

people visiting the business in addition there is a bus stop in close proximity to the site. The site can also be accessed from the rear.

RELEVANT PLANNING HISTORY

F/TH/19/0235 Erection of part single storey/part two storey rear extension to facilitate rear extensions to both restaurants together with attached 1No. 2 bed dwelling. Refused 25/04/2019

F/TH/18/0244 Change of use from newsagents (use class A1) to takeaway (use class A5) together with a single storey rear extension and installation of flue. Granted 27/06/2018

PROPOSED DEVELOPMENT

The proposed development is the change of use of first and second floors to a 5 bedroom House of Multiple Occupancy (HMO). In terms of external changes a rear first floor extension is proposed.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan 2020

HO19 - House in Multiple Occupation

QD02 - General Design Principles

QD03 - Living Conditions

TP02 - Walking

TP03 - Cycling

TP06 - Car Parking

NOTIFICATIONS

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

One letter of objection has been received raising concern about lack of parking for the occupants.

CONSULTATIONS

TDC Housing - *Final comments* - Based on the amended floor plans, we would look to licence the property for a maximum permitted occupation of five persons, five households.

Initial comments - The TDC Amenity Guidelines suggest that 11 sq m is needed for any double room where a living room (shared or private) is available and 7 sq m for any single person room. Based on the proposed plans, all bedrooms would be large enough to be used as sleeping accommodation for a single person.

We expect to see one shared kitchen per five occupiers and so on that basis the maximum permitted number of persons would be five.

There is a licensed HMO at 332A Margate Road, Ramsgate and at 340A Margate Road, Ramsgate. I have no information as to whether there are any smaller HMOs with shared accommodation (up to 4 persons) in the vicinity. As such smaller HMOs are not licensable, we have no records as to their whereabouts.

Kent Police - Final comments - we confirm that if the lighting to the rear of the property at the main access door is formally secured by Planning Condition then we, on behalf of Kent Police have no objection.

Initial comments - We are significantly concerned that this type of accommodation could set a precedent and increase the opportunity for crime, ASB, nuisance and conflict. We are also aware that there are government regulations that encourage accommodation of small units above shop units where appropriate.

Less secure doors, windows, access routes and communal areas could easily increase the opportunity for crime, fear of crime, ASB, nuisance and conflict and affect both those living in the accommodation, existing residences and the businesses could suffer.

Southern Water - Southern Water requires a formal application for a connection to the public sewer to be made by the applicant or developer. We request that should this application receive planning approval, an informative be attached.

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.

The proposed development would lie within a Source Protection Zone around one of Southern Water's public water supply sources as defined under the Environment Agency's Groundwater Protection Policy. Southern Water will rely on your consultations with the Environment Agency to ensure the protection of the public water supply source.

COMMENTS

This application has been brought to committee by Cllr. Albon for members to consider the impact of the proposed use and development upon the area.

Principle

The site is located within the urban confines of Ramsgate and comprises an existing residential dwelling at first and second floor.

Policy HO19 states that proposals for Houses in Multiple Occupation (HMO's), either through conversion of existing buildings or new built development, will not be permitted in those parts of the Cliftonville and Margate Central Wards as illustrated on the policies map.

Elsewhere proposals will be permitted where the development:

- 1) Does not give rise to an unacceptable impact on the living conditions of neighbouring residents through noise or general disturbance
- 2) Does not result in an intensification or concentration of such uses which is detrimental to the amenity and character of the neighbourhood (having regard to the criteria set out in para 11.34 by way of guidance)
- 3) Provides suitable arrangements for car parking, or adequate on-street parking is available within the vicinity of the site and
- 4) Provides suitable arrangements for the storage and collection of waste

The principle of development is therefore considered acceptable subject to all other material considerations.

Character and Appearance

In order to facilitate the change of use of the first and second floors a first floor extension is proposed to the rear elevation, positioned above the existing single storey flat roof projection. This would extend out a distance of 3.3m and extend across 5.1m (not across the entire width of the property), the extension is offset leaving a gap between it and no.332 and its rear similar first floor extension. The extension would have a false pitched roof.

The rear of these properties, fronting Margate Road, is visible from the access road to these properties, others in Highbury Gardens and is visible from public vantage points.

The design of the first floor rear extension has a false pitched roof, and the materials are proposed to be brick. The extension is of similar appearance to that already built at no.332 (adjacent but handed). The extension would appear in keeping with the existing terrace, and on the basis that the materials match (to be secured by condition), the proposal will not be unduly prominent. It is considered that the design is acceptable and would not be harmful to the visual amenities of the locality.

The Council's Housing Officer has confirmed that there is a licensed HMO at 332A Margate Road, Ramsgate and at 340A Margate Road, Ramsgate. These properties are in fairly close proximity to the application site: no.332 being attached and 340, being two properties to the north. It is appreciated that approval of this application would result in three HMO's in fairly close proximity to one another. It is acknowledged that HMO's in an area can alter the population mix, increased activity by groups of unconnected adults, associated problems with different patterns of behaviour and comings and goings, noise and disturbance, and greater pressure on parking and refuse collection, amongst other matters. However, outwardly the existing HMO's are not overt or noticeable within the street scene, for example by to-let boards (due to the transient nature of the HMO market making it far more likely that such signage will be erected at some point), or excessive amounts of rubbish.

Taking into account the justification to policy H019, it states an indicative ceiling level of cumulative impact of HMOs, in order to maintain mixed and settled communities, with 5% of properties within a 50 metre radius or 1 HMO in any group frontage of 20 dwelling houses considered an appropriate level. The proposal would exceed the threshold set for 1 HMO in a group of 20 dwelling houses, however, this site is not set within the context of suburban

dwellinghouses per se, but within a mixed commercial/residential setting. The impact of the use would therefore not be so apparent or demonstrable as would be the case if this was in wholly a residential area, with the commercial area where the HMO would be located having a level of activity exceeding a suburban environment. In terms of smaller HMOs with shared accommodation (up to 4 persons) in the vicinity there is no planning history to show there are any.

Overall I consider that the addition of one HMO would not result in a demonstrable community imbalance given the mixed commercial residential location of the development.

In terms of external appearance linked to the proposed use, bin storage could be accommodated within the curtilage of the existing building and collected similar to the existing arrangements.

Therefore the proposed development would have no significant impact upon the character and appearance of the area, in line with policies QD02 and HO19 of the Thanet Local Plan and the National Planning Policy Framework.

Living Conditions

Policy HO19 (Houses in Multiple Occupation), allows for the conversion of existing properties to HMO's within this area

Elsewhere proposals will be permitted where the development:

- 1) Does not give rise to an unacceptable impact on the living conditions of neighbouring residents through noise or general disturbance
- 2) Does not result in an intensification or concentration of such uses which is detrimental to the amenity and character of the neighbourhood (having regard to the criteria set out in para 11.34 by way of guidance)
- 3) Provides suitable arrangements for car parking, or adequate on-street parking is available within the vicinity of the site and
- 4) Provides suitable arrangements for the storage and collection of waste

Since the submission of the planning application the scheme has been reduced from a HMO for 6 people to 5 people.

Whilst the proposed HMO would accommodate up to 5 unrelated people, there is no reason to assume that the occupants would cause more noise and disturbance or anti-social behaviour than people living in the property as a single household.

The Council's Housing Officer has confirmed that the property would meet the requirements for a HMO for up to 5 people. All habitable rooms would benefit from natural light and ventilation and there is an amenity area at the rear that would be accessible for all residents. The submitted plans that the amenity area would also have a secure cycle store.

It is therefore considered that the proposed development would have no significant impact upon the living conditions of the neighbouring residential property occupiers and would

provide an acceptable standard of accommodation for the future residents in line with policy QD03 and HO19 of the Thanet Local Plan and the National Planning Policy Framework.

Transportation

The existing property does not benefit from off street parking currently, and this proposed change of use does not propose any. The proposal will increase the number of bedrooms by two, but would accommodate no more than 5 persons, approximately 1 more person than currently (taking into account the existing layout; 1 double bedroom and 2 single bedrooms). The proposal is located on a main bus route and in a parade of commercial uses which offer a range of services for residents, therefore I do not consider that this increase would not be harmful to highway safety as the site is in a highly sustainable location. The proposed scheme does however, include the provision of cycle storage for six cycles in the rear garden.

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 has meant that the Council accords with the Habitat Regulations.

Whilst the proposed HMO increases the number of bedrooms in the property from three to five, the HMO would be restricted to a maximum of five residents at any one time. It is therefore considered that given the size and number of bedrooms within the existing property, the permitted development fallback position, and the restriction of 5 residents within the HMO, that there would not be an increase in the number of people accommodated by the dwelling. A contribution to mitigate against increased recreational pressure upon the special protection area has therefore not been requested in this instance.

Conclusion

Policy HO19 permits HMO's, through conversion of existing buildings in this location, the principle of development is acceptable. The application has been amended, during its determination to reduce the number of bedrooms from 6 to 5 due to concerns raised by the Council's Housing Officer. Whilst it is acknowledged that the proposal would exceed the threshold set for groupings of HMO's, as outlined in policy HO19, however, this site is not set within the context of suburban dwellinghouses per se, but within a mixed

commercial/residential setting. Given this context the impact of the use would not be so apparent having a level of activity exceeding a suburban environment, and therefore is considered acceptable and would not result in harm to the character and appearance of the area. The proposed extension which is proposed to facilitate the change of use is considered to be acceptable in terms of design and appearance.

Matters pertaining to residential amenity, highway safety are considered acceptable subject to condition.

It is therefore recommended that planning permission is approved.

Case Officer

Gill Richardson

TITLE: F/TH/20/0437

Project 334 Margate Road RAMSGATE Kent CT12 6SQ

