be affected, the drainage strategy and the proposed mitigation. Following the submission of additional information it has been confirmed that the proposed site does not encroach into the SSSI and the concerns regarding the potential for pollution or additional water to drain into this area have been addressed. Natural England have requested that a condition is applied requesting details of measures to avoid or mitigate noise impacts from

the construction of the development upon birds within the adjacent SSSI. Similar conditions have been applied to the development on the neighbouring sites as part of the construction management plan and are necessary to ensure that the construction of the development would not result in harm to this designated site.

The submitted report identifies that a number of species and habitats are present within the site and that this proposal will result in the partial loss of an area of the Woods and Grassland Minster Marshes Local Wildlife Site. To compensate for the loss of these habitats the application proposes habitat enhancement and creation of all habitats found within the site as well as a precautionary mitigation for protected/notable species within the site. KCC Biodiversity consider that this approach is appropriate and have requested conditions requiring the submission of a detailed ecological mitigation and habitat creation plan, and a management plan for this area.

It is therefore considered that whilst this development would result in the loss of part of the locally designated wildlife site, suitable new habitat creation, enhancement and conditions are proposed to ensure that the impacts of the development are mitigated.

Flood Risk

This application relates to the extension of an existing development and does not propose any habitable accommodation. The Environment Agency have reviewed the development and subject to conditions securing minimum land levels and height of sensitive equipment they have raised no objection to this proposal. Given the proposed use of the site and subject to the required conditions the proposed development is not considered to result in a significant increase in flood risk.

Contamination

Given the previous use of the site a watching brief condition is required in case of any unsuspected contamination being discovered, however given the commercial nature of the proposed development no further conditions are considered necessary.

Other Matters

The application site is within 250 metres of a safeguarded waste facility, the Richborough Hall waste treatment facility. No habitable accommodation is proposed on the site and only limited visits are required, primarily for maintenance. It is therefore considered that there would be no significant impact upon the operation of the safeguarded waste facility.

The proposed development has been screened under schedule 2 of the Environmental Impact Assessment Regulations 2017 and this screening concluded that an Environmental Impact Assessment is not required.

Conclusion

The proposed battery storage development would be an expansion and extension of the approved battery storage development and allocation to the east of the site and would

provide additional capacity for the storage of electricity. This use would help to utilise renewable energy sources and would provide some economic benefits to the area during construction and throughout its use. The use would result in the loss of part of a locally designated wildlife site, however it is considered that following the submission of additional information and subject to the proposed conditions, sufficient mitigation is proposed to mitigate the loss of the habitat and to safeguard the protected sites. The development would only be visible in local views and is not considered to result in any significant harm to nearby property occupiers. It is therefore recommended that members approve the application.

Case Officer

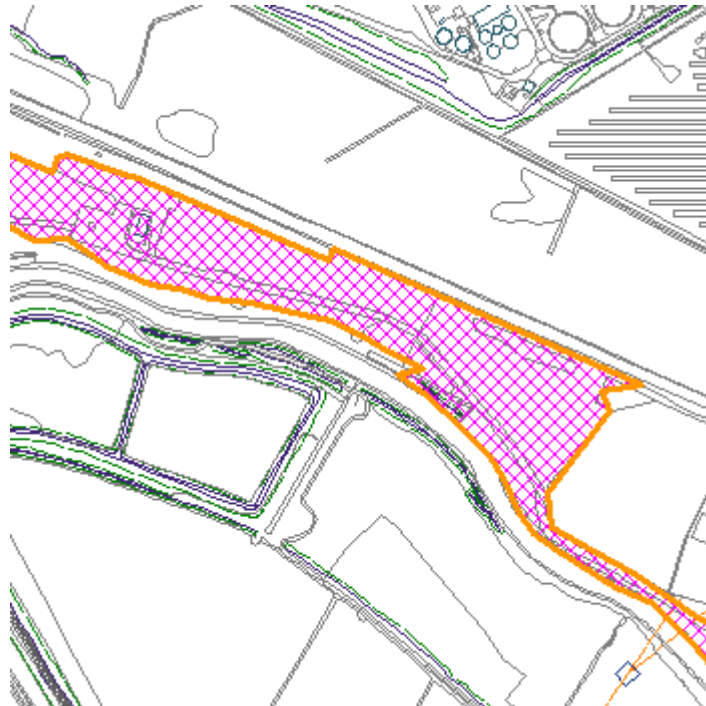
Duncan Fitt

TITLE:

F/TH/22/0579

Project

Richborough Energy Park Sandwich Road RAMSGATE Kent CT13 9NL



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A05

FH/TH/22/0894

PROPOSAL: Erection of two storey front and rear extension, together with 4 roof lights, ground floor terrace and first floor balcony and alterations to external materials

LOCATION: 54 Stone Road Broadstairs Kent CT10 1DZ

WARD: Bradstowe

AGENT: Mr Daniel McCarthy

APPLICANT: Mr Dan Clewley

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 proposed development shall be carried out in accordance with the submitted application and the approved drawings numbered 04 A, 05, 06, 07 and 08.

GROUND

To secure the proper development of the area.

3 Prior to the construction of the external surfaces of the development hereby approved, details and manufacturer's specification of the external materials shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

GROUND

In the interests of visual amenity in accordance with Policy QD02 of the Thanet Local Plan

4 Prior to the first use of the ground floor rear roof terrace hereby permitted a privacy screen at a height of 1.8m to the eastern side (adjacent boundary to no. 52A Stone Road) shall be erected and thereafter maintained.

GROUND

To safeguard the privacy and amenities currently enjoyed by the occupiers of adjoining residential properties in accordance with policy QD03 of the Thanet Local Plan.

5 The front brick and flint boundary wall shall be retained as part of this development.

GROUND

In the interests of visual amenity in accordance with Policy QD02 of the Thanet Local Plan.

INFORMATIVES

Please be aware that your project may also require a separate application for Building Control. Information can be found at:

<https://www.thanet.gov.uk/services/building-control/> or contact the Building Control team on 01843 577522 for advice.

Please ensure that you check the above conditions when planning to implement the approved development. You must clear all pre-commencement conditions before development starts on site. Processing of conditions submissions can take up to 8 weeks and this must be factored into development timescales. The information on the submission process is available here:

<https://www.thanet.gov.uk/info-pages/planning-conditions/>

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

No. 54 Stone Road is a chalet style detached dwelling and attached single garage with amenity space to the front and rear. It is located on the northern side of Stone Road. The house and garden slopes downwards from Stone Road towards properties that front Eastern Esplanade. The site is enclosed to the front boundary by an existing brick and flint wall.

RELEVANT PLANNING HISTORY

FH/TH/21/1375 Erection of 2no. three storey, three bed dwellings following demolition of existing chalet bungalow. Refused 1st November 2021.

The above application was refused for the following reasons:

“The proposed 2no three storey dwelling dwellings by virtue of the loss of the front boundary wall, restricted size of the site, its relationship within the site and visually in the area, would be significantly out of keeping with the area and its spacious pattern of development along the eastern side of Stone Road, resulting in a cramped and incongruous form of development that is significantly harmful to the character and appearance of the area, contrary to the aims of policy QD02 of the Thanet Local Plan and paragraphs 119, 130 and 134 of the National Planning Policy Framework.”

“The proposed development will result in additional pressure on the Thanet Coast and Sandwich Bay Special Protection Area (SPA), and Sandwich Bay and Hacklinge Marshes Site of Special Scientific Interest (SSSI), and in the absence of an acceptable form of mitigation to relieve the pressure, the proposed development would be contrary to policy SP29 of the Thanet Local Plan and paragraph 182 of the National Planning Policy Framework.”

PROPOSED DEVELOPMENT

Full planning consent is sought for the erection of a two storey front and rear extension, together with roof lights in the north elevation, a ground floor terrace and first floor balcony and alterations to external materials. the front facade incorporating white render, linear brick slips and vertical slatted cladding composite and zinc cladding under a slate roof.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan 2020

SP35 - Quality Development
QD02 - General Design Principles
QD03 - Living Conditions
TP06 - Car Parking

Broadstairs and St Peter's Neighbourhood Plan

BSP8 - Local Heritage Assets
BSP9 - Design in Broadstairs & St. Peter's

NOTIFICATIONS

Letters were sent to adjoining occupiers and a site notice posted close to the site.

Five representations were received objecting to the proposal with some people commenting more than once. The concerns are summarised below.

- Close to adjoining properties
- Development too high
- Inadequate parking provision - three spaces should be provided
- Information missing from plans
- Not enough info given on application
- Over development
- Flint boundary wall should not be demolished
- Not clear how far out the building will go beyond the existing property
- Concern that the yellow site notice was not erected
- Increase in traffic
- Loss of light
- Loss of privacy from first floor terrace
- Concern about additional parking that can not be accommodated on site

- Question if a door is proposed within the side elevation
- Plans showing trees are misleading
- Aerial photograph is out of date
- Increase of pollution
- Loss of parking
- Out of keeping with character of area
- Residential Amenity
- Tantamount to the construction of a new property
- Would involve the loss of a bungalow in an area that requires bungalows for elderly

Broadstairs Town Council: The Planning Committee of the Town Council has considered this application and resolved unanimously to recommend REFUSAL on the following grounds:

- a) Overdevelopment and out of keeping with the surrounding area.
- b) Loss of privacy and light to neighbouring properties.
- c) The previous flint wall had been demolished which contravenes NDPP BSP8. Recommend that, should this application be approved, the wall is to be reinstated.
- d) Should the application be approved, landscaping as shown on plan 04 should be planted if not already in place.

Broadstairs Society: The Broadstairs Society objected to the proposed development. Planning Application 21/1375 for the erection of 2No. three storey, three bed dwellings following demolition of existing chalet bungalow. The Town Council drew attention to the fact that there was no mention of the flint wall which is protected under Neighbourhood Development Plan Policy BSP8 and the design contravenes Neighbourhood Development Plan Policy BSP9. The report recommended refusal but, unfortunately, made no mention of the flint wall amongst the reasons for refusal.

Consequently, the owner demolished the flint wall much to the distress of a neighbour. The Enforcement Officer was made aware of the situation but her hands were tied as there was no application at the time of demolition. Now there is this current application. The loss of the flint wall has meant that the application already contravenes NDPP BSP8. The Broadstairs Society views the disdain with which the wall was demolished with some alarm and feels, in the hopefully unlikely event the Planning Authority does approve it there should be a planning condition concerning the reinstatement of the flint in some way, shape or form.

COMMENTS

This application is referred to the Planning Committee at the request of Cllr Jill Bayford on the grounds of loss of light and loss of privacy as well as concerns about the possible demolition of the flint wall.

