

**D06**

**F/TH/24/0640**

PROPOSAL: Erection of a second floor extension together with increase in roof height with the insertion of 1No dormer to front and 3No dormers to the side to facilitate the creation of 2No 1-bed and 1No 2-bed self-contained flats, installation of 1No balcony to the rear elevation following alterations to fenestration and internal layout

LOCATION: Rooks Delicatessen 7 - 9 King Street Ramsgate Kent CT11 8NN

WARD: Eastcliff

AGENT: Mr David Kinsella

APPLICANT: Mr Behrooz Ahmadi Abdolvand

RECOMMENDATION: Defer & Delegate

Defer and delegate for approval subject to the submission of a signed legal agreement securing the outlined contributions within 6 months and subject to the following conditions:

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

**GROUND:**

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

2 The proposed development shall be carried out in accordance with the submitted application and the approved drawings numbered DTK 24/1403 and DTK 24/1404.

**GROUND**

To secure the proper development of the area.

3 The dwelling hereby permitted shall be constructed in white render, slate roof, aluminium fenestration in black powder coating 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.

4 Prior to the erection of the false pitched roof hereby approved, samples of the slate roof tile shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

**GROUND**

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

5 All new window and door openings shall be set within a reveal of not less than 100mm.

**GROUND**

In the interests of visual amenity in accordance with Policy QD02 of the Thanet Local Plan

6 Prior to the first use of the balcony hereby approved, a privacy screen of not less than 1.8m in height shall be provided and maintained to a minimum level of obscurity to conform to Pilkington Glass level 4 or equivalent and permanently retained thereafter.

**GROUND**

To safeguard the privacy and amenities currently enjoyed by the occupiers of adjoining residential properties in accordance with policy QD03 of the Thanet Local Plan.

7 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) Parking and turning areas for construction and delivery vehicles and site personnel
- (b) Timing of deliveries
- (c) Measures to control noise affecting nearby residents
- (d) Dust control measures
- (e) Location of storage area for materials

**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.

8 The refuse storage facilities as specified upon the approved drawing numbered DTK 24/1403 shall be provided prior to the first occupation of the residential units hereby approved and shall be kept available for that use at all times.

**GROUND**

To safeguard the residential amenities currently enjoyed by the occupiers of nearby residential properties in accordance with Policy QD03 of the Thanet Local Plan.

9 The development hereby permitted shall be constructed in order to meet the required technical standard for water efficiency of 110 litres/person/day, thereby Part G2 Part 36 (2b) of Schedule 1 Regulation 36 to the Building Regulations 2010, as amended, applies.

**GROUND**

Thanet is within a water stress area as identified by the Environment Agency, and therefore new developments will be expected to meet the water efficiency optional requirement of 110 litre /person/day, in accordance with Policy QD04 of the Thanet Local Plan.

SITE, LOCATION AND DESCRIPTION

The application site is located on the southern side of King Street, Ramsgate, which is within the Conservation Area. The site is close to the intersection with King Street, High Street, Queen Street and Harbour Street.

7-9 King Street is a prominent part three and two storey corner plot property, which fronts King Street to the west and abuts Abbots Hill to the north, and formerly contained a retail shop at ground floor level.

Within King Street the character is predominantly commercial with some residential units at the upper floors.

### RELEVANT PLANNING HISTORY

F/TH/23/1651 - Erection of a two storey rear extension together with increase in roof height to provide additional floor with the insertion of 2No dormers to the front and 1No dormer to the rear to facilitate the creation of 5No 1-bed and 1No 2-bed self-contained flats (upper floors), installation of 2No balconies to the rear elevation following alterations to fenestration and internal layout. Refused 03/04/24

The grounds of refusal were:

- 1. The site lies within the Ramsgate Conservation Area, and it is the duty of the Council, as the Local Planning Authority, to pay special attention to the desirability of preserving and enhancing its special character and appearance. The development, by virtue of its design, scale, bulk and prominent location, would result in severe harm to the the conservation area and setting of adjacent listed buildings, which is not outweighed by any public benefits, contrary to Thanet Local Plan Policies HE02, HE03 and QD02, and paragraphs 135, 205, 206 and 208 of the National Planning Policy Framework.*
- 2. The proposal to create additional residential units through the alteration, conversion and extension of the building would result in unacceptable standard of residential accommodation for its future occupiers, specifically Flat A by virtue of the inadequate levels of natural light, ventilation and outlook to the flat. The provision of this unit is contrary to policies QD03 and QD04 of the Local Plan and paragraph 135 of the National Planning Policy Framework.*
- 3. The applicant has failed to demonstrate that, given the restricted nature of the site, the control of waste and recycling could be effectively undertaken, with the anticipated accumulation of waste and recycling resulting in a detrimental impact on the amenity of the occupiers of adjacent land and any future occupants of the site, contrary to the provisions of Policy QD02 of the Thanet Local Plan and paragraph 135 of the National Planning Policy Framework.*
- 4. The proposed residential conversion does not include any secure cycle storage, and therefore would not promote cycling as a form of transport for the occupants of the site, contrary to policy TP03 of the Thanet Local Plan and paragraph 135 of the National Planning Policy Framework.*
- 5. The proposed development will result in additional pressure on the Thanet Coast and Sandwich Bay Special Protection Area (SPA), and Sandwich Bay and Hacklinge Marshes Site of Special Scientific Interest (SSSI), and in the absence of an acceptable form of mitigation to relieve the*

*pressure, the proposed development would be contrary to policy SP29 of the Thanet Local Plan and paragraph 188 of the National Planning Policy Framework.*

## PROPOSED DEVELOPMENT

Full planning consent is sought for the erection of a second floor extension together with increase in roof height with the insertion of 1No flat roof dormer in an offset position to front and 3No flat roof dormers to the side elevation facing Abbots Hill. The proposed extension would facilitate the creation of 2No 1-bed and 1No 2-bed self-contained flats. Entrance to the flats will be via Abbots Hill through a reinstated door which is currently blocked off to the existing cold store. The two, 1 bed flats would be located at the first floor and the 2 bed unit would be within the second floor.

In addition to the rear elevation the proposal seeks consent for the installation of 1No balcony to serve the 2 bed unit at second floor level following alterations to fenestration and internal layout.

The second floor elevation is to be rendered and painted white to match the existing first floor with the third floor in slate roof to the front. Replacement aluminium fenestration in black powder coating.

This is a resubmission of an application which was refused earlier this year, see planning history section. Amendments have been made to the design and appearance of the proposal as well as a reduction in the number of units.

## DEVELOPMENT PLAN POLICIES

### **THANET LOCAL PLAN 2020**

SP01 - Spatial Strategy - Housing  
SP11 - Ramsgate  
SP13 - Housing Provision  
SP14 - General Housing Policy  
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  
E04 - Primary and Secondary Frontages  
HO1- Housing Development  
GI04 - Amenity Green Space and Equipped Play Areas  
HE02 - Development in Conservation Areas  
HE03 - Heritage Assets  
QD01 - Sustainable Design  
QD02 - General Design Principles  
QD03 - Living Conditions  
QD04 - Technical Standards  
TP02 - Walking  
TP03 - Cycling

TP06 - Car Parking

## NOTIFICATIONS

Letters were sent to adjoining occupiers, a site notice posted close to the site and the application publicised in a local newspaper.

Twelve representations were received, of which nine objected to the scheme.

The concerns raised can be summarised as follows:

- Development out of keeping with the area
- Drawings don't show the site context
- Concerns about rubbish
- Damage to historic building on a historic street
- Would set a precedent
- Loss of wooden shop front to 6 Abbots Hill
- Impact upon designated heritage assets
- Damage to neighbouring property through water egress, vermin etc
- Loss of privacy
- Security
- Fire safety
- Noise
- Odour from bin storage area

Three letters of support have been submitted detailing:

- Need for high quality housing
- Good location within the town centre
- Sympathetic to the historic area

**Ramsgate Town Council:** Ramsgate Town Council objects to this application on the grounds that it is considered to be overdevelopment; effect on neighbouring properties; it is not considered as an appropriate development in the conservation area and the issue with bin storage and collection.

