

**D06**

**F/TH/19/0388**

PROPOSAL: Change of use from storage (use class B8) to residential (use class C3) together with first floor extension with accommodation in roof to facilitate 3No 2bed self-contained flats and 2No 3bed self contained flats

LOCATION: 8 Percy Avenue BROADSTAIRS Kent CT10 3LB

WARD: Kingsgate

AGENT: Ms Holly Chapman

APPLICANT: Mr S Groom

RECOMMENDATION: Defer & Delegate

Defer and delegate the application for approval subject to the receipt of an acceptable unilateral undertaking to secure the required planning obligations within 6 months and 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 drawings numbered 18/2187/PL/03 Revision F (received 11/11/20), 18/2187/PL/04 Revision F (received 03/03/21), 18/2187/PL/06 Revision E (received 11/11/20) and 18/2187/PL/07 Revision C (received 03/03/21),

**GROUND**

To secure the proper development of the area.

3 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**

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

4 Prior to the first occupation of the development hereby approved, full details of both hard and soft landscape works, to include

- o species, size and location of new shrubs, hedges and grassed areas to be planted
- 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 GI04 of the Thanet Local Plan

5 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

6 Prior to the commencement of the development hereby approved, details of the construction of the ceilings and floors that separate the ground floor and first floors of the building 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 50 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. 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**

To ensure that the development is compatible with the amenities of the future occupiers in accordance with the NPPF and in pursuance of Policy QD03 of the Thanet Local Plan.

7 Prior to the first use of the first floor roof terraces hereby approved, details of the design and materials of a 1.8m high privacy screen to be provided along the northern boundary of the front and rear roof terrace shall be submitted to and agreed in writing by the Local Planning Authority. The privacy screen as agreed shall be erected prior to the first occupation of the development hereby approved and thereafter maintained, unless otherwise agreed in writing by the Local Planning Authority.

#### **GROUND**

To safeguard the privacy and amenities currently enjoyed by the occupiers of adjoining residential properties in accordance with policy QD03 of the Thanet Local Plan.

8 Prior to the commencement of work on site the provision of construction vehicle loading/unloading, turning facilities and parking facilities for site personnel and visitors should be submitted to and approved in writing by the local planning authority. This should be provided for the duration of construction.

**GROUND**

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

9 The area shown on the approved plan numbered 18/2187/PL/07 Revision C (received 03/03/21) 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

10 Prior to the first occupation of the 5No. residential flats hereby approved the secure, covered cycle facilities shown on drawings numbered 759:P08 and 759:P09 shall be provided prior to the first use of the building and kept available for that use at all times.

**GROUND:**

In the interest of highway safety.

11 Prior to the first use of the site hereby permitted, details of the widening of the vehicular access onto the highway, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed details.

**GROUND**

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

12 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.

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.

## INFORMATIVES

Please be aware that obtaining planning permission and complying with building regulations are separate matters - please contact building control on 01843 577522 for advice on building regulations

It is the responsibility of the applicant to ensure, before the development hereby approved is commenced, 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 taken by the Highway Authority.

Across the county there are pieces of land next to private homes and gardens that do not look like roads or pavements but are actually part of the road. This is called 'highway land'. Some of this land is owned by The Kent County Council (KCC) whilst some are owned by third party owners. Irrespective of the ownership, this land may have 'highway rights' over the topsoil.

Information about how to clarify the highway boundary can be found at

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

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 Highways and Transportation to progress this aspect of the works prior to commencement on site.

## SITE, LOCATION AND DESCRIPTION

Number 8 Percy Avenue is a flat roofed, single storey, end of terrace property, which is currently vacant, but appears to have been in use as a storage building previously; detailed on the application form. The site is located on the east side of Percy Avenue, to the south of the junction with George Hill Road, Broadstairs.

Attached to number 8 is number 10 Percy Avenue, which is a two storey, flat roofed building used as a nursery school at ground floor with a residential flat at first floor. This residential unit is accessed at the rear and has two windows serving the lounge/kitchen to the front, one bedroom to the rear and an additional window serving the hallway.

To the side and rear of the application property is an access road. Beyond this access road, to the south are two and three storey blocks of flats, to the rear of the site are garages.

## RELEVANT PLANNING HISTORY

F/TH/05/1450 - Erection of a first and second floor, hipped roof, extension above existing building to provide 1No. self-contained three bedroom maisonette including balconies and alterations to ground floor rear elevation. Granted - 05 January 2005

F/TH/99/0514 - Erection of a first and second floor hipped roof extension above existing building to provide one self contained three bedroom maisonette including balconies and change of use of part ground floor from storage to self contained one bedroom flat, including alteration to store to rear. Granted - 01 December 1999

### PROPOSED DEVELOPMENT

Since its original submission of the application the proposal has altered in design terms and also the development - originally consent was sought for a change of use from storage to residential with first floor extension to facilitate 6no 2 bed self-contained flats.

The scheme now proposes the change of use from storage to residential together with first floor extension with accommodation in roof to facilitate 3No 2bed self-contained flats and 2No 3bed self contained flats. This entails an individual entrance to the ground floor front two bedroom flat. Entrance to the remaining flats are via a communal entrance on the side elevation, which also an internal bin store and bike store, the remainder of the ground floor space has two further two bedroom units. At first and second floor there are two further two bedroom units both with access to their own two roof terraces at first and second floor levels.

To facilitate these changes, the external building alters from a single storey flat roof building to a two and a half storey building with a hipped roof extension above the existing. The half storey utilises the roof space and inserts two flat roof dormers on the buildings southern (side) elevation. A covered area to the rear of the existing premises, would also be removed as part of this application.

The application form details the ground floor would be rendered and an eternit cement board cladding would be applied at first floor and plain tiles would be utilised for the pitched roof.

Externally there is a small front and rear communal amenity space (serving units a and b respectively) and a total of five off street parking spaces.

### DEVELOPMENT PLAN POLICIES

#### **Thanet Local Plan**

SP29 - Strategic Access Management and Monitoring Plan (SAMM)

SP35 - Quality Development

SP37 - Climate Change

SP43 - Safe and Sustainable Travel

H01 - Housing Development

HO21 - Residential use of empty property

GI04 - Amenity Green Space and Equipped Play Areas

QD01 - Sustainable Design

QD02 - General Design Principles

QD03 - Living Conditions  
QD04 - Technical Standards  
TP02 - Walking  
TP03 - Cycling  
TP06 - Car Parking

## **Draft Broadstairs and St Peters Neighborhood Plan**

BSP9: Design in Broadstairs & St. Peter's

### NOTIFICATIONS

Letters were sent to adjoining occupiers, a site notice posted close to the site .  
Initially 10 representations were received, including two people sending two letters. The concerns can be summarised as follows:

- \* Close to adjoining properties
- \* Inadequate access
- \* Inadequate parking provision
- \* Loss of parking
- \* Not enough info given on application
- \* Concern about refuse trucks
- \* Conflict with local plan
- \* Development too high
- \* General dislike of proposal
- \* Inadequate access
- \* Increase in traffic
- \* Loss of light
- \* Loss of privacy
- \* Noise nuisance
- \* Lose of sea views
- \* Lose of daylight and sunlight
- \* Dominant street scene
- \* Increase of pollution
- \* Noise nuisance
- \* Residential Amenity
- \* Anti social problems
- \* Disruption during building works

Following amended plans a further 4 representations were received and the concerns can be summarised as follows:

- \* Lack of parking
- \* Parking shown does not belong to applicant
- \* No provision made for gardens
- \* Inadequate access
- \* Increase in traffic
- \* Loss of parking
- \* Question over ownership

Following receipt of further amended plans 4 representations were received and the concerns can be summarised as follows:

- \* Development too high
- \* General dislike of proposal
- \* Inappropriate design
- \* Inadequate access
- \* Inadequate parking provision
- \* Increase in traffic
- \* Loss of parking
- \* Over development
- \* Consideration should be given to people with a legal right of way over the land
- \* Close to adjoining properties
- \* Loss of light
- \* Loss of privacy
- \* More open space needed on development
- \* Out of keeping with character of area

**Broadstairs Town Council:** 16th December 2020 - The Planning Committee of the Town Council has considered this amended application and has resolved unanimously to make no comment.

6th August 2020 - No objections with concerns: Parking. Is the parking proposed actually accessible and does the applicant have the ability to deliver it?

3rd May 2019 - REFUSAL: Poor design, insufficient parking provision, overdevelopment, overbearing impact and out of keeping with the street scene and poor access for refuse collection.

### CONSULTATIONS

**Environmental Health:** 28th July 2020 - I note that there are still some stacking issues therefore I would still suggest the previous condition stated.

25th April 2019 - I have some concerns over the stacking of the proposed building. The plans show that 'Flat F' will have its roof terrace and kitchen on top of the bedroom in 'Flat A'. With this in mind I would request that a condition be added to safeguard the ground floor property relating to details of the construction of the ceilings and floors that separate the (the first floor and second floors). The plan also shows that there are bedrooms situated above the communal door and bin store. I would therefore request that these doors have soft closer fixtures fitted.

**KCC Highways:** 17th September 2020 - I refer to the amended drawings numbers 18/2187/PL/07 Rev. B submitted for the above.

These plans show 5 parking spaces which I understand are currently associated with, and within the control of, the existing storage site. The application red line plan also encompasses the access route between these parking spaces and the highway. One

parking space is also available on the forecourt at the front of the existing storage building, but the altered orientation shown for this space means that minor widening of the existing vehicle crossing in the footway will be required to serve this space.

The proposals therefore provide 5 parking spaces which is acceptable for 5 flats.

I therefore have no objection to the proposals subject to the following being secured by condition:

Provision of construction vehicle loading/unloading and turning facilities prior to commencement of work on site and for the duration of construction.

Provision of parking facilities for site personnel and visitors prior to commencement of work on site and for the duration of construction.

Provision and permanent retention of the vehicle parking spaces shown on the submitted plans prior to the use of the site commencing.

Provision and permanent retention of secure, covered cycle parking facilities prior to the use of the site commencing in accordance with details to be submitted to and approved by the Local Planning Authority.

Widening of the existing vehicle crossing in Percy Avenue to accommodate the re-orientated parking space on the site frontage.

**INFORMATIVE:** It is the responsibility of the applicant to ensure, before the development hereby approved is commenced, 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 taken by the Highway Authority.

Across the county there are pieces of land next to private homes and gardens that do not look like roads or pavements but are actually part of the road. This is called 'highway land'. Some of this land is owned by The Kent County Council (KCC) whilst some are owned by third party owners. Irrespective of the ownership, this land may have 'highway rights' over the topsoil.

Information about how to clarify the highway boundary can be found at

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

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 Highways and Transportation to progress this aspect of the works prior to commencement on site.

5th August 2019 - I refer to the amended drawings numbers 18/2187/PL/07 Rev. A and SLP Rev. B submitted for the above. These plans show 6 parking spaces which I understand are currently associated with, and within the control of, the existing storage site. The application red line plan also encompasses the access route between these parking spaces and the highway. Two existing parking spaces are also available on the forecourt at the front of the existing storage building.



The proposals therefore provide 8 parking spaces which are in accordance with current guidance for 6 flats.

I therefore have no objection to the proposals subject to the following being secured by condition:

Provision of construction vehicle loading/unloading and turning facilities prior to commencement of work on site and for the duration of construction.

Provision of parking facilities for site personnel and visitors prior to commencement of work on site and for the duration of construction.

Provision and permanent retention of the vehicle parking spaces shown on the submitted plans prior to the use of the site commencing.

Provision and permanent retention of secure, covered cycle parking facilities prior to the use of the site commencing in accordance with details to be submitted to and approved by the Local Planning Authority.

1st May 2019 - Further information is required on access and parking.

The application red line does not include the existing vehicular access off Percy Avenue or the 6 proposed car parking spaces served from the same. It appears that 2 parking spaces may be available at the front of the building on land within the application red line, however the access to these is again outside the red line.

Clarification is therefore required as to the rights of access or otherwise to enable the access and parking spaces to be used by residents of the flats. Further information is also required on the existing access and parking facilities available for the existing use of the application site.

**Southern Water:** 11th & 8th August 2020/2019 - Comments remain as previously stated.

3rd May 2019 - Require a formal application for any new connection to the public sewer to be made. Should this application be approved an informative relating to connection to the public foul sewer is requested.

**Natural England:** On the basis of the appropriate financial contributions being secured to the relevant scheme. NE concurs with your authority's 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.

## COMMENTS

This application is referred to the Planning Committee at the request of Cllr Robert Bayford due to concerns that the development would represent an over-development of the site.

The main considerations in assessing the submitted scheme are the principle of development, the impact upon the character and appearance of the 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 located within the urban confines of Broadstairs and comprises a building that was previously in use for storage. This proposal would remove the commercial element and have the extended building wholly in use as residential accommodation.

Thanet Local Policy H1 relates to housing development and supports development on previously developed land and where there is no conflict with other local plan policies. The site is within existing built up confines and has been previously used as a storage unit. The retention of this use is not protected in this location.

Policy HO21 of the Local Plan relates to residential use of empty property acknowledges that Thanet has a substantial stock of empty property and vacant dwellings and has an active and robust programme for bringing those properties back into use. The policy states that proposals that would bring vacant property into residential use will be approved where: 1) it is compatible with nearby uses; and 2) the proposal would not conflict with any other policy

The principle of residential development on the site accords with Policy HO1 and HO21 of the Thanet Local Plan and the National Planning Policy Framework and is acceptable subject to the detailed consideration of all other material issues including the impact upon the character and appearance of the area, living conditions of neighbouring and future property occupiers and highways matters.

### **Character and Appearance**

Paragraph 127 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 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 place that are safe, inclusive and accessible. 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 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 is a general design policy and sets out 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. External spaces, landscape, public realm, and boundary treatments must be designed as an integral part of new development proposals and coordinated with adjacent sites and phases.

The site comprises a single storey flat roof building with its main entrance on Percy Avenue that extends from the west to the east of the site. It is considered that the flat roof design and the extent that this covers the building, does not add to the character of the area currently.

During the planning application process the scheme has been amended to reduce the mass and the extent of the proposed roof space and accordingly the number of units was reduced from 6no two bedroom units to 5 units (2no three bedroom units and 3no one bedroom units). This was in response to concerns raised by officers.

The two and a half storey proposal is acceptable in terms of its general design and impact on the street scene, and the area as it will bring the building more in line with those adjacent in terms of height and massing, but will still not compete with the apartment building immediately south - Greyfriars Court. The extensions (both in height and bulk) and alterations to this building will undoubtedly make it more prominent in the street than it is at present flat roof single storey building, which will be beneficial to the street scene, which is mainly traditional pitched roof design buildings.

In terms of its visual relationship to the attached neighbouring building, the only concern with the appearance of the development is that the eaves line of the first floor is below the roofline of the neighbouring property, which may appear slightly out of keeping, however, the overall design is a great improvement to that existing, due to the pitched roof, staggered effect of each floor, and modern design that is proposed. It is also recognised that the design is similar to that of the earlier consent approved on the site in 2005.

The proposal is therefore considered to be acceptable in terms of the character and appearance of the area, in accordance with Policies SP35, QD01 and QD02 of the Thanet Local Plan and the National Planning Policy Framework.

### **Living Conditions**

Paragraph 117 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.

Policy QD03 of the Local Plan deals specifically with living conditions. This policy states that all new development should:

- 1) Be compatible with neighbouring buildings and spaces and not lead to the 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.

In terms of the relationship between the proposed residential units and neighbouring uses, there are no concerns regarding the neighbouring nursery, as the use or extensions to the building would not adversely affect them. This building does, however, have a first floor flat above (no. 10a). This flat has window openings to the front and rear, with its means of access to the rear. In terms of the proposed extensions to the building, the depth of the extensions has been reduced from the original scheme and now projects back a distance of 2.3m behind the rear of the first floor flat. This has a window immediately abutting the boundary and appears to serve a hallway, given this use I consider the impact to be acceptable.

As balconies are proposed to the front and rear of the building, these have the potential to impact upon neighbour amenity of no10a. There is likely to be some effect on this occupier, as the proposed first floor flat projects beyond the front building line of no 10a, and a balcony is positioned to the front of the flat. However there is a change in floor levels between the two buildings; the floor level of 10a is higher to that of the proposed development, thus they would not be able to look from the balcony into the windows at the front serving 10a. With regard to the rear first floor balcony this has also the ability to look across onto number 10a's flat roof area, the previous scheme had a similar arrangement, however a 1.75m screen wall was proposed, I consider that a screen wall would ameliorate any material impact, this can be secured by condition.

Given the position of the roof terraces I do not consider there to be material harm.

Overall this relationship is considered to be acceptable. The scale of the resultant building is considered to cause minimal impact upon neighbour amenity.

There is some physical separation between the residential apartment building, known as Greyfairs Court. This building is between three and two storey in height and is separated by an access road. At its closest point there is a distance of approximately 8m (side projection with no window openings). Where there are openings within the side elevation this is set further forward of the application building and would face part of a parking space and an amenity space for flat a).

In terms of overlooking, the placement of the windows and layout of the building does not give rise to any issues of overlooking or loss of privacy for the residents. I consider the relationship with the two buildings that make up Greyfairs Court to be acceptable and not result in harm.

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 para 127 National Planning Policy Framework.

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. Each of the residential units has either an enclosed doorstep playspace or access to a roof terrace, with the exception of unit b; this is the ground floor middle unit. Given the proximity of the site to the beach and green swarthes along the cliff top it is considered on balance this would be

acceptable. A communal area is provided for secure bicycle storage and bin storage within the building.

Careful consideration has been given to residential amenity within the building. The application proposes to subdivide and extend the building to create 5 individual units made up of 3 two bed flats and 2 three bed flats. This was a partially difficult building due to its length and that there are only window openings to three elevations, due to its relationship with no. 10 Percy Avenue.

The National Design Guide states in paragraphs 123- 128 that 'well-designed homes and communal areas within buildings provide a good standard and quality of internal space. This includes room sizes, floor-to-ceiling heights, internal and external storage, sunlight, daylight and ventilation. The quality of internal space needs careful consideration in higher-density developments, particularly for family accommodation, where access, privacy, daylight and external amenity space are also important. Where a need is identified, Local Plans may adopt the Nationally Described Space Standards..'

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).

The proposed units meet all of these criteria in terms of the overall floor space and window provision to habitable rooms and is therefore considered policy compliant.

The Environmental Health officer has requested that a condition is attached to the planning consent to require additional information on noise protection measures required, between units. While Building Control regulations do seek to address this, given the number of separate units within the building Environmental Health are keen to ensure adequate measures are in place.

## **Transportation**

The application site is within an established built up area and currently has an open accessed frontage with parking available, although the space is not demarcated. The proposed plans include 5 parking spaces. Therefore each of the residential units would have a parking space each. The existing vehicular access would be utilised, but would need to be widened. Cycle parking to the flats are also provided within the building, close to the communal entrance.

KCC Highways have sought additional information and revisions to the plans in order to address their concerns. The requested amendments and additional information has been submitted and KCC Highways has confirmed that they have no objection subject to conditions relating to construction management, provision and permanent retention of the vehicle parking spaces and covered cycle parking and widening of the existing vehicle crossing in Percy Avenue to accommodate the re-orientated parking space on the site frontage.

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

## **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.

This application includes a Unilateral Undertaking (UU) which provides the required financial contribution (£1,808) for the 2no 3 bed and 3no 2 bed residential units to mitigate the additional recreational pressure on the SPA area and is therefore in accordance with policy SP29.

## **Conclusion**

NPPF paragraph 10 stipulates that at its heart is a presumption in favour of sustainable development. For decision-taking (NPPF para 11) this means approving development proposals that accord with the development plan without delay; but where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless; any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or specific policies in the Framework indicate development should be restricted.

At the current time the Council has not met its Housing Delivery test and therefore there is a presumption in favour of sustainable development.

In terms of the economic dimension of sustainable development, the provision of 5 residential units would give rise to employment during the construction phase of the development.

In terms of the social dimension to sustainable development, Paragraph 59 of the NPPF refers to 'the Government's objective of significantly boosting the supply of homes'. The NPPF (paragraph 68) points out that 'small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly'.

The scheme brings forward some limited benefits with 5 residential units, which are likely to support shops and services in the surrounding area and further afield and it would allow increased social interaction between residents existing and new, albeit in a modest way.

In terms of the environmental dimension of sustainable development, the development of 5 residential units, through the re-use of an existing vacant building and extension would not create harm to the character of the area, and would be seen against existing two and three storey residential development.

On the basis of the safeguarding conditions outlined above, there are no outstanding neighbour amenity or highways issues.

It is therefore recommended that Members defer and delegate the application for approval subject to the receipt of an acceptable unilateral undertaking to secure the required planning obligations within 6 months and the identified safeguarding conditions.

**Case Officer**

Gill Richardson

TITLE: F/TH/19/0388

Project 8 Percy Avenue BROADSTAIRS Kent CT10 3LB