The main considerations in assessing the submitted scheme are the principle of development, the impact upon the character and appearance of the area, the impact upon living conditions of neighbouring property occupiers and the impact upon highway safety.

Principle

The site comprises an existing dwelling within the urban confines and the principle of extending an existing dwelling is considered to be acceptable subject to all other material considerations.

Character and Appearance

Paragraph 130 of the NPPF states decisions should ensure that developments will function well and add to the overall quality of the area, are visually attractive as a result of good architecture, layout and appropriate and effective landscaping, sympathetic to local character and history, establish or maintain a strong sense of place, and optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development and create places that are safe, inclusive and accessible. Policy QD02 of the Thanet Local Plan outlines that the primary aim of new development is to promote or reinforce local character and provide high quality and inclusive design that is sustainable in all other respects. Proposals should therefore relate to surrounding development, form and layout, be well designed, pay particular attention to context and identity of location, scale, massing, rhythm, density, layout and materials, and be compatible with neighbouring buildings and spaces. Any external spaces and landscape features should be designed as an integral part of the scheme.

Policy BSP8 of the Broadstairs and St Peter's Neighbourhood Plan relates to local heritage assets and states that proposals for development which would result in the loss of existing buildings or structures on the local list of heritage assets will not be supported. Alterations, extensions or other development which would adversely affect the appearance or setting of such buildings or structures will also not be supported. The list of local heritage assets is set out in appendix 4 of the neighbourhood plan. The flint wall to the front of no. 54 Stone Road is not identified as a heritage asset within that list. Policy BSP9 states that development proposals that conserve and enhance the local character and sense of identity of the Plan area will be encouraged. Proposals should take account of the Design Guidelines set out at Appendix 5. Proposals which demonstrate that they reflect the design characteristics of the area and have taken account of the Design Guidelines will be supported. Therefore, the development should be well designed, respect and enhance the character of the area paying particular attention to context and identity. Design and Character is further amplified by the Broadstairs and St Peters Neighbourhood Plan Policy BSP9.

No. 54 Stone Road is a chalet style detached dwelling with an attached single garage with amenity space to the front and rear. The house and garden slopes downwards from Stone Road towards properties that front Eastern Esplanade.

Planning permission is sought for the erection of a two storey front and rear extension, together roof lights in north elevation, ground floor terrace and first floor balcony set in from the eaves of the building and alterations to external materials; the front facade incorporating white render, linear brick slips and vertical slatted cladding composite and zinc cladding under a slate roof.

The proposed extension to the front elevation would alter the appearance and form of the property from a chalet style dwelling to a full two storey dwelling, with its associated increase

in height and two storey mass. Due to the nature of the extensions proposed the change would be clearly perceivable and visible from the street scene; Stone Road. It is confirmed that the site is not within a Conservation Area. In terms of context the site is located between a two storey dwelling to the east (no. 52A Stone Road) and two and a half storey property at 56A Stone Road to the west.

As the dwelling currently has a hipped roof which would change to having a projecting front gable across approximately half the width of the dwelling and pitched roof with gable to the eastern side. The increase in height would see the dwelling become a comparable height (slightly lower) to those dwellings either side. Accordingly it would not appear out of character with adjoining properties. Whilst the mass of the building increases, gaps are still retained to adjoining properties that would maintain the character of the area.

In terms of general design the properties within Stone Road, along this side of the road have a variety of designs including gables. With this in mind it is not considered necessary for a dwelling to replicate existing properties. The resulting design of the extended property is considered to integrate within the street scene without resulting in harm.

The proposal also includes a change to the external materials of the property within the street scene. There is a varied material palette, the proposed materials for the extended dwelling are considered to be reflective of materials found within the street scene, however precise details of the cladding and brick slips will need to be secured by condition.

The existing flint and brick wall to the front boundary is to be retained; the applicant's agent has confirmed by email that this will not be removed as part of this development. Similar boundary treatments to the front of properties along Stone Road exist and this would maintain this feature. Whilst, as set out above, the wall is not identified as a local heritage asset within the Broadstairs and St Peter's Neighbourhood Plan, it is a traditional feature and its retention is welcomed.

The proposed extension is not considered to have significant impact upon the character and appearance of the area and is therefore considered acceptable in terms of policy QD02 of the Local Plan, policies BSP8 and BSP9 of the Broadstairs and St Peter's Neighbourhood Plan and paragraph 130 of the NPPF.

Living Conditions

Paragraph 119 of the NPPF states that planning decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.

Local Plan policy QD03 (Living Conditions) is also relevant to this application. It states that All new development should: 1) Be compatible with neighbouring buildings and spaces and not lead to the unacceptable living conditions through overlooking, noise or vibration, light pollution, overshadowing, loss of natural light or sense of enclosure. 2) Be of appropriate size and layout with sufficient usable space to facilitate comfortable living conditions and meet the standards set out in QD04. 3) Residential development should include the provision of private or shared external amenity space/play space, where possible. 4) Provide

for clothes drying facilities and waste disposal or bin storage, with a collection point for storage containers no further than 15 metres from where the collection vehicle will pass.

The property is flanked by two residential properties (56A & 52A Stone Road), to the rear are 7 & 8 Stone Bay Court.

Looking firstly at the relationship with no. 56A, this property has three windows at ground floor; one being high level (utility, shower room and secondary window to kitchen/family room respectively) and two at first floor one of which is high level (bathroom and secondary bedroom). Given that the habitable rooms are at high level and secondary I consider any impact, by loss of light or having an overbearing relationship, not to be significant. The proposed extended dwelling only proposes roof lights within this elevation given that, I do not consider that overlooking would result between dwellings. Whilst the extended property would extend out further than the existing property, given the separation and openings I do not consider this will create harm. This relationship is, therefore, considered acceptable.

With regard to no 52A Stone Road, this has three openings within the side elevation; two serving a garage and the rear side window serving a kitchen. The proposal has ground floor windows serving a snug and the ground floor terrace enclosed by a 1.8m high obscure screen. The windows have the same relationship with this property currently; the existing windows within the side elevation of the property have two windows serving the lounge (same position as the snug) and two windows serving two bedrooms to be blocked up. It is, therefore, considered that the relationship is no worse between these two properties in terms of overlooking. With regard to loss of light it is considered that there will be no loss of sunlight due to the orientation, the extended property being to the north. In terms of outlook, it is appreciated that this will change from the rear side window serving the kitchen, however, this is a secondary window and therefore the impact is not considered to be significant. The proposal also includes a rear ground floor terrace at the rear- due to the change in levels across the site, this would be elevated to the lawned area. A 1.8m high obscure screen is proposed and this will mean that no direct overlooking will occur, the provision and retention of this screen will be conditioned.

First floor windows are now proposed in the rear elevation, there are currently no openings at this level. They would serve two bedrooms, en-suite and also proposed a balcony inset into the eaves. Whilst it is appreciated that there are no windows at this level currently, the relationship between first floor windows is not dis-similar to those properties that front Stone Road and Eastern Esplanade; there is a distance of approximately 30m between built forms. It is, therefore, considered that this relationship is acceptable.

It is considered that the property, as extended, would provide a good standard of accommodation for future occupiers, with good light and ventilation, a private amenity area and off road parking.

The proposal is, therefore, considered to be acceptable with regards to residential amenity in regard to existing residents, and in terms of space standards and provision of gardens for future residents. in accordance with Policy QD03 of the Thanet Local Plan and the National Planning Policy Framework.

Transportation

Policy QD02 outlines that new development proposals should incorporate a high degree of permeability for pedestrians and cyclists and provide safe and satisfactory access for pedestrians, public transport and other vehicles. Policy TP06 outlines that proposals for development will be expected to make satisfactory provision for the parking of vehicles. Suitable levels of provision are considered in relation to individual proposals, taking into account the type of development proposed, the location, accessibility, availability of opportunities for public transport, likely accumulation of parking and design considerations.

The property at present has three bedrooms as a result of the extensions this would increase to four bedrooms. The proposed driveway could accommodate a maximum of two vehicles- but parked in tandem. For a four bedroom dwelling within a suburban setting this should be 2 parking spaces which are independently accessible. To achieve two independently accessible parking spaces it is acknowledged that a greater area of hard surfacing would be required to enable turning and parking and would be likely to entail the removal of at least some of the wall to the front of the site. It is also appreciated that additional bedroom space could be created under permitted development that the Council as Local Planning Authority would have no control of. It is also acknowledged that there are no proposed changes to parking arrangements within the site. Whilst these spaces would not be independently accessible I do not consider it would result in an adverse impact on highway safety over and above the current situation. It is also noted that parking along this part of Stone Road is unrestricted, so additional parking if required could be accommodated on road.

Given the above, it is not considered that the proposal will result in a significant adverse impact to the local highway network, highway safety or parking, in accordance with Policy TP06 of the Thanet Local Plan and the NPPF.

Other Matters

It is confirmed that when the planning officer visited the site the planning site notice was erected close to the site.

There is no external door proposed within the side elevation.

Conclusion

The proposal would have an acceptable appearance in relation to the host property and the visual amenity of the street scene. It would be unlikely to result in any significant harm to existing residential amenities. The proposal is considered acceptable in terms of parking provision. It is therefore considered that the proposal would comply with paragraphs 130 of the NPPF and policies SP35, QD02, QD03 and TP06 of the Thanet Local Plan and it is therefore recommended that Members approve the application subject to safeguarding conditions.

Case Officer
Gill Richardson

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A06

FH/TH/22/1039

PROPOSAL: Installation of door to front elevation together with infilling existing door to side elevation with panel and installation of window to side elevation

LOCATION: 19 Church Road RAMSGATE Kent CT11 8RF

WARD: Eastcliff

AGENT: Mr Ian Titherington

APPLICANT: Mr and Mrs Douglas

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 drawings numbered 03,08, 09 and the Design and Access Statement received on 27th July 2022 and drawing number 07 received on 5th August 2022.

GROUND:

To secure the proper development of the area.

3 Prior to the installation of any external windows and doors, joinery and glazing details shall be submitted to and approved in writing by the Local Planning Authority. Such details as are approved shall be carried out concurrently with the development and fully implemented prior to the first occupation of any part of the approved development.

GROUND:

To secure a satisfactory external treatment and to safeguard the special character and appearance of the Conservation Area in accordance with HE02 and QD02 of the Thanet Local Plan and advice contained within the National Planning Policy Framework.

INFORMATIVES

Please ensure that you check the above conditions when planning to implement the approved development. You must clear all pre-commencement conditions before development starts on site. Processing of conditions submissions can take up to 8

weeks and this must be factored into development timescales. The information on the submission process is available here:

<https://www.thanet.gov.uk/info-pages/planning-conditions/>

Please be aware that your project may also require a separate application for Building Control. Information can be found at:

<https://www.thanet.gov.uk/services/building-control/> or contact the Building Control team on 01843 577522 for advice.