## CONSULTATIONS

**Southern Water: - Final comment** Southern Water apologises for the previous comments within our letter dated 22 July 2024 regarding the discharge of Foul and/or Surface Water connections. We believe that the information relating to this being an existing connection was overlooked. Southern Water has no further objections to the planning application at this time.

**Initial comment** 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.

Our investigations indicate that Southern Water can facilitate foul sewerage /surface water run off disposal to service the proposed development. Southern Water requires a formal application for a connection to the public sewer to be made by the applicant or developer.

We request that should this planning application receive planning approval, the following informative is attached to the consent: Construction of the development shall not commence until details of the proposed means of foul sewerage and surface water disposal have been submitted to, and approved in writing by the Local Planning Authority in consultation with Southern Water.

**TDC Conservation Officer:** I do not object to the application from a heritage perspective and consider there to be less than substantial harm to the setting and appearance of the surrounding conservation area.

**TDC Waste and Recycle Manager: - Final comment** The residents that currently have their front doors opening onto the steps are collected from the top of the steps via seagull proof bags.

This is the only arrangement that we can offer at the moment for those properties that have front doors that open on the steps. However they will have to be presented at the top of the steps and the residents will have to collect the empty seagull proof bags and take them back into their property once they have been emptied

**Further comment** Our concern is that, from experience, we know that the residents will not present the bins and will expect us to collect from the bin store. It sounds as if wherever the collection point is, at the top or bottom of the steps, the developer is expecting the tenants to present their bins away from the bin storage area. As we have stated before we are not happy to collect from collection points. When a number of bins are presented in one point we are unable to identify which properties have not presented bins, which have contaminated them, who has damaged or missing bins. It is also reliant on residents taking their bins back to within the boundary of their properties. It is also very hard to enforce once the developers have moved on. We have explained this on numerous occasions but still seem to be having communal collection points coming through as the suggestion/recommendation

**Initial Comments** - It seems as if the bin store and entrance to the flats is coming out onto the steps at the side of the property. Please can we be advised where the front of these properties will be, as this should be the collection point and on the steps is not possible.

## COMMENTS

This application is referred to the Planning Committee at the request of Cllr Corinna Huxley due to concerns that the development would be out of keeping in the area, would represent an over-development, impact upon neighbour amenity and waste concerns.

The main considerations in assessing the submitted scheme are the principle of development, the impact upon the character and appearance of the area, the impact upon living conditions of neighbouring property occupiers and the impact upon highway safety.

## Principle

In line with Section 38(6) of the Planning and Compulsory Purchase Act 2014, planning decisions must be taken in accordance with the 'development plan' unless material considerations indicate otherwise. The requirements of the National Planning Policy Framework (NPPF) are a significant material consideration in this regard.

The NPPF states that housing applications should be considered in the context of the presumption of sustainable development. In determining whether housing on the site would be acceptable, the need for housing in the district will therefore need to be balanced against other issues such as the sustainability of the site, character and appearance of the proposed development in the area and designated heritage assets, neighbour amenity and highway safety.

The site lies within the urban confines, inside the Ramsgate Conservation Area in a sustainable location (town centre), and currently comprises a three storey building, fronting King Street; the ground floor commercial unit is now vacant. The site therefore comprises previously developed land. The proposal is for the extension of the building to facilitate 3 residential units - 2no one bed flats and 1no two bed flat. The application form indicates there are no existing residential units on site currently, although the plans indicate there are two flats at entry level - units B & C.

Policy SP01 of the Thanet Local Plan sets out the spatial strategy for the district and states that the primary focus for new housing development in Thanet is the urban area as identified on the Policies Map. 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 application site is located within the urban confines of Ramsgate and would therefore accord with Policies SP01 and HO1.

Policy E04 states that within the Primary Frontages the following development will be permitted:

- 1) Use Classes falling within A1, A2, A3, A4 and A5.
- 2) residential and other main town centre uses will be permitted above ground floor level only.

As such within the Primary Frontages residential uses will be permitted at above ground floor levels only. The ground floor is reserved for commercial use.

