

**A03**

**F/TH/22/0940**

PROPOSAL: Part retrospective application for installation of timber double glazed windows to replace existing single glazed timber windows

LOCATION:

9 Wishing Towers 18 Eastern Esplanade MARGATE Kent CT9 3BG

WARD: Cliftonville East

AGENT: Mr Charles Baxter

APPLICANT: Mr & Mrs Charles Baxter

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 development hereby approved shall be carried out in accordance with the submitted drawing numbered CBL-03-DR-A-0101 Rev (received 17/08/2022)

**GROUND;**

To secure the proper development of the area.

3 The replacement windows hereby permitted shall be timber double glazed windows, and shall accord with the detailed finish and design as annotated and illustrated on the approved plan numbered CBL-03-DR-A-0101 Rev (received 17/08/2022)

**GROUND;**

To secure a satisfactory external treatment and to safeguard the significance and special character and appearance of the area as a Conservation Area in accordance with advice contained within the National Planning Policy Framework.

**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

FH/TH/22/0433 Erection of third floor extension. 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 installation of timber double glazed windows to replace the authorised casement Upvc windows that have been installed so that they revert back to the original windows which were timber.

The proposal would see the removal of the existing picture style windows that are currently in situ and replaced with timber double glazed windows that have vertical glazing bars to have a more traditional style.

### DEVELOPMENT PLAN POLICIES

SP36 - Conservation and enhancement of Thanet's Historic Environment

HE02 - Development in Conservation Areas

QD02 - General Design Principles

QD03 - Living Conditions

## 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 objecting to the application. The concerns raised are summarised below.

- Close to adjoining properties
- Conflict with local plan
- General dislike of proposal
- Out of keeping with character of area
- Loss of heritage
- Information missing from plans
- Not enough info given on application- no reference given to the style of windows
- Other - give details
- Over development
- Concern that works have been carried out within planning consent
- Concerns raised in relation to the third floor extension built (approved under F/TH/21/0970) and current application FH/TH/22/0433 for a third floor extension

## CONSULTATIONS

**TDC Conservation Officer:** Following a review of the proposed application I would like to state that I have no objections and believe there to be a minimal implication to the significance of the surrounding conservation area.

## COMMENTS

This application is referred to the Planning Committee at the request of Cllr. Towing due to concerns that the windows would not be in keeping with the Conservation Area, and the windows installed are illegal.

### **Principle**

There is no in principle objection to the alteration or extension of an existing residential flat.

The main considerations with regard to this planning application will be the consideration of the impact of the proposed development on the character and appearance of the Conservation Area, the residential amenity of future occupants and neighbouring property occupiers and highway impacts.

### **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 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.

This application is for replacement timber windows for a flat within a building known as the Wishing Towers. This is a prominent residential building on Eastern Esplanade within the Conservation Area. Due to its prominence and sensitive nature of the conservation area it is important that alterations such as these are conducted with sensitivity.

This proposal seeks to reinstate the original styled windows within vertical glazing bars rather than the un-authorised Upvc double glazed picture style windows that are in situ at present. The proposed windows will also be double glazed.

The proposed windows in this application are of a suitable design and use materials that reflect these issues. The proposed timber double glazed windows will sufficiently replicate and maintain the traditional materiality, design and appearance of the original windows, and is not considered to result in significant harm to the special character and appearance of the Conservation Area. The windows will be suitable for the building and will be an acceptable addition to the Conservation Area, representing an overall improvement to the existing picture style windows that are in situ.

The proposed development is, therefore, considered to be suitably compatible with the character and appearance of the Conservation Area, in accordance with Policies HE02 and QD02 of the Thanet Local Plan and 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 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.

As this proposal is a like for like replacement of windows (no new additional openings being created) the work will create no neighbour amenity issues in terms of overlooking, overbearing or overshadowing.

The proposed development is, therefore, considered to be acceptable in terms of residential amenity, 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, 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.

Given the nature of the proposal there will be no impact upon highway safety and therefore the proposal is considered to be acceptable.

## **Conclusion**

The proposed development would enable the continued preservation of the property and make a positive contribution to the character and appearance of the Clifftop Conservation Area. The development is acceptable in all other material respects and accords with the

requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990, Thanet Local Plan Policies HE02, QD02 and QD03 and the NPPF.

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

**Case Officer**

Gill Richardson

TITLE:

F/TH/22/0940

Project

9 Wishing Towers 18 Eastern Esplanade MARGATE Kent CT9 3BG

