

**D03**

**F/TH/21/0064**

PROPOSAL: Erection of three and two storey building containing 3 No. 1 bed residential dwellings

LOCATION: Land Adjacent To 2 Shah Place RAMSGATE Kent

WARD: Central Harbour

AGENT: Ms Debbie Marriage

APPLICANT: Mr Tim Woolcott

RECOMMENDATION: Defer & Delegate

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 C-110, C-111 B (received 30/06/21), C-112 A (received 30/06/21), C-113 A (received 30/06/21), C-123 A (received 30/06/21), C-124, C-125, C-126 A (received 30/06/21), C-127 A (received 30/06/21), C-128, C-129 A (received 30/06/21) C-130 A (received 30/06/21)

**GROUND**

To secure the proper development of the area.

- 3 The building hereby permitted shall be constructed using materials as detailed on drawing C-800 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 The windows in the rear elevation of the building hereby approved (as annotated on drawing C-111 B) shall be provided and maintained with obscured glass to a minimum level of obscurity to conform to Pilkington Glass level 4 or equivalent and shall be installed prior to first occupation of the development hereby permitted and permanently retained thereafter.

**GROUND**

To safeguard the residential amenities currently enjoyed by the occupiers of nearby residential properties in accordance with Policy QD03 of the Thanet Local Plan.

- 5 Prior to the first occupation of the development, the secure cycle parking facilities, as shown on approved drawing no. C-110 shall be provided and thereafter maintained.

**GROUND**

To promote cycling as an alternative form of transport, in accordance with Policy TP03 and SP43 of the Thanet Local Plan.

- 6 Prior to the commencement of any development on site details to include the following shall be submitted to and approved by the Local Planning Authority and should be carried out in accordance with the approved details.

- (a) Details of working hours
- (b) Details of plant/including if piling is required
- (c) Timing of deliveries
- (d) Dust control measures

All other matters shall be in accordance with the Document titled Outline Construction Management Plan (dated January 2021).

**GROUND**

In the interests of highway safety and neighbouring amenity, in accordance with Policy QD03 of the Thanet Local Plan and the advice contained within the NPPF.

- 7 Prior to the first use of the roof terrace/balcony area to unit 1 hereby permitted, privacy screens of a minimum height of 1.8m shall be installed along the rear as shown on the approved plans numbered C-111 B and C-126 A and thereafter maintained.

**GROUND**

To safeguard the residential amenities currently enjoyed by the occupiers of nearby residential properties in accordance with Policy QD03 of the Thanet Local Plan.

- 8 No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written specification and timetable which has been submitted to and approved by the Local Planning Authority.

**GROUND**

To ensure that features of archaeological interest are properly examined and recorded in accordance with Policy HE01 of the Thanet Local Plan and the advice contained within the National Planning Policy Framework.

- 9 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.

- 10 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.

## SITE, LOCATION AND DESCRIPTION

The application site is located on the base of a larger triangular parcel of land. The triangular parcel of land fronts Shah Place, Park Road and Chatham Street. The application is largely rectangular in shape with the largest road frontage is to Park Road, on its northern side. The site currently consists of hardstanding and some self-seeded vegetation.

To the south of the site are two and a half storey terrace properties fronting Park Road, to the east there are two storey with semi basement properties fronting Boundary Road and along Chatham Street there are three storey properties. Along Shah Place properties from the road appear two storey, but due to changes in levels have a semi basement level to the rear.

The application site is located just outside of the Ramsgate Conservation Area, and no. 31 Chatham Street is a listed building. The site is not subject to any other site specific designations.

## RELEVANT PLANNING HISTORY

F/TH/20/0692 Erection of three and two storey building containing 2No. two bed and 2No. 1bed residential flats with roof terrace - Refused by the Planning Committee 12/08/20

Refusal reasons:

- 1. The proposed 2 and 3 storey building, by virtue of its design, width, and mass would represent a visually dominant, obtrusive and incongruous form of development which would fail to respond to or respect the traditional pattern and appearance of development of the surrounding residential area, resulting in significant harm to the appearance and local distinctiveness of the area, contrary to saved Thanet Local Plan Policy SP35, QD01, QD02 and paragraphs 122, 127 and 130 of the National Planning Policy Framework.*

2. *The proposed building, by virtue of its location and relationship with the adjacent residential units, would result in an unacceptable loss of light and outlook from the adjacent property (no.1 Shah Place and 76 Chatham Street), and poor standard of accommodation for future occupants by the use of obscure glazing to rear windows at first and second floor level, significantly detrimental to the amenities enjoyed by the occupiers thereof and future living conditions of new occupants, contrary to Thanet Local Plan Policies QD03, QD04 and paragraph 117 of the National Planning Policy Framework.*
3. *The proposed two bedroom units with the scheme would not be provided with a safe doorstep play area for young children, to the detriment of the amenities enjoyed by the occupiers of the proposed two bedroom residential unit, contrary to Thanet Local Plan Policy GI04 and paragraph 127 of the National Planning Policy Framework.*
4. *The proposed development will result in additional 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 policy SP29 of the Thanet Local Plan and paragraph 177 of the National Planning Policy Framework.*

## PROPOSED DEVELOPMENT

The application is for full planning permission for the erection of a three and two storey building containing 3No. 1bed residential flats.

The proposed building would have pitched, false pitch and flat roofs with parapets. The three storey element would front part of Park Road (at the west end of the site) and wrap around to Shah Place. The proposed building would wrap around the perimeter of the site to provide a continuous frontage, although an access passageway is provided midway along the Park Road frontage at ground level.

In terms of accommodation to the west of the access passageway there are accesses leading to a shared cycle store and separate refuse store for the proposed three residential units. To the east of the passageway at ground level is unit 2 and beyond this unit 3 both with their own entrance from Park Road. Both of these units have accommodation over two floors. At the first floor at the eastern end are the bedrooms to units 2 and 3. Unit 2 has a ground floor private amenity space and unit 3 has a first floor terrace. To the western end is unit 1, which is separated from unit 2 by its private terrace. The second floor would have the bedroom and bathroom to unit 1.

In terms of materials the submitted plan details that the building would be constructed from bricks with fibre cement artificial slats for the roof and powder coated windows and paving for the passage and entrance area.

## DEVELOPMENT PLAN POLICIES

### **Thanet Local Plan 2020**

SP01 - Spatial Strategy - Housing  
SP11 - Ramsgate  
SP14 - General Housing Policy  
SP29 - Strategic Access Management and Monitoring Plan (SAMM)  
SP35 - Quality Development  
SP36 - Conservation and Enhancement of Thanet's Historic Environment  
SP43 - Safe and Sustainable Travel  
SP44 - Accessible locations  
H01 - Housing Development  
GI04 - Amenity Green Space and Equipped Play Areas  
QD01 - Sustainable Design  
QD02 - General Design Principles  
QD03 - Living Conditions  
QD04 - Technical Standards  
QD05 - Accessible and Adaptable Accommodation  
HE01 - Archaeology  
HE02 - Development in Conservation Areas  
HE03 - Heritage Assets  
TP02 - Walking  
TP03 - Cycling  
TP06 - Car Parking

## NOTIFICATIONS

Letters were sent to adjoining occupiers, a site notice posted close to the site and the application publicised in a local newspaper. Two representations were received; one objecting and one supporting.

The concerns can be summarised as follows:

- Concern about visibility when pulling out of Shah Place onto Park Road
- Question if the scheme will have any off street parking
- Where will construction traffic park?
- Question raised about health and safety of construction works

The letter of support detailed that they have no objection to the scheme and that their existing windows are high up and they would still be provided with good light and ventilation.

