

A04

F/TH/22/0549

PROPOSAL: Variation of condition 2 of planning permission for F/TH/18/0238 for the "change of use from retail (class A1) and taxi office (class sui-generis) and associated store rooms to consulting rooms at basement level (use class D1) retail (class A1) and taxi office (class sui-generis) at ground floor level together with a 2 storey rear extension with side and rear dormer windows, balcony to rear at first floor level and alterations to fenestration to facilitate 5No 2 bedroom and 1no 3 bedroom self-contained flats on upper floors" to allow the retention of UPVc windows to the rear elevation, alterations to fenestrations, reduction in size of rear balcony, and retention of rear extension for use as bike store

LOCATION:

20 - 24 Harbour Street RAMSGATE Kent CT11 8HA

WARD: Eastcliff

AGENT: Mr Simon Cove

APPLICANT: Mr Lee Phelps

RECOMMENDATION: Approve

Subject to the following conditions:

1 The development hereby permitted shall be carried out using only the following approved plans:

- 92/P01 received 15/02/18 (Proposed Basement and Ground Floor)
- 92/P03 Rev A received 21/07/22 (Proposed First and Second Floor)
- 92/P03A (proposed third floor and roof plans)
- 92/P04 received 15/02/18 (Proposed SW Harbour Street Elevation)
- 92/P05 received 15/02/18 (Proposed SE Side Elevation)
- 92/P06 A (Proposed Rear Elevation)
- 92/P07 received 15/02/18 (Proposed Section AA)
- 92/P08 received 15/02/18 (Proposed Section BB)

GROUND:

To secure the proper development of the area.

2 The outrigger shall be used for secure cycle parking facilities as shown on drawing number 92/P03 received 21/07/22 and thereafter retained.

GROUND:

In the interests of promoting increased cycling in accordance with policy TP03 of the Thanet Local Plan.

3 The refuse storage facilities as shown upon the drawing number 92/P03 received on 21/07/22, shall be used for that purpose only and shall be kept available for that use at all times.

GROUND:

To secure a satisfactory standard of development and in the interests of the amenities of the area, in accordance with policy QD03 of the Thanet Local Plan.

INFORMATIVES

Information on how to appeal this planning decision or condition is available online at <https://www.gov.uk/appeal-planning-decision>

Please be aware that your project may also require a separate application for Building Control. Information can be found at:

<https://www.thanet.gov.uk/services/building-control/> or contact the Building Control team on 01843 577522 for advice.

SITE, LOCATION AND DESCRIPTION

The site is located on the east side of Harbour Street, Ramsgate. The site is located within the confines of the Ramsgate Conservation Area. The property is a four storey building.

The surrounding area generally comprises commercial uses at ground floor with residential above.

RELEVANT PLANNING HISTORY

F/TH/18/0238 Change of use from retail (class A1) and taxi office (class sui-generis) and associated store rooms to consulting rooms at basement level (use class D1) retail (class A1) and taxi office (class sui-generis) at ground floor level together with a 2 storey rear extension with side and rear dormer windows, balcony to rear at first floor level and alterations to fenestration to facilitate 5No 2 bedroom and 1no 3 bedroom self-contained flats on upper floors. Granted 24/04/2018

PROPOSED DEVELOPMENT

A variation of condition 2 of planning permission for F/TH/18/0238 is sought. This consent approved a change of use from retail (class A1) and taxi office (class sui-generis) and associated store rooms to consulting rooms at basement level (use class D1) retail (class A1) and taxi office (class sui-generis) at ground floor level together with a 2 storey rear extension with side and rear dormer windows, balcony to rear at first floor level and alterations to fenestration to facilitate 5No 2 bedroom and 1no 3 bedroom self-contained flats on upper floors. This consent has been implemented in the early part of 2021.

Consent is now sought to allow the retention of UPVc windows, reduction in width of balcony and retention of outrigger to the rear elevation of the property.

DEVELOPMENT PLAN POLICIES

THANET LOCAL PLAN 2020

SP11 - Ramsgate Town Centre
SP29 - Strategic Access Management and Monitoring Plan (SAMM)
SP35 - Quality Development
SP36 - Conservation and Enhancement of Thanet's Historic Environment
E04 - Primary Frontage
H01 - Housing Development
HO21 - Residential use of empty property
HE02 - Development in Conservation Areas
QD01 - Sustainable Design
QD02 - General Design Principles
QD03 - Living Conditions
QD04 - Technical Standards
QD05 - Accessible and Adaptable Accommodation
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.

No representations were received.

Ramsgate Heritage Design Forum: Objection to UPVC windows which are not acceptable in the conservation area.

CONSULTATIONS

Conservation Officer: "Following a review of the proposed application I would consider there to be a limited implication to the setting and appearance of the surrounding conservation area given that the changes to the window material are sited to the rear, and as such are not visible from the public realm.

Due to this I do not object to the application proposed and believe it meets with national and local legislation."

COMMENTS

This application is referred to the Planning Committee at the request of Cllr's Austin, Crittenden and Huxley due to concerns that the development would lead to the loss of a retail space in the street and surrounding area.

The main considerations in assessing the variation of condition application is 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

The site has planning consent under a 2018 application and works were started under this consent. This consent has been implemented and there is no in principle objection to this application.

Character and Appearance

As the site is located within a Conservation Area the Local Planning Authority must have regard for Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 which requires special attention to be paid to the desirability of preserving or enhancing the character and appearance of the area.

The NPPF states that permission should be refused for development of poor design that fails to take the opportunity of improving the character and quality of the area, and that where a development leads to less than substantial harm to a heritage asset, this harm should be weighed against the public benefit of the proposal.

Paragraph 130 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 or maintain 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 places that are safe, inclusive and accessible. Policy QD02 of the Thanet Local Plan outlines that the primary aim of new development is to promote or reinforce local character and provide high quality and inclusive design that is sustainable in all other respects. Proposals should therefore relate to surrounding development, form and layout, be well designed, pay particular attention to context and identity of location, scale, massing, rhythm, density, layout and materials, and be compatible with neighbouring buildings and spaces. Any external spaces and landscape features should be designed as an integral part of the scheme.

It is noted that this application does not seek to alter the approved uses of the site considered acceptable and approved in 2018, but seeks consent for alterations to the building.

The original permission reference F/TH/18/0238 approved the replacement of the front elevation windows with timber sliding sash windows of a cohesive design and appearance to have a traditional appearance, the result of which was to preserve the traditional character and appearance of the Conservation Area. This application also proposes timber sash windows to the front elevation which positively contributes to the significance of the Conservation Area.

The rear elevation windows approved under the original application F/TH/18/0238 were timber also. This application proposes to change these to UPVC. It is accepted that this would involve the installation of a non-traditional, modern material to the application property. uPVC windows are considered to clearly differ from traditional timber windows having a visibly different texture, appearance and finish, which lacks the finesse and refinement of painted wood and are normally resisted where possible in conservation areas.

The Conservation Officer does not object to the application and considers the proposal would not be to the detriment of the building's appearance and significance through the use of non-traditional materials given its location on the rear facade.

The works proposed are considered to be located in a discrete area of the building (rear elevation). It is acknowledged that these windows are to the rear facade that would not be publicly seen and thus is a discrete location within the Conservation Area.

In this instance the rear elevation of the building is not publicly visible and is considered to be discreetly located within the Conservation area. Given this, it is considered that the proposed installation of uPVC windows to the rear elevation of the property is considered to be acceptable in this instance. The proposal would not therefore result in harm to the special character and appearance of the application property within the wider Conservation Area.

In addition it is noted that the first floor rear balcony will be reduced in its width and the rear outrigger retained- becoming a cycle store. The balconies were considered acceptable in 2018 and it is not considered that reducing their width would have any adverse impact on the character or appearance of the area. This is also true of retention of the outrigger to provide cycle storage. The cycle parking under the 2018 plan, showed the storage space at the rear in a covered area, which was slightly smaller than that now proposed. As a result it is considered that there is sufficient space for cycles in the amended scheme.

The outriggers retention would not affect the usable space for the residential units.

Given the above, it is considered that the proposed amendments would not have an adverse impact on the special architectural or historic interest of the building or character and appearance of its Conservation Area setting. The application is, therefore, considered to comply with policies HE02, HE03 and QD02 of the Local Plan and the guidance with 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.

Local Plan policies QD03 and QD04 are also relevant to this application. Policy QD03 (Living Conditions) 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. Policy QD04, which are the National Described Space Standards (March 2015). Policy GI04 states that new family dwellings (those with 2 or more bedrooms) will be expected to incorporate garden space in order to provide a safe "doorstep play area" for young children. With doorstep playspace being defined as playspace for young children which is immediately adjacent to, closely visible and safely accessible from the dwellings served.

The application proposes to alter the material finish of the replacement windows to the rear elevation, and does not propose the creation of, or alterations to, the openings. As such, the proposal is not considered to result in any additional impacts to residential amenity.

The reduction in the width of the first floor extension would result in less impact to neighbouring occupiers than the previously accepted balcony. The retention of the outrigger would have no greater impact than the current situation.

A separate bin store enclosure is shown within the garden for the flats. The retail area has a store area within the basement that could be utilised.

No other alterations are proposed through this application, and the impact of the proposed development upon the living conditions of adjacent neighbours has previously been considered and found to be acceptable.

The proposal is therefore considered to be acceptable with regards to residential amenity in regard to existing residents, and in terms of space standards and provision of gardens for future residents. in accordance with Policy QD03 and QD04 of the Thanet Local Plan and the National Planning Policy Framework.

Transportation

Paragraph 110 of the NPPF states that In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that amongst other aims: a) appropriate opportunities to promote sustainable transport modes can be - or have been - taken up, given the type of development and its location and b) safe and suitable access to the site can be achieved for all users. Paragraph 111 of the NPPF states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual impacts on the road network would be severe. Paragraph 112 goes on to highlight that Within this context, applications for development should: a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second - so far as possible - to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use; b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport; c) create places that are safe, secure and attractive - which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid

unnecessary street clutter, and respond to local character and design standards; d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

Policy SP37 of the Local Plan states that new development must take account of the need to respond to climate change: 1) by minimising vulnerability and providing resilience to the impacts of climate change through the use of up to date technologies, efficient design and appropriate siting and positioning of buildings; 2) mitigating against climate change by reducing emissions and energy demands through the use of up to date technologies; 3) realise and make best use of available opportunities to reduce the impact of climate change on biodiversity and the natural environment by providing space for habitats and species to move through the landscape and for the operation of natural processes, particularly at the coast. Policy SP43 of the Local Plan states that the Council will work with developers, transport service providers, and the local community to manage travel demand, by promoting and facilitating walking, cycling and use of public transport as safe and convenient means of transport. Development applications will be expected to take account of the need to promote safe and sustainable travel. New developments must provide safe and attractive cycling and walking opportunities to reduce the need to travel by car. Whilst policy SP44 states development generating a significant number of trips will be expected to be located where a range of services are or will be conveniently accessible on foot, by cycle or public Transport.

Under Policy QD01, all developments are required to: 1) Achieve a high standard of energy efficiency to the equivalent of Level 4 of the Code for Sustainable Homes (subject to HE05 where applicable), 2) Make the best use of solar energy passive heating and cooling, natural light, natural ventilation and landscaping, 3) Provide safe and attractive cycling and walking opportunities to reduce the need to travel by car. Policy QD02 relates to general design principles and states amongst other principles that developments must incorporate a high degree of permeability for pedestrians and cyclists, provide safe and satisfactory access for pedestrians, public transport and other vehicles, ensuring provision for disabled access and Improve people's quality of life by creating safe and accessible environments, and promoting public safety and security by designing out crime. Policy TP01 states that new development will be expected to be designed so as to facilitate safe and convenient movement by pedestrians including people with limited mobility, elderly people and people with young children, whilst Policy TP03 states new development will be expected to consider the need for the safety of cyclists and incorporate facilities for cyclists into the design of new and improved roads, junction improvements and traffic management proposals.

The site lies in a sustainable location within Ramsgate in close walking distance of local services and facilities and close to public transport routes.

The impact of the proposed development upon highway safety and highway amenity was previously considered and found to be acceptable and the proposed alteration of the material finish to the fenestration to the rear elevation is not considered to affect highway matters.

With regard to bicycle storage the retained outrigger would provide cycle storage. The cycle parking under the 2018 plan, showed the storage space at the rear in a covered area, which was slightly smaller than that now proposed. As a result it is considered that there is sufficient space for cycles in the amended scheme and given the public transport options available in this location the provision is considered to be sufficient.

Given the above, and the nature of the amendments now proposed, it is not considered that there would be any significant adverse effect on highway safety or parking in the surrounding area from this application.

Contributions

Thanet District Council has produced the Strategic Access Management and Monitoring Plan (SAMM) which focuses on the impacts of recreational activities on the Thanet Section of the Thanet Coast and Sandwich Bay Special Protection Area (SPA).

The previous application was determined at a time when the Local Planning Authority (LPA) did not seek a contribution for the SAMM. This scheme was implemented under this consent. This application seeks to vary the materials for the windows in the rear elevation, it does not change the quantum of development. Given that the original consent has been implemented it is considered unreasonable for the LPA to request this contribution. As such, it is not considered that a SAMM contribution is required for this development.

CONCLUSION

It is considered that the proposed uPVC windows in the rear elevation whilst introducing a non-traditional and modern material, it would not be visible from the public domain and would remain discrete within the Conservation Area and as such would not dilute the character and significance of the application property, and would have a neutral impact upon the special character and appearance of the Conservation Area. It is therefore recommended that Members approve the application subject to conditions.

Case Officer

Gill Richardson

TITLE: F/TH/22/0549

Project 20 - 24 Harbour Street RAMSGATE Kent CT11 8HA

Scale:

