

Public Document Pack



Date: 7 November 2022
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PLANNING COMMITTEE

16 NOVEMBER 2022

A meeting of the Planning Committee will be held at **7.00 pm on Wednesday, 16 November 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** (Pages 3 - 4)

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 5 - 14)

To approve the Minutes of the Planning Committee meeting held on 19/11/2022 copy attached.

4. **SCHEDULE OF PLANNING APPLICATIONS** (Pages 15 - 18)

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

Item
No

Subject

4a **A01 F/TH/22/0858 - RECLAMET LTD., WOODCHURCH ROAD, BIRCHINGTON, KENT, CT7 0HL** (Pages 19 - 32)

For Deferral

4b **D02 F/TH/22/0756 - MILES AND BARR, 43-45 HIGH STREET, BROADSTAIRS, KENT, CT10 1JR** (Pages 33 - 46)



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

Do I have a Disclosable Pecuniary Interest and if so what action should I take?

Your Disclosable Pecuniary Interests (DPI) are those interests that are, or should be, listed on your Register of Interest Form.

If you are at a meeting and the subject relating to one of your DPIs is to be discussed, in so far as you are aware of the DPI, you **must** declare the existence **and** explain the nature of the DPI during the declarations of interest agenda item, at the commencement of the item under discussion, or when the interest has become apparent

Once you have declared that you have a DPI (unless you have been granted a dispensation by the Standards Committee or the Monitoring Officer, for which you will have applied to the Monitoring Officer prior to the meeting) you **must**:-

1. Not speak or vote on the matter;
2. Withdraw from the meeting room during the consideration of the matter;
3. Not seek to improperly influence the decision on the matter.

Do I have a significant interest and if so what action should I take?

A significant interest is an interest (other than a DPI or an interest in an Authority Function) which:

1. Affects the financial position of yourself and/or an associated person; or
Relates to the determination of your application for any approval, consent, licence, permission or registration made by, or on your behalf of, you and/or an associated person;
2. And which, in either case, a member of the public with knowledge of the relevant facts would reasonably regard as being so significant that it is likely to prejudice your judgment of the public interest.

An associated person is defined as:

- A family member or any other person with whom you have a close association, including your spouse, civil partner, or somebody with whom you are living as a husband or wife, or as if you are civil partners; or
- Any person or body who employs or has appointed such persons, any firm in which they are a partner, or any company of which they are directors; or
- Any person or body in whom such persons have a beneficial interest in a class of securities exceeding the nominal value of £25,000;
- Any body of which you are in a position of general control or management and to which you are appointed or nominated by the Authority; or
- any body in respect of which you are in a position of general control or management and which:
 - exercises functions of a public nature; or
 - is directed to charitable purposes; or
 - has as its principal purpose or one of its principal purposes the influence of public opinion or policy (including any political party or trade union)

An Authority Function is defined as: -

- Housing - where you are a tenant of the Council provided that those functions do not relate particularly to your tenancy or lease; or
- Any allowance, payment or indemnity given to members of the Council;
- Any ceremonial honour given to members of the Council
- Setting the Council Tax or a precept under the Local Government Finance Act 1992



If you are at a meeting and you think that you have a significant interest then you **must** declare the existence **and** nature of the significant interest at the commencement of the matter, or when the interest has become apparent, or the declarations of interest agenda item.

Once you have declared that you have a significant interest (unless you have been granted a dispensation by the Standards Committee or the Monitoring Officer, for which you will have applied to the Monitoring Officer prior to the meeting) you **must:-**

1. Not speak or vote (unless the public have speaking rights, or you are present to make representations, answer questions or to give evidence relating to the business being discussed in which case you can speak only)
2. Withdraw from the meeting during consideration of the matter or immediately after speaking.
3. Not seek to improperly influence the decision.

Gifts, Benefits and Hospitality

Councillors must declare at meetings any gift, benefit or hospitality with an estimated value (or cumulative value if a series of gifts etc.) of £25 or more. You **must**, at the commencement of the meeting or when the interest becomes apparent, disclose the existence and nature of the gift, benefit or hospitality, the identity of the donor and how the business under consideration relates to that person or body. However you can stay in the meeting unless it constitutes a significant interest, in which case it should be declared as outlined above.

What if I am unsure?

If you are in any doubt, Members are strongly advised to seek advice from the Monitoring Officer or the Committee Services Manager well in advance of the meeting.

If you need to declare an interest then please complete the declaration of [interest form](#).

Planning Committee

Minutes of the meeting held on 19 October 2022 at 7.00 pm in Council Chamber, Council Offices, Cecil Street, Margate, Kent.

Present: Councillor Michael Tomlinson (Chair); Councillors Coleman-Cooke, Albon, J Bayford, Crittenden, Everitt, Garner, Hart, Keen, Paul Moore, Rusiecki, Shrubb and Wright

15. **APOLOGIES FOR ABSENCE**

Apologies were received from Councillor Pat Moore.

16. **DECLARATIONS OF INTEREST**

There were no declarations of interest.

17. **MINUTES OF PREVIOUS MEETING**

Councillor Shrubb proposed, Councillor Keen seconded and Members agreed that the minutes are a correct record of the committee meeting that was held on 21 September 2022.

18. **AGENDA ITEM - PLANNING APPLICATION FH/TH/22/0797 - 26 GRENVILLE WAY, BROADSTAIRS**

Members had at a previous Planning Committee meeting considered the application and determined to defer the application back to officers to seek an amendment for the rear extension, before returning the application to the Planning Committee for determination.

Amended plans had been received by officers from the applicant which retain the front extension and the rear garage extension, but omits the single storey rear extension to the dwelling. A separate application for the rear extension to the dwelling had been submitted under a Lawful Development Certificate application, which has been granted. This application was therefore reported back to the Planning Committee for determination of the front extension and rear extension to the garage.

Councillor Tomlinson proposed, Councillor Coleman-Cooke seconded and Members APPROVED the amended plans with an agreement of approved plan condition that shall read as follows:

“The proposed development shall be carried out in accordance with the submitted application as amended by the revised drawing numbered BDG 976B received 24 August 2022.”

19. **SCHEDULE OF PLANNING APPLICATIONS**

(a) **A01 F/TH/22/1070 - Hartsdown Leisure Centre Hartsdown Park, Margate**

PROPOSAL: Installation of replacement of roof covering

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

1. The development hereby approved shall be carried out in accordance with the submitted drawings numbered 18161/A1/006 Rev P1, and 18161/A1/005 Rev P1, received 01 August 2022, and plans numbered, 18161/A1/005 Rev P2, and 18161/A1/008 Rev P1, received 12 August 2022. To secure the proper development of the area;
2. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

GROUND

To secure the proper development of the area.

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

(b) **D02 F/TH/22/0653 - Land to the North of Fairlawn Road and the West of Northwood Road Broadstairs**

PROPOSAL: Variation of condition 8 of planning consent F/TH/21/1732 Erection of 6no. dwellings (4no four bedroom dwellings and 2no three bedroom dwellings) with associated access, parking and landscaping to allow for the use of Fairlawn Road for construction traffic.

