

**A02**

**FH/TH/22/0433**

PROPOSAL: Erection of third floor rear extension

LOCATION: 9 Wishing Towers 18 Eastern Esplanade MARGATE Kent CT9  
3BG

WARD: Cliftonville East

AGENT: Mr Charles Baxter

APPLICANT: Mr Croker

RECOMMENDATION: Approve

Subject to the following conditions:

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

**GROUND:**

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

2 The proposed development shall be carried out in accordance with the submitted application and the approved drawings numbered CBL-XX-DR-A-0100 Rev G (received 17/08/22), CBL-03-DR-A-0100 Rev D, CBL-03-DR-A-0200-Rev G (received 17/08/22) and CBL-03-DR-A-0201 Rev D.

**GROUND**

To secure the proper development of the area.

3 The external materials and external finishes to be used in the extension hereby approved shall be detailed on the approved drawings.

**GROUND**

In the interests of visual amenity in accordance with Policies QD02 and HE02 of the Thanet Local Plan

**INFORMATIVES**

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.

**Please ensure that you check the above conditions when planning to implement the approved development. You must clear all pre-commencement conditions before development starts on site. Processing of conditions submissions can take up to 8 weeks and this must be factored into development timescales. The information on the submission process is available here:**

**<https://www.thanet.gov.uk/info-pages/planning-conditions/>**

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

### SITE LOCATION AND DESCRIPTION

The application site relates to a building known as Wishing Towers situated on the northern side of Eastern Esplanade (B2051), Margate, close to the junction with Devonshire Gardens. To the rear of the building is Walpole Bay lawns- which is a large expanse of grass adjacent to a clifftop promenade. The building whilst not being listed is of character and has towers to each of the four corners of this older part of the building. It is constructed in render to the lower floor with red brick to the upper floors.

### RELEVANT PLANNING HISTORY

F/TH/22/0940 Retrospective application for installation of timber double glazed windows to replace existing single glazed timber windows. Under consideration.

FH/TH/21/0970 Erection of third floor rear extension. 28th July 2021 Granted

### PROPOSED DEVELOPMENT

Full planning consent is sought for the erection of a third floor extension to provide additional living space for a third floor flat. This application follows an earlier consented application for a similar extension that was approved in 2021.

### DEVELOPMENT PLAN POLICIES

SP35 - Quality Development

SP36 - Conservation and Enhancement of Thanet's Historic Environment

HE02 - Development in Conservation Areas

QD02 - General Design Principles

QD03 - Living Conditions

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.

Thirteen representations were received objecting to the application with one objector commenting more than once. The concerns raised are summarised below.

- Close to adjoining properties
- Loss of privacy
- Noise nuisance
- Damp issues
- Conflict with local plan
- Development too high
- General dislike of proposal
- Out of keeping with character of area
- Vent to our building will now protrude far above the roofline
- Rear elevation is just as visual important as the front in this case as it is seen from the Green and promenade
- Extension will compromise the functionality of objectors bedroom which abuts the extension
- Affect local ecology
- Over development
- Loss of light
- Inadequate access
- Not enough information given on application
- Information missing from plans

## CONSULTATIONS

**TDC Conservation Officer:** 9 Wishing Towers is an unlisted property located in a prime location within Margate conservation area.

Thanet's Local Plan, policy HE02, states within Section 7 'The character, scale and plan form of the original building are respected and the development is subordinate to it and does not dominate principal elevations.'

As well as Section 8 which states 'Appropriate materials and detailing are proposed and the development would not result in the loss of features that contribute to the character or appearance of the conservation area. New development which would detract from the immediate or wider landscape setting of any part of a conservation area will not be permitted.'

NPPF Section 16, Paragraph 197 states, In determining applications, local planning authorities should take account of (c) the desirability of new development making a positive contribution to local character and distinctiveness.

Previously a proposal was submitted for very similar works in this location under reference FH/TH/21/0970 which had timber windows and a subservient flat roof form. As such the principle of this development has already been demonstrated as acceptable.

This application is for a very similar scheme, with timber picture windows, however, the roof form caps the adjacent property very slightly. The property is not listed but within the conservation area and, as such, its possible addition needs to be carefully considered. The proposed location of the window is to the rear of the site which is visible from the conservation environment, however, due to its size and placement in the gap of the adjacent property, it is not considered to cause a substantial level of harm and, therefore, is acceptable.

If the property was still a stand alone building I do not believe the proposed would be acceptable as it would appear incongruous in context of the four 'towers'. However, given the modern construction adjacent to the property the west elevation to the towers has already been compromised and their form somewhat disrupted. That being said the overlap applied to the adjacent later addition property does appear somewhat clunky and of poor design. In my opinion if it was slightly recessed and in line with the adjacent flat roof it would be slightly more cohesive.

As already stated the proposed application is not considered to cause substantial harm to the setting and appearance of the surrounding conservation area and as such meets with local and national legislation, subsequently I do not object to the proposed.

## COMMENTS

This application is referred to the Planning Committee at the request of Cllr Towing, due to concerns that the development would be above the existing roof line and the windows are not in keeping with the rest of the building.

The proposal relates to an existing residential flat and therefore the principle of its extension is considered to be acceptable.

The main considerations with regard to this planning application will be the impact of the proposed development on the character and appearance of the area, the residential amenity of neighbouring property occupiers and highways.

### **Principle**

The proposal relates to an existing residential flat and, therefore, the principle of its extension is considered to be acceptable.

The main considerations with regard to this planning application will be the impact of the proposed development on the character and appearance of the area, the residential amenity of neighbouring property occupiers and highways.

### **Character and Appearance**

The site is located within the Clifftop Conservation Area. The Council must therefore take into account Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, which requires that in relation to conservation areas, 'special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the area.'

Paragraph 197 of the National Planning Policy Framework (NPPF) requires local planning authorities to take account of the desirability of sustaining and enhancing the significance of heritage assets, and the desirability of new development making a positive contribution to local character and distinctiveness. The NPPF requires that where a development causes substantial harm, or less than substantial harm but where the harm is not outweighed by public benefit, permission should be refused. Policy HE02 of the Thanet Local Plan relates to development within conservation areas and requires that appropriate materials and detailing are proposed and that developments would not result in the loss of features that contribute to the character or appearance of the conservation area. New development which would detract from the immediate or wider landscape setting of any part of a conservation area will not be permitted.

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.

9 Wishing Towers relates to a flat within a building which fronts Eastern Esplanade, Cliftonville. The building's side and rear elevations are also visible from the public domain due to its siting as the road turns the corner. Views are also possible from the public green to the rear. The building is of a distinct character constructed in red brick and cream render with four 'turrets' in the four corners of the building at third floor level, the third floor level also appears to have balcony areas.

This application also seeks a third floor extension to create additional living space to the existing lounge which is positioned in one of the rear 'turrets'. The extension is approximately 2.3m in width and extends back 3.9m (towards the front of the building). It has an overall height of 2.3m. As mentioned in the planning history section of this report an extension has previously been approved in this location in the same location. This application also has a small step in at the front where the approved scheme did not. The previously consented scheme measured approximately 2.3m in width and extended back approximately 3.9m and had a height of 2.1m. The key differences between the two schemes is, therefore, the difference in height (200mm) and the step-in.

With regards to the character and appearance of the area, the proposed extension would be located entirely to the rear and would be screened to some degree from the road by a neighbouring property that projects out beyond the rear of the area where the extension is proposed and also the turreted element of the subject building. The use of render would

match the existing building and timber windows are appropriate in the Conservation Area; this window and materials is as per the earlier approved scheme.

It is confirmed that the Conservation Officer has not objected to the proposal, however, she notes that 'the overlap applied to the adjacent later addition property does appear somewhat clunky and of poor design. In my opinion if it was slightly recessed and in line with the adjacent flat roof it would be slightly more cohesive.' Whilst I note the comment I do not consider this to be a reason for refusal as the level of visual harm to the Conservation Area is not substantial.

Given the above, It is considered the proposed extension would not appear out of keeping within the wider character and appearance of the area including Conservation Area, and would meet the aims of Thanet Local Plan Policies HE02 and QD02 and the guidance within the National Planning Policy Framework (NPPF).

### **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 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.

The proposed extension would bound the applicants flat to the eastern side and a neighbouring flat block to the west.

The neighbouring building to the west is no. 16 Eastern Esplanade, which is occupied as flats. The built form of this building to the side of the extension extends out further than the subject building of Wishing Towers and the extension sought. It would be adjacent to the side wall that has no side windows. Therefore in terms of overlooking, loss of light or being overbearing, I do not consider that it would have a harmful impact to the residential amenities of the occupiers of this building.

To the rear of the site is a green area, and therefore the extension will result in no greater harm to this area than currently exists from views out across it.

Concerns have been raised about noise transfer between units, but it is noted that the building is in use as flats and it is unlikely that general domestic use of a flat would create noise and disturbance above that which would result in significant harm to the existing living conditions of the neighbouring property. In terms of noise transmission any extension would

need to comply with Part E of the Building Regulations for the passage of sound between two residential units and it is considered that the issue of transmission can be adequately dealt with through compliance with building regulations requirements (including details of sound resistance). Taking into account the above, the development is not considered to result in the creation of unacceptable living conditions through noise or vibration and therefore will be in compliance with Policy QD03.

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 of the Thanet Local Plan and the National Planning Policy Framework.

### **Transportation**

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

The proposed scheme does not create more bedrooms but extra space connected to the lounge-a dining room. On this basis it is not considered to generate more occupants or result in a higher traffic generation or demand for parking. There is also parking available on road on Eastern Esplanade and surrounding roads.

The impact upon highway safety and parking, is therefore considered to be acceptable in terms of policies QD02 and TP01.

### **Other matters**

Use of the room cannot be controlled by the planning permission only that it is residential; however, it is not considered that the use of the proposed extension (indicated to be an extension to the lounge) would not create additional noise levels that one would expect to find in a residential scenario.

### **Conclusion**

The proposed development is considered to relate adequately to its site and wider setting, (including the Conservation Area) and whilst prominent would not result in visual, neighbour or highway safety harm. No objections have been received on technical grounds and materials can be suitably conditioned.

It is therefore recommended that Members approve the application subject to safeguarding conditions.

**Case Officer**  
Gill Richardson

TITLE:

FH/TH/22/0433

Project

9 Wishing Towers 18 Eastern Esplanade MARGATE Kent CT9 3BG

