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Our ref: Planning Committee Agenda
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PLANNING COMMITTEE

19 JULY 2023

A meeting of the Planning Committee will be held at **7.00 pm on Wednesday, 19 July 2023** in the Council Chamber, Council Offices, Cecil Street, Margate, Kent.

Membership:

Councillor Crittenden (Chair); Councillors: J Bright (Vice-Chair), Albon, J Bayford, Boyd, Dennis, Driver, Garner, Keen, Makinson, Matterface, Paul Moore, Rattigan, Rusiecki and Wing

AGENDA

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 - 28)

To approve the Minutes of the Planning Committee meeting held on 14th June 2023, copy attached.

4. **SCHEDULE OF PLANNING APPLICATIONS** (Pages 29 - 32)

To consider the report of the Director of Place, 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.

Applications for Approval

Item
No

Subject

- 4a **A01 OL/TH/22/1586 - LAND BETWEEN 310 AND 316 CANTERBURY ROAD, BIRCHINGTON** (Pages 33 - 60)
- 4b **A02 F/TH/23/0531 - UNIT 1 BLENHEIM CLOSE, BROADSTAIRS** (Pages 61 - 68)
- 4c **A03 F/TH/23/0335 - MINSTER MEZE AND GRILL 7 - 9 MONKTON ROAD, MINSTER** (Pages 69 - 76)
- Applications for Deferral**
- 4d **D04 F/TH/22/1591 - 122 NORTHDOWN ROAD, MARGATE** (Pages 77 - 92)
- 4e **D05 F/TH/22/1668 - BRITISH HEART FOUNDATION 113 - 117, HIGH STREET, MARGATE** (Pages 93 - 106)



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 14 June 2023 at 7.00 pm in Council Chamber, Council Offices, Cecil Street, Margate, Kent.

Present: Councillor Helen Crittenden (Chair); Councillors Bright, Albon, J Bayford, Boyd, Driver, Garner, Keen, Makinson, Matterface, Paul Moore, Rattigan, Rusiecki and Wing

In

Attendance: Councillors Pressland, Pugh and Smith

1. **APOLOGIES FOR ABSENCE**

Apologies were received from Councillor Dennis.

2. **DECLARATIONS OF INTEREST**

Declaration of Interest was made by Councillor Rusiecki regarding item 4D.

3. **MINUTES OF PREVIOUS MEETING**

Councillor Albon proposed, Councillor Bayford seconded and Members agreed that the minutes of the meeting held on 19 April 2023 be approved as a correct record.

4. **SCHEDULE OF PLANNING APPLICATIONS**

The Chair informed Committee Members that any site visits would take place on 7th April 2023.

(a) **A01 R/TH/22/1393 - Land on the West Side of Tothill Street, Ramsgate**

PROPOSAL: Application for the reserved matters of outline permission OL/TH/18/1488 "Outline application for the erection of up to 214no. dwellings, cemetery expansion, and associated access, with all other matters reserved" for the approval of appearance, landscaping, layout and scale of development within phase 1 (133no. dwellings).

Ms Tamplin spoke in favour of the application.

Councillor Smith spoke against the application under Council Rule 20.1.

Councillor Pugh spoke against the application under Council Rule 20.1.

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

THAT the officer's recommendation be adopted, namely:

That the application be approved subject to the following conditions:

- 1) The proposed development shall be carried out in accordance with the submitted application plans and details below:
 - Site Layout 110222/RM/P1/SL01 Rev U
 - Storey Heights Plan 110222/RM/P1/SL02 Rev E
 - Dwelling Types Plan 110222/RM/P1/SL03 Rev E
 - Tenure Plan 110222/RM/P1/SL04 Rev E
 - Parking Plan 110222/RM/P1/SL05 Rev E
 - Refuse Plan 110222/RM/P1/SL06 Rev E
 - Fire Strategy Plan 110222/RM/P1/SL07 Rev E
 - Materials Plan 110222/RM/P1/SL08 Rev H
 - Boundary Treatment Plan 110222/RM/P1/SL09 Rev F
 - M42(2)/M4(3) Plan 110222/RM/P1/SL10 Rev E
 - Colour Site Layout 110222/RM/P1/SL11 Rev C
 - Hard Landscaping Plan 110222/RM/P1/SL12 Rev H
 - Electric Charging Points Location 110222/RM/P1/SL17 Rev E
 - Road Hierarchy Plan 110222/RM/P1/SL19 Rev C
 - Bridleway Extract Plan 110222/RM/P1/SL20 Rev A
 - Coloured Street Scenes - Sheet 1 110222/RM/P1/SS1 Rev E
 - Proposed Site Sections 110222/RM/P1/SS3 Rev A
 - House Type ALD Elevations & Floor Plans 110222/ALD/EP Rev B
 - House Type BLA (Sheet 1) Elevations & Floor Plans 110222/BLA/1/EP Rev E
 - House Type BLA (Sheet 2) Elevations & Floor Plans 110222/BLA/2/EP Rev E
 - House Type CUL (Sheet 1) Elevations & Floor Plans 110222/CUL/1/EP Rev D
 - House Type CUL (Sheet 2) Elevations & Floor Plans 110222/CUL/2/EP Rev D
 - House Type EAR Elevations & Floor Plans 110222/EAR/EP Rev B
 - House Type HAZ Elevations & Floor Plans 110222/HAZ/EP Rev E
 - House Type HAZ 1 Elevations & Floor Plans 110222/HAZ/1/EP Rev B
 - House Type LYN Elevations & Floor Plans 110222/LYN/EP Rev B
 - House Type OLL (Sheet 1) Elevations & Floor Plans 110222/OLL/1/EP Rev E
 - House Type OLL (Sheet 2) Elevations & Floor Plans 110222/OLL/2/EP Rev E
 - House Type THO Elevations & Floor Plans 110222/THO/EP Rev C
 - House Type WIN Elevations & Floor Plans 110222/WIN/EP Rev E
 - House Type WYC Elevations & Floor Plans 110222/WYC/EP Rev C
 - House Type SH51 Elevations & Floor Plans 110222/SH51/EP Rev E
 - House Type SH52 Elevations & Floor Plans 110222/SH52/EP Rev F

- House Type WF/N Elevations & Floor Plans 110222/WF-N/EP Rev D
- House Type 60/61 Elevations & Floor Plans 110222/60-61/EP Rev A
- Single Garage Elevations & Floor Plans 110222/SG/EP Rev A
- Double Garage Elevations & Floor Plans 110222/DG/EP Rev A
- Twin Garage Elevations & Floor Plans 110222/TG/EP Rev A
- Quad Garage Elevations & Floor Plans 110222/QG/EP Rev A

- Planting Plan 6142-LLB-EA-E1-DR-L-0006 Rev P05
- Planting Plan 6142-LLB-EA-E2-DR-L-0007 Rev P06
- Planting Plan 6142-LLB-EA-E3-DR-L-0008 Rev P04
- Planting Plan 6142-LLB-EA-E4-DR-L-0009 Rev P04
- Planting Plan 6142-LLB-EA-E5-DR-L-0010 Rev P04
- Planting Plan 6142-LLB-EA-E5-DR-L-0011 Rev P03
- Planting Plan 6142-LLB-EA-E5-DR-L-0012 Rev P04
- Planting Plan 6142-LLB-EA-E5-DR-L-0013 Rev P04
- Planting Plan 6142-LLB-EA-E5-DR-L-0014 Rev P04
- Planting Plan 6142-LLB-EA-E5-DR-L-0015 Rev P02
- Planting Plan 6142-LLB-EA-E5-DR-L-0017 Rev P04
- Planting Plan 6142-LLB-EA-E5-DR-L-0018 Rev P02
- Arboricultural Impact Assessment Report 6142-LLB-RP-Ab-0001 Rev P02
- Boundary Treatment Plan 6142-LLB-RP-L-0002 Rev P02
- Landscape Management Plan 6142-LLB-RP-L-0005 Rev P03
- Landscape Strategy 6142-LLB-RP-L-0006 Rev P01
- Tree Protection Plan 6142-LLB-XX-XX-DR-Ab-0005 Rev P02
- Tree Protection Plan 6142-LLB-XX-XX-DR-Ab-0006 Rev P02
- Tree Protection Plan 6142-LLB-XX-XX-DR-Ab-0007 Rev P02
- Tree Protection Plan 6142-LLB-XX-XX-DR-Ab-0008 Rev P02
- Landscape Masterplan 6142-LLB-XX-XX-DR-L-0001 Rev P11
- Hardworks 6142-LLB-XX-XX-DR-L-0005 Rev 06
- Playspace Layout IDV-PD 1872 Rev A

- Proposed Levels 1 of 9 6881.024 Rev E
- Proposed Levels 2 of 9 6881.025 Rev D
- Proposed Levels 3 of 9 6881.026 Rev D
- Proposed Levels 4 of 9 6881.027 Rev D
- Proposed Levels 5 of 9 6881.028 Rev D
- Proposed Levels 6 of 9 6881.029 Rev C
- Proposed Levels 7 of 9 6881.030 Rev F
- Proposed Levels 8 of 9 6881.031 Rev E
- Proposed Levels 9 of 9 6881.032 Rev D

- Proposed Drainage 1 of 9 6881.033 Rev D
- Proposed Drainage 2 of 9 6881.034 Rev D
- Proposed Drainage 3 of 9 6881.035 Rev D
- Proposed Drainage 4 of 9 6881.036 Rev D

- Proposed Drainage 5 of 9 6881.037 Rev D
- Proposed Drainage 6 of 9 6881.038 Rev F
- Proposed Drainage 7 of 9 6881.039 Rev D
- Proposed Drainage 8 of 9 6881.040 Rev D
- Proposed Drainage 9 of 9 6881.041 Rev E

- Plot 125 and 131 Cross Sections

- SuDS Construction Details 1 of 2 6881.053
- SuDS Construction Details 2 of 2 6881.054
- Catchment Area Plan Sheet 1 of 2 6881.555 Rev A

- Biodiversity Method Statement (Bakewell January 2023 V5)

GROUND:

To secure the proper development of the area.

- 2) Prior to the first occupation of any dwelling within the development hereby permitted, the vehicle parking spaces/s relating to that dwelling, including the garage, car port and adjacent visitor parking spaces, as shown on the approved plan numbered 110222/RM/P1/SL05 Rev E shall be provided and permanently retained.

GROUND:

In the interests of highway safety in accordance with the advice contained within the NPPF.

- 3) The vehicle turning areas shall be carried out in accordance with drawing numbered 110222/RM/P1/SL19 Rev C. The relevant vehicle turning areas will be provided prior to the occupation of the associated dwellings.

GROUND:

In the interests of highway safety in accordance with the advice contained within the NPPF.

- 4) Visibility and pedestrian visibility splays shall be provided to the access roads and parking areas in accordance with the submitted General Arrangement plans numbered 1-9 6881.015 Rev C, 6881.016 Rev C, 6881.017 Rev C, 6881.018 Rev C, 6881.019 Rev C, 6881.020 Rev C, 6881.021 Rev D, 6881.022 Rev C, 6881.023 Rev C prior to the use of the respective access road/parking. The visibility splays shall thereafter be maintained.

GROUND:

In the interest of highway safety in accordance with the advice contained within the NPPF.

- 5) Prior to the first occupation of the development hereby permitted, details of the secure, covered cycle parking facilities to serve each unit,

shall be submitted to and approved in writing by the Local Planning Authority. The cycle parking facilities shall be provided prior to the first occupation of each associated unit, and in accordance with the approved details, 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.

- 6) The play space as identified on the open space plan numbered 6142-LLB-XX-XX-DR-L-0002 Rev P05 for phase 1 shall be provided in accordance with the playspace layout plan numbered IDV-PD 1872, and made available for use prior to the first occupation of any dwelling within phase 1 hereby permitted.

GROUND:

To provide equipped playspace in accordance with Policy GI04 of the Thanet Local Plan.

- 7) No further extensions to unit 108, 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.

- 8) No roof extensions to units 122-133, whether approved by Class B or C 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.

- 9) The ground and first floor windows in the southern side elevation of unit nos. 108 and 121 shall be non-opening below 1.73m above the finished internal floor level, and provided and maintained with obscured glass to a minimum level of obscurity to conform to Pilkington Glass level 4 or equivalent; and shall be installed prior to the first occupation of these units 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.

- 10) The ground and first floor windows in the southern side elevation of unit nos. 108 and 121 shall be non-opening below 1.73m above the finished internal floor level, and provided and maintained with obscured glass to a minimum level of obscurity to conform to Pilkington Glass level 4 or equivalent; and shall be installed prior to the first occupation of these units 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.

- 11) Prior to the first occupation of unit nos. 122-133, a 2.4m high rear boundary fence with trellis shall be erected to the rear (southern) boundary of the plot, as shown on plan numbered 110222/RM/P1/SL09 Rev F. The fence shall thereafter be maintained at that height.

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.

- 12) Prior to the commencement of the bridleway enhancement works, detailed section and landscaping plans, that respond to on-site survey evidence and show any proposed widening, resurfacing, level changes, and planting, within and adjacent to the bridleway, shall be submitted to, and approved in writing by, the Local Planning Authority. The bridleway shall be provided in accordance with the approved details.

GROUND:

To confirm the detailed layout and landscaping for the bridleway, in accordance with Thanet Local Plan Policy QD02.

- 13) Prior to the installation of the bunds adjacent to the northern boundary of the site, elevation, section and layout plans of the bunds, including gradient details of the intended footpath and the method of landscaping on the bunds, shall be submitted to, and approved in writing by, the Local Planning Authority. The bunds and associated footways and landscaping shall be installed in accordance with the details as approved.

GROUND:

To safeguard the character and appearance of the area, in accordance with Policy QD02 of the Thanet Local Plan.

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

(b) **A02 F/TH/23/0233 - Reclamet Recycling Centre, Woodchurch Road, Birchington**

PROPOSAL: Erection of first floor extensions to 2no office buildings

Mr Michael spoke in favour of the application.

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

THAT the officer's recommendation be adopted, namely:

That the application be approved subject to the following conditions:

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

GROUND:

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

- 2) The proposed development shall be carried out in accordance with the submitted application and the approved drawing numbered 002, 003A, 005, 008, 009B, 0010, 0011, 0012, 0016, 0019 (received 27/04/2023).

GROUND:

To secure the proper development of the area.

- 3) Prior to the commencement of any development on site details to include the following shall be submitted to and approved by the Local Planning Authority and should be carried out in accordance with the approved details.
 - (a) Routing of construction and delivery vehicles to / from site
 - (b) Parking and turning areas for construction and delivery vehicles and site personnel
 - (c) Timing of deliveries
 - (d) Provision of wheel washing facilities
 - (e) Temporary traffic management / signage

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.

- 4) Prior to the first use of the either extensions hereby approved, the area shown 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.

- 5) Prior to the first use of the either extensions hereby approved, the secure cycle parking facilities, as shown on approved drawing no. 0019 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.

- 6) Prior to the first use of either extension hereby permitted, details of the electric vehicle charging points to be provided within the development, including their location and design, shall be submitted to and approved in writing by the Local Planning Authority. The electric vehicle charging points shall be in the form of one active charging point per allocated parking space, and one active charging point per ten unallocated parking spaces. The electric vehicle charging points shall be provided prior to the first occupation of the development and thereafter maintained.

GROUND:

To protect air quality, in accordance with Policy SE05 of the Thanet Local Plan and the advice as contained within the NPPF.

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

- (c) **A03 F/TH/23/0175 - Plot 6, Land Adjacent to Clifftop, North Foreland Avenue, Broadstairs**

PROPOSAL: Erection of 1no. 2-storey detached dwelling together with 2-storey outbuilding containing a garage and two bed self contained annexe.

Mr Nicolaou spoke against the application.

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

THAT the officer's recommendation be adopted, namely:

That the application be approved subject to the following conditions:

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

GROUND:

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

- 2) The development hereby approved shall be carried out in accordance with the submitted drawings numbered 29585A_10 Rev A, 29585A_11 Rev A, 29585A_12 Rev A, 29585A_13, Rev A, 29585A_14 Rev A, 29585A_20 Rev A.

GROUND:

To secure the proper development of the area.

- 3) The area shown on the approved plans 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:

Development without adequate provision for the parking or turning of vehicles is likely to lead to parking inconvenient to other road users and detrimental to amenity and in pursuance of policy TP06 of the Thanet Local Plan.

- 4) The development hereby approved shall incorporate a bound surface material for the first 5 metres of the access from the edge of the highway.

GROUND:

In the interests of highway safety.

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

GROUND:

To prevent pollution, in accordance with Policy CC02 of the Thanet Local Plan and the advice contained within the National Planning Policy Framework.

- 6) Prior to 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.

GROUND:

In the interests of visual amenity in accordance with Policies QD02 of the Thanet Local Plan and BSP 7 and 9 of the Broadstairs and St Peter's Neighbourhood Plan.

- 7) No further development, whether approved by Part 1 Class A, B, C and E of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order), shall be carried out without the prior permission in writing of the Local Planning Authority.

GROUND:

To ensure a satisfactory external treatment and in the interests of the visual amenities of the locality in accordance with Policy D1 of the Thanet Local Plan.

- 8) The proposed annexe hereby approved shall not be occupied or used at any time other than for purposes ancillary to the residential use of the host dwelling.

GROUND:

To ensure that an independent residential use is not created to the detriment of the character, appearance and pattern of development of the area, and to the living conditions of any occupiers of the site or neighbouring properties in accordance with policies QD02 and QD03 of the Thanet Local Plan.

- 9) 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.

- 10) The development hereby permitted shall be constructed in order to meet the required technical standard for water efficiency of 110 litres/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 110 litre /person/day, in accordance with Policy QD04 of the Thanet Local Plan.

- 11) No development shall take place until full details of the finished levels, above ordnance datum, of the proposed buildings, have been submitted to, and approved in writing by, the local planning authority. The development shall be carried out in accordance with the approved levels.

GROUND:

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

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

- (d) **A04 FH/TH/22/1703 - 32 Crow Hill, Broadstairs**

PROPOSAL: Erection of a two storey rear extension and balcony to the first floor front elevation and 8No rooflights together with alterations to

fenestrations and excavation of front garden to facilitate off street parking following demolition of existing rear extension.

Mr Duggan spoke in favour of the application.

Ms Egan spoke against the application.

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

THAT the officer's recommendation be adopted, namely:

That the application be approved subject to the following conditions:

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

GROUND:

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

- 2) The development hereby approved shall be carried out in accordance with the submitted drawings numbered 246/P01 and 246/P02.

GROUND:

To secure the proper development of the area.

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

GROUND:

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

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

It was proposed by Councillor Bayford, seconded by Councillor Garner and agreed upon by Members, that:

A site visit be arranged to take place on 7 July 2023, before the application is brought back to the next meeting of the Committee.