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

Defer & Delegate for approval subject to the submission of a signed legal agreement securing the required planning obligations within 6 months and the following conditions:

1. The development hereby permitted shall be begun before the 13th April 2025.

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 plan numbered 119A_041.PL1.3 (hard surfacing), received 04 March 2022; the revised plans numbered 119A_006.PL1.2 (site plan), 119A_040.PL1.2 (site access), and 119A_042.PL1.2 (soft landscaping), received 24 February 2022; the plans numbered 119A_025.PL1, 119A_026.PL1, 119A_027.PL1, 119A_028.PL1, 119A_030.PL1, 119A_031.PL1, and 119A_032.PL1, received 07 February 2022; the plan numbered 119A_011.PL1, received 25 November 2021; the

plan numbered 119A_050.PL1, received 10 November 2021; and the plans numbered 119A_010.PL1, 119A_012.PL1, 119A_013.PL1, 119A_014.PL1, 119A_020.PL1, 119A_021.PL1, 119A_022.PL1, and 119A_023.PL1, received 08 November 2021.

GROUND

To secure the proper development of the area.

No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written specification and timetable which has been submitted to and approved by the Local Planning Authority.

GROUND

To ensure that features of archaeological interest are properly examined and recorded in accordance with Policy HE01 of the Thanet Local Plan and the advice contained within the National Planning Policy Framework.

Prior to the commencement of the development hereby approved, a scheme to demonstrate that the internal noise levels within the residential units and the external noise levels in back gardens and other relevant amenity areas will conform to the standard identified by BS 8233 2014 Sound Insulation and Noise Reduction for Buildings - Code of Practice, shall be submitted to and approved in writing by the Local Planning Authority. The work specified in the approved scheme shall then be carried out in accordance with the approved details prior to occupation of the premises and be retained thereafter.

GROUND

In the interests of amenity for future occupiers in accordance with Policy QD03 of the Thanet Local Plan and the advice contained within the NPPF.

All hard and soft landscape works shall be carried out in accordance with the approved hard and soft landscaping plans. The works shall be carried out prior to the first occupation; 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.

Existing trees, shrubs and hedgerows identified for retention within the development site or existing trees growing on an adjacent site, where excavations, changes to land levels or underground works are within the crown spread, shall be protected in accordance with BS 5837 2012 using the following protective fence specification - o Chestnut paling fence 1.2m in height, to BS 1722 part 4, securely mounted on 1.7m x 7cm x 7.5cm timber

posts driven firmly into the ground. The fence shall be erected below the outer most limit of the branch spread or at a distance equal to half the height of the tree, whichever is the furthest from the tree, unless otherwise agreed in writing with the Local Planning Authority. The protective fencing shall be erected before the works hereby approved or any site clearance work commences, and shall thereafter be maintained until the development has been completed. At no time during the site works shall building materials, machinery, waste, chemicals, stored or piled soil, fires or vehicles be allowed within the protective fenced area. Nothing shall be attached or fixed to any part of a retained tree and it should not be used as an anchor point. There shall be no change in the original soil level, nor trenches excavated within the protective fenced area.

GROUND

To Protect existing trees and to adequately integrate the development into the environment, in accordance with Thanet Local Plan Policy QD02.

The ecological enhancements as identified on plan numbered 119A_042.PL1.2 shall be provided prior to the first occupation of the development hereby permitted. The ecological enhancements shall therefore be maintained.

GROUND

In the interests of nature conservation in accordance with Policy SP30 of the Thanet Local Plan, and the advice as contained within the NPPF.

The development hereby permitted shall be constructed in accordance with the construction management plan, including Appendices 1-5, received 5th October 2022. The mitigation works identified within the construction management plan shall be maintained until construction works are complete.

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.

Prior to the first occupation of the development, the area shown on plan numbered 119A_006.PL1.2 for the parking of vehicles shall be operational. The area approved shall thereafter be maintained for that purpose.

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.

Prior to the installation of the boundary treatment to the northern boundary of the site, details of the height, design and materials of the boundary (which may include a retaining wall), and shall provide an opening for a pedestrian link as indicated on plan numbered 119A_006.PL1.2 shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved boundary details.

GROUND

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

Prior the construction of the external surfaces of the development hereby approved samples of the materials to be used shall be submitted to, and approved in writing by, the Local Planning Authority. Development shall be carried out in accordance with the approved samples 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 No further rear extensions to plot 6, 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.

The refuse storage facilities as specified upon the approved drawing numbered 119A_006.PL1.2 shall be provided prior to the first occupation of the dwellings 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.

The development hereby permitted shall be constructed to a high standard of energy efficiency to the equivalent of Level 4 of the Code for Sustainable Homes, unless otherwise agreed in writing by the Local Planning Authority.

GROUND

All new buildings and conversions of existing buildings must be designed to reduce emissions of greenhouse gases and have resilience to function in a changing climate, in accordance with Policy QD01 of the Thanet Local Plan.

The development hereby permitted shall be constructed in order to meet the required technical standard for water efficiency of 110litres/person/day, thereby Part G2 Part 36 (2b) of Schedule 1 Regulation 36 to the Building Regulations 2010, as amended, applies.

GROUND

Thanet is within a water stress area as identified by the Environment Agency, and therefore new developments will be expected to meet the water efficiency

optional requirement of 110litre /person/day, in accordance with Policy QD04 of the Thanet Local Plan.

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

(c) **D03 F/TH/22/0602 - Addington Street Garage 1 - 2 Westcliff Works Addington Place Ramsgate**

PROPOSAL: Erection of 4No part 3-storey, part 2-storey, 3-bed terraced dwellings, with associated parking and amenity space, and retention of existing flint wall along Hertford Place, following demolition of existing Class B2 workshop

It was proposed by the Chair and seconded by the Vice Chair to Defer & Delegate for approval subject to the submission of a signed legal agreement securing the required planning obligations within 6 months and the following conditions:

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

GROUND

In accordance with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Purchase Act 2004).

The proposed development shall be carried out in accordance with the submitted application as amended by the revised drawings numbered 482-PLN-213 Rev A, 482-PLN- 210 Rev E, and 482-PLN-200 Rev D, received 12 September 2022, and plan numbered 482- PLN-211 Rev B, received 16 June 2022.

GROUND

To secure the proper development of the area.

Prior to the commencement of the development hereby approved, the applicant, or their agents or successors in title, shall secure the implementation of a watching brief to be undertaken by an archaeologist approved by the Local Planning Authority so that the excavation is observed and items of interest and finds are recorded. The watching brief shall be in accordance with a written programme and specification, which has been submitted to and approved in writing by the Local Planning Authority.

GROUND

To ensure that features of archaeological interest are properly examined and recorded in accordance with Policy HE01 of the Thanet Local Plan and the advice contained within the National Planning Policy Framework.

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.

The area shown on the approved plan numbered 482-PLN-210 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.

Prior to the first occupation of the development, the secure cycle parking facilities, as shown on approved drawing no. 482-PLN-210 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.

The refuse storage facilities as specified upon the approved drawing numbered 482- PLN-210 Rev E shall be provided prior to the first occupation of the development 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.

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 482-PLN-210 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.

The second floor window in the northern rear elevation of the 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.

No further extensions or alterations, whether approved by Classes A, B, C, D 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 safeguard the residential amenities currently enjoyed by the occupiers of nearby residential properties in accordance with Policy QD03 of the Thanet Local Plan.

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

GROUND

To safeguard the special character and appearance of the area as a Conservation Area in accordance with Policy HE02 of the Thanet Local Plan and the advice as contained within the NPPF.

All new window and door openings shall be set within a reveal of not less than 100mm.

