

**D04**

**F/TH/24/0576**

**PROPOSAL:** Erection of a five storey building to accommodate 13No self-contained flats, comprising of 5No 1-bed, 7No 2-bed and 1No 3-bed, together with associated access, parking and landscaping

**LOCATION:** Car Park At 20 To 22 Albion Place RAMSGATE Kent CT11 8HQ

**WARD:** Eastcliff

**AGENT:** Mr Marc Turnier

**APPLICANT:** Mr Clay

**RECOMMENDATION:** Defer & Delegate

Defer and delegate for approval subject to a section 106 agreement securing the stated heads of terms within 6 months and the following safeguarding 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 P101 Rev 1, P102 Rev 1, P103 Rev 1 and P104 Rev 1 received 05 June 2024, 903 and 904 received 25 July 2024, P105 Rev 2, P107 Rev 2 and P110 Rev 2 received 20 August 2024, P00 Rev 2, P905 Rev 1 and P906 Rev 2 received 03 September 2024.

**GROUND;**

To secure the proper development of the area.

3 Prior to the commencement of any development on site details to include the following shall be submitted to and approved by the Local Planning Authority and should be carried out in accordance with the approved details.

- (a) Routing of construction and delivery vehicles to / from site
- (b) Parking and turning areas for construction and delivery vehicles and site personnel
- (c) Timing of deliveries
- (d) Provision of wheel washing facilities
- (e) Temporary traffic management / signage
- (f) Measures to control noise affecting nearby residents

- (g) Dust control measures
- (h) Access arrangements

**GROUND**

In the interests of highway safety and neighbouring amenity, in accordance with Policy QD03 of the Thanet Local Plan and the advice contained within the NPPF.

4 Prior to the commencement of development, details shall be submitted and approved in writing by the local planning authority in consultation with the local highway authority, showing the provision of basement wall structure(s) supporting the highway footway in Albion Place, and removal of an existing retaining wall supporting the highway carriageway in Cottage Road.

**GROUND:**

In the interests of highway safety, in accordance with the advice contained within the NPPF.

5 No development shall take place until details of the means of foul drainage have been submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with such details as are agreed and thereafter maintained.

**GROUND:**

To protect the district's groundwater, in accordance with Policy SE04 of the Thanet Local Plan, and the advice contained within the National Planning Policy Framework.

6 No building on any phase (or within an agreed implementation schedule) of the development hereby permitted shall be occupied until a Verification Report for that phase, pertaining to the surface water drainage system and prepared by a suitably competent person, has been submitted to and approved by the Local Planning Authority. The Report shall demonstrate the suitable modelled operation of the drainage system where the system constructed is different to that approved. The Report shall contain information and evidence (including photographs) of details and locations of inlets, outlets and control structures; landscape plans; full as built drawings; information pertinent to the installation of those items identified on the critical drainage assets drawing; and, the submission of an operation and maintenance manual for the sustainable drainage scheme as constructed.

**GROUND**

To ensure the development is served by satisfactory arrangements for the disposal of surface water and to ensure that the development does not exacerbate the risk of on/off site flooding, in accordance with Policy CC02 of the Thanet Local Plan and advice contained within the NPPF

7 No Development shall take place until a detailed sustainable surface water drainage scheme for the site has been submitted to (and approved in writing by) the local planning authority. The detailed drainage scheme shall demonstrate that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100 year storm) can be accommodated and disposed of within the curtilage of the site without increase to flood risk on or off-site. The drainage scheme shall

also demonstrate that silt and pollutants resulting from the site use and construction can be adequately managed to ensure there is no pollution risk to receiving waters.

#### **GROUND**

To ensure the development is served by satisfactory arrangements for the disposal of surface water and to ensure that the development does not exacerbate the risk of on/off site flooding, in accordance with Policy CC02 of the Thanet Local Plan and advice contained within the NPPF

8 Prior to the installation of any external windows and doors, joinery details at a scale of 1:5 of the windows and doors to include sections through glazing bars, frames and mouldings shall be submitted to and approved in writing by the Local Planning Authority. Such details as are approved shall be carried out concurrently with the development and fully implemented prior to the first occupation of any part of the approved development.

#### **GROUND**

To secure a satisfactory external treatment and to safeguard the special character and appearance of the designated heritage asset in accordance with and advice contained within the National Planning Policy Framework.

9

10 Prior to the first occupation of the development hereby approved, details of the design of the electric vehicle charging points, to be located as shown on the approved plan numbered P00 Rev 2 shall be submitted to, and approved in writing by, the Local Planning Authority, and thereafter implemented and maintained as approved.

#### **GROUND**

To protect air quality, in accordance with Policy of the Thanet Local Plan and the advice as contained within the NPPF

11 Prior to the first occupation of the development hereby approved details of the proposed refuse stores shall be submitted to and approved in writing by the Local Planning Authority. The refuse storage facilities shall be provided in accordance with the approved details, and prior to the first occupation of the development, and shall thereafter be maintained.

#### **Ground**

To provide an adequate standard of amenity for the future occupiers of the development in accordance with Policy QD03 of the Thanet Local Plan and advice contained within the National Planning Policy Framework.

12 Prior to the first occupation of the development hereby approved, full details of both hard and soft landscape works, to include

o species, size and location of new trees, shrubs, hedges and grassed areas to be planted,

- o the treatment proposed for all hard surfaced areas beyond the limits of the highway,
- o walls, fences, other means of enclosure proposed,
- o ecological enhancements to be provided within the site

shall be submitted to, and approved in writing by, the Local Planning Authority.

#### **GROUND**

In the interests of the visual amenities of the area and to make a positive contribution to biodiversity, in accordance with Policies QD02 and SP30 of the Thanet Local Plan, and the advice as contained within the NPPF.

13 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

14 Prior the construction of the external surfaces of the development hereby approved samples of the materials to be used shall be submitted to, and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved samples unless otherwise agreed in writing by the Local Planning Authority.

#### **GROUND**

To safeguard the special character and appearance of the area as a Conservation Area in accordance with Policy HE02 of the Thanet Local Plan and the advice as contained within the NPPF.

15 Prior to the first occupation of the development, the area shown on approved plan P00 Rev 2 for the for the parking and manouvering of vehicles shall be operational. The area approved shall thereafter be maintained for that purpose.

#### **GROUND**

To provide satisfactory off street parking for vehicles in accordance with Policy TP06 of the Thanet Local Plan and the advice contained within the NPPF.

16 The development hereby approved shall incorporate a bound surface material for the first 5 metres of the access from the edge of the highway.

**GROUND**

In the interests of highway safety, in accordance with the advice contained within the NPPF.

17 Prior to the installation of all external meter boxes/cupboards details of materials and design of the meter cupboards shall be submitted to and approved in writing by the Local Planning Authority and installed accordingly.

**GROUND**

To safeguard the special character and appearance of the area as a Conservation Area in accordance with Policy HE02 of the Thanet Local Plan and the advice as contained within the NPPF.

18 All new windows shall be and set within a reveal of not less than 100mm

**GROUND**

To secure a satisfactory external treatment and to safeguard the special character and appearance of the designated heritage asset in accordance with advice contained within the National Planning Policy Framework.

19 Prior to the first occupation of the development, the secure cycle parking facilities, as shown on approved drawing no. P906 Rev 2 shall be provided and thereafter maintained.

**GROUND**

To promote cycling as an alternative form of transport, in accordance with Policy TP03 and SP43 of the Thanet Local Plan.

**INFORMATIVES**

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.

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/>

A formal application for connection to the public sewerage system is required in order to service this development. Please contact Southern Water, Southern House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or [www.southernwater.co.uk](http://www.southernwater.co.uk).

It is the responsibility of developers to have the appropriate waste storage facilities and containers in place prior to the property being occupied. For more information, please contact Waste and Recycling on 01843 577115, or visit our website <http://thanet.gov.uk/your-services/recycling/waste-and-recycling-storage-at-new-developments/new-developments/>

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.

## SITE, LOCATION AND DESCRIPTION

Albion Place comprises an imposing corner terrace of predominantly listed four storey Georgian terrace houses with basement levels which frame Thanet's only Registered Park and Garden, located within the Ramsgate Conservation Area. The terrace is highly prominent from a range of views throughout the Conservation Area by virtue of its elevated position above Ramsgate Harbour.

Albion Place was bomb damaged during WW2 which destroyed numbers 7-9 and 16-19 Albion Place (the application site), the sites of which are currently used as hard surface car parks. 20-26 Albion Place is also believed to have been bomb damaged during this period and has been externally and internally altered and currently accommodates offices. All but 21-26 of the Albion Place corner terrace are Grade II Listed Buildings.

The terrace was built as individual buildings characterised by regularity in terms of form, design, scale and features (such as verandas at first floor level, sash windows, use of render

at ground floor, railings, steps up to the upper ground floor entrance) however there are variations in the exact detailing to properties such as the number of windows and use of materials.

Permission was granted in December 2021 for the erection of a five storey building on the site containing 9 flats. This permission is still extant. Works have also commenced for the change of use of the adjacent buildings, Dundee House and Victoria House to dwellings following the applications that were granted in February 2024. This adjacent site is owned by the same developer.

### RELEVANT PLANNING HISTORY

L/TH/24/0682 - Application for Listed Building Consent for the erection of 5 storey building consisting of 13No self-contained flats, comprising of 5No 1-bed, 7No 2-bed and 1No 3-bed to be attached to the flank elevations of 2No Listed Buildings. Pending consideration.

F/TH/21/1175 - Erection of 5 storey building with basement consisting of 2No. 3bed Maisonettes, 1No. 2 bed Maisonette, 4No. 2 bed flats and 2No. 3 bed flats with associated parking. Granted 07 December 2021

L/TH/21/1223 - Application for Listed Building Consent for the erection of 5 storey building with basement consisting of 2No. 3bed Maisonettes, 1No. 2 bed Maisonette, 4No. 2 bed flats and 2No. 3 bed flats to be attached to the flank elevations of 2No. Listed Buildings (15 and 20 Albion Place). Granted 07 December 2021

The following planning history relates to the adjacent buildings to the south east, Victoria House and Dundee House

L/TH/23/1295 - Application for listed building consent for internal and external alterations including replacement of windows and doors, erection of front balconies, excavation works to form lightwells, 1No new front entrance with steps, alterations to fenestration and alterations to internal layout following partial demolition of existing building. Granted 02 February 2024

PAE/TH/23/1253 - Prior Approval for change of use from office (Use Class E) to 15No flats (Use Class C3)(10x1 bed and 5 x 2 bed). Granted 16 February 2024

F/TH/23/1221 - External alterations including replacement of windows and doors, erection of front balconies, excavation works to form lightwells, 4No new front entrances with steps, alterations to fenestration and the formation of a parking area, cycle store and bin to rear following partial demolition of existing building. Granted 16 February 2024

L/TH/19/1463 - Application for Listed Building Consent for erection of part 5 storey part 4 storey building with basement to accommodate 4No. 2 bed self contained maisonettes, 8No. 2 bed self-contained flats and 1No. 5 bed single dwelling, and erection of 4 storey 5 bed single dwelling with basement with existing external walls and internal party wall retained at 20 Albion Place, following demolition of existing 4 storey building with basement 21-26 Albion Place and partial demolition of 20 Albion Place, together with external alterations to

20 Albion Place and extension to roof and alterations to parking arrangement at rear.  
Granted 05 November 2020

F/TH/19/1389 - Erection of part 5 storey part 4 storey building with basement to accommodate 4No. 2 bed self-contained maisonettes, 8No. 2 bed self-contained flats and 1No. 5 bed single dwelling, and erection of 4 storey 5 bed single dwelling with basement with existing external walls and internal party wall retained at 20 Albion Place, following demolition of existing 4 storey building with basement 21-26 Albion Place and partial demolition of 20 Albion Place, together with external alterations to 20 Albion Place, alterations and extension to roof and alterations to parking arrangement at rear. Granted 05 November 2020

F/TH/19/1389 - Erection of part 5 storey part 4 storey building with basement to accommodate 4No. 2 bed self-contained maisonettes, 8No. 2 bed self-contained flats and 1No. 5 bed single dwelling, and erection of 4 storey 5 bed single dwelling with basement with existing external walls and internal party wall retained at 20 Albion Place, following demolition of existing 4 storey building with basement 21-26 Albion Place and partial demolition of 20 Albion Place, together with external alterations to 20 Albion Place, alterations and extension to roof and alterations to parking arrangement at rear. Granted 05 November 2020

### PROPOSED DEVELOPMENT

The application relates to the existing car park adjacent to 20-22 Albion Place, a bomb damage site which was formerly occupied by 3No. Georgian townhouses. This application seeks consent for the erection of a five storey building with basement level to provide 13 residential flats to infill the existing gap within this part of the terrace and attach to the adjacent Listed Buildings 15-20 Albion Place.

Following officer concerns regarding the impact of front dormers upon the appearance of the wider terrace, amended plans have been submitted replacing the front dormers with rooflights that are set flush with the plane of the roof slope.

### DEVELOPMENT PLAN POLICIES

#### **Thanet Local Plan 2020**

- SP01 - Spatial Strategy - Housing
- SP02 - Implementation
- SP14 - General Housing Policy
- SP22 - Type and Size of Dwellings
- SP23 - Affordable Housing
- SP29 - Strategic Access Management and Monitoring Plan (SAMM)
- SP35 - Quality Development
- SP36 - Conservation and Enhancement of Thanet's Historic Environment
- SP43 - Safe and Sustainable Travel
- SP45 - Transport Infrastructure
- HO1 - Housing Development



HE01 - Archaeology  
HE02 - Development in Conservation Areas  
HE03 - Heritage Assets  
GI04 - Amenity Green Space and Equipped Play Areas  
QD01 - Sustainable Design  
QD02 - General Design Principles  
QD03 - Living Conditions  
QD04 - Technical Standards  
QD05 - Accessible and Adaptable Accommodation  
CC02 - Surface Water Management  
SE05 - Air Quality  
TP01 - Transport Assessments and Travel Plans  
TP02 - Walking  
TP03 - Cycling  
TP06 - Car Parking

### NOTIFICATIONS

Letters were sent to neighbouring property occupiers, a site notice was posted close to the site and an advert was posted in the local paper.