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 application site lies within the urban confines, in a residential area.

No. 19 Church Road is a two storey, end of terrace dwelling located opposite the side entrance to St George's Church, within the Ramsgate Conservation Area.

Whilst it has been in residential use for many decades, the front of the property was originally part of a timber yard, and access would have been through a gated entrance which now forms the ground floor. Access to the first floor of the timber yard office would have been via an external staircase. The current main entrance to the host dwelling is located along the side elevation, accessed via a shared space directly in front of No. 1 Bakers Court which forms a modern dwelling and is set back from the main highway. The dwelling benefits from private amenity space to the rear.

The surrounding streetscene area is characterised by rows of terraces and maisonettes of varying age and design.

RELEVANT PLANNING HISTORY

None

PROPOSED DEVELOPMENT

Planning consent is sought to move the main entrance from the side, to the front elevation, and replace a modern brick-infill area and upvc double glazed casement window with a set of bi-fold effect, timber panelled access gates with frosted double or triple glazed panes to the upper section. Two of the panelled doors will be fixed, with the third forming the main entrance being fully openable.

It also seeks permission to replace the existing side entrance door with a false, secured door in keeping with those proposed for the front entrance, and to install a new three-light upvc casement window within the ground floor side elevation with opaque / stained glazing.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan 2020

SP35 - Quality Development
HE02- Development in Conservation Areas
QD02 - General Design Principles
QD03 - Living Conditions
TP06 - Car Parking

NOTIFICATIONS

Letters were sent to neighbouring occupiers and a site notice was posted near the site. One residential representation has been received in the form of a letter of support from the neighbouring property.

Ramsgate Town Council - No Comment

CONSULTATIONS

Conservation Officer Following a review of the proposed application I would like to state that I have no objections.

COMMENTS

The application has been called to planning committee at the request of Councillor Crittenden to allow Members to consider whether the proposed development would appear in keeping with the surrounding area.

Principle

In line with Section 38(6) of the Planning and Compulsory Purchase Act 2014, planning decisions must be taken in accordance with the 'development plan' unless material considerations indicate otherwise. The requirements of the National Planning Policy Framework (NPPF) are a significant material consideration in this regard.

The site is located within the urban confines and therefore the principle of householder development is considered acceptable, subject to the assessment of material considerations.

Character and Appearance

The National Planning Policy Framework states that development should be sympathetic to local character and the surrounding built environment, establish and maintain a strong sense of place, and that permission should be refused for development of poor design which fails to take the opportunities available to improve the character and quality of an area.

Policy QD02 of the Thanet Local Plan outlines that the design of all new proposals must respect or enhance the character or appearance of the area particularly in scale, massing, rhythm and use of materials.

Planning consent is sought to move the main entrance from the side elevation, to the front elevation, replacing a modern brick-infill area and white timber double glazed casement window with a set of bi-fold effect, timber panelled access gates with frosted glazed panels.

Two of the panels will be fixed over insulated stud work walls to the interior which will prevent them from opening, whilst keeping the area insulated, with the third forming the main entrance and fully openable. The exact colour and final design of the panels are still to be determined and will therefore be conditioned.

It also seeks permission to replace the existing side entrance door with an insulated panel door in keeping with those proposed for the front entrance, and to install a new three-light casement window within the ground floor side elevation with opaque / stained glazing. The final design for the side door and window obscure window glazing have still to be agreed, so these will be conditioned.

The existing front elevation has a rather unique configuration when compared to the other properties within the streetscene, having been converted some decades ago from what was the main vehicular entrance to the rear timber yard built C 1905, which ran underneath the building.

According to the Design and Access statement, access to the yard would have been through a gated entrance where the ground floor is currently positioned. Therefore making sense of the metal girders to the front elevation, one of which runs across the middle of the front elevation with the other two appearing to support it, and of the more modern yellow bricks and timber framed double glazed sash windows infilling the area between them.

The upper floor is also unique to the road with a box bay window and modern Upvc white casement windows projecting out over the ground floor, whilst all other properties along Church Road having either ground floor bays or none at all.

It is acknowledged that the existing ground floor timber double glazed sash windows are of a decent proportion between the girders, attempting to blend in with the existing timber sash windows seen within some of the terraced properties to the south western section of Church Road, and as such there would be some minor harm in their removal.

However, as these windows and the yellow brick infill beneath the girders are not original to the building and the building clearly has a unique history, design and style to the rest of the properties along Church Road, the proposed installation is considered to be an improvement. The use of traditional style timber panel bi-fold effect doors reference the historic timber yard entrance gates, whilst double glazing is already seen within the existing windows at both first floor and ground floor level and including adjacent property No. 17A.

Furthermore, where remaining businesses still exist in the road immediately behind, within School Road, there are several examples of wide entrance gates at ground floor level

serving as access points. Therefore, the addition of such panels at ground floor level is not unique to the area.

As such, it is not considered to be out of keeping or harmful to the host dwelling, streetscene or wider conservation area.

The Conservation Officer has raised no objections to the proposed work.

The proposed works are therefore considered to be an enhancement given the reference they make to the historic use of the building, and therefore this benefit is considered to outweigh the limited harm resulting from the loss of the existing timber sash windows, which are not original to the building. The impact on the character and appearance of the Conservation area is therefore considered to be acceptable, and in accordance with Policies SP35, HE02 and QD02 of the Thanet Local Plan and the NPPF.

Living Conditions

In terms of living conditions, paragraph 119 of the NPPF outlines that planning decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Paragraph 130 of the NPPF states that decisions should ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

Thanet Local Plan Policy QD03 states that new development must not lead to unacceptable living conditions through overlooking, noise or vibration, light pollution, overshadowing, loss of natural light or sense of enclosure.

Given the proposed alterations to the front elevation will not project out any further than the existing windows and will look directly over Church Road to the side entrance gate belonging to St George's Church graveyard, they are not considered to create any harmful overlooking or loss of privacy.

Further to this, moving the main entrance from the side elevation to the front, and replacing this opening with a door of the same width and design, will reduce the footfall to and from the dwelling over the shared access area directly in front of No. 1 Baker's Court, and is considered to create an improvement to neighbouring amenity.

In terms of the proposed addition of a three-light casement window within the side elevation, these will be obscure glazed, and although it is proposed to have openers to the two side panes, with the central pane fixed, they will only overlook the shared space and Church Road only.

For these reasons it is not considered that the proposal would adversely affect the living conditions of neighbouring property occupiers and therefore accords with Policy QD03 of the Thanet Local Plan and the NPPF.

Transportation

Whilst the reinstatement of the entrance from the side elevation to the front elevation will open onto the public pavement, the adjoining property No. 17A also opens directly onto the pavement. Taking this into account, along with the fact that both No. 19 and 17A do not have front gardens, and given that the pavement is wider here than elsewhere along Church Road, the proposed opening is unlikely to create any increased harm to pedestrian movement than already exists.

Furthermore, the proposed changes make no significant change to the amount of habitable accommodation or off street parking at the property.

For these reasons, it is not considered that the proposed development would result in harm to highway safety or amenity.

Conclusion

For the reasons outlined above, it is considered that the principle of the proposed development is acceptable, along with the impact upon the residential amenities of neighbouring property occupiers and the local highway network. whilst no material harm would be caused to the character or appearance of the area, The proposal therefore accords with Policies, SP35, HE02, QD02, QD03 and TP06 of the Thanet Local Plan and the National Planning Policy Framework.

It is therefore recommended that Members approve the application.

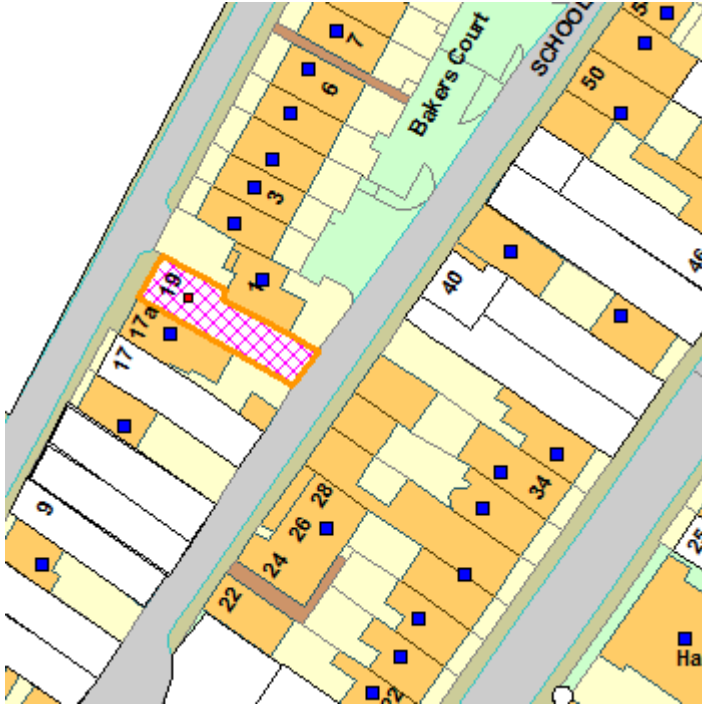
Case Officer

Tanya Carr

TITLE: FH/TH/22/1039

Project 19 Church Road RAMSGATE Kent CT11 8RF

Scale:



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A07

F/TH/22/0494

PROPOSAL: Formation of a footpath on the south side of Joss Gap Road between Convent Road and the existing shared pedestrian and cycle facility, together with the erection of a 2m high timber fence and planting

LOCATION: Joss Gap Road BROADSTAIRS Kent

WARD: Kingsgate

AGENT: Ben Meekings

APPLICANT: Kate Beswick, Kent County Council

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 proposed development shall be carried out in accordance with the submitted application as amended by the revised drawings numbered 1000007350-300-PLANTING STRATEGY Rev A received, 07 April 2022, Planning Statement, 1000007350-003-02 REV D,, 1000007350-003-01 REV D, 1000007350-003-03 REV 0 received 01 July 2022.

GROUND;

To secure the proper development of the area.

3 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 first use 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.

GROUND

In the interests of the visual amenities of the area and to adequately integrate the development into the environment in accordance with Policies QD02 and GI04 of the Thanet Local Plan

4 Prior to the commencement of any tree pruning works in association with the approved development a pre commencement bat scoping survey must be completed and submitted to and approved in writing by the Local Planning Authority. The survey will identify details of any further surveys and/or mitigation which is required to be implemented prior to or during the tree pruning works. All works must be carried out in accordance with the approved details.

GROUND

In order to safeguard protected species that may be present, in accordance with Policy SP30 of the Thanet Local Plan and advice as contained within the NPPF.

INFORMATIVES

Information on how to appeal this planning decision or condition is available online at <https://www.gov.uk/appeal-planning-decision>

Please be aware that your project may also require a separate application for Building Control. Information can be found at:

<https://www.thanet.gov.uk/services/building-control/> or contact the Building Control team on 01843 577522 for advice.

Please ensure that you check the above conditions when planning to implement the approved development. You must clear all pre-commencement conditions before development starts on site. Processing of conditions submissions can take up to 8 weeks and this must be factored into development timescales. The information on the submission process is available here:

<https://www.thanet.gov.uk/info-pages/planning-conditions/>

SITE, LOCATION AND DESCRIPTION

The site is located on the south western side of Joss Gap Road and extends from the junction of Joss Gap Road, Kingsgate Bay Road and Convent Road to the existing cycle and footpath which currently ends between the access for Bayside Heights and Castle View and Lauriston. The southern section of the site is located on North Foreland Golf Course and the northern section of the site is located on land owned by Kingsgate Castle. The site is primarily occupied by soft landscaping which extends along the edge of Joss Gap Road.

RELEVANT PLANNING HISTORY

Secretary of states decision - <https://www.gov.uk/government/publications/coastal-access-section-52-notice-for-ramsgate-to-whitstable>

TCA/TH/16/1526 - 3no. Holm oaks (T1, T2 & T4) - cut back by 2m from the power line, 1no. Holm Oak (T3) - crown reduce by 3m. Raise no objection 24 February 2017.

PROPOSED DEVELOPMENT

The proposed development is the formation of a footpath on the south side of Joss Gap Road between Convent Road and the existing shared pedestrian and cycle facility, together with the erection of a 2m high timber fence and planting.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan 2020

CC02 - Surface Water Management
GI02 - Locally Designated Wildlife Sites
HE01 - Archaeology
QD01 - Sustainable Design
QD02 - General design Principles
QD03 - Living Conditions
SP24 - Development in the Countryside
SP25 - Safeguarding the Identity of Thanet's Settlements
SP26 - Landscape Character Areas
SP30 - Biodiversity and Geodiversity Assets
SP35 - Quality Development
SP37 - Climate Change
SP43 - Safe and Sustainable Travel
TP02 - Walking
TP03 - Cycling
TP06 - Car Parking

Broadstairs and St Peters Neighbourhood Plan Policies

BSP1 - The Green Wedge
BSP2 - Important Views and Vistas
BSP3 - Protecting and Providing Important Trees
BSP4 - Seafront Character Zones
BSP6 - Sustaining Community Facilities
BSP9 - Design in Broadstairs & St. Peter's
BSP14 - Sustaining Leisure and Tourism Assets

NOTIFICATIONS

Letters were sent to neighbouring property occupiers and a site notice was posted close to the site.

Four letters of objection have been received raising the following concerns:

- Affect local ecology
- Close to adjoining properties

- General dislike of proposal
- Increase in traffic
- Loss of privacy
- Noise nuisance
- Out of keeping with character of area
- Traffic or Highways
- Potential for graffiti on the fence
- Impact upon property values
- Speed limit on the road is too high
- Damage to neighbouring properties
- Conflict with Local Plan
- Increase in pollution
- Political priorities have changed since the decision of the secretary of state
- Cost of the proposed development
- Development does not make provision for cyclists
- Overdevelopment
- An unmade footpath would be more suitable
- There are no accidents in this area
- Ecological appraisal is only focused on species protected by law
- No alternative wildlife sites are proposed
- No consultations were previously conducted
- Development would not improve tourism
- Development would not reduce emissions
- Details of proposed materials are unclear
- Draft Broadstairs and St Peter's Neighbourhood Plan policies need to be considered
- Safety margin should extend the full length of the proposed path
- Development would encourage on street parking
- Bollards should be installed to prevent illegal parking and ensure safety of pedestrians
- Railings should be black
- Levels of the site
- Existing posts should be retained
- Two letters of support have been received raising the following points:
- Crossing the road to the existing footpath can be dangerous
- Path should be for cycling too
- What is proposed for the existing access on to Joss Gap Road
- Will the bench at the junction of Convent Road be retained

Broadstairs and St Peter's Town Council - The Planning Committee of the Town Council has considered this application and resolved to recommend REFUSAL with the following concerns: The Town Council consider that there could be a more aesthetic solution to this application. (Majority)

CONSULTATIONS

KCC Biodiversity - Updated comments received 09 August 2022

The submitted information has detailed that suitable habitat is present for reptiles, terrestrial animals (such as badger and hare), nesting birds and roosting bats. With the exception of roosting bats the report has recommended a precautionary approach to avoid impacts on protected species.

With regard to bats the submitted information has detailed that there is a need for Preliminary Ground Level Bat Roost Assessment to be carried out Trees T4, T7 and T9. The report has detailed the following: These trees have been classed as having potential to support roosting bats and/or could not be fully assessed due to access constraints and will be retained but pruned as part of the proposed works. It is recommended that the potential roosting features within these trees are inspected by a suitably qualified ecologist using climbing equipment or a Mobile Elevated Working Platform (MEWP). If the potential roosting features are found to extend into a suitable roosting cavity, then further survey work in a form of nocturnal emergence and dawn re-entry surveys will be required. If the potential roosting features are found not to extend into a suitable roosting cavity, then no further work will be required and works to these trees will be allowed to proceed as planned.

The trees are to be pruned and no information has been provided confirming to what extent the pruning will be carried out. In particular if the pruning will remove any of the branches which could contain bat roosts or if the works are only to be carried out on small/spindly branches.

From speaking to the planning officer we understand that the Tree Officer has not raised any concerns with the pruning of the trees and therefore we accept that it is probably unlikely that large mature branches will be cleared as a result of the works. On this assumption we acknowledge that while a bat roost can't be ruled out it does reduce, the potential of a significant roost being present. The Bat Conservation Survey guidelines does not recommend that trees with low potential need to be surveyed and instead a precautionary approach can be implemented therefore in some situations it is possible that if suitable features are present an emergence survey is not required.

Therefore we advise that if planning permission is granted we recommend that a pre commencement survey is carried out prior to any pruning work being carried out. The survey will then identify if a precautionary mitigation approach is required when pruning the tree or (worst case scenario) an emergence survey is required. The emergence surveys (if required) and mitigation must be implemented as detailed within the report. The results of the surveys and mitigation must be submitted to the LPA with confirmation that the works were carried out as detailed within the report. Suggested condition wording can be found at the end of the report.

The proposal will result in a direct loss of woodland/hedgerow to create the footpath and to compensate for the loss of habitat a hedgerow is proposed along the edge of the Joss Gap Road. Due to the small loss of woodland to create the path we accept that this is sufficient for this application. Plans have been provided confirming the location of the additional planting along the southern boundary of the path.

We advise that only native species must be planted and regular management/watering/monitoring must be carried out to ensure that the planting establishes. We recommend that this is addressed within a landscaping condition.

We recommend that when the tree works are being carried out wood piles are created within the woodland to enhance the site for biodiversity.

Updated comments received 22 June 2022

We advise that additional information is required prior to determination of the planning application.

The submitted information has detailed that suitable habitat is present for reptiles, terrestrial animals (such as badger and hare), nesting birds and roosting bats. With the exception of roosting bats the report has recommended a precautionary approach to avoid impacts on protected species.

With regard to bats the submitted information has detailed that there is a need Preliminary Ground Level Bat Roost Assessment to be carried out Trees T4, T7 and T9. The report has detailed the following: These trees have been classed as having potential to support roosting bats and/or could not be fully assessed due to access constraints and will be retained but pruned as part of the proposed works. It is recommended that the potential roosting features within these trees are inspected by a suitably qualified ecologist using climbing equipment or a Mobile Elevated Working Platform (MEWP). If the potential roosting features are found to extend into a suitable roosting cavity, then further survey work in a form of nocturnal emergence and dawn re-entry surveys will be required. If the potential roosting features are found not to extend into a suitable roosting cavity, then no further work will be required and works to these trees will be allowed to proceed as planned.

The trees are to be pruned and no information has been provided confirming to what extent the pruning will be carried out. In particular there is a need to understand, prior to determination, if the pruning will remove any of the branches which could contain bat roosts or if the works are only to be carried out on small/spindly branches.

The proposal will result in a direct loss of woodland/hedgerow to create the footpath and to compensate for the loss of habitat a hedgerow is proposed along the edge of the Joss Gap Road. Due to the small loss of woodland to create the path we accept that this is sufficient for this application. However it is unclear within the Proposed footpath and planting plan where the replacement planting is to be located as the Key provides details of proposed planting but it is not obvious on the plan where the planting is to be located.

However we recommend that when the tree works are being carried out wood piles are created within the woodland to enhance the site for biodiversity.

Initial comments received 26 May 2022

We advise that additional information is required prior to determination of the planning application.

The submitted information has detailed that suitable habitat is present for reptiles, terrestrial animals (such as badger and hare), nesting birds and roosting bats. With the exception of roosting bats the report has recommended a precautionary approach to avoid impacts on protected species.

With regard to bats the submitted information has detailed that there is a need for Preliminary Ground Level Bat Roost Assessment to be carried out on semi mature and mature trees to be impacted by the works. However the report has not specified which trees require further survey and therefore it's unclear if further surveys are required.

We advise that prior to determination we require confirmation on which trees require further surveys and if those trees are to be impacted we advise that the recommended surveys must be carried out. We highlight that as the survey is ground level (e.g. no climbing) we would have expected the survey to have been carried out at the same time as the preliminary ecological appraisal.

The proposal will result in a direct loss of woodland to create the footpath and to compensate for the loss of habitat a hedgerow is proposed along the edge of the Joss Gap Road. Due to the small loss of woodland to create the path we accept that this is sufficient for this application. However we recommend that when the tree works are being carried out wood piles are created within the woodland to enhance the site for biodiversity.

KCC Flood and Water Management - The application falls outside the definition of major development and also falls outside of KCC's remit as statutory consultee.

KCC Highways - I refer to the above planning application and having considered the development proposals and the effect on the highway network, raise no objection on behalf of the local highway authority.

KCC Public Rights of Way - No comment

Southern Water - *Updated comments received 30 June 2022*

Further to our previous correspondence dated 30/05/2022 regarding the above planning consultation and further information provided by the developer regarding protection of sewer is acceptable to Southern Water.

All other comments in our response dated 17/06/2022 remain unchanged and valid.