GROUND

In the interests of visual amenity in accordance with Policy QD02 of the Thanet Local Plan 13 Prior to the installation of the aluminium 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 14 Prior to the first occupation of the development hereby

approved, full details of both hard and soft landscape works, to include of species, size and location of new trees, shrubs, hedges and grassed areas to be planted of the treatment proposed for all hard surfaced areas beyond the limits of the highway of walls, fences, other means of enclosure proposed shall be submitted to, and approved in writing by, the Local Planning Authority.

GROUND

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

All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the first occupation; 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.

The existing flint wall on the northern boundary of the site adjoining Hertford Place shall be retained, with the partially demolished section of the wall reconstructed using flint and brickwork. A detailed elevation plan of the wall, along with details of the pointing, shall be submitted to, and approved in writing by, the Local Planning Authority. The wall shall be reconstructed in accordance with the approved details.

GROUND

To safeguard the special character and appearance of the area as a Conservation Area in accordance with Policy HE02 of the Thanet Local Plan and the advice as contained within the NPPF.

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

Meeting concluded: 7.40 pm

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THANET DISTRICT COUNCIL

PLANNING COMMITTEE

16TH NOVEMBER 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:7TH NOVEMBER 2022

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THANET DISTRICT COUNCIL

REPORT OF THE DIRECTOR OF PLACE

PART A

TO: THE PLANNING COMMITTEE

DATE: 16 November 2022

Application Number	Address and Details	Recommendation
A01 F/TH/22/0858	Reclamet Ltd Woodchurch Road BIRCHINGTON Kent CT7 0HL	Approve

Variation of Condition 7 attached to Planning Permission F/TH/04/0050 for the "Change of use and creation of hardstanding for storage of accident damaged vehicles with associated landscaping" to stack vehicles to a maximum height of 5.5 metres

Ward: Thanet Villages

THANET DISTRICT COUNCIL

REPORT OF THE DIRECTOR OF PLACE

PART B

TO: THE PLANNING COMMITTEE

DATE: 16 November 2022

Application Number	Address and Details	Recommendation
D02 F/TH/22/0756	Miles And Barr 43 - 45 High Street BROADSTAIRS Kent CT10 1JR Retrospective application for the erection of a second floor extension to form 1No self contained flat Ward: Viking	Defer & Delegate

A01

F/TH/22/0858

PROPOSAL: Variation of Condition 7 attached to Planning Permission F/TH/04/0050 for the "Change of use and creation of
LOCATION: hardstanding for storage of accident damaged vehicles with associated landscaping" to stack vehicles to a maximum height of 5.5 metres

Reclamet Ltd Woodchurch Road BIRCHINGTON Kent CT7
OHL

WARD: Thanet Villages

AGENT: Mr Tony Michael

APPLICANT: Mr Mann

RECOMMENDATION: Approve

Subject to the following conditions:

1 The proposed development shall be carried out in accordance with the submitted application and the approved drawing numbered 003B.

GROUND

To secure the proper development of the area.

2 The height of vehicles stored on the site shall not exceed 5.5m.

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, SP24 and SP26 of the Thanet Local Plan

3 A scheme of landscaping to show new boundary planting on the southern boundary of the site to include areas including that shown on drawing numbered 003B shall be submitted to, and approved in writing by, the Local Planning Authority. The scheme shall include species, size and location of new trees and/or hedges to be planted.

The scheme of landscaping to be agreed as part of this application shall be begun during the first available planting season following the increased stacking height hereby granted. It shall thereafter be maintained by the site owner for a period of five years. Any tree or shrub planted in accordance with the scheme which becomes damaged or diseased, or dies or is removed within the five years shall be replaced during the next planting season.

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, SP24 and SP26 of the Thanet Local Plan

- 4 There shall be no direct discharge to ground water, a controlled water source.

GROUND:

To protect the district's groundwater, in accordance with Policy SE04 of the Thanet Local Plan, and the advice contained within the National Planning Policy Framework.

- 5 No soakaway shall be sited in or allowed to discharge into contaminated land.

GROUND:

To protect the district's groundwater, in accordance with Policy SE04 of the Thanet Local Plan, and the advice contained within the National Planning Policy Framework.

6 Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound should be at least equivalent to the capacity of the largest tank or the combined capacity of interconnected tanks, plus 10%. All filling points, vents, gauges and sight glasses shall be located within the bund. The drainage system of the bund shall be sealed with no discharge to any water course, land or underground strata. Associated pipework should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge downwards into the bund.

GROUND:

To protect the district's groundwater, in accordance with Policy SE04 of the Thanet Local Plan, and the advice contained within the National Planning Policy Framework.

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

Reclamet site comprises a dismantling and recycling yard fronting Woodchurch Road siting to its south east. The application site is surrounded on 3 sides by open fields in agricultural use. The site is adjoined on its eastern side by a residential property and the Nelson Park Riding Centre.

The land subject of this application forms part of the existing Reclament site. The application site is a strip of land to the south side of the existing site measuring approximately 107 metres in length by 37.5 metres in width. There are Tree Preservation Orders (TH/TPO/6/1969) on trees along part of the south boundary of the site and to the east of the building marked as offices on the submitted block plan.

The site is accessed off Woodchurch Road, Birchington. The site is a long established commercial concern. The surrounding area is rural in nature with agricultural land, some housing (nearest being 'Hillside'; to the north of the Reclamet site and equestrian uses adjacent (Nelson Park).

The nearest residential property 'Hillside' lies to the north eastern boundary of the larger site, approximately 56m from where the proposed increased stacking of vehicles is proposed. - can this bit just all be added to this section.

RELEVANT PLANNING HISTORY

The site has a long history of commercial use relating to car breaking and the storage of vehicles dating back to 1963. During the 1980s, 1990s and early 2000s a number of applications were approved for various buildings and a weighbridge associated with this use.

In 2004 planning permission was granted in December 2004 under (F/TH/04/0050) for the change of use and creation of hardstanding for the storage of accident damaged vehicles with associated landscaping. This included a condition (7) which prohibited the storage of any vehicles above any other with grounds to that condition being "In the interest of visual amenities of the area".

Planning permission was then granted in April 2010 to vary condition 7 of F/TH/04/0050 to allow vehicles to be stacked to a maximum height of 4 metres (F/TH/10/0201).

Planning permission was most recently granted in March 2021 for the Erection of 2No industrial units for Vehicle Maintenance and Parts Storage (Building 1) and for Vehicle Inspection and Imaging (Building 2) (F/TH/21/0080 refers).

PROPOSED DEVELOPMENT

The application is made under section 73 of the Town and Country Planning Act 1990 to vary Condition 7 attached to Planning Permission F/TH/04/0050 for the "Change of use and creation of hardstanding for storage of accident damaged vehicles with associated landscaping" to stack vehicles to a maximum height of 5.5 metres (equivalent to 3 cars being stacked).

The proposed height for vehicle storage has been reduced during the consideration of the application with the height originally proposed at 7m in height (equivalent to 4 cars being stacked). In addition landscaping is proposed to the southern site boundary which did not form part of the original submission also.