Five letters of objection have been received raising the following concerns:

- Overdevelopment
- Use of dormer windows
- Size of the proposed dwellings
- Insufficient parking
- Highway safety
- Access for emergency vehicles
- Impact upon living conditions
- Impact upon the character and appearance of the area
- Loss of existing landscaping
- Impact upon biodiversity
- Height of the development
- Impact upon drainage
- Location of refuse storage
- Increase in litter
- Increase in antisocial behaviour
- Noise and disturbance
- Loss of car park
- Need for development

**Ramsgate Town Council** - No comment

### CONSULTATIONS

**Environment Agency** - Due to the scale, nature and setting of this proposal and the supporting information submitted, we have assessed this proposal as low risk. We therefore do not have any specific comments to add.

**Historic England** - Historic England provides advice when our engagement can add most value. In this case we are not offering advice. This should not be interpreted as a comment on the merits of the application.

**KCC Biodiversity** - Updated comments received 19 September 2024

We have previously commented on the proposal under comments for L/TH/24/0682 & F/TH/24/0576 Jul 24. We note the amendments to the rear parking area with landscaping alterations and reduction in access ramps for this application. Our comments below are broadly similar to our earlier comments but we would like to highlight that a reduction in the landscaped areas should be considered when planning the enhancement measures to ensure maximum ecological benefit is achieved.

*Initial comments received 11 July 2024*

No ecological information has been submitted with this application for erection of a 5- storey building of residential properties with access, parking and landscaping. As a result of reviewing the data we have available to us, and the information submitted with the planning application, we advise that the proposed development has limited potential to result in significant ecological impacts as it is located on a former car park, the building walls to which it will be joined are in good condition with no obvious features suitable for protected species and it is surrounded by hard standing with only a small isolated strip of vegetation. As such, we are satisfied that there is no requirement for an ecological survey to be carried out at this time .

Developer Contributions will need to be provided due to the increase in dwellings within the zone of influence of a Special Protection Area.

**BIODIVERSITY NET GAIN (BNG)** Under the Environment Act 2021 and the Town and Country Planning Act 1990 (as amended), all planning applications received in England (with a few exemptions) must deliver at least a 10% biodiversity net gain (BNG) from the 12th February 2024 and all minor applications from the 2nd April 2024. Where required, the Defra Statutory Metric or Small Sites Metric will need to be used to demonstrate a minimum 10% biodiversity net gain. Local policy may require a higher level of net gain. Habitats created/enhanced to achieve net gain will need to be secured for at least 30 years.

The site plan and aerial imagery shows the existing site with an area of vegetation at the rear NE boundary, along Cottage Road, within the red line boundary. The Design and Access statement (WG May 24) states that the site is exempt under the de minimis exemption and that there is less than 25m<sup>2</sup> of habitat on site. With the information provided we are unable to verify that this vegetation is under the 25m<sup>2</sup> required to meet the de minimis exemption. The LPA needs to be satisfied that this area of vegetation is below 25m<sup>2</sup> to ensure it meets the BNG exemption

If the vegetated area is above 25m<sup>2</sup>, the applicant will be required to provide mandatory BNG information prior to determination, see appendix 1, and detail why they are exempt as part of the submitted information.

## BREEDING BIRDS

Breeding birds may make use of the vegetation on Cottage Road boundary. To avoid breaches of legislation, we would recommend that a breeding bird informative be included with the planning permission, if granted.

Suggested informative wording:

The applicant is reminded that, under the Wildlife and Countryside Act 1981 (as amended), 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.

Habitats are present on and around the site that provide opportunities for breeding birds. Any work to vegetation/structures that may provide suitable nesting habitats should be carried out outside of the bird breeding season (1st March to 31st August inclusive) to avoid destroying or damaging bird nests in use or being built. If vegetation/structures need to be removed during the breeding season, mitigation measures need to be implemented. This includes examination by a suitably qualified and experienced ecologist immediately prior to starting work. If any nesting birds are found, works must cease until after the birds have finished nesting.

## DESIGNATED SITES

The development includes proposals for new dwellings within the zone of influence (7.2km) of the Thanet Coast and Sandwich Bay Special Protection Area (SPA) and Wetland of International Importance under the Ramsar Convention (Ramsar Site). Therefore, Thanet District Council will need to ensure that the proposals fully adhere to the agreed approach within the Strategic Access Management and Monitoring Plan (SAMMP) to mitigate for additional recreational impacts on the designated sites and to ensure that adequate means are in place to secure the mitigation before first occupation.

A decision from the Court of Justice of the European Union has detailed that mitigation measures cannot be considered when carrying out a screening assessment to decide whether a full 'appropriate assessment' is needed under the Habitats Directive. Therefore, we advise that due to the need for the application to contribute to the Thanet Coast and Sandwich Bay SAMMP there is a need for an appropriate assessment to be carried out as part of this application.

For new residential development in this area financial contributions are required to mitigate increased recreational disturbance on coastal SPAs and Ramsar Sites.

## ENHANCEMENTS

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.

We advise that there are opportunities for enhancements to be provided within the site with landscaping and integrated features and a list of examples commonly used are provided in appendix 2. Landscaping plans have been provided but because of the loss of the existing vegetation on the Cottage Road boundary we would like to make the LPA aware that we expect a net loss to biodiversity with the current plans. As such, if planning permission is granted, we advise that a condition is included requiring an ecological enhancement plan to be submitted. We recommend the following condition wording:

Within 3 months of works commencing, an ecological enhancement plan will be produced, submitted to and approved in writing by the local planning authority. It will include details of how the development will enhance biodiversity using a range of durable integrated features into the building and site, with associated landscaping plans using native species to benefit biodiversity. The ecological enhancement plan must be implemented as approved and retained thereafter.

To provide a view regarding the potential ecological benefits of any project, in line with relevant legislation and planning policy, we require sufficient detail to be submitted. Without sufficient detail we are unable to provide an opinion regarding the suitability of any proposed measures. Suitable detail may include the provision of information such as:

- o The proposed target species;
- o Make and model of any boxes/integrated features;
- o Location information such as height, aspect, surrounding habitat;
- o Detailed planting schedules; and
- o Relevant management necessary to ensure the habitat is suitable for the target species.

#### **KCC Flood and Water Management** - *Updated comments received 27 November 2024*

Thank you for updating calculations to include the full impermeable area of the site and respond to our comments. We also note Southern Water's letter of 5th November 2024 confirming capacity within their network to accept surface water flows of up to 2l/s.

We therefore withdraw our holding objection.

Should the LPA be minded to approve this application we would recommend that the following conditions are applied:

Condition:

Development shall not begin in any phase until a detailed sustainable surface water drainage scheme for the site has been submitted to (and approved in writing by) the local planning authority. The detailed drainage scheme shall be based upon the Surface Water Drainage Strategy (24th Oct 2024) by AEGAEA, and shall demonstrate that the surface

water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100 year storm) can be accommodated and disposed of without increase to flood risk on or off-site.

The drainage scheme shall also demonstrate (with reference to published guidance):

that silt and pollutants resulting from the site use can be adequately managed to ensure there is no pollution risk to receiving waters.

appropriate operational, maintenance and access requirements for each drainage feature or SuDS component are adequately considered, including any proposed arrangements for future adoption by any public body or statutory undertaker.

The drainage scheme shall be implemented in accordance with the approved details.

Reason:

To ensure the development is served by satisfactory arrangements for the disposal of surface water and to ensure that the development does not exacerbate the risk of on/off site flooding. These details and accompanying calculations are required prior to the commencement of the development as they form an intrinsic part of the proposal, the approval of which cannot be disaggregated from the carrying out of the rest of the development.

Condition:

No building on any phase (or within an agreed implementation schedule) of the development hereby permitted shall be occupied until a Verification Report, pertaining to the surface water drainage system and prepared by a suitably competent person, has been submitted to and approved by the Local Planning Authority. The Report shall demonstrate that the drainage system constructed is consistent with that which was approved. The Report shall contain information and evidence (including photographs) of details and locations of inlets, outlets and control structures; landscape plans; full as built drawings; information pertinent to the installation of those items identified on the critical drainage assets drawing; and, the submission of an operation and maintenance manual for the sustainable drainage scheme as constructed.

Reason:

To ensure that flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems, and to ensure that the development as constructed is compliant with and subsequently maintained pursuant to the requirements of paragraph 175 of the National Planning Policy Framework.

*Updated comments received 25 September 2024*

Kent County Council as Lead Local Flood Authority have reviewed the Drainage Strategy report (9th Aug 2024 by Aegaea) and have the following comments:

We note the reduction in impermeable area from 490m<sup>2</sup> pre development to approx 410m<sup>2</sup> post development. The proposal for the front roof areas (approx 80m<sup>2</sup>) to drain at surface level to Albion Place (unrestricted) is not supported by evidence that the existing impermeable area drains in this manner, and therefore is not a strategy that we can support. Flows should be managed prior to discharge wherever possible, to ensure that flood risk is not increased either on site or elsewhere. In addition, the strategy drawing mentions a public sewer in Albion Place, which is not shown on asset plans. The applicant is welcome to present survey work to support a proposed strategy.

In line with our Drainage and Planning Policy we require sites to discharge surface water as close to greenfield rates as possible, but with at least 50% reduction in peak rate across the series of rainfall return periods, for brownfield sites. In order to understand the peak rate of runoff for the full site, runoff rates from all areas of the development should be set out in calculations and reporting.

We note that near-surface infiltration SuDS that do not collect runoff from other areas (e.g. roof) have not been considered, and could be viable. We would request that these are fully investigated, in line with the drainage hierarchy, ahead of considering discharge to combined sewer, even if only part of the site may be drained in this way.

We note that the levels design for the proposed site may present challenges to the suggested attenuation proposal (of sub base storage beneath car parking bays), due to parking bays being at a higher elevation than the rear terrace, across which roof drainage will need to run.

At present no survey work has been presented to confirm how and where the pre-development impermeable area drains. In order to proceed to conditions we will need to see positive confirmation that an equivalent area (to that proposed) drains to the public combined sewer in Cottage Road, or written confirmation of capacity to receive the design flows from Southern Water. We would be grateful to receive this with your next submission.

A final note on modelled event durations; in order to ensure that the critical event is captured, we would appreciate events up to 2 days in length being run and the results submitted as critical by max level, wherever possible. Should the 2 day appear as critical for any part of the network, longer durations should be run to make sure that the true critical has been captured.

Until the above matters have been addressed to our satisfaction we would recommend that a holding objection is put in place.

*Initial comments received 10 July 2024*

Unfortunately the submitted Drainage and Flood Risk Assessment does not contain sufficient information to fully demonstrate the operation of the proposed method of surface water discharge, in this case via a shallow crate soakaway. We would therefore recommend the application is not determined until the following additional information has been provided for consultation.

A drainage proposal schematic or sketch

A clear description of key drainage features within the drainage scheme (e.g. attenuation volumes, flow control devices etc.)

Information to support any key assumptions (e.g. impermeable areas, infiltration rates etc.). If infiltration testing is not possible at this stage, an alternative strategy should be suggested to allow for the situation where infiltration rates are not favourable.

Supporting calculations to demonstrate the drainage system's operation and drainage model network schematic

Drainage strategy summary form (from our Drainage and Planning Policy Statement)

Consideration of key questions and / or local authority planning policy requirements.

Our Drainage and Planning Policy Statement sets out how Kent County Council, as Lead Local Flood Authority and statutory consultee, will review drainage strategies and surface water management provisions associated with applications for major development and should be referred to for further details about our submission requirements.

### **KCC Highways** - *Comments received 18 October 2024*

I echo comments regarding the refuse arrangements for this site, and advise that the applicant liaise with TDC Waste and Recycling. However, the Local Planning Authority have raised a precedent at this site (reference F/TH/21/1175) and on this basis I am minded I am unable to object to proposals with similar extant permission.

Therefore, although it is clear a 13m vehicle will be unable to manoeuvre Cottage Road, if TDC are content to utilise a second smaller vehicle due to capacity issues, I am content that one additional movement to additional arrangements is not significant.

To further minimise movements on Cottage Road I maintain that each bay should be allocated to a flat, instead of an unallocated communal arrangement.

It is noted the proposals will ultimately involve provision of basement wall structure(s) supporting the highway footway in Albion Place, and removal of an existing retaining wall supporting the highway carriageway in Cottage Road. As such technical approval will be required from our Structures Team and, whilst the further details and approval of these works can be secured by condition, the applicant is advised to contact the Structures Team at [structurestechnicalapproval@kent.gov.uk](mailto:structurestechnicalapproval@kent.gov.uk) to discuss these matters further.

I refer to the above planning application and confirm that provided the following requirements are secured by condition or planning obligation, then I would raise no objection on behalf of the local highway authority:-

Submission of a Construction Management Plan before the commencement of any development on site to include the following: (a) Routing of construction and delivery vehicles to / from site. (b) Parking and turning areas for construction and delivery vehicles and site personnel, which may require supporting vehicle tracking/swept paths. (c) Timing of deliveries, avoiding network and school peaks where possible. (d) Provision of wheel washing facilities. (e) Measures to prevent the discharge of surface water onto the highway. (f) Temporary traffic management / signage.

Provision and permanent retention of the vehicle parking spaces shown on the submitted plans prior to the use of the site commencing.

Use of a bound surface for the first 5 metres of the access from the edge of the highway.

Provision and permanent retention of secure, covered cycle parking spaces prior to the use of the site commencing in accordance with details to be submitted to and approved by the Local Planning Authority.

Prior to the commencement of development, details shall be submitted and approved in writing by the local planning authority in consultation with the local highway authority, showing the provision of basement wall structure(s) supporting the highway footway in Albion Place, and removal of an existing retaining wall supporting the highway carriageway in Cottage Road.

All dwellings with private off-street car parking should have an electric vehicle (EV) charging point installed and this should be subject to a planning condition. All Electric Vehicle chargers provided for homeowners in residential developments must be provided to Mode 3 standard (providing up to 7kw) and SMART (enabling Wifi connection). Approved models are shown on the Office for Low Emission Vehicles Homecharge Scheme approved chargepoint model list

#### *Comments received 12 September 2024*

I echo the comments of Waste and Recycling that the proposed development would be unable to be serviced as shown. The expectation of residents to drag bins for extensive distances along Cottage Road which is narrow with no footpath, for collection on Albion Place, is unacceptable. On this basis, I wish to place a holding objection until such a time that the applicant may be able to satisfy the outstanding queries outlined.

Furthermore, visibility splays remain incorrectly drawn as these should be to the nearside kerb. I acknowledge that driven speeds are likely low and splays can be reduced, however a speed survey would need to be submitted to support this.

#### *Updated comments received 23 August 2024*

I acknowledge that additional supporting documents have now been submitted, however the following matters remain unaddressed or have not been resolved.

Visibility splays have been drawn incorrectly, as these should be setback from the highway edge fronting the site, and drawn to the nearside kerbs rather. These should be within land under control of the applicant or KCC, and have no obstructions over 1.05m in height. It is apparent the splays are unachievable having undertaken my own assessment, however I accept driven speeds are likely lower than 30mph which can be confirmed by way of a speed survey. The 85 percentile speed would be used to determine the required splays.

Whilst Cottage Road is not preferable for additional movements, I am content that the 5 proposed spaces would not be a significant increase if they were allocated to units within the building. This would prevent residents and visitors accessing Cottage Road in hopes of finding a space. This should be confirmed in additional supporting documents.



Regarding the refuse strategy, TDC Waste and Recycling Team consulted on this matter as I do not see a resolution should a freighter face a vehicle travelling in the opposite direction along Cottage Road. It is unacceptable for a vehicle to be expected to reverse onto Wellington Crescent.

Finally, cycle parking should be secure and enclosed at a ratio of one space per bedroom and as such the proposed arrangements are unsatisfactory. Amended cycle parking should therefore be submitted.

*Initial comments received 09 July 2024*

A site plan inclusive of visibility splays should be submitted for any new access. Visibility splays of 2.4 metres by 43 metres are required in both directions (based on the 30 mph speed limit) drawn to the nearside carriageway edge. These splays must have no obstruction over 1.05 m in height and must only fall over land that is under the control of the applicant or KCC as the local highway authority. I acknowledge that driven speeds here are likely to be lower, and a speed survey could be undertaken to reduce the splays to the 85 percentile.

Whilst Cottage Road is not preferable for additional movements, I am content that the 5 proposed spaces would not be a significant increase if they were allocated to units within the building. This would prevent residents and visitors accessing Cottage Road in hopes of finding a space. This should be confirmed in additional supporting documents.

The parking provision of 5 spaces is a shortfall of 11, as parking standards would require a minimum of one space per unit in this edge of centre location with an additional 3 visitor spaces. Although it is likely that each unit will rely on a private vehicle for the majority of trips despite being in a fairly sustainable location, the applicant has provided a parking survey concluding that within a 200m walking distance the network has the capacity to accommodate the increased demand.

Although this parking survey does not account for approved developments at Dundee House and Victoria House there are restrictions on the network to prevent inappropriate parking, and Thanet District Council could seek to increase these should they see fit.

P1 and P5 are restricted by hard boundaries on one side and as such should be increased in width to a minimum of 2.7m. Furthermore, EV charging should be provided for each space as these will be allocated to flats to avoid increased associated movements. The applicant has stated they can provide a 6m aisle for manoeuvre, I disagree as this appears to include the road width however I am content if sufficient visibility can be shown this is negligible.

This access road to the rear parking area is very narrow and is unable to accommodate two-way movement, raising concerns for obstruction caused by waiting vehicles. Swept path tracking should be submitted to demonstrate that there is sufficient passing space for cars to pass one another at this section.

Regarding the refuse strategy, TDC Waste and Recycling Team consulted on this matter as I do not see a resolution should a freighter face a vehicle travelling in the opposite direction

along Cottage Road. It is unacceptable for a vehicle to be expected to reverse onto Wellington Crescent.

A streetlight column is also present on Cottage Road but not shown on plans, it is apparent however that this will conflict with the proposals and the applicant would require relevant permissions for this to be relocated. I would ask that this is included on an amended site plan for clarity.

Plans should be submitted as to how the retaining wall at the rear of the existing car park will be removed. The applicants should be advised that separate prior approval will be required from Kent County Council for the proposed retaining/basement wall adjacent to the highway and in this regard they should contact the Structures Development Manager on 0300 333 5539.

Finally, cycle parking should be secure and enclosed at a ratio of one space per bedroom and as such the proposed arrangements are unsatisfactory. Amended cycle parking should therefore be submitted.

**KCC Strategic Development and Place** - The County Council has assessed the implications of this proposal in terms of the delivery of its community services and is of the opinion that it will have an additional impact on the delivery of its services.

These impacts will require mitigation, either through the direct provision of infrastructure or the payment of an appropriate financial contribution.

Primary Education - Currently no Primary Education requirement.

Secondary Education - £13,968.00 - Towards a new Thanet secondary school or the provision of additional secondary places within the Thanet District non-selective and selective planning group, or any other new secondary school within the District.

SEND Build - £1,399.60 - Towards the provision of additional SEND places and/or additional SEND facilities within Thanet District.

Community Learning - £444.73 - Towards additional resources, equipment and services for the Community Learning Service in Thanet District, to assist with the education and training of the new learners from this development.

Integrated Children's Services - £740.50 - Towards additional equipment and resources for the Youth and Early Years Service in Thanet to enable early prevention and outreach provision in the vicinity of this development.

Library Service - £814.19 - Towards additional resources, equipment, and book stock (including reconfiguration of space) at local libraries serving the development, including Ramsgate, Newington and Broadstairs Libraries.

Social Care - £2,351.44 Towards specialist care accommodation, assistive technology systems and equipment to adapt homes, adapting Community facilities, sensory facilities, and Changing Places within the District.

All Homes built as Wheelchair Accessible & Adaptable Dwellings in accordance with Building Regs Part M 4 (2).

Waste - £676.00 - Towards improvements at Margate HWRC to increase capacity.

**Kent Police** - We have reviewed this application in regard to Crime Prevention Through Environmental Design (CPTED) and in accordance with the National Planning Policy Framework (NPPF).

Applicants/agents should consult us as Designing out Crime Officers (DOCO's) to address CPTED and incorporate Secured By Design (SBD) as appropriate. We use details of the site, relevant crime levels/type and intelligence information to help design out the opportunity for Crime, Fear of Crime, Anti-Social Behaviour (ASB), Nuisance and Conflict.

There is a carbon cost for crime and new developments give an opportunity to address it. Using CPTED along with attaining an SBD award using SBD guidance, policies and academic research would be evidence of the applicants' efforts to design out the opportunity for crime.

We recommend the applicant follows SBD guidance to address designing out crime to show a clear audit trail for Designing Out Crime, Crime Prevention and Community Safety and to meet our Local Authority statutory duties under Section 17 of the Crime and Disorder Act 1998. The points below identify my recommendations for the layout and design of this scheme;

1. Perimeter, boundary and divisional treatments must be a minimum of 1.8m high.
2. We recommend parking areas be covered by natural surveillance from an "active" window e.g. lounge or kitchen and sufficient lighting. In addition, we request appropriate signage for visitor bays to avoid conflict and misuse.
3. New trees should help protect and enhance security without reducing the opportunity for surveillance or the effectiveness of lighting. Tall slender trees with a crown of above 2m rather than low crowned species are more suitable than "round shaped" trees with a low crown. New trees should not be planted within parking areas or too close to street lighting. Any hedges should be no higher than 1m, so that they do not obscure vulnerable areas.
4. Please note, whilst we are not qualified lighting engineers, any lighting plan should be approved by a professional lighting engineer (e.g. a Member of the ILP), particularly where a lighting condition is imposed, to help avoid conflict and light pollution. Bollard lighting should be avoided, SBD Homes 2019 states: "18.3 Bollard lighting is purely for wayfinding and can be easily obscured. It does not project sufficient light at the right height making it difficult to recognise facial features and as a result causes an increase in the fear of crime. It should be avoided. Lighting of all roads including main, side roads, cul de sacs and car parking areas should be to BS5489-1:2020 in accordance with SBD and the British Parking Association (BPA) Park Mark Safer Parking Scheme specifications and standards.

5. All external doorsets (a doorset is the door, fabrication, hinges, frame, installation and locks) including folding, sliding or patio doors to meet PAS 24: 2022 UKAS certified standard, STS 201 or LPS 2081 Security Rating B+.

6. Windows on the ground floor or potentially vulnerable e.g. from flat roofs or balconies to meet PAS 24: 2022 UKAS certified standard, STS 204 Issue 6:2016, LPS 1175 Issue 8:2018 Security Rating 1/A1, STS 202 Issue 7:2016 Burglary Rating 1 or LPS 2081 Issue 1.1:2016 Security Rating A. Glazing to be laminated. Toughened glass alone is not suitable for security purposes.

7. Bedroom windows on the ground floor require a defensive treatment to deflect loitering, especially second bedrooms often used by children.

8. We recommend "A GUIDE FOR SELECTING FLAT ENTRANCE DOORSETS 2019" for buildings featuring multiple units, any covered access must deflect loitering that can stop residents and their visitors from using it without fearing crime. Entrance doors must be lit and designed to provide no hiding place.

9. For the main communal doors audio/visual door entry systems are required. We strongly advise against trade buttons and timed-release mechanisms, as they permit unlawful access and have previously resulted in issues with Crime and ASB.

10. Cycle and Bin Stores must be well lit and lockable, with controlled access for the residents within the flats. We advise on the use of ground/ wall SBD or sold secure anchors within the cycle storage area and sheds of dwellings.

11. Mail delivery to meet SBD TS009 are strongly recommended for buildings with multiple occupants along with a freestanding post box of SBD/Sold Secure approved Gold standard. If mail is to be delivered within the lobby, there must be an access controlled door leading from the lobby to the apartments/ stairs on the ground floor to prevent access to all areas.

If approved, site security is required for the construction phase. There is a duty for the principle contractor "to take reasonable steps to prevent access by unauthorised persons to the construction site" under the Construction (Design and Management) Regulations 2007. The site security should incorporate plant, machinery, supplies, tools and other vehicles and be site specific to geography and site requirements.

**Natural England** - - NO OBJECTION SUBJECT TO SECURING APPROPRIATE MITIGATION

This advice relates to proposed developments that falls within the 'zone of influence' (ZOI) for one or more European designated sites, such as North Kent Special Protection Area (SPA). It is anticipated that new residential development within this ZOI is 'likely to have a significant effect', when considered either alone or in combination, upon the qualifying features of the European Site due to the risk of increased recreational pressure that could be caused by that development. On this basis the development will require an appropriate assessment.

Your authority has measures in place to manage these potential impacts in the form of a strategic solution Natural England has advised that this solution will (in our view) be reliable and effective in preventing adverse effects on the integrity of those European Site(s) falling within the ZOI from the recreational impacts associated with this residential development.

This advice should be taken as Natural England's formal representation on appropriate assessment given under regulation 63(3) of the Conservation of Habitats and Species Regulations 2017 (as amended). You are entitled to have regard to this representation.

**Southern Water** - The applicant has not provided details of the proposed means of disposal of foul/surface water drainage from the site. Southern Water is unable to comment fully on this Planning Consultation until such time as the relevant information is provided.

Construction of the development shall not commence until details of the proposed means of foul/surface water drainage disposal have been submitted to and approved in writing by the Local Planning Authority in consultation with Southern Water.

**TDC Conservation Officer** - *Updated comments received 04 December 2024*

To update the previous Conservation Officer's comments following receipt of the amended plans, I consider that the proposed change from dormer windows to conservation rooflights on the front elevation will have a neutral impact. As such, I do not object.

*Initial comments received 03 July 2024*

Following a review of the proposed application I would raise no objections given the previously approved application on the site under reference L/TH/21/1223 and F/TH/21/1175.

Similar conditions to those previously imposed should be put into place in order to achieve a cohesive design which matches in with the surrounding ongoing development.

**TDC Waste and Recycling** - As previously stated for Victoria House and Dundee House the bins need to be presented at the front of the property in Albion Place for collection. We don't mind where they are stored during the week but they need to be presented in Albion Place for collection. I am afraid that Cottage Road is serviced by a restricted vehicle which is already at capacity which is why we need all new developments to plan to be serviced by a standard vehicle and round i.e., 26 tonne, wherever possible.

## COMMENTS

This application has been called to Planning Committee by Cllr Crittenden for Members to consider the design of the development.

## **Principle**

Policy HO1 of the Thanet Local Plan states that residential development on non-allocated sites within the confines of the urban area can be granted where it meets other relevant Local Plan policies.

The site formerly contained Georgian townhouses prior to bomb damage and their demolition, and is currently in use as a hard surfaced car park. There are no policies which protect the existing car park use.

The application site constitutes previously developed land within the urban confines of Ramsgate and its development for residential units would accord with Policy HO1.

The proposed development is therefore considered to be acceptable in principle, subject to the assessment of all other material planning considerations.

### **Size and Type of Housing**

Policy SP22 of the Thanet Local Plan states that proposals for housing development will be expected to provide an appropriate mix of market and affordable housing types and sizes having regard to the Strategic Housing Market Assessment (SHMA) recommendations as may be reviewed or superseded.

The application proposes 5 1 bed flats, 7 2 bed flats and 1 3 bed flat. The development proposes a mixture of maisonettes and flats and, therefore, provides some variation in the housing type. Whilst flats/maisonettes are the housing type proposed, this has been informed by the requirement to provide a compatible development for this sensitive historic environment, and is considered to be suitable for this edge of town centre location.

Policy QD05 requires that in new developments, 10% will be expected to be built in compliance with building regulation part M4(2), in order to provide accessible and adaptable accommodation for wheelchair users.

The application site is located within a Conservation Area which is characterised by vertically proportioned terraced dwellings, and will adjoin a Listed Building to the south east. Given the need for the development to positively integrate with the historic built environment and to preserve or enhance the designated heritage assets, for example through appropriate sizes and proportions of external openings, this provision would not be compatible with these requirements of the development. As such, the provision of accessible and adaptable accommodation has not been sought for this development.

### **Character and Appearance**

Section 16 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that when 'considering whether to grant listed building consent for any works the local planning authority ... shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses'. Paragraph 203 of the National Planning Policy Framework 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 National Planning Policy Framework (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.

The site is also located within the Ramsgate Conservation Area and, therefore, the Council must 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.'

Policy SP36 of the Thanet Local Plan states that "The Council will support, value and have regard to the historic or archaeological significance of Heritage Assets.."

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.

Policy HE03 of the Thanet Local Plan states that proposals that affect both designated and non-designated heritage assets, will be assessed by reference to the scale of harm, both direct and indirect, or loss and the significance of the heritage asset in accordance with the criteria in the National Planning Policy Framework.

Paragraph 135 of the National Planning Policy Framework states that development should be sympathetic to local character and the surrounding built environment and establish and maintain a strong sense of place.

Policy QD02 of the Thanet Local Plan provides general design 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.

The application proposes to infill the existing car park site with a building of a comparable footprint, height and scale to the remainder of the terrace, which will largely align with the depth and position of the main body of the existing terrace. The application proposes to follow the design approach of the adjacent approved scheme to the south east which largely reflects the design, appearance and proportions of the original terrace, appearing as a series of vertical units to the frontage referencing the original individual terraces, with some variations in detailing, fenestration and materials, with a simpler design to the rear.

The proposed layout, size and height of the building is considered to be appropriate and will integrate with the common height, depth and layout of the terrace, continuing the design approach and configuration of the adjacent approved development. Whilst the building will extend to five storeys above ground level, this has been sensitively designed to appear as a continuation of the terrace, with the top floor set within the roofslope, served by rooflights at the front which are set behind the front parapet, of limited prominence.

The proposed design of the building will read as a row of three vertically proportioned units, each with a separate entrance, detailing, patterns of fenestration, and material finishes, all of which incorporate a separate verandah to the first floor. This shall reflect the regular vertical proportions and design features of the terrace, whilst providing the characteristic differentiation in detailing and style to the principal elevation, thereby cohesively integrating the building into this sensitive historic environment. During the application process a plan showing the existing, proposed and approved facade alignments has been provided. This plan indicates that the alignment of the doors, windows and balconies would be similar to the arrangement approved under the extant permission. The submitted plans indicate that the dwellings would be constructed from painted render, slate tiles, timber windows, metal railings and conservation rooflights. The proposed material finishes, design features and fenestration arrangement are considered to provide a range of suitable and compatible appearance which will integrate with the existing terrace. Full details of the materials and finishes will be secured by condition should consent be granted.

The rear elevation of the terrace shall provide a simpler, functional design in comparison to the front elevation. This design will be comparable with the adjacent approved development and will be suitably compatible with the design and form of the rear elevation of the existing terrace.

The proposed layout of the rear will provide a small area of landscaping along with a row of parking spaces, and an access to the rear of the building via a slope and steps. This layout is considered to be suitably compatible with the arrangement and layout to the rear of buildings to this terrace, of a comparable layout to the rear of the adjacent approved development.

The proposed development will reinstate built form to this bomb damage site, thereby reinstating the sense of enclosure and continuity of the terrace, which frames Albion Place Gardens. This is considered to form an improvement to this sensitive and prominent part of the Conservation Area from the existing car park. The development is considered to be compatible with the surrounding historic built environment and shall integrate well with the terrace to which it forms a part.

The Conservation Officer has raised no objections to the revised proposal. The proposed amended development is considered to be suitably compatible with the special character and appearance of the Conservation Area and the setting of the adjacent Listed Buildings, in accordance with Policies HE02 and QD02 of the Thanet Local Plan and the National Planning Policy Framework.

### **Living Conditions**

Policy QD03 of the Thanet Local Plan requires all new development to provide a high quality layout and paragraph 135 of the National Planning Policy Framework requires a high standard of amenity for existing and future users.

The proposed development will largely align with the main body of the existing terrace to which it will form a part, extending a modest depth beyond the rear elevation of the adjacent buildings. The rear projection will extend a relatively modest depth beyond the main rear elevation and shall be centrally sited, with sufficient separation to each adjacent neighbour to



prevent harm. This layout, arrangement and relationship with the adjacent buildings is not considered to result in harm to their residential amenity, deriving from the built form.

Prior to works commencing the adjacent building to the south east contained windows and doors to the centre of its side elevation. These windows and doors were secondary windows serving the existing office building. The permitted development scheme to replace these offices with residential units does not include any window or door openings to this side elevation. The proposed building would project 1.3m beyond the rear of this neighbouring building, however this is considered to be a limited projection. Given the existing relationship and use of the adjacent building, and the permitted development at this site, this element of the proposal is not considered to result in significant harm to living conditions to warrant refusal of the application.

The dwelling to the north west (15 Albion Place) has no openings in the side elevation facing the site and has a large two storey rear projection. On the boundary with this property the proposed building would project 1.7m beyond the rear elevation of the main rear elevation of this neighbouring property, however given the scale of the rear projection and orientation of the rear openings, this development is not considered to result in any significant loss of light, sense of enclosure or overlooking to this neighbour.

The proposed development would introduce a 5 storey building on the site of the existing car park, with an approximately 21m separation distance to the adjacent dwellings to the rear, fronting Cottage Road. The proposal will result in additional impacts to the living conditions of the adjacent dwellings to the rear, which will reduce their existing light and outlook that is currently in situ. However, given the separation distance provided, which will limit and mitigate the additional impacts, the proposed development is not considered to result in significant or unacceptable harm to the living conditions of the dwellings to the rear.

In terms of overlooking, there is an established arrangement of four/five storey buildings with rear elevation windows at all levels to the existing terrace. The proposal will introduce new rear elevation windows. This will be an addition to an existing situation of four/five storeys of rear elevation windows in the vicinity, and approximately 21m separation distance will be provided to the dwellings to the rear, which will meet the 21m guidance distance which has been historically used to assess impacts of overlooking. As such, the development is not considered to result in harmful overlooking.

The use of the proposed building for residential purposes is not considered to result in any significant increase in noise and disturbance in the area. Noise and disturbance during construction is considered to be temporary in nature. A construction management plan would be required by condition to limit noise and disturbance during construction.

In terms of the living conditions for the future occupiers, all of the proposed flats will be provided with a suitable layout and exceed the applicable Nationally Described Space Standards, and therefore accord with Policy QD04 of the Thanet Local Plan.

The two ground floor units would have private terraces at the rear which would be considered suitable doorstep playspace. An area has been identified on the plan as a communal amenity between the rear of the building and the parking area. This area is limited

in size and the access to the rear of the building would pass through this area. The use of this area as doorstep playspace is not ideal, however this area could be secured through suitable boundary treatment. The resulting harm to the living conditions of the future occupants is, therefore, considered to be limited.

Refuse and cycle storage would be located at the rear of the site and would be secured by condition.

The proposed development is, therefore, considered to be acceptable in terms of the residential amenity of adjacent neighbours and the future occupants, in accordance with Policies QD03, QD04 and GI04 of the Thanet Local Plan and the National Planning Policy Framework.

## **Transportation**

The site is positioned in a highly sustainable location, close to Ramsgate town centre. On street parking in Albion Place is limited and subject to restrictions and on street parking in Cottage Road and the surrounding streets is limited due to their width.

The existing site was previously used as a private car park in association with Victoria and Dundee House. The residential development of these neighbouring properties was approved without the use of this car park.

Five parking spaces are proposed at the rear of the site accessed from Cottage Road. Two of these spaces would be provided with electric vehicle charging points.

KCC Highways initially raised concerns about the proposed parking arrangements and requested additional information regarding the proposed visibility splays and speed of vehicles using Cottage Road. However on review it was noted that the proposed arrangement is similar to that approved as part of the previous extant development on the site and no objection was raised to the proposed parking arrangement.

Cottage Road is narrow in width and there is no pavement in this area. It is also acknowledged that the visibility from the proposed parking spaces is not ideal. The proposed parking spaces are however set away from the boundary with the highway, would not introduce a significant number of additional movements and the arrangement of this area would allow for an additional passing space. Due to the narrow width of the road and lack of pavement vehicular movements in this area would be at a low speed. The resulting impacts upon highway safety are therefore not considered to be unacceptable, nor are the residual cumulative impacts on the road network considered to be severe.

The conditions requiring the submission of a construction management plan, use of a bound surface, details of highway supports, and the provision and retention of the parking spaces, cycle storage and electric vehicle charging points are considered appropriate and necessary.

Access for emergency vehicles would remain as existing.

Secure cycle storage is proposed at the rear of the site and details would be secured by condition.

Details of the construction of the parking area at the rear of the site would also be secured by condition to ensure that Cottage Road is adequately supported both during construction and for the lifetime of the development.

Bin storage and collection is proposed at the rear of the site. Whilst TDC waste and recycling have objected to the bin store in this location and indicated that collections should be made at the front of the site, such an arrangement is considered to result in significant harm to the character and appearance of the listed buildings, the listed gardens and the conservation area. Furthermore there are existing collections from the properties on Cottage Road and permission was granted for a similar refuse storage and collection arrangement as part of the 2021 application (Reference F/TH/21/1175). It is therefore considered that the proposed refuse storage and collection arrangements would not result in any significant harm to highway safety.

### **Biodiversity**

The site is largely hard surfaced or covered with built development and therefore presents limited opportunities for biodiversity. Some landscaping is currently present at the rear of the site, however the size of this area is limited. Small areas of landscaping are proposed on the site between the proposed parking area and the building. Full details of the proposed landscaping for the site along with measures to improve biodiversity would be secured by condition. Given the limited extent of the existing landscaping and subject to the required conditions this proposal is not considered to result in any significant harm to biodiversity in the area.

### **Archaeology**

The site is largely hard surfaced or covered with built development and given the limited alterations to the footprint of the building, there is limited potential for archaeology to be disturbed as a result of this development.

### **Affordable Housing and 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 has meant that the Council accords with the Habitat Regulations.

The applicant has agreed to provide a legal agreement securing the required contribution towards the Strategic Access Management and Monitoring (SAMM) plan to offset the potential impact on protected birds at European designated sites from increased visitors from the district to these areas.

This approach has been considered by the Council and Natural England as acceptable for new residential development, as necessary to deal with the potential effects of increased disturbance to both summer and winter birds, in accordance with the Habitats Regulations.

Policy SP23 of the Thanet Local Plan requires that for developments of 10no. units or more, 30% affordable housing is provided. Policy SP41 states that Development will only be permitted when provision is made to ensure delivery of relevant and sufficient community and utility infrastructure. Where appropriate, development will be expected to contribute to the provision of new, improved, upgraded or replacement infrastructure and facilities.

The applicant proposes to provide all of the contributions requested by KCC and the NHS Primary Care Team. The applicant has indicated that they are not able to provide affordable housing as this would result in the application not being viable. A viability assessment has been submitted with the application, which has been independently reviewed by the Council's appointed consultants. Whilst the consultants have raised issues with the benchmark land value, sales values, construction costs and developer return, they have run the appraisal on updated figures on those key points and this has reached the same conclusion as the submitted viability, that this development would not be viable with an affordable housing contribution or provision on site. This followed a separate appraisal of development cost looking at the specific additional costs of heritage design and materials associated with the development. This review has also taken into account a profit level of 17.5% on Gross Development Value, rather than the 20% within the submitted viability. This review is appended at Annex 1.

On this basis a development without an affordable housing contribution is considered to be justified through the viability review process and therefore complies with policy SP23.

## **Drainage**

An initial surface water drainage strategy has been submitted with the application and following the submission of further information KCC Flood and Water Management have raised no objection subject to conditions requiring the submission of full details of a sustainable surface water drainage scheme prior to the commencement of development and a verification report to be submitted following completion of this scheme.

Details of the foul drainage for the site would also be secured by pre-commencement condition. The developer would be required to submit a formal application to Southern Water for a connection to drainage and water. If required the developer may be required to pay a contribution to Southern Water to upgrade the services.

Following the submission of additional information and subject to the required conditions this development is considered to provide adequate drainage and would not increase flood risk in the area.

### **Other Matters**

The new dwellings would be conditioned to achieve a water efficiency standard of 110 litres per person per day to accord with policy QD04.

The use of the proposed buildings for residential purposes is not considered to result in a significant increase in antisocial behaviour or litter in the area.

### **Conclusion**

The Council has achieved a measurement of 71% for housing delivery against the identified housing targets in the 2022 Housing Delivery test results, which falls below the requirements set by the government under paragraph 79 and footnote 8 of paragraph 11 of the National Planning Policy Framework (NPPF). On this basis the Council are in presumption under paragraph 11 of the NPPF, which means when considering the planning application, planning permission should be granted "unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole or specific policies in this Framework indicate development should be refused".

This development would provide thirteen additional dwellings which is considered to be a good contribution to the district's housing supply in a sustainable location. This proposal would also restore part of a historic terrace and provide some modest economic benefits during construction.

There is an extant permission for a similar development on the site and this must be given significant weight in the determination of this application.

This proposal would reuse a brownfield site in a highly sustainable location and is considered to present an appropriate design that would not result in any significant harm to the character and appearance of the area or the living conditions of the neighbouring property occupiers. This proposal is also not considered to result in any significant harm to biodiversity or highway safety in the area.

The application has undergone a viability review which has indicated that it is not possible to provide 30% affordable housing on the site or a contribution towards off site affordable housing. The applicant has agreed to provide all KCC contributions and the SAMM contribution.

The proposal is considered to be a sustainable form of development that complies with Local Plan Policy and the NPPF. Therefore the recommendation to the planning committee is that the application is deferred and delegated for approval subject to a section 106 agreement securing the stated heads of terms and safeguarding conditions.

**Case Officer**  
Duncan Fitt

TITLE:

F/TH/24/0576

Project

Car Park At 20 To 22 Albion Place RAMSGATE Kent CT11 8HQ

