

R06

F/TH/24/1060

PROPOSAL: Erection of a four-storey building to accommodate 1No retail unit on the ground floor and 1No 2-bed self-contained flat on 1st and 2nd floor and living space on 3rd floor in association with 49 Belvedere Road with roof terrace, together with stairwell, bin and bike store and EV charging point following demolition of timber lockup/shop

LOCATION: 33 High Street And 49 Belvedere Road Broadstairs Kent CT10 1JR

WARD: Viking

AGENT: Nea Antao

APPLICANT: Mr P Castle

RECOMMENDATION: Refuse Permission

For the following reasons:

1 The development would result in a significant change in appearance of this site which would be visible within the High Street and Belvedere Road. The proposed four storey building and extension, by virtue of their height, length, design and location, would result in a loss of separation between built forms forming a terrace of buildings, a visually disruptive and dominant four storey building within the context of the site with inappropriate design and detailing, resulting in an addition that detrimentally impacts the character of the surrounding area. In addition the design of the proposed shop front would be out of character. The proposal therefore fails to accord with the aims of Policies SP35 and QD02 of the Thanet Local Plan, Broadstairs and St Peters Neighbourhood Plan Policy BSP9 and paragraphs 135, and 139 of the National Planning Policy Framework

2 The proposed development will result in increased recreational 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, Paragraphs 194 and 195 of the NPPF and the Habitats Directive.

3 It has not been demonstrated that appropriate bin storage for both commercial and residential end users can be accommodated within the site to serve the proposed development. The development is, therefore, considered to be contrary to Policy QD03 of the Thanet Local Plan.

SITE, LOCATION AND DESCRIPTION

The application site is located on the southern side of the High Street, Broadstairs at the junction with Belvedere Road and on the western side of Belvedere Road. The site comprises a two storey building that fronts 33 High Street, this has a catslide roof currently and currently a sweet shop operates from here. Along Belvedere Road there is a single storey commercial unit and next to this is a four storey building; residential on the upper floor and commercial at ground floor level (number 49).

The site is located outside the confines of the Broadstairs Conservation Area.

RELEVANT PLANNING HISTORY

33 High Street, Broadstairs

F/TH/23/0395 - Application for variation of condition 2 of planning permission F/TH/22/0724 'Erection of a three storey building to accommodate 1No retail unit on the ground floor and 1No 1-bed self contained flat with roof terrace above and installation of dormer window' to allow reduction in size of the dormer window to the East facing elevation. Granted 20/06/23

F/TH/22/0724 - Erection of a three storey building to accommodate 1No retail unit on the ground floor and 1No 1-bed self contained flat with roof terrace above and installation of dormer window. Granted 10/10/22

49A Belvedere Road, Broadstairs

F/TH/20/0884 - Erection of second floor front extension, third floor front, side and rear extension, together with associated front and rear roof terrace, alterations to fenestration and materials. Granted 15/10/20

PROPOSED DEVELOPMENT

The proposal seeks to remove the existing single storey building that occupies the site. This is constructed in timber and appears to be basic in terms of the facilities within it. Its demolition is not objected to and is seen as a positive improvement to the area.

It is proposed to replace the single storey building with a four storey building; commercial at ground floor and the first and second floors housing a 2-bed self-contained flat and living space being provided on the 3rd floor in association with 49 Belvedere Road with roof terrace, (effectively a further extension to this property) together with stairwell, bin and bike store and EV charging point.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan 2020

SP01 - Spatial Strategy - Housing

SP08 - Thanet's Town Centres

SP12 - Broadstairs

SP13 - Housing Provision

SP14 - General Housing Policy
SP29 - Strategic Access Management and Monitoring Plan (SAMM)
SP35 - Quality Development
SP43 - Safe and Sustainable Travel
E04 - Primary and Secondary Frontages
HO1- Housing Development
GI04 - Amenity Green Space and Equipped Play Areas
QD01 - Sustainable Design
QD02 - General Design Principles
QD03 - Living Conditions
QD04 - Technical Standards
TP02 - Walking
TP03 - Cycling
TP06 - Car Parking

Broadstairs & St. Peters Neighbourhood Plan 2nd Edition

CC1 Clean Air for Residents
CC2 Biodiversity
BSP9 Design in Broadstairs & St. Peter's
BSP10 Shopping Areas
BSP12 Full Fibre Broadband Connections

REPRESENTATIONS

Letters were sent to the neighbouring occupiers and a site notice was posted near the site. Four representations have been received to the initial consultation on the original plans. These representations, all supporting the application expressed the following:
Development is of a high architectural standard and deco style to that of No 49 Belvedere Road
Will make a positive contribution to the area removing existing structure on site

In relation to the revised scheme one representation has been received supporting the proposal and comments can be summarised as follows:

Improve the street scene
Improves on the design making it more in keeping with no 49 Belvedere Road

Broadstairs Town Council: The Committee unanimously recommends SUPPORT as this is a positive contribution to the area, subject to comments from the Conservation Officer.

Broadstairs Society: The Society supports the application subject to any comments from the Conservation Officer.

CONSULTATIONS

Southern Water: The public sewer is a combined system, receiving both foul and surface water flows, therefore no flows greater than are currently directly received can be accommodated in this system. However, it is possible that by removing some of the existing

surface water entering the sewer, additional foul flows could be accommodated, i.e. no net increase in flows. If the applicant wishes to investigate this option, the applicant will be required to provide Southern Water with a topographical site survey and/or a CCTV survey showing the existing impermeable areas draining to the sewer and their connection points, pipe sizes, gradients and calculations confirming the proposed flows will be no greater than the existing flows received by the sewer.

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.

To make an application visit Southern Water's Get Connected service:

<https://developerservices.southernwater.co.uk> and please read our New Connections Charging Arrangements documents which are available on our website via the following link: <https://www.southernwater.co.uk/developing-building/connection-charging-arrangements>

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.

KCC Highways: This is a non-protocol application. Informatives suggested.

TDC Conservation Officer:

No. 33 High Street and 49 Belvedere Road are not located directly within the Broadstairs Conservation Area, but are a short distance from it, and form an integral part of the approach into Broadstairs Town Centre. The existing form of 33 High Street also appears to be historic in its form, though not mentioned within the Broadstairs Neighborhood Plan as a Local Heritage Asset.

Within the NPPF Section 16, 203 it states 'the positive contribution that conservation of heritage assets can make to sustainable communities including their economic viability' and 'the desirability of new development making a positive contribution to a local character and distinctiveness'.

Thanet's Local Plan, policy HE02, states within Section 7 'The character, scale and plan form of the original building are respected and the development is subordinate to it and does not dominate principal elevations.' As well as Section 8 which states 'Appropriate materials and detailing are proposed and the development 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.'

I was asked to provide an initial comment on this application as the Conservation Officer who commented on the previous application at this location has since left, and am now in a position to provide a full response.

I must outline that I do have concerns with the design and scale of the proposed development given it appears to be creating an unbroken terrace attached to No. 33, which is a modest historic building, as opposed to the previous approval which was a much narrower development that retained a gap between itself and No. 49 Belvedere Road and offered some visual relief on the prominent corner. However, I also acknowledge that whilst interesting, No. 33 High Street is neither listed, directly within the Broadstairs Conservation Area or noted as a Local Heritage Asset within the Broadstairs Neighborhood Plan.

To this end, whilst I feel the proposed development is much larger in scale than I would have expected in this location, given its distance from the Conservation Area and that No. 33 High Street is not protected under any designated legislation or as a local heritage asset and that there is already an extant approval for a tall development attached to No. 33 High Street, the impact to the historic environment of the area is likely to be neutral.

TDC Waste Manager:

Final comment following receipt of amended plan- If the bins are presented on Belvedere Road and we are not expected to enter the site for collection then we are happy with the plans. As a word of advice though I would try to keep the residential and commercial bins in separate stores to stop any cross contamination which could result in our domestic waste crews refusing to empty the bins.

Further comment - We have looked at the proposed ground floor plan. To us it looks as if there are 3 different areas where bins are to be sited. It looks as if we have to go through doors to access, we can't tell if some bins are under or up stairs, we can't tell which are proposed bins for the residential rather than commercial properties. We are also concerned about the charge arm being so close to one of the bin stores as this could prevent access if a vehicle is parked there.

Initial comments - Unable to find documents relating to waste storage and presentation, further information required please.

TDC Environmental Health Officer:

Final comment - As this is a new build airborne sound insulation would be covered by Part-E of the Building Regulations. However Part E does not specifically address separation of uses e.g. Residential above Commercial.

The condition that was put forward allows officers to put emphasis on this aspect of the proposal and receive information on it. I would also note that the minimum of 53dB identified in the condition provides more protection than the 45dB identified in Part E. On review as it is a new build and the applicant has identified that the ground floor premises would be used for retail (low risk of effects) then the condition could be withdrawn.

Initial comment - The proposal intends to establish residential accommodation at the property above retail or commercial use. In order to ensure that there is protection from the transfer of noise the following conditions should be put in place:

Condition - Noise

Prior to the commencement of the development hereby approved, details of the construction of the ceilings and floors that separate the Ground Floor and First Floor shall be submitted to and approved by the Local Planning Authority. The ceilings and floors shall resist the transmission of airborne sound such that the weighted standardised difference (DnT, W + Ctr) shall not be less than 53 decibels. The weighted standardised difference (DnT, W) a spectrum adaption term, Ctr, is quoted according to BS EN ISO 16283-1:2014 Acoustics. Field measurement of sound insulation in buildings and of building elements. Airborne sound insulation. The work shall then be carried out in accordance with the approved details prior to occupation of the premises and be retained thereafter.

COMMENTS

This application has been called in by Cllr Nichols for members to consider the impact on the High Street from the development .

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 impact upon the setting of the conservation area, sustainability of the site, character and appearance of the proposed development and highway safety.

Having regard to the Local Plan - the site is in part within a designated primary shopping area- Broadstairs, also defined as a coastal town centre. No 33 which fronts the High Street is also within a primary frontage as identified in the Thanet Local Plan. Policy SP12 confirms that new retail development will be acceptable on the edge of Broadstairs town centre, subject to Policy E05 (Sequential and Impact Test - main town centre uses should be located within the designated town centres of Margate, Ramsgate, Broadstairs and Westwood). Policy E04 relates to Primary and Secondary Frontages and aims to prevent the erosion of active frontages that would undermine the function of the town centre. The Primary Frontage, identified on the Thanet Local Plan Proposals Map, runs along the main High Street, to the north of the site, at the end of Belvedere Road and as such the application site lies outside this primary frontage area.

However, it is noted that the proposed commercial element is within the new building where a former flower shop was located - now appears to be vacant. There is no objection to a commercial use at this ground floor location given the mixed commercial and residential nature of the surrounding area.

In terms of residential development at the upper floors there are no policies in either the Thanet Local Plan or the Broadstairs and St. Peters Neighbourhood Plan affecting this site that would preclude this. Furthermore 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 Broadstairs and would therefore accord with Policy HO1.

Furthermore the earlier consented scheme is extant and, therefore, capable of being implemented.

The principle of the development of the site is, therefore, considered to be acceptable and consistent with the principles of the National Planning Policy Framework, subject to the assessment of all other material planning considerations.

Character and Appearance

It is confirmed that the site is outside of the designated Conservation Area which is towards the lower end/sea end of the High Street. It is acknowledged that the site is near the Conservation Area and as such its setting is considered in accordance with Local Plan policies and 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.

Policy BSP9 of the Broadstairs and St Peters Neighborhood Development Plan sets out that development should enhance and conserve local distinctiveness by demonstrating high quality design which both respects and responds to the distinctive character of Broadstairs & St Peter's. It should have regard to and respond positively to the design principles set out in the AECOM Design Guidance and Codes for Broadstairs and St Peter's area. Design Code 03 of the Design Guide sets out that the scale, form and massing of buildings are important to the character of a place. Therefore, the existing context needs to be considered and new development should react sensitively to preserve and enhance the best characteristics of a place. It should ensure a harmonious relationship with neighbouring buildings, spaces and streets. It goes on to say that the scale and massing of new buildings should be in keeping

with the form and massing of neighbouring properties. It must have regard for its impact at street level in addition to appearance from a distance and that the height of new buildings should be in keeping with neighbouring properties and shall demonstrate how heights of development will not be over-bearing or dominant in the existing street scene and on the overall townscape. Design Code 08 states that the character of the existing building, along with its scale, form materials and details should be respected and taken into consideration when preparing proposals for alterations and/or extensions.

The proposal seeks to remove the existing single storey building that occupies the site. This is constructed in timber and appears to be basic in terms of the facilities within it. Its demolition is not objected to and is seen as a positive improvement to the area.

It is proposed to replace the single storey building with a four storey building; commercial at ground floor and the first and second floors housing a 2-bed self-contained flat and living space being provided on the 3rd floor in association with 49 Belvedere Road with roof terrace, (effectively a further extension to this property) together with stairwell, bin and bike store and EV charging point.

In terms of appearance, a shop front is proposed (at ground floor within the proposed four storey building) as well as alterations to the fenestration in no 49 & 49A Belvedere Road (shop front and residential). When comparing the previously approved plans (planning reference F/TH/20/0884), the windows rather than being a single glazed sheet would have smaller panels, rather than traditional style shop fronts with stall risers, plasters etc or traditional style and proportioned residential windows above. A more traditional form was approved under planning reference F/TH/23/0395. Looking back, however, on older street photos the proposed style of windows can be seen prior to May 2014. Whilst I appreciate that the residential windows approved under F/TH/20/0884 were not traditional - sliding sashes but more contemporary with large glazed units this will give a different appearance, overall when read together a more cohesive appearance between the existing residential unit at no 49A and the new residential and additional fourth floor especially given its terrace form. It is noted that these windows have already been installed at no 49 and 49A Belvedere Road.

With regard to the new four storey building and fourth floor extension to no 49A Belvedere Road, given the increase in height to the existing (an increase of 8.6m) it is acknowledged any proposal to extend the property/provide an additional building needs to ensure it would not create a development that is overwhelming and dominant within the street scene. The previous approved scheme under planning reference F/TH/23/0395 so an overall height of 9.3m (excluding the roof terrace balustrade).

The proposal, by creating a four storey building (11.6m in height) and alterations/extension to 49A Belvedere Road would elongate the existing built form by joining the two buildings (33 High Street and 49A Belvedere Road) together creating a longer run of buildings, effectively a terrace of architecturally unrelated buildings with a greater height and scale to that of no. 33 High Street or 47 Belvedere Road that would be seen from the High Street over and above the catslide roof of no. 33 High Street and from within Belvedere Road above existing roofs. I consider this additional floor that equates to a four storey building within the context of two and three storey buildings would appear visually disruptive and dominate within the

context of the site. It is appreciated that the design of the proposed 4 storey building would follow the proposed character of no.49 Belvedere Road and create a more unified appearance of these two buildings through this proposal. Officers, however, are of the view that the loss of this space between built forms creates a very strong horizontal emphasis which is exacerbated through the design of the proposed building. This is at odds with the vertical emphasis of the fenestration to no. 33 High Street's shop front and also its catslide roof which again draws the eye up and gives a more vertical character to the building. The previous scheme for both no. 49 Belvedere Road and 33 High Street/Belvedere Road had good vertical detailing allowing it, in officers opinion, to better assimilate with the existing form and design of buildings that it would be viewed against.

It is considered that the proposal is therefore not sympathetic to local character, including the surrounding built environment nor does it maintain a strong sense of place and is therefore contrary to paragraph 135 of the NPPF as well as QD02 of the Local Plan.

The loss of the traditional detailing for the shopfront is considered to be a retrograde step (approved under application reference F/TH/23/0395) to the area, at odds with paragraph 140 of the NPPF which seeks to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme.

It is acknowledged that the provision of a taller building would sit more comfortably within the street scene than the existing single storey building; however, its overall design should still be sympathetic to the area. The proposal in front of Members is considered to result in greater harm to the design and appearance of the area than that previously permitted (application reference F/TH/23/0395).

Materials to be used would, of course, need to be of a high quality the application form details that the brick and render will match that of no. 49 Belvedere Road, this approach is considered acceptable as it would be reflective of the adjoining building and as such it is not considered necessary to have samples in this instance.

The building would have a roof terrace to the front (third floor) and rear at third floor to serve the occupiers of no. 49 Belvedere Road. The front roof terrace would be set in from the front and side wall, but still visible. Where the rear roof terrace is on a flat roof and given its position would not be visibly from a public vantage point. In terms of the roof terrace to the front it is appreciated that roof terraces were previously accepted on the earlier schemes. It was highlighted by officers that roof terraces are not common at this height or in this location, however, in that case (F/TH/23/0395) the roof terrace would have had a small set back from the front building line and would be on a more modern addition. In addition the balustrading at the height proposed would appear like a parapet. The active use at this level would be unusual but not necessarily harmful. On balance the roof terrace was accepted as it was not considered to result in material harm as such it is not considered an objection can be sustained for this current scheme.

The Conservation Officer has not raised an objection to the scheme. Although she does have concerns with the design and scale of the proposed development; it appears to be creating an unbroken terrace attached to No. 33, which is a modest historic building. The

previous approval was a much narrower development that retained a gap between itself and No. 49 Belvedere Road and offered some visual relief on the prominent corner.

Officers note the boundary of the Conservation Area and it is confirmed that the site is not within the Conservation Area. The edge of the Conservation includes 14 High Street (Boots the Chemists) and 17 High Street and eastwards of their buildings. Taking this into account and the limited views of the site it is considered that the proposal would not be harmful to the setting of the Conservation Area and the views of the Conservation Officer are concurred with.

The proposal is, therefore, considered to be unacceptable in terms of the character and appearance of the area due to its loss of gap between buildings and proportions which are horizontal which would be out of character with the area contrary to Policies SP35, QD02 of the Thanet Local Plan, policy BSP9 of the Broadstairs and St Peters Neighbourhood Plan, and the National Planning Policy Framework.

Living Conditions

Paragraph 124 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. Paragraph 135 f) details planning decisions should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Policy QD03 of the Local Plan deals specifically with living conditions. This policy 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.

The proposal would result in a building that is substantially higher than the existing single storey building and also higher than that previously approved under application F/TH/23/0395) 9.3m to the parapet the roof terrace balustrade was a further 0.7m above this (but glazed), the proposed overall height is 11.5m, therefore, could have an impact upon neighbour amenity through the physical structure or window openings/roof terraces. The previous building approved did not propose any openings within the rear elevation The proposal includes rear facing windows and roof terraces.

Properties in this location have a close physical relationship with one another. It is noted that the building to no 35 High Street has windows that face the site and immediately to the side of the application site. These have metal bars fitted externally. It appears that these serve the consulting rooms/other rooms associated with dental surgery use. The dental surgery was notified about the application along with other adjoining occupiers but no comments have been received. In terms of the impact of the building's physical form it is accepted that there will be some impact as the building is higher than the existing and that previously approved, approximately 2.3m and has a flat roof that does not pitch away from this site. The increase in height from the existing building is approximately 8.6m. These windows will lose some natural daylight during the morning and some loss of outlook, however, given the height of this window in relation to the extension, on balance this is not considered significant to warrant refusal. The proposed rear facing windows serving a kitchen and bedroom at second and third floor are proposed to be high level and fitted with obscure glazing that could be conditioned to secure this.

The roof terrace to the front at third floor level could offer new opportunities for views across the street, however, it would overlook roofscapes, an electrical substation, and commercial yards and/or properties and is, therefore, not considered to result in any unacceptable loss of privacy.

The roof terrace to 49A would serve a third floor study, this was previously approved under planning reference F/TH/20/0884 and was considered to be at a height and angle unlikely to allow any direct views across the private rear amenity spaces of the neighbouring occupiers to the south.

The building to the south of the site; no.49 & 49A Belvedere Road would be attached to the development and as such there is considered to be no material harm.

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 two bed flat does not have enclosed doorstep playspace, this is due to the constrained nature of the site. This is similar to other flat developments along the High Street/town centre location. Whilst not doorstep play space the site is in close proximity/walking distance to Pierremont Gardens and Viking Bay. Refuse and cycle storage is accommodated within the scheme this arrangement is considered acceptable.

Policy QD04 states new residential development must comply with the government's latest 'Technical housing standards - nationally described space standard', which for a two bedroom property for four persons over two floors requires 79 square metres. On this occasion the two bed four person flat measures 79 square metres and therefore adheres with the standards. The habitable rooms would all have good natural light and ventilation. No objections are therefore raised on this matter.

In regard to the Environmental Health (EH) comments they initially suggested conditions regarding possible noise transfer from the ground floor commercial unit to the residential unit above. This was queried by the applicant and EH advised that this would be covered under separate legislation although Part E of Building Regulations does not specifically address separation of uses Residential above Commercial and Part in gives a lesser degree of protection to residential occupiers. They have subsequently withdrawn their request as the ground floor would be retail and, therefore, deemed as low risk.

Highway Issues

Paragraph 116 of the NPPF sets out that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios.

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.

Policy TP06 also sets out that within the town centres of Margate, Ramsgate and Broadstairs, new development proposals will not be required or expected to provide on site car parking spaces.

The proposal would result in the creation of one additional two bed residential unit. The site is sustainably located close to an existing train station (Broadstairs) and bus services and is not required to provide any additional parking under policy TP06. The works are not considered to have any adverse impact on highway safety or parking in the surrounding area. Cycle parking provision is shown for one bicycle close to the stairway up to the flat. The drawing does not detail the method of storage. The area for the bicycle storage would be accessed by the commercial units with side and residential units and would thus need to be secure and have some fixing for the bicycle in my view, details could however be secured by condition. The ratio for cycle storage is one space per flat. As such this is considered acceptable subject to the detail which can be secured by condition. There is no secure cycle provision for the retail unit annotated on the submitted plans.

An electric charger arm is proposed that would project out from the face of the building up and over the pavement and the charging cable would then drop down to a vehicle when in use, but when not in use would be retracted. There is no policy requirement to provide an electric charging point for vehicles on this sized scheme. It would not hinder pedestrians given its height and, as such, is considered acceptable.

Waste storage is shown as an integrated element to the scheme. The waste storage would be between the two commercial units at ground floor, this would be for the residential units

and commercial. These bins would need to be presented on the highway on the collection day. In regard to the actual workability of the refuse area it is noted that some of the bins are in tandem to one another; either side of the metal gates, so one bin would effectively have to be pulled out in order to access the other bin, this is complicated by the fact that these serve both residential and commercial rather than just one or the other. In practice this would not work and at best would be less than ideal for the commercial and residential end user. It is considered that insufficient information is provided as to whether appropriate bin storage can be provided to serve the development.

Taking into account the above, it is considered that the proposal is acceptable in terms of the impact upon highways.

Biodiversity Net Gain

Biodiversity net gain (BNG) is an approach that aims to leave the natural environment in a measurably better state than it was beforehand. This excludes applications for Listed Building Consent, Advert Consent, Reserved Matters, Prior Approvals, Lawful Development Certificates, householders, self builds, and other types of application which are below the threshold i.e. does not impact a priority habitat and impacts less than 25 sqm of habitat, or 5m of linear habitats such as hedgerow). This proposal is below the threshold impacts in that it does not impact a priority habitat and impacts less than 25 sqm of habitat, or 5m of linear habitats, therefore, this development is not applicable for Biodiversity Net Gain.

Policy SP30 on Biodiversity and Geodiversity Assets requires development proposals to make provision for a net gain in biodiversity. In addition, paragraph 186d) of the NPPF states that planning policies and decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity. Paragraph 186 d), refers to the securing of measurable net gains for biodiversity. Given tight physical constraints of the site it is not considered that this would be appropriate in this instance.

Other matters

An informative would be applied to the decision notice advising of the need for a full fibre broadband connection to ensure that the development complies with policy BSP12 of the Broadstairs and St Peter's Neighbourhood Plan.

A condition would also be applied to ensure that the new dwellings would meet the water efficiency standards required by policy QD04 of the Thanet Local Plan.

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 does not include a Unilateral Undertaking (UU) to provide the required financial contribution for the two bed residential unit to mitigate the additional recreational pressure on the SPA area and therefore this would need to for a technical reason for refusal as it would be contrary to policy SP29 and the habitat regulations.

Conclusion

By virtue of the relevant Development Plan policies not being up-to-date, it is considered that the 'tilted balance' (Paragraph 11, NPPF) must be applied.

Relevant to the circumstances of this application, this indicates that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits of the development, when assessed against the policies of the NPPF as a whole.

There is a need for new housing development that is in a sustainable location, with reasonable access to public facilities and amenities. The application site is located within the town confines within easy walking and cycling distances of the town's facilities and amenities. Its location would meet the requirements of the Development Plan and is supported by the NPPF.

In terms of the form and character of the development, the building as presented within this application is not considered acceptable based on elongated length of the building and increased height and loss of the traditional detailing of the shopfront over and above the extant permission. The changes in your officers view alter the previously positive assessment of the design, form etc of the resulting detached building.

Overall the works proposed are not considered likely to result in any harm to the setting of the conservation area, given the limited views from the designated area.

In terms of neighbour amenity, it is not considered that there are any additional adverse impacts within this application beyond the extant consent, for properties on the north, south and east sides. In regard to the western neighbour and relationship, it is considered that subject to a suitable condition on high level and obscure glazing, it is acceptable, as described within this report. Highways impact as well as parking are also considered acceptable, as are other matters outlined within this report.

Therefore overall, the works are considered contrary to the aims of the Thanet Local Plan and the NPPF in relation to character and appearance and it is recommended that the application be refused.

Case Officer

Gillian Daws

