

R04

F/TH/18/1678

PROPOSAL: Change of use of basement to 1no. 1-bed self-contained flat

LOCATION: 52 Station Road Westgate On Sea Kent CT8 8QY

WARD: Westgate-on-Sea

AGENT: Mr Graham Doyle

APPLICANT: James Evans

RECOMMENDATION: Refuse Permission

For the following reasons:

1 The sites lies within the Westgate-On-Sea Conservation Area, and it is the duty of the council, as the Local Planning Authority to pay special attention to the desirability of preserving and enhancing its character and appearance. The proposed lightwells by virtue of their siting, materials and appearance would result in an incongruous, uncharacteristic and intrusive feature within the street scene, which would not relate to the uniform character and appearance within this part of the Westgate-On-Sea Conservation Area resulting in an alien feature at odds with the surrounding character and appearance of the locality. The proposed development will therefore result in less than substantial harm to the character and appearance of the surrounding Conservation Area, which is not considered to be outweighed by a public benefit, and is therefore contrary to Policy D1 of the Thanet Local Plan and paragraphs 127, 130, 192, 193 and 196 of the National Planning Policy Framework.

2 The proposed change of use of the basement to a self-contained flat would provide an unacceptable standard of residential accommodation for its future occupiers, by virtue of the layout, ensuing levels of natural light and ventilation to the unit, and outlook from the unit. The proposal would also result in a residential unit of limited size, which fails to meet the minimum national space standards as set out within Draft Local Plan Policies QD03 and QD04 and the Council's Supplementary Planning Guidance on Conversion to Flats. The proposal is therefore considered to be contrary to Policy D1 of the Local Plan, Draft Local Plan Policies QD03 and QD04, and paragraph 127 of the National Planning Policy Framework, which seeks to secure high quality design and a high standard of amenity for all future occupants of development.

3 The proposed development will result in increased recreational 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 paragraph 118 of the NPPF and the Habitats Directive.

4 An acoustic assessment has not been submitted, and therefore the application has failed to demonstrate that there would not be significant harm to the living conditions of future occupiers as a result of the proximity to and relationship with the commercial premises

above, and the adjacent railway, contrary to Policy D1 of the Thanet Local Plan and paragraph 127 of the NPPF.

SITE, LOCATION AND DESCRIPTION

The application site is the unused basement area below no. 52 Station Road, a bakery 'The Krusty Kob' and commercial use within Westgate. The site is situated within the Westgate-on-sea Conservation Area and backs onto the train station. 52 Station Road is located at the east end of a terrace of a terrace of victorian properties which have shops at street level and two storey residential accommodation above. The street elevation is characterised by projecting bay windows, hung clay plain and scallop pattern tiles and red clay facing brick.

RELEVANT PLANNING HISTORY

No relevant planning history.

PROPOSED DEVELOPMENT

The proposal is for the change of use of the basement to 1 no. 1 bed self-contained flat together with external alterations. The basement area is vacant with access through a hatch from the bakery on the ground floor currently. A former staircase is detailed to have been positioned underneath the existing staircase serving the first floor flat. The entrance to the proposed basement flat is situated at the rear of the property. New entrance doors are proposed within the rear elevation, under an open canopy, to provide access to the first floor flat and the basement flat. The existing entrance to the first floor flat on the side elevation is to be replaced with a window, which will serve the stairwell leading down into the basement flat. The proposed flat comprises of a kitchen/living/dining area to the front of the property, a double bedroom and a shower room to the rear of the property. The flat is proposed to be served by two windows underneath a newly inserted glazed pavement light set within the street above and some light tubes.

DEVELOPMENT PLAN POLICIES

(THANET LOCAL PLAN 2006 - SAVED POLICIES)

D1 - Design Principles
D2 - Landscaping
H1 - Housing
H4 - Windfall site
SR5 - Door step play space
TR12 - Cycling
TR16 - Car parking

CONSULTATIONS

Conservation Officer - No. 52 forms part of a terrace of four properties which have many identical architectural features on the front elevations and have a notable degree of

consistency in appearance. I consider that no. 52 and the terrace as a whole contributes positively to the overall character and appearance of the streetscene and the Conservation Area as part of a distinctive group of buildings of which it is a part.

Whilst there are buildings within the Conservation Area that include lower ground floors with light wells at street level, as evidenced on the north side of the street, there are no lightwells existing on the south side of the street or to any of the properties within the terrace which the host building forms a part. The proposed front lightwell would therefore be at odds with the building's and the group's distinctive composition by adding a subterranean dimension to the building's facade. This would depart from the uniformity in character and appearance which exists within the group of buildings and as a result the proposal would be an incongruous alteration in contrast to those of its adjoining buildings.

In addition, I consider that the level of natural light and outlook to the front room within the basement that would be achieved by the installation of the proposed lightwell would be sufficient or acceptable.

In terms of the advice of the NPPF, the harm caused to the heritage asset would be less than substantial harm, but I do not consider that there would be enough public benefits from the scheme that would outweigh the harm. The proposal would therefore be contrary to the advice on NPPF and the duty required under s. 66(1) of the P(LB & CA) Act, 1990.

Natural England - On the basis of the appropriate financial contributions being secured to the relevant scheme, NE concurs with the Local Authority conclusion that this is suitable mitigation as such the proposed developments will not have an adverse effect on the integrity of Thanet Coast and Sandwich Bay SPA and Ramsar Site.

Environmental Health - I have reviewed the above application on behalf of Environmental Health and have concerns over the possible noise impact from the operation of the bakery along with the proximity to the railway. I would therefore request that an acoustic assessment be submitted so that the application can be considered further. Without an acoustic assessment I would have to recommend refusal.

REPRESENTATIONS

A site notice was posted and neighbours notified. No neighbour representations have been received.

Westgate On Sea Town Council - The design statement has some interesting features but the Town Council objects to this proposal under Policy D1 which would be on the grounds of no natural light, lack of ventilation, potential fire risk and lack of outward facing aspect (i.e no external windows).

COMMENT

The application has been called to planning committee by Cllr Sam Bambridge on the grounds of the consideration of the impact to the Westgate-on-Sea Conservation Area and bringing the vacant basement back into use.

Principle

The proposal site is located within the urban confines of Westgate-On-Sea. There is a lack of planning history for the site which includes the basement and it is considered that whilst the applicant has stated the site was previously used as habitable space, this may be historic from when the property was built. It is unclear what the most recent previous use of the basement area has been for. The application form states it has been empty since 1950, and therefore it is likely that any use has been in association with the commercial ground floor use as potential storage space.

Policy E06 - District and Local Centres of the Draft Local Plan to 2031 details that residential accommodation will be permitted in District and Local centres where this would not fragment or erode the commercial frontages of such locations to a degree that compromises footfall or otherwise undermines the function of the centre. The proposal does not impact upon the loss of the commercial unit at ground floor level, and therefore in principle a residential use at basement level would be acceptable in this location, subject to other material considerations including the impact upon the conservation area, living conditions of future occupiers, and highway safety.

Character and Appearance of the Area

The site is situated within the Westgate-On-Sea Conservation Area. In terms of the external changes proposed to the property, these comprise of the insertion of three sections of glazing set within the pavement at street level in order to serve the lightwell below; the change of a side entrance door to the first floor flat to a window and the reinstatement of a canopy to the rear elevation above two new georgian style timber entrance doors to serve the first floor flat and the basement. The change of the side door to a window is considered to be acceptable as this will not be highly visible from within the Conservation Area. The canopy to the rear and the two new doors do not result in any significant harm to the Conservation Area and are a reinstatement of an existing canopy.

In terms of the street level glazing to the pavement at the front, the heritage statement suggests that there was previously pavement glazing, which has been replaced with pavement. There is a lack of photographic evidence submitted with the application to sufficiently detail this. The Conservation Officer considers that there are no lightwells existing on the south side of the street or to any of the properties within the terrace which the host building forms a part. The proposed front lightwell would therefore be at odds with the building's and the group's distinctive composition by adding a subterranean dimension to the building's facade. This would depart from the uniformity in character and appearance which exists within the group of buildings and as a result the proposal would be an incongruous alteration in contrast to those of its adjoining buildings. The insertion of the pavement glazing will therefore fail to preserve or enhance the character and appearance of the Westgate on Sea Conservation Area, resulting in harm to the setting of the designated heritage asset, contrary to Policy D1 of the Thanet Local Plan, and the NPPF. Whilst the proposed development would achieve some public benefit through the provision of an additional residential unit to contribute towards the District's housing supply, the weight to be applied to the unit as a public benefit is dependent upon the quality of accommodation proposed.

Living Conditions

Paragraph 127 requires that planning decisions should ensure that developments create places with a high standard of amenity for future users.

The proposal is for a one bedroom two person flat. The proposal does not meet the minimum space standards as set out in Policy QD03 of the Draft Local Plan to 2031, as the total floorspace proposed is 35sqm and the national space standard for a 1 bedroom 2 person flat is 50sqm. There are also significant concerns in relation to the level of natural light which would be able to serve the basement. The proposal indicates that natural light will be supplied from the glazing within the pavement into the lightwell and then through the two windows set within the basement front elevation. There are also natural light tubes proposed from the roof of the canopy which are intended to serve flat. It is not considered that there would be sufficient natural light to serve the flat, thereby resulting in a poor standard of living conditions for future occupiers. In addition to this, there is also a lack of outlook, as the only two windows to serve the flat within the front elevation look out onto a narrow light well, with a blank wall sited only 0.7 metres from the windows; and a lack of ventilation, which is not considered to be resolved through the use of the proposed vents. There is space for refuse storage within the access way although this is not detailed on the plans.

The application is also contrary to the Thanet District Council flat conversion guidelines as each habitable room (eg. living room, bedroom, dining room) and kitchen should have a glazed, external window area equivalent to at least 10% of the floor area of the room, and some part of the window should be at least 1.75m (5'9") above floor level and each habitable room and naturally ventilated water closet compartment should be ventilated to the external air by a window, the openable area of which is equivalent to at least 5% of the floor area of the room.

The environmental health officer has been consulted and has raised concerns over the possible noise impact from the operation of the bakery along with the proximity to the railway, and therefore requests that an acoustic assessment be submitted in order for the applicant to be able to demonstrate that conditions for future occupiers in relation to the proximity to the commercial unit and railway are acceptable. An acoustic assessment has not been submitted with the application and therefore forms a reason for refusal.

It is therefore considered that overall the proposed change of use of the basement to a self-contained flat would provide an unacceptable standard of residential accommodation for its future occupiers by virtue of the layout, proximity to the railway and commercial unit resulting in noise and disturbance, poor levels of natural light, ventilation, and outlook to the unit, as well as the size of the unit falling below the standards as set out within Policy QD03 of the Draft Local Plan. The proposal is therefore contrary to Policy D1 of the Thanet Local Plan, Policy QD03 of the Draft Local Plan to 2031, the Thanet District Council Flat conversion guidelines and paragraph 127 of the National Planning Policy Framework.

Transportation

The proposal site is situated within a local centre of Westgate. There is nearby on street parking available and the site is within a sustainable location in close proximity to Westgate-On-Sea train station and nearby bus routes. There is not any provision made within the application for cycle parking currently, but an area within the access alley could be made available for secure cycle storage. The proposal is not considered to create any harm to the public highway or safety and is considered to be acceptable in highway terms.

Special Protection Area

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 1km from 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 to contribute to the district wide mitigation strategy.

The tariff for this contribution is provided in the SAMM report. For this development the contribution required is £202. The applicant has not agreed to this contribution, and no legal agreement has been submitted, and therefore it is considered that the proposed development will result in increased recreational pressure on the Thanet Coast and Sandwich Bay Special Protection Area (SPA), and Sandwich Bay and Hacklinge Marshes Site of Special Scientific Interest (SSSI), without adequate mitigation to relieve the pressure, the proposed development, and will therefore be contrary to paragraph 118 of the NPPF and the Habitats Directive.

CONCLUSION

The proposed development would result in unacceptable standard of residential accommodation for its future occupiers, by virtue of the poor layout, lack of natural light, ventilation and outlook to the unit, as well as the limited size of the unit, which falls below the standards as set out within Policy QD03 of the Draft Local Plan, and the Council's Supplementary Planning Guidance on Conversion to Flats. Furthermore, the proposed development would result in a harmful impact upon the Westgate On Sea Conservation area as a result of the insertion of pavement glazing at street level, which is not outweighed by public benefits given the poor standard of accommodation proposed within the additional residential unit. The proposal would also cause harm to the Special Protection Area, as no mitigation to relieve the pressure from the proposed development has been agreed or secured. It is therefore recommended that Members refuse the application.

Case Officer

Lauren Hemsley

TITLE: F/TH/18/1678

Project 52 Station Road Westgate On Sea Kent CT8 8QY

Scale:

