

**A02**

**F/TH/18/0265**

**PROPOSAL:** Change of use to 9 No 2-bed flats, including the demolition of single storey extensions to the front and rear, and reconstruction of bays to the front together with alterations to fenestration to all elevations comprising of timber to front and UPVC to sides and rear, insertion of 2No. rooflights, erection of front boundary wall, erection of wheelchair charging unit, and bike store to rear , ramps to front and rear and painted render finish to front bays

**LOCATION:**

17 - 21 Warwick Road MARGATE Kent CT9 2JU

**WARD:** Cliftonville West

**AGENT:** Mr Alex Johnson

**APPLICANT:** Thanet District Council

**RECOMMENDATION:** Approve

Subject to the following conditions:

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

**GROUND;**

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

2 The proposed development shall be carried out in accordance with the submitted application and the plans numbered/titled PL.301 received by the Local Planning Authority on 22nd February 2018, Technical Information for Linear Casement Windows received by the Local Planning Authority on 13th March 2018, PL.103 Rev A, PL.201 Rev F received by the Local Planning Authority on 28th March 2018, PL.102 Rev I, PL.203 Rev G, PL.204 Rev D, PL.401 Rev C received by the Local Planning Authority on 3rd April 2018, PL.205 Rev F, PL.206 Rev F & PL.207 Rev D received by the Local Planning Authority on 5th April 2018.

**GROUND;**

To secure the proper development of the area.

3 Prior to the first occupation of the development hereby permitted, the openings within the side elevations identified on the elevation plans numbered PL.205 Rev F, PL.206 Rev F & PL.207 Rev D received by the Local Planning Authority on 5th April 2018 shall be provided and maintained with obscure glazing and restrictors to prevent opening below 1.7m from finished floor level.

**GROUND;**

To safeguard the privacy and amenities currently enjoyed by the occupiers of adjoining residential properties in accordance with policy D1 of the Thanet Local Plan and the National Planning Policy Framework.

4 Prior to the first occupation of the development hereby permitted, the cycle store shown on the plans numbered PL.102 Rev I received by the Local Planning Authority on 3rd April 2018 and the plan numbered PL.206 Rev F received by the Local Planning Authority on 5th April 2018 shall be provided and thereafter permanently retained.

**GROUND;**

In the interests of highway safety.

5 Prior to the first occupation of the development hereby permitted, the location identified for refuse storage at the front of the property as shown on the plans numbered PL.102 Rev I & PL.203 Rev G received by the Local Planning Authority on 3rd April 2018 shall be made available and thereafter permanently retained for this use.

**GROUND;**

In the interests of highway safety.

**SITE, LOCATION AND DESCRIPTION**

The site is located inside the urban confines, within the Norfolk, Warwick and Surrey Road Conservation Area. The site comprises a three storey mid terraced building with a single storey extension to the front elevation which extends almost the full depth and a considerable width of the property frontage. The property also benefits from a single storey extension to the rear.

**RELEVANT PLANNING HISTORY**

The most recent planning site history:

F/TH/15/0205 - Change of use and conversion to 3No. 4 bed maisonettes and 3No. 2 bed flats following demolition of existing ground floor front extension - withdrawn 07/07/2017

F/TH/14/0901 - Change of use to 3No. 4 bed maisonettes and 3No. 2 bed flats following demolition of existing ground floor front and rear extensions - withdrawn 30/10/2014

F/TH/11/0333 - Continued use of property as a house in multiple occupation (HMO) - refused 05/10/2011

F/TH/98/0227 - Change of use and conversion from hotel to 13 self contained flats and 1 self contained maisonette with associated external alterations and bin storage and clothes drying facilities - granted 01/07/1998

## PROPOSED DEVELOPMENT

The application proposes the change of use of the building to 9 No 2-bed flats. The scheme includes the demolition of single storey extensions to the front and rear, reconstruction of bays to the front together with alterations to fenestration to all elevations comprising of timber to front and UPVC to sides and rear, insertion of 2No. rooflights, erection of front boundary wall, erection of wheelchair charging unit and bike store to rear, ramps to front and rear and painted render finish to front bays.

## DEVELOPMENT PLAN POLICIES

### **Saved Thanet Local Plan Policies**

H1 - Housing  
H4 - Windfall Sites  
H10 - Areas in Need of Special Action  
H14 - Affordable Housing  
D1 - Design  
D2 - Landscaping  
SR5 - Play Space  
TR12 - Cycling  
TR16 - Car Parking

### **Cliftonville Development Plan Document**

CV1 - One Bedroom Flats  
CV2 - Retention of Family Housing  
CV3 - Provision of Family Housing  
CV5 - Cycle Parking  
CV6 - Parking Provision Former Hotel Accommodation

## NOTIFICATIONS

Neighbour notification letters were sent to properties directly surrounding the site, a site notice was posted near the site and an advert placed in the local newspaper.

Margate Civic Society raises an objection and consider that the property should be returned to family rather than flatted accommodation.

There have been a further eleven objections received, raising the following concerns:

- Conflict with Local Plan
- Highways issues
- Lack of open space
- Poor standard of accommodation
- Over development
- Out of keeping with character of area
- Noise and anti-social behaviour

- Loss of privacy
- Waste and recycling issues
- Lack of information accompanying application
- Impact on existing community facilities
- Lack of fire escapes

## CONSULTATIONS

**Kent County Council Highways** - I note that no off street parking is available. Previous uses of the site include an HMO with 23 bedrooms and a hotel with 23 bedrooms. There also appears to have been a previous approval for change of use to 14 flats although it is not clear if this has been implemented. I am therefore unsure which of the above uses is currently considered to be lawful, however the proposal for 9 flats is unlikely to generate a significant increase in demand for on-street parking compared to these uses. The site is also located close to bus stops and local services/amenities. The proposals are therefore unlikely to have a severe impact on the highway that would warrant a recommendation for refusal. The cycle parking shown should be secured by condition.

**Thanet District Council Conservation Officer** - No objection. Highly supportive of the reinstatement of ground floor bays which will enhance and preserve the character of the host buildings and the conservation area as a whole.

Further comments:

The properties form part of a Victorian terrace characterised by distinctive three-storey canted bay windows in small hipped roofs to the front. By virtue of their consistency and simple elegant design, the bay windows enhance the appearance of the terrace and the street scene as a whole. The terrace as a whole, therefore, contributes positively to the architectural and historic interest of the conservation area.

A modern ground floor extension has been added to the front of No 17-21 which is unattractive and has resulted in removal of the bay windows to the ground floor. The rest of the properties in the terrace retain their bay windows in the ground floor. In addition, most of the windows as well as the doors in the street have been replaced with upvc units to the front with the exception of few properties which retain traditional timber sash windows. The modern extension and the installation of upvc windows in particular to the front has been recognised in the conservation area appraisal as a negative impact and erode the character and appearance and the significance of the conservation area.

The application seeks to reinstate the bay windows to the ground floor and install timber windows (although only to the front of the properties). In my view this would be a positive contribution to the character and appearance of the street scene and the conservation area as a whole. I also find that the impact of the proposed upvc windows to the side and rear although not seen from the street, on the significance of the properties and the conservation area would be neutral in terms of replacing one incongruous feature to another.

I therefore support the application through the reinstatement of the front ground floor bay window and installation of timber windows to the front and overall I consider this will be an

enhancement to and a positive contribution to the character and appearance of the conservation area.

**Thanet District Council Waste and Recycling** - Assuming the grey and blue squares to the front of the plans are the proposed bin storage area and that there is enough room to house the required number of containers for 9 flats we have no concerns regarding the waste collection and storage at this development.

## COMMENTS

The application is brought before members as the applicant is Thanet District Council.

The main considerations in determining this application are the principle of development, the impact on the character and appearance of the Conservation Area, the impact on the living conditions of future and neighbouring property occupiers and highways issues.

### **Principle**

The three storey mid terraced property lies inside the urban confines, within the Norfolk, Warwick and Surrey Road Conservation Area. The planning history indicates that the last lawful use of the site is as a hotel but the property has most recently been used as a house in multiple occupation. The building is currently vacant.

Residential development of the site is in accordance with Saved Policy H1 of the Thanet Local Plan which supports development on previously developed land. The scheme proposes the conversion of the existing building, which lies within the urban confines and as such complies with the principle of this policy and is consistent with the objectives of the National Planning Policy Framework in relation to the presumption in favour of sustainable development.

The site also lies within an Area in Need of Special Action as outlined within saved Policy H10 of the Thanet Local Plan. This policy states that the Council will permit appropriate redevelopment to accommodate residential and other appropriate uses and support refurbishment of property together with environmental improvements. There are no policies preventing the loss of hotel accommodation in this area and the replacement of non self-contained accommodation is encouraged. It is therefore considered that the proposed change of use of the building to residential accommodation is appropriate in this location.

