

**A01**

**F/TH/19/0223**

**PROPOSAL:** Change of use of existing storage building to coffee shop (use

class A1), and installation of timber bi-folding doors behind

**LOCATION:** existing refurbished stable doors in north-east elevation

Store Rear Of Former Stable Block Hartsdown Park Margate  
Kent CT9 5TJ

**WARD:** Garlinge

**AGENT:** Mr Ian Horswell

**APPLICANT:** Mr Sam Berry

**RECOMMENDATION:** Approve

Subject to the following conditions:

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

**GROUND;**

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

- 2 The proposed development shall be carried out in accordance with the submitted application as amended by the revised drawings numbered 02 Rev B dated 22nd March 2019

**GROUND;**

To secure the proper development of the area.

- 3 The existing timber stable doors shall be retained in accordance with the approved plan numbered 02 Rev B, received 22nd March 2019, and the agent's correspondence received 22 March 2019.

**GROUND:**

In the interests of visual amenity, in accordance with Policy D1 of the Thanet Local Plan.

- 4 The premises shall be used as an coffee shop and for no other purpose including any other purpose in Class A1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

**GROUND;**

To secure the proper development of the area in accordance with Thanet Local Plan Policy CF1.

### SITE, LOCATION AND DESCRIPTION

The site is located within Hartsdown Park, and consists of part of the former stable block. The site lies adjacent to informal playspace within the park to the south, Hartsdown Leisure Centre to the east, and Manor House nursery to the west. The remainder of the former stable block is currently used for storage and office space.

### RELEVANT PLANNING HISTORY

No relevant planning history

### PROPOSED DEVELOPMENT

The proposal is for the change of use of part of the former stable block to a coffee shop use, with a few tables and chairs located inside, but mostly of a retail takeaway function. The proposed unit is accessed via the side stable doors into the park area. New grey, timber bi-folding doors are being installed internally behind the existing stable doors, which are to be retained for security purposes. The proposed use would be open during the hours of 8am and 4pm, 7 days a week.

### DEVELOPMENT PLAN POLICIES

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

CF1 - Community Facilities  
D1 - Design Principles  
TC1 - New Retail Development

#### **Draft Local Plan**

CM01 - Provision of new community facilities

### NOTIFICATIONS

Neighbouring occupiers have been notified and a site notice posted. No letters of correspondence have been received.

### CONSULTATIONS

No consultee responses received.

### COMMENTS

This application is brought before members as the application is made by Thanet District Council and as a departure from policy TC1 of the Thanet Local Plan.

### **Principle**

There are no policy restrictions on the site requiring the building to remain in its current use. The main consideration is therefore whether the principle of the proposed use is acceptable.

### **Retail Use**

Policy TC1 of the Thanet Local Plan requires new retail development should be located in the core commercial centres of Margate, Ramsgate, Broadstairs and Westwood and outside of these areas it would need to be demonstrated that there is no sequentially preferable location, development is of an appropriate scale, there is no unacceptable impact upon the vitality and viability of the existing centres and the location is acceptable.

Paragraph 86 of the NPPF also requires that a sequential test be applied to planning applications for main town centre uses which are neither in an existing centre nor in accordance with an up-to-date plan.

A sequential test has not been submitted with this application, and in any event, given the scale of the retail unit proposed, it is likely that any such submission would prove that there are more appropriately located units within the town centre. For this reason, the proposed development is contrary to Policy TC1 of the Thanet Local Plan, and paragraph 90 of the NPPF, which states that where an application fails to satisfy the sequential test, it should be refused.

### **Community use**

The proposal is for a coffee shop use within Hartsdown Park. It is small in scale, can be accessed directly from the park, and is close to the pedestrian footpaths used frequently by pedestrians who are either walking dogs, accessing the football pitches adjacent to the site, or using the footpath as a direct link to access nearby facilities such as the seafront, Margate town centre or Dreamland. Furthermore the site lies adjacent to a leisure centre and children's nursery, along with other sport related facilities within surrounding outbuildings. As such, the proposed use would serve a wide catchment of people in varying activities within Hartsdown Park.

Paragraph 91 of the NPPF states that planning decisions should aim to achieve healthy, inclusive and safe places which enable and support healthy lifestyles, especially where this would address identified local health and well-being needs - for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling.

Furthermore, paragraph 92 of the NPPF states that planning decisions should plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of

worship) and other local services to enhance the sustainability of communities and residential environments.

The provision of a coffee shop within the park, which is directly accessible from the park and adjacent to existing sport facilities, would help to support surrounding uses, whilst also contributing to the provision of a shared sustainable community space. The use would only be accessible by walking or cycling, with no direct vehicle access, and as such it is unlikely that the location of the proposed coffee shop will have an impact upon the viability of the town centre, as such a use is only likely to serve the park area within which it is located.

The proposed development is further supported by Policy CM01 of the Draft Local Plan, which defines local shops as a community facility, and states that proposals for new community facilities will be permitted provided they are of a scale to meet the needs of the local community, are in keeping with the character of the area, are provided with adequate parking and operational space, are accessible by walking or cycling to the local community, are located within or adjacent to the community or settlement they serve, and would not significantly impact upon the amenity of neighbouring residents.

The proposed development, as a local community facility, would comply with this criteria (subject to the impact upon the character of the area and neighbouring amenity being acceptable), and as such the principle of the proposed use as a community facility is considered to be in accordance with Policy CM01 of the Draft Local Plan, and paragraphs 91 and 92 of the NPPF.

### **Character and Appearance**

The proposal is for a change of use of part of the former stable block, with the only physical development being the introduction of timber bi-folding doors behind the existing timber stable doors, which are to be refurbished and retained for added security to the unit. Being a former stable block to Hartsdown House, the building is of some historic significance, and therefore the retention of the existing timber stable doors is completely supported, as this enables the historic character and understanding of the building to be preserved.

In terms of the use, the proposed coffee shop will change the character of the area immediately surrounding this part of the building, which is currently a quiet and unused part of the park located between the leisure centre and stable block buildings; but given the modest size of the use, there will be minimal impact to the character of the area, with minor beneficial impacts from the increased activity created by the proposal .

The impact upon the character and appearance of the area is therefore considered to be acceptable, and in accordance with Policy D1 of the Thanet Local Plan, and the NPPF.

### **Living Conditions**

There are no neighbouring occupiers within close proximity of the site, and the proposed use is only intended to be available between the hours of 8am and 4pm, so any noise and disturbance from the proposed use would be minimal. The impact upon neighbouring living

conditions is therefore considered to be acceptable and in accordance with Policy D1 of the Thanet Local Plan and the NPPF.

### **Transportation**

It is expected that the proposed use will be accessed predominantly by pedestrians and cyclists given its sustainable location within the park; however, should access by car be required, there is parking capacity within the existing leisure centre car parks, and within the curtilage of the adjoining storage building. Cycle parking is available in front of the leisure centre close to the site.

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

### **Conclusion**

Whilst the proposed use would represent a departure to Thanet Local Plan Policy TC1, as sequentially preferable locations are available for the town centre use, the proposed use would provide social benefits through the provision of space for meeting and community engagement and would provide environmental benefits through the reuse of an under utilised building and the retention of its historic features, within a sustainable park location accessible by pedestrians and cyclists. There would also be minor economic benefits from the employment created by the proposal (2no. full time and 2no. part time employees) Overall the benefits to the community are considered to outweigh the potential harm to the viability of the town centre, and as such it is recommended that members approve the application as an acceptable departure to Policy TC1 of the Thanet Local Plan.

### **Case Officer**

Emma Fibbens

TITLE:

F/TH/19/0223

Project

Store Rear Of Former Stable Block Hartsdown Park Margate Kent CT9 5TJ