Initial comments received 17 June 2022

Please see the attached extract from Southern Water records showing the approximate position of our existing public combined sewer and water main within the development site. The exact position of the public assets must be determined on site by the applicant in consultation with Southern Water before the layout of the proposed development is finalised.

The 375 mm diameter gravity sewer requires a clearance of 3 metres on either side of the gravity sewer to protect it from construction works and to allow for future maintenance access.

No development or tree planting should be carried out within 3 metres of the external edge of the public gravity sewer without consent from Southern Water.

The 4 inches public water distribution mains require a clearance of 6 metres on either side of the water distribution mains to protect it from construction works and to allow for future access for maintenance.

No excavation, mounding or tree planting should be carried out within 6 metres of the external edge of the public water main without consent from Southern Water.

No new soakaway, swales, ponds, watercourses, or any other surface water retaining or conveying features should be located within 5 metres of a public apparatus.

All existing infrastructure, including protective coatings and cathodic protection, should be protected during the course of construction works.

The impact of any works within the highway/access road on public apparatus shall be assessed and approved, in consultation with Southern Water, under a NRSWA enquiry in order to protect public apparatus.

It is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.

The supporting documents make reference to drainage using Sustainable Drainage Systems (SuDS).

Under certain circumstances SuDS will be adopted by Southern Water should this be requested by the developer. Where SuDS form part of a continuous sewer system, and are not an isolated end of pipe SuDS component, adoption will be considered if such systems comply with the latest Sewers for Adoption (Appendix C) and CIRIA guidance available.

Where SuDS rely upon facilities which are not adoptable by sewerage undertakers the applicant will need to ensure that arrangements exist for the long-term maintenance of the SuDS facilities. It is critical that the effectiveness of these systems is maintained in perpetuity. Good management will avoid flooding from the proposed surface water system, which may result in the inundation of the foul sewerage system.

Thus, where a SuDS scheme is to be implemented, the drainage details submitted to the Local Planning Authority should:

Specify the responsibilities of each party for the implementation of the SuDS scheme.
Specify a timetable for implementation.

Provide a management and maintenance plan for the lifetime of the development. This should include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime

TDC Arboricultural Consultant - These comments are based on documents provided with the application and various publicly available aerial photos and Google Street View images. References to individual trees or groups of trees refer to those identified in the Arboricultural Implication Survey and Method Statement submitted with the application.

The trees affected by this application are part of a dense group and extended hedgerow along a section of Joss Gap Road, and contribute to the creation of a "country lane" character.

Collectively the trees may be considered to have Moderate to High amenity value but individual trees within could be considered of Low value (see Additional Notes - Amenity Value, below).

The Application proposes the construction of a new footpath, that requires the removal of two early-mature Holm Oak trees (T's 5 & 6) and a number of trees from a linear group (G3) consisting of Hawthorn, Sycamore and Elm.

The two individual trees are around 6m to 7.5m tall and are shown on the survey as growing beneath the canopies of two larger adjacent trees. They are described as showing signs of decline, with minor deadwood and dieback, and with dense ivy on the stems and into the crown. In the context of the wider group of trees of which they are part, I do not think their loss will be significant to the character of the area.

The linear group of trees (G3) presents itself as a large, deep hedgerow, contributing to the "country lane" character of this part of Joss Gap Road, but with much of the visual impression provided by ivy, shrub and undergrowth. The construction of the proposed footpath is likely to have a significant impact on this feature, but the individual trees within it are not large or of great quality.

The removal of lower branches (to provide clearance over the proposed footpath) and reduction of branch spread (to provide clearance either side of the footpath and improve highway visibility) is proposed to a further three semi-mature Holm Oak trees (T's 4, 7 & 9) and additional trees in the linear group (G3). This work is not likely to have a significant impact on the trees or the character of the area.

Footpath construction works are proposed within the root protection areas (rpa) of two semi-mature Holm Oak trees (T's 4 & 7). The Arboricultural Method Statement states that permanent ground protection measures will be installed where works conflict with the rpa's, but provides no details. It is likely that work will also take place within the rpa's of trees retained within G3. However, given the relatively poor condition of many of the trees in this group, it is likely that concentrating on new and replacement planting will be of more significance in restoring the character of the area in the medium to long term.

Replacement and additional planting is proposed either side of the proposed new path. The Planting Plan suggests that there will be additional, selected removal of trees and shrubs

that are in poor condition or of poor value for wildlife. Although this a rather vague description, and could lead to visually significant removal of plants, in principle it represents good management and is probably necessary to provide light and space for the establishment of new planting. The proposed species list provides a reasonable range of species appropriate to the location.

In summary, the proposed works will result in the loss of a number of trees that will have some immediate impact on the character of the area. However I understand the principle of the new footpath has already been agreed, and will provide safety and other benefits for pedestrians, cyclists and road users. The impact on existing trees should not be considered a constraint to the proposal.

TDC Conservation Officer - No objections

COMMENTS

This application is brought before memes as part of the site is on land owned by Thanet District Council.

Principle

The site is located within the open countryside and a green wedge as defined by policies SP24 and SP25 of the Thanet Local Plan. Policy BSP1 of the Broadstairs and St Peter's Neighbourhood Plan also defines the area as a green wedge.

Policy SP24 states: "Development on non-allocated sites in the countryside will be permitted for either:

- 1) the growth and expansion of an existing rural business;
- 2) the development and diversification of agricultural and other land based rural businesses;
- 3) rural tourism and leisure development;
- 4) the retention and/or development of accessible local services and community facilities; or
- 5) the redevelopment of a brownfield site for a use that is compatible with its countryside setting and its surroundings.

All development proposals to which this policy applies should be of a form, scale and size which is compatible with, and respects the character of, the local area and the surrounding countryside and its defining characteristics. Any environmental impact should be avoided or appropriately mitigated."

Policy SP25 states: "Within the Green Wedges new development (including changes of use) will only be permitted if it can be demonstrated that the development is

- 1) not detrimental or contrary to the following aims to:

Safeguard areas of open countryside in order to maintain physical separation and avoid coalescence of the towns, retaining their individual character and distinctiveness (for example by the expansion of isolated groups of houses or other development). Thanet Local Plan Adopted July 2020 64

Conserve, protect and enhance the essentially rural and unspoilt character, and distinctive landscape qualities of the countryside that separates the urban areas, for the enjoyment and amenity of those living in, and visiting, Thanet.

Increase access and usability without compromising the integrity of the Green Wedges.

Or is

2) essential to be located within the Green Wedges.

Open sports and recreational uses will be permitted subject to there being no overriding conflict with other policies, the wider objectives of this plan and the stated aims of this policy. If granted, any associated built development must be kept to a minimum, essential, small in scale and be necessary to support the open use. It should also be well related to adjacent urban edge and sensitively located to retain openness of the area.

Proposals for policy compliant development that include measures that will create or enhance wildlife habitats and biodiversity within the Green Wedges, or will improve the quality of the Green Wedges by providing high quality public amenity space will be supported.

Policy BSP1 states that: "Within the defined Green Wedge areas, priority will be given to protecting the countryside from built development and ensuring that the physical separation and coalescence of the Thanet Towns is avoided.

Any proposed new development, including change of use of land and buildings in the the 'Green Wedge' areas, will not be supported, except for:

- a) open sports facilities and recreational uses, with any related built development being kept to the absolute minimum necessary and will be sensitively located.
- b) agricultural uses

The proposed footpath connection is considered to be a recreation and leisure use and could not be reasonably located elsewhere. It is therefore considered that the principle of development would comply with these policies.

Character and Appearance

The NPPF states that planning decisions should ensure that developments will function well and add to the overall quality of the area; are visually attractive as a result of good architecture and appropriate landscaping; are sympathetic to local character and history; establish or maintain a strong sense of place; and provide a high standard of amenity for existing and future users (Paragraph 130).

As noted above the site is located within the open countryside and a green wedge. The site is also located within the St Peter's Undulating Farmland Landscape Character Area as defined by policy SP26 of the Thanet Local Plan and the northern part of the site is located within Kingsgate Conservation Area.

The site is located within the Kingsgate Conservation Area and therefore the Council must take into account Section 72(1) of the Planning (Listed Buildings and Conservation Areas)

Act 1990, which requires that in relation to conservation areas, 'special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the area.' The NPPF states that "When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance." (Paragraph 199)

Policy HE02 of the Thanet Local Plan requires that appropriate materials and detailing are proposed and that developments would not result in the loss of features that contribute to the character or appearance of the conservation area. New development which would detract from the immediate or wider landscape setting of any part of a conservation area will not be permitted.

Policy QD02 of the Thanet Local Plan provides general principles for new development and states that the primary planning aim in all new development is to promote or reinforce the local character of the area and provide high quality and inclusive design and be sustainable in all other respects. In this regard development must relate to the surrounding development, form and layout and strengthen links to the adjacent areas.

Policy SP35 relates to the quality of development and states that new development will be required to be of high quality and inclusive design.

Policy BSP9 of the Broadstairs and St Peter's Neighbourhood Plan states that development proposals that conserve and enhance the local character and sense of identity of the Plan area will be encouraged. Proposals should take account of the Design Guidelines. Proposals which demonstrate that they reflect the design characteristics of the area and have taken account of the Design Guidelines will be supported.

The site falls within the St Peters Undulating Chalk Farmland Landscape Character areas as defined by policy SP26 of the Thanet Local Plan. Within these areas development proposals should demonstrate how they respect and respond to the character, key sensitivities, qualities and guidelines of the relevant landscape character areas. All development should seek to avoid skyline intrusion and the loss or interruption of long views of the coast and the sea, and proposals should demonstrate how the development will take advantage of and engage with these views.

A site clearance plan has been submitted identifying the areas of existing soft landscaping to be removed to facilitate the construction of the footpath. With regard to the soft landscaping on the site the surrounding conservation area means that only trees with a diameter over 75mm are protected. All other trees and planting can be removed without consent of the local planning authority. Two individual trees (T5 and 6) and part of a group of trees (Group 3) are proposed to be removed as part of this development. Works are also proposed to a number of other trees around the site to provide clearance for the footpath.

The Council's Arboricultural consultant has reviewed the application and considers that collectively the trees on the site have moderate to high amenity value, however individually they could be considered to have low amenity value. With regard to T5 and T6 these appear

to be growing underneath the canopies of larger adjacent trees and show signs of decline with minor deadwood and dieback, and with dense ivy on the stems and into the crown. Group 3 has the appearance of a large hedgerow, however much of this appearance appears to be made up from ivy, shrub and undergrowth and the individual trees are not large or of great quality. He also considers that the proposed planting represents a reasonable range of species appropriate to the location.

A 2m high timber fence would extend along the southern side of the footpath where it crosses the golf course and black metal railing would extend along the southern side of the northern section of the path where it passes opposite Kingsgate Castle. Planting is proposed on both sides of the footpath with a minimum of 0.5m between the path and Joss Gap Road and approximately 1m between the path and the fence and railings. The updated plans and statement have confirmed that the proposed path would be constructed from an unbound surface with a fine limestone compacted surface. Some modest alterations to the land levels may be required to create a level surface along the path, however these would follow the slope of the road and are not considered to significantly alter the levels in the area.

The removal of the existing planting and trees would alter the character of the area, however much of the existing planting could be removed without permission and the trees that are proposed for removal are considered to individually provide a limited contribution to the amenity of the area. The proposed footpath and boundary treatments are considered to be of suitable materials for the area and extensive planting is proposed around the footpath to avoid them appearing obtrusive or out of character within the Conservation area.

A footpath is considered to be an appropriate form of development for the countryside and green wedge location of the site and is considered to provide some modest recreational benefits.

Therefore whilst the design and materials of the physical development is not considered to harm the character of the area, this proposal is considered to result in some limited harm to the amenity of the area through the loss of some of the existing landscaping present and physical incursion into the countryside. This harm would be weighed against the benefits of providing a footpath in this location.

Living Conditions

The proposed footpath and fencing would be located on the south western side of the Joss Gap Road. The closest residential properties are located on the north eastern side of the road, directly opposite the site. Given the height and location of the proposed fence and footpath and its function, this development is not considered to result in any significant harm to the living amenity of the neighbouring property occupiers, in line with policy QD03 of the Thanet Local Plan and the National Planning Policy Framework.

Biodiversity

The site falls within the Golf Course Roughs Locally Designated Wildlife Site as defined by policy GI02 of the Thanet Local Plan. This policy states "Development which would have a detrimental impact on locally designated wildlife sites will not be permitted unless suitable

mitigation can be provided either on or off site within Thanet. Exceptionally, where a strategic need for a proposed development is identified which outweighs the importance of the locally designated sites and cannot be located elsewhere, an equivalent area of habitat will be created elsewhere at a suitable location well related to other existing habitats.

Wherever possible and appropriate, new developments will provide a net environmental gain in accordance with Policy SP30, and include measures to enhance and improve wildlife connectivity to designated wildlife sites."

This proposal would result in the direct loss of woodland and hedgerow to create the footpath and to compensate for the loss of habitat hedgerow and planting is proposed on either side of the footpath and fence. KCC Biodiversity have reviewed the application and consider that given the small area of woodland that would be lost to create the footpath, the proposed planting is sufficient mitigation.

The submitted information has detailed that suitable habitat is present for reptiles, terrestrial animals, nesting birds and roosting bats. With the exception of roosting bats a precautionary approach has been recommended to avoid impacts on protected species. KCC Biodiversity have recommended that a pre-commencement bat survey is completed prior to any tree pruning works commencing to establish if a precautionary approach or an emergence survey is required. This survey would be conditioned and submitted to the Council prior to the tree pruning works being carried out.

The application would also be conditioned so that the development to be completed in accordance with the precautionary approach detailed within the Preliminary Ecological Appraisal.

The impacts of the development and the suitability of the proposed mitigation upon biodiversity in the area would therefore need to be weighed against the benefits of the proposed development.

Transportation

The proposed footpath would run alongside Joss Gap Road and provide a link between the existing footpaths to the north and south of the site. This development would remove pedestrian traffic from the highway and is therefore considered to represent a notable improvement in highway safety.

KCC Highways raised no objection to the proposed development and the amended plan has retained the staggered barrier at the existing northern entrance to the highway.

The submitted statement indicates that the inclusion of a cycle path was considered in this area, however due to the constraints of the site it was not possible to achieve a suitable width for both pedestrian and cycle users.

Concerns have also been raised regarding this proposal resulting in increased traffic and encouraging inappropriate parking in the area. Whilst it does appear that inappropriate parking does occur, the roads surrounding the site are subject to on street controls and the

addition of a footpath connecting the existing footpaths is not considered to result in a significant increase in demand for on street parking in the area or traffic in the area.

It has been suggested that additional bollards are installed along Joss Gap Road, however no bollards are proposed as part of this application and KCC Highways have not requested the installation of bollards and have raised no objections on highways grounds. It is therefore considered that bollards are not required to mitigate the impact of this development.

Concern has been raised regarding the speed limit on Joss Gap Road. Speed limits cannot be controlled through planning applications and this development would remove pedestrian traffic from this section of the highway.

In light of the above it is considered that the proposed development would represent an improvement in highway safety and connectivity in the area through the provision of an additional footpath.

Other Matters

Policy BSP14 of the Broadstairs and St Peter's Neighbourhood Plan restricts the loss of existing leisure and tourism assets. The existing golf course would be considered a leisure and tourism asset, however so would the proposed footpath. This development would remove a small section of the golf course and is not considered to result in any significant harm to its function or appeal. It is therefore considered that this proposal would comply with the aims and objectives of this policy.

Concern has been raised regarding the potential for graffiti on the proposed fence. Graffiti could constitute criminal damage and would be a matter for the police. Maintenance of the fence would be the responsibility of the owner. The proposed fence and footpath use is not considered to result in any significant increase in potential for anti-social behaviour or crime and the potential for graffiti is not considered to result in significant harm to the living amenity of the neighbouring property occupiers.

Impact of a development upon property values is not a material planning consideration.

The requirement of the lack of consultations on other applications completed by other parties is not a material consideration for this application.

The proposed use as a footpath is not considered to result in a significant increase in pollution.

Concern has been raised regarding the cost of the proposed development. The cost of a development is not a material planning consideration and therefore cannot be considered in the determination of this application.

Damage to neighbouring properties either during construction or as a result of this development would be a civil matter and cannot be considered as part of this application.

Concern has been raised regarding the loss of the bench on the corner of Joss Gap Road and Convent Road. The updated plan confirms that this bench would be retained.

Submitted comments have indicated that weight should be given to the draft updated Broadstairs and St Peter's Neighbourhood Plan Policies. The initial consultation on the revised Broadstairs and St Peter's Neighbourhood Plan ended on the 6th June 2022 and Thanet District Council objected to the amendment to policy BSP3 on the following grounds; "The Council objects to this policy. Application for works to protected trees do not fall to be considered under the Council's Development Plan, therefore Policies BSP3b, BSP3c, BSP3d, BSP3e cannot be applied in the determination of application made under the Town and Country Planning (Tree Preservation) (England) Regulations 2012. Therefore these policies would have no weight in the determination of the applications they are designed to address. The previous wording of the policy is sound (in conjunction with Local Plan Policies GI06 and QD02), as it relates to the consideration of trees within planning applications.

Neighbourhood Plan policies should not include procedural matters, and cannot commit the local planning authority to a particular process for determining applications, either for development or works to protected trees." Furthermore given that this is the initial consultation on the revised neighbourhood plan, it is considered that these policies can only be given limited weight at this stage.

Following the submission of additional information Southern Water are satisfied that the sewer running across the site would be adequately protected.

Comments have suggested that an unmade path is provided instead of the proposed footpath, however the Council must consider the acceptability of the development that has been proposed as part of this application.

Concern has been raised regarding the potential removal of the existing posts on the area of land between Joss Gap Road and Convent Road. Whilst these features are not noted on the submitted plans these items have been installed by a private land owner and their consent would be required for their removal.

Conclusion

The proposed development would result in the direct loss of woodland/hedgerow to create the footpath, however on the submission of additional information it is considered that sufficient mitigation is provided to compensate for the loss of this habitat. The section of road where this proposal would be located is narrow and no footpath is currently present. This development would allow pedestrians to move between Kingsgate Bay and Joss Bay without walking along the highway. Whilst this is not a major pedestrian route due to the location of the site, it can be busy during summer months. This proposal is therefore considered to result in an improvement in highway safety. Furthermore this route is part of the new National Walking Trail, the English Coastal Path, which seeks to provide a walking route around the English coast and is supported by Natural England and the Secretary of State. Subject to the agreed mitigation, the benefits to highway safety and facilitating wider coastal access as part of the National Walking Trail, are considered to outweigh the harm to biodiversity and the amenity of the area.

It is therefore recommended that members approve the application.

Case Officer

Duncan Fitt

TITLE:

F/TH/22/0494

Project

Joss Gap Road BROADSTAIRS Kent



A08

F/TH/22/0889

PROPOSAL: Variation of conditions 2 and 3 of planning permission F/TH/20/1044 for the "Erection of a two storey 5 bed dwelling following demolition of existing bungalow" to allow alterations to materials, and fenestration and removal of chimney stack

LOCATION:

60 Northumberland Avenue MARGATE Kent CT9 3BJ

WARD: Cliftonville East

AGENT: Miss Claire Langridge

APPLICANT: Mr Marc Rattigan

RECOMMENDATION: Approve

Subject to the following conditions:

1 The proposed development shall be carried out in accordance with drawing numbered 18.045-13 received 22 February 2021, amended drawings numbered 18.045-11A received 08 March 2021 and 18.045.10C and 18.045.12H received 3 August 2022.

GROUND:

To secure the proper development of the area.

2 The external materials and external finishes to be used in the development hereby approved shall accord with the proposed materials and external finishes as annotated and illustrated on drawing numbered 18.045-12H received 3 August 2022.

GROUND:

To secure a satisfactory external treatment in the interests of visual amenity in accordance with Policy QD02 of the Thanet Local Plan and advice contained within the NPPF.

3 The first and second floor windows in the western rear elevation and the first floor window in the northern side elevation of the dwelling hereby approved shall be non-opening up to a height of 1.7m above internal finished floor level and provided and maintained with obscured glass to a minimum level of obscurity to conform to Pilkington Glass level 4 or equivalent and shall be installed prior to first occupation of the development hereby permitted and permanently retained thereafter.

GROUND:

To safeguard the residential amenities currently enjoyed by the occupiers of nearby residential properties in accordance with Policy QD03 of the Thanet Local Plan.

4 No further enlargements or alterations to the dwellinghouse or erection of outbuildings whether approved by Class B, or E of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order), shall be carried out without the prior permission in writing of the Local Planning Authority.

GROUND:

To ensure a satisfactory external treatment, in the interests of the visual amenities of the locality and to safeguard the residential amenities currently enjoyed by the occupiers of nearby residential properties in accordance with Policies QD02 and QD03 of the Thanet Local Plan.

5 No further first floor windows shall be installed or inserted into the western elevation of the dwellinghouse whether approved by Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order), shall be carried out without the prior permission in writing of the Local Planning Authority.

GROUND:

To safeguard the residential amenities currently enjoyed by the occupiers of nearby residential properties in accordance with Policy QD03 of the Thanet Local Plan.

INFORMATIVES

Please be aware that your project may also require a separate application for Building Control. Information can be found at:

<https://www.thanet.gov.uk/services/building-control/> or contact the Building Control team on 01843 577522 for advice.

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 application site previously comprised a single storey detached chalet bungalow with accommodation in the roof space fronting Northumberland Avenue to the east and abutting Northdown Road to the south. Planning permission was granted in 2021 to demolish the bungalow and erect a two storey 5 bed dwelling. Works for this are nearing completion.

The surrounding area is characterised by single and two storey dwellings, set in largely regular linear plots with moderate rear gardens, and are set back from the road following consistent building lines, with open frontages.

The Northdown Road frontage is characterised by two storey semi-detached dwellings of similar, varied designs, characterised by bay window projections and gable features to the front elevation, set under predominantly hipped pitched roofs. Northumberland Avenue has a

greater variety of property types, with detached, semi-detached two storey dwellings and a later 20th century flat block in the vicinity. Immediately adjacent to the application property to the north is a moderate two storey semi-detached dwelling.

RELEVANT PLANNING HISTORY

F/TH/20/1044 - Erection of a two storey 5 bed dwelling following demolition of existing bungalow GRANTED 28.06.2021

PROPOSED DEVELOPMENT

The application is for the variation of conditions 2 and 3 of planning permission F/TH/20/1044 for the erection of a two storey 5 bed dwelling following demolition of existing bungalow. The amendment being proposed is to allow for alterations to the materials, windows and removal of the chimney stack.

PLANNING POLICIES

Thanet Local Plan 2020

QD02 - General Design Principles

QD03 - Living Conditions

NOTIFICATIONS

Neighbours have been notified and a site notice posted and no representations have been received.

CONSULTATIONS

None

COMMENTS

This application is reported to the Planning Committee as the applicant is a Councillor.

The alterations to the dwelling approved through the previous consent have commenced and are nearing completion. The main considerations for Members to assess are the principle of development, impact of the development on the character and appearance of the area and the impact on neighbouring amenity.

Principle

The principle of development has been established through planning application F/TH/20/1044 for the erection of a two storey 5 bed dwelling following demolition of the existing bungalow, which was granted planning permission on 28 June 2021. This permission is extant and therefore provides a reasonable fallback position for the application, which is a material consideration when considering the principle of development.

Character and Appearance

The application is for the variation of conditions 2 and 3 of planning permission F/TH/20/1044. Condition 2 relates to the approved plans and Condition 3 relates to the materials; these were annotated on the approved plan.

The proposed alterations are to remove the window to the rear of the snug area and make this a solid wall, and remove the small window to the kitchen facing Northumberland Avenue. An additional set of bifolding doors is shown on the side elevation of the pool, facing the boundary with No 367 Northdown Road.

The additional full length windows to the western elevation of the swimming pool extension is a fairly significant change however views of this elevation would be mostly screened by the neighbouring property and the high level boundary fence. The removal of windows are relatively minor changes that would have little impact on the overall design of the dwelling. The applicant has provided streetscene elevations from Northdown Road and Northumberland Avenue which provides an indication of the development in relation to neighbouring dwellings and the streetscene and it is considered that the alterations would have little impact on the wider streetscene.

In addition to the alterations to the window arrangement it is proposed to remove the chimney stack and change the roof tiles from red/brown to grey interlocking tiles. Whilst the chimney stack added interest to the overall design of the dwelling, its removal is not considered to be unduly harmful to the design of the dwelling, or harmful to the streetscene. The previously approved red/brown roof tiles were considered to compliment the material palette of the surrounding area, where red/brown tiles are the predominant roof covering. However, the dwelling has a contemporary design and is located on a corner plot where it has a relationship to properties within Northumberland Avenue and Northdown Road. The property therefore stands apart from its immediate neighbours, both physically and in architectural design, and turns the corner from the main Northdown Road into Northumberland Avenue. As such the use of grey tiles in this instance would respect the contemporary design of the dwelling and would not significantly detract from the character and appearance of the streetscene.

The impact of the amendments upon the character and appearance of the area is therefore considered to be acceptable, and in accordance with Policy QD02 of the Thanet Local Plan and the NPPF.

Living Conditions

The alterations do not propose extending the footprint of the dwelling further or increase its overall height.

It is proposed to remove the window to the rear of the snug area facing No 367 Northdown Road, and remove the small window to the kitchen facing Northumberland Avenue. These alterations, and the removal of the chimney stack and change of roof tile finish, would not impact upon neighbouring amenity.

The installation of an additional set of full length glazed bifolding doors on the side elevation of the pool, facing the boundary with No 367 Northdown Road, has the potential to introduce additional overlooking and loss of privacy towards occupiers of this dwelling. A floor plan has been provided identifying the location of 1.8 metre high fence panels along the boundary with No 367, and the Applicant's Agent advises that the ground level on the adjacent land is 875 mm higher and therefore the doors on this elevation will be lower than the boundary fence that is to be replaced along the boundary.

The previously approved scheme included a large window to the snug facing the boundary which has now been removed. The additional full length windows on the western elevation of the swimming pool extension would provide a larger area of glazing with a similar outlook. However, there do not appear to be main habitable windows on the flank elevation of No 367, at ground floor level, and given the high level fencing to be erected together with the changes in ground levels, it is considered unlikely that there would be unacceptable overlooking or loss of privacy to occupiers of the neighbouring dwelling above that which may have resulted from the previously approved window, or from the mutual overlooking that could occur from the use of the garden.

The alterations proposed through this variation would not adversely impact upon the residential amenity of occupiers of No 58 Northumberland Avenue to the north, or nearby neighbours on the junction with Northdown Road.

The impact of the amended plans upon the living conditions of neighbouring occupiers is considered to be acceptable, and in accordance with Policy QD03 of the Thanet Local Plan and the NPPF.

Highway Safety

The parking provision remains unaltered from that previously approved.

Conclusion

The principle of development has previously been agreed through the extant consent, and it is considered that the proposed variation of conditions 2 and 3 to allow for alterations to design through the removal of the chimney stack, alterations to fenestration and use of materials, would not result in a significant impact upon the character and appearance of the area, or adversely impact upon the living conditions of neighbouring occupiers or highway safety when compared to the previously approved scheme. It is therefore recommended that Members approve this application, subject to safeguarding conditions.

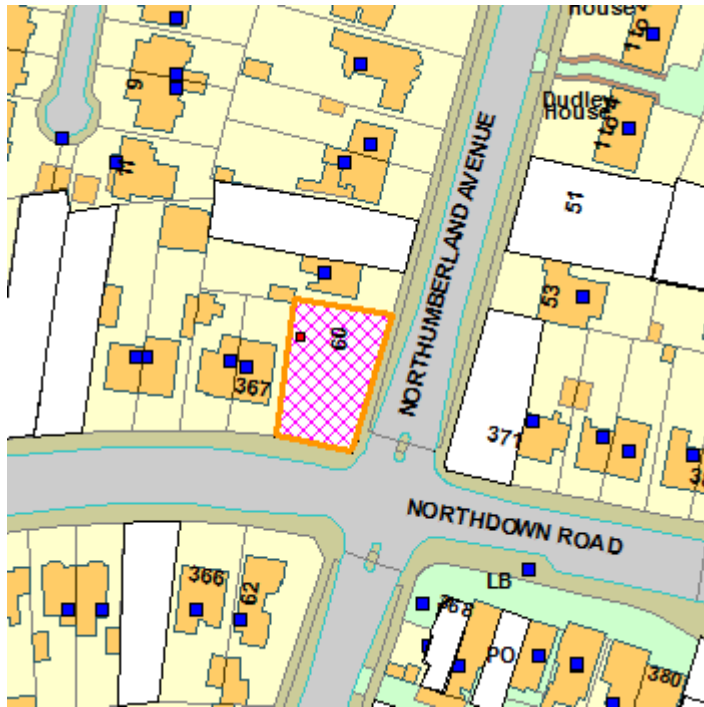
Case Officer

Rosemary Bullivant

TITLE: F/TH/22/0889

Project 60 Northumberland Avenue MARGATE Kent CT9 3BJ

Scale:



A09

FH/TH/22/1032

PROPOSAL: Erection of 2.7m boundary wall to part of boundary wall to rear garden following demolition of existing

LOCATION:

71 West Dumpton Lane RAMSGATE Kent CT11 7BX

WARD:

Sir Moses Montefiore

AGENT:

Mr Matthew Gerlack

APPLICANT:

Mr Adam Reid, Thanet District Council

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 boundary wall hereby approved shall be carried out in accordance with the submitted drawings numbered 22/572/MG/PLO1 Rev A

GROUND;

To secure the proper development of the area.

INFORMATIVES

This planning permission is granted for the erection of a boundary wall as detailed on the approved plans, and no other development and/or change of use of land.

SITE, LOCATION AND DESCRIPTION

The application site is situated within an established residential area of Ramsgate.

The area is largely characterised by terraced two storey dwellings which are set back from the highway with amenity spaces to the front and rear. The properties are local authority housing and follow a distinctive pattern of development.

No.71 West Dumpton Lane is an end of terrace dwelling situated on the corner of West Dumpton Lane and Prestedge Avenue.

RELEVANT PLANNING HISTORY

None

PROPOSED DEVELOPMENT

The proposed development is for the erection of a rear boundary wall between No.71 and No.73 West Dumpton Lane.

The proposed boundary wall replaces an existing boundary wall which is 2.42 metres high towards Nos.71 and 73 West Dumpton Lane rising to 2.7 metres high adjoining the boundary wall with No.2 Prestedge Avenue. The wall will be 9.62 metres long and brick built with three piers, one at each end of the replacement wall and one in the middle for stability.

This application is for the boundary wall to the rear of the site only and does not include any change of use of land to the side of No.71 West Dumpton Lane.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan 2020

QD02 - General Design Principles

QD03 - Living Conditions

NOTIFICATIONS

Neighbouring occupiers have been notified and a site notice posted.
No representations have been received.

Ramsgate Parish Council: No comment

CONSULTATIONS

None

COMMENTS

This application is brought before members as it is a Council owned property and all planning applications for Thanet District Council are brought before the Committee.

The main considerations are the impact of the development on the character and appearance of the area and impact on neighbouring amenity.

Principle

The site comprises an existing dwelling within the urban confines and the principle of replacing the boundary wall is considered to be acceptable subject to all other material considerations.

Character and Appearance

No. 71 West Dumpton Lane is a two storey end of terrace dwelling with amenity space to the front and rear.

Paragraph 130 of the NPPF states that planning decisions should ensure that developments function well and add to the overall quality of the area; are visually attractive as a result of good architecture and appropriate landscaping; are sympathetic to local character and history; establish and maintain a strong sense of place; and provide a high standard of amenity for existing and future users.

Policy QD02 of the Local Plan outlines that the primary planning aim of new development is to promote or reinforce local character and provide high quality and inclusive design that is sustainable in all other respects. Proposals should therefore relate to surrounding development, form and layout, be well designed, pay particular attention to context and identity of location, scale, massing, rhythm, density, layout and materials and be compatible with neighbouring buildings and spaces. Any external spaces and landscape features should be designed as an integral part of the scheme.

Planning permission is sought for the erection of a boundary wall between Nos.71 and 73 Dumpton Park Lane.

The proposed boundary wall will extend 9.62 metres to the rear of Nos.71 and 73 Dumpton Park Lane towards No.2 Prestedge Avenue. It will be 2.42 metres high towards Nos.71 and 73 rising to 2.7 metres high adjoining the boundary wall with No.2 Prestedge Avenue. The proposed boundary wall replaces the existing boundary wall and it is not considered to have significant impact upon the character and appearance of the area.

The proposed development is therefore considered to comply with Policy QD02 of the Thanet Local Plan and paragraph 130 of the National Planning Policy Framework.

Living Conditions

The properties that would be potentially impacted by the development are No.73 West Dumpton Lane and No.2 Prestedge Avenue

Paragraph 119 of the NPPF states that planning decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Paragraph 130 states that decisions should ensure the development creates inclusive and accessible spaces which promote health and well-being, with a high standard of amenity for future users.

Policy QD03 outlines that new development must not lead to unacceptable living conditions through overlooking, noise, vibrations, light pollution, overshadowing, loss of natural light or

a sense of enclosure. The flat roof design would be in keeping with the design of the existing property, which already has a flat roof garage projection to the front of the property, and the stepped form of the front elevation will reduce the visual impact of the development on the surrounding area.

The proposed boundary wall replaces the existing boundary wall and will be of the same height and length and be brick built. There will be a pier towards No.73 West Dumpton Lane, one in the middle section and one adjoining No.2 Prestedge Avenue which will add stability. The proposed boundary wall is not considered to impact either property as it is replacing the existing boundary wall.

In light of the above, the proposed development is not considered to result in any significant harm to the living conditions of the neighbouring property occupiers, in line with policy QD03 of the Thanet Local Plan and paragraph 130 of the National Planning Policy Framework.

Transportation

No.71 West Dumpton Lane does not have any off street parking and the proposed development does not increase the number of bedrooms on site. It is therefore considered that the proposed development would not result in any significant increase in demand for on street parking or harm to highway safety.

Other matters

From an assessment of this proposal for a replacement wall, it appears that a boundary fence has been erected to the side of the dwelling in question, which includes an increase in the residential curtilage of the dwelling. These matters are not considered within this planning application and would be subject to a future application to regularise the arrangement on site.

Conclusion

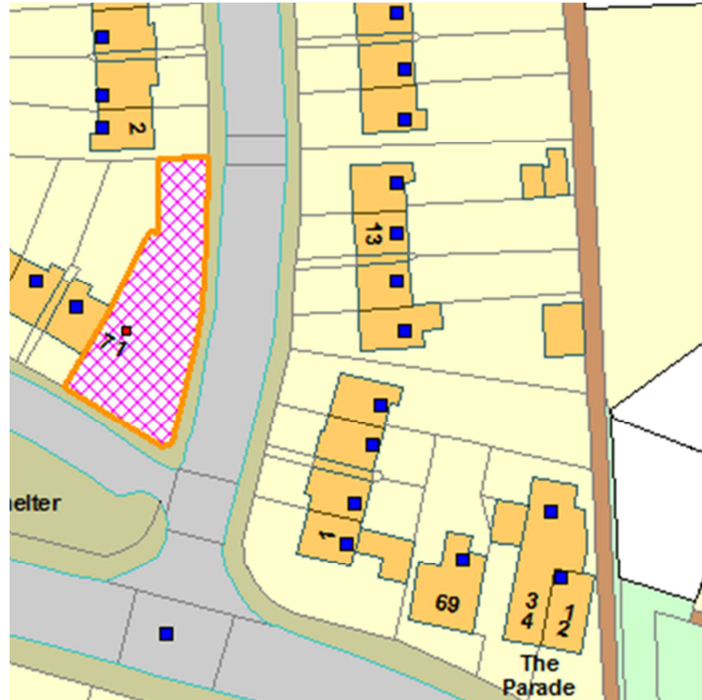
In conclusion, it is considered that the proposed development would not have significant impact on its surroundings or residential amenity and accords with Thanet Local Plan and the advice and guidance of the National Planning Policy Framework. It is therefore recommended that members approve the application, subject to safeguarding conditions.

Case Officer

Dawn Rollason

TITLE: FH/TH/22/1032

Project 71 West Dumpton Lane RAMSGATE Kent CT11 7BX



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A10

DM/TH/22/1181

PROPOSAL: Application for prior notification of proposed demolition of 36no garages

LOCATION: Garage Blocks At Tomlin Drive MARGATE Kent

WARD: Dane Valley

AGENT: No agent

APPLICANT: Mr James Young, Thanet District Council

RECOMMENDATION: Prior Approval Granted

Subject to the following conditions:

1 Prior to the commencement of the development a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority.

The Construction Environmental Management Plan shall include amongst other matters details of:

- hours of construction working;
- measures to control noise affecting nearby residents;
- wheel cleaning/chassis cleaning facilities;
- dust control measures;
- lighting control measures;
- pollution incident control;
- Asbestos control measures;
- site contact details in case of complaints.

The construction works shall thereafter be carried out at all times in accordance with the approved Construction Environmental Management Plan, unless any variations are otherwise first submitted to and approved in writing by the Local Planning Authority.

GROUND:

In the interests of residential amenity in accordance with Thanet Local Plan Policy QD03.

SITE, LOCATION AND DESCRIPTION

The application site consists of land between and to the rear of residential blocks on Tomlin Drive, Margate. The application relates to three sets of garages, contained in 5 separate single storey garage blocks. The garages are single storey in height with corrugated roofs

and up-and-over doors. The site is within the urban confines and adjacent to the boundary with the designated green wedge and countryside. The residential blocks associated with the garage are three storey blocks of flats with shallow pitched roofs.

RELEVANT PLANNING HISTORY

No relevant planning history.

PROPOSED DEVELOPMENT

The application is a prior notification submitted by Thanet District Council as the landowner and housing provider for the demolition of 36 garages in total (within 5 separate blocks). The garages have been stated as vacant.

The process for this type of submission is outlined in Town and Country Planning (General Permitted Development Order) (England) Order 2015 Schedule 2 Part 11, Class B. The application is submitted for a determination as to whether the prior approval of the authority will be required as to the method of demolition and any proposed restoration of the site. The Council has 28 days from the submission of a valid notification to determine whether prior approval is required on those matters, if so whether it is granted or refused. In the absence of a determination within 28 days the development can occur.

NOTIFICATIONS

A site notice was posted by the applicant in accordance with criteria with the General Permitted Development Order, outlining the submission of the notification to the Council. At the time of the creation of this report, no representations had been received.

CONSULTATIONS

TDC Building Control - We would expect the usual method statements, risk assessments and notifications to interested parties to be submitted upon application to building control. These are usually submitted by the demolition contractor once received we would notify the surrounding addresses

TDC Environmental Health - We have considered the potential for environmental health impacts and offer the following comments.

Asbestos

We do raise some concerns regarding the possible impact of removing asbestos containing materials and so propose the following: Adequate and suitable measures should be carried out for the minimisation of asbestos fibres during demolition, so as to prevent airborne fibres from affecting nearby properties. Only contractors licensed by the Health and Safety Executive should be employed. Asbestos control measures shall be included within the CEMP. Any redundant materials removed from the site should be transported by a registered waste carrier and disposed of at an appropriate legal tipping site.

Conditions

CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN

Prior to the commencement of the development a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The Construction Environmental Management Plan shall include amongst other matters details of: hours of construction working; measures to control noise affecting nearby residents; wheel cleaning/chassis cleaning facilities; dust control measures; lighting control measures; pollution incident control and site contact details in case of complaints. The construction works shall thereafter be carried out at all times in accordance with the approved Construction Environmental Management Plan, unless any variations are otherwise first submitted to and approved in writing by the Local Planning Authority.

COMMENTS

The application is reported to the Council's planning Committee as Thanet District Council are the applicant.

The garages are stated in the submission to be in poor condition, with costs incurred as a result of Antisocial behaviour, vandalism, arson and flytipping. The garages are maintained and managed by the Council's tenant and leaseholder service. The proposal would demolish the structures, removing a risk within the submission from the condition of buildings potentially posing a hazard to illegal entrants due to the presence of asbestos containing material in the roof structure. The proposal would demolish the structures in preparation for redevelopment of the sites and removing the risks outlined as well as ongoing costs/repairs.

The principle of development is not a consideration for this notification, however it is agreed that the proposed development falls within Schedule 2 Part 11, Class B as permitted development, meaning that the Council as Local Planning Authority can only consider the method of demolition and any site restoration if proposed.

The submission states that demolition and clearance of the oversite vegetation will be undertaken by TDC Repair contractors Mears, via an approved demolition contractor, to comply with Health and Safety Executive (HSE) guidance, including asbestos removal undertaken by an approved/licensed contractor prior to the demolition of the structures.

The demolition will be subject to requirements under Building regulations for a demolition notice due to the size of the structures in question, which will assess method statements, risk assessments and notification of neighbours where appropriate. Demolition must comply with the Construction (Design and Management) Regulations 2015. Environmental Health have raised the issue regarding asbestos removal (as identified in the applicants submission) and have requested a condition for a Construction Environmental management plan to be submitted prior to the commencement of demolition, including details of hours of construction, measures to control noise, dust control measures and associated environmental controls. It is noted that the garages are located in some instances between 4-10metres from the residential blocks and therefore it is considered the prior approval of the Council as Local Planning Authority is required for the method of demolition to ensure that

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the amenity of residents is safeguarded during the demolition. Subject to a condition requiring a construction management plan to be submitted prior to the commencement of development, it is recommended to the Planning Committee that prior approval is granted for the demolition under Schedule 2 Part 11, Class B of the General Permitted Development Order.

Case Officer

Iain Livingstone

TITLE:

DM/TH/22/1181

Project

Garage Blocks At Tomlin Drive MARGATE Kent



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