The preamble to the policy notes the importance of retail uses being close together and not fragmented in terms of their positions, with concerns that non-retail businesses in primary shopping areas reduces the range of shops, and thereby potentially reducing the number of people visiting the centre, as well as making the centre less compact and therefore less convenient. The context to the policy also does note that town centres perform a greater function than just retail centres.

It is confirmed that the retail use would be retained at ground floor level.

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

## **Character and Appearance**

The site is located within the Conservation Area. The Council must therefore take into account Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, which requires that in relation to conservation areas, 'special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the area.' Paragraph 203 of the National Planning Policy Framework (NPPF) requires local planning authorities to take account of the desirability of sustaining and enhancing the significance of heritage assets, and the desirability of new development making a positive contribution to local character and distinctiveness. The NPPF requires that where a development causes substantial harm, or less than substantial harm but where the harm is not outweighed by public benefit, permission should be refused.

Policy SP36 of the Council's Local Plan is a strategic policy which 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.

Local Plan HE03 sets out that the Council supports the retention of local heritage assets, including structures, features and gardens of local interest. Proposals that affect both designated and non-designated heritage assets will be assessed by reference to the scale of harm or loss of the significance of the asset in accordance with the criteria set out in the NPPF.

Paragraph 135 of the NPPF states decisions should ensure that developments will function well and add to the overall quality of the area, are visually attractive as a result of good architecture, layout and appropriate and effective landscaping, sympathetic to local character and history, establish a strong sense of place and optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development and create places that are safe, inclusive and accessible. Policy SP35 relates to the quality of development and states that new development will be required to be of high quality and inclusive design. Policy QD01 relates to sustainable design and sets out that all new buildings and conversions of existing buildings must be designed to reduce emissions of greenhouse gases and have resilience to function in a changing climate. Policy QD02 is a general design policy and sets out 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. External spaces, landscape, public realm, and boundary treatments must be designed as an integral part of new development proposals and coordinated with adjacent sites and phases.

7-9 King Street is a prominent part three and two storey corner plot property, which fronts King Street to the west and abuts Abbots Hill to the north, and formerly contained a retail shop at ground floor level. The surrounding area is predominantly characterised by single, two and



three storey properties, which immediately abut the pavement. Post war buildings are located opposite the site.

The Ramsgate Conservation Area Appraisal at paragraph 4.1 details in relation to King Street that 'Development is very dense and built hard up to the pavement, with a prevailing building height of three to four storeys.'

The building has a parapet wall, behind which is a flat roof and increase in height at the rear section to include a further floor with pitched roof over.

The High Street elevation has a relatively wide frontage with a traditional shopfront at ground floor level and three windows at first floor level sited above the two ground floor windows and one central above the shop front entrance. The side of the site has a functional appearance and has existing access to the residential unit above the unit. The scale of the existing building is, in keeping with the neighbouring properties on Abbots Hill, but a floor lower than 3-5 King Street, to the south and physically attached to the application site (this property has a parapet to the front behind which is a pitched roof).

The proposal looks to extend over the two storey section of the existing building and extend back to the modest existing three storey section. The extension would effectively add a further two floors of accommodation- one being within the roof. One flat roof dormer window is proposed to the front elevation. The development would have a false pitched roof and this would fall back into a flat roof to the rear portion. Fronting Abbots Hill the development would have additional openings facing onto the steps as well as entrance to the flat units. The building as extended would be constructed from black composite weatherboard, white render having a slate roof, black aluminium would be used for the windows, to the rear elevation there would be a balcony.

In close proximity of the site are a number of listed buildings; 1 King Street (The Red Lion), a grade II listed building as well as being in close proximity to Winton Cottage (Camden Road (elevation to Abbots Hill) also grade II listed. 1 King Street is three storeys in height with dormers set behind parapet walls, bays and a hierarchical approach to the fenestrations. Winton Cottage is one storey and attic with Mansard roof with 2 dormers and central loft door, and 2 dormers to the left return.

The building adjacent to the site; 3-5 King Street is designed with a shopfront to the ground floor bay windows at first floor with central decorative detailing and four window openings above and has a parapet wall and pitched roof above with two dormers. This property is considered to positively contribute to the character and appearance of the area through these traditional design features and materials.

The use of classical proportions and detailing is a key architectural feature that is highlighted in the Conservation Area Appraisal and is clearly visible on the neighbouring properties.

The supporting information submitted within this application does not make reference to the fact that the site is within the Conservation Area. The Statement therefore gives no appraisal of the impacts of the proposal or how the design has taken into account the designated heritage assets that it affects, this was also the case for the earlier refused proposal.

The previous refused development specifically raised concern in relation to the scale, bulk design and awkward arrangements in its overall design configuration. Together with the window arrangement with changes to the front elevation giving a less balanced appearance when viewed in conjunction with the shopfront was considered to have a negative impact upon the Conservation Area.

Furthermore the bulk and scale of the proposed building, which was refused, particularly when viewed from Abbots Hill, was considered to give a solid mass and appear quite oppressive in this relatively narrow staired Hill, given the proximity of buildings to the other side which have their mass broken up. In addition the adjoining buildings on Abbots Hill have a 'stepped' appearance in their design, which acknowledges the changes in levels. This mass and scale was considered to be awkward, would be dominant and was also considered to be poor design and would have a harmful effect on the Conservation Area and setting of the adjacent listed building; Winton Cottage. Furthermore the fenestration pattern did not appear to have taken into account existing patterns within surrounding buildings or a hierarchical arrangement. As such a refusal on design grounds was made.

Although in isolation the proposed modern appearance of this section of the building is not considered to be of a poor design.

Within this revised application design alterations have been made so that the previous refused scheme and the current scheme are different, addressing the issues of scale, bulk and design.

The revised scheme shows a much reduced scale and bulk creating a smaller false pitched roof, fenestration is kept the same to the front elevation at ground and first floor levels, although there are amendments to the Abbots Hill facade. Overall the height increases by approximately 2.3m at the front- although set back from the front facade, with the existing rear pitched roof section reverting to a flat roof with a reduction in height of 1.3m.

The front flat roof dormer is considered to be of an appropriate size within the roof space. In terms of its positioning, it is off set and does not occupy a central position. If it were to sit directly above the central window opening below, reinforcing the symmetry, it would appear off-set within the roof space. Whilst not retaining the symmetry of the building, given its height it would not be so visually apparent from street level. In addition it is considered that strongly centralised composition is not always required for buildings with wider front elevations. In such instances, asymmetrical arrangements can look attractive. In this case it is considered to be the case; the front entrance to the shop and balanced shop front windows and detailing remains the most important element.

The facade to Abbots Hill currently has a non-traditional arrangement and design appearing functional. The proposal would incorporate additional window openings giving greater natural surveillance over this pedestrian access. Whilst the windows at first floor in particular are not in line, this is largely due to the change in levels. Taking into account its current appearance, the proposed facade is considered to visually break up the currently large expanses of wall, which is not an attractive feature.

The rear section of the building which would be extended would be visible from King's Place and would effectively in-fill a gap that exists there presently. The drawings appear to indicate that this elevation would be rendered, this would reduce the perceived increased height from the rear. The elevation has a modern appearance in terms of its fenestration arrangements and size, however, these openings have a vertical emphasis. The fenestration arrangement to properties to the rear is traditional in nature and this would appear more in keeping.

The Conservation Area Appraisal identifies a variety of materials and design features that positively contribute to the character and appearance of the conservation area. Brick is one of the characteristic building materials, together with render as such the materials proposed will be acceptable. The revised design and arrangement is therefore considered to result in an acceptable and cohesive design that does reflect and respect the identified design features and details that positively contribute to the character and significance of the area.

It is confirmed that the Conservation Officer raises no objection to the revised scheme, and officers consider that the development would result in less than material harm to the designated heritage assets.

Although this is a part of the conservation area which requires sensitive development, this does not mean that new development should be pastiche, it is therefore considered that the amended scheme adequately assimilates the design of a new property into the historic environment. And thus, the proposal would cause less than substantial harm to the setting of the Conservation Area (designated heritage asset) and to the significance of the adjacent non-designated heritage assets. This low-level impact is considered to be outweighed by the public benefits of providing an additional dwelling to the local housing stock, in accordance with paragraphs 208 and 209 of the NPPF and with policies HE02, HE03 and QD02 of the Thanet Local Plan and paragraphs 135, 139, 205, 206, 208 and 209 of the National Planning Policy Framework.

## **Living Conditions**

Paragraph 123 of the NPPF states that planning decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.

Local Plan policies QD03 and QD04 are also relevant to this application. Policy QD03 (Living Conditions) states that All new development should:

- 1) Be compatible with neighbouring buildings and spaces and not lead to unacceptable living conditions through overlooking, noise or vibration, light pollution, overshadowing, loss of natural light or sense of enclosure.
- 2) Be of appropriate size and layout with sufficient usable space to facilitate comfortable living conditions and meet the standards set out in QD04.
- 3) Residential development should include the provision of private or shared external amenity space/play space, where possible.
- 4) Provide for clothes drying facilities and waste disposal or bin storage, with a collection point for storage containers no further than 15 metres from where the collection vehicle will pass.

Due to the site's location within the town centre it has a close physical relationship with adjoining properties.

In regards to 3-5 King Street this building would still remain higher than the subject building as proposed. There are no windows within the gable end facing the site. As such I consider this relationship to be acceptable. To the rear, the property has a catslide element of roof abutting the application site. The proposed extension at second floor level will extend slightly beyond this and at second floor level the balcony would allow side views. The floor plans annotate that the balustrade would be 1.8m in height with obscure glazing; this could be conditioned. The relationship would not result in overshadowing or loss of light, and in regard to the window/balcony proposed it is considered that it would result in an awkward relationship but given the proximity, angles involved together with 1.8m obscure glazing to the balcony it is not considered that direct overlooking would result.

In relation to no. 11 King Street (Paynes Greengrocers) this is a single storey building that extends back up Abbots Hill with railings enclosing a flat roof element. Whilst there will be additional window openings facing this area it would look across the flat roof and as such would not result in harm. In terms of increase in the height of the building some overshadowing would occur, but again as this is onto a flat roof element it would not result in harm.

With regard to no. 8 Abbots Hill the building as extended would be attached to the existing side, as is the case currently, at a higher level at the joining point than the existing situation - currently a pitched roof. This building does not have any openings within its side elevation and as such would not be affected by the increase in height or loss of outlook. Within its rear elevation; facing towards King's Place there are a number of openings. The proposed extension would not extend this far back and will not affect this property. The scheme, however, does propose a balcony to the rear and would face out across the rear of this property's courtyard and also angled views of rear facing windows. It is acknowledged that this area is dense in terms of residential units having a tightly knit configuration and therefore have overlooking currently between windows and courtyards. Given the use of 1.8m obscure glazed screens I do not consider that overlooking would result would be harmful or unacceptable, as such I do not consider that the increase in overlooking would be so significant as to warrant refusal.

In terms of the front dormer, as this opening would face out onto King Street and would have a similar relationship with adjoining buildings and their openings it is not considered that the provision would have a harmful impact.

The proposed development is therefore considered to be acceptable in terms of the living conditions of adjacent neighbouring properties, in accordance with Policy QD03 of the Thanet Local Plan and paragraph 135 National Planning Policy Framework.

Doorstep playspace is required for all 2-bed units or more under Policy GI04 of the Thanet Local Plan, along with refuse storage, clothes drying and cycle storage space. The majority of flats are one bed, only 1 no two bed unit is proposed. An outside space/balcony would be provided to unit C (2 bed unit) and a communal outside space at entry level. The two bed unit -C, proposes its own balcony. Balconies, however, are not considered to be secure doorstep playspace and no other amenity space would be provided for the occupants of the

development. The harm resulting from the lack of doorstep playspace to the living conditions of the future occupants would need to be weighed against the benefits of the proposal, especially given the town centre location of the site.

The use of the upper floors as residential is not considered to result in a significant increase in noise and disturbance compared to the existing use of the site given the location in the town centre.

Given the close proximity of neighbouring residential dwellings a construction management plan is considered appropriate prior to the commencement of development to ensure that measures are in place to protect nearby residents during construction and also relating to delivery/storage of materials.

In terms of the living conditions of the future occupiers of the proposed dwellings, Policy QD03 requires new development to be of an appropriate size and layout with sufficient usable space to facilitate comfortable living conditions and meet the standards set out in Policy QD04, which are the National Described Space Standards (March 2015). Paragraph 135 of the National Planning Policy Framework requires development to provide a high standard of amenity for existing and future users, with all windows serving primary habitable rooms required to provide an acceptable level of outlook, natural light and ventilation for the rooms.

The proposed units meet the criteria in terms of the overall floor space (Flat A 61sqm, Flat B 76sqm and Flat C 120sqm). In terms of window provision to habitable rooms, natural light, standard of amenity and outlook for occupiers consistent with this policy.

## **Transportation**

Paragraph 115 of the NPPF states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual impacts on the road network would be severe.

Local Plan Policies TP02 and TP03 concern walking and cycling. They require that new development will be expected to be designed to facilitate safe and convenient movement by pedestrians and the safety of cyclists and facilities for cyclists. Policy TP06 states that proposals for development will be expected to make satisfactory provision for the parking of vehicles, including disabled parking. Suitable levels of provision will be considered in relation to individual proposals taking account of the type of development, location, accessibility, availability of opportunities for public transport, likely accumulation of car parking, design considerations.

Each residential unit has a private storage area at the entry level. This measures approximately 1m 1.2m in addition units A & B have storage within the flats at first floor level and flat C having a relatively large balcony. Bicycle storage is shown as wall mounted racks at entry level. As such the proposal would promote cycling as a form of transport for the occupants of the site, in accordance with policy TP03 of the Thanet Local Plan and paragraph 135 of the National Planning Policy Framework.

As the site is within the town centre it has no ability to provide off street parking given the parameters of the site. Given the location of the site within the TP06 area (no parking required for development) and the nearby public car parks the proposed residential units are not considered to result in any significant increase in demand for on street parking or highway safety, and would promote cycling in accordance with policy TP03.

The impact upon highway safety, generation and parking are, therefore, considered to be acceptable.

### **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.

This application includes a Unilateral Undertaking which provides the required financial contribution for the 2no 1 bed and 1no 2 bed residential units to mitigate the additional recreational pressure on the SPA area. However an official search 3 without priority for the land (land registry documents) has not been submitted so that the ownership can be verified at this time.

### **Other matters**

Communal bin storage is shown at entry level for the residential units. Rubbish would be collected from the top of the steps via seagull proof bags, as is the case for other residential users that have front doors that open on the steps.

Damage to neighbouring properties either during construction or as a result of the development would be a civil matter and does not form a material planning consideration.

The use of the site for residential purposes is not considered to result in a significant increase in noise pollution, to warrant refusal of the application.

Concerns have been made regarding additional rubbish in the area. The provision of dwellings in this location is not considered to result in an increase in fly tipping or litter and may provide some additional surveillance to Abbots Hill to guard against this.

## **Conclusion**

Overall, it is considered that the proposed development of extensions and alterations to facilitate 3 self-contained flats, in its amended form, would have an acceptable visual impact and address the previous reason for refusal, in all regards being of a scale, mass, design and appearance that relates well to the site and its wider setting and would not result in harm to the Conservation Area would not result in highway safety. The impact would be acceptable as would the wider impact on the Conservation Area.

In addition, it is also considered that the proposal has, now amended, overcome concerns regarding the residential accommodation standards, based on the reduction in units. As well as the revised scheme having addressed issues relating to waste collection/storage and bicycle storage. All other considerations are considered acceptable as outlined in the above report. The development would therefore be in accordance

It is therefore recommended that Members defer and delegate the application subject to a verified/signed unilateral undertaking within 6 months of the Committee resolution.

## **Case Officer**

Gillian Daws

TITLE: F/TH/24/0640

Project Rooks Delicatessen 7 - 9 King Street Ramsgate Kent CT11 8NN

Scale:

