

## DELEGATED REPORT FORM

### REFERENCE NUMBER

F/TH/20/0024

### OFFICER INITIALS

DF

### SITE

5 York Street, BROADSTAIRS Kent CT10 1PD

### PROPOSAL

**Change of use and conversion of existing buildings from retail (Use Class A1) to retail (Use Class A1) and residential (use class C3) to provide 2No 1bed flats and 1No 4bed, 2No 3bed and 3No 2bed maisonettes.**

### REPRESENTATIONS

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. Two letters were received raising the following points:

- Support the reuse of the building
- Loss of the retail unit
- Insufficient parking for the size and number of flats

**Broadstairs and St Peter's Town Council** - No objection but with concerns regarding the lack of off street parking.

**The Broadstairs Society** - The Broadstairs Society recognises the difficulties in adaption of these properties to dwellings. We consider the outcome of the design process has produced a good compromise in the centre of the Broadstairs Conservation Area. Accordingly we support this proposal but with concerns regarding parking.

### CONSULTATIONS

**Conservation Officer** - 5 York Street is a collection of buildings, including a shop frontage and an internal courtyard, located within Broadstairs Conservation Area. The complex, although in need of maintenance, contributes to the historical character and appearance of the area through the presence of industrial and traditional buildings.

Whilst the Council does not have any saved local plan policies on heritage and conservation, its Draft Local Plan is nearing adoption and as such weight can be given to the policies contained within it. Draft policy HE02 of the Draft Thanet Local Plan 2018 sets out 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.'

NPPF guidance section 192 states when determining applications, local planning authorities should take account of (paragraph c) the desirability of new development making a positive contribution to local character and distinctiveness.

The impact to the surrounding environment is at most risk through the elevations affronting Buckingham Road which also has perceivable views through to the main proposed courtyard. There is also a possible impact from alterations proposed to the shopfront on York Street, however only minimal work is proposed so there is a reduced risk here.

Initially when this application was submitted there were concerns that the overall proposed aesthetic did not enhance the existing features of the building and almost tried to visually convert the complex to a state of which it had never existed. Following amendments made to the scheme key features are now being retained, further incorporated into the proposed dwellings and utilised, rather than removed. Largely I believe the scheme to unify the properties in a cohesive manner, whilst reestablishing them into use for the local community. A scheme that appears cohesive ensures that the level of harm caused by the proposed work is reduced where possible, making it more appropriate for implementation within the conservation area. The proposed work is of an appropriate design, reduced scale which does not dominate the existing built form of the area whilst also proposing more traditional and 'historic' materials.

Overall I feel that this application unifies the site in a consistent manner whilst being an appropriate conversion aesthetically within the surrounding conservation area. The existing buildings offer a sense of industrial character and appearance of which the prevailing elements are retained by the proposed work, ultimately resulting in a cohesive scheme matching it into the existing environment. A design which enhances the character and appearance of the area meets therefore with local and national guidance. For the aforementioned reasoning above I do not object to this application.

If this application was to be approved I would like to see further details regarding the proposed windows and doors as well as more information regarding the proposed removal of the pebbledash render following a review of the brickwork underneath, as per the drawing with proposed elevations.

**Environmental Health** - I have reviewed the above application and Environmental Health do not have any comments to make regarding impact of noise on living conditions of the occupants or air quality concerns, however, given the locality and potential to disturb nearby residents during construction it will be necessary to submit a CEMP:

#### CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN

Prior to the commencement of the development a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The Construction Environmental Management Plan shall include amongst other matters details of: hours of construction working; measures to control noise affecting nearby residents; wheel cleaning/chassis cleaning facilities; dust control measures; lighting control measures; pollution incident control and site contact details in case of complaints. The construction works shall thereafter be carried out at all times in accordance with the approved Construction Environmental Management Plan, unless any variations are otherwise first submitted to and approved in writing by the Local Planning Authority.

## **KCC Highways - Further comments received 12 June 2020**

I confirm the proposals are now acceptable.

I note that 4 car parking spaces are now provided within the site, utilising the existing access from Buckingham Road, and this is acceptable. Whilst the visibility at the access is limited it is on a one-way street in a low speed environment, and it is an existing access historically used by the existing business on the site. I also note the proposed retention of the existing timber doors at the access and would advise that these will need to remain open so that vehicles entering do not have to stop and obstruct the highway whilst the gates are opened.

Whilst parking for all the proposed residential units is not available within the development, the site is located in the town centre and is readily accessible by sustainable modes of transport. Parking restrictions are in place as necessary on the highway in the vicinity of the site and public parking is also available.

Access and loading/unloading during construction will need careful planning due to the restricted access to the site, and a Construction Management Plan will therefore be required. I therefore have no objections in respect of highway matters subject to the required condition being secured.

Initial comments received 03 March 2020

I refer to the above planning application and would request additional information as follows:

1. It is not clear if the existing courtyard off Buckingham Road has been historically used for parking of vehicles or is capable of being used for the same at present. Clarification on these points is therefore required.
2. The plans appear to show doors associated with unit 6 opening out over the highway in Buckingham Road, which would not be acceptable. Confirmation is required that this can be suitably controlled by condition.

### **Planning History**

There is no planning history for the site.

### **ANALYSIS**

The proposed development is the change of use and conversion of existing buildings from retail (Use Class A1) to retail (Use Class A1) and residential (use class C3) to provide 2No 1bed flats and 1No 4bed, 2No 3bed and 3No 2bed maisonettes.

### **Principle**

The site is located within the urban confines of Broadstairs and comprises a number of buildings that were previously in use as a retail unit, a funeral directors and residential accommodation. Part of the existing retail unit would be maintained on the ground floor fronting York Street and the remainder of the building would be converted to residential accommodation.

Thanet Local Policy H1 relates to housing development and supports development on previously developed land and where there is no conflict with other local plan policies. The site is within existing built up confines and has been previously used as a retail and a funeral directors. The retention of these uses is not protected in this location. The proposal is

therefore acceptable in principle subject to other material considerations such as the impact on the character and appearance of the area, impact on the Conservation Area, neighbouring and proposed living conditions and transportation.

### **Character and Appearance**

The site comprises a number of buildings that have previously been linked and altered to form a retail unit with its main entrance on York Street that extends from the north to the south of the site, a number of buildings and a courtyard fronting and Buckingham Road that were most recently in use as a funeral directors and a garage on the eastern side of Buckingham Road. The upper floors of the section fronting York Street were most recently in use as residential accommodation and were accessed from Buckingham Road.

The site is located within the Broadstairs 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.'

On the York Street elevation the existing shopfront and retail use would be retained at ground floor level. Where required the existing windows in the upper floors would be replaced with windows of a similar design to the existing windows, and planters installed in front of the first floor windows. Joinery details of all new doors and windows would be requested by condition to confirm their acceptability for the conservation area. The proposed changes to this alteration are considered to be limited in nature and would have no significant impact upon the character and appearance of the conservation area.

The existing openings in the Buckingham Road elevation would be maintained and the amended plan has altered the design of these changes to maintain the existing character of the building. The double and single doors at the southern end of this elevation would be altered to windows with timber cladding to the lower section. The doors in the first and second floor at the northern end of this elevation would be altered in a similar way. This alteration is considered to maintain the functional appearance of this section of the building. The existing timber doors to access the courtyard would be maintained and the existing blocked windows in the ground floor elevation would be replaced with one large window. This window is considered to have a similar design to the existing windows visible in this elevation. Joinery details of all new doors and windows around the building would be requested by condition to ensure that they are of suitable quality for the conservation area. The plan proposes to remove the pebble dash currently visible on the northern section of this elevation subject to the condition of the brickwork underneath. The removal of the pebble dash would give a unified brick appearance to this elevation, however if investigative works indicate that the brickwork is in a poor condition the retention of the pebble dash is an existing feature in the conservation area and therefore its character would be maintained. Given the information on the amended plan a condition requiring further information regarding these works is not considered justified in this instance.

The changes to the elevations of the building within the existing courtyards would have limited visibility from the public realm and are therefore not considered to have any significant impact upon the character and appearance of the conservation area.

Bin storage is shown on the proposed plans in each courtyard. The amount of space provided appears to be acceptable. The proposed stores would have limited visibility from the Conservation Area and help to ensure that the bins are kept away from the street so that they do not result in an obstruction to the highway.

The Conservation Officer has raised no objection to the amended plans and overall the proposed changes are considered to maintain the special character and appearance of the conservation area, in line with policy D1 of the Thanet Local Plan and the National Planning Policy Framework.

### **Living Conditions**

The proposed external alterations make limited changes to the overall scale of the building and re-use the existing openings. Two doors would be altered to windows and two windows would be altered to one large window on the Buckingham Road ground floor elevation. No alterations are proposed to the size of the openings in the first floor Buckingham Road elevation.

At the closest point there is a separation distance of 6m to the boundary of the properties on the eastern side of Buckingham Road and a total of 13.6m to the main rear elevations of these neighbouring properties. These neighbouring properties immediately opposite the site also have large single storey outbuildings fronting Buckingham Road which limit views towards any private amenity spaces at the rear. Given the arrangement of the properties, the limited changes to the openings in the upper floors of the Buckingham Road elevation and the existing use of the building it is considered that there would be no significant additional overlooking to the neighbouring properties on Buckingham Road to warrant refusal of the application.

Windows in the eastern elevation of the building would be enlarged to form doors and two additional rooflights would be installed in the eastern roofslope. These doors and windows would face into the courtyard and towards the buildings within the site that front Buckingham Road. One door would be replaced with a window in the first floor rear elevation of the section of the property fronting York Street and two doors would be replaced with new doors. An existing balcony is located on the second floor of the York Street section of the building that was previously used by the residential accommodation. A small balcony would be maintained and a 1.8m high privacy screen would be erected on the western side to prevent overlooking towards the windows in the rear elevations of the properties on Chandos Road. The upper floors of this section of the building were last in use as flats and therefore it is considered that there would be no significant change in overlooking. Whilst there would be a limited separation distance between the windows for the new dwellings that front onto the courtyard and some mutual overlooking would result, the varying levels and designs of the openings prevent this from being significantly harmful.

It is therefore considered that the proposed development would not result in any significant loss of light or sense of enclosure and will not result in any significant increase in overlooking to the existing neighbouring residential properties.

When compared to the existing uses of the site residential units and a small retail unit are not considered to result in any significant increase in noise and disturbance to the neighbouring residential dwellings. A construction management plan would be requested by condition to ensure that there is no significant noise and disturbance during construction.

All of the proposed units would exceed the nationally described space standards and all habitable rooms would receive natural light and ventilation. Units 7 and 8 do have habitable rooms at basement level however lightwells and voids are proposed to allow light to reach the lower floor. These units also have more living accommodation located on the ground floor which would receive a good degree of light and outlook. Therefore as the living accommodation proposed at basement level does not comprise bedrooms and additional living accommodation is provided on the upper floors the standard of accommodation is considered to be acceptable.

Policy SR5 of the Thanet Local Plan requires all family dwellings (2 bedrooms and above) to provide suitable doorstep playspace. All but two of the proposed units would be considered family dwellings. A small amenity space is provided for units 4 and 8, however no further amenity spaces are provided. The site is located close to the core town centre of Broadstairs, close to the beach and numerous local parks. The proposed development also proposes the re-use of an existing large building within the conservation area. Given the location of the site close to numerous facilities and the re-use of the existing building within the conservation area the lack of amenity space for all units is considered to be acceptable in this instance.

Overall the proposed development is considered to have no significant impact upon the living amenity of the neighbouring property occupiers and would provide an acceptable standard of accommodation for the future occupiers of the site. The proposed development would therefore comply with policy D1 of the Thanet Local Plan and the National Planning Policy Framework.

### **Highway Safety**

The site is located in a highly sustainable location, close to the core town centre of Broadstairs with its numerous facilities and public transport links. The existing use of the property as a large retail unit and funeral directors has the potential to generate a large number of movements to and from the site. On street parking restrictions are in place in the surrounding streets. The amended plan for the site proposes four parking spaces within the courtyard at the centre of the site. Whilst parking would not be provided for all units given the highly sustainable location of the site and the existing uses the proposed development is not considered to result in any significant increase in demand for parking in the area. The KCC Highway Officer notes that visibility from the courtyard entrance is limited, however this is an existing entrance and Buckingham Road is a narrow one way street and therefore any traffic is likely to be travelling at a low speed. A condition has been requested to ensure that no new doors or windows would open the highway and this is considered to be justified given the narrow width of the road. Given the size of the surrounding streets a construction management plan has also been requested to ensure that there is no significant disturbance to existing residents or harm to highway safety during construction. Due to the limited amount of parking proposed and the existing use of the site it is not considered reasonable to request Electric vehicle charging points in this instance. In light of the above and subject to the requested conditions the proposed development is not considered to result in any significant harm to highway safety.

### **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 submitted a legal agreement securing the required contribution of £2636 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.

## **RECOMMENDATION**

Planning permission should be granted.

### **F/TH/20/0024**

PROPOSAL:	Change of use and conversion of existing buildings from retail (Use Class A1) to retail (Use Class A1) and residential (use class C3) to provide 2No 1bed flats and 1No 4bed, 2No 3bed and 3No 2bed maisonettes.
WARD:	Viking
AGENT:	Hume Planning Consultancy Ltd
APPLICANT:	Mrs Love
RECOMMENDATION:	Approve

Subject to the following conditions:

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

#### **GROUND;**

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

- 2 The proposed development shall be carried out in accordance with the submitted application as amended by the revised drawings numbered 12 Rev B and 14 Rev B received 29 May 2020, 13 Rev E received, 05 June 2020 and 10 Rev C and 11 Rev D received 11 June 2020.

#### **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

**GROUND;**

In the interests of highway safety and neighbouring amenity, in accordance with Policy D1 of the Thanet Local Plan and the National Planning Policy Framework.

- 4 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 advice contained within the National Planning Policy Framework.

- 5 The proposed 1.8m high privacy screen shown on approved plans numbered 13 Rev E received 05 June 2020 and 11 Rev D received 11 June 2020 shall be erected prior to the first occupation of unit 1 and thereafter maintained.

**GROUND:**

To safeguard the privacy and amenities currently enjoyed by the occupiers of adjoining residential properties in accordance with policy D1 of the Thanet Local Plan.

- 6 The approved doors and windows shown in the Buckingham Road elevation shall not open over the highway.

**GROUND;**

In the interest of highway safety

**INFORMATIVES**

Please be aware that obtaining planning permission and complying with building regulations are separate matters - please contact building control on 01843 577522 for advice on building regulations

For the avoidance of doubt, the provision of contributions to as set out in the unilateral undertaking made on 13 May 2020 submitted with this planning application, and hereby approved, shall be provided in accordance with The Schedule of the aforementioned deed.

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

**Case Officer**  
Duncan Fitt