DEVELOPMENT PLAN POLICIES

SP04 - Economic Growth
SP24 - Development in the Countryside
SP26 - Landscape Character Areas
SP35 - Quality Development
SP43 - Safe and Sustainable Travel
SP44 - Accessible Locations
E01 - Retention of Existing Employment Sites
QD02 - General Design Policies
QD03 - Living Conditions
CC02 - Surface Water Management
SE03 - Land affected by Contamination
SE04 - Groundwater Protection
TP02 - Walking
TP03 - Cycling
TP06 - Car Parking

NOTIFICATIONS

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

One representation was received to the initial plans (stacking height proposed to be 7m). The concerns can be summarised as follows:

- Affect local ecology
- Close to adjoining properties
- Conflict with local plan
- Development too high
- General dislike of proposal
- Inadequate access
- Inadequate parking provision
- Increase in traffic
- Increase of air pollution
- Information missing from plans
- Loss of parking
- Loss of privacy

- Noise nuisance
- Out of keeping with character of area
- Over development
- Residential Amenity
- Traffic or Highways
- Will be taller than the majority of trees
- Highlight that the site is under investigation by the Environment Agency
- Harm to the landscape and countryside views
- Traffic not suitable for the adjacent roads
- In breach of planning currently - given permission for 3 car high stacks and currently 4 car high
- Use has outgrown its site

Following the reduced stacking height (5.5m) a further consultation was carried out and one representation was received from the same objector. The points can be summarised as follows:

- Affect local ecology
- Close to adjoining properties
- Conflict with local plan
- Development too high
- Inadequate access
- Inadequate parking provision
- Increase in traffic
- Increase of pollution
- Noise nuisance
- Out of keeping with character of area
- Potentially contaminated land
- Traffic or Highways
- Use has outgrown the site
- Too many cars- would restrict a fire engine if required

CONSULTATIONS

Environment Agency: This application relates to a condition that was/were not requested by us, we therefore have no comments to make with regards to the discharge of condition.

Southern Water: Southern Water has no objections to the above variation of condition 07 submitted by the applicant.

Please see the attached extract from Southern Water records showing the approximate position of our existing public foul sewer asset 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.

Please note:

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

- No new 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.
 - No new soakaway, swales, ponds, watercourses or any other surface water retaining or conveying features should be located within 5 metres of a public sewer.
 - All existing infrastructure should be protected during the course of construction works.
- Please refer to: southernwater.co.uk/media/3011/stand-off-distances.pdf.

Furthermore, 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.

TDC Environmental Health: Given that the variation seeks only to increase the height of storage of vehicles from 4m to 7m along the south western boundary at a distance of 43 metres to neighbouring Nelson Park and with the intervening area already in use for heavy scrapyards operations, the marginal increase in forklift operations will create little additional noise. The proposal will increase the existing 700 site capacity for storage of vehicles by around 100 cars. The cars are manoeuvred by forklift already in operation at the site. The small increase in activity will have a negligible impact in acoustic terms. The site does not have planning restrictions on operating hours, however, the applicant has agreed to restrict the activity associated with this variation to between 8am to 5pm a condition is recommended on this basis.

COMMENTS

This application is referred to the Planning Committee at the request of Cllr Pugh due to concerns about the impact the scheme would have on the landscape and views of the countryside.

The main considerations in assessing the submitted scheme is the proposed variation to increase the height under the planning permission, and whether the proposed change result in an 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

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 countryside as defined by policy SP24 of the Thanet Local Plan.

The application site comprises an existing vehicle recycling business with a number of buildings and open storage across the site.

Paragraph 83 of the National Planning Policy Framework states that planning policies and decisions should enable the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings.

The increased stacking would assist the running of an established business and would be supported in principle subject to all other material considerations.

Proposal and Background

Planning permission was granted, under reference F/TH/04/0050, as detailed in the history section above, subject to a condition that prohibited the stacking of vehicles. Under reference F/TH/10/0201 (the red line covering the site area as F/TH/04/0050- as this was a variation of condition) permitted vehicles to be stacked to a height of 4m.

This application seeks to increase the height that they are allowed to stack vehicles to 5.5m

The default position being that planning permission is already in place under F/TH/10/0201 to stack vehicles to 4m which covers the same red line area as this current application.

Countryside and Landscape Character

The proposal involves development on land that is designated as countryside and within a Landscape Character Area.

Policy SP24 of the Local Plan considers development within the countryside, and provides a list of development within the countryside that is permitted through the policy, as detailed below;

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.

The proposed development is considered to come under 1) and therefore does fall within the development permitted, and as such the proposal is considered to be in accordance with Policy SP24 of the Local Plan.

Policy SP26 states that development proposals should demonstrate how their location, scale, design and materials will conserve and enhance Thanet's local distinctiveness. Gaps between Thanet's towns and villages, particularly those areas designated as Green Wedges, are specifically highlighted within the policy as one of the district's important areas of distinctiveness. The policy further advises that development proposals should demonstrate how they respect and respond to the character, key sensitivities, qualities and guidelines of the relevant landscape character areas, as detailed in the Landscape Character Assessment (LCA), and should avoid skyline intrusion and the loss and interruption of long

views. Development proposals that conflict with these principles will only be permitted where it can be demonstrated that they are essential for the economic or social well-being of the area.

Policy SP26 is supported by an up to date Landscape Character Assessment. The report recognises the importance of the Manston Chalk Plateau character area, to which the site forms a part, which is stated to form a skyline in many views back from lower landscapes in Thanet, including the coast and marshlands. The area is a generally flat or gently undulating landscape, with extensive, unenclosed fields under intensive arable cultivation.

The National Planning Policy Framework supports this policy, with paragraph 130 requiring planning decisions to be sympathetic to local character, including the landscape setting, and paragraph 174 requiring the protection and enhancement of valued landscapes, with the intrinsic character and beauty of the countryside recognised.

There has been a long established use for the storage and dismantling of vehicles on the site through previously approved permissions. The matter for consideration on this application, is purely the potential impacts that may arise from allowing the increase in height of the storage of the vehicles at 5.5m, on the character and appearance of the area adjacent part of the southern boundary of the wider site. The applicant has sought to overcome officer concerns in relation to impact upon the landscape character by reducing the height of the proposed stacking to that originally sought and providing increased landscaping along the southern site boundary.

As noted above the application site comprises an existing vehicle recycling business with a number of buildings and open storage across the site.

The characteristics of the Manston Chalk Plateau is considered to be generally flat or gently undulating landscape, with extensive, unenclosed fields under intensive arable cultivation. This open landscape is fragmented by the location of large scale developments such as the former airport, Manston Business Park and a sporadic settlement pattern to the north of the airport. Further it is also forms a skyline in many views back from lower landscapes in Thanet, including the coast and marshlands.

The visual impact of the proposed expansion does raise concern as it would represent an incongruous use within the countryside. The proposed increase in height does have the potential to be prominent, given the flat surrounding countryside. Having said that, it is generally considered to be screened to some degree, from the passing traffic to Woodchurch and Manston Road currently.

The area of land subject of this application is visually related to the existing Reclamet site, and as such, the proposed increased height of stacked vehicles will be viewed in the context of the wider existing site and, therefore, the resultant detrimental impact on the character and appearance of the countryside, over and above that created by the existing use, would be less significant. It is however appreciated that this increase in height of 1.5m (taking account of the 2010 application) would have some impact. It is considered that this would be particularly evident from Woodchurch Road - travelling towards the site from Manston Road and also views across towards the site from Manston Road. At present there are gaps in

landscaping (where it is not as high) along parts of the southern boundary of the site. The applicant has proposed to plant multiple mature conifers to raise the screen to at least 7m. It is considered that this proposed evergreen belt along the southern boundary of the application site would assist with the screening of the site from views outside. To ensure its suitability it is recommended that a planting plan is included - showing the positions of the new conifers, their species (to ensure they are evergreen) and their height at the time of planting to ensure that they are suitably mature to offer some immediate mitigation against the visual impact of the proposed development.