**Ramsgate Town Council:** No objection.

## CONSULTATIONS

**Environment Agency:** We have assessed this application as having a low environmental risk. We therefore have no comments to make

**Southern Water:** Southern Water requires a formal application for a connection to the public foul sewer to be made by the applicant or developer.

Our initial investigations indicate that there are no dedicated public surface water sewers in the area to serve this development. Alternative means of draining surface water from this development are required. Discharge of surface water runoff to public combined network can be allowed only once full assessment of other alternative methods have been carried out and discounted and at the discharge rates agreed with Southern Water as not introducing detriment to downstream network. Foul and surface water onsite network shall remain separate until the boundary of the site or final connection to public sewer.

It is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.

**KCC Highways and Transportation:** Non protocol application.

**TDC Conservation Officer:** "Following a review of the proposed application, I do not believe that there would be substantial harm to the aesthetic appearance of the surrounding conservation area and that the proposed scheme would ultimately improve the appearance of the currently unmaintained site.

Previously an application was submitted that was much more contemporary in design which has since been altered to better reflect the surrounding environment. It was also previously much larger in scale whereas now it has been reduced in height.

For these reasons I do not believe the proposed cause substantial harm to the surrounding conservation area and therefore I do not object to this application."

**TDC Environmental Health Officer:** "Having reviewed the Construction Management Plan (CMP) I would like to offer comments regarding the rescheduling of deliveries to avoid peak times given the area is heavily trafficked. Whilst this approach is accepted, the rescheduling should not be at either end of the working day but within it - scheduling deliveries very early or late will impact on neighbours. Details of proposed working hours, plant and certainly proposals that include piling must be included with the CMP along with dust control measures."

## COMMENTS

This application is referred to the Planning Committee at the request of Cllr Albon for Members to consider the scale of the proposed development and its impact on the residential amenity of surrounding occupiers.

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.

Paragraph 119 of the National Planning Policy Framework states planning policies and 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. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land.

Policy HO1 of the Thanet Local Plan states that residential development on non-allocated sites within the confines of the urban area can be granted where it meets other relevant Local Plan policies.

The application proposes the erection of a three and two storey building to provide three residential units. The site is located within the urban confines and therefore accords with this policy.

The principle of the development is therefore considered to be acceptable, subject to the consideration of all other material planning considerations.

## **Character and Appearance**

The impact the proposed scheme may have upon the character and appearance of the area and in particular the impact upon the setting of the Ramsgate Conservation Area as designated heritage asset falls to be assessed.

The National Planning Policy Framework (NPPF) states that when considering the impact of a proposed development on the significance of a designated heritage asset; great weight should be given to the asset's conservation. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. The NPPF goes on to state that where a development proposal would lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including where appropriate, securing its optimum viable use.

Policy SP36 of the Council's Local Plan is a strategic policy which states that the council will support, value and have regard to the historic or archaeological significance of Heritage Assets. Policy HE02 relates specifically to new developments in conservation areas. It states that within conservation areas, development proposals which preserve or enhance the character or appearance of the area will be permitted and when relating to proposals to extend existing buildings within the conservation area that the character, scale and plan form of the original building are respected and the extension is subordinate to it and does not dominate principal elevations and appropriate materials and detailing are proposed and the

extension would not result in the loss of features that contribute to the character or appearance of the conservation area.

Paragraph 124 of the NPPF states that planning policies and decisions should support development that makes efficient use of land, taking into account: a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it; b) local market conditions and viability; c) the availability and capacity of infrastructure and services - both existing and proposed - as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use; d) the desirability of maintaining an area's prevailing character and setting (including residential gardens), or of promoting regeneration and change; and e) the importance of securing well-designed, attractive and healthy places.

Paragraph 174 of the NPPF states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve.

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.

In terms of the Conservation Area, the site falls outside of its boundary. The boundary is located to the south east of the site enclosing those properties fronting Chatham Place (western boundary) and properties along the southern side of Boundary Road (northern boundary of the Conservation Area). The site can, however, be viewed from the Conservation Area, and, therefore, any development on this site would have an impact on it.

It is appreciated by officers that this site is currently vacant and has been tidied up since the consideration of the last application.

The character of the surrounding area is mixed, but contains predominantly two and three storey properties of a traditional design reflective of their ages. Properties within the area have detailing, particularly to the fenestration, with bay or recessed windows with traditional placement in terms of their positions. Materials consist of brick work or render, whilst some properties have pitched roofs and others have flat roofs with parapets.

This site, whilst being acceptable in principle for development, has a number of constraints that make it difficult to develop. These include the prominence of the site due to its position in the road, the long and relatively narrow dimension of the site, its topography and relationship with adjoining properties.

Within the Planning Statement submitted with this application the agent states that in relation to the previous proposals for the site:

*'The scheme has been significantly amended, so that a building with considerably reduced massing and scale is now proposed. The previous contemporary architectural style, proposing materials and form that contrasted with the predominant brick and painted render of the surrounding buildings, has been discarded in favour of a brick built building with a gabled roof form.'*

In addition, it is confirmed that during the application process, the current scheme has been further amended to overcome officer concerns which related to the impact of the development on the residential amenities of adjoining occupiers, which will be discussed in more detail in the following section of the report. The application initially sought approval for 1no 2 bed and 2no 1 bed units, the current scheme, as a result of the amendments, is for 3no 1bed units.

The design submitted does not seek to directly replicate the design of adjoining dwellings that it would be viewed in relation to, but takes reference from buildings in the vicinity, including incorporating gables, similar fenestration style and materials.

In terms of the height, the building proposed would be three and two storey, and is in keeping with the height of the adjoining buildings. However, due to the natural topography of the wider site (the triangular parcel) the application site is lower than the other two sides of the triangle. The proposed building would not be higher than any of the roof forms on this wider parcel of land. Furthermore the mass of the building has been reduced in comparison to the previous application considered and refused by Members. In addition the proposed building whilst still being on the back edge of the footpath has recessed elements, and the fact that gables are incorporated into the design reduces the building mass, its dominance within the street scene and assisting the assimilation of the proposal within the context of the site.

In terms of design, whilst not being a copy of adjacent buildings the proposal respects their traditional form and proportions particular in terms of fenestration and incorporation of gables into the design. This gives the resulting building a vertical emphasis which is a characteristic of the area. It is considered that the proposed building would provide a strong frontage to the site and the wider area (by enclosing the site). It is considered that the overall design of the building has addressed the concerns which lead to the design reason for refusal in the earlier application.

Roof terraces are proposed for unit 1 and unit 3, whilst normally it is considered that these would appear as an alien feature within the street scene and Conservation Area the design has meant that the terraces are set back behind openings thus reducing their visual prominence. This set back would mean that domestic paraphernalia associated with their use would not be clearly visible from ground level.

The materials proposed are generally considered acceptable, however, it is considered that samples of materials should be secured by condition, if planning permission is granted, as it is not clear if the named materials will be utilised and also the sites proximity to the Conservation Area.

In terms of the Grade II listed property; 31 Chatham Place. This site is located to the south east of the application site and is separated by roads. No 31 also faces west rather and is at an angle to the application site. Given this I consider that due to the positioning and orientation of the proposed scheme, the scheme would not impede on these views which therefore reduces the impact to this heritage asset.

It is considered that the alteration in the design approach when compared to the previously refused scheme would allow the proposed scheme to integrate into the streetscape, whilst not be a direct replication of existing built form - would have regard to the context which its would be seen in, incorporating more traditional features whilst still being a that is more modern and of modern standards when compared directly to the existing.

Given the above, it is considered that the development would result in an acceptable form of development that would preserve the character and appearance of the site and the surrounding area. The development is therefore considered to be in accordance with the aims of Policies SP35 and QD02 of the Local Plan and the guidance in the National Planning Policy Framework.

### **Living Conditions**

Paragraph 119 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 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.

Due to the constraints of the site, as well as the close neighbour relationship, the relationship between the proposed development and neighbouring units need to be carefully assessed to ensure that there would be no material harm to neighbour amenity.

In support of the application, daylight studies in the form of plans were submitted with the application. This covers the existing and proposed situation at certain times of the year; Winter Solstice, March Equinox, September equinox and the summer Solstice and at 9.30am, 12.00pm and 3.30pm. These were based on the plans originally submitted with this application. During the application process, the application was amended to remove a second bedroom to unit 2. This has resulted in the depth of the building being reduced at this point.

No 2 Shah Place has what appears to be a rear kitchen and bathroom window at ground floor level. There are no windows on the upper floors. The proposed building would abut no. 2's side wall; this elevation contains no windows and would therefore not create any material harm. The proposed building would project beyond the rear of this property and its rear yard area, however only at ground level. Although there would be a roof terrace serving unit 1 at first floor level (but set back from the boundary between the two sites). This would give a space between the two storey elements before stepping back up to two storey at the end of yard of no. 2 Shah Place. This revised arrangement would lessen the impact upon no. 2 in terms of overshadowing and loss of daylight when compared to the previously refused scheme. As started unit 1 does have a first floor terrace area, Plan numbered C-126 Revision A confirms that this terrace would have a privacy screen, although precise details are not given. This can be secured in perpetuity by condition. Whilst there would still be some impact upon the living conditions of no. 2 Shah Place, given their close relationship and that the site does not currently have a building in-situ, I do not consider it to be materially harmful. On balance therefore I consider this relationship would be acceptable.

With regard to the windows within the rear elevation of the proposed building, the plans annotate that these will be fitted with obscure glazing at first floor; this includes both a bedroom to unit 2 and circulation spaces for units 2 & 3. The kitchen windows to the units would have openings for ventilation, these are in the front elevations facing out onto the road.

No. 1 Shah Place is enclosed to some degree by the configuration of the existing properties and has a very modest rear yard. The proposal would have a more modest effect on this occupier, given the separation, however, there would still be an impact. Given the angles and separation distance I consider that in terms of overlooking this property would not be unreasonably affected.

No. 76 Chatham Street is in an L shape building- therefore having two road frontages. It would abut the east end of the proposed building. The end that would abut the proposed building is single storey, stepping down from the two storey part at the top of the site. There are no windows within this flank, however, there are windows facing into its rear courtyard and also on the rear face of the upper northern rear face, including the two upper floors and openings within the ground floor (when viewing from the south). There is planning history on this site- the last approval being in 1987 to change the use to one shop, one office and three self contained flats. It is, however, clear from a site visit that there is no shop or office and the building looks to be used solely for residential. The proposed building at this point would be two storey at the front stepping down to single storey at the rear of the site and would have a roof terrace to unit 3 at the front of the building for the occupiers of this unit. To reduce the impact upon the occupiers of no.76 the two storey part of the building extends no further back into the site than no. 76. In terms of impact to the rear facing windows- in the west and south elevation of no.76, and also its rear yard area, given the proposed layout and reduced scale of the building it is considered that it would not reduce day/sunlight to an unacceptable degree.

Taking the above into account, it is considered the impact from the development to no. 1 Shah Place and 76 Chatham Street to be acceptable in terms of loss of light,

overshadowing, sense of enclosure and overlooking in accordance with policy QD03 of the Local Plan and the NPPF.

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. It is confirmed that since the application has been submitted the scheme has been amended so that all units have one bedroom. Therefore this policy does not require a doorstep playspace, although two of the units have a roof terrace and the third has a ground floor outdoor space.