- (e) **A05 F/TH/22/1543 - Land on the South East Side of Manston Road, Manston Airport, Northern Grass, Margate**

PROPOSAL: Temporary change of use of land for a period of five years for self storage facility including the siting of storage containers (retrospective application).

It was proposed by Councillor Albon and seconded by the Councillor Rusiecki:

THAT the officer's recommendation be adopted, namely:

That the application be approved subject to the following conditions:

- 1) At the expiration of a period ending on 15th June 2028, unless further permission has been granted, the land shall be restored to its former condition with the cessation of the approved use and removal of all associated structures from the site.

GROUND:

Due to the temporary nature of the use and to ensure compliance with Policy SP07 of the Thanet Local Plan.

- 2) Within 1 month of the grant of planning permission secure cycle storage shall be provided on the site 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.

- 3) Four vehicular parking spaces with a minimum width of 2.5m and length 5m of shall be kept available for use by staff and visitors on the site at all times.

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.

- 4) Visibility splays as shown on the submitted plans (1202/201) shall be provided to the access on to Manston Road with no obstructions over 0.9m above carriageway level within the splays, which shall thereafter be maintained.

GROUND:

In the interest of highway safety in accordance with the advice contained within the NPPF.

- 5) Manoeuvring space for a 16m long vehicle to turn within the site shall be provide and kept available for use on the site at all times.

GROUND:

In the interests of highway safety, in accordance with the advice contained within the NPPF.

- 6) No containers located on the site shall be stacked on top of other containers other than the office and security container as detailed in the planning statement received 22 February 2023.

GROUND:

In the interests of the visual amenities of the area in accordance with Policies QD02, SP24 and SP26 of the Thanet Local Plan.

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

(f) **A06 F/TH/22/1628 - Land Adjacent to Harbour Masters Office and Public Toilets, Harbour Street, Broadstairs**

PROPOSAL: External works including the erection of galvanised steel and timber flood gates, walls to slipway, highway and car park areas and extension to the footpath.

It was proposed by Councillor Albon and seconded by the Councillor Rusiecki:

THAT the officer's recommendation be adopted, namely:

That the application be approved subject to the following conditions:

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

GROUND:

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

- 2) The proposed development shall be carried out in accordance with the submitted application as amended by the revised drawings numbered 22.1924.PL04 Rev A and 22.1924.PL05 Rev A received 13, January 2023, 3700_205 received 27 January 2023, 22.1924.PL06 received 23 February 2023 and 22.1924.PL07, received 14 March 2023

GROUND:

To secure the proper development of the area.

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

(g) **A07 L/TH/22/1629 - Land Adjacent to Harbour Masters Office and Public Toilets, Harbour Street, Broadstairs**

PROPOSAL: Application for Listed Building Consent for external works including the erection of galvanised steel and timber flood gates and walls to slipway, highway and car park areas

It was proposed by Councillor Albon and seconded by the Councillor Rusiecki:

THAT the officer's recommendation be adopted, namely:

That the application be approved subject to the following conditions:

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

GROUND:

In pursuance of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

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

(h) **A08 F/TH/23/0477 - Victoria Gardens, Victoria Parade, Broadstairs**

PROPOSAL: Erection of timber information kiosk situated on upper promenade.

It was proposed by Councillor Albon and seconded by the Councillor Rusiecki:

THAT the officer's recommendation be adopted, namely:

That the application be approved subject to the following conditions:

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

GROUND:

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

- 2) The information kiosk, hereby approved, shall only be on site between the 14th March and 7th October in any given year and the land restored to its former condition thereafter.

GROUND:

In the interest of the character and appearance of the Conservation Area and for the avoidance of doubt.

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

(i) **A09 L/TH/23/0199 - Margate Clock Tower, Marine Drive, Margate**

PROPOSAL: Application for Listed Building Consent for installation of wrought iron gate to South West elevation to the Margate Clock Tower.

It was proposed by Councillor Albon and seconded by the Councillor Rusiecki:

THAT the officer's recommendation be adopted, namely:

That the application be approved subject to the following conditions:

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

GROUND:

In pursuance of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

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

(j) **A10 FH/TH/23/0238 - 8 Pluckley Gardens, Margate**

PROPOSAL: Erection of a single storey rear extension with 2no rooflights following demolition of existing conservatory.

It was proposed by Councillor Albon and seconded by the Councillor Rusiecki:

THAT the officer's recommendation be adopted, namely:

That the application be approved subject to the following conditions:

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

GROUND:

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

- 2) The development hereby approved shall be carried out in accordance with the submitted drawings numbered 1157_P_103A and 1157_P_104, received 22 February 2023.

GROUND:

To secure the proper development of the area.

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

GROUND:

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

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

(k) **A11 F/TH/22/1708 - Flat 1 - 189 High Street, Ramsgate**

PROPOSAL: Replacement of timber windows and porch with UPVC.

It was proposed by Councillor Albon and seconded by the Councillor Rusiecki:

THAT the officer's recommendation be adopted, namely:

That the application be approved subject to the following conditions:

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

GROUND:

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

- 2) The development hereby approved shall be carried out in accordance with the submitted drawing nos. 001, 002, 003 received on 23rd December 2022, drawing no. 1082 received on 28th February 2023, and the Veka brochures and detailed cross sections received on 28th February 2023.

GROUND:

To secure the proper development of the area.

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

- (I) **R12 F/TH/23/0026 - Land North of Down Barton Road, St Nicholas-at-Wade**

PROPOSAL: Erection of 1 No single storey 3-bed dwelling (self build)

Mr Richards spoke in favour of the application.

Councillor Pugh spoke in favour of the application under Council Rule 20.1.

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

THAT the officer's recommendation be adopted, namely:

That the application be refused due to the following reasons:

- 1) The proposed dwelling, by virtue of its prominent location, would appear visually divorced and isolated, impacting upon long distance views, and detracting from the open and undeveloped rural character of the area, severely detrimental to the appearance of the Landscape Character Area, whilst failing to protect the intrinsic character and beauty of the countryside, contrary to Thanet Local Plan Policies SP24, SP26, and QD02, and paragraphs 130 and 174 of the National Planning Policy Framework.
- 2) The proposed development will result in additional pressure on the Thanet Coast and Sandwich Bay Special Protection Area (SPA), and Sandwich Bay and Hacklinge Marshes Site of Special Scientific Interest (SSSI), and in the absence of an acceptable form of mitigation to relieve the pressure, the proposed development would be contrary to policy SP29 of the Thanet Local Plan and paragraph 182 of the National Planning Policy Framework.

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

It was proposed by Councillor Albon, seconded by Councillor Paul Moore and agreed upon by members, that:

The application be approved subject to the submission of an acceptable legal agreement securing the SAMMs contributions and safeguarding conditions on the basis that the benefits of the development outweigh any harm to the character and appearance of the area.

(m) **D13 F/TH/22/1341 - 16 Sowell Street, Broadstairs**

PROPOSAL: Variation of condition 2 of planning permission F/TH/20/0575 for the "Erection of 4No. two storey 4bed detached dwellings with associated access, parking and landscaping" to allow removal of trees and change to finished floor levels.

Councillor Pressland spoke against the application under Council Rule 20.1.

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

THAT the officer's recommendation be adopted, namely:

That the application be deferred back to officers, before approval subject to the following conditions:

- 1) This consent shall be implemented no later than the 3rd February 2024.

GROUND:

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

- 2) The development hereby approved shall be carried out in accordance with the submitted drawings numbered 02 H (received 16/05/23), 04 A (received 30/07/20), 05 A (received 30/07/20), 06 A (received 30/07/20), 07 A (received 30/07/20), 08 A (received 30/07/20), 09 A (received 30/07/20) and 10 A.

GROUND:

To secure the proper development of the area.

- 3) The materials to be used for the development hereby approved shall fully adhere to the details agreed under application reference number CON/TH/22/1368.

GROUND:

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

- 4) The first floor ensuite windows in plots 1 & 4 hereby approved shall be non-opening below 1.73m above the finished internal floor level, 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.

- 5) The implementation of ecological enhancements as detailed within Section 4.10 of the submitted ecological report shall be carried out concurrently with the development and thereafter retained.

GROUND:

To incorporate biodiversity improvements in accordance with paragraph 174 of the National Planning Policy Framework.

- 6) The development shall be carried out in accordance with the approved Arboricultural Method Statement and associated documents agreed under application reference number CON/TH/22/1368; condition 6.

GROUND:

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

- 7) The development shall be carried out in accordance with the approved hard and soft landscaping as agreed under application reference number CON/TH/22/1368; condition 7.

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.

- 8) All hard and soft landscape works, including ecological enhancement features, shall be carried out in accordance with the approved details. The works shall be carried out prior to the first occupation/use of any part of the development, or in accordance with a programme of works to be agreed in writing with the Local Planning Authority. Following completion of the landscape and enhancement works, photographic evidence of implementation shall be submitted to and approved in writing by the Local Planning Authority in order to verify the works have been completed in accordance with the approved plans, and to enable the full discharge of this condition. 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 as those originally planted, unless written approval to any variation is

provided by the Local Planning Authority. All ecological enhancement features shall thereafter be maintained.

GROUND:

In the interests of the visual amenities of the area, biodiversity enhancement, and to adequately integrate the development into the environment in accordance with Policies QD02, SP30 and GI04 of the Thanet Local Plan.

- 9) 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.

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.

- 10) The development hereby permitted shall be constructed in order to meet the required technical standard for water efficiency of 110 litres/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 110 litre /person/day, in accordance with Policy QD04 of the Thanet Local Plan.

- 11) The development shall be carried out in accordance with the Construction Management Plan as agreed under application reference number CON/TH/22/1368.

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.

- 12) The area shown on the approved plan numbered 02E 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.

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

It was proposed by Councillor Albon, seconded by Councillor Matterface and agreed upon by Members, that:

The application be deferred to officers to seek alternative measures and/or changes to the layout to seek the retention of the trees, and to bring back the application to a future Committee meeting.

5. **PLANNING APPLICATION F/TH/22/0399 - 15 PARK LANE BIRCHINGTON**

PROPOSAL: Erection of part two storey part one storey building to accommodate 5No 1 Bed and 1No 2 bed flats following demolition of existing building with associated bin and cycle store.

Councillor Pugh spoke against the application under Council Rule 20.1.

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

THAT the officer's recommendation be adopted, namely:

That the application be approved subject to the following conditions:

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

GROUND:

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

- 2) The proposed development shall be carried out in accordance with the submitted application as amended by the revised drawings numbered 21-19-05 Rev A received 27 May 2022, 21-19-04 Rev C, and 21-19-07 REV B received 06 June 2022 and 21-19-01 REV D, 21-19-02 REV C, 21-19-02 REV C and 21-19-03 REV C received, 04 July 2022.

GROUND:

To secure the proper development of the area.

- 3) Prior to the commencement of any development on site details to include the following shall be submitted to and approved by the Local Planning Authority and should be carried out in accordance with the approved details.
 - (a) Routing of construction and delivery vehicles to / from site
 - (b) Parking and turning areas for construction and delivery vehicles and site personnel
 - (c) Timing of deliveries
 - (d) Provision of wheel washing facilities
 - (e) Temporary traffic management / signage
 - (f) Measures to control noise affecting 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.

- 4) Prior to the commencement of development hereby permitted, a land level plan that identifies the existing and finished ground levels of the site 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 and neighbouring amenity, in accordance with Policies QD02 and QD03 of the Thanet Local Plan.

- 5) Prior to the first occupation of the development hereby permitted, details of the refuse storage shall be submitted to and approved in writing by the Local Planning Authority. The refuse storage shall be provided in accordance with the approved details and thereafter maintained.

GROUND:

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

- 6) Prior to the first occupation of the development hereby approved, full details of both hard and soft landscape works, to include:
 - Species, size and location of new trees, shrubs, hedges and grassed areas to be planted
 - The treatment proposed for all hard surfaced areas beyond the limits of the highway
 - 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.

- 7) 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.

- 8) Prior to 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.

- 9) 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.

- 10) 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.

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

GROUND:

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

- 12) 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.

- 13) The first floor windows window in the northern and southern elevations serving flats 4 and 5 elevation of the development hereby approved shall be non-opening below 1.73m above the finished internal floor level, and provided and maintained with obscured glass to a minimum level of obscurity to conform to Pilkington Glass level 4 or equivalent; and shall be installed prior to the 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.

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

Meeting concluded: 10.16 pm

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THANET DISTRICT COUNCIL

PLANNING COMMITTEE

19TH JULY 2023

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:10th JULY 2023

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THANET DISTRICT COUNCIL

REPORT OF THE DIRECTOR OF PLACE

PART A

TO: THE PLANNING COMMITTEE

DATE: 19 July 2023

Application Number	Address and Details	Recommendation
A01 OL/TH/22/1586	Land Between 310 And 316 Canterbury Road Birchington Kent Outline application for the erection of up to 9No dwellings including access Ward: Birchington South	Approve
A02 F/TH/23/0531	Unit 1 Blenheim Close Broadstairs Kent CT10 2YF Change of use to laundrette (Use class Sui Generis) together with erection of flues on the rear elevation. Ward: St Peters	Approve
A03 F/TH/23/0335	Minster Meze And Grill 7 - 9 Monkton Road Minster Kent CT12 4EA Change of use of first floor from residential (use class C3) to Bed and Breakfast accommodation (use class C1) Ward: Thanet Villages	Approve

THANET DISTRICT COUNCIL

REPORT OF THE DIRECTOR OF PLACE

PART B

TO: THE PLANNING COMMITTEE

DATE: 19 July 2023

Application Number	Address and Details	Recommendation
D04 F/TH/22/1591	<p>122 Northdown Road MARGATE Kent CT9 2RB</p> <p>Change of use of existing office space and 2No 1 bed flats to office space and the creation of 3No. 1 bed flats, 1No bedsit and 1 no 1 bed maisonette together with alterations of roof to rear outrigger including external stairs, excavation to create entrance to basement at front and reinstatement of iron railings to first floor and provision of ground floor railings to front elevation, alterations to fenestration</p> <p>Ward: Cliftonville West</p>	Defer & Delegate
D05 F/TH/22/1668	<p>British Heart Foundation 113 - 117 High Street MARGATE Kent CT9 1JT</p> <p>Change of use of first floor retail (Use Class E) to 3no. 2 bed flats and 1no. 1 bed flat (Use Class C3), alterations to shopfront to facilitate sub-division of ground floor into 3no. retail units, following two storey rear extension</p> <p>Ward: Margate Central</p>	Defer & Delegate

A01

OL/TH/22/1586

PROPOSAL: Outline application for the erection of up to 9No dwellings including access

LOCATION: Land Between 310 And 316 Canterbury Road Birchington Kent

WARD: Birchington South

AGENT: Mr Robert Stevenson

APPLICANT: Venerable Stephen Taylor

RECOMMENDATION: Approve

Subject to the following conditions:

1 Approval of the details of the layout, scale and appearance of any buildings to be erected, the means of access to the site and the landscaping of the site, (hereinafter called 'the reserved matters') shall be obtained from the Local Planning Authority in writing before any development is commenced.

GROUND;

As no such details have been submitted.

2 Plans and particulars of the reserved matters referred to in Condition 1 above, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.

GROUND;

In accordance with Section 92(2) of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

3 Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this permission.

GROUND;

In accordance with Section 92(2) of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

4 The development hereby permitted shall be begun before the expiration of 2 years from the date of approval of the last of the reserved matters to be approved.

GROUND;

In accordance with Section 92(2) of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004)

5 To assess and mitigate the impacts of development on significant archaeological remains:

A) Prior to any development works the applicant (or their agents or successors in title) shall secure and have reported a programme of archaeological field evaluation works, in accordance with a specification and written timetable which has been submitted to and approved by the local planning authority.

B) Following completion of archaeological evaluation works, no development shall take place until the applicant or their agents or successors in title, has secured the implementation of any safeguarding measures to ensure preservation in situ of important archaeological remains and/or further archaeological investigation and recording in accordance with a specification and timetable which has been submitted to and approved by the local planning authority.

C) The archaeological safeguarding measures, investigation and recording shall be carried out in accordance with the agreed specification and timetable.

D) Within 6 months of the completion of archaeological works a Post-Excavation Assessment Report shall be submitted to and approved in writing by the local planning authority. The Post-Excavation Assessment Report shall be in accordance with Kent County Council's requirements and include:

a. a description and assessment of the results of all archaeological investigations that have been undertaken in that part (or parts) of the development;

b. an Updated Project Design outlining measures to analyse and publish the findings of the archaeological investigations, together with an implementation strategy and timetable for the same;

c. a scheme detailing the arrangements for providing and maintaining an archaeological site archive and its deposition following completion.

E) The measures outlined in the Post-Excavation Assessment Report shall be implemented in full and in accordance with the agreed timings.

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 National Planning Policy Framework.

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

GROUND

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

7 Details to be provided in pursuant of condition 1 above shall include the retention of the public right of way through the site (TM32), with upgrade works that include the widening of the public right of way to 3m, and its resurfacing with a hoggin surface.

GROUND:

In the interests of pedestrian movement, in accordance with Policy TP02 of the Thanet Local Plan.

8 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.

9 Prior to the first occupation of the dwelling the following works between the dwelling and the adopted highway shall be complete

- (a) Footways and/or footpaths, with the exception of the wearing course;
- (b) Carriageways, with the exception of the wearing course but including a turning facility, highway drainage, visibility splays, street lighting, street nameplates and highway structures (if any).

GROUND

In the interests of highway safety, and the living conditions of future occupants, in accordance with Policy QD03 of the Thanet Local Plan, and advice as contained within the NPPF.

10 The development hereby permitted shall incorporate measures to prevent the discharge of surface water onto the highway.

GROUND

In the interests of highway safety, in accordance with the advice contained within the NPPF.

11 Prior to the first occupation of the development hereby approved visibility splays of 2.4m x 43m shall be provided to the access on to Canterbury Road as shown on the approved plan no A1625-09 Rev P4 with no obstructions over above carriageway level within the splays, which shall thereafter be maintained.

GROUND

In the interest of highway safety in accordance with the advice contained within the NPPF.

12 Details to be submitted in pursuant of Condition 1 above shall include details of the electric vehicle charging points to be provided within the development, including their location and design. The electric vehicle charging points shall be in the form of one active charging point per allocated parking space, and one active charging point per ten unallocated parking spaces.

GROUND

To protect air quality, in accordance with Policy of the Thanet Local Plan and the advice as contained within the NPPF

13 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.

14 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.

15 Prior to the installation of any external lighting a "lighting design strategy for biodiversity" for the site boundaries has been submitted to and approved in writing by the local planning authority. The lighting strategy shall

- a) Identify those areas/features on site that are particularly sensitive for badgers and bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory;
- b) Show how and where external lighting will be installed so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory.
- c) Details of the types of lighting to be used including their fittings, illumination levels and spread of light

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy and these shall be maintained thereafter in accordance with the strategy.