Notwithstanding consideration of the principle as set out above, relating to the expansion of this site into the rural area, trees on the north east and south west boundaries of the office building to the south of the site on Woodchurch Road are subject to Tree Preservation Orders. The development already exists around these protected trees. In addition the area for the increased stacking is to the southeast of this and is not likely to harm these trees any more than exists with the present situation on site.

In summary the Reclamet site has been used as a site for car breaking for a period of some time and this provides the backdrop for the site that is subject to the increased stacking height. Stacking of vehicles already occurs on the site. Whilst it is considered that long views of the site may be obtained, it is considered that if the cars are stacked up to a maximum of 5.5 metres high, this will be viewed in the context of the original Reclamet site, rather than in isolation. It is also considered that a landscaping scheme could be used to soften the views and provide more robust screening on views that are obtained, particularly to the south west of the site. The development for which planning permission is now sought makes use of a previously developed site and offers the opportunity to put some controls in place for the future way in which this part of the site can be operated.

The proposed development is considered acceptable in principle given the established use of the site already. In light of the above the proposed development is considered to be compatible with its countryside setting and surroundings and would not result in any significant harm to the character and appearance of the countryside or the landscape character area, in line with policies SP24, SP26 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 is also relevant to this application. 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.

It falls, therefore, to consider, whether there would be impact on the residential amenities of adjoining occupiers from the proposed development - which is the increase in the height that vehicles can be stacked.

It is recognised that the height of the vehicles being stacked is an increase in height of 1.5m from that approved under the 2010 application. Given the increased height of the stacking and the mitigation measures put forward, it is considered that there be no unreasonable loss of residential amenity by virtue of the distance between the site and the nearest residential property (approximately 57m to 'Hillside' and 193m to 1 Brambletye Cottages) and the proposed landscaping.

The Reclamet site is located adjacent to Nelson Park Riding stables and the associated living accommodation. It is, however, considered that the distance from this property means that the stacking of vehicles to 5.5 metres in height would not result in the creation of a sense of enclosure, loss of light or adverse effects upon outlook.

In view of the above it is considered that the proposed scheme would not adversely affect the living conditions of neighbouring property occupiers so as to warrant refusal of the scheme.

The Environmental Health Officer has not raised any concerns in regard to noise from the proposed increased height of the stacking. The vehicles are moved on to the stacking racks (not fixed to the ground) by forklift truck. This movement of vehicles currently operates, although it is appreciated that the increased height of the stacking will lead to an increase in vehicles that can be accommodated within this part of the site and therefore forklift truck movements. The Environmental Health Officer is of the view that this small increase in activity will have a negligible impact in acoustic terms. Since the Environmental Health Officer gave this view the height of the stacking has been reduced, thus I considered the impact to be further lessened. Furthermore the site does not have planning restrictions on operating hours, however, the applicant has agreed to restrict the activity associated with this variation (and this specific part of the site) to between 8am to 5pm, this can be safeguarded by condition.

I concur with the views of the Environmental Health Officer in regard to noise emanating from the site and impact upon neighbouring sites. In terms of the hours of operation it is considered by planning officers that this would be an unreasonable condition given that we are assessing an increase in the height that vehicles can be stacked within part of a larger site and it is not considered that there would be a harmful increase in the levels of noise and disturbance resulting from the proposal.

The proposal is, therefore, considered to be acceptable with regards to residential amenity in regard to existing residents, and in terms of noise and disturbance issues and the impacts of the increase 1.5m height of the stacked vehicles in accordance with Policy QD03 of the Thanet Local Plan and the National Planning Policy Framework.

Transportation

Paragraph 110 of the NPPF states that In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that amongst other aims: a) appropriate opportunities to promote sustainable transport modes can be - or have been - taken up, given the type of development and its location and b) safe and suitable access to the site can be achieved for all users. Paragraph 111 of the NPPF states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual impacts on the road network would be severe. Paragraph 112 goes on to highlight that Within this context, applications for development should: a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second - so far as possible - to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use; b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport; c) create places that are safe, secure and attractive - which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards; d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

Policy SP43 of the Local Plan states that the Council will work with developers, transport service providers, and the local community to manage travel demand, by promoting and facilitating walking, cycling and use of public transport as safe and convenient means of transport. Development applications will be expected to take account of the need to promote safe and sustainable travel. New developments must provide safe and attractive cycling and walking opportunities to reduce the need to travel by car. Whilst policy SP44 states development generating a significant number of trips will be expected to be located where a range of services are or will be conveniently accessible on foot, by cycle or public Transport.

The site business has grown since the original permission in 1963. The main front access off Woodchurch Road will remain as it is currently and the manner in which vehicles going to and from the site will not be impacted by this proposal. Parking provision within the site will remain unchanged by this proposal. Whilst it is noted the narrowness of Woodchurch Road it is considered that large vehicles currently transport vehicles to the site and this will not change by this development.

There may be a marginal increase in vehicles within the site that is not considered to be significant with the increase in height proposed.

The impact upon highways and highway safety is therefore considered to be acceptable.

Contamination

The site is located within the Groundwater Protection Zone as defined by policy SE04 of the Thanet Local Plan. Within this area development will only be permitted if there is no risk of

contamination to groundwater sources. If a risk is identified, development will only be permitted if adequate mitigation measures can be implemented.

The Environment Agency was consulted and no objections were raised. The stacking of vehicles currently occurs on this site and this increase in height is not considered to cause additional harm in this regard.

Other Matters

In terms of comments raised by third party representations it is considered that the increased height of vehicles stacked on this part of the site would not affect local ecology. This is because the site is already used for commercial activity and would not reduce the amount of vegetation on site and therefore attractiveness to wildlife.

It is appreciated that there may be a small increase in traffic to the site but this would not be so significant as to increase in air pollution within the vicinity.

The Local Planning Authority considers that there is sufficient information to assess the proposal, elements that are missing for example for details of landscaping can be secured through planning conditions.

Whilst the site may be under investigation by the Environment Agency, this is a separate matter to this planning application.

A concern has been raised that there would be too many cars on the site and this would restrict fire engine access. As the stacking of vehicles is vertical it is unlikely that this would restrict a fire engine. When a site inspection was made there was sufficient room for a vehicle to move up and down the site to move vehicles within it.

Conclusion

In summary, the variation to the condition that controls the height of the storage of vehicles from 4 metres (2010 application) to 5.5 metres is considered to be acceptable. The site lies within an existing site and it is considered that the impact on visual amenity of the area can be mitigated by additional landscaping whilst supporting the growth of an existing rural business. No objections have been raised from consultees and the proposal will allow the business to continue its operation contributing towards building a strong and competitive economy. It is considered that the application is acceptable in regard to residential amenity, highways aspects and all other matters. As such the proposal is accordingly recommended for approval subject to the attached conditions.

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

Case Officer

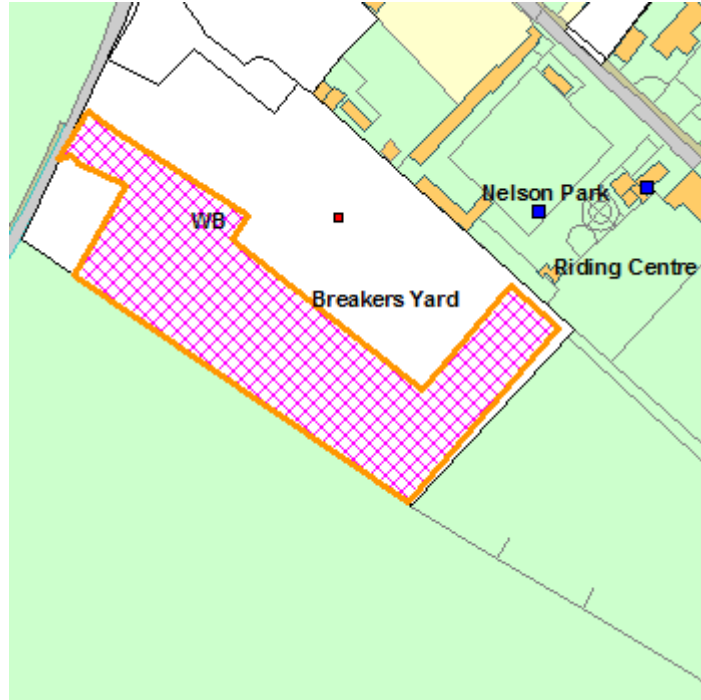
Gill Richardson

TITLE:

F/TH/22/0858

Project

Reclamet Ltd Woodchurch Road BIRCHINGTON Kent CT7 0HL



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D02

F/TH/22/0756

PROPOSAL: Retrospective application for the erection of a second floor extension to form 1No self contained flat

LOCATION:

Miles And Barr 43 - 45 High Street BROADSTAIRS Kent CT10 1JR

WARD:

Viking

AGENT:

Mr Matthew Gerlack

APPLICANT:

Mr J Stern

RECOMMENDATION:

Defer & Delegate

Defer and delegate for approval following securing the SPA contribution with late payment amount included to mitigate the impact on development on the site on the SPA and subject to safeguarding conditions:

1 The proposed development shall be carried out in accordance with the submitted application and the approved drawings numbered 22/569/JG/PL02, 22/569/JG/PL03, 22/569/JG/PL05, 22/569/JG/PL06, 22/569/JG/SK01 (received 01/09/22), 22/569/JG/SK02 (received 01/09/22) and Specification - Works to the external facade (received 01/09/22).

GROUND

To secure the proper development of the area.

2 Prior to the first occupation of the unit hereby approved, full details of the secure cycle storage shall be submitted to and approved in writing by the Local Planning Authority. The scheme as agreed shall be provided in full accordance with the approved details and thereafter retained.

GROUND

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

INFORMATIVES

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

Thanet District Council recommends that all developers work with a telecommunication partner or subcontractor in the early stages of planning for any new development to make sure that Next Generation Access Broadband is a fundamental part of the project. Access to superfast broadband should be thought of as an essential utility for all new homes and businesses and given the same importance as water or power in any development design.

Please liaise with a telecom provider to decide the appropriate solution for this development and the availability of the nearest connection point to high speed broadband.

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 application relates to 43-45 High Street Broadstairs, a three storey building within the core town centre of Broadstairs. The building is on the corner of High Street and Queens Road. At present the ground floor fronting the High Street and part of the Queens Road frontage is used by Miles & Barr Estate Agents.

The site is not located within the confines of a Conservation Area, although there are some listed buildings close to the site.

RELEVANT PLANNING HISTORY

F/TH/21/0611 Erection of a second floor extension to form a self contained flat. Granted 27/07/21

NM/TH/21/1181 Application for a non material amendment of planning permission F/TH/20/1773 for the change of use of part of ground floor office space (Use Class E(g)(i)) and all upper floors into 5no. 1 bedroom and 1no. 2 bedroom self contained flat (Use Class C3) together with first floor extension fronting Queens Road and alterations to roof to allow alterations to fenestration. Granted 23/08/21

F/TH/20/1773 Change of use of part of ground floor office space (Use Class E(g)(i)) and all upper floors into 5no. 1 bedroom and 1no. 2 bedroom self contained flat (Use Class C3) together with first floor extension fronting Queens Road and alterations to roof. Granted 18/03/2021

PROPOSED DEVELOPMENT

A site inspection confirmed that the proposed development that had been built was not in accordance with planning permission F/TH/21/0611. The key changes being:

Increase in height of the roof

Side elevation

Window arrangement changed at first floor level

Rear elevation - facing Queens Road Baptist Church

Ground floor window made larger - to be fixed with obscure glazing

Side elevation to Queens Road

Additional window at third floor

Altered window positions

Windows missing header detailing

Removal of banding to the top of second floor windows

As such an application was submitted for retrospective planning permission. Following an initial assessment of the proposal this was found to be unacceptable to officers. Accordingly amendments were made to the application, these changes included inclusion of banding, header detailing to windows and provision of a scalloped sill detail all to the Queens Road elevation. Header and sill detailing is also proposed to the additional window facing the Baptist Church. These details will be discussed later in the report.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan

SP12 - Broadstairs

SP29 - Strategic Access Management and Monitoring Plan (SAMM)

SP35 - Quality Development

SP43 - Safe and Sustainable Travel

HO1- Housing Development

E04 - Primary and Secondary Frontages

GI04 - Amenity Green Space and Equipped Play Areas

QD01 - Sustainable Design

QD02 - General Design Principles

QD03 - Living Conditions

QD04 - Technical Standards

TP02 - Walking

TP03 - Cycling

TP06 - Car Parking

Broadstairs & St. Peters Neighbourhood Plan

BSP9: Design in Broadstairs & St. Peter's

BSP12: Full Fibre Broadband Connections

NOTIFICATIONS

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

One representation was received in regard to the initial consultations carried out. The concerns raised can be summarised as follows:

- Development is too high- the building is as high as the Church tower and looks out of place.
- Permission should not be granted and the building corrected to what was actually approved.
- Out of keeping with character of area
- Concern about not being notified of the original planning application, nor the addition of an extra floor.

In relation to the amended plan and specification for the works to the external facade a further objection was received from the same objector. This raised the following concerns:

- Close to adjoining properties
- Development too high
- General dislike of proposal
- Inadequate access which is unsuitable for the frequency and type of usage
- Loss of privacy
- Concern about not being notified of the original planning application, nor the addition of an extra floor
- Does not take into account the church and how the original building stepped down
- Finish is unsympathetic to the front and looks tacky and cheap
- Developer should be made to put property to what was approved

Broadstairs Town Council: Recommend REFUSAL as due process has not been followed. The Town Council agrees with the original objections of over-development, insufficient and inadequate parking and the impact on the streetscene. This retrospective application contravenes the original application on which permission was granted.

Broadstairs Society: No adverse comments to make especially as it is a retrospective application

CONSULTATIONS

No consultations carried out.

COMMENTS

This application is referred to the Planning Committee at the request of Cllr Bailey due to concerns about the height of the development, its relationship with other neighbouring buildings, inadequate parking and the deviation from the approved plans.

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

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 application relates to 43-45 High Street Broadstairs, a three storey building within the core town centre of Broadstairs and the primary frontages of the Local Plan.

This application proposes the erection of a second floor extension to form a self contained one bedroom flat. The provision of the additional flat was previously accepted by officers and this consent has been implemented.

Policy SP12, which relates specifically to Broadstairs, states the Local Planning Authority will look to support proposals that maintain and enhance the role and character of Broadstairs. The proposal given its location, to the upper floors and not along the main shopping street, would not conflict with this policy.

Policy E04 states that within the Primary Frontages the following development will be permitted:

- 1) Use Classes falling within A1, A2, A3, A4 and A5.
- 2) residential and other main town centre uses will be permitted above ground floor level only.

From the 1st September 2020 the use class order was altered with all offices and retail uses being moved into the same E use class; these were previously use class A2 and A1. These alterations mean that a change of use from an office to retail no longer constitutes development.

The primary retail/town centre frontage is along the high street frontage not the Queens Road where the proposed extension and additional flat is proposed, in addition the proposal is at second floor level, therefore, there would be no conflict with this policy.

In summary the proposed development would not conflict with Policies E04 and SP12 within this town centre location.

Thanet Local Plan Policy HO1 states that on non-allocated sites, such as the subject of this application, residential development will only be permitted on previously developed land within the urban confines. The proposed extension and provision of an additional unit of accommodation would, therefore, accord with this policy.

The development on the site accords with Policies SP12, E04 and H01 of the Thanet Local Plan and the National Planning Policy Framework and given that the previous consent has been implemented, it is considered that there is no in principle objection subject to the detailed consideration of all other material issues including the impact upon the character and appearance of the area, living conditions of neighbouring and future property occupiers and highways matters.

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 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 which demonstrate that they reflect the design characteristics of the area will be supported. Therefore, development should be well designed, respect and enhance the character of the area paying particular attention to context and identity. The application site is located within Broadstairs High Street which is characterised by two and three storey predominantly period buildings with commercial uses and shop fronts at ground floor level and office/storage/residential uses above. The application property is a corner building with a shopfront at ground floor level serving estate agents and a simple pattern of fenestration at the upper floors which appear vacant at the time of a site inspection.

The application seeks retrospective consent for the erection of a second floor extension to the Queens Road elevation to facilitate an additional 1 bedroom self contained flat within the building as it was not constructed in accordance with the approved permission (F/TH/21/0611).

This application differs from the previously approved scheme as the height of the roof over the second floor extension has been increased (approximately 1.5m) so that now it appears as a continuation of the roof rather than being subservient in appearance by having the ridge and eaves height lower to the main roof. In addition there were alterations/changes to the fenestration and detailing omitted.

When extending a build it is often common to design an extension that appears subservient to the main original building, set down and sometimes set back. Although in some instances due to the design and other factors this may not be possible. It is considered that increasing the height of the extension so that the roof acts as a continuation is a retrograde step as it could visually compete with the original building, however it is appreciated when walking directly past the subject building on Queens Road a pedestrian would not perceive this at street level. The change in the design would be evident opposite the site from the bus stops. Whilst it is appreciated that there will be some views from ground floor level (opposite side of

Queens Road) that the height of the extension would be appreciated, this does not necessarily follow that it will result in visual harm. Taking into account what has been built on site, the building as a whole and the context of the building, it is not considered that the increase in height would appear obtrusive as it would be seen in this context. In terms of the church that is adjacent to the site, there is a distance of separation of approximately 2.5m between boundaries and I consider this to be sufficient not to appear uncomfortable or to compete with this prominent building and create a distinct visual break between styles of building.

In order to make the scheme acceptable the scheme now proposes to include banding, below the eaves and above the first floor window on the Queens Road elevation, altered window positions and header detailing to windows and provision of a scalloped sill detail to the Queens Road and the additional window facing the Baptist Church.

Since the submission of the application additional information was sought for the applicant's agent to allow officers to fully understand how the rendered string course proposed and the detailing of the windows would work in reality. The submitted specification details set out below have been received:

Front Elevation (West facing) - Ground Floor level

1. Supply and install Sytex foamed stone window lintel and sill detail to left hand and right hand side windows as drawing detail 22/569/JG/SK01.
2. To right hand side window apply off white Silicon render panel, in accordance with drawing detail 22/569/JG/SK01.

First Floor level

3. Supply and install Sytex foamed stone window lintel and sill detail to left hand, central and right hand side windows as drawing detail 22/569/JG/SK01.
4. Supply and install Sytex foamed stone band course over windows in accordance with drawing detail 22/569/JG/SK01.

Second Floor level

5. Supply and install Sytex foamed stone window lintel and sill detail to left hand, central and right hand side windows as drawing detail 22/569/JG/SK01.
6. Supply and install Sytex foamed stone band course over windows in accordance with drawing detail 22/569/JG/SK01.

Side Elevation (South Facing) - Ground floor level

7. Supply and install Sytex foamed stone window lintel and sill detail to kitchen windows as drawing detail 22/569/JG/SK01.
8. Provide obscure glazing to window in accordance with drawing detail 22/569/JG/SK01.

The agent has confirmed that this foam stone system has been used on another building within Broadstairs High Street; 69 High Street (corner of Pierremont Avenue and High Street) and also a small amount on 8-12 High Street (new Tesco).

It is considered that the inclusion of the detailing to the windows that replicates that of the original building and the proposed string course would link the extended portion of the building to the original in a sympathetic manner.

An additional window has been created at the second floor on the Queens Road elevation, however I do not consider that this will harm the overall aesthetics of the building as it replicates the fenestration pattern on the floors below.

The stone banding between the original building and extension has now been carried through on the revised plans which is considered to be an improvement to the scheme as constructed.

Whilst it is disappointing that the application was not built in accordance with the approved plans, retrospective planning applications are considered on their own planning merits in the same way as other applications.

The extension and alterations, as proposed to be amended under the submitted specification of works to the external facade document and revised plans and considered to relate to the original building tying the two schemes visually to one another. Furthermore the detailing omitted previously further adds to this. The combination of all these elements, are considered to adequately relate to the host building and the surrounding built environment, resulting in no significant impact upon the character and appearance of the area. The materials used in the construction are considered to be appropriate to the host building and the wider area.

On balance, the proposal is, therefore, considered to be acceptable in terms of the character and appearance of the area, in accordance with Policies SP35, QD01 and QD02 of the Thanet Local Plan policy BSP9 of the Broadstairs and St Peter's Neighbourhood 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 policies QD03 and QD04 are also relevant to this application. 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. Policy QD04, which are the National Described Space Standards (March 2015). Policy GI04 states that new family dwellings (those with 2 or more bedrooms) will be expected to incorporate garden space in order to provide a safe "doorstep play area" for

young children. With doorstep playspace being defined as playspace for young children which is immediately adjacent to, closely visible and safely accessible from the dwellings served.

The application seeks consent for the erection of additional built form to the rear/side elevation at second floor level, this will extend the roof higher (approximately 1.5m) than previously permitted under application reference F/TH/21/0611. The proposed extension is flanked by properties to one side and the rear.

With regard to the relationship with the property to the side, it is recognised that the extension does not extend across the width of the site, only to the rear of no. 45 (not no. 43). The extension would go to the rear site boundary with an access separating this from the Queen's Road Baptist Church. The extension would have a false pitched roof - similar to what was approved for F/TH/20/1773 at a lesser height (two storey) and F/TH/21/0611. From the street level the extension would have the appearance of a pitched roof. The extension with a false pitched roof would be adjacent to the flat roof of no. 43 (part of the site). This flat roof has a width of approximately 5.3m. Beyond this no. 41 has a gap with no. 43 and this property also has a flat roof rear section above the ground floor projection. Whilst the proposed extension adds an additional floor to the original 2020 and an increase in height compared to the 2021 application which was previously approved I do not consider that the physical form of the extension will result in harm due to the separation and orientation of the buildings to one another. The windows proposed within the side elevation facing these units do not result in harm due to the degree of separation and were previously accepted.

With regard to the impact upon the property to the south; Queen's Road Baptist Church, whilst the church has a number of windows I do not consider there to be harm; there is a separation distance of approximately 2.5m and given the church use, which is a place of worship and not residential it is not considered that there would be material harm.

Taking into account the proposed scale of the proposed increased height of the extension, and the relationship of the adjacent neighbour to the east and south, the proposed development is not considered to result in significant harm to living conditions of adjacent neighbours deriving from the additional built form.

The proposed development is, therefore, considered to be acceptable in terms of its impact on the living conditions of adjacent properties, in accordance with Policy QD03 of the Thanet Local Plan and paragraph 119 National Planning Policy Framework.

In terms of the living conditions of the future occupiers of the proposed dwellings, Policy QD03 requires new development to be of an appropriate size and layout with sufficient usable space to facilitate comfortable living conditions and meet the standards set out in Policy QD04, which are the National Described Space Standards (March 2015). Paragraph 130 of the National Planning Policy Framework requires development to provide a high standard of amenity for existing and future users, with all windows serving primary habitable rooms required to provide an acceptable level of outlook, natural light and ventilation for the rooms. The proposed unit meets all of these criteria in terms of the overall floor space and window provision to habitable rooms and is therefore considered policy compliant.

The proposed unit has a shared bin storage area and also a cycle area. The cycle area shown on the plan does not appear to be secured/covered, therefore, it is recommended that a condition is attached to secure this. This condition was put on the previous consent but not discharged and therefore the wording is slightly altered to ensure an appropriate trigger point.

The provision of an additional flat and its increased height in comparison to the 2021 approval is not considered to result in any significant change in noise and disturbance to the neighbouring residential property occupiers when compared to the existing use.

Doorstep playspace is required for all 2-bed units or more under Policy GI04 of the Thanet Local Plan, along with refuse storage, clothes drying and cycle storage space. The development involves 1 no. 1 bedroom unit. On this basis the additional unit does not require an enclosed doorstep playspace to comply with this policy. It is, however, highlighted that the site is within close walking distance to Pierremont Park and the beach for the occupier.

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 and QD04 of the Thanet Local Plan and the National Planning Policy Framework.

Transportation

Paragraph 110 of the NPPF states that In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that amongst other aims: a) appropriate opportunities to promote sustainable transport modes can be - or have been - taken up, given the type of development and its location and b) safe and suitable access to the site can be achieved for all users. Paragraph 111 of the NPPF states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual impacts on the road network would be severe. Paragraph 112 goes on to highlight that “within this context, applications for development should: a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second - so far as possible - to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use; b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport; c) create places that are safe, secure and attractive - which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards; d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.”

Policy SP37 of the Local Plan states that 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. Policy SP43 of the Local Plan states that the Council will work with developers, transport service providers, and the local community to manage travel demand, by promoting and facilitating walking, cycling and use of public transport as safe and convenient means of transport. Development applications will be expected to take account of the need to promote safe and sustainable travel. New developments must provide safe and attractive cycling and walking opportunities to reduce the need to travel by car. Whilst policy SP44 states development generating a significant number of trips will be expected to be located where a range of services are or will be conveniently accessible on foot, by cycle or public Transport.

Under Policy QD01, all developments are required to: 1) Achieve a high standard of energy efficiency to the equivalent of Level 4 of the Code for Sustainable Homes (subject to HE05 where applicable), 2) Make the best use of solar energy passive heating and cooling, natural light, natural ventilation and landscaping, 3) Provide safe and attractive cycling and walking opportunities to reduce the need to travel by car. 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.

The application site is located within Broadstairs Town Centre and, as such, development is not required to provide off street parking provision. In addition the site is located in a sustainable location, in close proximity to a range of public transport and is sited close to a public car park. The impact upon highway safety is therefore considered to be acceptable in accordance with Policy TP06 of the Thanet Local Plan and the NPPF.

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 '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.

An undertaking was secured for this mitigation with the 2021 application, but payment of the SAAM contribution has not been received at the time of writing this report. As the 2021 consent has been implemented, albeit not in accordance with the correct plans, the Local Planning Authority is seeking the payment of the required financial contribution for the residential units to mitigate the additional recreational pressure on the SPA area in accordance with the undertaking on the 2021 application. As the trigger date for the SAMM payment is normally within 28 days of the Commencement Date the landowner effectively has to pay for the contribution and a late payment amount which is indexed linked. The Planning Enforcement team is dealing with this aspect currently. As such it is considered that this decision cannot be issued until the payment has been made to the Council.

It is confirmed that the Local Planning Authority cannot force applicants to complete planning consents through the use of conditions and that this matter will be dealt with via enforcement.

Conclusion

The proposed development is located within the urban confines, and forms an extant consent, and as such the principle of development has previously been accepted. Whilst the height and design of the proposal has changed, it is considered the scheme would be acceptable subject to the modifications made during the application being fully implemented and as such the development continues to be considered as in keeping with the character and appearance of the area. The impact of these design and height changes is not considered to impact negatively upon neighbour amenity. The quantum of development has not changed as such the impact upon highway safety is considered to be acceptable.

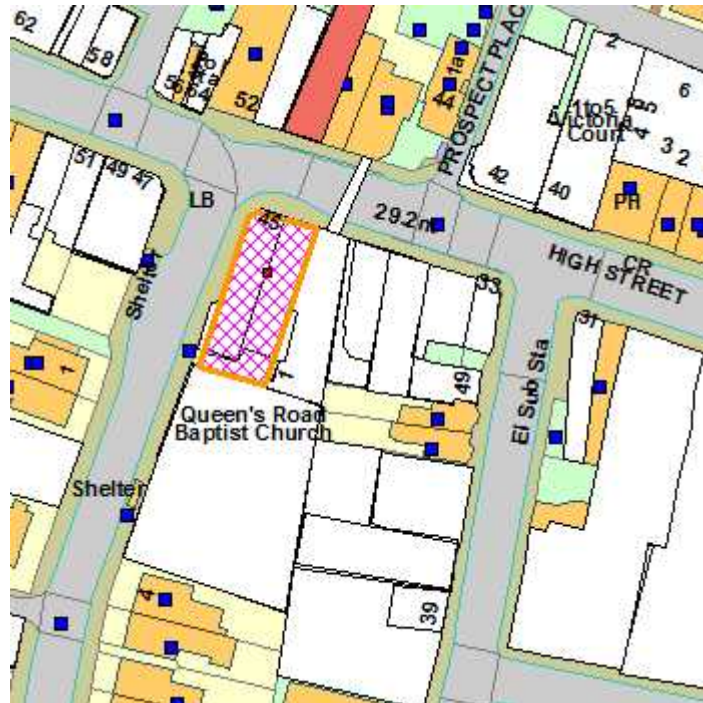
It is therefore recommended that Members defer and delegate this application following the securing the SPA contribution with late payment amount included to mitigate the impact on development on the site on the SPA and subject to safeguarding conditions.

Case Officer

Gill Richardson

TITLE: F/TH/22/0756

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