

A01

F/TH/24/0435

PROPOSAL: Erection of a single storey side and rear extension following demolition of existing rear extension, together with erection of boundary wall and gate, installation of new double glazed windows and doors, 2No Air Source Heat Pumps and access ramp

LOCATION: Newington Community Centre Princess Margaret Avenue
RAMSGATE Kent CT12 6HX

WARD: Newington

AGENT: Mr Gabriel Warshafsky

APPLICANT: Thanet District Council

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 as amended by the revised drawings numbered 002 Rev B, 221 Rev F and 230 Rev F received 25 April 2024, 202 Rev B received 30 April 2024, 200 Rev H, 210 Rev G, 200 Rev G, 231 Rev E received 06 June 2024.

GROUND;

To secure the proper development of the area.

3 All hard and soft landscape works, including ecological enhancement features, shall be carried out in accordance with the approved details. The works shall be carried out prior to the first occupation/use of any part of the development, or in accordance with a programme of works to be agreed in writing with the Local Planning Authority.

Following completion of the landscape and enhancement works, photographic evidence of implementation shall be submitted to and approved in writing by the Local Planning Authority in order to verify the works have been completed in accordance with the approved plans, and to enable the full discharge of this condition. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar

size and species as those originally planted, unless written approval to any variation is provided by the Local Planning Authority. All ecological enhancement features shall thereafter be maintained.

GROUND

In the interests of the visual amenities of the area, biodiversity enhancement, and to adequately integrate the development into the environment in accordance with Policies QD02, SP30 and GI04 of the Thanet Local Plan

4 Prior to the construction of the external surfaces of the development hereby approved details the materials to be used in the construction of the building(s) shall be submitted to, and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details 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

5 The rating level of the heat pump unit shall not exceed the background noise level (LA90,T) at the nearest residential or commercial facade. All measurements shall be defined and derived in accordance with BS4142: 2014 Methods for rating and assessing industrial and commercial sound.

GROUND

In the interests of the residential amenities of the occupiers of surrounding dwellings in accordance with Policy QD03 of the Thanet Local Plan and the advice contained within the NPPF

INFORMATIVES

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

Thanet District Council recommends that all developers work with a telecommunication partner or subcontractor in the early stages of planning for any new development to make sure that Next Generation Access Broadband is a fundamental part of the project. Access to superfast broadband should be thought of as an essential utility for all new homes and businesses and given the same importance as water or power in any development design. Please liaise with a telecom provider to decide the appropriate solution for this development and the availability of the nearest connection point to high speed broadband.

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.

It is the responsibility of the applicant to ensure, prior to the commencement of the development hereby approved, that all necessary highway approvals and consents where

required are obtained and that the limits of highway boundary are clearly established in order to avoid any enforcement action being by the Highway Authority. The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under such legislation and common law. It is therefore important for the applicant to contact KCC Highway and Transportation to progress this aspect of the works prior to commencement on site

The District Council is committed to reducing crime and the fear of crime through design. You are therefore strongly advised to contact the Kent Police Designing Out Crime Officer for advice with security measures and the incorporation of Secure by Design (SBD) into this development. <https://www.kent.police.uk/cp/crime-prevention/protect-home-crime/>
<https://www.securedbydesign.com/>

The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act. Trees and scrub are likely to contain nesting birds between 1st March and 31st August inclusive. Trees and scrub are present on the application site and are to be assumed to contain nesting birds between the above dates, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity on site during this period and has shown it is absolutely certain that nesting birds are not present.

Biodiversity Net Gain

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition “(the biodiversity gain condition)” that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be Thanet District Council.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are listed below.

Based on the information available **this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements listed below are considered to apply.**

Statutory exemptions and transitional arrangements in respect of the biodiversity gain condition.

1. The application for planning permission was made before 12 February 2024.

2. The planning permission relates to development to which section 73A of the Town and Country Planning Act 1990 (planning permission for development already carried out) applies.

3. The planning permission was granted on an application made under section 73 of the Town and Country Planning Act 1990 and

(i) the original planning permission to which the section 73 planning permission relates* was granted before 12 February 2024; or

(ii) the application for the original planning permission* to which the section 73 planning permission relates was made before 12 February 2024.

4. The permission which has been granted is for development which is exempt being:

4.1 Development which is not 'major development' (within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015) where:

i) the application for planning permission was made before 2 April 2024;

ii) planning permission is granted which has effect before 2 April 2024; or

iii) planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 where the original permission to which the section 73 permission relates* was exempt by virtue of (i) or (ii).

4.2 Development below the de minimis threshold, meaning development which:

i) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and

ii) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).

4.3 Development which is subject of a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. A "householder application" means an application for planning permission for development for an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse which is not an application for change of use or an application to change the number of dwellings in a building.

4.4 Development of a biodiversity gain site, meaning development which is undertaken solely or mainly for the purpose of fulfilling, in whole or in part, the Biodiversity Gain Planning condition which applies in relation to another development, (no account is to be taken of any facility for the public to access or to use the site for educational or recreational purposes, if that access or use is permitted without the payment of a fee).

4.5 Self and Custom Build Development, meaning development which:

i) consists of no more than 9 dwellings;

ii) is carried out on a site which has an area no larger than 0.5 hectares; and

iii) consists exclusively of dwellings which are self-build or custom housebuilding (as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015).

4.5 Development forming part of, or ancillary to, the high speed railway transport network (High Speed 2) comprising connections between all or any of the places or parts of the transport network specified in section 1(2) of the High Speed Rail (Preparation) Act 2013.

* “original planning permission means the permission to which the section 73 planning permission relates” means a planning permission which is the first in a sequence of two or more planning permissions, where the second and any subsequent planning permissions are section 73 planning permissions.

The effect of section 73D of the Town and Country Planning Act 1990

If planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 (application to develop land without compliance with conditions previously attached) and a Biodiversity Gain Plan was approved in relation to the previous planning permission (“the earlier Biodiversity Gain Plan”) there are circumstances when the earlier Biodiversity Gain Plan is regarded as approved for the purpose of discharging the biodiversity gain condition subject to which the section 73 planning permission is granted. Those circumstances are that the conditions subject to which the section 73 permission is granted:

- i) do not affect the post-development value of the onsite habitat as specified in the earlier Biodiversity Gain Plan, and
- ii) in the case of planning permission for a development where all or any part of the onsite habitat is irreplaceable habitat the conditions do not change the effect of the development on the biodiversity of that onsite habitat (including any arrangements made to compensate for any such effect) as specified in the earlier Biodiversity Gain Plan.

SITE, LOCATION AND DESCRIPTION

The site comprises Newington Community Centre, a detached building with a low pitched roof located between Auckland Avenue, Melbourne Avenue and Princess Margaret Avenue. A grassed area extends around the south, east and west sides of the existing building. A car park is located immediately to the north of the building and large grassed areas and play areas are located to the north of the site. Residential dwellings are located to the south and west of the site across Auckland Avenue and to the north of the site beyond the grassed areas. To the south east is Newington Community Primary School.

RELEVANT PLANNING HISTORY

F/TH/95/0905 - Erection of a single storey rear extension. Granted 25 January 1996
TH/75/0511 - Use of premises as a sessional playgroup. Granted 10 September 1975
TH/75/0511/A - Continued use of premises as a sessional playgroup. Granted 24 October 1977
TH/75/0511/B - Continued use of premises as a sessional playgroup. Granted 11 February 1980
TH/75/0511/C - Renewal of temporary consent for use of premises as a sessional playgroup. Granted 14 May 1982

PROPOSED DEVELOPMENT

The proposed development is the erection of a single storey side and rear extension following demolition of existing rear extension, together with erection of boundary wall and gate, installation of new double glazed windows and doors, 2No Air Source Heat Pumps and access ramp.

The proposed side and rear extension would project from the western elevation of the building towards Auckland Avenue. An enclosed walkway would extend from the northern side of the western elevation for 12m. A toilet and access would be located on the northern side of this walkway. At the rear of the walkway a community kitchen would be erected extending towards the south. The walkway would have a flat roof and the toilet and kitchen would have hipped roofs with a central flat roof section. The walkway would be constructed from brick with a green roof and the kitchen and toilet would be constructed from glazed and unglazed tiles. A courtyard would be formed between the existing building, walkway and kitchen.

On the southern side of the existing building a timber access ramp and new doors would be installed. New doors and windows would be installed around the building at ground floor level and two air source heat pumps would be installed on the northern side of the existing building. The existing container currently located on the northern side of the existing building would be relocated to the south east boundary of the site with Princess Margaret Avenue and a grow tunnel would be erected on the south western boundary of the site with Auckland Avenue. A new 1.2m high brick wall with gates would be erected around the southern boundary of the site from the south western corner of the new extension to the south eastern corner of the eastern building. The existing fruit trees in the southern part of the site and the fencing and hedging around the northern part of the site would be retained.

An amended plan has been submitted during the application process altering the bin store in the car park from a shipping container to a timber store, adding bee bricks and bird and bat boxes to the site, and altering the design of the windows facing onto the courtyard.

DEVELOPMENT PLAN POLICIES

SP27 - Green Infrastructure

SP30 - Biodiversity and Geodiversity Assets

SP34 - Provision of Accessible Natural and Semi-Natural Green Space, Parks, Gardens and Recreation Grounds

SP35 - Quality Development

SP37 - Climate Change

SP41 - Community Infrastructure

SP43 - Safe and Sustainable Transport

SP44 - Accessible Locations

CC02 - Surface Water Management

CM01 - Provision of New Community Facilities

GI06 - Landscaping and Green Infrastructure

HE01 - Archaeology

QD01 - Sustainable Design

QD02 - General Design Principles

QD03 - Living Conditions
SE04 - Groundwater Protection Zone
SE05 - Air Quality
SE06 - Noise Pollution
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.

Ramsgate Heritage and Design Forum - Support the redevelopment of community facility. Should a material for the brick wall use a more local vernacular technique, such as flint walling?

CONSULTATIONS

KCC Biodiversity - We have reviewed the documents including the small sites biodiversity net gain (BNG) metric and associated information submitted by the applicant and advise that sufficient ecological information has been provided.

We have taken this view due to the existing urban site is shown in photographs provided to have mainly maintained grassland, hardstanding, young trees, a small hedgerow and green roof. As such no ecological surveys are required, as the presence of protected species is unlikely. The habitats onsite have been fully considered by an appropriately qualified person from Jan Kattein Architects Ltd, in the small sites BNG metric. The proposed habitat plan incorporates actions to benefit biodiversity and ensure a biodiversity net gain of over 10% as per government guidelines under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021).

As part of mandatory BNG there is a requirement for a Biodiversity Gain Plan to be submitted prior to commencement of the works as part of the legislation. Please provide confirmation if the intention is for a condition for a Biodiversity Gain Plan to be included on the decision notice. We can provide suggested wording if required.

ENHANCEMENTS

The proposed layout/habitat plan (JKA 16/2/24) shows a valuable range of habitat enhancements but there is an opportunity to encourage biodiversity further with integrated features into buildings and structures such as bird and bat boxes, bee bricks, pond (if appropriate) and bug hotels in the gardens and allotments.

Under section 40 of the Natural Environment and Rural Communities (NERC) Act 2006 and paragraphs 180 and 186 of the National Planning Policy Framework (NPPF) 2023, biodiversity should be maintained and enhanced through the planning system. Enhancement

refers to providing net benefits for biodiversity over and above requirements for avoidance, mitigation and compensation. As such, if planning permission is granted, we advise the condition(s) below are/is included.

Prior to development above slab level a detailed Biodiversity Enhancement plan must be submitted providing details of ecological enhancement features to be incorporated into the building and site. The features will be implemented as per the plan and maintained thereafter.

We highlight this condition suggestion is in addition to the BNG requirements.

KCC Highways - This development proposal does not meet the criteria to warrant involvement from the Highway Authority in accordance with the current consultation protocol arrangements.

TDC Environmental Health - Air Quality

It is noted that the extract ventilation for the cooking area does not terminate above the roof top. In order to adequately dispose of odours from the commercial kitchen extract ventilation system the following condition should be applied.

Prior to the commencement of the use hereby approved an extraction system shall be provided to food cooking and preparation areas, that terminates 1 metre above roof (ridge/eaves). The design of the extract ventilation system shall be agreed in writing by the Local Planning Authority. The flue discharge efflux velocity shall achieve at least 15 metres per second and that the flue is to be sited so as to minimise effects of vibration transmission and noise to any adjacent façade, and incorporates anti-vibration mounts, flexible couplings and an accelerator cone. Any such extraction system agreed shall be installed and thereafter maintained in accordance with the manufacturers specification unless otherwise agreed in writing by the Local Planning Authority. Odours from the site shall not cause an annoyance or nuisance at any adjoining or neighbouring residential premises not in the occupation of the proprietors of the food business.

Noise

Thank you for consulting Environmental Protection, we offer no objection save the below noise limiting condition for the heat pump unit.

Condition - Noise Limit

The specification of the air source heat pumps shall be submitted to the Local Planning Authority. The rating level of the heat pump unit shall not exceed the background noise level (LA90,T) at the nearest residential or commercial facade. All measurements shall be defined and derived in accordance with BS4142: 2014 Methods for rating and assessing industrial and commercial sound.

COMMENTS

This application is brought before members as the application has been made by Thanet District Council.

Principle

The site comprises an existing community centre located within the urban confines of Ramsgate. Policy CM01 of the Thanet Local Plan states that: "Proposals for new, or extensions of, or improvements to existing community facilities will be permitted provided they:

- 1) are of a scale to meet the needs of the local community and in keeping with the character of the area;
- 2) are provided with adequate parking and operational space;
- 3) are accessible by walking or cycling to the local community;
- 4) are located within or adjacent to the community or settlement they serve;
- 5) would not significantly impact upon the amenity of neighbouring residents;
- 6) either provide or have the ability in the future, to make provision for broadband to facilitate the creation of a community hub network and provide flexible business space."

The principle of development is, therefore, considered acceptable and the impacts of the development upon the character and appearance of the area, highway safety, accessibility, living conditions and broadband provision would be considered below.

Character and Appearance

The NPPF states that planning 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 and appropriate landscaping; are sympathetic to local character and history; establish or maintain a strong sense of place; and provide a high standard of amenity for existing and future users (Paragraph 135).

Policy QD02 of the Thanet Local Plan provides general principles for new development and 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. In this regard development must relate to the surrounding development, form and layout and strengthen links to the adjacent areas.

Policy SP35 relates to the quality of development and states that new development will be required to be of high quality and inclusive design.

The proposed development would increase the amount of development on the site and its proximity to the highway, however the extension would have a varied footprint, materials and roof form which is considered to add interest and variation to the appearance of the building.

The enclosure of the southern section of the site and the addition of the proposed structures in this section of the site would formalise the use of this section of the site and alter its character and appearance through the addition of boundary treatment. The proposed

boundary treatment would be similar in scale to the boundary walls visible at the front of the properties on Auckland Avenue and facilitate the increased use of this area for the community centre. Full details of the proposed materials would be secured by condition.

A bin store is proposed in the existing car park of the community centre, following concerns raised by Officers regarding the shipping container that was initially proposed an amended plan has been submitted altering the bin store to a timber enclosure.

The proposed air source heat pumps would be sited adjacent to the existing building and located in an area that is currently fenced. The air source heat pumps would therefore have limited views from the public realm.

It is therefore considered following the submission of the amended plan, that whilst the proposed development would be visible and prominent from a number of viewpoints, given the variation in design and materials, this proposal would have no significant impact upon the character and appearance of the area, in line with policy QD02 of the Thanet Local Plan and the National Planning Policy Framework.

Living Conditions

In terms of the living conditions of adjacent neighbours, paragraph 135 of the National Planning Policy Framework requires development to provide a high standard of amenity for existing and future users. Policy QD03 requires all new development to be compatible with neighbouring buildings and spaces and not lead to unacceptable living conditions through overlooking, overshadowing, loss of natural light or a sense of enclosure.

The proposed extension would project from the western side of the community centre towards Auckland Avenue and have a maximum height of 6.3m. Three rooflights would be located in the flat roofs and all other doors and windows would be located at ground floor level. At the closest point the proposed extension would be set away from the boundary of the site by 1.5m and there would be a separation distance of 19m to the closest neighbouring residential properties on the southwestern side of Auckland Avenue. Given the scale and location of the extensions this development is not considered to result in any significant loss of light sense of enclosure or overlooking to the neighbouring properties.

The alterations to the southern section of the site, including the erection of the boundary wall and grow tunnel and relocation of the shipping container would formalise the use of this section of the site. The proposed structures are limited in scale and due to the separation of the closest properties across the highway are not considered to result in any significant loss of light sense of enclosure or overlooking.

The proposed air source heat pumps would be located on the northern side of the existing building. Given this position away from the closest neighbouring properties they are not considered to result in any significant noise and disturbance.

This development would facilitate the increased use of the site, however given the existing use and the scale of the development and alterations, this proposal is not considered to result in any significant increase in noise and disturbance to the neighbouring properties.

In light of the above it is considered that the proposed development would have no significant impact upon the living conditions of the neighbouring property occupiers, in line with policy QD03 of the Thanet Local Plan and the National Planning Policy Framework.

Transportation

The proposed development would be located closer to the highway, but within the existing boundaries of the site. This proposal would increase the capacity of the community centre and is therefore likely to increase movements to and from the site.

The existing car park on the northern side of the site would be retained, however six spaces would be removed to facilitate the extension and location of the bin store. On street parking in the surrounding roads is unrestricted and appears to have capacity for additional parking. New bike stands are proposed to be installed around the site.

Whilst this development would increase the scale of the community centre and remove some parking from the existing car park, the increase in scale of the building is considered to be limited and given the function of the building, as a local community centre, and the availability of on street parking, it is considered that there would be no significant impact upon highway safety as a result of the development.

Biodiversity

The site currently comprises an existing building and car park surrounded by managed grassland. Trees have recently been planted to the south of the existing building and a number of planters are located around the site.

A proposed habitat plan along with a Biodiversity Net Gain (BNG) Metric has been submitted with the application. This plan indicates that the existing planters would be removed and some of the grassed area on the site would be lost to the new buildings, however the existing trees would be retained. New planters would be located on the eastern side of the building, allotments formed on the northern side and five new trees would be planted, four in the southern section of the site and one in the courtyard. Green roofs would also be located on the walkway and shipping container located on the southern section of the site.

KCC Biodiversity have reviewed the application and consider that sufficient ecological information has been provided with the application. They have indicated that as part of BNG there is a requirement for a Biodiversity Gain Plan to be submitted prior to commencement of the works and that further opportunities should be taken to enhance biodiversity on the site through the application for a biodiversity enhancement plan condition.

Following the submission of KCC's comments, amended plans have been submitted adding bee bricks to the proposed extension and indicating that bird and bat boxes would be added to an existing and proposed tree on the site. It is therefore considered that given the 10% BNG that would be achieved on the site and these additional measures the proposed development would enhance biodiversity on the site.

Flooding, Drainage and Contamination

The site is located within Flood Zone 1 and is therefore at a low risk of flooding. The site is located within the Groundwater Protection Zone as defined by policy SE04 of the Thanet Local Plan. This policy states; "Proposals for development within the Groundwater Source Protection Zones identified on the Policies Map will only be permitted if there is no risk of contamination to groundwater sources. If a risk is identified, development will only be permitted if adequate mitigation measures can be implemented. Proposals which involve the use of piled foundations on contaminated sites must demonstrate that they will not cause disturbance of any ground so as to cause turbidity in water supply and/or create pathways enabling contaminated materials to reach the groundwater.

Given the location of the site, the existing development, the scale of the proposed extensions and the use of the site, the proposed development is not considered to result in any significant increase in flood risk or harm to protected groundwater.

Conclusion

The proposed development would provide additional community facilities and resources and is not considered to result in any significant harm to the character and appearance of the area, the living conditions of neighbouring property occupiers, highway safety, biodiversity, flood risk or protected groundwater. It is therefore recommended that members approve this application.

Case Officer

Duncan Fitt

TITLE:

F/TH/24/0435

Project

Newington Community Centre Princess Margaret Avenue RAMSGATE Kent
CT12 6HX