GROUND

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

16 The details to be submitted in pursuant of condition 1 above for landscaping shall include the retention of existing hedge planted boundaries, the provision of new hedge and tree planting, and the provision of ecological enhancements within the site.

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

17 The details to be submitted in pursuant of condition 1 above for scale shall show no development exceeding 2-storeys in height to eaves level.

GROUND:

To limit the impact upon the character and appearance of the area and neighbouring amenity, in accordance with Policies QD02 and QD03 of the Thanet Local Plan.

INFORMATIVES

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.

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

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

The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act. Trees and scrub are likely to contain nesting birds between 1st March and 31st August inclusive. Trees and scrub are present on the application site and are to be assumed to contain nesting birds between the above dates, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity on site during this period and has shown it is absolutely certain that nesting birds are not present.

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

SITE, LOCATION AND DESCRIPTION

The site is located to the north of Canterbury Road, and is currently an agricultural field. The site forms a gap in the streetscene, with 2-storey semi-detached houses to the west of the site, and a mix of bungalows and 2-storey terraced, semi-detached and detached dwellings to the east of the site. Mill Row extends up to the site boundary, and a public right of way continues from Mill Row across the site into the adjoining field to the west.

The site lies within the identified urban confines of the district.

RELEVANT PLANNING HISTORY

No relevant planning history for site

Pending application for adjacent site on fields to the west and north - OL/TH/20/1755
'Outline planning application, with all matters reserved except for access, for a mixed-use urban extension comprising: up to 1,650 residential units (use class C3); residential care home (use class C2); two form entry primary school (use class F1); land for the expansion of the existing Birchington medical centre; mixed use centre (use class E, F1 and F2); and associated infrastructure including provision of a new strategic link road between Minnis Road and Manston Road, alterations to existing junctions and new access arrangements from Minnis Road, Park Lane, Canterbury Road and Manston Road/Acol Hill, a new recreational and leisure shared-use link between Minnis Road and Park Lane, green infrastructure including public open space and associated facilities, landscaping, formal and informal play areas, utilities (including drainage) and associated ancillary works and structures'.

PROPOSED DEVELOPMENT

The application is in outline form for up to 9no. dwellings, on 0.35ha of land. The application is considering the access into the site, which is in the form of a single vehicular access point from Canterbury Road. The retention of the public right of way access through the site is also a consideration. All other aspects of the development, including the appearance and layout of the units, their scale, and the proposed landscaping within the site, are reserved for future consideration in a separate reserved matters application.

An illustrative layout plan has been submitted showing the potential location of the units, along with an illustrative street elevation plan showing the potential scale and design of the road frontage units.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan 2020

SP01 - Spatial Strategy - Housing
SP22 - Type and Size of Dwellings
SP26 - Landscape Character Areas
SP29 - Strategic Access Management and Monitoring Plan (SAMM)
SP30 - Biodiversity and Geodiversity Assets
SP35 - Quality Development
E16 - Best and Most Versatile Agricultural Land
HO1 - Housing Development
GI04 - Amenity Green Space and Equipped Play Areas
QD01 - Sustainable Design
QD02 - General Design Principles
QD03 - Living Conditions
QD04 - Technical Standards
QD05 - Accessible and Adaptable Accommodation
HE01 - Archaeology
HE03 - Heritage Assets
CC02 - Surface Water Management
CC04 - Renewable Energy
CC05 - District Heating
SE04 - Groundwater Protection
SE05 - Air Quality
SE06 - Noise Pollution
SE08 - Light Pollution
TP02 - Walking
TP03 - Cycling
TP06 - Car Parking

NOTIFICATIONS

Neighbouring occupiers have been notified and site notice posted on site. Twenty letters of objection have been received raising the following concerns:

- Will appear overcrowded on the site,
- Increased traffic,
- Will cross over the existing public right of way,
- Impact on doctors surgery and dentists from additional occupants,,
- Water and sewerage problem in the area,
- Local primary school is oversubscribed,
- Density is too high,
- Poor air quality area,
- Housing development should focus on brownfield sites in the district,
- Existing road network can't cope with additional houses,
- This area was originally set aside as open park land,
- Site is identified on the government's flood risk website as being at risk of surface water flooding, proposal will therefore increase surface water flooding,
- Some of the dwellings should be identified as affordable units,
- Proposed dwellings should be carbon neutral,
- The site contains bird and bat roosting habitat,
- Impact upon archaeology without an archaeology survey,
- Proposed dwellings will be out of character with local historic buildings,
- Impact on highway safety given proximity of proposed access to neighbouring accesses,
- Proposed dwellings are not part of the local plan allocations,
- Road not wide enough for emergency vehicles,
- No pedestrian crossing,
- Site should be incorporated into the wider strategic site allocation,
- Loss of light and overshadowing,
- Overlooking and loss of privacy,
- Noise and disturbance,
- Doesn't meet the housing mix set out within the local plan,
- Will impact on the character of the village,
- Application will overlap boundaries of neighbouring property,
- Lack of parking and inadequate turning within site.

Birchington Parish Council - Birchington Parish Council objects to this outline application on the following grounds:

1. Highway grounds - the creation of a new access on to the A28 Canterbury Road is unacceptable as it would create additional congestion and potential accidents at this point. The potential use of Mill Row is not feasible nor acceptable as it would potentially have an adverse impact on residents of this small, historic settlement as well as users of the footpath leading from Mill Row westwards.

The plan accompanying the application and associated narrative proposes using Mill Row as a "secondary" or emergency access point. The plan shows Mill Row as being the same width along its length but in reality, at its western boundary adjoining Mill House as it leads on to the public footpath, the road is only 2 m wide. An ambulance or fire engine would not fit the road at this point. Mill Row itself is a narrow lane totally unsuitable for use as an emergency access point.

2. The application should relate - and be integrated into - the comprehensive masterplan and parameter plans for strategic site SP16 so that future access can be created from within SP16 and not from Canterbury Road. Similarly, the design of the proposed housing would be integrated into the wider development

CONSULTATIONS

KCC Highways and Transportation -

(Final Comment)

Thank you for your consultation in relation to the above planning application. I have the following comments to make with respect to highway matters :-

Plans have now been submitted for the PROW TM32 which address my concerns. I refer to the above planning application and confirm that provided the following requirements are secured by condition or planning obligation, then I would raise no objection on behalf of the local highway authority.

(Interim Comment)

Thank you for your consultation in relation to the above planning application. I have the following comments to make with respect to highway matters :-

This is an outline application to consider access only. All other matters, including the site internal layout, would be dealt with as part of a Reserved Matters application, should the LPA be minded to approve this application.

Further to my previous comments, the applicant has submitted revised plans. Having reviewed these I have the following comments to make.

1. The applicant has taken on board my comments regarding the position of the access in relation to Quex View Road opposite.
2. Plans demonstrating visibility splays have been submitted and these are acceptable.
3. Further plans demonstrating tracking are required. These need to demonstrate a 13m long refuse vehicle entering and exiting from Canterbury Road, from both directions. In addition, full tracking should be shown for the length of the road, I have concerns that if a vehicle was parked in the visitor parking bay opposite Plot 3, this would obstruct the refuse vehicle. I also note that from the tracking that has been shown on the site plan that there is considerable vehicle body over run of Plot 7, which is not acceptable. Further tracking

should differentiate the wheel and vehicle body tracking (using different colours) so this can be fully assessed.

4. No commentary has been provided on how the PROW TN32 would be protected. I would recommend bollards (both to slow cycle traffic down and discourage parking across the PROW) and a raised table at that point to give a sense of priority to the PROW traffic over cars. This aspect does require detailing at this stage, as I consider it part of the access to the site.

5. The parking spaces for Plot 5 are too close to the PROW - at least one of the vehicles would be required to reverse over the PROW to exit from the allocated space, which is not acceptable and presents a safety hazard.

I would be grateful therefore, if you would forward any amended plans or additional information to me for my further consideration.

(Initial Comment)

This is an outline application to consider access only. All other matters, including the site internal layout, would be dealt with as part of a Reserved Matters application, should the LPA be minded to approve this application.

A new access is proposed to serve the development from the A28 Canterbury Road. Quex View Road is located on the opposite side of the A28, to the northeast of the proposed new access.

The A28 would be classed as a local distributor road, and as such the Kent Design Guide recommends a minimum junction spacing distance of 30m for left/right turns (when measured from centre line to centre line of each access). The proposed position of the new access would only provide a distance of approximately 23m. This needs to be reviewed.

No plans have been submitted demonstrating visibility splays for this new access. Based on the 30mph speed limit at this location, visibility splays of 2.4m x 43m are required in both directions, drawn to the nearside carriageway edge. There must be no obstruction over 0.6m within the length of these splays, and they must only cross land that falls under the control of the applicant or the Highway Authority. This may require the submission of plans demonstrating the extent of the highway boundary. These can be obtained from the Highway Definition team here at Kent County Council.

Tactile paving would be required on both sides of the proposed bell mouth entrance. I do have concerns that pedestrian visibility would be obstructed on the southwestern side of the entrance (outside proposed plot 2) due to the kerbing being set back slightly, and proposed planting that will take place along the front boundary to Plot 2. This would need to be reviewed.

Plans demonstrating the swept path for a 13m long refuse vehicle should be submitted, which shows this size vehicle entering and exiting the proposed site from Canterbury Road. Road widths should also be detailed on submitted plans for clarity.

Whilst this is an outline application for access only, I would like to advise the applicant on the following with regards to any proposed internal layout:

1. There is no mention of Public Right of Way TM32 which crosses the site. I note that the PROW team have already provided comments on this, but I would add that it would not be acceptable for any proposed plots to have direct access from this PROW. In addition careful consideration would need to be given to the need for any vehicles to traverse this PROW to access plots beyond this, which include a refuse vehicle. This PROW also links into plans put forward under planning application OL/TH/20/1755, which the applicant would need to take into consideration.
2. No secondary vehicle access from Mill Row would be acceptable, or required.
3. Suitable turning provision within the site would be required for a 13m long refused vehicle.
4. I do have concerns with the proposed location of parking for Plot 2 being so close to the main entrance for this proposed site. In addition visibility for drivers when exiting could potentially be obscured by any proposed planting here (drivers would need to have visibility onto Canterbury Road).
5. Two visitor parking bays would be required to serve the proposed 9 dwellings.
6. Parking allocation should follow Policy TP06 of Thanet District Councils Local Draft Plan. However I would advise the Kent County Council Vehicle Parking standards are currently being reviewed, and as part of this 4+ bedroom houses will require 3 parking spaces.
7. Electric Vehicle charging points and bicycle storage will be required for each dwelling. I would be grateful therefore, if you would forward any amended plans or additional information to me for my further consideration.

KCC PROW -

(Final Comment)

Thank you for your letter received concerning this planning application with a submission of amended plans.

The Definitive Map and Statement provide conclusive evidence at law of the existence and alignment of Public Rights of Way TM32. While the Definitive Map is the legal record, it does not preclude the existence of higher rights, or rights of way not recorded on it.

The redesign of the plots numbers five and six has considered a safer design for members of the public using public footpath TM32. The proposed site plan - 1075985 indicates there will be a table crossing where the road crosses TM32, I would ask if this can be made a condition.

In my previous response 21 December 2022 I raised the question as for the future plans for the footpath in conjunction with the application OL/TH/20/1755 where we have requested an

upgrade from footpath to bridleway for shared pedestrian cycle use, requiring a width of 3m plus. Has the application been addressed to provide the 3m width? We would be looking for the developer to upgrade the surface through the site to incorporate a hoggin surface with wooden edge. Taken off the measurement for the road the remaining footpath length will be approx. 25m, I would estimate the cost of the surface approx. 4k

General Informatives:-

1. No furniture may be erected on or across Public Rights of Way without the express consent of the Highway Authority:
 2. There must be no disturbance of the surface of the right of way, or obstruction of its use, either during or following any approved development:
 3. There should be no Closeboard Fencing or similar structure over 1.2 metres erected adjacent to a highway used by vehicles (including bicycles) or in any circumstance which will block out the views:
 4. No hedging or shrubs should be planted within 1.5 metres of the edge of the Public Path.
- Please also make sure that the applicant is made aware that the granting of planning permission confers on the developer no other permission or consent or right to close or divert any Public Right of Way at any time without the express permission of the Highway Authority.

(Initial Comment)

Thank you for your letter received concerning this planning application. The proposed development directly affects Public Right of Way TM32, the location of which is indicated on the attached extract of the Network Map of Kent. The Network Map is a working copy of the Definitive Map. The existence of the right of way is a material consideration.

The Definitive Map and Statement provide conclusive evidence at law of the existence and alignment of Public Rights of Way. While the Definitive Map is the legal record, it does not preclude the existence of higher rights, or rights of way not recorded on it.

The application makes no reference to Public Right of Way TM32, which is directly affected by the proposals. As the application is currently presented, I must object to it for the above reason. I would ask that the applicant submit an amended application reflecting the existence of the right of way and indicating how it will be dealt with.

My concerns would be for vehicles traversing the public right of way to gain access to parking for the units 5,7 and 8. It would also be necessary to know what future plans are for the footpath in conjunction with the application OL/TH/20/1755 where we have requested an upgrade from footpath to bridleway for shared pedestrian cycle use, requiring a width of 3m plus. How will the surfacing tie in with the mentioned adjacent application?

General Informatives:-

1. No furniture may be erected on or across Public Rights of Way without the express consent of the Highway Authority:
2. There must be no disturbance of the surface of the right of way, or obstruction of its use, either during or following any approved development:

3. There should be no Closeboard Fencing or similar structure over 1.2 metres erected adjacent to a highway used by vehicles (including bicycles) or in any circumstance which will block out the views:
4. No hedging or shrubs should be planted within 1.5 metres of the edge of the Public Path.

Please also make sure that the applicant is made aware that the granting of planning permission confers on the developer no other permission or consent or right to close or divert any Public Right of Way at any time without the express permission of the Highway Authority.

With this application I also include a georeferenced plan of the site on the working copy scaled map at 1:1,250 Produced by the KCC Public Rights of Way and Access Service. Please note: this map extract is not a legal record of the alignment or existence of a public right of way.

KCC Biodiversity -

(Final Comments)

No ecological information has been submitted with this application. As a result of reviewing the data we have available to us, and the information submitted with the planning application, we advise that we are satisfied that no ecological survey is required.

We have taken this view due as the site is currently an actively managed arable field. In addition a whole suite of ecological surveys were carried out as part of application OL/TH/20/1755 and the surveys highlighted the presence of foraging/commuting bats and breeding birds within the site boundary.

The site plans demonstrate that the site boundaries will largely be maintained and there are opportunities for hedgerows boundaries to be created throughout the site in addition to the inclusion of enhancement features within the buildings and boundaries. We advise that if planning permission is granted a condition requiring details of ecological enhancements must be submitted as a condition of planning permission this advice is in line with the NERC Act (2006) and the NPPF ("2021) which details that biodiversity should be maintained and enhanced through the planning system.

We suggest the following wording:

Lighting

To mitigate against potential adverse effects on biodiversity, and in accordance with the National Planning Policy Framework 2021, the Bat Conservation Trust's 'Guidance Note 8 Bats and Artificial Lighting' (or subsequent updates) should be consulted in the lighting design of the development.

Lighting in the vicinity of a bat roost or along commuting / foraging routes could constitute an offence both to a population and to individuals. Artificial lighting has been shown to be particularly harmful to bats along river corridors, near woodland edges and near hedgerows

. Local authorities have a duty to ensure impacts upon legally protected species are avoided and impacts upon bats are a material consideration in any planning permission under the Natural Environment and Rural Communities Act 2006 and through the National Planning Policy Framework 2021.

We advise that the incorporation of sensitive lighting plan to minimise impacts from external lighting is submitted to the local planning authority if planning permission is granted. We recommend that the lighting condition includes the following requirements:

- o Plan showing the locations and types of lighting
- o Light spill plan
- o Details of lighting on motion sensors or details of phase dimming.
- o Lighting follows the recommendations within the Bat Conservation Trust's 'Guidance Note 8 Bats and Artificial Lighting' (or subsequent updates)

Designated Sites

The development includes proposals for new dwellings within the zone of influence (7.2km) of the Thanet Coast and Sandwich Bay Special Protection Area (SPA) and Wetland of International Importance under the Ramsar Convention (Ramsar Site).

Therefore, Thanet District Council will need to ensure that the proposals fully adhere to the agreed approach within the Strategic Access Management and Monitoring Plan (SAMMP) to mitigate for additional recreational impacts on the designated sites and to ensure that adequate means are in place to secure the mitigation before first occupation.

A decision from the Court of Justice of the European Union has detailed that mitigation measures cannot be considered when carrying out a screening assessment to decide whether a full 'appropriate assessment' is needed under the Habitats Directive. Therefore, we advise that due to the need for the application to contribute to the Thanet Coast and Sandwich Bay SAMMP there is a need for an appropriate assessment to be carried out as part of this application.

(Initial Comment)

No ecological information has been submitted with this application. As a result of reviewing the data we have available to us, and the information submitted with the planning application, we advise that the proposed development has limited potential to result in ecological impacts.

We have taken this view due as the site is currently an actively managed arable field. In addition a whole suite of ecological surveys were carried out as part of application OL/TH/20/1755 and the surveys highlighted the presence of foraging/commuting bats and breeding birds within the site boundary.

The site plans demonstrate that the site boundaries will be maintained and there are opportunities for hedgerows boundaries to be created throughout the site in addition to the inclusion of enhancement features within the buildings and boundaries. We advise that if planning permission a condition requiring details of ecological enhancements must be

submitted as a condition of planning permission this advise is inline with the NERC Act (2006) and the NPPF ("2021) which details that biodiversity should be maintained and enhanced through the planning system.

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

Our initial investigations indicate that there are no public surface water sewers in the area to serve this development. Alternative means of draining surface water from this development are required.

This should not involve disposal to a public foul sewer and should be in line with the Hierarchy of H3 of Building Regulations with preference for use of soakaways.

The supporting documents make reference to drainage using Sustainable Drainage Systems (SuDS). Under certain circumstances SuDS will be adopted by Southern Water should this be requested by the developer. Where SuDS form part of a continuous sewer system, and are not an isolated end of pipe SuDS component, adoption will be considered if such systems comply with the latest Design and Construction Guidance (Appendix C) and CIRIA guidance available here:

Where SuDS rely upon facilities which are not adoptable by sewerage undertakers the applicant will need to ensure that arrangements exist for the long-term maintenance of the SuDS facilities. It is critical that the effectiveness of these systems is maintained in perpetuity. Good management will avoid flooding from the proposed surface water system, which may result in the inundation of the foul sewerage system. Thus, where a SuDS scheme is to be implemented, the drainage details submitted to the Local Planning Authority should:

- Specify the responsibilities of each party for the implementation of the SuDS scheme.
- Specify a timetable for implementation.
- Provide a management and maintenance plan for the lifetime of the development.

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

This initial assessment does not prejudice any future assessment or commit to any adoption agreements under Section 104 of the Water Industry Act 1991. Please note that non-compliance with the Design and Construction Guidance will preclude future adoption of the foul and surface water sewerage network on site. The design of drainage should ensure that no groundwater or land drainage is to enter public sewers.

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.

KCC Archaeology - Thanet is rich in archaeological remains, it's location at the gateway for the movement of peoples to and from the continental mainland has left rich, complex and

often unique evidence of our past from prehistoric times to the present. Extensive buried archaeological landscapes can be seen in the fields of Thanet from the evidence of aerial photography and significant archaeological remains are regularly being encountered during investigations across the Isle.

The proposed development site lies in an area south of Birchington which has been the subject of recent assessment and investigations in connection with a proposed strategic development site. The works have included examination of the extensive cropmark evidence in the area, the undertaking of an extensive geophysical survey and the excavation of a number of specifically targeted trial trenches to determine the impact on archaeology in this area. Multi-period archaeological remains have been revealed throughout this landscape and provision is being made for preservation of the most significant remains identified and further evaluation and investigation elsewhere.

The proposed development site was initially the subject of a geophysical survey carried out by SUMO Survey for Cotswold Archaeology in 2017. The area of the site was affected by ferrous / magnetic disturbance possibly due to the former allotment use of the area. Importantly however a large prehistoric monument, a double ditched circle was identified just to the south of the proposed development (see '2' on the extract from the Sumo report below. This monument and its surroundings have been identified in the proposed strategic development site as an area for archaeological preservation. The present site does not fall into the exclusion area but does fall immediately to the north of it.

The investigation of features further south has identified the remnants of a later prehistoric landscape. A Bronze Age funerary landscape occupies the ridge on the northern side of the Brooksend valley and is Scheduled in two places though extends much wider than the designation. Notably a number of medieval settlements flanking routes across the site have also been identified and could extend in the direction of the present site.

Potential Impact

The development is located in an area that has previously been either open fields or an area of allotments as shown on the historic mapping. Archaeological remains could lie buried within the site, mostly at shallow depth and could potentially be affected by development ground works throughout the site. Given the location of the housing on the fringe of the existing housing there is unlikely to be an impact on the setting of the Scheduled Monuments.

The development will not directly impact on the monument that has been identified for preservation in the proposed wider development site though the extension of housing into the area would bring the built development closer into its setting although no more than the present properties on Canterbury Road

Recommendation

Given the above I do not raise an objection to the proposed development but recommend that provision is made in any forthcoming consent for further archaeological evaluation to be followed by mitigation and / or further investigation as appropriate. The evaluation should

preferably be undertaken before the submission of a reserved matters application so that any adjustments required for archaeology can be suitably accommodated.

Natural England - Designated sites (European) - No objection subject to securing appropriate mitigation.

Natural England advises that the specific measures (including financial contributions) identified in the strategic solution can prevent harmful effects from increased recreational pressure on those European Site within the ZOI. Natural England is of the view that if these measures are implemented, they will be effective and sufficiently certain to prevent an adverse impact on the integrity of those European Site(s) within the ZOI for the duration of the proposed development.

The appropriate assessment concludes that the proposal will not result in adverse effects on the integrity of any of the sites as highlighted above (in view of its conservation objectives) with regards to recreational disturbance, on the basis that the strategic solution will be implemented by way of mitigation.

Having considered the assessment, and the measures proposed to mitigate for all identified adverse effects likely to occur as a result of the proposal, Natural England advises that we concur with the assessment conclusions. If all mitigation measures are appropriately secured, we are satisfied that there will be no adverse impact on the sites from recreational pressure.

If the Habitats Regulations Assessment (HRA) has not been produced by your authority, but by the applicant, it is your responsibility (as the competent authority) to produce the HRA and be accountable for its conclusions. We provide the advice enclosed on the assumption that your authority intends to adopt this HRA to fulfil your duty as competent authority.

Natural England should continue to be consulted on all proposals where provision of site specific SANGS (Suitable Alternative Natural Green Space) or other bespoke mitigation for recreational impacts that falls outside of the strategic solution is included as part of the proposal. We would also strongly recommend that applicants proposing site specific infrastructure including SANGs seek pre application advice from Natural England through its Discretionary Advice Service. If your consultation is regarding bespoke site-specific mitigation, please reconsult Natural England putting 'Bespoke Mitigation' in the email header.

Reserved Matters applications, and in some cases the discharge/removal/variation of conditions, where the permission was granted prior to the introduction of the Strategic Solution, should also be subject to the requirements of the Habitats Regulations and our advice above applies.

COMMENTS

The application has been called to the planning committee by Cllr Phil Fellows and Cllr Mike Garner, on the grounds of unnecessary loss of agricultural land, impact upon biodiversity, and impact on infrastructure within the wider area (roads, schools, health service etc).

Principle

The Council is currently unable to demonstrate a 5 year supply of housing in accordance with the requirements of the National Planning Policy. This means that the Council's policy SP01, which focuses housing development within the urban area rather than the identified countryside, is not up-to-date with the tilted balance set out in paragraph 11 of the National Planning Policy Framework (NPPF) applying. Paragraph 11 states that planning permission should therefore be granted "unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole or specific policies in this Framework indicate development should be refused."

The site lies within the urban confines, but is undeveloped land that is currently in agricultural use. Policy HO1 of the Thanet Local Plan states that 'permission for new housing development will be granted on non-allocated sites within the confines of the urban area, subject to meeting other relevant Local Plan policies'. Furthermore, Policy SP01 states that the 'primary focus for new housing development in Thanet is in the urban area'.

The principle of developing the site for housing therefore fully accords with Policies SP01 and HO1 of the Thanet Local Plan, with significant benefits accruing from providing 9 new dwellings with a demonstrated housing need in the district. Therefore the principle of development is acceptable subject to all other relevant material planning considerations.

Loss of Agricultural Land

Policy E16 of the Thanet Local Plan states that 'except on sites allocated for development, planning permission will not be granted for significant development which would result in the irreversible loss of best and most versatile agricultural land unless it can be clearly demonstrated that the benefits of the proposed development outweigh the harm resulting from the loss of agricultural land; there are no otherwise suitable sites of poorer agricultural quality that can accommodate the development; and the development will not result in the remainder of the agricultural holding becoming not viable or lead to likely accumulated and significant losses of high quality agricultural land.'

The site currently forms part of a larger agricultural holding, however, the adjacent agricultural land is allocated as a strategic housing site, with an application for housing development and associated infrastructure currently pending. If approved, and development were to commence, then this piece of agricultural land is unlikely to be viable for continued agricultural use due to its limited size and restricted access for agricultural vehicles.

Given the future intention for the surrounding site within the Thanet Local Plan, along with the modest and restricted size and shape of the application site, its loss as best and most versatile agricultural use will result in limited harm to the supply of best and most versatile land in the district.

Character and Appearance

Impact on Landscape Character Area

Policy SP26 of the Thanet Local Plan states that the Council will identify and support opportunities to conserve and enhance Thanet's landscape character and local distinctiveness. Development proposals should demonstrate how their location, scale, design and materials will conserve and enhance Thanet's local distinctiveness, in particular:

- 1) Its island quality surrounded by the silted marshes of the former Wantsum Channel and the sea;
- 2) A sense of openness and 'big skies', particularly in the central part of the District;
- 3) Its long, low chalk cliffs and the sense of 'wildness' experienced at the coast and on the marshes;
- 4) Gaps between Thanet's towns and villages, particularly those areas designated as Green Wedges;
- 5) Long-distance, open views, particularly across the Dover Strait and English Channel, North Sea and across adjacent lowland landscapes; and
- 6) Subtle skylines and ridges which are prominent from lower lying landscape both within and beyond the District.

The site lies within the Central Thanet Undulating Chalk Farmland Character Area. Key characteristics include gently undulating, agricultural landscape; large, intensively farmed fields of arable and horticultural crops regular in shape with few defining boundary features resulting in a large scale pattern and very open landscape; stark exposed residential urban edges about the farmland forming very visible urban boundaries, with fingers of farmland often penetrating the urban area and providing glimpses to the sea beyond.

The site forms part of an open landscape, with views possible through the site towards the sea. Whilst the development of the site will block these views, the surrounding land to the west and north forms part of the strategic Birchington housing allocation site, and therefore if approved, development will take place to the north and west, beyond the application site, which will obscure views of the sea, and result in the loss of the open landscape. Whilst the planning application for the adjacent site is yet to be determined, its allocation within the adopted local plan is a material consideration that indicates the Council's expectation of development on the site, and therefore the visual impact needs to be considered with weight having been applied to the surrounding allocation and the visual consequences of this.

Guidelines for the development of sites within the Character Area include considering opportunities for hedgerow to soften the urban edges, and considering opportunities to enhance green infrastructure connections with footpaths linking the farmland to the urban and coastal landscapes to the north. Landscaping is not being considered as part of this application, however, it is reasonable to impose a condition on any permission that requires boundary hedgerow planting, and planting adjacent to part of the bridleway through the site, to form part of a reserved matters submission.

Subject to this safeguarding condition for landscaping, the impact upon the Landscape Character Area is considered to be acceptable, and in accordance with Policy SP26 of the Thanet Local Plan.

Illustrative Plans

An illustrative layout plan has been submitted with the application that shows how the 9no. units could be provided within the site. The plan, as amended, shows the provision of two units fronting onto Canterbury Road, one either side of the vehicular access, and the remaining seven units to the rear, fronting onto the internal access road. The units fronting Canterbury Road would appear in keeping with the pattern of development within Canterbury Road, with the proposed dwellings able to follow the building lines of the existing properties, and be of similar sized plots. In terms of the scale of development, there is an existing detached bungalow to one side of the site and a 2-storey semi-detached dwelling to the other side. The application site could therefore potentially accommodate 2-storey development, as this would appear in keeping with the character of surrounding development on Canterbury Road and Mill Row. An illustrative site section plan has been submitted showing that the intention would be the provision of two detached 2-storey dwellings fronting Canterbury Road. Given the restricted footprint of the units shown, the section plan shows that the ridge height of the units could be positioned between the ridge height of the two neighbouring units, providing an appropriate transition between the different scale units. The detached nature of the proposed units would appear in keeping with the character of development within the road that contains a mix of unit types, including a number of detached units.

To the rear the proposed development would be viewed in the context of existing development within Mill Row. Mill Row contains a mix of development, including 2-storey terraced dwellings that front straight onto the road, and 2-storey terraced and semi-detached dwellings that are setback from the road. A small cluster of units are located at the end of Mill Row, that back onto the application site. These are part single storey, part 2-storey, and include terraced and detached units. The proposed illustrative layout shows a staggered building line through the site, with all of the units detached, and potentially 2-storey. The units either side of the bridleway would front onto the bridleway similarly to the units within Mill Row. The plot size, unit type, and general form of development will appear in keeping with the mixed character present within Mill Row, and therefore if this layout were submitted with a reserved matters application, it could be considered acceptable and in keeping with the character and appearance of the area.

The illustrative layout and scale of the development is considered to be acceptable, and proves that nine units could be accommodated on the site without significantly detracting from the character and appearance of the area. The outline proposal is therefore considered to comply with Policy QD02 of the Thanet Local Plan in density and form, with matters of appearance, scale, layout to be considered at the reserved matters stage.

Living Conditions

Neighbouring occupiers

The application is in outline form, with the layout, scale and appearance of units only illustrative at this stage. An illustrative layout plan has been submitted showing how the 9no. units could be accommodated on the site, without causing unacceptable harm to neighbouring amenity.

Units 1 and 2 front Canterbury Road, and roughly follow the front and rear boundary lines of nos. 310 and 316 Canterbury Road. No.316 contains side facing windows, but a gap of 10m exists between the side elevation of no.316 and the application site boundary, so given this distance the light to and outlook from these windows would not be significantly affected by the development of the site.

No.310 is a bungalow, with a side lean-to that extends up to the side boundary with the application site. The lean-to contains obscure glazed windows. The illustrative plan currently shows a gap of 1.3m between the proposed side elevation of unit 2 and the side elevation of the lean-to, and a gap of 3.75m to the main dwelling. Given the use of obscure glazing within the side lean-to, outlook is unlikely to be affected; however there may be some impact on light at this distance. There is scope within the illustrative layout for proposed unit 2 to be moved further from the neighbouring boundary, and further reduce the impact upon this property if this were felt necessary within a future reserved matters application. The impact upon the properties fronting Canterbury Road is therefore considered to be acceptable at this stage.

Other properties that could be affected are those in Mill Row. Mill House, Mill Cottage and Mill Lodge are located on land adjacent to the rear of the application site, with their rear elevations and rear gardens backing onto the application site. There is a distance of approximately 6m between the rear elevation of Mill Lodge and Mill Cottage and the boundary of the site, and only a few metres to Mill House. The illustrative plan suggests that dwellings would be located on the south-western side of the site, with vehicular access adjacent to the north eastern site boundary, which forms the rear boundary to these three units. The illustrative plan suggests a distance of approximately 9m between the front elevation of the proposed dwellings, and the site boundary, resulting in an overall distance of approximately 15m to Mill Lodge and Mill Cottage. The nearest property to Mill House on the illustrative plan is 12m from the boundary, resulting in an overall distance of approximately 14m to the rear elevation of Mill House. These distances are considered to be acceptable to limit any significant harm on light to or outlook from these properties.

In terms of overlooking, concerns were raised with the potential for the overlooking of these neighbouring properties, and in response illustrative ground and first floor plans have been submitted showing the potential layout of these units, and how they could be designed so as to avoid the overlooking of neighbouring occupiers. The illustrative first floor plan shows that unit 6 and 5 could be designed so that all first floor habitable room windows are located in the south west elevation that faces away from the neighbouring units.

A new dwelling has recently been constructed to the south west of Mill Haven. Proposed units 8 and 9 are the closest units to this dwelling, with a minimum distance of approximately 16m. The illustrative first floor plan again shows that the first floor of unit 8 could be designed so as to avoid the presence of habitable room windows in the north east elevation facing the recently constructed neighbouring property.

Given the distances that are achievable to the proposed units, along with the ability to design the units so as to avoid direct overlooking, the impact upon the privacy, light and outlook of the neighbouring units, either in or served by Mill Row, is considered to be acceptable in principle, subject to detail in any reserved matters submission. A condition is also applied that will limit the scale of the units to 2-storeys, in order to reduce any impact to neighbouring amenity.

The presence of a new vehicular access to the rear of the neighbouring units may result in some noise and disturbance, however, the access will serve only a limited number of units, and a future reserved matters application for layout and landscaping would consider the existing and proposed boundary treatment, and whether new boundary treatment along with a landscape buffer needs to be installed in order to reduce noise and disturbance.

There appears to be a change in ground level between the application site and the neighbouring properties, with the application site at a lower ground level than the properties in Mill Row. A condition is considered necessary to require section plans to be submitted that incorporate the existing and proposed ground levels of the development in order to assess the impact. If the land level continues to fall below that of the properties in Mill Row the impact upon amenity is likely to be lessened.

At this stage of the proposal, which is in outline form only with no details to be approved for layout, scale or design, it is considered that the illustrative plans demonstrated that the impact upon neighbouring amenity can be adequately mitigated, through both the distance to the proposed dwellings, potential reduced ground level, and design of the units to avoid direct overlooking of habitable room windows.

The impact upon neighbouring amenity is therefore considered to be acceptable, and in accordance with Policy QD03 of the Thanet local Plan.

Future Occupiers

The proposed development is in outline form and therefore the specific arrangements for each unit are unknown at this time. The illustrative layout shows that 9no. Units can comfortably fit on the site with doorstep play space. A condition is proposed requiring that all units comply with the nationally described space standards. There is space for refuse storage and clothes drying facilities within the site.

The impact upon the living conditions of future occupiers is therefore considered to be acceptable at this stage, with further consideration to be given through the reserved matters submission.

Transportation

Vehicular Access

The proposal includes the provision of a singular vehicular access into the site from Canterbury Road. KCC Highways were consulted and raised concerns with the location of

the access, as the Kent Design Guide recommends a minimum junction spacing distance of 30m for left/right turns. In the case of the proposal a distance of 30m to Quex View Road, the nearest junction, is required. Amended plans have been submitted showing the access moved south-west, away from no.310 Canterbury Road, in order to achieve this minimum junction distance requirement.

Concern was also raised that visibility splays had not been demonstrated for the new access. Visibility splays of 2.4m x 43m are required in both directions, with no obstruction over 0.6m within the length of the splays. Amended plans have been submitted showing the visibility splays, which can be achieved within land under KCC ownership. Subject to a safeguarding condition requiring the maintenance of the visibility splays, a safe access into the site is considered to be achieved.

Tracking plans have not been submitted with the application, so KCC have requested plans demonstrating a swept path for 13m long refuse vehicles. Tracking plans have been submitted to prove that a 13m long vehicle can enter and leave the site in a forward gear. It is therefore accepted that waste collection can adequately be carried out within an impact to highway safety, and that emergency vehicles can safely access the site.

Whilst the layout of the proposed development is not being considered at this stage, KCC Highways have commented upon parking numbers and locations, advising that three parking spaces are required per 4-bed (or more) unit, and that 2no. visitor parking spaces are required for the 9no. units. At this stage no 4-bed units are proposed, and therefore two parking spaces per unit would be sufficient, which is what has been shown, along with the two visitor parking spaces. Electric vehicle charging point and cycle parking are also required for each unit. KCC have further advised that vehicular access onto Mill Row from the site is not considered acceptable.

Subject to safeguarding conditions, it is not considered that the provision of nine additional units will have a significant impact upon the highway network, and a safe access into the site can be achieved, with adequate space within the site for turning. The Impact upon highway safety is therefore considered to be acceptable.

Public Right of Way

A public right of way extends through the centre of the site, connecting Mill Row to the east, with Great Brooksend Farm to the west. Kent County Council Public Rights of Way team have been consulted on the application. They originally raised concerns with the proposal as the application had made no reference to the public right of way TM32, which would be directly affected by the proposal, with vehicles shown crossing the public right of way to gain access to the parking for units 5, 7 and 8. KCC also advised that the public right of way should be upgraded to a bridleway with shared pedestrian and cycle use to a width of 3m, and that this should then tie in with a continued bridleway within the adjacent development.

The amended illustrative layout plan shows how the retention of the public right of way could be accommodated within the development, with a raised table, bollards to restrict vehicular access onto the public right of way, and upgrade works. KCC has advised, in response to the amended plans, that the redesign of plots five and six has created a safer design for

members of the public using public footpath TM32 by providing a raised table at the point where the public right of way crosses the access road; however, KCC has queried whether the public right of way has been widened and has requested a hoggin surface with a wooden edge. The applicants have confirmed their agreement to the widening and resurfacing of the public right of way, and a safeguarding condition is proposed that requires details of this to be provided as part of the reserved matters submission.

Subject to a safeguarding condition requiring the retention and upgrading of the public right of way, the impact upon pedestrian and cycle movement is considered to be acceptable, with the works proposed improving pedestrian and cycle movement through the site. The proposal is therefore considered to comply with Policies TP02 and TP03 of the Thanet Local Plan.

Size and Type of Units

Policy SP22 requires an appropriate mix of housing sizes to be provided, along with a higher ratio of houses to flats.

The application is in outline form, and therefore the mix of units is not being agreed at this stage; however, an illustrative site plan has been submitted showing the potential location of units, along with an illustrative first floor plan. The plans are based upon a mix of units consisting of 5no. 3-bed, and 4no. 2-bed units. This achieves both large and smaller family units on the site, and is in keeping with the character of the surrounding area, which consists of units of a similar size.

Given the limited size of the site, the mix of units proposed is considered to be acceptable, and in accordance with Policy SP22 of the Thanet Local Plan.

Drainage

No drainage details were originally submitted with the application. Southern Water has commented and advised that a formal application for a connection to the public sewer needs to be made by the applicant or developer, and that their initial investigations indicate that there are no public surface water sewers in the area to serve the development.

Further details have been requested from the developer to understand how they intend to drain surface water from the site. The drainage consultant has advised that the intention is to discharge of surface water at the source, either through the use of shallow infiltration structures, or deep bore soakaways. The chosen design is dependent upon further investigation into the chalk density below ground. Permeable paving along with rain gardens will be used to achieve this. Full details of the surface water drainage is required by Southern Water prior to the commencement of development.

It is intended that the foul water would discharge to the nearby public sewer network. Southern Water have not raised this as a concern, and advise that they would require a formal application to be submitted for connection to the public foul sewer.

At this stage of the application process the drainage details provided are considered to be adequate, with further details to be submitted once the layout has been finalised within a future reserved matters scheme, and through a condition submission for full details of the foul and surface water drainage.

The proposal is considered to comply with Policy CC02 of the Thanet Local Plan, which requires the provision of suitable surface water management.

Ecology

Policy SP30 of the Thanet Local Plan requires development proposals to make a positive contribution to the conservation, enhancement and management of biodiversity.

No ecological scoping survey has been submitted with the application. KCC Biodiversity have been consulted and advised that the proposed development has limited potential to result in ecological impacts, and that they have based this view upon the fact the site is currently an actively managed arable field, so there is limited potential for habitats other than within boundary hedging, which the illustrative site plan is indicating as being retained, and which a landscaping condition could secure for retention, along with new boundary hedge planting.

The provision of additional boundary planting is encouraged by KCC, along with other enhancement features, with full details to be submitted via condition. They have also recommended the inclusion of a sensitive lighting plan to minimise impacts on commuting/foraging bat routes.

Whilst the site is agricultural field not included within a housing allocation, Natural England have raised no concerns regarding the impact upon breeding birds, and have not requested the submission of any further information.

Subject to these safeguarding conditions the proposed development is considered to comply with Policy SP30 of the Thanet Local Plan.

Habitat Regulations

Thanet District Council has produced the 'The Strategic Access Management and Monitoring Plan (SAMM)' 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. The proposed development is within close proximity of the Thanet Coast and Sandwich Bay SPA, Ramsar and SSSI. Therefore, to enable the Council to be satisfied that the proposed development will avoid a likely significant effect on the designated sites (due to an increase in recreation) a financial contribution is required for the C3 units to contribute to the district wide mitigation strategy, as agreed by Natural England.

The tariff for this contribution is provided in the SAMM report, and Policy SP29 of the Thanet Local Plan, and consists of £320 per 2-bed unit, £424 per 3-bed units, and £530 per 4-bed (plus) unit. The exact unit sizes are unknown at this time, so the signed unilateral

undertaking that has been submitted states the financial cost to be paid for each unit size provided. This mitigation means that the Council has accorded with the Habitat Regulations and an appropriate assessment has been undertaken which Natural England have confirmed no objection to. The applicant has agreed to the contributions, which have been secured through the submitted legal agreement. An acceptable appropriate assessment has been carried out on this basis.

Archaeology

Policy HE01 of the Thanet Local Plan requires the identification, recording, protection and enhancement of archaeological sites, with developers required to submit information with the application to enable an assessment of the site.

No archaeological details have been submitted with the application. KCC Archaeology has been consulted and advises that Thanet is rich in archaeological remains, and that the proposed development site lies in an area south of Birchington which has been the subject of recent assessment and investigations in connection with the strategic housing allocation site. The works have included examination of the extensive cropmark evidence in the area, the undertaking of an extensive geophysical survey and the excavation of a number of specifically targeted trial trenches to determine the impact on archaeology in this area.

The proposed development site was initially the subject of a geophysical survey carried out by SUMO Survey for Cotswold Archaeology in 2017. The area of the site was affected by ferrous / magnetic disturbance possibly due to the former allotment use of the area. Importantly, however, a large prehistoric monument, a double ditched circle, was identified just to the south of the proposed development. This monument and its surroundings have been identified in the proposed strategic development site as an area for archaeological preservation. The application site does not fall into the exclusion area, but falls immediately to the north of it.

The investigation of features further south has identified the remnants of a later prehistoric landscape. A Bronze Age funerary landscape occupies the ridge on the northern side of the Brooksend valley and is scheduled in two places though extends much wider than the designation. Notably a number of medieval settlements flanking routes across the site have also been identified and could extend in the direction of the present site.

KCC advise that the development is located in an area that has previously been either open fields or an area of allotments as shown on the historic mapping. Archaeological remains could lie buried within the site, mostly at shallow depth and could potentially be affected by development ground works throughout the site. Given the location of the housing on the fringe of the existing housing there is unlikely to be an impact on the setting of the Scheduled Monuments.

The development will not directly impact on the monument that has been identified for preservation in the proposed wider development site, and whilst housing will extend into an area forming its setting, the proposed houses would be no closer into its setting than the existing properties on Canterbury Road.

As such, no objections are raised to the proposed development subject to a safeguarding condition that requires an archaeological evaluation to be carried out, followed by mitigation and/or further investigation as appropriate. Subject to this safeguarding condition the proposal is considered to comply with Policy HE01 of the Thanet Local Plan.

Conclusion

The site, whilst unallocated, lies within the urban confines, and therefore the principle of housing development on the site complies with Policies SP01 and HO1 of the Thanet Local Plan, with the proposed dwellings contributing towards the Council's housing need, thereby offering significant social and economic benefits.

There will be some visual impact upon the landscape character area, but the allocation of the surrounding land as a strategic housing site, which indicates an intention for its development, will limit the visual harm from this application in long views. For the immediate area, the illustrative layout plan indicates that nine dwellings could be accommodated on the site without harm to the surrounding pattern of development, or the character and appearance of the surrounding area, therefore complying with Policy QD02 of the Thanet Local Plan.

At this outline stage the impact upon neighbouring living conditions is considered to be acceptable, with the illustrative layout plan and first floor plan showing how nine dwellings could be accommodated on the site without significant harm to neighbouring amenity.

A safe and suitable vehicular access into the site has been provided with adequate visibility splays, and the illustrative layout plan shows that adequate parking for the units could be achieved to meet minimum parking standards.

The proposal will result in the loss of best and most versatile land, however, the harm is considered to be limited given the restricted size and shape of the site, which is considered to be outweighed by the economic and social benefits of the development. The proposal is therefore considered to comply with Policy E16 of the Thanet Local Plan.

The proposal is considered to provide a sustainable form of development within the urban confines that will provide family dwellings of a potential scale and density that would be in keeping with the character of the area, with no significant harm identified. It is therefore recommended that Members approve the application subject to safeguarding conditions and the submitted signed legal agreement securing the SPA contribution.

Case Officer

Emma Fibbens

TITLE:

OL/TH/22/1586

Project

Land Between 310 And 316 Canterbury Road Birchington Kent



A02

F/TH/23/0531

PROPOSAL: Change of use to laundrette (Use class Sui Generis) together with erection of flues on the rear elevation.

LOCATION:

Unit 1 Blenheim Close Broadstairs Kent CT10 2YF

WARD:

St Peters

AGENT:

A Evans

APPLICANT:

Mr. F. Simsek

RECOMMENDATION:

Approve

Subject to the following conditions:

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

GROUND:

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

2 The development hereby approved shall be carried out in accordance with the submitted drawings numbered 23.1965.PL005, 23.1965.PL006 and, 23.1965.PL007 received 17 April 2023.

GROUND;

To secure the proper development of the area.

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.

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

SITE, LOCATION AND DESCRIPTION

The site comprises an existing industrial unit located close to the junction of Blenheim Close and Patricia Way. Unit 1 is located at the end of a row of similar units, the front elevation faces into Blenheim Close and the rear elevation faces Patricia Way. The premises was previously occupied by a window installer and supplier company.

RELEVANT PLANNING HISTORY

There is no relevant planning history for the site.

PROPOSED DEVELOPMENT

The proposed development is the change of use of the building to a commercial laundrette (Use class Sui Generis). No alterations are proposed to the front or side elevations. It is proposed to install eight flues and vents in the rear elevation.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan 2020

SP04 - Economic Growth
SP27 - Green Infrastructure
SP30 - Biodiversity and Geodiversity Assets
SP35 - Quality Development
SP37 - Climate Change
SP43 - Safe and Sustainable Travel
SP44 - Accessible Locations
E01 - Retention of Existing Employment Sites
GI06 - Landscaping and Green Infrastructure
QD01 - Sustainable Design
QD02 - General Design Principles
QD03 - Living Conditions
CC02 - Surface Water Management
SE04 - Groundwater Protection Zone
SE05 - Air Quality
SE06 - Noise Pollution
SE08 - Light Pollution
TP02 - Walking
TP03 - Cycling
TP06 - Car Parking

Broadstairs Neighbourhood Plan Policies

BSP9 - Design in Broadstairs & St. Peter's

NOTIFICATIONS

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

No responses have been received.

Broadstairs and St Peter's Town Council - No comment

The Broadstairs Society - The Society has no adverse comment to make.

CONSULTATIONS

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

In situations where surface water is being considered for discharge to our network, we require the below hierarchy for surface water to be followed which is reflected in part H3 of the Building Regulations. Whilst reuse does not strictly form part of this hierarchy, Southern Water would encourage the consideration of reuse for new developments.

- Reuse - Infiltration - Watercourse - Storm Sewer - Combined Sewer

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 - No objections

COMMENTS

This application is brought before members as the site belongs to Thanet District Council and this proposal would represent a departure from policy E01 of the Thanet Local Plan.

Principle

The site comprises an existing industrial unit located within the urban confines of Broadstairs.

The principle of physical alterations to an existing building is considered acceptable subject to all other material considerations.

The site is located within an area identified for the retention of existing employment uses falling within use classes B1, B2 and B8 as defined by policy E01 of the Thanet Local Plan.

This policy states that "Proposals for alternative uses on sites identified under Policy E01 (1) and (2), and other buildings and land currently used for employment, will only be permitted where:

It has been demonstrated that the site is no longer suitable or viable for employment purposes following an active and exhaustive marketing process for a minimum of 12 months;

The proposal would not undermine economic growth and employment opportunities in the area;

The proposal would not result in a significant, or harmful reduction in the supply of land available for employment purposes for the remainder of the plan period, having regard to the type of employment land proposed for reuse and its location;

The proposal would not prejudice the ongoing operation of remaining businesses nearby; and

The proposal would result in a good standard of amenity for existing and future occupants."

Policy BSP11 of the Broadstairs and St Peter's Neighbourhood Plan states that "Proposals for the change of use or redevelopment of land or premises identified for or currently in employment use will only be supported where:

- a) The applicant can demonstrate that the site/premises is no longer capable of meeting employment needs; or
- b) Development of the site for other appropriate uses will facilitate the relocation of an existing business to a more suitable site or where there is no reasonable prospect of the site being used for employment uses ; or
- c) Unacceptable environmental problems are associated with the current use of the site and the proposal will remove them; or
- d) Relocation of the employer will make better use of existing or planned infrastructure."

No information has been provided by the applicant to address this policy, however they have confirmed that the laundry is currently operating from Unit 36 Blenheim Close, a short distance from the site, and a unit that is also located in the area outlined by policy E01 of the Thanet Local Plan. The relocation is stated to allow for the expansion of the business. The existing business provides a laundry service for businesses with bulk cleaning and there would be no change to the function of the business as part of this relocation.

The proposed use, due to the commercial function of the laundrette, is considered to be an employment use that would be expected to be located on an industrial estate to avoid harm to the living conditions of any nearby residential property occupiers. Given that the business is already located within this area and would be moving within the industrial estate, the proposal would not result in a significant reduction in supply of available land for employment uses. Therefore the development may be considered to be an acceptable departure from Local Plan Policy EC1 and Neighbourhood plan policy BSP11, subject to an assessment of all other material planning considerations.

Character and Appearance

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

Policy QD02 of the Thanet Local Plan provides general principles for new development and states that the primary planning aim in all new development is to promote or reinforce the

local character of the area and provide high quality and inclusive design and be sustainable in all other respects. In this regard development must relate to the surrounding development, form and layout and strengthen links to the adjacent areas.

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

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

The proposed external flues and vents have a limited projection from the rear elevation of the building and, whilst this is the most prominent elevation of the building given the industrial character of the area, these alterations are not considered to result in any significant harm to the character and appearance of the area. This development would therefore comply with policy 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

The closest residential property is located a significant distance from the site and the proposed external alterations are not considered to significantly alter the scale or arrangement of the property. This proposal is therefore not considered to result in any significant loss of light, sense of enclosure or overlooking to any residential properties.

The proposed flues and vents would be located in the rear elevation and whilst at low level given the industrial character of the area and the position, facing a public highway, are not considered to result in any significant noise and disturbance to any residential dwellings.

The applicant has indicated that the proposed hours of operation would be between 0730 and 1700 Monday to Friday. The existing use of the site does not appear to have any planning restrictions on the hours of operation and given the location of the site it is not considered necessary to condition the hours of operation in this instance.

It is therefore considered that given the location of the site and the nature of the proposed use that this development would have no significant impact upon the living conditions of the neighbouring property occupiers, in line with policy QD03 of the Thanet Local Plan and the National Planning Policy Framework.

Transportation

The site is located in a sustainable location and no changes are proposed to the existing parking arrangement. The applicant has indicated that there would be a mixture of collections and drop offs for the business and that there would be an increase of four employees giving a full time equivalent of 6.5.

The existing business on the site appears to comprise a window and door supply firm with a trade counter. The unit benefits from a roller door and a paved area is located directly to the front of the site. This use is likely to generate the need for parking in the area and movements to and from the site from staff and deliveries.

Parking in the surrounding area is constrained, however the proposed use is considered to be similar to the existing use in terms of movements to and from the site and the requirement for parking. It is therefore considered that given the location of the site, the nature of the proposed development, the existing use of the site and the limited changes to the arrangement of the building, this development is not considered to result in any significant harm to highway safety.

Biodiversity

The site is covered by built development and this proposal does not alter the footprint or significantly alter the scale of the property. It is therefore considered that this development would have no significant impact upon biodiversity in the area.

Other Matters

The site is located within the Groundwater Protection Zone as defined by policy SE04 of the Thanet Local Plan. This application proposed no changes to the footprint or main structure of the building and Southern Water have raised no objection subject to a formal application for any new connection to the public sewer to be made by the applicant or developer. The applicant's agent has confirmed that this development would connect to the existing drainage system. The Council's Environmental Health Department have been consulted and have no objections to this application. It is therefore considered that given the existing industrial unit on the site and the limited extent of the proposed alterations this development would have no significant impact upon protected groundwater.

Conclusion

The proposed development is not considered to result in any significant harm to the character and appearance of the area, neighbouring living conditions, highway safety, biodiversity or protected groundwater. This application would result in the loss of a unit allocated for employment uses falling within use classes B1, B2 and B8, however given the nature of the sui generis use proposed and required location this proposal is not considered to result in significant harm to the availability of employment space falling within these uses. It is therefore recommended that this application is approved as an acceptable departure from Local Plan Policy EC1.

Case Officer
Duncan Fitt

TITLE:

F/TH/23/0531

Project

Unit 1 Blenheim Close Broadstairs Kent CT10 2YF



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A03 **F/TH/23/0335**

PROPOSAL: Change of use of first floor from residential (use class C3) to Bed and Breakfast accommodation (use class C1)

LOCATION: Minster Meze And Grill 7 - 9 Monkton Road Minster Kent CT12 4EA

WARD: Thanet Villages

AGENT: Mr Ali Goldman

APPLICANT: Mr Christopher Tooley

RECOMMENDATION: Approve

Subject to the following conditions:

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

GROUND:

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

2 The development hereby approved shall be carried out in accordance with the submitted drawings numbered Proposed First Floor Plan received 30 March 2023 and, Proposed Ground Floor Plan received 12 April 2023.

GROUND;

To secure the proper development of the area.

SITE, LOCATION AND DESCRIPTION

The site comprises an existing restaurant located on the northern side of Monkton Road. The restaurant is located on the ground floor and a six bedroom flat located on the first floor is accessed through the main entrance.

RELEVANT PLANNING HISTORY

AT/TH/88/1717 - Provision of internally illuminated lamp at fascia level. Granted 22 December 1988

TH/79/0605/A -Alterations to front elevation. Granted 16 April 1980

TH/79/0605 - Alterations to toilets and extension to bar. Granted 04 December 1979

PROPOSED DEVELOPMENT

The proposed development is the change of use of the first floor from residential (use class C3) to Bed and Breakfast accommodation (use class C1). The first floor of the building would be altered from a six bedroom flat that is accessed through the existing restaurant to six ensuite bed and breakfast rooms. No external changes are proposed as part of this application.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan 2020

SP27 - Green Infrastructure
SP29 - Strategic Access Management and Monitoring Plan
SP30 - Biodiversity and Geodiversity Assets
SP35 - Quality Development
SP37 - Climate Change
SP43 - Safe and Sustainable Travel
SP44 - Accessible Locations
CC01 - Fluvial and Tidal Flooding
CC02 - Surface Water Management
E06 - District and Local Centres
E07 - Serviced Tourist Accommodation
GI06 - Landscaping and Green Infrastructure
HO22 - Retention of Existing Housing Stock
QD01 - Sustainable Design
QD02 - General Design Principles
QD03 - Living Conditions
TP03 - Cycling
TP06 - Car Parking

NOTIFICATIONS

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

No responses have been received.

Minster Parish Council – No objection to this application subject to the finding of the parking survey requested by Kent highways.

CONSULTATIONS

KCC Highways - Updated comments received 18 May 2023

The applicant has demonstrated via a parking survey of Monkton Road Car Park, that there is capacity to accommodate the increased demand for a Bed and Breakfast accommodation.

The applicant should ensure those who are residing in the accommodation are directed to utilise this car park and not the surrounding road network wherever possible.

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

Initial comments received 25 April 2023

This application has nil associated parking provisions and as such it is likely that those residing in the proposed Bed and Breakfast accommodation will utilise the nearby Monkton Road Car Park. Due to the saturation of parking on the adjoining road network this is preferable, but it should be ensured that the car park has the capacity to accommodate the increased demand.

Therefore, the applicant should submit a parking survey during both the day time and overnight of Monkton Road Car Park to robustly capture the parking capacity, and I would be grateful if you would forward this additional information to myself for my further comment.

COMMENTS

This application is brought before members as a departure to policy HO22 of the Thanet Local Plan.

Principle

The site comprises an existing restaurant with ancillary accommodation on the first floor. Policy HO22 of the Thanet Local Plan states that; "Proposals which would lead to the net loss of existing housing (class C3) will be permitted only where:

- 1) the proposal relates to the provision of community facilities for which there is a genuine local need; or
- 2) the residential use is not appropriately located; or
- 3) the building is unsuitable for residential use in its present form and is not capable of being readily improved or altered to make it suitable; or
- 4) subject to the heritage policies of the Plan, the proposal provides a way of protecting or utilising an important heritage asset.

Proposals for tourism or retail uses may be permitted if any of the above criterion can be satisfied and there is conformity with policies E07, or E08 (as applicable).

In all cases the proposed use should be compatible with, and cause no harm to, the character and appearance of the area and the living conditions of neighbouring residents."

The applicant has indicated that the first floor is disused, however has provided no further information why this is the case.

The existing flat does not meet the space standards set out in policy QD04 of the Thanet Local Plan and does not appear to have any private amenity space other than the garden

associated with the ground floor commercial use. The demand for a six bedroom flat with no amenity space above a commercial premises is considered to be limited.

Policy E07 of the Thanet Local Plan outlines that there is a lack of higher end hotels in Thanet. This policy states that "The Council will permit the development of new serviced tourist accommodation, including extensions and improvements to existing accommodation, in appropriate locations such that:

- 1) It is of form, scale and design appropriate to its surroundings;
- 2) It does not cause unacceptable impact on the road network or highway safety;
- 3) It is accessible by a range of means of transport (wherever possible in rural areas);
- 4) If it is located in a rural area, that it respects the character of the local countryside and is sensitive to its defining characteristics; Outside of the urban area development should respect landscape character and nature conservation value; and
- 5) Sufficient mitigation should be provided to prevent against any material increase in recreational pressure on designated nature conservation sites."

These factors would be assessed below and the loss of the residential property would be weighed against the benefits of the scheme.

Character and Appearance

Paragraph 130 of the National Planning Policy Framework (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 states that the primary planning aim in all new development is to promote or reinforce the local character of the area and provide high quality and inclusive design and be sustainable in all other respects.

No external changes are proposed as part of this application and given the existing residential accommodation and the variety of commercial uses in the area this development is not considered to result in any significant harm to the character and appearance of the area.

Living Conditions

No external changes are proposed as part of this application and given the existing residential accommodation this development is not considered to result in any significant loss of light, sense of enclosure or overlooking to the neighbouring properties.

The use of the first floor as six bed and breakfast rooms is not considered to result in any significant increase in noise and disturbance compared to the existing residential use and, given the existing commercial use at ground floor level, this development is not considered to result in any significant increase in noise and disturbance to the neighbouring properties.

This proposal is therefore not considered to result in any significant harm to the neighbouring living condition, in line with policy QD03 of the Thanet Local Plan and the National Planning Policy Framework.

Transportation

The site is located close to the centre of Minster which is considered to be a sustainable location due to the local facilities and public transport links, however no parking is proposed as part of this development and on street parking is restricted in the immediate area.

The applicant has submitted a parking survey for the nearby Monkton Road Car Park which demonstrates that there is additional capacity in this car park. Following the submission of this survey KCC Highways have raised no objection to this application.

This development would result in an increase in demand for parking compared to the existing use, however it has been demonstrated through the submission of the parking survey that there is available capacity in the surrounding area, therefore this proposal is not considered to result in any significant harm to highway safety.

Biodiversity

This proposal makes no changes to the external layout or arrangement of the property and is therefore not considered to result in any significant harm to biodiversity in the area.

Financial 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 would mean that the Council accords with the Habitat Regulations.

This proposal is considered to result in an increase in recreational pressure upon the Special Protection Area due to the change of use and the increased likelihood of visitors to the area going to the beach and coast. The applicant has submitted a unilateral undertaking securing a contribution of £656.50 to mitigate the additional recreational pressure on the SPA area. This contribution is based upon the one rate for a one bedroom dwelling (£202) and the

expected winter occupancy rate of the hotel (65%). As this mitigation has been secured the impact upon the SPA is considered to be acceptable.

Conclusion

This proposal would result in the loss of an existing dwelling, however this dwelling is located above an existing licenced premises, does not meet the current space standards and does not benefit from any secure doorstep playspace. This dwelling is therefore considered to be of limited quality and have a very restricted appeal.

This proposal would result in the diversification of any existing business and provide additional tourist accommodation in the district.

There is not considered to be any significant harm to the character and appearance of the area, living conditions of the neighbouring property occupiers, highway safety, biodiversity or the Special Protection Area as a result of this development.

It is therefore considered that given the standard of the existing accommodation and that this proposal would only result in the loss of one residential unit, the benefits of the proposed development would outweigh the harm to the district's housing supply and this proposal would comprise an acceptable departure from policy HO22 of the Thanet Local Plan. It is therefore recommended that members approve this application.

Case Officer

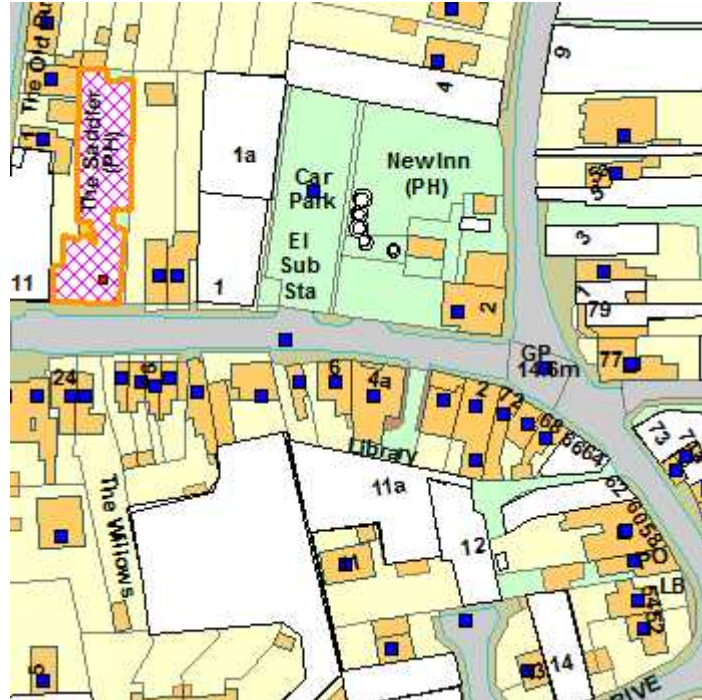
Duncan Fitt

TITLE:

F/TH/23/0335

Project

Minster Meze And Grill 7 - 9 Monkton Road Minster Kent CT12 4EA



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D04 **F/TH/22/1591**

PROPOSAL: Change of use of existing office space and 2No 1 bed flats to office space and the creation of 3No. 1 bed flats, 1No bedsit and 1 no 1 bed maisonette together with alterations of roof to rear outrigger including external stairs, excavation to create entrance to basement at front and reinstatement of iron railings to first floor and provision of ground floor railings to front elevation, alterations to fenestration

LOCATION: 122 Northdown Road MARGATE Kent CT9 2RB

WARD: Cliftonville West

AGENT: Mr Daniel McCarthy

APPLICANT: Mr Graham Kinnear

RECOMMENDATION: Defer & Delegate

Defer and delegate for approval subject to the receipt of a satisfactory signed legal agreement to secure the contributions towards the SAMM project within 6 months and the following safeguarding conditions:

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

GROUND:

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

2 The development hereby approved shall be carried out in accordance with the submitted documents, drawing numbered, 06 B (received 02/05/23), 07 B (received 02/05/23), 08 B (received 02/05/23), 09 B (received 02/05/23) and 12 A (received 10/07/23),

GROUND:

To secure the proper development of the area.

3 Prior to the construction of the external surfaces, including railings 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.

4 Prior to the installation of any railings hereby approved, manufacturers details to a scale of 1:20 shall be submitted to, and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details 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.

5 Prior to the installation of any external windows and doors, joinery details at a scale of 1:20 of the windows and doors shall be submitted to and approved in writing by the Local Planning Authority. Such details as are approved shall be carried out concurrently with the development and fully implemented prior to the first occupation of any part of the approved development.

GROUND

To secure a satisfactory external treatment and to safeguard the special character and appearance of the designated heritage asset in accordance with policy HE02 and advice contained within the National Planning Policy Framework.

6 Prior to the first occupation of the development hereby approved, full details of hard landscape works, to include

- o the treatment proposed for all hard surfaced areas beyond the limits of the highway
- o walls, fences, other means of enclosure proposed

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

GROUND

In the interests of the visual amenities of the area and to adequately integrate the development into the environment in accordance with Policies QD02 and HE02 of the Thanet Local Plan.

7 All hard landscape works, shall be carried out in accordance with the approved details. The works shall be carried out prior to the first occupation/use of any part of the development, or in accordance with a programme of works to be agreed in writing with the Local Planning Authority.

Following completion of the landscape works, photographic evidence of implementation shall be submitted to and approved in writing by the Local Planning Authority in order to verify the works have been completed in accordance with the approved plans, and to enable the full discharge of this condition.

GROUND

In the interests of the visual amenities of the area, biodiversity enhancement, and to adequately integrate the development into the environment in accordance with Policies QD02 and HE02 of the Thanet Local Plan

SITE, LOCATION AND DESCRIPTION

The application site is located on the southern side of Northdown Road, Cliftonville. It is close to the junction with Clifton Road. The mid terrace building is four storey in height; comprising a semi-basement and three storeys above. The building is constructed in facing brickwork to the principal elevation and rendered to the rear. It is currently used as a commercial premises at ground floor and semi-basement with residential to the upper floors and the rear section of the semi basement.

The site is within the confines of the Northdown Road Conservation Area.

RELEVANT PLANNING HISTORY

F/TH/02/0709 Change of use and conversion of lower ground and first and second floors to 3 self contained units. Approved 04/10/2002

F/TH/00/0976 Change of use and conversion of existing offices and shop into 20no. Self contained flats. Approved 21/12/2000

PROPOSED DEVELOPMENT

Full planning consent is sought for the change of use of existing office space and 2No 1 bed flats to office space (front section of the ground floor) and the 4No. 1 bed flats and 1 no 1 bed maisonette. In terms of physical work alterations are sought to the roof of the rear outrigger (increase in height and introduction of roof lights) including external stairs, excavation to create entrance to basement at front and reinstatement of iron railings to first floor, provision of ground floor railings to front elevation and alterations to fenestration within the rear elevation.

The application has been amended since it was originally submitted. Due to officer concerns the rear extension to the building has been omitted from the scheme. This has altered the internal arrangement of the proposal, however the number of residential proposed in the building has remained the same (a net increase of 3 units).

DEVELOPMENT PLAN POLICIES

Thanet Local Plan

SP22 - Type and Size of dwellings

SP29 - Strategic Access Management and Monitoring Plan

SP35 - Quality Development

SP36 - Conservation and Enhancement of Thanet's Historic Environment
H01 - Housing Development
E06 - District and Local Centres
QD01 - Sustainable Design
QD02 - General Design Principles
QD03 - Living Conditions
QD04 - Technical Standards
TP02 - Walking
TP03 - Cycling
TP06 - Car Parking

NOTIFICATIONS

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

Three (two supporting from the same writer) representations were received. The concerns can be summarised as follows:

- Site is within the the Conservation Area and Cliftonville Development Plan Area- which precludes one bed flats and bedsits
- No garden space
- No waste and recycling space
- No Parking
- Excess noise and movements
- Rear elevations overlooking neighbouring gardens and space
- Communal roof unnecessary and unwelcome
- Room sizes not stated on the plans
- Acknowledges positives of the return of missing railings and retention of the shopfront

CONSULTATIONS

Southern Water: Southern Water requires a formal application for any new connection to the public foul sewer to be made by the applicant or developer.

To make an application visit Southern Water's Get Connected service: developerservices.southernwater.co.uk and please read our New Connections Charging Arrangements documents which are available on our website via the following link: southernwater.co.uk/developing-building/connection-charging-arrangements

Our initial investigations indicate that there are no public surface water sewers in the area to serve this development. Alternative means of draining surface water from this development are required.

This should not involve disposal to a public foul sewer and should be in line with the Hierarchy of H3 of Building Regulations with preference for use of soakaways.

gov.uk/government/publications/drainage-and-waste-disposal-approved-document-h

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

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

Natural England: No objection subject to securing appropriate mitigation

With regard to European Sites, Natural England does not object to the granting of this permission subject to the advice given below.

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

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

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

Kent Highways: *Final Comment:* I am satisfied that the works do not encroach on highway land. However the applicant does need to contact our Structures team with regards to the stairs. Any structure to be installed within 3.66m of the highway boundary will require technical approval from this team.

Initial comment: The applicant is proposing to install a flight of stairs to access the existing basement.

However this is adjacent to highway land and as such the applicant will need to consult with the Structures team here at Kent County Council (KCC) and gain technical approval for their proposals. They can be contacted at structurestechnicalapproval@kent.gov.uk

The applicant should also submit plans demonstrating the extent of the highway boundary at this location, to verify their proposals do not encroach on highway land to the front of the property. The applicant should contact the Highway Definition team at KCC to obtain highway boundary information. They can be contacted here:

www.kent.gov.uk/roads-and-travel/what-we-look-after/highway-land/highway-boundary-enquiries.

As such I wish to place a holding objection until the above matters have been resolved.

TDC Conservation Officer: *Final comment:* Previously concerns were raised in regards to the scale of the proposed development to the rear of this site along with the lack of information regarding possible implication of the scheme to the setting and appearance of the surrounding environment. Since then, the work planned as halved in size and looks much more appropriate for the existing built form of the area, information has also been supplied regarding how this could affect the setting of the surrounding heritage environment. As such I no longer object to the application proposed and consider the scale acceptable and local and national legislation met.

If this application was to be approved I would suggest that samples of external materials, including railings, are submitted via condition before works start to ensure their appropriate appearance. Further details of any new doors and windows should also be provided. I would also like to see landscaping plans for the front and rear of the site.

Initial comments:

122 Northdown Road is a traditional property located within Cliftonville Conservation Area.

NPPF Section 16, Paragraph 197 states, In determining applications, local planning authorities should take account of (c) the desirability of new development making a positive contribution to local character and distinctiveness. It also states under Paragraph 194 'In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.'

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

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

This proposal is for the conversion of the building to residential use whilst undertaking repairs to the front elevation and shopfront, as well as a considerable extension to the rear of

the site. Whilst I do not have issue with the conversion of the building to residential from a conservation perspective, nor the repair proposed to the principle elevation, I do have concerns regarding the construction to the rear.

I can acknowledge that the rear of the site needs some unification and would benefit from some cohesive development, that being said it should not to be to the detriment of the site and surrounding views. The extension proposed is substantial in its scale and overbearing in the context of the surrounding built development. There is a mix of scales of building in this area which have been constructed at varying stages throughout the streets piecemeal development and the height of these should not be taken as a design influence or encouraged when tall in stature. Typically rear development in this location should be subservient and responsive to surrounding constraints.

No information has been provided as part of this application regarding the possible implication to the setting and appearance of the surrounding conservation area which is not appropriate given that it is visible from the public realm and as such has an implication.

In conclusion I would likely support and accept the conversion of this building to a residential use, however this should not be to the detriment of character and appearance of the surrounding conservation area. Therefore I do not believe that it complies with the above mentioned legislation and therefore I object to the application proposed.

TDC Environmental Health: Thank you for consulting Environmental Protection on the above planning application for which we have considered the potential for environmental health impacts and consider it to have a low environmental risk and therefore do not offer any comments in this regard.

TDC Waste and Recycling: Concerns remain the same - access to Clifton Place is extremely difficult for our vehicles.

Initial comments:

We have concerns regarding access to these bins, although we currently collect waste from a few properties in Clifton Place we experience significant access issues. Also have concerns regarding the size of the store.

TDC Tree Consultant I note that some of the application drawings suggest the presence of two 8m trees in the rear garden / courtyard, and that the site is in the Northdown Road Conservation Area (but no TPO's revealed from TDC's on-line mapping).

Google Street View images (dated May 2014) show what appear to be two young Sycamore trees (presumably self seeded) plus considerable ivy and undergrowth. Although the trees will have grown in the intervening years, they are most unlikely to be suitable for retention in the very small area to the rear of the house. On this basis I do not think there will be any tree related constraints on the proposal but if you find something more significant when you visit the site I'm happy to review.

COMMENTS

This application is referred to the Planning Committee at the request of Cllr Heather Keen due to concerns about the standard of accommodation and that the development would create one bedroom flats contrary to the Cliftonville Development Plan.

The main considerations in assessing the submitted scheme are the principle of development, the impact upon the character and appearance of the area- including Conservation 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 previously developed land within the urban confines, and therefore the redevelopment of the site for a residential use would be in accordance with Policies HO1 and SP01 of the Thanet Local Plan, which support new housing development within the urban confines. The principle of the development therefore accords with Policies HO1 and SP01.

The site lies within Northdown Road, a District Centre. Policy E06 of the Thanet Local Plan permits proposals for additional shopping provision where the proposals serve the local population and are of a scale appropriate to the particular centre. The policy also permits residential accommodation in District and Local Centres where this would not fragment or erode the active frontages of such locations to a degree that undermines the function of the centre.

The proposal incorporates a retained commercial element at the front of the unit (ground floor level), which on the amended plans has an annotation for office space. The rear part of the ground floor would be residential - as this is behind the commercial space it is considered that it would comply with the policy objective of E06 in that it would not erode the active frontage, and therefore considered acceptable in principle. The commercial element is indicated to remain as office, albeit smaller than the current offer.

A small part of the ground floor area fronting Northdown Road would accommodate circulation space associated with access to the flats (a communal lobby), however this is already the case currently and therefore would not conflict with the second part of Policy E06 relating to residential uses.

The site lies outside of the Cliftonville Development Plan area; the boundary is on the opposite side of the road with areas on the northern side of Northdown Road and side road fallen within it until the boundary drops down to the southern side of Northdown Road at Wilderness Hill. As such there is no in principle objection to the creation of one bedroom residential units and consideration will be given to the standard of accommodation created in the Living conditions section of the report..

Character and Appearance

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

Local Plan, Policy HE02, states within Section 7 'The character, scale and plan form of the original building are respected, and the development is subordinate to it and does not dominate principal elevations.' As well as Section 8 which states 'Appropriate materials and detailing are proposed and the development would not result in the loss of features that contribute to the character or appearance of the conservation area. New development which would detract from the immediate or wider landscape setting of any part of a conservation area will not be permitted.'

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.

122 Northdown Road is a three storey with semi-basement level (four storey in total) mid-terraced building located within the thoroughfare of Northdown Road and within the Northdown Road Conservation Area. The building contains a commercial unit at ground floor and basement level, although part of the rear of the basement and upper floors are used for residential. The building is sited between two three storey with semi-basement buildings to the east and west.

Northdown Road is predominantly characterised by Victorian and early 20th Century period buildings with commercial units and shopfronts at ground floor level ranging between two storey to four storey in height.

This application seeks to convert the existing commercial premises in part to residential and to utilise the basement area for residential. The existing semi-basement is currently accessed via the existing internal staircase. The proposal looks to create a new lightwell to the front of the property and provide a new main access to the front basement flat in addition new fenestration will be provided. As such 2no. 1 bed residential units would be created at basement level.

The remaining half of the ground floor office space to the rear of the building is to be converted to a 1 bed maisonette (ground and first floor). The remainder of the first floor is retained as a 1 bed unit and is the case for the second floor, therefore resulting in the net increase in three new residential units. Fenestration to the rear would also be altered to facilitate the change. In addition the rear outrigger would have its height increased by 1.6m and the roof would change from a mono pitch to a pitched roof with gable end.

The proposed changes to the front elevation including first floor railings and railings to the ground floor would be a positive change to this building and the wider Conservation Area. The creation of a full basement level is not dissimilar to other examples along this part of Northdown Road and in my view would not create any visual harm or appear out of keeping within the streetscene. As such I consider that the changes to the front facade would be acceptable.

With regard to the rear elevation, this sees the most significant external changes. The converted rear outrigger would have the height of the roof increased from approximately 5m to 6.6m with a change in roof shape from mono pitch to gable. The gable end would see the creation of a long vertical window opening. Whilst this would have a stronger vertical emphasis compared to other windows I do not consider that it appears out of proportion with the building as a whole. In addition a bay window would be provided at ground floor level and an opening at basement level. I consider these changes and alterations to be sympathetic in the design approach and would provide an attractive rear elevation.

The rear elevation would in part be visible from the public realm, Clifton Place and also across from Clifton Road. Visibility of the rear elevation is obscured due to the presence and location of adjacent built development and boundary treatment which encloses the site, as such it is not considered that the proposal would result in significant harm to the character of the area.

The proposed external staircase leading from the ground to basement level to the rear is modest in scale and would be a moderate addition to existing rear elevation and would not be seen due to its location.

The brickwork is proposed to match with the existing property. Cladding is also proposed and slate for the roof.

The Council's Conservation Officer has reviewed the amended application and does not believe there to be a perceivable impact from the surrounding Conversation Area and therefore does not object to the application proposed, although recommends conditions relating to materials, including railings, details of doors and windows and also landscaping plans to the front and rear. These conditions would be necessary and reasonable given the site's location in the conservation area, and relevant to the development to be permitted.

Therefore, in terms of character and appearance, the proposal is considered to be compatible with the surrounding built environment and Conservation Area, the proposed development will have minimal visibility from the surrounding public realm and will therefore not result in significant harm to the character and appearance of the Conservation Area. As

such the proposed development accords with Policies QD02, HE02, H08 and Paragraphs 197, 130 and 134 of the NPPF.

Living Conditions

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

Local Plan 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 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.

Existing neighbours

The external changes to the front facade of the building would not result in harm to neighbour amenity due to their nature; new railings to first and ground floor levels and creation of a basement.

With regard to the rear elevation and the alterations to the rear outrigger, it is not considered that the increase in height and roof composition will adversely affect the occupier of no. 120 as this element is not adjacent to the boundary. Windows facing the neighbour above ground floor are in the roof slope only and therefore I consider there to be no direct overlooking that would be harmful.

In relation to the impact of the outrigger alterations to no. 126, the outrigger would be adjacent to the shared boundary. Whilst there is an increase in height by 1.6m at the ridge of the extension, the highest point of the outrigger would be set away from the boundary with the roof pitching away from the boundary. The neighbouring property has an existing taller outrigger adjacent to the boundary which includes a first floor window which the extension would protrude past, plus other windows within the rear elevation. I do not consider there to be any significant harm to the neighbour however through loss of light or creation of a sense of enclosure, given the design of the proposed roof pitching away from the boundary and the orientation of the properties.

No. 45 Clifton Road would not be affected by the change in height and roof composition of the outrigger due to its location away from this element. The application does propose a gable window at first floor level but I consider this relationship to be similar to that of existing rear facing windows to this property, which face onto the side and rear of this property. The

new window would also face towards the rear of properties in Nightingale Place, however this rear area and windows of these properties are already overlooked by existing windows and the proposal will not result in significant harm above the existing relationship.

The proposed development is therefore considered to be acceptable in terms of the living conditions of adjacent neighbouring properties, in accordance with Policy QD03 of the Thanet Local Plan and paragraph 130 National Planning Policy Framework.

Future occupiers

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 134 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.

Looking at each of the units proposed in details; unit 122A would be a basement unit with a lounge/dining/kitchen with light and outlook provided through a front window onto the lightwell, with a rear facing bedroom window. This unit would be 45.5sqm and could constitute a 2 person one bed unit meaning the floorspace required through policy QD04 is 50sqm. Whilst the floor space is 4.5sqm less than the requirement, on balance it is considered that the rooms provided are of a regular shape that would allow for good day to day living. In addition the flat could also be utilised as a one person one bed unit and would meet the 39sqm standard.

Unit 122B is located within the rear outrigger at semi-basement level with a living room and bedroom and separate kitchen, both these rooms would be served by side facing windows. This unit would be 30.5sqm. There is no standard for a bedsit within the National Space Standards and therefore the Councils Flat Conversion Guidelines are referred to which required a floor space of 30 sqm, thus meeting this requirement.

Unit 122C is located within the rear outrigger across the ground and first floor and would be accessed via the rear yard. At ground floor there is a rear facing bedroom served by a bay window, the main entrance and a shower room with window to the yard. At first floor there is an open plan kitchen/lounge/dining space that has a rear facing window and two rooflights. The floor area for this unit is 43.7sqm. As detailed above for a 2 person one bed unit this should be 50sqm, there is therefore a shortfall of 6.3sqm. Whilst the unit is below, it is noted that it does not have the minimum width across the entire bedroom space for a two person bedroom- it should be 2.75m, this is due to the bay window. If categorised as a single person unit would meet the 39 sqm standard.

Whilst the proposed units do not meet the overall space standard criteria in terms of the overall floor space required, the rooms are of regular shape and it is considered that they are suitable for day to day domestic living. The rooms proposed would all have good window provision to habitable rooms. Furthermore the proposal would see a building that is in a poor

state of repair improved through the works and therefore on balance, considered to result in the creation of acceptable living conditions for future occupants..

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 units are all one bedroom and therefore do not require an enclosed doorstep playspace.

Bin storage

The plans illustrate that there would be an undercroft bin store within the rear courtyard. The flats proposed would have access to this area with the exception of 122A at basement level, however this unit would have an area at basement level that could accommodate its refuse. This arrangement is similar for other basement units within the area. The proposed courtyard bin storage area is considered of suitable size, it is larger than originally planned when there were more units proposed. The courtyard has a rear access leading onto Clifton Place.

I note that the Council's Refuse and Recycling Manager is still raising a concern regarding the access to Clifton Place being extremely difficult for their vehicles. In this instance it is considered that the residents would need to bring the bins to Northdown Road, adjacent to the principal entrance, these could then also be emptied on collection day, the applicants agent has confirmed their agreement to this (2nd May 2023). Given that the space is provided in the rear yard for storage, and the relatively small carry distance around the corner to the front of the property, this arrangement is considered acceptable.

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 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. Local Plan policy TP06 states development will be expected to make satisfactory provision for the parking of vehicles, including disabled parking. Suitable levels of provision will be considered in relation to individual proposals taking account of the type of development, location, accessibility, availability of opportunities for public transport, likely accumulation of car parking, design considerations.

The proposed creation of additional flats may generate an increase in demand for parking, and the application does not propose any off street parking. The site is located within the District Centre of Cliftonville which provides a range of amenities and is served by regular buses, and is within walking distance of Margate town centre. There is restricted on street parking provision on Northdown Road and unrestricted provision on some surrounding roads off Northdown Road.

KCC originally raised a holding objection, this was because the applicant is proposing to install a flight of stairs to access the existing basement. As this is adjacent to highway land the applicant needs to consult with the Structures team here at Kent County Council (KCC) and gain technical approval for their proposals. In addition further information was requested to demonstrate the extent of the highway boundary at this location, to verify the proposals do not encroach on highway land to the front of the property. Additional information was submitted by the applicant's agent in the form of a land registry plan showing the applicants ownership up to the back of pavement level. Following the receipt of this information the initial holding objection raised by KCC Highways has been withdrawn, although KCC advised that the applicant does need to contact our Structures team with regards to the stairs.

Whilst the proposal may result in additional demand for parking, given the sustainable location of the site and the nearby parking availability, it is not considered that the proposal will result in significant material harm to the local highway network or highway safety, in accordance with Local Plan Policy TP06.

Trees

As the site is within the confines of the Northdown Road Conservation Area trees are protected. There are two trees within the rear curtilage; these are shown to be retained on the proposed block plan. These trees have been identified as being young Sycamore trees (presumably self seeded) plus considerable ivy and undergrowth. The Council's tree consultant considers that these trees are most unlikely to be suitable for retention in the very small area to the rear of the house. It is therefore considered given the small area in which the trees are positioned that their loss could not be resisted if proposed, nor would the trees be worthy of a Tree Preservation Order. The ground floor bay window to unit 122C will look out onto this area, the bay is the only window that serve this room - however given it is a bay- windows to three sides I consider that adequate natural light and outlook would serve this room, even in winter as a Sycamore is deciduous. At first floor there is a rear facing window serving 122C's a lounge/dining/kitchen area - this is also served by two roof light. The rear facing first floor window is long in nature and whilst and as a result I consider there still to be adequate natural light and outlook to this room. As such I consider that the

proposed residential accommodation will not be adversely affected by these trees in terms of their standard of living.

Development 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.

The agent has confirmed a Unilateral Undertaking which provides the required financial contribution for the residential units to mitigate the additional recreational pressure on the SPA area will be submitted should Members resolve to approve this proposal.

Conclusion

The proposal would not result in any significant harm to the character and appearance of the Conservation area. The proposal would not impact upon the living conditions of neighbouring residential properties, nor would the proposal prejudice highway safety. It is considered that the standard of accommodation proposed is, on balance, acceptable as whilst under the minimum standard the units proposed rooms are of a regular shape that would allow the occupants to meet their day to day living needs. Furthermore the proposal would see a building that is in a poor state of repair improved through the works

As such accords with Thanet Local Plan Policies SP10, QD02, QD03, QD04, SP35, HE02, H08, G104 and TP06, and paragraphs 197, 130 and 134 of the NPPF.

It is therefore recommended that Members defer and delegate the application subject to receiving a satisfactory Unilateral Undertaking within 6 months of the resolution.

Case Officer

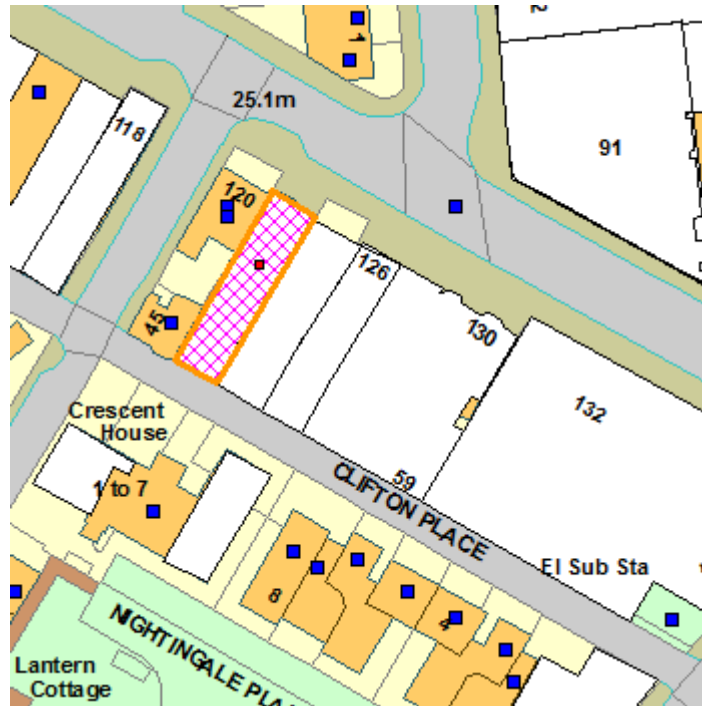
Gillian Daws

TITLE:

F/TH/22/1591

Project

122 Northdown Road MARGATE Kent CT9 2RB



D05

F/TH/22/1668

PROPOSAL: Change of use of first floor retail (Use Class E) to 3no. 2 bed flats and 1no. 1 bed flat (Use Class C3), alterations to shopfront
LOCATION: to facilitate sub-division of ground floor into 3no. retail units, following two storey rear extension

British Heart Foundation 113 - 117 High Street MARGATE Kent CT9 1JT

WARD: Margate Central

AGENT: Mr Peter Munnelly

APPLICANT: Silverland Properties Limited

RECOMMENDATION: Defer & Delegate

Defer and delegate for approval subject to the receipt of a satisfactory signed legal agreement to secure the contributions towards the SAMM project within 6 months and the following safeguarding conditions:

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

GROUND:

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

2 The development hereby approved shall be carried out in accordance with the submitted drawings numbered 0543-PL 1100, 0543-PL 1101, 0543-PL 2104, 0543-PL-2200-Rev A, 0543-PL 2201 and 0543-PL 2300 received 12 April 2023.

GROUND:

To secure the proper development of the area.

3 The external materials and external finishes to be used in the development hereby approved shall be as detailed on drawing numbered 0543-PL-2200-Rev A, received 12 April 2023.

GROUND:

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

4 Prior to the first occupation of the residential units, details of the construction of the ceilings and floors that separate the (residential and commercial unit) shall be submitted to and approved by the Local Planning Authority. The ceilings and floors shall resist the transmission of airborne sound such that the weighted standardised difference (DnT, W + Ctr) shall not be less than 53 decibels. The weighted standardised difference (DnT, W) a

spectrum adaption term, Ctr, is quoted according to BS EN ISO 16283-1:2014 Acoustics - Field measurement of sound insulation in buildings and of building elements Part 1: Airborne sound insulation. The work 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 the residential amenity of future occupiers of the flats in accordance with Policy QD03 of the Thanet Local Plan and the advice contained within the NPPF.

5 An acoustic assessment of compliance with condition 4 shall be submitted to the Local Planning Authority prior to the first occupation of the residential units hereby permitted. Any further mitigation measures recommended in the assessment to meet the criteria stated within condition 4 shall be submitted in writing for the written approval of the Local Planning Authority within 1 month of the assessment. All works which form part of the approved scheme shall thereafter be implemented in accordance with a timetable to be agreed in writing by the Local Planning Authority and thereafter maintained.

GROUND:

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

6 Prior to the first occupation of the flats hereby approved the windows in the northern elevation of Flat 4 and the bedroom windows of Flats 2 and 3, facing onto the internal courtyard 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 of occupiers of the flats in accordance with Policy QD03 of the Thanet Local Plan.

7 The refuse storage facilities as specified upon the approved drawing numbered 0543-PL 1100 and received on 12 April 2023 shall be provided prior to the first occupation of the flats hereby approved and shall be kept available for that use at all times.

GROUND:

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

8 Prior to the first occupation of the flats hereby approved, the secure cycle parking facilities, as shown on approved drawing numbered 0543-PL 1101 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.

SITE, LOCATION AND DESCRIPTION

The site lies within the main town centre of Margate and is a two storey building built in the 1960s and currently occupied by the British Heart Foundation Furniture and Electrical store. The building covers a floor area of three single shop units and has a wide shopfront comprising 8 large display windows and two sets of double doors at ground floor level facing onto the High Street. The ground floor is used for the main display area and the first floor, accessed by a stairwell to the rear of the store, is used for the storage and display of further large furniture items and electrical goods such as washing machines and fridges. The lower ground floor provides a small basement area with a staff room, toilet facilities and a plant room. The rear elevation faces onto Herbert Place and towards the Multi Storey Car Park and comprises double doors used for collections and donations.

PLANNING HISTORY

PN13/TH/23/0004 - Prior approval for the erection of a 2-storey extension above existing 1st floor to provide 6 flats - Pending application awaiting determination

F/TH/17/0333 - Alterations to shopfront GTD 19 April 2017

TH/78/0770/A - Alterations to shopfront GTD 7 April 1981

TH/78/0770 - Retention of loading dock GTD 7 February 1979

PROPOSED DEVELOPMENT

The proposal is for the sub-division of the ground floor retail unit into three separate retail units and change of use of the first floor from commercial retail use to 3No 2-bed and 1No 1-bed flat.

External alterations include alterations to the shopfront to facilitate the sub-division of the ground floor retail space into three units, and provide a separate access and window display area for each unit. At first floor level the existing vertical concrete facade is to be replaced by 6no. full length glazed windows to serve Flats 1, 2 and 3. To the rear it is proposed to erect a two storey extension comprising double glazed dark grey aluminium framed windows to serve Flat 4. Internally 4 self-contained flats would be created with access onto an internal open courtyard at first floor level.

The stairwell to the rear will be redesigned to create a separate access for the residential accommodation and a separate access for the retail units. The rear elevation would include two doors finished with dark grey shutters leading to separate recycling bin stores for the residential and commercial uses.

PLANNING POLICIES

Thanet Local Plan 2020

SP08 - Thanet's Town Centres
SP10 - Margate Town Centre
SP14 - General Housing Policy
SP22 - Type and Size of Dwellings
SP29 - Strategic Access Management and Monitoring Plan (SAMM)
SP36 - Historic Environment
SP43 - Safe and Sustainable Transport
E04 - Primary and Secondary Frontages
GI04 - Amenity Green Space and Equipped Play Areas
HE02 - Margate Conservation Area
HO1- Housing Development
QD02 - General Design Principles
QD03 - Living Conditions
QD04 - Technical Standards
TP03 - Cycling
TP06 - Car Parking

NOTIFICATIONS

Neighbours have been notified, a site notice posted and an advert placed in the newspaper and two representations have been received raising the following concerns:

- There are limited resources for new residents, poor pedestrian access and no parking in close proximity.
- This is just the first part of the planning application for these premises, which if passed will lead to a two story extension (application PN13/TH/23/004) being considered which will give a total 10 flats in this location!
- Out of character with the High Street
- Will cause major disruption whilst the construction is in progress with the already congested pedestrian area which is supposed to be no parking at any time!
- This will be a major blow for the struggling High Street traders.
- The British heart foundation will close if the application is passed as the final intended build will only have 3 small shops- not enough space for a large retailer.
- The addition of 4 dwellings on the first floor will not be suitable for the area as it is mostly commercial premises.
- There is no parking or loading access at the rear of the premises which the dwellings will exit.
- Herbert Place has double yellow lines and no loading at any time for its entire length.
- Changing the large commercial premises to small shops will not be good for the High Street as there are countless small empty shops already

- The loss of a major High Street retailer will have a significant impact on the High Street.
- Disruption caused by the construction phase will severely impact on High Street trading due to boarding, noise and dust.
- How will construction traffic access the area - High Street has no parking and restricted access from 10am until 5pm.
- Any disruption to the High Street will adversely affect my trade and lead to more empty shops.
- The passing of this "First Stage" will smooth the way for the second stage (PN13/23/004) for the two storey extension with 6 dwellings. Giving a total of 10 dwellings for the premises. This will be an unserviceable amount of dwellings in this area.
- The two storey extension will have an overbearing impact and significant loss of outlook

CONSULTATIONS

Conservation Officer - Following a review of the proposed application I do not object to the conversion of the building in principle, especially not on the conversion of the space to residential. There is a limited implication to the setting and appearance of the nearby conservation areas due to the built development between the street scenes and as such is considered to be acceptable.

There is a separate prior notification to extend the building of which would have a greater sense of visual impact to the surrounding environment. However details of materials, colours and design choices have not been provided. These were requested and no further submission made as such I would withhold my comment on the level of implication on this element until further information is provided.

KCC Highways - No comments received

Environmental Health - Providing the ground floor remains retail use then the following ceiling/floor sound reduction condition will be sufficient to protect future occupiers above.

COMMERCIAL/RESIDENTIAL NOISE TRANSMISSION

Prior to the occupation of the residential unit, details of the construction of the ceilings and floors that separate the (residential and commercial unit) shall be submitted to and approved by the Local Planning Authority. The ceilings and floors shall resist the transmission of airborne sound such that the weighted standardised difference (DnT, W + Ctr) shall not be less than 53 decibels. The weighted standardised difference (DnT, W) a spectrum adaption term, Ctr, is quoted according to BS EN ISO 16283-1:2014 Acoustics - Field measurement of sound insulation in buildings and of building elements Part 1: Airborne sound insulation. The work shall then be carried out in accordance with the approved details prior to occupation of the premises and be retained thereafter.

An acoustic assessment of compliance with condition (x) shall be submitted to the Local Planning Authority prior to occupation of the premises hereby permitted. Any further

mitigation measures recommended in the assessment to meet the criteria stated within condition (x) shall be submitted in writing for the written approval of the Local Planning Authority within 1 month of the assessment. All works which form part of the approved scheme shall thereafter be implemented in accordance with a timetable to be agreed in writing by the Local Planning Authority and thereafter maintained.

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

COMMENTS

This application is reported to the Planning Committee at the request of Cllr Helen Whitehead to enable Members to consider the impact of the proposal upon the character and appearance of the area and impact upon neighbouring residential occupiers.

The main considerations in assessing the proposal are the impact on the character and appearance of the area, impact on the living conditions of neighbouring residential occupiers and highway safety.

Principle

The site lies within the main town centre of Margate where Policies SP08 and SP10 relate to development within town centres and identifies the primary and secondary shopping frontages. Within the town centre, Policy E04 supports traditional high street retail functions falling within use classes A1, A2, A3, A4 and A5. These commercial, business and service uses (excluding pubs A4 and takeaways A5) have recently been brought under Class E of the Use Classes Order where the aim of the policy seeks to support the vitality and viability of the town centre.

The British Heart Foundation store has a retail presence within the High Street at ground floor with the first floor also used for retail and the storage of large furniture items. Customers are able to look at items on the first floor but this is primarily used for storage with the main display showroom being on the ground floor. The aim of Policy E04 is to ensure changes of use would not result in fragmentation or erosion of active frontages to a degree that would undermine the function of the centre. The application proposes to provide three retail units at ground floor level with the first floor providing residential accommodation. The site lies within the secondary frontage allocation, which allows for commercial at ground floor level and residential above. The proposal complies with Policy E04 and the other town centre policies, and is therefore considered to be acceptable in principle.

Residential Accommodation

The change of use of the first floor of the building to create 4 residential units would represent development of previously developed land within the existing built-up confines, which is in accordance with policy H01 of the Thanet Local Plan. In this case the site is located close to local amenities and is considered to be sustainably located within the district. The development of this site for housing is therefore acceptable in principle subject

to the consideration of all material considerations in accordance with Local Plan policies and the NPPF.

Character and Appearance

The application site is a two storey commercial building built in the 1960s. The building covers a floor area of three single shop units and has previously been occupied by the RACS (CO-OP) and Mackays retail outlets. The shopfront was altered through planning application permission F/TH/17/0333 from a centrally located entrance to the current shopfront appearance comprising two entrances.

It is proposed to alter the existing shopfront to facilitate the sub-division of the ground floor retail space into three units, and provide a separate access and window display area for each unit. The entrance doors to the retail units would be inset in a similar way to the existing northernmost door. At first floor level the existing vertical concrete facade is to be replaced by 6no. full length glazed windows, introducing a larger amount of glazing to this elevation. The building has a distinctly different appearance from that of the neighbouring buildings and is architecturally unrelated to any other building in this part of the High Street. The first floor windows are required to facilitate the conversion of the first floor into residential accommodation and would provide sufficient light into each flat.

With regards to the appearance of the elevation fronting the High Street the ground floor would retain its retail appearance and the active shop front required by policy E04, with the proposed works not significantly altering the appearance of the building within the streetscene.

At first floor level the existing austere concrete finish would be replaced by 6no. full length glazed windows to serve Flats 1, 2 and 3, with light grey reinforced concrete over cladding between each set of windows. A dark grey metal balustrade would be located on the roof for the maintenance of the existing flat roof.

The site is located close to the Margate Conservation Area which commences approximately 21 metres to the south beyond Covells Row, and is separated from the boundary of the conservation area to the east by the multi-storey car park. The Conservation Officer has been consulted and raises no objection in principle to the development as there is a limited implication to the setting and appearance of the nearby conservation area. It is considered that given the alterations to the building and the proximity of the building to the conservation area the proposed development would have limited impact on its setting, and the development therefore accords with Local Plan policies SP36 and HE02 and the NPPF.

The rear elevation faces onto Herbert Place and towards the Multi Storey Car Park. It is proposed to erect a two storey extension to the rear comprising double glazed dark grey aluminium framed windows to serve Flat 4. The existing stairwell will be redesigned to create a separate access for the residential accommodation and a separate access for the retail units with a metal canopy above the entrance to the flats. Two doors are included within the rear elevation finished with dark grey shutters leading to separate recycling bin stores for the residential and commercial uses. An internal open courtyard is proposed at first floor level between the flats fronting the High Street and the flat to the rear of the site

however this would be screened by the building and would not be immediately visible from the public realm.

The rear elevation of the building has a functional appearance with large prominent red coloured doors providing loading and unloading access for the building. Herbert Road was originally provided as a service road by KCC and together with the multi-storey car park this section of highway is functional rather than attractive to the wider streetscene. The proposed alterations would replace existing narrow vertical windows with more attractive dark grey aluminium framed windows with recessed brickwork detailing above. Together with the dark grey aluminium door to the retail units and dark grey shuttered doors to the recycling bin store, it is considered that the alterations would provide an overall enhancement to this elevation and the streetscene in general.

At roof level above Flat 4 it is proposed to install a dark grey balustrade for the external communal area that is reached via the stairwell. The balustrade is unlikely to be visible from the High Street elevation due to the depth of the building and only small sections are likely to be visible to the rear, between the vertical concrete sections of the building. However, this balustrading is 1.1 metres in height and would not therefore be overly intrusive or detrimental to the wider streetscene. There are soft landscaping areas provided outside Flats 1-3 and this would help soften the appearance of the built form and add biodiversity opportunities to the development.

Policy QD01 relates to sustainable design and sets out that all new buildings and conversions of existing buildings must be designed to reduce emissions of greenhouse gasses and have resilience to function in a changing climate. Policy QD02 relates to general design principles and similarly requires new development to be well designed, respect and enhance the character of the area paying particular attention to context and identity of its location, scale, massing, rhythm, density, layout and use of materials appropriate to the locality. The development itself must be compatible with neighbouring buildings and spaces. This policy is further supported by paragraph 130 of the NPPF which states that decisions should ensure that development will function well and add to the overall quality of the area, and are sympathetic to local character and history, including the surrounding built environment. The existing building is architecturally unrelated to neighbouring building and it is considered that the proposed alterations would introduce window detailing within the High Street that would respect the glazing on the ground floor and would be appropriate in design terms on this unique building. The alterations would introduce modern materials offering potentially improved thermal properties and provide space for additional retail units and alternative uses for the building in the form of residential accommodation on the first floor. Given the variety of architectural styles within the High Street it is considered that the development meets the requirements of Local Plan Policies QD01 and QD02 and the NPPF.

Living Conditions

Many of the commercial buildings within the High Street have residential accommodation within the upper floors and the change of use of the first floor of the building to residential would be compatible with neighbouring uses and likely to have a reduced potential for noise and disturbance to that of a commercial use.

In terms of the living conditions of the future occupiers of the proposed units, Policy QD03 requires new development to be of appropriate size and layout with sufficient usable space to facilitate comfortable living conditions and meet the standards set out in policy QD04. The internal space standards referred to in policy QD04 are the National Described Space Standards (NDSS) which recognises the Council's belief that everyone has the right to a high standard of residential accommodation with sufficient space to meet their own needs. These policies are supported by paragraph 130 of the NPPF which requires a high standard of amenity for existing and future users. The first floor plan shows three 2 bedroomed flats (Units 1-3) and a one bedroomed flat (Unit 4). The minimum gross internal floor area required for a one bedroom two person flat is 50 sq metres and Flat 4 measures 54 square metres, which meets this requirement. The minimum internal floor space required for a two bedroomed 4 person flat is 70 square metres. Flats 1 and 2 measure 88 square metres and Flat 3 measures 95 square metres, which meets this requirement. In addition there is additional storage space provided on the ground and first floors for refuse bins and cycle storage. Each flat has a good internal layout and would provide a good standard of living accommodation for future occupiers.

The communal space would provide access to each flat and is accessible by occupiers of all flats. The 3 flats to the front elevation (Units 1 to 3) make good use of the shape of the building and the large windows would provide a good level of natural light into the rooms. The rear elevation of these flats face onto an internal courtyard where the private entrance for each flat is located, reached via an internal staircase from Herbert Place. The bedroom windows of Flats 2 and 3 face onto the courtyard will need to be finished with obscure glazing to ensure privacy is retained to these rooms. Whilst this would result in reduced outlook for these bedrooms, they are not the main bedrooms for the flats and, therefore given that the main bedroom and lounge area have good quality sized windows, the overall living conditions for the future occupiers of the units are considered to be, on balance, acceptable.

Flat 4 is located to the rear of the site and has windows facing Herbert Place and onto the internal courtyard. There is a distance of approximately 3 metres between the rear facing windows of this flat and windows of Flats 2 and 3. At this separation distance there is potential for direct overlooking and loss of privacy between flats, however the windows of Flat 4 that look into the courtyard are shown finished with obscure glazing. These windows are secondary windows to the flat with the main windows facing towards Herbert Place providing natural light and ventilation to the flat.

The windows within the front elevation are larger than the existing windows serving the commercial unit however these windows would overlook the High Street and have a similar relationship to other first floor windows in surrounding buildings. It is considered that whilst there may be some overlooking from these window it is unlikely that this would result in an unacceptable level of overlooking to warrant refusal in this instance. The windows within Flat 4 face towards the multi-storey car park and would not give rise to overlooking or loss of privacy.

Concern has been raised that the development would lead to loss of outlook and noise and disruption during the construction phase. The building works associated with this application are minimal and include alterations to the shopfront and first floor windows, and erection of

an extension to the rear with alterations to windows and doors. The concerns raised appear to relate to the works proposed through the pending Prior Notification application rather than this application, and are therefore not under consideration through this planning application.

Local Plan policy GI04 requires new dwellings with two bedrooms or more to provide safe doorstep play space for young children. These units would therefore be required to provide a safe doorstep play space. The layout and design of the development incorporates a shared outdoor space to the rear of the building, above Flat 4. This is not considered as doorstep playspace due to its roof level location, however, given the close proximity of the building to local amenities, parks and the beach, and the location of the site within the town centre where it is accepted that this is less opportunity available for doorstep playspace due to the constrained layout of units, it is accepted that doorstep is not achievable in this instance. The roof terrace will however provide external amenity space for the future occupiers of the development, which is a benefit of the scheme.

The recycling refuse storage for the residential units is located on the ground floor and is accessible from Herbert Place. This bin storage is separate from the commercial bin storage which is accessed through a separate door adjacent to the residential storage. Arrangements for waste collection will need to be agreed with the Council's Waste & Recycling department but the facilities shown would provide a solution that keeps the receptacles off the public highway and easy to access when required for use and on collection days.

The residential units would have access from Herbert Road and it is considered that this activity, together with the additional windows proposed facing the service road would provide greater natural surveillance of this space and would help provide a safe environment to the immediate and wider area.

The Council's Environmental Health department has been consulted and requires ceiling and floor installation to be installed between the commercial unit and the residential accommodation above. They have requested an acoustic assessment to be carried out and the mitigation measures carried out accordingly to safeguard the residential amenity of future occupiers. This can reasonably be achieved through planning conditions.

Given the above the living conditions for future occupiers of the flat and surrounding residential occupiers accords with Thanet Local Plan policies QD03, QD04 and GI04 and the NPPF.

Drainage

Southern Water have been consulted and raise no objection requiring a formal application for any new connection to the public foul sewer to be made by the applicant or developer. As the development relates to an existing building connected to the water and drainage infrastructure it is reasonable to assume connections for the additional flat can be made to the services.

Unilateral Undertaking for new Residential Units

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 and an appropriate assessment has been carried out.

The development would comprise one 1 bed flat and three 2 bed flats and therefore a Unilateral Undertaking is required to secure the required mitigation sought from Natural England, which in this instance would be £1,162. The applicant has confirmed a willingness to enter into a Unilateral Undertaking for the required contribution and therefore subject to this being received the proposal meets the requirements of Local Plan Policy SP29.

Highway Safety

Within the town centre of Margate Policy TP06 states that new development proposals will not be required or expected to provide on site car parking spaces. The site is located within the town centre of Margate and whilst no parking provision has been provided the site lies within easy reach of public transport and there are public car parks within easy walking distance of the site including the multi-storey car park to the rear.

Cycle storage is shown on the first floor for occupiers of the flat that would provide secure cycle storage to promote sustainable travel to meet the requirements of Policy TP03.

Given the above it is considered the proposed development would meet the requirements of Thanet Local Plan policies TP03 and TP06 and the NPPF.

Other Issues

- *Prior Approval Application*

Concerns have been raised in relation to a separate prior approval application. The Prior Approval application was submitted to the Council for the erection of two additional storeys above the building to provide 6 units of residential accommodation through Class AB of The Town and Country Planning (General Permitted Development) Order referred to above (PN13/TH/23/0004). Development within Class AB relates to new dwellinghouses on terrace buildings in commercial or mixed use and allows for up to two additional storeys to be constructed above a building of two or more storeys without the need for planning permission, subject to meeting a number of criteria.

Development through the provisions of Class AB is permitted subject to a number of conditions that are set out within AB.2, which includes the requirement to submit a prior approval application, within which the Council are able to consider the external appearance of the proposed works and the impact upon residential amenity of future occupiers of the residential units and surrounding uses.

Concerns raised by nearby neighbours appear to relate to the prior approval application as this application was advertised in advance of the full planning application that is now being considered. The Conservation Officer has withheld comment on the separate prior notification application, requiring further details of materials, colours and design choices of the proposed works. Negotiation is also currently taking place on the design of the development, with consideration given to the impact it would have upon the streetscene.

The prior notification application has not yet been determined and is still under consideration, with a decision expected to follow the decision made on the full application by members. The constitution does not currently allow for prior notification applications to be called in by members for consideration at planning committee, as they fall under the permitted development process and are not classed as planning applications, however, the views of residents will be taken into consideration in the determination of the prior approval application.

- *Construction Noise*

The construction process is regarded as temporary in nature and noise nuisance complaints are considered through Environmental Health and would be a civil matter and is not considered to be material consideration in the determination of this planning application.

Conclusion

The proposed development retains retail use at ground floor level together with an active shop front and therefore does not conflict with the Council's Town Centre policies. The change of use of the first floor of the building to create 4 residential units would meet the requirements of Policy H01 and provide a good standard of living accommodation for future occupiers and would not result in significant harm to the residential amenities of nearby residential occupiers.

It is therefore recommended that Members approve the application subject to a signed unilateral undertaking being received, and the addition of safeguarding conditions.

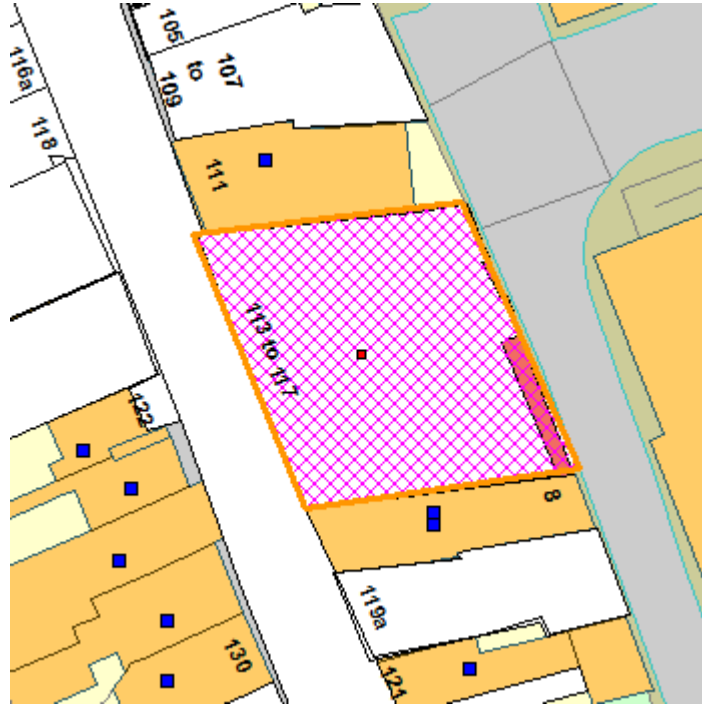
Case Officer

Rosemary Bullivant

TITLE: F/TH/22/1668

Project British Heart Foundation 113 - 117 High Street MARGATE Kent CT9 1JT

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