The site is located within the Cliftonville West Renewal Area. The Cliftonville Development Plan Document (DPD) covers this area and contains policies that restrict specific forms of residential development in this location.

Policy CV1 of the Cliftonville DPD states that proposals to provide single bedroom flatted accommodation, bed-sits and non self-contained accommodation (houses in multiple occupation) within this area will not be permitted. The scheme proposes 9 No. 2 bed flats and therefore does not conflict with this policy.

Policy CV2 of the DPD seeks the retention of family housing and as such planning permission would not be granted for the subdivision of properties currently or last lawfully used as single family accommodation. The last use of the property was not as single family accommodation and therefore the proposal does not conflict with this policy.

Policy CV3 of the DPD relates to the provision of family housing in new developments. The policy states that in new development or redevelopment flats of any size will not be permitted unless it can clearly be demonstrated that there are overriding design or townscape reasons for allowing such development and that no acceptable design solution can be found to accommodate individual family dwellings. It is noted that the policy does not specifically relate to the conversion of existing buildings. The proposed change of use to 9No. 2 bed flats would not meet the definition of an individual family unit as defined by the policy. It is noted, however that the proposed units would all be 2 bedroom units which could house a family. The application building is three storeys in height and of substantial size and given the internal layout it is not considered that the scale and layout of the property lends itself to use as single dwellinghouses. It is therefore considered, in this instance that there are design reasons which restrict the use of the application property as single dwellinghouses as outlined within Policy CV3.

The scheme forms part of the Council's 'Live Margate Housing Intervention Initiative' which aims to address the housing balance within the wards of Margate Central and Cliftonville West through direct intervention in the property market. This proposal would bring forward 9 units of affordable housing, in accordance with Saved Thanet Local Plan Policy H14.

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

### **Character and Appearance**

The application property is a mid-terrace, three storey building with a substantial frontage. The site lies within a Conservation Area and as such Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that 'special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.' Paragraph 131 of the National Planning Policy Framework requires local planning authorities to take account of the desirability of sustaining and enhancing the significance of heritage assets, and the desirability of new development making a positive contribution to local character and distinctiveness.

Development in this sensitive area should preserve, reflect and enhance the historic character of the Conservation Area. The scheme proposes the re-use of a prominent building within the streetscene which currently lies vacant. The proposed external alterations to the front elevation of the property comprise the removal of a dominant, poor quality single storey flat roof extension, the reinstatement of bays and 2no. new openings at ground floor level with a canopy over which would be in keeping with the frontages and door positioning of other terraced properties within the streetscene and the replacement of the existing UPVC openings to this elevation with timber, together with alterations to the external finish of the property. There would also be ramps installed to provide access to the front doors and the continuation of the partial boundary wall which currently exists to the front of the site. The

waste and recycling bins for the property would be sited behind the proposed boundary wall and as such would be substantially obscured from view.

It is considered that the alterations proposed to the front elevation and frontage of the site, comprising the reinstatement of traditional features would significantly enhance the building and streetscene, resulting in a development which would make a positive contribution to the special character and appearance of the Conservation Area.

The property currently benefits from UPVC openings to the side and rear elevations and the proposed UPVC openings to these elevations, together with the proposed rooflights would not be visible from public vantage points and as such are considered to have a neutral impact on the character and appearance of the area. The ramp, cycle store and wheelchair charging structures proposed to the rear of the site would also not be visible from the public highway and therefore would have no detrimental impact on the character and appearance of the area. It is considered that the proposed removal of a poor quality single storey extension to the rear of the building, whilst not viewable from the public highway, would result in an improved visual appearance of the property and a reduction of built form which extends into the rear amenity space.

For the reasons outlined above it is considered that the proposed change of use and associated alterations would respect the character and appearance of the streetscene and enhance the special historic character of the Conservation Area as a designated heritage asset in accordance with Saved Thanet Local Plan Policy D1 and the National Planning Policy Framework.

### **Living Conditions**

In terms of living conditions, the proposed change of use would provide 9No. 2 bedroom flats with three flats to each of the three floors. Each of the flats would have 2no. bedrooms, a kitchen/living/dining room, a bathroom and internal storage space. The three flats at ground floor level are designed to accommodate residents with impaired mobility and whilst some of the bedrooms at this level are slightly under the size outlined within the Flat Conversion Guidelines, the discrepancy in size is minimal, with the internal space configured to meet the changing mobility needs of future residents and the overall size of the units are larger than the 50sqm required for a 2 bed unit.

All of the flats would benefit from natural light and ventilation to all habitable rooms and the layout of rooms within each flat which is generally mirrored on each floor reduces the potential for noise and disturbance between units. Therefore, whilst a small proportion of rooms do not meet the guidance exactly, the flats would have an acceptable layout and size, resulting in a good standard of accommodation.

Saved Thanet Local Plan Policy SR5 requires new family dwellings to provide safe doorstep play space for young children. All of the flats would have access to the communal amenity space to the rear of the site, measuring 153m<sup>2</sup>. Whilst the space to the rear of the site is limited and would also house a ramp, cycle storage and wheelchair charging, there is space available for use in line with this policy and it is noted that the site lies a short distance from the Oval Gardens and Queens Promenade. Given the constraints of the site and close

proximity of public open space, it is considered, on balance, that the communal space available on site for doorstep playspace is acceptable. Space for clothes drying is identified within the units and the communal space to the rear of the site could also be used for this purpose.

There are a number of openings within the side elevations, above ground floor level, which have the potential to result in a loss of privacy for future occupiers of the flats and neighbouring property occupiers. These openings serve bathrooms and are shown as obscure glazed on the plans, it is considered appropriate to add a safeguarding condition to ensure that these openings are obscure glazed and openings restricted below 1.7m from finished floor level in order to protect residential amenity.

In terms of neighbouring residential amenity, there are no new openings proposed above ground floor level within the rear elevation and as such no material harm would be caused to the living conditions of neighbouring property occupiers in terms of mutual overlooking, above the existing relationship, given the previous uses of the site. There are also no extensions proposed to the main building and the proposed reduction of built form through the removal of the existing single storey additions would potentially reduce the impact on neighbouring occupiers.

Concern has been raised with regards to the noise and disturbance which may result from the number of future occupants and limited amenity space. There is nothing to suggest that the future occupiers of these units would create an excessive amount of noise in comparison to previous lawful and permitted uses of the site, and this is predominantly a management issue, not attributable to the concentration of units of the proposal.

For the reasons outlined above it is considered that the proposal would provide a good standard of accommodation for future occupiers and would not cause material harm to the living conditions of neighbouring property occupiers, in accordance with Saved Thanet Local Plan Policies and the National Planning Policy Framework.

### **Highway Safety**

The site history indicates that the last lawful use of the property was as hotel and that the building has been used most recently as a house in multiple occupation. Whilst concern has been raised with regards to parking issues, the Kent County Council Highways Officer considers that the proposal for 9 flats is unlikely to generate a significant increase in demand for on-street parking compared to these uses and as such the proposed development complies with Saved Policy TR16 of the Thanet Local Plan and Policy CV6 of the Cliftonville Development Plan Document.

The site lies in a highly sustainable location with access to a range of goods and services offered within Northdown Road and the local public transport network. In accordance with Saved Policy TR12 of the Thanet Local Plan and Policy CV5 the scheme makes provision for the secure and covered storage of cycles to the rear of the site. The provision of 7no. cycle spaces is considered appropriate, having regards to the nature of the accommodation at ground floor level, designed for residents with impaired mobility, and as such the application also makes provision of a wheelchair charging unit to the rear of the site.

For these reasons it is not considered that the proposed development would give rise to any significant adverse impacts in terms of highway safety or amenity, with no evidence to support an objection on this ground.

For the reasons outlined above, it is considered that, subject to the imposition of a safeguarding condition securing cycle parking, the proposal is not considered to result in material harm to highway safety or amenity to warrant refusal of the application.

### **Other Matters**

Concern has been raised in relation to the provision of fire escapes, this would be dealt with through Building Control.

Concern has been raised that there is a lack of information accompanying the application. However, all necessary information has been submitted to allow the application to be determined.

Alternative proposals suggested within representations received are not under consideration. The report assesses the proposal before Members which must be considered on its own merits.

### **Conclusion**

In conclusion, it is considered that subject to appropriate safeguarding conditions, the proposed change of use would improve the aesthetic appearance of the building, the contribution the site makes to the streetscene and the Conservation Area as a designated heritage asset. It would provide a good standard of accommodation for future occupiers and would not result in material harm to the living conditions of neighbouring property occupiers or highway safety. Therefore the development is in accordance with Saved Thanet Local Plan Policies, Cliftonville Development Plan Document Policies and the National Planning Policy Framework and the application is therefore recommended for approval.

### **Case Officer**

Helen Johnson

TITLE: F/TH/18/0265

Project 17 - 21 Warwick Road MARGATE Kent CT9 2JU

Scale:

