

**A03**

**F/TH/23/0335**

**PROPOSAL:** Change of use of first floor from residential (use class C3) to Bed and Breakfast accommodation (use class C1)

**LOCATION:** Minster Meze And Grill 7 - 9 Monkton Road Minster Kent CT12 4EA

**WARD:** Thanet Villages

**AGENT:** Mr Ali Goldman

**APPLICANT:** Mr Christopher Tooley

**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 drawings numbered Proposed First Floor Plan received 30 March 2023 and, Proposed Ground Floor Plan received 12 April 2023.

**GROUND;**

To secure the proper development of the area.

**SITE, LOCATION AND DESCRIPTION**

The site comprises an existing restaurant located on the northern side of Monkton Road. The restaurant is located on the ground floor and a six bedroom flat located on the first floor is accessed through the main entrance.

**RELEVANT PLANNING HISTORY**

AT/TH/88/1717 - Provision of internally illuminated lamp at fascia level. Granted 22 December 1988

TH/79/0605/A -Alterations to front elevation. Granted 16 April 1980

TH/79/0605 - Alterations to toilets and extension to bar. Granted 04 December 1979

## PROPOSED DEVELOPMENT

The proposed development is the change of use of the first floor from residential (use class C3) to Bed and Breakfast accommodation (use class C1). The first floor of the building would be altered from a six bedroom flat that is accessed through the existing restaurant to six ensuite bed and breakfast rooms. No external changes are proposed as part of this application.

## DEVELOPMENT PLAN POLICIES

### **Thanet Local Plan 2020**

SP27 - Green Infrastructure  
SP29 - Strategic Access Management and Monitoring Plan  
SP30 - Biodiversity and Geodiversity Assets  
SP35 - Quality Development  
SP37 - Climate Change  
SP43 - Safe and Sustainable Travel  
SP44 - Accessible Locations  
CC01 - Fluvial and Tidal Flooding  
CC02 - Surface Water Management  
E06 - District and Local Centres  
E07 - Serviced Tourist Accommodation  
GI06 - Landscaping and Green Infrastructure  
HO22 - Retention of Existing Housing Stock  
QD01 - Sustainable Design  
QD02 - General Design Principles  
QD03 - Living Conditions  
TP03 - Cycling  
TP06 - Car Parking

## NOTIFICATIONS

Letters were sent to neighbouring property occupiers and a site notice was posted close to the site.

No responses have been received.

**Minster Parish Council** – No objection to this application subject to the finding of the parking survey requested by Kent highways.

## CONSULTATIONS

**KCC Highways** - Updated comments received 18 May 2023

The applicant has demonstrated via a parking survey of Monkton Road Car Park, that there is capacity to accommodate the increased demand for a Bed and Breakfast accommodation.

The applicant should ensure those who are residing in the accommodation are directed to utilise this car park and not the surrounding road network wherever possible.

With the above in mind, I refer to the above planning application and having considered the development proposals and the effect on the highway network, raise no objection on behalf of the local highway authority.

*Initial comments received 25 April 2023*

This application has nil associated parking provisions and as such it is likely that those residing in the proposed Bed and Breakfast accommodation will utilise the nearby Monkton Road Car Park. Due to the saturation of parking on the adjoining road network this is preferable, but it should be ensured that the car park has the capacity to accommodate the increased demand.

Therefore, the applicant should submit a parking survey during both the day time and overnight of Monkton Road Car Park to robustly capture the parking capacity, and I would be grateful if you would forward this additional information to myself for my further comment.

## COMMENTS

This application is brought before members as a departure to policy HO22 of the Thanet Local Plan.

### **Principle**

The site comprises an existing restaurant with ancillary accommodation on the first floor. Policy HO22 of the Thanet Local Plan states that; "Proposals which would lead to the net loss of existing housing (class C3) will be permitted only where:

- 1) the proposal relates to the provision of community facilities for which there is a genuine local need; or
- 2) the residential use is not appropriately located; or
- 3) the building is unsuitable for residential use in its present form and is not capable of being readily improved or altered to make it suitable; or
- 4) subject to the heritage policies of the Plan, the proposal provides a way of protecting or utilising an important heritage asset.

Proposals for tourism or retail uses may be permitted if any of the above criterion can be satisfied and there is conformity with policies E07, or E08 (as applicable).

In all cases the proposed use should be compatible with, and cause no harm to, the character and appearance of the area and the living conditions of neighbouring residents."

The applicant has indicated that the first floor is disused, however has provided no further information why this is the case.

The existing flat does not meet the space standards set out in policy QD04 of the Thanet Local Plan and does not appear to have any private amenity space other than the garden

associated with the ground floor commercial use. The demand for a six bedroom flat with no amenity space above a commercial premises is considered to be limited.

Policy E07 of the Thanet Local Plan outlines that there is a lack of higher end hotels in Thanet. This policy states that "The Council will permit the development of new serviced tourist accommodation, including extensions and improvements to existing accommodation, in appropriate locations such that:

- 1) It is of form, scale and design appropriate to its surroundings;
- 2) It does not cause unacceptable impact on the road network or highway safety;
- 3) It is accessible by a range of means of transport (wherever possible in rural areas);
- 4) If it is located in a rural area, that it respects the character of the local countryside and is sensitive to its defining characteristics; Outside of the urban area development should respect landscape character and nature conservation value; and
- 5) Sufficient mitigation should be provided to prevent against any material increase in recreational pressure on designated nature conservation sites."

These factors would be assessed below and the loss of the residential property would be weighed against the benefits of the scheme.

### **Character and Appearance**

Paragraph 130 of the National Planning Policy Framework (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 states 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.

No external changes are proposed as part of this application and given the existing residential accommodation and the variety of commercial uses in the area this development is not considered to result in any significant harm to the character and appearance of the area.

### **Living Conditions**

No external changes are proposed as part of this application and given the existing residential accommodation this development is not considered to result in any significant loss of light, sense of enclosure or overlooking to the neighbouring properties.

The use of the first floor as six bed and breakfast rooms is not considered to result in any significant increase in noise and disturbance compared to the existing residential use and, given the existing commercial use at ground floor level, this development is not considered to result in any significant increase in noise and disturbance to the neighbouring properties.

This proposal is therefore not considered to result in any significant harm to the neighbouring living condition, in line with policy QD03 of the Thanet Local Plan and the National Planning Policy Framework.

### **Transportation**

The site is located close to the centre of Minster which is considered to be a sustainable location due to the local facilities and public transport links, however no parking is proposed as part of this development and on street parking is restricted in the immediate area.

The applicant has submitted a parking survey for the nearby Monkton Road Car Park which demonstrates that there is additional capacity in this car park. Following the submission of this survey KCC Highways have raised no objection to this application.

This development would result in an increase in demand for parking compared to the existing use, however it has been demonstrated through the submission of the parking survey that there is available capacity in the surrounding area, therefore this proposal is not considered to result in any significant harm to highway safety.

### **Biodiversity**

This proposal makes no changes to the external layout or arrangement of the property and is therefore not considered to result in any significant harm to biodiversity in the area.

### **Financial 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 would mean that the Council accords with the Habitat Regulations.

This proposal is considered to result in an increase in recreational pressure upon the Special Protection Area due to the change of use and the increased likelihood of visitors to the area going to the beach and coast. The applicant has submitted a unilateral undertaking securing a contribution of £656.50 to mitigate the additional recreational pressure on the SPA area. This contribution is based upon the one rate for a one bedroom dwelling (£202) and the

expected winter occupancy rate of the hotel (65%). As this mitigation has been secured the impact upon the SPA is considered to be acceptable.

## **Conclusion**

This proposal would result in the loss of an existing dwelling, however this dwelling is located above an existing licenced premises, does not meet the current space standards and does not benefit from any secure doorstep playspace. This dwelling is therefore considered to be of limited quality and have a very restricted appeal.

This proposal would result in the diversification of any existing business and provide additional tourist accommodation in the district.

There is not considered to be any significant harm to the character and appearance of the area, living conditions of the neighbouring property occupiers, highway safety, biodiversity or the Special Protection Area as a result of this development.

It is therefore considered that given the standard of the existing accommodation and that this proposal would only result in the loss of one residential unit, the benefits of the proposed development would outweigh the harm to the district's housing supply and this proposal would comprise an acceptable departure from policy HO22 of the Thanet Local Plan. It is therefore recommended that members approve this application.

## **Case Officer**

Duncan Fitt

TITLE:

F/TH/23/0335

Project

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