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). Paragraph 130 of the National Planning Policy Framework requires development to provide a high standard of amenity for existing and future users, with all windows serving primary habitable rooms required to provide an acceptable level of outlook, natural light and ventilation for the rooms. For a one bedroom, two person unit over two floors the requirement is 58sqm. The proposed units meet all of these criteria in terms of the overall floor space to habitable rooms and is therefore considered policy compliant. It is considered that the internal layout and windows that serve these rooms would provide a suitable standard of future occupiers of the residential units.

Given the above, following the amendments to the application, that the proposed development would not have an adverse impact on the residential amenities of surrounding occupiers and provide a good standard of accommodation for future occupiers.

## **Highways**

It is noted that Kent Highways normally require one vehicle parking space per unit in an urban location such as Shah Place. Off-street parking is not, however, included in the scheme and the restricted size of the site and need to maintain access for properties to the rear does not easily allow for off-street parking.

The ground floor storage area would provide the development with safe storage space for bicycles for the three units being created. In addition the site is located in a sustainable location, close to local facilities (including railway station and Asda) and within easy walking distance of the main Ramsgate town centre and close to public transport connections. There would be sufficient space for cycle parking for the units with the development.

Given the accessibility of the site, it is not considered that it would not be necessary to provide off street parking in this instance.

Due to the constrained location of the site, it is suggested that details of how construction on the site will be managed. Such details would include, but not necessarily be limited to, the parking of vehicles of site operatives and visitors, construction vehicle loading/unloading, turning facilities and access routes/arrangements, loading and unloading of plant and materials, storage of plant and materials used in constructing the development and wheel washing facilities.

Given the above, it is considered that the proposed development would not have an adverse impact on highway safety or parking in the area.

### **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 draft Unilateral Undertaking (UU) if Members consider the application acceptable the UU will need amending to reflect the required financial contribution for the 3no. 3bed residential units to mitigate the additional recreational pressure on the SPA area as well as some minor alterations to the template document.

### **Other matters**

The application site adjoins heavily used highways to all sides, and therefore there is concern regarding noise and air quality, particularly from vehicles waiting at the traffic-lighted junction. The current application was accompanied with a Construction Management Plan (CMP). The Council's Environmental Health team has reviewed this and have confirmed in terms of deliveries to the site that these should avoid peak times and also should not be at either end of the working day but within it. The Environmental Health team have stated that details of proposed working hours, plant and certainly proposals that include piling must be included within an updated CMP along with dust control measures. The submission of this can be controlled by condition.

Whilst KCC Archaeology were not consulted on the current application, they were on the previous scheme, which was of a similar nature. KCC Archeology confirmed on the earlier application that given the archaeology within the area a condition relating to a programme of archaeological works should be attached to any approval. This is considered reasonable and to meet the test for conditions.

### **Conclusion**

The application site lies within Ramsgate and so the principle of developing this site for residential accommodation is acceptable. The key issues for consideration by members of

the Committee are the impact of the proposed development on the form and character of the area; the adjacent Conservation Area and other Heritage Assets; and the impact of the proposal upon the amenities of the adjoining neighbours. When considering the issues set out in the report above, it is your officer's opinion that the revised scheme is acceptable, addressing the previous reasons for refusal, by creating adequately sized residential units on a vacant plot on a prominent site. The scheme would also provide amenity space for each of the units. Furthermore, the proposal continues the established development to either side of the site. As such, it is considered that the proposed development will cause no harm to the form and character of the area. The building has been designed to reflect the local vernacular by using appropriate materials, design and proportions and the height has been kept to a minimum in order to minimise any potential impacts on the character and appearance of the adjacent Conservation Area when viewed from the public domain. It is your officer's opinion that the scale of the proposed building will on balance cause no material harm to the amenities of any neighbouring residents.

It is therefore recommended that Members defer and delegate the decision for approval subject to safeguarding conditions and a Unilateral Undertaking to secure the SAMM contribution, within 6 months of this Committee.

**Case Officer**

Gill Richardson

TITLE: F/TH/21/0064

Project Land Adjacent To 2 Shah Place RAMSGATE Kent

Scale:

