



Appeal Decision

Inquiry held on 24, 26 and 27 March 2026

Site visit made on 26 March 2026

by Michael Boniface PgDip MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8th May 2026

Appeal Ref: APP/Z2260/W/25/3376141

Northwood Court, Millennium Way, Broadstairs, Kent, CT10 2LA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by RW (Margate) Ltd against the decision of Thanet District Council.
 - The application reference is F/TH/25/0438.
 - The development proposed is change of use to a 68 unit single occupancy House in Multiple Occupation (HMO), each unit including its own shower room and wc; along with separate laundry rooms; lounges and kitchens on each floor, with additional communal facilities comprising a large lounge/tv room; workspace; gym and private kitchen/dining room; minor operational development to the external elevations of the property, along with alterations to the internal layout and car parking with a new cycle store; waste receptacles; smoking booth and landscaping works.
-

Decision

1. The appeal is allowed and planning permission is granted for change of use to a 68 unit single occupancy House in Multiple Occupation (HMO), each unit including its own shower room and wc; along with separate laundry rooms; lounges and kitchens on each floor, with additional communal facilities comprising a large lounge/tv room; workspace; gym and private kitchen/dining room; minor operational development to the external elevations of the property, along with alterations to the internal layout and car parking with a new cycle store; waste receptacles; smoking booth and landscaping works at Northwood Court, Millenium Way, Broadstairs, CT10 2LA in accordance with the terms of the application, Ref F/TH/25/0438, subject to the conditions in the attached Schedule.

Preliminary Matters

2. Prior to the Inquiry, the Council confirmed that it did not intend to defend its first reason for refusal, relating to the loss of employment land. A statement of common ground was signed with the appellant, setting out that the site is not currently in employment use and is not suitable or viable for such a use. The Inquiry proceeded on that basis.
3. Both main parties agree that the Council cannot currently demonstrate a deliverable five-year housing land supply and that the supply currently falls somewhere within the range of 2.88 – 3.70 years. This was set out in a statement of common ground. It was also agreed that it would not be necessary to seek to refine this figure through the testing of evidence at the Inquiry given that the difference is unlikely to be material to the outcome of the appeal. The Inquiry proceeded on that basis.

4. After the Council's highway witness had concluded her evidence, the Council reviewed its position and decided that it would no longer defend its second reason for refusal, relating to parking and highway matters. Whilst it was maintained that there would be a degree of harm resulting from insufficient parking, it was suggested that this did not amount to a reason to refuse planning permission and that the overall planning balance indicates in favour of the proposal. As a result, the Council offered no case against the grant of planning permission by the conclusion of the Inquiry and agreed that the appeal should be allowed.
5. Nevertheless, many interested parties have raised written concerns about the proposed development and these were reinforced by Councillor Garner (Ward Member) at the Inquiry. These matters are addressed below.
6. An executed unilateral undertaking securing planning obligations pursuant to S106 of the Town and Country Planning Act 1990 was received after the Inquiry, in accordance with an agreed timetable, and has been taken into account.
7. In advance of the Inquiry, the Council and the appellant identified that there were deficiencies in the notification procedure for the planning application and appeal, in that some landowners for small parcels within the site had not been notified. In order to remedy the matter, the appellant notified the relevant landowners and invited comments before the Inquiry was due to open. Although correspondence was exchanged, no objections were received to the appeal proposal. The areas in question are relatively small, including the gas cabinets and infrastructure, and would not impact on the implementation of the scheme, or affect the enforceability of any planning obligations. As such, I am satisfied that no party has been prejudiced by the procedural error.

Main Issues

8. Having regard to the above, the main issue is whether sufficient parking would be available for the proposed development, and the effect on highway safety.

Reasons

Highways and parking

9. Policy TP06 of the Thanet District Council Local Plan (July 2020) (LP) requires, amongst other things, that proposals for development will be expected to make satisfactory provision for the parking of vehicles, including disabled parking. Policy HO19 deals specifically with Houses in Multiple Occupation (HMO) and so far as parking is concerned, requires suitable arrangements for car parking, or [that] adequate on-street parking is available within the vicinity of the site.
10. Kent County Council's Parking Standards (January 2025) (Parking Standards) are also a material consideration, requiring parking provision to be determined on an individual basis for large houses in multiple occupation.
11. There is no dispute between the parties that there is no relevant TRICS comparator or similar published data for the type of development proposed in this case and that there is, therefore, a need to undertake an individual, site specific and evidence-based assessment.
12. This exercise was undertaken by the appellant, based on census data for one-bedroom properties in the ward and, at the request of KCC, the adjacent

Northwood ward. The Council's highway witness accepted in oral evidence that this would generate a robust figure, as one-bedroom flats could have more than one occupant (e.g. couples), whereas the appeal proposal is for single occupancy units. The appellant's approach is preferable to the evidence relied upon by the Council, which is not based on comparable accommodation. Based on local car ownership data, a parking demand of 0.26 and 0.27 cars/unit was identified for each ward respectively, equating to 18 parking spaces for the appeal proposal. 18 parking spaces are proposed, in line with the evidenced need.

13. Although the use of 2011 census data was questioned by the Council's highway witness, she accepted that the more recent 2021 census was 'skewed' given its timing within the Covid pandemic and no evidence was presented to demonstrate that the data used was not the most reliable in the circumstances. Even if the 2021 census data had been used, this indicates an increased demand of just 4 - 6 parking spaces, meaning that in the worst-case scenario up to 6 vehicles would need to park on-street.
14. To understand the availability of on-street parking in the area, the appellant undertook surveys in accordance with the Lambeth method, which the Council accepted was a recognised and appropriate methodology. This demonstrated ample availability in the vicinity of the site, both in surveys undertaken before the opening of the nearby medical centre and after. It is clear from the evidence provided, that the 6 excess vehicles that might be generated if on-site provision was not sufficient, could be readily accommodated, even having removed parking spaces and streets from the survey that were seen to be undesirable/unusable by the Council.
15. I am satisfied that the use of 2011 census data is appropriate in the circumstances of the case and that the 18 on-site parking spaces to be provided would reflect the likely demand, based on the evidenced requirement. However, even if the number of vehicles attracted by the development were to outstrip provision by 6, these could be safely and conveniently accommodated in the public highway. The same would be so for any visitors to residents of the site that chose to drive. Policy HO19 of the LP specifically contemplates available on-street parking being utilised and so there would be no conflict. Satisfactory parking provision would be made, in accordance with Policy TP06.
16. Indeed, this would be a preferable outcome to the building being reused for purposes permissible by its extant planning permission, for example, a B1 use, which would generate a requirement for 88 parking spaces in accordance with the Parking Standards.
17. Although no bespoke facilities are identified for delivery vehicles, there would be ample room within the car park associated with the development, and space is available on the public highway in any case.
18. I acknowledge that Northwood Road is relatively busy during peak hours and during school drop off/collection times and that many pedestrians and cyclists use it, along with the surrounding highway network. However, no substantive evidence was presented to demonstrate any inherent safety risks, and I noted wide footways during my site visit. The submitted accident data does not identify any particular highway safety issues in the vicinity of the site, albeit that accidents have occurred

in the wider area. None of these are attributable to the Millenium Way junction or the appeal site, which was occupied by students for some time.

19. I also consider it likely that many people could and would make use of the good public transport connections available, reducing reliance on private vehicles, particularly with a Travel Plan in place. The 'Loop' bus stops are around 700m from the appeal site, providing very regular services to Margate, Broadstairs, Westwood and Ramsgate. Additional bus stops are located as close as 150m from the appeal site, providing further opportunities for sustainable travel, albeit with a more limited service. Cycle parking, electric vehicle charging facilities and a car club are proposed. Train stations serving London and beyond are within cycling distance and served by buses. A range of facilities from a health centre to a supermarket are within easy walking distance. The site is in an eminently accessible location.
20. For all of these reasons, I conclude that the development would be served by sufficient and safe parking, such that there would be no harm in terms of highway safety.

Other Matters

21. General concerns were raised about HMOs and the nature of potential occupants, but no evidence was submitted to suggest that HMOs are typically occupied by people with particular characteristics, or that there would be any greater likelihood of crime or anti-social behaviour than for other residential development. On the contrary, the appellant's evidence referred to experience with other HMO developments and identified a broad variety of occupants and no volume or pattern of complaints. I see no reason why the development would not offer an opportunity to a broad spectrum of society for relatively affordable residential accommodation that would contribute to the established housing mix in the area.
22. Although there are other HMOs in the vicinity of the site, these are generally small in scale and dispersed amongst conventional houses. The development would not result in an intensification or concentration of such uses that would be detrimental to the amenity and character of the neighbourhood, having regard to Policy HO19. The Council accepts that the development would not harm the character or amenity of the area. Subject to suitable mitigation, such as the proposed Property Management Plan, I agree. Whilst there may be some disruption or inconvenience to local residents during the construction period, this is likely to be limited, both in terms of scope and duration, as the building is already in situ. Living conditions would not be adversely affected in the long term.
23. Some people are concerned that the development would not accommodate or be beneficial to local people but there would be no geographical restrictions on occupation, meaning that the housing would be available to all, contributing to housing availability in the context of significant local need.
24. The appeal site is within the zone of influence (7.2km) of the Thanet Coast and Sandwich Bay Special Protection Area (SPA), which is also a Ramsar site. It has been identified that an increase in residential development could increase recreational pressures on the site, adversely affecting bird populations. A strategic response has been devised in consultation with Natural England, to secure mitigation in the form of financial contributions towards Strategic Access Management and Monitoring (SAMM).

25. However, in this case, the former and extant use of the building was for student accommodation for up to 85 people. There is no reason to expect that recreational pressure should differ because of a change of occupation from students to HMO residents and there would be a significant reduction in the number of rooms, from 85 to 68 as a result of the development. In short, any impact on the SPA would be reduced, compared to the extant position. The development would not adversely affect the integrity of the site and so no mitigation, in the form of a SAMM payment or otherwise, is necessary. Having regard to the Habitat Regulations, it is reasonable to conclude that the development would not result in likely significant effects on the SPA and so Appropriate Assessment is not required.

Planning Obligations

26. A Unilateral Undertaking pursuant to S106 of the Town and Country Planning Act 1990 has been submitted to secure various planning obligations. These include financial contributions to mitigate the effect of the development in relation to community learning facilities, local libraries, adult social care, waste disposal and recycling. In addition, it secures a car club to encourage and facilitate sustainable travel.
27. A CIL Compliance Statement was prepared on behalf of the Council, providing justification for the obligations having regard to Regulation 122 of the Community Infrastructure Levy Regulations 2010 (CIL Regulations). I am satisfied that these obligations are necessary and otherwise accord with the CIL Regulations. I have taken them into account in reaching my decision.
28. The undertaking also makes provision for a SAMM payment, if I were to require it contrary to the position of both the Council and the appellant. I have explained above, that a SAMM contribution is not necessary. It would not, therefore, accord with the CIL Regulations and I have not taken it into account.

Conditions

29. The Council and the appellant have agreed a range of conditions that they consider would be appropriate if planning permission were to be granted. These were discussed and refined during the course of the Inquiry. I consider that the conditions are necessary and otherwise meet the relevant tests, subject to minor alterations to ensure compliance with the relevant tests contained in the National Planning Policy Framework (the Framework).
30. I have attached the standard three-year time limit for implementation of the development (1), and a requirement for accordance with the plans considered during the appeal (2). In order to protect the living conditions of neighbouring occupants and future occupants of the scheme, it is necessary to restrict works to reasonable hours (3), and to secure details of acoustic performance for windows (5), sound insulation between rooms (6), any extraction equipment (7), a Property Management Plan (8), and external lighting (13). For the same reason, implementation of the approved bin store and smoking shelter is secured (9).
31. To ensure satisfactory parking provision is made and in the interests of highway safety, the approved parking spaces must be provided prior to occupation (4) and appropriately managed thereafter (12). Improvement of the existing pedestrian refuge on Northwood Road is also necessary and secured (11). A Travel Plan is

required to promote sustainable travel in accordance with the development plan and the Framework (10).

32. A hard and soft landscaping scheme is necessary to ensure an appropriate appearance (14 and 15).
33. The development must achieve the technical standards for water efficiency (16) given the location of the development in a water stressed area and in accordance with Policy QD04 of the LP.

Planning Balance

34. The main parties agree that the proposal would be in accordance with the development plan, taken as a whole. I agree, having found no conflict with Policy TP06 of the LP, or any other development plan policy.
35. The proposal would deliver 68 residential units, contributing to the Council's housing land supply shortfall. It would bring a vacant brownfield site back into use and deliver employment in both the construction and operation stages, whilst creating resident expenditure in the area to the benefit of the local economy. Improvements to the existing pedestrian refuge on Northwood Road would be a public benefit, beyond the users of the appeal site. In addition, a biodiversity net gain would be delivered. Together, these benefits attract significant weight.
36. I have identified no material considerations that indicate against the proposal and so there are no material considerations that indicate a decision other than in accordance with the development plan. The planning balance is firmly in favour of the scheme.

Conclusion

37. For the reasons given above, the appeal is allowed.

Michael Boniface

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Rebecca Clutten, Counsel, who called:

Stephen Jenkins MSc BSc (Hons) MRTPI MCIHT

Highways and Transport
Consultant and Director

Tim North MSc BSc (Hons) Dip TP MRTPI

Planning Consultant and
Principal

FOR THE LOCAL PLANNING AUTHORITY:

Ruchi Parekh, Counsel, who called:

Laura McDonald BA (Hons) MA

Senior Transport and
Development Planner

Annabel Hemmings BSc (Hons) MRTPI

Principal Planning Officer

INTERESTED PARTIES:

Councillor Garner (Ward Member)

DOCUMENTS SUBMITTED DURING THE INQUIRY:

INQ1	Appellant's list of appearances
INQ2	Council's list of appearances
INQ3	Appellant's Opening Submission
INQ4	Council's Opening Submission
INQ5	Councillor Garner's Speaking Notes
INQ6	Parties' comments on conditions
INQ7	Not used
INQ8	Position Statement of Annabel Hemmings (26 March 2026)
INQ9	Council's Closing Submission
INQ10	Appellant's Closing Submission

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with drawing nos. SK-01 Rev F, SK-02 Rev C, SK-03 Rev C, SK-04 Rev B, SK-05 Rev F, SK-07, SK-08, SK-09 Rev A and SK-10.
- 3) Any works including building operations required to implement the development hereby permitted shall only take place between the hours of 0800 to 1800 Mondays to Fridays and 0800 to 1300 on Saturdays, with no work taking place on Sundays and Public Bank Holidays.
- 4) The development hereby permitted shall not be occupied until the vehicle parking spaces have been provided in accordance with Drawing No. SK-05 Rev F. Thereafter those spaces shall be retained for the parking of vehicles belonging to the occupiers of the development or their visitors only.
- 5) Prior to first occupation of the development hereby approved, details of the acoustic performance of windows as set out in Section 5 of the Assessment of Potential Impact from Noise of Proposed Development for a House in Multiple Occupation prepared by Sharps Acoustics LLP dated 21st March 2025 shall be submitted to and approved in writing by the Local Planning Authority. The approved windows shall be installed before first occupation and permanently retained thereafter.
- 6) Prior to first occupation of the development hereby approved, a scheme of sound insulation between all bedrooms shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to occupation and retained thereafter.
- 7) Details of the erection or installation of any extraction system associated with the proposed development shall be submitted to and approved in writing by the Local Planning Authority prior to implementation. No extraction system, ducts, fans, louvres or plant other than that agreed in writing by the Local Planning Authority shall be erected or installed on the site.
- 8) Prior to first occupation of the development hereby approved a finalised Property Management Plan, which shall be based on the submitted draft document, shall be submitted to and approved in writing by the Local Planning Authority. The property shall thereafter be managed in accordance with the approved Plan.
- 9) Prior to first occupation of the development hereby permitted, the cycle store, bin store and smoking shelter shown on Drawing Nos SK-07 Bike Store; SK-09 Rev A Bin Store and SK-10 Smoking Shelter shall be constructed and made available for cycles and waste receptacles and as a smoking shelter for the occupants of the development and their visitors wishing to smoke outside the building on the site. The cycle store, bin store and smoking shelter shall thereafter be retained and kept available at all times for the occupants of the development and their visitors.
- 10) Prior to first occupation of the development hereby permitted a finalised Travel Plan which seeks to encourage occupants to travel using sustainable modes of transport shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall then be implemented as approved.

- 11) No development shall take place until a scheme detailing the widening of the existing central refuge at the crossing of Northwood Road, complete with tactile paving, has been submitted to, and approved in writing by, the Local Planning Authority. The approved scheme shall be implemented prior to the occupation of the first residential unit forming part of the proposed development.
- 12) Prior to first occupation of the development, a Car Park Management Plan in respect of the management of the on-site car parking spaces shall be submitted to and approved in writing by the Local Planning Authority. The on-site car parking shall thereafter be managed in accordance with the approved Car Park Management Plan.
- 13) Prior to the installation of any external lighting, full details of the external lighting, including their fittings, illumination levels and spread of light shall be submitted to and approved in writing by the Local Planning Authority. The lighting installation shall then be carried out in accordance with the approved details.
- 14) Prior to first occupation of the development hereby approved, full details of both hard and soft landscaping works shall be submitted to and approved in writing by the Local Planning Authority. The details shall include species, size and location of new trees, shrubs, hedges and grassed areas to be planted; the treatment proposed for all hard surface areas beyond the limits of the highway; walls, fences or other means of enclosure proposed; and ecological enhancements to be provided within the site.
- 15) All hard and soft landscaping work shall be carried out in accordance with the approved details. The works shall be carried out prior to the first occupation of any part of the development, or in accordance with a programme of works agreed in writing by the Local Planning Authority. Any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size and species.
- 16) The development hereby permitted shall be constructed in order to meet the required technical standards for water efficiency of 110 litres/person/day.