



Date: 8 June 2015
Ask For: Emily Kennedy
Direct Dial: (01843) 577046
Email: emily.kennedy@thanet.gov.uk

PLANNING COMMITTEE

17 JUNE 2015

A meeting of the Planning Committee will be held at **7.00 pm on Wednesday, 17 June 2015** in the Council Chamber, Council Offices, Cecil Street, Margate, Kent.

Membership:

Councillor Evans (Chairman); Councillors: Jaye-Jones (Vice-Chairman), Bambridge, Fairbrass, Fenner, Hayton, G Hillman, Howes, Leys, Partington, Taylor and Tomlinson

AGENDA

Item
No

Subject

1. **APOLOGIES FOR ABSENCE**

2. **DECLARATIONS OF INTEREST**

'To receive any declarations of interest. Members are advised to consider the advice contained within the Declaration of Interest Form attached at the back of this Agenda. If a Member declares an interest, they should complete that form and hand it to the Officer clerking the meeting and then take the prescribed course of action.'

3. **MINUTES OF PREVIOUS MEETING** (Pages 1 - 6)

To approve the Minutes of the Planning Committee meeting held on 27 May 2015, copy attached.

4. **SITE VISITS - 12 JUNE 2015**

4a **F/TH/14/0958 - CRABAPPLE FARM STABLES, WOODCHURCH ROAD**
(Pages 7 - 16)

4b **OL/TH/14/0050 - LAND EAST AND WEST OF, HAINE ROAD, RAMSGATE**
(Pages 17 - 48)

4c **F/TH/15/0205 - 17-21 WARWICK ROAD, MARGATE** (Pages 49 - 56)

5. **SCHEDULE OF PLANNING APPLICATIONS** (Pages 57 - 62)

To consider the report of the Director of Community Services, copy attached

Item
No

Subject

for Members of the Committee.

Note: Copies of correspondence relating to applications received will be available for members' perusal in the Members' Room from 5.00pm on the Friday before the meeting until the date of the meeting.

For Approval

- 5a **A01 - F/TH/15/0029 - 1 MOUNT LAVINA, 195 CANTERBURY ROAD, EAST, BIRCHINGTON** (Pages 63 - 70)
- 5b **A02 - F/TH/15/0084 - DERBY ARMS, 72 MARGATE ROAD, RAMSGATE** (Pages 71 - 78)
- 5c **A03 - OL/TH/14/0639 - LAND WEST OF 33A, ALEXANDRA ROAD, BROADSTAIRS** (Pages 79 - 90)
- 5d **A04 - F/TH/15/0147 - 15 SEACROFT ROAD, BROADSTAIRS** (Pages 91 - 98)
- 5e **A05 - F/TH/15/0377 - LAND REAR OF 2 TO 6, ELM GROVE, WESTGATE ON SEA** (Pages 99 - 108)
- 5f **A06 - F/TH/15/0334 - LAND ADJACENT 21A, NASH LANE, MARGATE** (Pages 109 - 116)
- 5g **A07 - F/TH/15/0253 - 24 OLD CROSSING ROAD, MARGATE** (Pages 117 - 122)
- 5h **A08 - F/TH/15/0212 - POND COTTAGE, GRINSELL HILL, MINSTER, RAMSGATE** (Pages 123 - 130)
- 5i **A09 - F/TH/15/0245 - EAST PIER, THE ROYAL HARBOUR, RAMSGATE** (Pages 131 - 136)
- 5j **A10 - F/TH/15/0173 - 65 WESTGATE BAY AVENUE, WESTGATE ON SEA, WESTGATE-ON-SEA** (Pages 137 - 144)

For Deferral

- 5k **D11- OL/TH/15/0187 - FLAMBEAU EUROPLAST LTD, MANSTON ROAD, RAMSGATE** (Pages 145 - 168)
6. **UPDATE ON APPEAL DECISIONS** (Pages 169 - 172)

Declaration of Interests Form

Public Document Pack Agenda Item 3

Planning Committee

Minutes of the meeting held on 27 May 2015 at 7.00 pm in Council Chamber, Council Offices, Cecil Street, Margate, Kent.

Present: Councillor Peter Evans (Chairman); Councillors Bambridge, Fairbrass, Fenner, Hayton, G Hillman, Howes, Leys, Partington, Taylor, Tomlinson and Collins.

1. APOLOGIES FOR ABSENCE

Apologies were received from Councillor Jaye-Jones, for whom Councillor Collins was present.

2. DECLARATIONS OF INTEREST

There were no declarations of interest.

3. MINUTES OF PREVIOUS MEETING

It was proposed by Councillor Hayton, seconded by Councillor Fenner and AGREED that the minutes of the Planning Committee meeting held on 15 April 2015 be approved and signed by the Chairman.

4. SCHEDULE OF PLANNING APPLICATIONS

It was noted that site visits would take place on 12 June 2015.

(a) A03 - F/TH/15/0205 - 17-21 WARWICK ROAD, MARGATE

PROPOSAL: Change of use and conversion to 3no. four bed maisonettes and 3no. two bed flats following demolition of existing ground floor front extension.

Mrs Page spoke raising points of concern.

It was proposed by the Chairman and seconded by the Councillor Leys:

“THAT the officer’s recommendation be adopted, namely:

‘That the application be APPROVED 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 Compulsory Purchase Act 2004).

2. The proposed development shall be carried out in accordance with drawing numbers A.1.02 Rev B received 09 April 2015 and A.1.04 received 11 March 2015.

GROUND:

To secure the proper development of the area.

3. The refuse storage and clothes drying facilities as specified upon the approved drawing numbered A.1.02 Rev B received 09 April 2015, shall be provided prior to the first occupation of the units hereby approved and shall be kept available for that use at all times.

GROUND:

To secure a satisfactory standard of development and in the interests of the amenities of the area, in accordance with policy D1 of the Thanet Local Plan.

4. Prior to the first occupation of the development hereby permitted, secure cycle parking as shown on drawing A.1.02 Rev B received 09 April 2015 shall be provided and thereafter retained.

GROUND:

In the interests of promoting increased cycling in accordance with Policy TR12 of the Thanet Local Plan and Policy CV5 of the Cliftonville Development Plan Document.

5. The reveals to all new window and door openings shall not be less than 100mm.

GROUND:

In the interests of visual amenity in accordance with Policy D1 of the Thanet Local Plan”

Following debate, the motion was put to the vote and declared LOST.

It was the proposed by the Chairman and seconded by Councillor Hayton:

“THAT Members undertake a SITE VISIT in order to assess the situation.”

Upon the motion being put to the vote, it was declared CARRIED.

(b) **D04 - OL/TH/14/0050 - LAND EAST AND WEST OF, HAINE ROAD, RAMSGATE**

PROPOSAL: Application for outline planning permission including access for the erection of 785 dwellings, highways infrastructure works (including single carriageway link road), primary school, small scale retail unit, community hall, public openspace.

Mr Webster spoke in favour of the application.

Mrs Bromwell spoke raising points of concern.

It was proposed by the Chairman, seconded by the Councillor Hayton:

“THAT Members undertake a SITE VISIT in order to assess the situation.”

Upon the motion being put to the vote, it was declared CARRIED.

(c) **A02 - F/TH/15/0207 - 40-46 SWEYN ROAD, MARGATE**

PROPOSAL: Change of use and conversion to 2no. four bed dwellings, 2no. two bed flats and 2no. two bed maisonettes, erection of 2No. single storey rear extensions, and alterations to front elevation, following demolition of single storey front and rear extensions and second floor extension to rear.

It was proposed by the Chairman, seconded by Councillor Hayton and
RESOLVED:

“THAT the officer’s recommendation be adopted, namely:

‘That the application be APPROVED 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 Compulsory Purchase Act 2004).

2. The proposed development shall be carried out in accordance with drawing numbers A.1.51 Rev B received 31 March 2015 and A.1.02 Rev B received 15 April 2015.

GROUND:

To secure the proper development of the area.

3. The refuse storage and clothes drying facilities as specified upon the approved drawing numbered A.1.02 Rev B received 09 April 2015, shall be provided prior to the first occupation of the units hereby approved and shall be kept available for that use at all times.

GROUND:

To secure a satisfactory standard of development and in the interests of the amenities of the area, in accordance with policy D1 of the Thanet Local Plan.

4. Prior to the first occupation of the development hereby permitted, secure cycle parking as shown on drawing A.1.02 Rev B received 09 April 2015 shall be provided and thereafter retained.

GROUND:

In the interests of promoting increased cycling in accordance with Policy TR12 of the Thanet Local Plan and Policy CV5 of the Cliftonville Development Plan Document.

5. The external walls of the building, following demolition of the existing extensions to the property, as shown on drawing number A.1.51 Rev B received 31 March 2015 shall be rebuilt in materials matching those on the existing property.

GROUND:

In the interests of visual amenity in accordance with Thanet Local Plan Policy D1

6. Prior to the first use of the development hereby approved, the amenity spaces shown as 'garden' and 'communal garden' on drawing A.1.02 Rev B received 09 April 2015 shall be made available for the occupiers of the respective properties hereby approved and therefore maintained for such purposes.

GROUND:

To ensure adequate doorstep play space is provided for future occupiers, in accordance with policies D1 and SR5 of the Thanet Local Plan.

7. The reveals to all new window and door openings shall not be less than 100mm, as agreed in the applicant's agents' email dated 09 April 2015.

GROUND:

In the interests of visual amenity in accordance with Policy D1 of the Thanet Local Plan

(d) **A01 - F/TH/15/0202 - 1 GODWIN ROAD, MARGATE**

PROPOSAL: Erection of four storey building to accommodate 2No. three bed maisonettes, following demolition of existing building

It was proposed by the Chairman and seconded by Councillor Hayton:

“THAT the officer’s recommendation be adopted, namely:

‘That the application be APPROVED 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 Compulsory Purchase Act 2004).

2. The proposed development shall be carried out in accordance with drawing numbers A.1.05 received 31 March 2015, A.1.01 Rev B received 09 April 2015 A.1.03 Rev B received 31 March 2015 and A.1.02 Rev B received 31 March 2015.

GROUND:

To secure the proper development of the area.

3. The refuse storage and clothes drying facilities as specified upon the approved drawing numbered A.1.01 Rev B received 09 April 2015, shall be provided prior to the first occupation of the units hereby approved and shall be kept available for that use at all times.

GROUND:

To secure a satisfactory standard of development and in the interests of the amenities of the area, in accordance with policy D1 of the Thanet Local Plan.

4. Prior to the first occupation of the development hereby permitted, secure cycle parking as shown on drawing A.1.01 Rev B received 09 April 2015 shall be provided and thereafter retained.

GROUND:

In the interests of promoting increased cycling in accordance with Policy TR12 of the Thanet Local Plan and Policy CV5 of the Cliftonville Development Plan Document.

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

GROUND:

In the interests of visual amenity in accordance with Policy D1 of the Thanet Local Plan.

6. The reveals to all new window and door openings shall not be less than 100mm.

GROUND:

In the interests of visual amenity in accordance with Policy D1 of the Thanet Local Plan

7. No development shall take place until details of the means of surface water disposal, including details of the implementation, management and maintenance of any proposed Sustainable urban Drainage Systems, have been submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with such details as are agreed and thereafter maintained.

GROUND:

To prevent pollution, in accordance with the advice contained within the NPPF.

8. INFORMATIVE:

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

Upon the motion being put to the vote, it was declared CARRIED.

Meeting concluded: 8.15 pm

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CRABAPPLE FARM STABLES, WOODCHURCH ROAD- PLANNING APPLICATION F/TH/14/0958

To: **Planning Committee - 17 June 2015**

By: **Planning Manager**

Classification: **Unrestricted**

Ward: **Villages**

Summary: This report concerns the planning application for the change of use of stables to dwellinghouse with the erection of a single storey rear extension.

The application was previously considered by the Planning Committee on 18th February 2015 where Members resolved for further consideration by Officers, including discussion with the applicant, of the potential for planning permission to be granted subject to a condition restricting occupancy of the proposed dwelling to the family members of the occupier of the existing dwelling. The conclusion of those discussions was that it would not be possible to restrict the occupancy as suggested and at that meeting Members resolved to undertake a Site Visit, which is scheduled for 12 June 2015

This report explains the background and recommends that this planning application be refused for the reason set out in the planning officers original report to planning committee of February 2015 (which is annexed to this report)

For Decision

1.0 Introduction

1.1 At the Planning Committee meeting on 18 February 2015 it was resolved by Members for Officers to discuss with the applicant the potential for planning permission to be granted subject to a condition restricting occupancy of the proposed dwelling to the family members of the occupier of the existing dwelling, on the application to convert part of the stables into a self-contained dwelling. Following this meeting, discussions occurred between the agent and the planning officer about potential conditions to restrict the occupancy of the proposed dwelling and it was concluded that such a condition could not be imposed.

1.2 Members were also advised that the existing dwelling which was granted in 1994 (94/0720) along with the erection of the equestrian centre was restricted in occupancy by the following planning condition:

The occupation of the dwelling shall be limited to a person solely or mainly employed at the equestrian centre, and the immediate family of such a person.

and that, the applicant's daughter is the main employee in the equestrian Centre and therefore should she move out of the house, the occupancy of the dwelling would be in breach of the planning condition.

The applicant has since applied to amend that condition to allow for him to continue occupying the house after he and his partner retire from operating the equestrian centre. This application is as yet undecided and in any event is not relevant to the determination of the application for the proposed dwelling.

2.0 The Current Situation

- 2.1 The planning considerations remain as set out within the Officer's report to the Planning Committee in February 2015 (annexed to this report), as does the recommendation that the planning application for the change of use of part of the stable rebuilding should be refused on the grounds that the proposed use would constitute an unsustainable form of development within the Countryside which conflicts with both local and national planning policy.
- 2.2 The planning application now falls to be decided by Members having regard to the original officer report from February 2015 and with the benefit of having visited the site.

3.0 Corporate Implications

3.1 Financial

- 3.1.1 Should the application be refused planning permission and the applicant appeal against the refusal, the Council will incur costs in defending its position. Also, as with any appeal, the Council must ensure that it acts reasonably at each stage to avoid the potential for an award of costs to be made against the Council.

3.2 Legal

- 3.2.1 It is not considered that there are any specific legal implications to determining this application.

4.0 Equity and Equalities

- 4.1 There are no equalities issues affected by this decision.

5.0 Decision Making Process

- 5.1 It is the responsibility of the Planning Committee to determine the planning application.

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| Contact Officer: | <i>Simon Thomas – Planning Manager</i> |
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Annex List

| | |
|---------|---|
| Annex 1 | Report to planning committee on 18 February 2015 (reference F/TH/14/0018) |
|---------|---|

R04

F/TH/14/0958

PROPOSAL: Change of use of stables to dwellinghouse with the erection of single storey rear extension

LOCATION: CRABAPPLE FARM STABLES, WOODCHURCH ROAD,
BIRCHINGTON, CT7 0GG

WARD: Thanet Villages

AGENT: Design Plus (Kent) Ltd

APPLICANT: Mr Brent

RECOMMENDATION: **Refuse**

For the following reason:

- 1 The site is outside the built up area boundary of any settlement in an isolated location and, as such, represents an unsustainable and inappropriate form of development within the countryside, contrary to Policies H1 and CC1 of the Thanet Local Plan and paragraph 55 of the National Planning Policy Framework.

SITE, LOCATION AND DESCRIPTION

The site lies on Woodchurch Road, accessed down a long driveway which serves Crabapple Farmhouse and the stables used by the equestrian centre. The site is within Woodchurch, located in the countryside to the north of Manston Airport, within a collection of properties with a mixture of Animal centres and kennels, individual dwellinghouses and riding centres. The development in the area is sparse, with no coherent character to the area.

RELEVANT PLANNING HISTORY

Planning permission was granted for the erection of equestrian centre comprising indoor school, stables, barn and associated office, with the erection of a single dwelling where the occupation was to be limited to a person solely or mainly employed at the equestrian centre (94/0720). A subsequent application for amended details was refused, on the grounds that the size of the house proposed was excessive.

In 2004 an application for the erection of a detached dwelling to the rear of the stable buildings was refused on the following grounds:

"The application site lies outside the confines of existing villages and built up areas and as such the development of a detached dwellinghouse, barn, stable and garage would constitute development of fresh land in the open countryside, unrelated to local need, without agricultural or other rural justification, contrary to Policy CL1 of the Isle of Thanet Local Plan and Policies ENV1 and RS5 of the Kent Structure Plan, which seek to

concentrate development at appropriate locations within the confines of existing urban areas and rural settlements, therefore conserving and enhancing the special character, quality and functioning of the countryside."

A subsequent application was made in 2007 for a smaller 2 storey dwellinghouse with detached garage, barn and stable block which was refused by Thanet District Council and the subsequent appeal dismissed by the Planning Inspectorate as it did not respect or enhance the character and appearance of the surroundings, and was contrary to national and local policy to control development in the countryside.

Minor applications for single storey extensions to the dwelling on the site were approved in 2008 and 2013.

PROPOSED DEVELOPMENT

The proposed development would change the use of part of the stables to a three bedroom dwellinghouse with the erection of single storey rear extension. The proposal includes the delineation of a private garden area with a fence to the rear of the building. The dwelling would utilise the existing vehicular access, with off-street parking available in front of the stable buildings.

The applicant has submitted a supporting statement outlining that the dwelling is to be utilised by the applicant's daughter and family, who would also look after the privately owned horses within the stables.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan 2006

CC1 - Development in the Countryside
CC2 - Landscape Character Areas
H1 - Residential Development Sites
H4 - Windfall Sites
D1 - Design Principles
D2 - Landscaping
TR12 - Cycling
TR16 - Car Parking Provision
SR5 - Playspace
EP13 - Ground Water Protection Zone

NOTIFICATIONS

Letters have been sent to neighbouring properties, a site notice has been posted and an advert has been placed in the local newspaper. No comments have been received.

CONSULTATIONS

Environment Agency - Application has a low environmental risk, no comments to make.

Kent County Council Biodiversity Officer - "No ecological information has been submitted with this application. As a result of reviewing the data we have available to us (including aerial photos and biological records) and the information submitted with the planning application and the few photos provided by the planning officer we advise that the proposed development has limited potential to result in ecological impacts. Our main concern was the potential for bats to be roosting within the building which is proposed to be converted into a residence. However the photos with the design and access statement indicate that the building is in good condition reducing the potential for suitable features for roosting bats to be present. As such, on this occasion, we are satisfied that no ecological information is required to be submitted prior to determination of the planning application".

COMMENTS

This application has been brought to Planning at the request of Cllr. Roberts to allow Members to consider the individual characteristics of the proposed development and planning merits of the proposal.

It is considered that the main issues to consider in this application are the principle of the development and its impacts on the character and appearance of the area, the living conditions of neighbouring and future residents and the highways implications.

Principle

Thanet Local Plan Policy CC1 states that within the countryside permission will only be granted where there is a need for the development which outweighs the need to protect the countryside. The NPPF in paragraph 55 states that in rural areas housing should be located where it will enhance or maintain the vitality of rural communities and Local Authorities should avoid isolated dwellings within the countryside unless there are special circumstances. The proposed house would constitute an isolated dwelling within the countryside, being over 2.5km from the nearest settlement (Acol), with no public transport links within walking distance of the site and no footpath on Woodchurch Road. No local shops or amenities are available within walking distance of the site, with no shops at Acol, and the new dwelling would rely upon private vehicle use. The nearest centre by road is Westgate, approximately 3.5 kilometres away. Therefore the length of trips created by the new dwelling is significant, and, due to the position of Woodchurch within the district, I do not consider that the development would help to support services elsewhere within the rural area. The location of the site is not acceptable in terms of access to larger settlements, with no services in the surrounding area, and the development would conflict with the NPPF's aim to minimise the need to travel and maximise the use of sustainable transportation modes.

The building to be converted is vacant, however it is not dilapidated and it is set back from the road. Therefore the conversion of the building has no discernible visual benefits to the area, and the conversion to a residential dwelling would not lead to a significant enhancement to the setting of the building or the countryside.

For these reasons, it is considered that, in principle, the proposed development is contrary to Policies H1 and CC1 of the Local Plan. Furthermore, I do not consider that, for the reasons outlined, the development is supported by the NPPF.

Character and Appearance

The proposal would convert the equestrian storage building through new windows and doors inserted on the side and rear elevation, with a single storey pitched roof extension on the rear of the building. The external work to the existing building is minimal, however it would change the building to one of more domestic appearance and the associated residential curtilage and domestic paraphernalia will detract from the rural character of the area, albeit that its impact would be limited by the fact that the property is not highly prominent and is hidden from public view. Overall due to the limited views of the property the proposal would not significantly harm the character of the area, however as stated above the work would also not result in a significant enhancement of the building in visual terms.

Living Conditions

The proposed dwelling would be three bedroomed, with adequate layout and outlook for future occupiers. A garden area would be provided to the rear, offering an acceptable level of private amenity space for the dwelling. The proposed extension would not affect any neighbouring residencies due to the location of the building away from neighbouring properties.

Transportation

The new dwelling would be able to share the parking area for the stables, with the existing access sufficient for use by the new dwellinghouse. It is considered that the parking areas would be sufficient to provide parking for the demand that the development would create.

As detailed above in the principle section of the report, the development would necessitate the use of private motor vehicles for access to facilities and services. The location of the site is not acceptable in terms of access to larger settlements, with no services in the surrounding area, and the development would conflict with the NPPF's aim to minimise the need to travel and maximise the use of sustainable transportation modes.

Other matters

The applicant's agent has provided information of previous appeal decisions in the country where dwellings have been approved in countryside locations. It is an established principle in planning law that each case should be considered on its own merits, however in any event the general matters raised in those appeals have been considered within the principle section of this report, although the particular examples given differ from the proposal in terms of the location of sites in relation to main roads/public transport, distance from town centres and the high quality of new buildings.

The applicant has stated that the proposed dwelling is for family members who already live on site, which reduces the trips generated by the development. However, the proposal is for a new residential property, which could be sold off, rented out or occupied by anyone, in an unsustainable location and, whilst there is also a general need for housing with Thanet, the provision of one new dwelling is not considered to result in a discernible contribution to the Council's housing supply such to outweigh the harm to the countryside from the provision of an isolated home within an unsustainable location.

The applicant's agent has stated that the proposal results in economic benefits from the applicant's family's ability to reside adjacent the stables, to help look after horses. However, no functional need has been proven and no evidence provided to justify a dwelling at this location. Furthermore the main dwelling at the property was granted to serve as the managers accommodation of the equestrian centre in 1994, which satisfied the considered need justified by the application at the time in relation to the creation of the equestrian centre.

The applicant's submission also mentions the problems of operating the equestrian business remotely if the applicants daughter, who runs the business for the main dwelling on site, would have to move away. I have no evidence to suggest that a new dwelling is necessary to assist in the running of the equestrian centre, given that the dwelling on site was granted as manager's accommodation (and conditioned as such), and, as outlined by the Planning Inspector in the 2007 appeal, "just because the current occupier of Crabapple Farm wants to take a less active part in the equestrian operations at the site, but still reside in the house, cannot justify another dwelling".

Conclusion

It has not been demonstrated that there is any specific need for the proposed development to be located within the countryside, outside of the built confines. The site is in an unsustainable location, reliant on private transportation, with no discernible visual or economic benefits to the area. Therefore the application is recommend for refusal in accordance with Local and National policy.

Case Officer

Iain Livingstone

Title: F/TH/14/0958

Project name: Crabapple Farm Stables, Woodchurch, Birchington

Notes:

Scale: 1:2,500

Author:

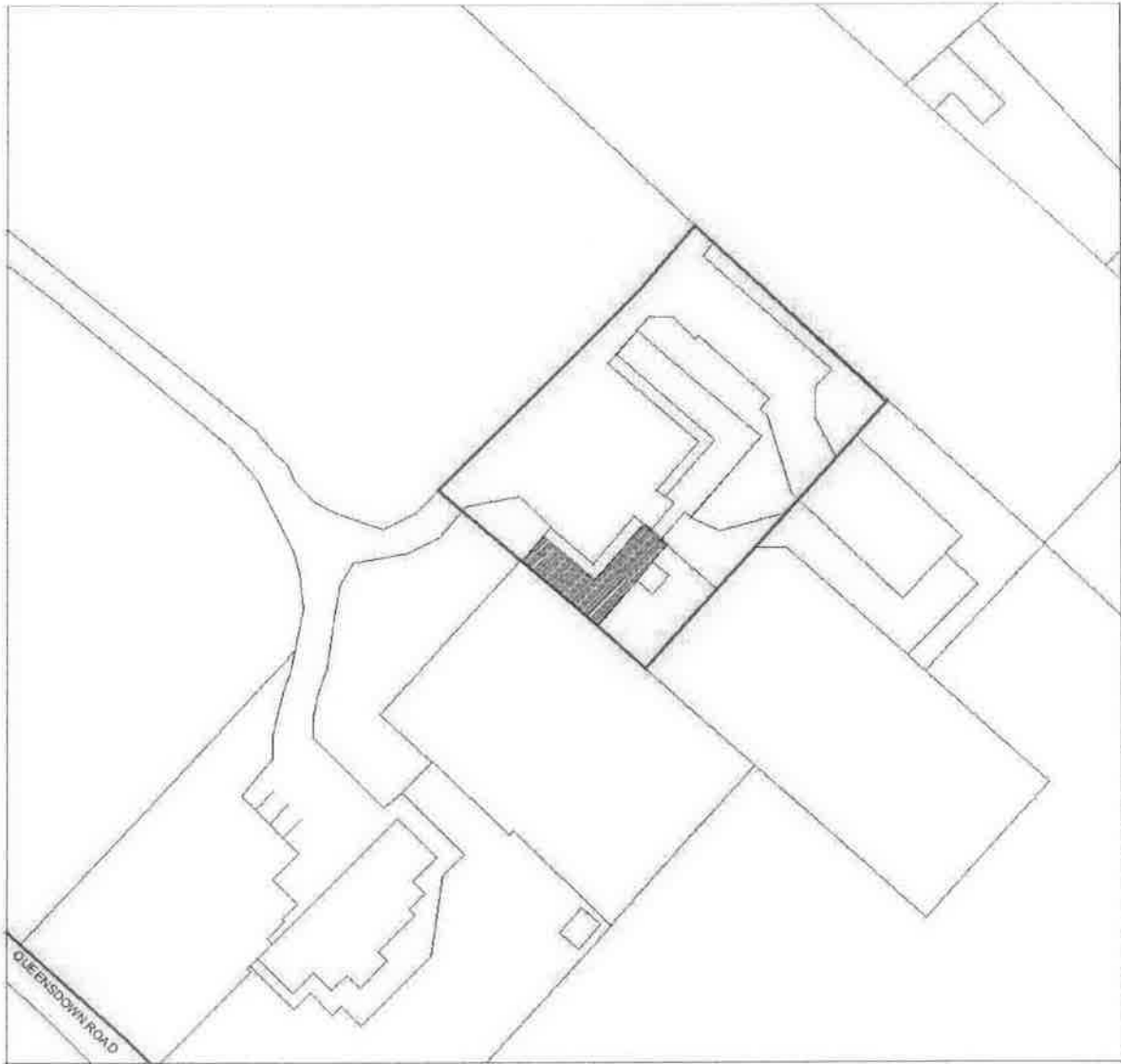


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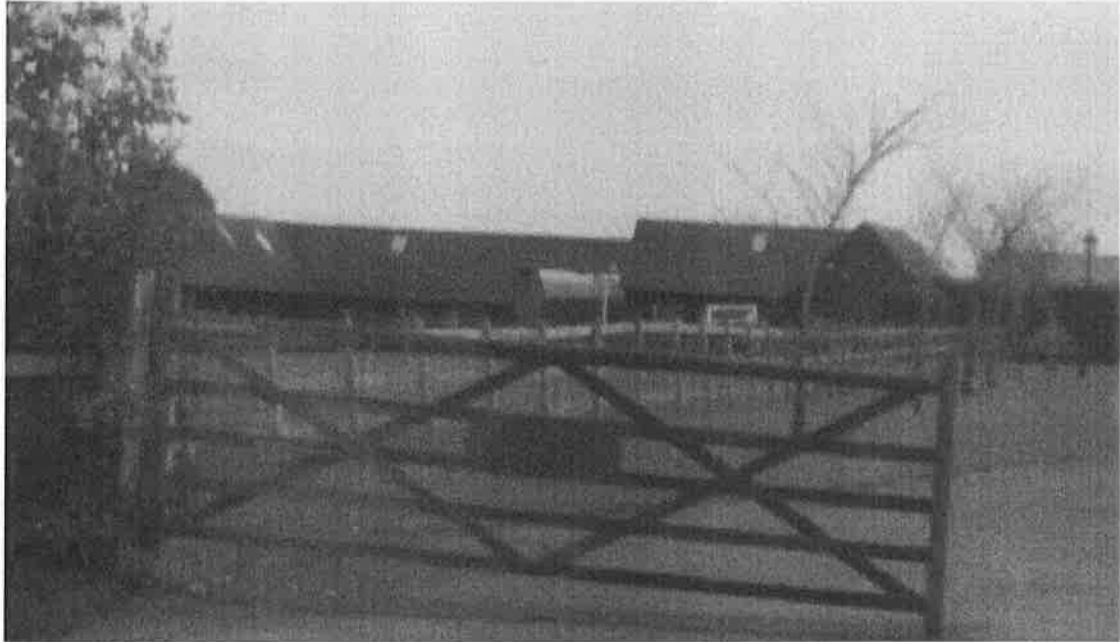
Crabapple Farm Stables, Woodchurch

F/TH/14/0958



F/TH/14/0958

CRABAPPLE FARM STABLES, WOODCHURCH



Manston Road to the south, Leigh Road industrial estate to the north, Haine Road to the west and existing residential development including Staner Court and Meridian Village to the east.

A bridleway (TR10) bisects the western section of the site (just to the south of the dwelling on the western side of Haine Road). The bridleway currently stops where it meets Haine Road. A Public footpath (TR29) borders the northern boundary of the site.

In the wider area, to the south east of the site is the existing built up area of Ramsgate (Nethercourt). At the points closest to the application site are 'The Beacon', NHS nursing centre, Tesco supermarket, and existing residential areas. To the west is Manston Airport and to the north west Manston village. Beyond the Staner Hill roundabout to the north west lies the Manston Golf Centre. The southern boundary of the site abuts the Ramsgate to London railway line. Beyond the southern boundary (i.e. on the other side of the railway line) lies an anglo saxon cemetery which is identified as a Scheduled Ancient Monument.

In terms of proximity to local services, taken from the centre of the site, Ramsgate town centre lies approximately 2.5km to the south east of the site; and Westwood Cross shopping centre 2km to the north. In terms of existing education provision the Marlowe Academy is approximately 1.2km to the north east, there are three primary schools within a 2km radius of the site (Newington Primary School; St Lawrence in Thanet Junior School and Chilton Primary School). The nearest retail store would be Tesco, Manston Road which is 800 metres away (approximately 10 minutes walk) to the east, and which includes a petrol filling station, there are additional shopping and convenience facilities located in St Lawrence around a 20 minute walk from the site. There are a number of Doctors surgeries within a 2km radius, and the QEQM hospital is around 2.5km away.

Bus services run along Manston Road (No38) a service runs along the Canterbury Road East (No9). Both services are hourly during the week with less frequency at weekends.

PLANNING HISTORY

There is no planning history relevant to this application.

PROPOSED DEVELOPMENT

The application is submitted in outline, with all matters of detail (except for means of access) reserved for future consideration. The proposal is to provide up to 785 dwellings, highway infrastructure works including a new single carriageway link road, a new 1 form entry primary school, community hall, small scale convenience retail unit and a total of 9ha of public open space.

Members should note that the description of the proposal has changed since the application was initially submitted. Firstly, a public transport interchange originally proposed towards the south of the site has been omitted following negotiation with Officers and advice from KCC Highways which concluded that there was no justification for the facility, and following confirmation of the existence of a significant amount of archaeology within this area. Secondly, the proposed link road has been revised from a

dual carriageway to a single carriageway, again following negotiation with Officers and KCC Highways and finally the number of dwellings has been revised downward from 800 to 785 to allow for greater space around the listed buildings at Ozengell Grange.

The application is accompanied by an 'illustrative' masterplan which is informed by a series of 'indicative' parameter plans and a Design and Access Statement which set out the principles that the applicant will apply to develop future details of the scheme at reserved matters stage. These parameter plans and the DAS form the applicants submission and are for consideration as part of this outline application, the parameter plans are concerned with following:

Land use and amount - this plan sets a gross residential density within each parcel of land of 35dph. It also defines land for school (2.05ha), community centre (0.10ha) and highway infrastructure and public openspace. The plan indicates that southern section of the site would remain undeveloped. This plan has been amended to omit the transport interchange and reflects the potential archaeological significance of the land to the south, and the presence of groundwater source protection zone on this part of the site.

Scale - indicates that in the main, the residential development would comprise 2 -2.5 storey housing, with a ribbon of 3 storey housing primarily located along the Manston Road frontage. The plan sets the position of the school and community centre within the site.

Landscape - identifies where the areas of openspace will be located across the site and includes Village greens, pocket parks, Local Areas of Play both equipped and unequipped, allotments, green corridors, casual public openspace and areas for tree buffer planting. In total the plan indicates that the proposals would incorporate 9ha of public open space. There would be a landscaped setting to the Listed Ozengell Grange

Movement - Defines the hierarchy of streets within the development. It identifies existing and proposed new footway, cycleway and bridleway connections within and outwith the site. It also includes the new single carriageway link road which is intended to act as a bypass to the existing section of Haine Road that runs through the site. The road is proposed to skirt the western boundary of the development, connecting with the Lord of the Manor Roundabout to the south and incorporating a new high capacity roundabout junction at Manston Road to the north. The existing Haine Road would be downgraded and a new gateway at the junction of Haine Road and Manston Road

The development is proposed to comprise several 'character areas' intended to respond to and develop individual characteristics around key parts of the site. In addition to the character areas, there are principles to be applied to the residential streets which are interspersed within the development and which link into the 'character areas'. A summary of the key features of each 'character area' is outlined below:

This application is accompanied by an Agricultural Land Quality assessment which in part relies upon Agricultural Land Classification (ALC) survey work undertaken on behalf of MAFF in 1994 and relates to the area of the site to the east of Haine Road. This work identified the land as grade 2 (46%) grade 3a (37%) and grade 3b(5%). In the absence of any previous survey work for the western section of the site i.e. between Haine Road

and the airport the applicants commissioned their own study which was undertaken in September 2013. The methodology involved recordings taken from 27 points across the land including excavating three small pits to establish the soils composition and quality. The results indicate that the land is made up of grade 2 (18%), grade 3a (69%) and grade 3b (13%). Overall the results combined show that the land falls primarily within grade 2 and grade 3a of the ALC with some small areas of grade 3b to the north.

The planning application has been subject to an Environmental Impact Assessment, and is accompanied by an Environmental Statement

DEVELOPMENT PLAN POLICIES

Thanet Local Plan 2006

| | |
|------|--|
| CC1 | Development in the countryside |
| CC2 | Landscape Character areas |
| H1 | Residential Development Sites |
| H4 | Windfall Sites |
| H8 | Size and type of housing |
| H14 | Affordable housing negotiations on housing sites |
| TC1 | New retail development |
| TR3 | Provision of transport infrastructure |
| TR12 | Cycling |
| TR15 | Green Travel Plans |
| TR16 | Car parking provision |
| D1 | Design principles |
| D2 | Landscaping |
| HE11 | Archaeological assessment |
| HE12 | Archaeological sites and preservation |
| SR4 | Provision of new sports facilities |
| SR5 | Doorstep and local play provision |
| EP5 | Local Air Quality monitoring |
| EP7 | Aircraft noise |
| EP8 | Aircraft noise and residential development |
| EP9 | Light pollution |
| EP13 | Groundwater protection |
| CF1 | Community facilities |
| CF2 | Developer contributions |

Draft Thanet Local Plan - Preferred Options Consultation (January 2015)

Policy SP13 – Identifies the site for housing provision for up to 700 houses at a maximum density of 35 dph (net); with the provision of a minimum of 9ha of open space, a fully serviced area of 2.05ha to accommodate a new two form entry primary school, a small scale convenience retail provision required to accessibly serve day to day needs. There is also a requirement for a minimum of 30% affordable housing across the site including (if appropriate) sheltered and extra care homes, together with a proportion of houses that would exceed the ratio required by draft policy SP18.

It also states that phasing of the development will be in accordance with draft policy H01(1), and shall provide for the construction of a school to one form entry specification at such a stage of the development as required by KCC.

Masterplanning of the site will be informed by the following:

- Pre-design archaeological assessment taking into account the presence of significant and sensitive remains;
- The setting of listed buildings at Ozengell;
- The need for deposition of development and landscaping to enable a soft edge between the site and the open countryside and minimise impact upon long views southward towards Pegwell Bay;
- Predicted aircraft noise;
- The alignment of the runway and the operational needs of the airport;
- Sustainable urban drainage, taking account of the site's location in the Groundwater Source Protection Zone (herein referred to as the GSPZ);
- The needs to clearly demonstrate how the SPA mitigation strategy as set out in Policy SP25 is being met and how it will ensure that development does not increase recreational pressure on designated sites;
- A wintering and breeding bird survey to assess the impact upon bird populations within the district and the need to mitigate/compensate;
- Liaison with service providers to investigate the need to upgrade the capacity of any utility services and infrastructure;
- A statement of social impacts arising from the development and how any increased demand on community facilities will be addressed.
- Specific highway improvements and suitable contribution to be made to enable delivery.

NOTIFICATIONS

The application as submitted was publicised within the local press, several site notices were posted within the vicinity of the site and neighbouring occupiers adjoining the site were notified in writing. As a result 36 letters of representation have been received making the following comments:

- Loss of open countryside detrimental to the character and appearance of the area;
- Loss of valuable agricultural land and food production resource;
- Should be making better use of the vacant housing stock already in Thanet;
- Road infrastructure improvement needed before any housing should be built;
- What guarantee is there that the applicants will deliver all these plans;
- Development of this scale magnitude and impact should be decided within the development plan process and not in an ad hoc application;
- Brownfield land should be reused;
- The rail station will not be needed;
- Parkway station could impact on viability of Ramsgate station and lead to its closure;
- Park and ride a 'stupid idea';
- Could impact upon viability a future expansion of airport;

- Noise impact from aircraft activity on the flight path, noise corridor is dependent on prevailing winds;
- Dangerous to build so close to a flight path;
- The historic buildings within the site will be trapped in a new estate losing all their uniqueness;
- The proposal would annihilate the historical environment of this heritage site;
- Flood risk;
- Extra traffic congestion;
- Pressure on local resources i.e. schools, hospitals, GPs, dental practices;
- Majority of houses will be for people from outside Kent;
- How much of the social housing will be dispersed throughout the estate? it can affect sales;
- Increase traffic congestion, movements and vehicle emissions in Westwood Cross area;
- New link road would not be constructed until after 468 houses already constructed;
- Park and ride road improvements not proposed to be completed until after completion of the facility;
- Development would destroy historic panoramas over open undeveloped agricultural land towards the sea;
- This development in conjunction with other residential development at Westwood would lead to serious traffic congestion and emissions;
- There is sufficient supply of housing coming forward therefore this site is not needed;
- Lacks physical connectivity to existing built up area and does not represent a logical extension and is not sustainable; and
- Loss of open areas in Thanet.

The Broadstairs Society

- In view of the amount of housing developments currently being undertaken in the Thanet area is there a need for a further 800 homes?
- The proximity to the airport would cause an undeniable noise impact upon the occupiers of the properties
- The practicalities of the drainage/water supply, due to obvious increase in usage the proposed properties will bring to the bear on these resources
- Even taking account of the proposed highway infrastructure works there is no real evidence that this would alleviate the strain on the already congested road system around the area

The Ramsgate Society

- Apart from other considerations, we are concerned about the listed buildings within this development area. There is a 14th century/early 15th century barn which is grade II listed and on the English Heritage 'at risk' register; Ozengell Farmhouse itself is grade II listed.

Manston Parish Council

- Hugely concerned that the bypass will not be built until approximately 500 houses have already been built. They are of the opinion that the existing road system would not be capable of maintaining the extra capacity of vehicles and the infrastructure of major roads needs to be implemented at the first stage of development.
- Housing development should not be considered on greenfield land. 90% of the development is on best and most versatile agricultural land and should be preserved as such. Brownfield sites around the area would be more appropriate.
- Would encourage more birds to the area which would cause a hazard to the airport and increase risk of bird strike.
- Concern that the noise level from the airport as the development is so close to the flight path.
- Question whether another school being built in the area is necessary as one is already due to be built at Westwood Cross.
- The development does not address the housing needs of the existing residents.

Cliffsend Parish Council

- The developers seem to be forcing the application through with indirect threats;
- Affordable housing has barely been referenced, why is there no affordable housing within the development?
- The statement 'a natural rounding off of the existing built up area' could be used for all developments in Thanet;
- The area is green wedge and should not be developed on under the current local plan;
- The developers do not appear to assess the noise levels from aircraft;
- The noise contour assumes all aircraft keep to the centre line this is not always the case;
- The number of households will have a detrimental effect on the road which are already congested;
- The new bypass will not be constructed under phase 5 when 468 houses will already have been constructed;
- The rail connections from the park and ride will not take place until phase 5 but the facility will be provided in phase 3 will this leave an empty car park?
- We would like to see all the roads improved around the site due to the increase number of cars from the development;
- The proposed new road through the airport will only happen if the parkway goes ahead and this is currently under discussion with TDC and KCC with no definite plans this should not be in the application;
- The road noise surveys out of date as it was undertaken before EKA2 phase 2 was completed and shows all the traffic going along Canterbury Road west, can a proper noise levels survey be undertaken?
- Preparation of the community centre will not take place until phase 7; if all phases are not completed this could possibly not happen;

Minster Parish Council

No objection in principle subject to the following concerns:

- The assurance that the development will not take place until the road network to serve the properties and the other infrastructure works are in place;
- The impact upon Minster and the adjoining communities if the proposed development results in the closure of Minster railway station resulting from the construction of Parkway; and
- The Council supports executive type accommodation within the scheme which will encourage professional people to the area.

Ramsgate Town Council

No comment.

Broadstairs and St Peters Town Council

The town council recommends that the application is approved subject to the following concerns:

- Insufficient infrastructure, drainage, highways, increase in traffic, loss of countryside and Grade 3a and 2 agricultural land, proximity to airfield and the risk of confusion between airfield lights and other lights

CONSULTATIONS

KCC Highways Services Raise no objections - Kent Highway Services have been involved with the applicant's Transport Consultants regarding the impact of the development upon the existing Highways network. In highways terms, the County Council have confirmed that the proposal is acceptable, subject to the proposed link road being completed at an agreed stage of the development; improvements to the including the replacement and upgrading of the Staner Hill Junction and a financial contribution towards works to mitigate the impact of the development on the network around Westwood Cross. The provision of a financial contribution towards pump priming and initial running costs of new bus service through the site and approval of a construction management plan and subject to conditions relating to car and cycle parking and travel plan submission.

KCC Heritage Conservation (archaeology) Raise no objections - the details present in the revised D&AS and additional parameter plans all address heritage concerns and provide positive heritage benefits. This is welcome and suggests that outstanding concerns on impact below ground have been addressed as far as reasonably possible at this stage and to inform this outline planning application. However, further assessment and evaluation works will still be required to inform the reserved matters phases of the development but conditions can cover the staged programme of archaeological work still required for most of the site.

KCC Ecological Team - Raise no objections - subject to the impact upon protected sites being mitigated by a commuted sum to be secured in accordance within a legal agreement to fund an access and management package for the SPA, and provided a biodiversity enhancement and management plan and details of the lighting scheme are submitted for consideration at reserved matters stage.

KCC Economic Development - Raise no objections - subject to the provision secured through legal agreement of the identified financial contributions towards primary education (including land transfer to KCC of 2.05hecs and a financial contribution towards the build costs of a 1 form entry school with capability for expansion to a 2 form entry); Community learning; youth services; libraries and adult social care.

KCC Public Rights of Way Raise no objections - following amended plans which address previous concerns about the number of vehicular crossing over the bridleway (TR10) that bisects the western part of the site, and the usability and lack of open space.

NHS Property Services Raise no objections - subject to securing a financial contribution towards mitigating the impact of the development upon the local primary and community health services within a 2 mile radius of the site.

Heritage England Raise no objections - following submission of amended plans the most serious aspects of harm to the setting of 'The Grange' have been addressed. There will still be some less than substantial harm remaining this has the potential to be mitigated further by the careful handling of the landscape buffer to 'The Grange' to as much as possible reflect the open and informal character of farmland. It is still HE's view that there would be some harm to the significance because the listed buildings open setting would be much reduced. This harm would therefore need to be balanced against the public benefits of the application. The remaining harm should not be dismissed lightly and the requirement for 'great weight' to be give conservation of designated heritage assets still applies.

Natural England Raise no objection - subject to the provision of a contribution towards appropriate mitigation measures it is considered that there will be no likely significant effect on the Thanet Coast and Sandwich Bay Special Protection Area, Ramsar site, Sandwich Bay Special Areas of Conservation, Thanet Coast Special Areas of Conservation, the Sandwich Bay and Hacklinge Marshes Site of Special Scientific Interest or the Thanet Coast Site of Special Scientific Interest and the development will then accord with the Habitat Regulations and the National Planning Policy Framework

Kent Wildlife Trust Raise no objections - Subject to additional details of SPA Mitigation and appropriate mitigation for the loss of agricultural land being addressed at the next detailed application stage

Kent Police Raise no objections - subject to detailed consideration, at reserved matters stage, of 'Safer Places: The Planning System and Crime Prevention.

Fire Service Raise no objections - there are no evident inadequacies regarding access for fire appliances as none of the streets are below the 3.7 metres in width which is what is required for a fire appliance access.

Kent International Airport/ Department for Transport No comments received

Southern Water Raise no objections - confirm that there is currently inadequate capacity in the surface and foul drainage network to accommodate the development, however they confirm that the foul water drainage layout has been agreed with the developer and that this can be secured under a S78 agreement under the Water Industry Act to accommodate the development. A condition is requested to ensure that the water supply mains crossing the site are protected.

Environment Agency Raise no objections - the development is located over a principal aquifer and within a groundwater source protection zone SPZ 1 and 2, however there is no objection to development subject to a number of conditions requiring a risk assessment associated with any contamination of the site and where necessary remediation strategy and verification report; no infiltration to groundwater without prior approval and submission of a detailed surface water scheme.

TDC Strategic Housing Manager Raise no objections - there is a high need for affordable housing in the District, which needs to be addressed. I am happy with the overall provision and the mix detailed in the Heads of Terms.

TDC Environmental Health (Noise)

Airport noise raises no objection. - the information provided by the applicant, based on the airport operations of the last airport operator demonstrates that they have the ability to provide adequate mitigation measures. The applicant has adopted a worst-case position based on the future aspirational operational targets of the last airport operators using the measured level of noise from the airport in 2013, 2010 worst-case noise contours and the future masterplan published by the last airport operator. Due to the current situation at Manston Airport there is an unknown potential for change in the future operation. It would be difficult for the applicant to devise a strategy to demonstrate future impacts and subsequent mitigation measures against any unknown alterations to the last operators masterplan. In short the applicants have demonstrated that they can mitigate within the known and previous aspirational aviation.

Road Noise Raises no objection - subject to mitigation detailed in the ES being implemented.

TDC Environmental Health (Air quality) raises no objections - satisfied that the air quality assessment in terms of the methodology used and the conclusions drawn are acceptable and accurate. Although the assessment shows that air quality will not impact upon health objective for local or future residential is essential that the framework travel plan minimises potential wider effects on Thanet air quality by encouraging sustainable travel and contributes to offsetting schemes that improve road design reduce congestion and encourage public transport.

TDC Environmental Health (contaminated land) Raises no objection - given the proposed end use and the potential for (on site and off site) historic contaminants identified in the conceptual model to impact upon sensitive groundwater receptors at this

site further investigation is required to ensure that the site is free from significant contamination prior to development to prevent mobilisation of potential contaminants. Therefore an intrusive investigation will be required and if contamination is identified appropriate remediation should be undertaken to render the site suitable for development. The department would therefore recommend a planning condition be applied to require a intrusive investigation and risk assessment to be undertaken and a remediation strategy agreed before development commences.

TDC Sport and Recreation Raise no objections - the on-site Local Areas of Play (LAP) and Local Equipped Areas of Play (LEAP) provision is necessary and should be policy compliant. Provision for older children could be made through a contribution to upgrade works at Warre recreation ground which is within a 20 min catchment of the site. A commuted sum of £21k towards the restoration of the basketball court at the recreation ground would be preferable to the provision of an on-site Multi Use Games Area because of the potential for anti-social behaviour.

TDC Waste and recycling Raise no objections -the following is lifted from some guidance which we are currently confirming, specifically regarding vehicle access. Developers must adequately consider and design developments to take account of the standard vehicles weight, tuning circle, height and width as indicated below:

- Gross vehicle weight 26,000 kg
- Turning circle 23 m
- Overall length 13 m
- Width 2400 mm
- Height 3500 mm

Vehicles must be able to enter and exit the site in a forward direction. Dead end roads must be provided with a suitable turning area. If reversing is unavoidable this must be limited to a maximum of 15m with clear visibility down the access route.

Planning will dictate the number of off street car parking places to be provided per household, however general road design must facilitate access by larger vehicles. Developers should consider the future impact of any trees planted adjacent to the highway, ensure manholes are off sufficient strength and all turnings are suitable and that they cannot be easily disrupted by inconsiderate car parking.

If the Councils vehicle is unable to access the road or part of the road on the day of collection due to any of the above, the collection of waste or recycling from residents will be disrupt.

TDC Conservation Officer Raise no objections - support the proposal in line with Heritage England comments.

COMMENTS

The application is brought before the Planning Committee as the site lies outside of the urban confines on previously undeveloped land, and is not allocated for development in the adopted local plan. It is therefore a departure from the Development Plan and has

been advertised as such. The proposal is also considered to be of significant public interest.

The main issues for the application will relate to the following matters:

- Principle of development including an assessment of housing needs;
- Loss of agricultural land
- Character and appearance of the development;
- Impact upon the landscape character and visual appearance of the area;
- Impact upon existing highways and transportation;
- Impact of the development on the heritage significance within and around the site;
- Impact upon the living conditions of surrounding residents and future occupiers;
- Impact upon ecology and bio-diversity;
- Impact upon existing infrastructure including groundwater protection and flood risk
- Consideration of affordable housing provision;
- Adequacy of existing infrastructure to serve the development including schools, health care provision, social care, recreation and community facilities

Principle

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that all planning applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

However, Government policy in the National Planning Policy Framework (NPPF) states where the development plan is absent or silent or relevant policies are out-of-date planning permission should be granted, unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, or where specific policies in the NPPF indicate development should be restricted. Government Policy in the NPPF states that where a Council cannot demonstrate a 5 year supply of housing sites to meet their objectively assessed need, decisions on proposals for new housing development should be made in accordance with the NPPF.

The NPPF seeks to 'boost significantly the supply of housing' and requires Local Planning Authorities to demonstrate that they have a 5 year supply of housing sites to meet their objectively assessed needs. These sites should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site and in particular that the site is viable. The Council cannot currently demonstrate a 5 year supply of housing land which means in principle applications for housing development fall to be determined in accordance with the requirements of the NPPF. Consideration should also be given and some weight albeit limited, should be attributed to the Council's Draft Local plan preferred Consultation Document.

The Draft Local Plan, allocates this site for housing, based upon a full assessment of the available evidence, in particular the evidence gathered as part of the Strategic Housing Land Availability Assessment (SHLAA), which looked at a range of potential housing sites across Thanet and assessed their appropriateness, and which indicated that this site would in principle be suitable for housing. The SHLAA assessment involved consideration

of the suitability, achievability and availability of sites put forward for consideration by landowners and identified by the Council as potential housing sites within Thanet. Those put forward in the Draft Local Plan were considered to be sustainable sites that could meet the identified housing needs of Thanet. It was on this basis that the site was identified for housing development.

Given that the Council cannot demonstrate a 5 year supply of deliverable housing sites the Government advice is clear that objection to the development of housing on the site purely due to its location outside of the urban confines upon greenfield land could not be sustained and therefore in principle housing development on the site could be considered acceptable.

Loss of agricultural land

The loss of the best and most versatile agricultural land is a key consideration in the determination of this planning application. The NPPF states that '*where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality agricultural land in preference to that of higher quality* (Para 112, NPPF). The application site comprises undeveloped greenfield land, still actively in use for agricultural purposes.

The '*best and most versatile agricultural land (BMV)*' is defined as land in Grades 1, 2 and 3a, Grade 1 being land which is of the highest quality, providing the best inherent properties for agricultural production.

The applicants assessment of Agricultural Land Quality concludes that the site consists of best and most versatile land falling within grades 2-3a. In terms of how this compares with land across the District, there is little up to date information on ALC, the most recent District wide survey was undertaken by MAFF in 1983 at this time it shows that Thanet comprised predominantly Grade 1 land with some pockets of Grade 2 (including much of the application site). There are a number of more detailed studies on parcels of land around the Ramsgate post 1988 identified by the applicant which show land of Grade 2 with areas of Grade 3a quality.

This development would clearly involve the loss of best and most versatile agricultural land. Thanet is rich in BMV land and therefore its loss will need to be balanced alongside all other material planning considerations in particular the need for housing in the weighing up process.

Landscape and visual impact

As a large site in an exposed location consideration of the affects upon the landscape and visual impact of the development is necessary. The site lies within the Central Chalk Plateau landscape character area the main features of which are the long distance views attainable across the Chalk Plateau towards the coast. Currently given the topography of the site which slopes north to south there are long views across the site to the coast from Manston Road and Staner Hill Junctions.

The perception of the significance of change resulting to the landscape character of the site will be dependent upon the viewpoint and the distance at which the site is being observed. It is clear that within short distance views including locations within 0.5km of the site the effect will be substantial due to the very open nature of the site. These views will be relatively unobstructed and therefore the magnitude of the change will be high. Turning to medium and longer distance views including for example Fowlmead Country Park and Pegwell Bay the impacts are less likely to be so immediately noticeable given the distances.

The western portion of the proposal (lying to the west of the existing Haine Road), would more visibly extend outside of the urban area into the undeveloped landscape. Here, new housing, together with significant road infrastructure, would introduce a notable change to the immediate landscape. It is considered that there will be harm arising from the development of the land because by implication it will involve development of an existing open landscape resulting in loss of openness and the erosion of long distance views across the site.

The eastern parcel of the site, could appear as a natural extension of Ramsgate the site is closely related to the western built up edge of Ramsgate and therefore have less impact on landscape being a more natural addition to the existing urban area.

Some mitigation to the impact upon the landscape is provided on the southern and western boundaries as the proposals show lower density and lower height buildings adjacent to the open countryside and this combined with landscaping proposals would I consider positively contribute towards mitigating the impact of the development within the landscape. Notwithstanding this there will inevitably be residual visual impacts due to the scale of the development and its location which will still cause harm, however this residual harm will need to be considered and weighed against the wider benefits of the development in terms of providing housing to meet identified need.

Character and appearance of the development

The application has been submitted in outline form with all matters reserved for further consideration with the exception of means of access. The development does include an 'illustrative' master plan to demonstrate how a development of this nature could be accommodated within the application site; together with a set of 'indicative' parameter plans and a Design and Access Statement (herein referred to as the DAS) which set out the design principles that will be applied to the development proposals at reserved matters stage. The contents of the parameter plans and the key features of the DAS were outlined in the 'Description of proposal' section of this report.

The NPPF, places significant importance to the design of the built environment. Good design is a key aspect of sustainable development, and is indivisible from good planning. It should contribute positively to making places better for people. Policy D1 of the Thanet Local Plan is concerned with 'Design' and states that all new development will be expected to provide high quality and inclusive design, sustainability, layout and materials.

The NPPF is clear that local authorities should promote high quality design that promotes or re-enforces local distinctiveness. This is a key consideration in the determination of any

planning application, and to my mind, of particular importance to a development of this scale, which would be very much an 'entry point' into the built up area of Thanet (when entering from the A299).

The Kent Design Guide (2005) (KDG) emphasises that design solutions should be appropriate to context and the character of the locality. In order to respect the context, the KDG states that development should achieve some or all of the following:

- reinforce positive design features of an area;
- include public areas that draw people together and create a sense of place;
- avoid a wide variety of building styles or mixtures of materials;
- form a harmonious composition with surrounding buildings or landscape features; and
- seek to achieve a sustainable pattern and form of development to reduce the need to travel and improve the local context.

Through good design, and using principles in the Kent Design Guide, the proposed development is expected to make efficient and effective use of the site in a manner sensitive to both the immediate locality and the wider local environment. Whilst the emerging Development Plan policy which seeks to allocate this site (SP13) carries little weight at this stage, it does provide a guide as to the type and form of development that the Council seek to achieve upon this site. This draft policy makes reference to the need for development and landscaping to enable a soft edge between the site and open countryside to minimise the impact upon long views southwards towards Pegwell Bay.

The design principles proposed to be applied to the development of the site are considered to be generally sound. In defining a number of key character areas throughout the scheme, there will be potential to create a series of spaces each with their own identity but reflecting the characteristics of the individual parts of the site, it is considered that this will help in establishing a strong sense of place, the hierarchy and inter-relationship of the individual streets including the footpaths and bridleway will promote connectivity within the site and beyond to the wider area.

The approach also provides a series of landscaped spaces which run through the development and which provide pedestrian and cycleway linkages which tie the development together providing a safe and appealing alternative to using the car.

There is a clear focus on providing a permeable development which would not be car dominated and would provide opportunities for residents to move through the site easily and safely by foot and cycle and to access employment opportunities and services beyond the site without the need to navigate routes used by vehicular traffic.

The proposed density (at 35dph) is considered to represent a good use of land, but also to respond positively to the context of the site. With a good level of landscaping and car parking provision, the development would not appear as cramped or over developed; and this would be reinforced by the proposed heights of the buildings.

The approach put forward within the application concentrates the higher scale and more densely knit areas of development towards the north of the site focusing this around the newly designed Staner Hill roundabout and the eastern section of the Manston Road, this is thought to be an appropriate and sympathetic response given that this part of the site is most closely associated with the existing road infrastructure and the built form of the established urban area where more intensive development would be most suited. Development of the scale proposed, primarily 3 storeys but including 2 -2.5 storeys further to the north, would also be consistent with existing development further along the Manston Road including Staner Court and the New Meridian Village

Further south towards the core of the development which sits either side of the Haine Road, development is proposed to be no more than 2.5 storey or 11.7 metre in height, comprising a combination of outward facing perimeter blocks served primarily by a mixture of minor streets and shared surface routes. The development here would be arranged around a series of open spaces and interconnecting routes with a focus around the public bridleway TR10 that runs through the site and which is proposed to be upgraded to a combined cycle/footpath/bridleway route, this route would bisect the development running east to west providing access to Ramsgate to the east and the countryside to the west. This would have the added benefit of creating a safe and attractive green route, which will link into the existing bridleway including its extension across the Haine Road, this would provide an 'heart' to the scheme which would create a peaceful and attractive setting within the core of the development.

The proposal is also to downgrade a section of Haine Road that currently divides the site to a status of a 'lane', it is intended that the 'lane' would only be open to bus traffic and all other traffic would be directed to take the link road. It is considered that in urban design terms the downgrading of the road has positive benefits by allowing greater integration and cohesion between the eastern and western parts of the development.

Development around the southern and western extremities of the site will be no more than 2 storeys with an informal character comprising enclosed informal space and mostly non continuous frontage with informal landscaping. This approach would create a less formal and more open character which would be appropriate given that this area would be seen from the open countryside to the south and west.

Overall, the proposed development will create its own 'sense of place' through the introduction of character areas, and by the use of established urban design principles. It is considered that the approach taken to the development makes best use of the site at an appropriate density whilst allowing the opportunity for good quality layout solutions to be achieved and scale and height parameters to be established which respect the characteristics of the site and its relationship with the urban area and the countryside.

Overall, I consider that the design approach proposed would support the principles of good design as set out in Local Plan policy D1, Government policy contained within the NPPF and Kent Design Guidance.

Heritage

With regard to heritage/archaeology there are two main areas for consideration. The first is the impact of the proposal on the setting of the two listed buildings that are surrounded by the application site (Ozengell Grange (Grade II) and the Tithe Barn (Grade II*)). The second is the likely impact of the proposal on the archaeological significance of the site.

Ozengell Grange and Tithe barn

Ozengell Grange was a medieval grange owned by St Augustine's, Canterbury. It seems likely according to Heritage England (HE) based upon historic maps and aerial photos that the landholding extended considerably to the east of the buildings and was farmed in association with 'The Grange'. The grade II* tithe barn is the only remaining building standing from the medieval grange (late 14th early 15th century) though buried archaeological remains also survive. It was once intimately associated with the landscape because it was where crops were threshed and stored. It is also the part of Ozengell Grange most visibly linked with those fields because it sits only just within the treeline to the east of the site. It is currently on the Heritage England 'National Heritage at Risk Register' as its condition is very poor. HE have looked into the possibility of seeking grant funding towards renovation works to the barn however to date this has not been resolved.

It appears that at sometime between 1963-1984 the plot area was reduced to its current size, and trees planted around the now smaller enclosure. The site is now entirely enclosed by a dense boundary of trees such that views into the site are very limited, due to this the appreciation of the buildings outside of the site is currently limited.

Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a general duty on the District Planning Authority as regards listed buildings in exercise of its planning functions. It provides that, in considering whether to grant planning permission for development that affects a listed building or its setting, a local planning authority must have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Considerable importance and weight should be attached to this duty.

Paragraphs 128-137 of the NPPF seek to protect heritage assets. In summary:-

Paragraph 129 provides that local planning authorities should identify and assess the particular significance of any heritage assets that may be affected by a proposal (including development which affects its setting) taking account of the available evidence and any necessary expertise;

Paragraph 132 advises that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be;

Paragraph 133 advises that where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent unless it can be demonstrated that such harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss or other criteria applied, which are not applicable in this case; and

Paragraph 134 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

As such, the NPPF acknowledges that harm to designated heritage assets may be acceptable if outweighed by public benefits. Less than substantial harm does not translate to less than substantial objection. Preservation in this context means not harming the interest, as opposed to keeping it utterly unchanged.

The NPPF defines 'significance' in the context of heritage assets as:-

'The value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting.'

It is clear that a development of this scale in this location will inevitably result in some degree of harm since there would be a loss of the wider agricultural setting of the buildings. In view of the above, considerable weight should be attached to any harm arising. It is however relevant to note that the existence of the thick hedge boundary which encloses the site affects the visibility of the buildings currently such that their relationship with the wider landscape is already compromised to some degree.

HE initially objected to the proposal on the basis that the development would unduly impact upon the setting of the listed buildings. HE's view being that there would be 'substantial' harm to the setting of the listed buildings because their agricultural context would have been entirely lost due to the proximity of the development to the buildings.

As a consequence of these concerns, discussions have taken place between the applicant and HE, the result of which is that the parameter plans that define the scope of the proposals now incorporate a greater area of informal open space to the south and east of the listed buildings. The purpose of this space is to provide some degree of open setting around the most sensitive views of 'The Grange' which HE have confirmed are to the south and east. HE have commented that the revised plans would, in their view, overcome the most serious aspects of harm to the setting of the buildings, and now consider that the harm caused by the development is 'less than substantial'. They consider that some harm still does remain. They indicate that the remaining harm has the potential to be mitigated further by the careful handling of the landscape buffer to 'The Grange' so as to reflect, as much as reasonably possible, the open and informal character of farmland through the avoidance of Highways paraphernalia. If Members are minded to grant planning permission I would recommend that a planning condition be applied to ensure that this matter is adequately addressed as part of reserved matters in due course. The submitted parameter plans indicate buildings to be set back from the existing Haine Road in an informal arrangement. I consider that this would frame the view towards 'The Grange' site and provide a sense of openness.

HE's assessment of harm is accepted. In particular, it is considered that, having applied considerable weight to the harm that arises, such harm is less than substantial. As such, it is then necessary to weigh this harm against the public benefits of the proposal, pursuant to paragraph 134 of the NPPF.

In this regard there are considered to be significant public benefits which should be weighed against the harm including the provision of: housing where there is a recognised shortfall; and the necessary infrastructure including a new school and highway improvements to support it.

Additionally, the link road is likely to divert traffic away from the listed buildings and thus could be said to act to enhance their setting.

Overall, it is considered that the harm caused to the listed buildings – to which considerable weight is attached – is less than substantial and is outweighed by the significant public benefits of the proposal. Therefore, it is concluded that the proposal accords with the NPPF and complies with the duty set out in Section 66(1) of the 1990 Act.

Furthermore, the applicant has proposed a contribution towards the renovation of the grade II*listed tithe barn. HE have indicated there is a possibility that they could obtain the owners co-operation in securing an opportunity to renovate the barn. Should they be successful there is an opportunity for the contribution proposed to be used along with a HE grant at some point in the future.

Archaeology

The site lies within an area of high archaeological sensitivity associated with known heritage assets, including the Listed Ozenell Grange and Barn and the significant prehistoric and Anglo-Saxon burial monuments. In addition, there is high potential for significant archaeology associated with these known sites across the entire application site.

The applicants have undertaken a series of archaeological investigations across the site. Discussions regarding archaeology have been extensive, and post submission there have been additional archaeological investigations undertaken with a degree of involvement with KCC Heritage. The additional investigations have involved further targeted trial trenching to supplement the original desk based and geophysical evaluation.

One of the key changes to the plans to reflect in part the heritage constraints has been to see the entire omission of development to the southern section of the site (previously where the Transport Interchange would have been located). This area of the site was known previously to KCC as an area which contained a number of substantial prehistoric burial monuments which were considered to have a national significance. Whilst there will no longer be any above ground development in this area there will be underground geocell storage tanks associated with the drainage of the site within a certain sections of the land, the area where these tanks have been located has been assessed for archaeological potential and KCC are satisfied that there is no archaeology in these locations to be affected. As such they have confirmed that the tanks can be located as shown on the drainage plans submitted without harm.

KCC have confirmed that the additional work identified by them during the application process taken together with the original desk based assessment and evaluation works are now adequate to inform the outline planning application, and following the amendments to

the plans that avoid known sensitive areas outline planning permission could be granted for the development. They have indicated that as only certain parts of the site have been investigated to date that they would wish further detailed investigative work to take place as part of the reserved matters to inform further knowledge of the presence and significance of archaeology across the site.

Habitats/Ecology/Biodiversity

In terms of ecology, there are no particular ecological sensitivities on the site itself. Natural England and KCC biodiversity team have not raised objections to the scheme based upon ecological impacts within the site. In environmental terms, the proposal incorporates a significant proportion of natural green space (in excess of 9ha) which has the potential to make a meaningful improvement to biodiversity in the area, whilst providing a series of green corridors and amenity spaces. There is recommendation by KCC biodiversity that the large recreation areas are created and managed long term to provide enhancements to bio-diversity.

The site does lie within close proximity to European designated site (also referred to as Natura 2000 sites) and therefore there is potential to affect its interest features. European sites are afforded protection under the Conservation and Habitats and Species Regulations 2010 (as amended the Habitat Regulations) and there is a duty placed upon the competent authority (in this case TDC) to have regard to the potential impact that a project may have. Projects can only be permitted having ascertained that there will be no adverse effect on integrity of the protected area, either alone or in combination with other projects or plans.

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 SPA and RAMSAR have been identified. Evidence from annual survey work looking at bird numbers has indicated that there is already some level of disturbance from human recreational activity which has resulted in a decrease in levels and change in distribution of bird activity across the site. In order to mitigate these effects a strategic access management scheme is being developed in conjunction with adjoining authorities which will feed into the current local plan process, this work is on-going and the evidence base for it is currently being compiled. In advance of the results of this work and to ensure that the impacts are adequately addressed as is required under Habitats Directive an interim approach to mitigating the harm has been devised in conjunction with NE. The strategy currently agreed is a scheme of wardening of the SPA to be funded by financial contributions borne from development proposals. The applicant has proposed to mitigate the impact of their development following the principles agreed with Natural England and are offering to secure a contribution of £184 per applicable unit towards the 'wardening' scheme. This is proposed to be secured through s106 agreement. This mitigation approach is considered appropriate to offset the impact of this development on bird populations and therefore complies with the requirement of the Habitats Regulations.

Affordable Housing

The adopted Local Plan policy (H14) requires for the provision of 30% affordable housing within any development of more than 14 units or over 0.5ha in area.

The applicants have proposed affordable housing in accordance with this policy requirement totalling 30% across the site. The tenure and mix will also be in accordance with policy requirements being proportionate to the mix of units across the site and split in tenure 70% social rented and 30% shared ownership. They propose that the affordable housing will be split across the three phases of the development, in favour of a lesser amount (10%) in the first phase with 40% then being assigned to phases 2 and 3.

As such the proposed development would accord with policy H14 of the Thanet Local Plan. The applicant has proposed that the affordable housing is provided with 10% in the first phase and that a greater proportion be provided within the later two phases to make up a total of 30% across the site in order to kick start the development. The Council's adopted Supplementary Planning Document (SPD) 'Developer Contributions' states that affordable housing should be shown in small clusters or pepper-potted. Whilst the proposed affordable housing accords with policy H14 initial viability testing carried out as part of the work on the emerging Local Plan has indicated that, at least in the short term, viability is an issue for the Manston Green site, having regard to the relatively low predicted sales values for the development. However, it is anticipated that the viability position is likely to improve in the longer term. In the light of this evidence I consider that there would be good justification for agreeing to the applicants request for the necessary affordable housing to be provided within the later phases of development. This could also encourage early delivery of the housing by increasing the viability of the first phase which includes the provision of the primary school site.

Overall therefore, having regard to the particular circumstance that exist in relation to this site, the fact that there is a pressing need for housing in Thanet I consider it appropriate to be flexible with regard to the phasing of the affordable housing.

Members should also be aware that with any planning permission there is provision for affordable housing to be either re-negotiated or an application be made to vary the S106 agreement. The applicant in this case has asked that the Council confirm by way of a clause in the S106 agreement that it would be prepared to consider the overall affordable housing requirement if viability evidence is presented at the time. This request is considered reasonable having regard to the particular circumstances relating to this application. Any such request would be reported to planning committee for their consideration and there would be no implied obligation on TDC to agree any such amendment to the legal agreement, and separately, of course, the applicant has the legal right to formally apply for a variation to the agreement at any time with there being the right of appeal should this be refused by the Council.

Transport/Highways/Access

There have been extensive discussions involving Kent Highways Services with regard to the transportation impacts of the development and further work has been undertaken to support the transport assessment originally submitted. These discussions in part contributed towards the applicants agreement to amend the proposal to omit the transport interchange from the southern part of the site.

Proposals for the site include providing, as a matter for detailed consideration, a new single carriageway by-pass link running alongside the western perimeter of the site. The route will connect from the Lord of the Manor junction in the south, to a new roundabout junction on Manston Road in the north and would see the replacement of the existing roundabout and junction arrangements around Staner Hill. With this route in place Haine Road will be closed to through traffic and downgraded through a S278 agreement under the Highway Act with all existing traffic apart from buses being diverted around the new by-pass. The downgrading of the Haine Road is proposed within the access parameter plan, and the mechanism for the securing this including the timing of its closure to coincide with the opening of the new link road is addressed within the Heads of terms

KCC have also stated that the development needs to mitigate its impact beyond the site particularly in relation to additional traffic impact upon the Westwood area such that it presents a 'nil detriment' effect. The applicant has agreed to provide a financial contribution of £350,000 towards improvements suggested by KCC around the existing Westwood network and which form part of an overall 'Westwood Relief Strategy' which is currently being prepared by KCC. In particular the contribution has been 'earmarked' to go towards the widening of the northbound approach between the Toby Carvery roundabout and the Westwood Cross roundabout, the actual works may be subject to change however dependent upon priorities at the time, but will be certainly be related to this overall project. This contribution will be secured through legal agreement. KCC have stated that this contribution would in their view adequately mitigate the effect of the development on the Westwood Area.

In addition the applicant is proposing to upgrade the roundabout and junction at Manston Road/Haine Road which would serve the north part of the site to provide a single higher capacity roundabout thereby doing away with the existing right turn lane currently situated just north of the roundabout. The approach would involve the construction of a single higher capacity roundabout which KCC have confirmed they would favour as an approach since it would improve traffic flow and relieve congestion particularly as currently experienced at peak times. They do consider that this new highway arrangement will need to be operational prior to the occupation of any dwellings due to the capacity issues at this junction currently experienced, which indicate that further pressure on this junction from any additional development would not appropriate. The applicant has confirmed that they would fund the construction of this new roundabout to be completed prior to first occupation, this will be subject of a S278 agreement under the Highway Act and the timing will be defined within the S106.

Sustainability in terms of accessibility

In terms of sustainability, the site is located at the periphery of the urban area and there are currently limited bus services in the local area, to enhance this facility the applicant is proposing to contribute £400,000 towards to kick start a bus service to operate along the Haine Road towards Westwood. The introduction of a bus service will enhance the sustainability of the development. The site layout provides good pedestrian and cycle linkages throughout the development itself and through connections to existing routes which go beyond the site. The proposal also involves realigning the exiting footpath TR29 which currently runs just beyond the northern boundary so that it follows the new pedestrian route through the development, this will enhance the quality of the route by

increasing overlooking of it, it will also will also connect into a new pedestrian link to Auckland Avenue which is proposed enabling an alternative off road route to the wider area.

Car and cycle Parking

The parking provision for cars and cycles will be in accordance with Kent Design Standards, and KCC are agreeable to this approach. The details of this will form part of the reserved matters application. As such, the site location is considered to accord to the relevant Local, Regional and Central Government Policy Guidelines in terms of being in a suitable location and accessible by modes other than the private car.

Noise and Vibration

The impacts of noise on the future living conditions of the occupants of the development will be a material planning consideration.

The most relevant noise impact is likely to be that of noise sustained by further occupiers of the development, the most notable noise sources which could affect residents of this development will be Manston Airport and the nearby road noise including that of the proposed link road to the western edge of the development site.

Airport noise

In terms of airport noise, as members will be aware the airport is currently closed and its future is still uncertain. Nonetheless it is necessary to assume that the airport could be operational again in the future, and to therefore have regard to the potential impacts upon the living conditions of future residents from the noise of aircraft.

The applicants as part of their Environmental Statement work have undertaken a noise and vibration assessment based upon a review of existing evidence of the operation at the airport prior to its closure which included undertaking noise surveys from points around the site. They have considered the impact of airport operations using the latest accepted prediction of existing and foreseeable ground noise measurement of aircraft noise available evidence and their own survey work. The methodology used is in line with the policy requirements of EP7. Furthermore, the Environment Health Officer has pointed out that it would be difficult for the applicant to devise a strategy to show what the potential future impacts of the airport would be should it reopen and therefore the information provided with this application is considered to be appropriate.

Policy EP7 of the adopted Local Plan includes the noise exposure categories for developments which are likely to be affected by aircraft noise. In this case the noise contour plan which informs policy EP7 shows that a significant part of developable area (excluding the north parcel which falls within NEC A and is therefore not impacted by aircraft noise) falls within the NEC B category where predicated aircraft noise will be between 57-63DB(A) (daytime), based upon average noise levels during the daytime hours. This means that the residential development will be affected by aircraft noise, and this impact will need to be taken into account in determining this planning application. However, the policy states that this will not necessarily preclude development in principle,

and that it may be appropriate to apply planning conditions which would ensure an adequate level of protection against noise is secured through sound insulation to the buildings.

It is recognised that the survey shows that there may be individual instances during the night when aircraft noise could exceed the levels commensurate with NEC B, however, having regard to the advice of the Councils EHO, I consider that these occasional events would not justify refusal under Policy EP7.

Overall the results of the applicants survey is consistent with the noise contours shown within Thanet Local Plan which indicates that the majority of the site will fall within NEC B and therefore, in principle, the site is considered acceptable for housing development subject to mitigation measures being incorporated within the design of the building to minimise the noise effects. These mitigation measures can be secured by planning condition.

Road noise

The majority of the development will be located along newly created roads or off of established local road network within these cases the noise levels will be typical of those found in many housing developments in and around urban areas, and would not be considered to be likely to result in adverse noise impacts, However due to the new road proposals involving a link road around the western edge there will be a level of road noise introduced which could potentially affect residents in particular in the western part of the site. The applicant is proposing to mitigate the impacts of this by creating a noise barrier in the form of a raised bund along the western boundary. The Environmental Health Officer has reviewed the applicants proposals and is satisfied that the mitigation approach put forward would secure an acceptable level of attenuation against road noise and protect the amenity of future occupiers.

Flood Risk and drainage

The NPPF requires local authorities to adopt a proactive strategy to mitigate and adapt to climate change, taking account of flood risk and coastal change. The NPPF steers development away from areas which experience flood risk and where development is proposed in an area known to be at risk of flooding the sequential text is applied.

In this case the site does not lie within an area identified by the Environment Agency flood risk maps as an area susceptible to flooding. However the site does lie within 50 metres of a principal aquifer and within groundwater protection zones (SPZ 1 and 2). As such careful consideration of groundwater protection and potential for pollution will be needed, and this will also influence the options available for drainage of the site since infiltration of the ground water will be restricted.

Surface and foul water drainage

The NPPF promotes the use of sustainable Drainage Systems SUDS and states that local planning authorities should prevent both new and existing developments from contributing to, or being put at unacceptable risk of water pollution.

The application includes a section within the Environmental Statement and DAS which deals with drainage aspects associated with the site and includes details of the constraints regarding available drainage options.

Much of the site has limited possibilities for ground infiltration due to its proximity to the SPZ associated with a public water aquifer. As such the applicant has opted for a range of SUDS methods to manage surface water run-off and protect water quality included amongst these area; filter swales and strips, rainwater harvesting systems, rain gardens and tanked systems, the methods will involve the surface water being collected and channelled through pipes into the existing foul and surface water disposal network. In addition, the chosen methods also take account of the need to avoid SUDS devices that are likely to attract birds for examples ponds, basins wetlands because of the proximity to the airport and potential for birdstrike. These methods can be secured by appropriate planning conditions.

The Environment Agency has considered the proposals including the methods for SUDS and have confirmed that they have no objection to the methods in principle subject a variety of Planning conditions designed to ensure that groundwater is protected.

In respect of foul and surface water disposal Southern Water have confirmed that there is currently inadequate capacity in the local network to provide foul and surface water disposal to the development. However the applicant has entered into an agreement for the necessary off-site improvements to be constructed. As such Southern Water has confirmed they have no objection to the proposal.

The applicant is proposing to submit a Construction Environment Management Plan for agreement at reserved matters stage, the purpose of which will be to prescribe a method to control construction activities, including surface water management during construction to ensure that procedures followed and methods adopted during the construction phase of the development will avoid the potential for any surface water infiltration and consequent environmental effects.

Retail

A small retail unit is proposed which would serve the day to day needs of residents within the development and therefore positively contributes to the sustainability of the development.

Community Infrastructure

The applicant has submitted a draft Heads of Terms following discussions with Officers. As with any planning application, the requests for financial contributions needs to be scrutinised in accordance with Regulation 122 of the Community Infrastructure Regulations 2010(which were amended in 2014). These stipulate that an obligation can only be a reason for granting planning permission if it meets the following criteria:

It is:

- (a) Necessary to make the development acceptable in planning terms;
- (a) Directly related to the development; and
- (b) Fairly and reasonably related in scale and kind to the development.

The following outline the financial contributions that have been sought by Kent County Council, NHS Primary Care Trust and Thanet District Council to mitigate the impact of the development upon services, these contributions are all for specific capital projects which have been identified and assessed by Officers to comply with the regulations as amended.

Education

Kent County Council in its capacity as education provider, has a duty to ensure that adequate school places are provided to accommodate current and future projections for primary school needs.

The scheme incorporates the land required to allow for the provision of a 2 form entry primary school, and a contribution totalling £4,486,400 towards the build costs of a one form entry primary school, the site area secured of 2.05ha would allow for expansion if the school to a 2 form entry if this is required by KCC in the future. This would meet the needs of both the development itself, and to satisfy a proportion of the shortfall in school places in the local area (the Kent County Council 'Commissioning Plan for Education Provision 2012 – 2017' states that at least an additional two forms of entry are required in the short term to address current shortages at Key Stage 1 level). KCC are satisfied with the proposed level of provision and site area.

Health Care Provision

The NHS Property Services have identified that the development would increase the demand on local primary and community health care services. To ensure that the development would adequately mitigate its impact upon these services NHS Property Services are seeking a financial contribution towards improvements to a number of surgeries located within a 2 mile radius of the site.

The surgeries identified include:

- Newington Road Surgery
- Summerhill Surgery
- Dashwood Medical Centre
- St Peters Surgery
- Mocketts Wood Surgery

This contribution sought is based upon an established NHS Kent and Medway formulae for calculation based upon a set figure of £360 per person calculated upon an assumed occupancy rate of 2.34 persons per household, for the 785 units proposed this would result in a total contribution figure of £678,240. NHS Property Services have confirmed that this money will be directly related to supporting the improvements within primary care

at the surgeries and will be used to fund capital projects by way of extension, refurbishment and/or upgrade in order to provide the required capacity.

Public open space

The proposals include formal and informal public open space, including equipped play areas within the site in accordance with the policy requirement. Furthermore, a contribution of £21,000 has been proposed for works to upgrade the existing facilities at Warre Road Recreation Ground. The application also provide for a larger area of amenity land to the south and west of the proposed housing.

Libraries

Contribution is to be used towards providing new book stock at Newington Library which is situated at Marlowe Academy over 3 years. This will require 2 x standard book display units , 2 x moveable book display units and 1 x picture book display unit in order to accommodate the additional book stock. Capital works and appropriate adjustments will have to be undertaken to house the book stock and display units within the existing library space. This project has a total cost of £45,240.

Adult Social Care

Contribution to be used towards capital works and enhancements at the Monkton Nature Reserve hall which is used by the Good Day Programme as a satellite hub for people with learning disabilities as a resource for them to engage in outdoor activity. Works required to bring the building up to the specified standards of the service include providing changing places and accessible toilet facilities that are appropriate for wheelchair users, electricity installation to allow for interactive learning and access adjustments to the building for wheelchair users. Total project cost of £73,000.

Community Learning

Contribution is to be used towards providing capital works and enhancing facilities at Broadstairs Memorial Hall in order to meet suitable standards for use by Adult Learning classes. The works are required to be undertaken in order to meet the increased demand generated from the development. Works to be conducted include; repairing the roof of the main block of the building and considerable works to be able to provide access to all users which includes replacing external doors and providing ramps to enable access for wheelchair users. The total cost for the enhancements of the existing facilities in order to meet the required standard is £36,090.

Community Hall

The proposal also incorporates a new community hall which, the applicants have confirmed, can be made available for adult education, evening classes, as well as the normal range of community uses that one would associate with such a facility. KCC have indicated that they would not require the community hall in light of the contributions towards projects identified by them above and which would mitigate the impact of the development by contributing financially. Therefore no obligation is to be placed on the developer to provide this facility at this time. However to ensure that the position is open

to review at later point the developer has proposed a marketing strategy within the Heads of Terms so this can be revisited.

Conclusion

In considering whether the development constitutes sustainable development in accordance with the NPPF, this report has set out and evaluated the material considerations, including the impacts on the heritage assets, loss of best and most versatile agricultural land and the impact on the landscape. Overall, the proposed development would provide housing that is required in Thanet and the necessary infrastructure including a new school, provision for GP's and highways improvements to support it. I therefore consider that, subject to appropriate mitigation measures being secured through a S106 agreement and safeguarding conditions, the balance of considerations in this case weighs in favour of granting planning permission.

As such it is recommended that outline planning permission be delegated to the Planning Manager to grant subject to the imposition of appropriate safeguarding conditions, and subject to a Section 106 Agreement requiring that the applicant or their successors in title commit to the following:

- The provision of 30% affordable housing across the site;
- The provision of land for a primary school, together with a financial contribution towards the construction of the school;
- Financial contribution towards mitigating impact from the development on local health care provision;
- Provision of and financial contribution towards off site highway infrastructure works;
- Provision and on-going management of public open space;
- Financial contributions towards wardening of the Pegwell Bay Special Protection Area;
- Financial contribution towards renovation of Grade II* listed tithe barn
- Financial contributions towards libraries, community learning, adult social services, and play area. The latter contribution to be used for improvements to at Warre Recreation Ground.

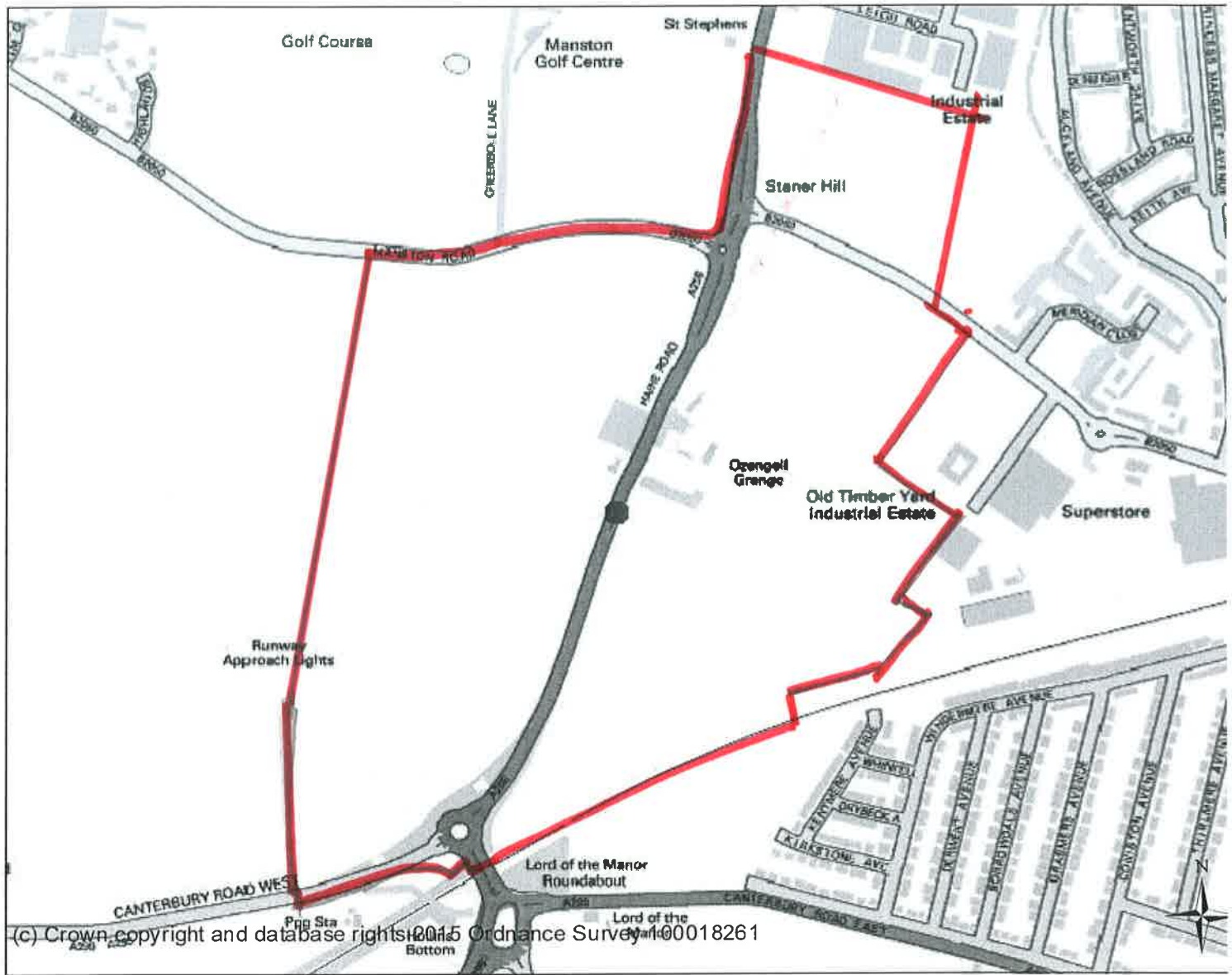
Title: OL/TH/14/0050 - Land east and west of Haine Road, Ramsgate

Project name:

Notes:

Scale: 1:7,500

Author:



Legend

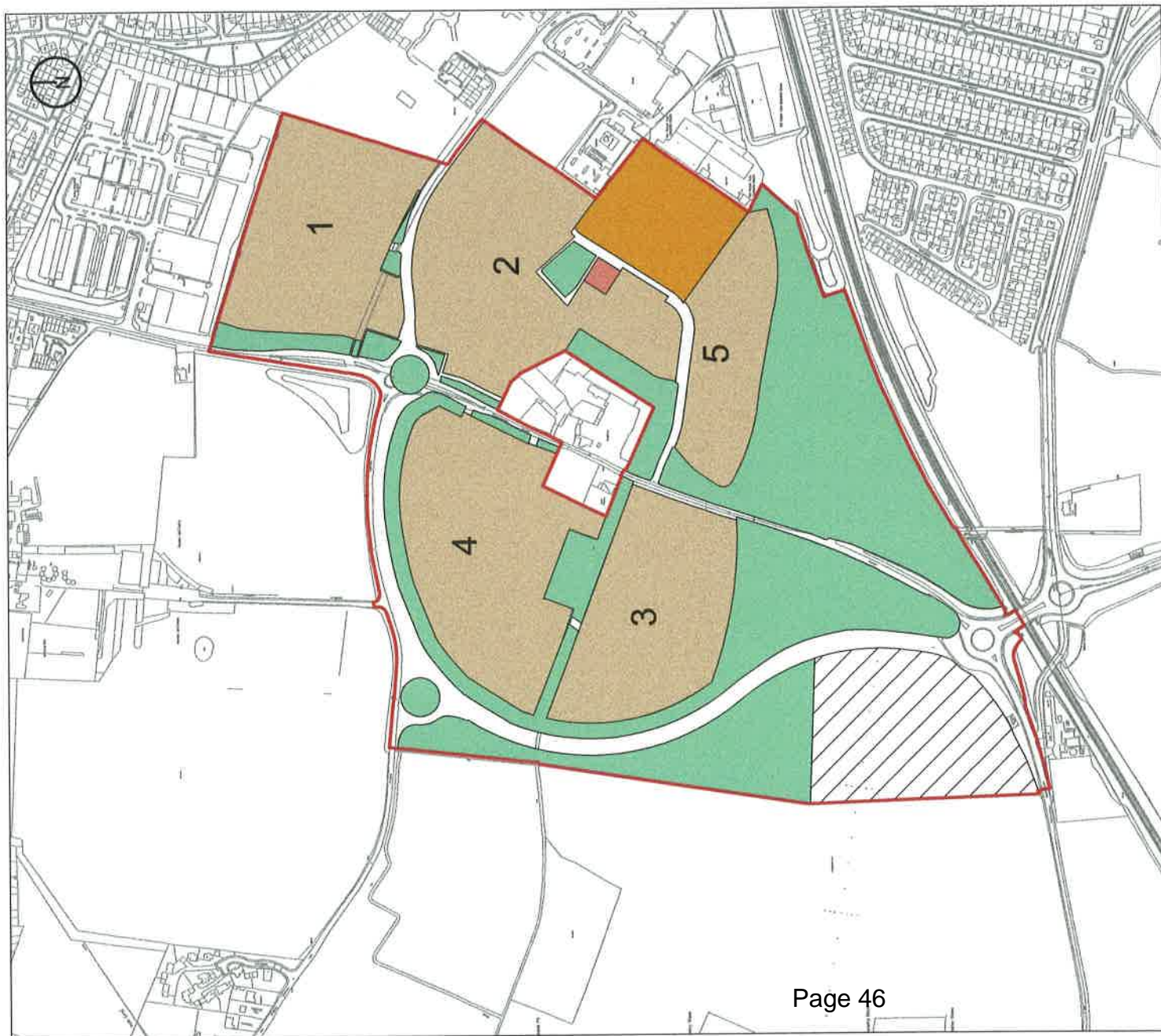
- Application area 49.7HA
- Residential area (including 0.4HA Local Areas of Play)
- Primary School
- Strategic open space
- Community Centre / Archaeological Interpretation Centre
- Area to accommodate existing (retained) airport landing lights and proposed drainage area

Amount

| | Ha |
|----------------------------|-------|
| Residential Area inc. LAPs | 22.17 |
| Public Open Space | 15.8 |
| School | 2.05 |
| Community Centre | 0.10 |
| Strategic Highway | TBC |

| Parcel | Gross Residential Density | | | D/Ha |
|--------|---------------------------|-----|------|------|
| | M/sq | Ha | Ac | |
| 1 | 45326 | 4.5 | 11.2 | 160 |
| 2 | 56248 | 5.6 | 13.9 | 199 |
| 3 | 41436 | 4.1 | 10.2 | 146 |
| 4 | 53640 | 5.4 | 13.2 | 189 |
| 5 | 25059 | 2.5 | 6.2 | 88 |

| | | | |
|--------|-------|------|-----|
| 221709 | 22.17 | 48.6 | 783 |
|--------|-------|------|-----|



Client
Cogent Land LLP
25-26 GREAT SUTTON STREET
LONDON E16 1LN
T: +44(0)20 7017 1785
W: info@pauldrewdesign.co.uk

Project
Manston Green, Heath Road
Thanet

Job Ref
145202/0003
12/0002/01

Job Ref
Job Ref

PAUL DREW DESIGN
Director: PDRB
Date: 08.07.2013
Rev: M.26.01.2016

Parameter Plan 1 - Land Use and Amount
Drawing no. 011



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the Thanet Local Plan and Policy CV5 of the Cliftonville Development Plan Document.

5 The reveals to all new window and door openings shall not be less than 100mm.

GROUND:

In the interests of visual amenity in accordance with Policy D1 of the Thanet Local Plan

SITE, LOCATION AND DESCRIPTION

The building was formally a hotel which was converted to flats in 1999, the flat conversion contained 13no 1 bed units and has since been used as an unauthorised House in Multiple Occupation.

The site lies within the defined Cliftonville West Area in Need of Special Action and within the Cliftonville West Renewal Area.

RELEVANT PLANNING HISTORY

- ES/1/54/171 - Alterations to 2 guest houses to form 1 hotel - Granted - 27/9/54
- TH/98/227 - Change of use and conversion from hotel to 13 self-contained flats and 1 self-contained maisonette with associated external alterations and bin store and clothes drying facilities - granted - 1/7/98
- F/TH/11/0333 - Continued use of property as a house in multiple occupation (HMO) – refused – 05/10/2011

PROPOSED DEVELOPMENT

The proposed development is for the change of use and conversion to 3no. four-bed maisonettes and 3no. two-bed flats following demolition of existing ground floor front extension.

At ground floor and first floor three four-bed maisonettes are proposed, measuring between 146sqm and 149sqm in area, each with a separate living room and kitchen/diner, and access to a private rear garden, with refuse and cycle storage to the front garden, which is shared with the second floor flats. The proposed two-bed flats are proposed at second floor, which all measure 83sqm in area, with a living room/kitchen/diner measuring 31sqm.

Part of the rear single storey extension is proposed to be demolished to create a larger garden area to serve the maisonettes. The single storey extension to the front of the property is proposed to be removed and the bay windows reinstated at ground floor level with timber windows, together with the reinstatement of a front door to 19 and 21 Warwick Road, with a design to match that of 17 Warwick Road.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan (2006) – Saved Policies

- D1 – design
- D2 – landscaping
- H10 - Cliftonville West Area in Need of Special Action
- TR16 – car parking

Cliftonville Development Plan Document

- CV3 – housing
- CV5 – cycle parking
- CV6 – parking provision

NOTIFICATIONS

Letters were sent to neighbouring occupiers and a site notice was posted near the site. Twentyfive letters of objection have been received raising the following points of concern:

- too intensive development
- parking
- anti-social behaviour
- should be family houses
- sound proofing
- social housing density

COMMENTS

The main considerations are the principle of development, the impact of the development upon the character and appearance of the area including the street scene, impact on living conditions of neighbours, the standard of accommodation proposed, doorstep play space and facilities, and highway safety issues.

Principle

The site is located within an Area in Need of Special Action, and within the Cliftonville West Renewal Area. Local Plan policy H10 refers to Areas in Need of Special Action, which sets out that the council will permit appropriate redevelopment to accommodate residential and other appropriate uses.

The Cliftonville Development Plan Document (DPD) provides planning policies for the Cliftonville West Renewal Area. The objective of the Cliftonville DPD is for the area to become a clean, safe and amiable place where families and individuals want to live and take pride in, where existing buildings will be well-maintained, enhancing the special architectural quality and historic value of the area, with a mixed and settled community including families with children living in accommodation suited to their needs, and including apartments and family sized homes with gardens.

The proposed development retains an existing property that has previously been used as fourteen flats and more recently a House in Multiple Occupation. The removal of the

existing unsympathetic front extension and the restoration of the bay windows to the front elevation will enhance the special architectural quality of the area, in line with the objectives of the Cliftonville DPD. The conversion of the building to 6no. flats, which will provide a good standard of accommodation, is in line with the objectives of the Cliftonville DPD and Local Plan policy H10. The principle of the change of use and conversion complies with local planning policy and is therefore acceptable.

Character and Appearance

The removal of the single storey extension and the reinstatement of the bay windows to the front elevation will restore the original features of the building and improve the external appearance of the property, in accordance with the objectives of the Cliftonville DPD, policies H10 and D1 of the Local Plan and the National Planning Policy Framework.

The proposed brickwork will match the existing and timber windows and doors are proposed to the front elevation, set in 100mm reveals. The proposed development will enhance the character and appearance of the area, in accordance with policies D1 and D2 of the Local Plan and the National Planning Policy Framework.

Living Conditions

The proposed dwellings and flats are of a good size, and significantly exceed the minimum size requirements suggested within the Council's flat conversion guidelines. The three maisonettes have access to rear private amenity space, and the flats share the communal front gardens, containing screened refuse storage and cycle racks, which is considered sufficient to as doorstep play space, refuse store and for clothes drying facilities.

The proposed windows to be reinstated in the front and the rear of the property are not considered to have any adverse impact upon the living conditions of neighbouring properties. The relationship between properties is as existing and the living conditions of occupiers will remain unchanged as a result of the proposed development.

The proposed development will provide a good standard of accommodation, without adverse impact upon the living conditions of neighbouring property occupiers, in accordance with policies D1, SR5, TR12 of the Local Plan, policy CV5 of the Cliftonville DPD and the National Planning Policy Framework.

Transportation

Although no parking spaces are proposed, when comparing the proposed use to the extant use of 14 flats, it is not likely to generate a significant increase in parking. No objections have been received from KCC Highways and Transportation, and subject to the provision of cycle parking within the garden areas, it is considered that highway safety and convenience will be preserved and the development is considered to be in accordance with policy CV6 of the Cliftonville Development Plan.

Conclusion

The proposed conversion of the building and the restoration works to the front elevation will enhance the character and appearance of the area, in line with the objectives of the Cliftonville DPD, policies H10 and D1 of the Local Plan. It is therefore recommended to Members that this application be approved, subject to safeguarding conditions.

Case Officer
CHERRY APLIN

F/TH/15/0205 – 17-21 WARWICK ROAD, MARGATE



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THANET DISTRICT COUNCIL

PLANNING COMMITTEE

05 June 2015

BACKGROUND PAPERS TO SCHEDULE OF APPLICATIONS

The Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000 (as amended)

(A) Standard Reference Documents - (available for inspection at the Council offices)

1. Thanet District Council Local Plan saved policies
2. Cliftonville Development Plan Document
3. Government Circulars and the National Planning Policy Framework issued by the Department of Communities and Local Government.

(B) Register of Applications for Planning Permission (Article 36 of the Town and Country Planning (Development Management Procedure) (England) Order 2010))

(Copy of applications together with accompanying plans or drawings are available for inspection at the Council offices)

(C) Background Papers in relation to specific reports in the Schedule of Planning Applications

(Copies of background papers and any appeal decisions referred to are available for inspection at the Council offices)

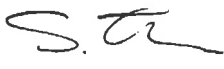
I certify that the above items are not exempt information.

(D) Exempt information in accordance with paragraph of Schedule 12 (A) of the Local Government Act 1972.

N/A

I certify that the above items are exempt information.

Prepared by: SIMON THOMAS

SIGNED:  DATE: 17 June 2015
Proper Officer

THANET DISTRICT COUNCIL

REPORT OF THE DIRECTOR OF COMMUNITY SERVICES

TO: THE PLANNING COMMITTEE

DATE: 17/06/2015

PART A

| App. No. | Address and Details | Recommendation |
|----------|---------------------|----------------|
|----------|---------------------|----------------|

| | | |
|-----|---|---------|
| A01 | F/TH/15/0029 1 MOUNT LAVINA, 195 CANTERBURY ROAD, EAST, BIRCHINGTON, CT7 9AH | Approve |
|-----|---|---------|

Erection of Mansard roof to accommodate 2no. two bed self contained flats

Ward: Birchington South

| | | |
|-----|---|---------|
| A02 | F/TH/15/0084 DERBY ARMS, 72 MARGATE ROAD, RAMSGATE, CT11 7SG | Approve |
|-----|---|---------|

Change of use from public house to house in multiple occupation together with alterations to existing rear conservatory

Ward: Central Harbour

| | | |
|-----|---|---------|
| A03 | OL/TH/14/06 39 LAND WEST OF 33A, ALEXANDRA ROAD, BROADSTAIRS | Approve |
|-----|---|---------|

Application for outline planning permission for the erection of 5No. dwellings with all matters reserved, including the diversion of a footpath

Ward: Bradstowe

| | | |
|-----|---|---------|
| A04 | F/TH/15/0147 15 SEACROFT ROAD, BROADSTAIRS, CT10 1TL | Approve |
|-----|---|---------|

Erection of 2-storey front and side

extension, and single storey side extension

Ward: Viking

A05 F/TH/15/0377 LAND REAR OF 2 TO 6, ELM GROVE, WESTGATE ON SEA Approve

Erection of 2no. chalet bungalows

Ward: Westgate-on-Sea

A06 F/TH/15/0334 LAND ADJACENT 21A, NASH LANE, MARGATE Approve

Erection of 4no. three-storey dwellings

Ward: Salmestone

A07 F/TH/15/0253 24 OLD CROSSING ROAD, MARGATE, CT9 5JH Approve

Erection of single storey front, side and rear extensions

Ward: Westbrook

A08 F/TH/15/0212 POND COTTAGE, GRINSELL HILL, MINSTER, RAMSGATE, CT12 5DP Approve

Change of use of farm office and agricultural storage barn to 1No. one bed dwelling

Ward: Thanet Villages

A09 F/TH/15/0245 EAST PIER, THE ROYAL HARBOUR, RAMSGATE Approve

Formation of new access to East Pier and alterations to hard surfacing

Ward: Ramsgate Harbour

**A10 F/TH/15/0173 65 WESTGATE BAY AVENUE,
WESTGATE ON SEA, WESTGATE-ON-
SEA, CT8 8SW**

Approve

Change of use from dwelling to language
school with ancillary residential
accommodation

Ward: Westgate-on-Sea

THANET DISTRICT COUNCIL

REPORT OF THE DIRECTOR OF COMMUNITY SERVICES

TO: THE PLANNING COMMITTEE

DATE: 17/06/2015

PART B

| App. No. | Address and Details | Recommendation |
|----------|--|--------------------|
| D11 | <p>OL/TH/15/01 87 FLAMBEAU EUROPLAST LTD, MANSTON ROAD, RAMSGATE, CT12 6HW</p> <p>Outline application for the redevelopment of the existing site for up to 120 dwellings including access, following demolition of existing buildings</p> <p>Ward: Newington</p> | Defer and Delegate |

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GROUND:

In the interests of visual amenity in accordance with Policy D1 of the Thanet Local Plan and Paragraphs 129 & 132 of the National Planning Policy Framework.

SITE, LOCATION AND DESCRIPTION

The site is located within the urban confines, within the Birchington Conservation Area and adjacent to a Listed Building no. 197 Canterbury Road. The application site comprises a detached three storey property containing 6no. 2 bed residential units with garages serving the existing flats and amenity space and bin storage to the rear.

RELEVANT PLANNING HISTORY

The most recent planning site history relating to the whole building is:

TH/83/1236 – Erection of a three storey building comprising of six flats with garages and parking space – granted 19/01/84

PROPOSED DEVELOPMENT

The application proposes the erection of a mansard roof to create 2no. 2 bed self-contained flats. The external walls of the mansard would be set in by approximately 600mm with a parapet surround. The proposed extension would have a height of 1.9 metres above the parapet with new windows to the front and rear elevations which would align with those below. The layout of the proposed flats would be similar to those existing.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan Policies

H1 – Housing
H4 – Windfall Sites
D1 – Design
SR5 – Play Space
TR12 – Cycling
TR16 – Car Parking

NOTIFICATIONS

Neighbour notification letters were sent to properties directly surrounding the site, site notices posted near the site and an advert placed in the local newspaper. Letters have been received from thirteen objectors have been received; raising the following concerns:

- The two parking spaces proposed are already in use
- Impact on health of residents
- Safety concerns
- Increased noise and disturbance for residents

- Increased smell from refuse store
- Overdevelopment
- Out of keeping and detrimental to neighbouring buildings
- Incongruous and obtrusive detrimental to streetscene, Conservation Area and setting of Listed Buildings
- Oak tree within bin store would prevent siting of cycle stores
- Rights and responsibilities of freeholder and leaseholder
- Overbearing impact
- Loss of outlook
- Loss of light
- Loss of privacy
- Impact on lift
- Additional parking demand and highway issues
- Plans do not accurately show existing drainage
- Soundproofing and fire regulations
- Front doorstep not suitable for disabled access
- Comments relating to previous planning decisions

In addition a petition has been submitted with 12 signatories stating that:

"We the undersigned hereby express our strong objection and undivided opposition to the proposal to erect a Mansard style roof on Mount Lavina, 195 Canterbury Road CT7 9AH. The erection of this roof would degrade the property and the two listed buildings of Oakleigh and the Sycamores. The Mansard roof would also have a grave effect on all neighbouring properties from 191 to 201 Canterbury Road and The stables behind Mount Lavina. The erection of the obnoxious Mansard roof would certainly be detrimental to the character and appearance of our conservation area. after all, it is the Councils policy to protect the character and appearance of the conservation area. the Council should listen to us, the residents. We do not want that French styled Mansard roof erected in our area"

Birchington Parish Council opposed the original application due to concerns about health and safety and Fire Regulations, following consideration of amended plans the Parish Council raise no objection.

CONSULTATIONS

Conservation Officer states 'Although I have some concerns that the proposal would to some extent disrupt the unity of the group of buildings in the street due to the addition of the storey being higher than the neighbouring properties, I consider the proposed addition would not detrimentally detract from the character and appearance of the host building, the character and appearance of the conservation area and setting of listed buildings subject to safeguarding conditions.'

Waste and Recycling raise no objection to amended plans.

Kent County Council Highways and Transportation had no objection in principle to the introduction of two additional dwellings; however concern was raised regarding the turning provision on site. Amended plans were submitted to address this concern and were considered acceptable.

COMMENTS

The application is brought before members as the applicant is a Thanet District Council Councillor.

The main considerations in determining this application are the principle of development, the impact on the character and appearance of the area including the Birchington Conservation Area and setting of nearby Listed Buildings, the impact on the living conditions of future and neighbouring property occupiers and impact on the local highway network.

Principle

The site lies within the urban confines and the principle of the proposed extension of a residential building to provide additional units of accommodation, is acceptable, subject to the assessment of the material considerations.

Character and Appearance

The application property lies within the Birchington Conservation Area and adjacent to Listed Buildings. There are examples of mansard roofs to buildings in the vicinity of the application site. The proposed design and scale of the extension is considered to be sympathetic to the existing building. Whilst the proposed extension would result in the building being higher than neighbouring properties, due to the proposed design incorporating parapet walls to all sides, the visual impact of the proposed extension would be reduced.

The existing property is three storeys with a flat roof behind a parapet. The proposed mansard extension would be set behind a parapet surround with a height of 1.9 metres above the parapet. The existing building comprises white timber sash windows and the scheme proposes openings in keeping with those existing. The proposed windows to the front and rear elevation within the extension would align with those of the lower floors. Surrounding properties have plain roof tiles and plain tiles are proposed to the extension. A safeguarding condition requiring submission of window and roof tile details would be attached to any consent.

The scheme proposes 1no. stained timber shed to the rear of the site to provide secure, covered cycle parking for the future occupiers of the proposed flats. These would be located discretely within the site and would not be highly visible from public vantage points. On balance, it is considered that the proposed development would preserve the character and appearance of the building, the Birchington Conservation Area and setting of neighbouring Listed Buildings.

Living Conditions

In terms of living conditions, the proposed extension would provide an additional 2no. 2 bed flats and each would comprise a lounge, kitchen and two bedrooms; all of these rooms would benefit from natural light and ventilation. The size and layout of the proposed accommodation is considered acceptable.

The proposal would result in a slightly reduced grassed area to the rear, however, the space provided would be sufficient to serve the proposed development.

With regards to neighbouring residential amenity, there are no openings proposed within the side elevation of the extension and the openings proposed to the front and rear elevations at third floor level are unlikely to cause significant harm to the living conditions of neighbouring property. The proposed extension would pitch away from neighbouring properties and would not therefore impact on the outlook and light of neighbours .

Concern has been raised regarding increased odour that may result from more bins within the storage area. The bin store lies adjacent to the rear boundary of the site, away from habitable room windows and the bins are standard council issue wheelie bins with lids. It is not considered that this would have a material impact.

Highways

The existing flats benefit from one garage each and there are two parking spaces to the rear of the site. Whilst there is no on street parking available in the immediate vicinity of the site along the Canterbury Road, the site is located in a highly sustainable location, in close proximity to a range of goods and services within the commercial area of Birchington and has good public transport links and there would be a ratio of one space per flat within the site. Whilst no additional on-site parking is proposed, and given the highly sustainable location of the site, I consider that the parking demand created by the two additional flats would not be such as to warrant refusal of the application on amenity or highway safety grounds.

Other Matters

There is a tree to the front of the site which is subject to a tree preservation order. The application does not propose any works to this tree as part of the proposed development and it is not considered that works to or the loss of the tree would be required in order to facilitate the build of the proposed extension.

Concerns have been raised regarding health and safety, fire regulations and sound proofing these are not planning considerations. and the development would be separately subject to Building Regulations should planning permission be granted.

Concerns have been raised regarding freeholder and leaseholder rights and responsibilities; these are civil matters and not a material planning consideration.

Concern has also been raised regarding the accessibility of the existing front door of the building. However, this is an existing access and therefore is not the subject of the current application and amendments cannot therefore be required.

Residents are concerned that the proposed development would result in noise and disturbance which would have an adverse impact upon their health and well-being and whilst these concerns are fully acknowledged they cannot be taken into account in the determination of the application.

Conclusion

It is considered that subject to appropriate safeguarding conditions, the proposed development would preserve the character and appearance of the building, the Birchington Conservation Area and setting of nearby Listed Buildings as designated heritage assets, provide an acceptable standard of accommodation for future occupiers and cause no material harm to the living conditions of neighbouring property occupiers or highway safety and is therefore recommended for approval.

CASE OFFICER
Helen Johnson

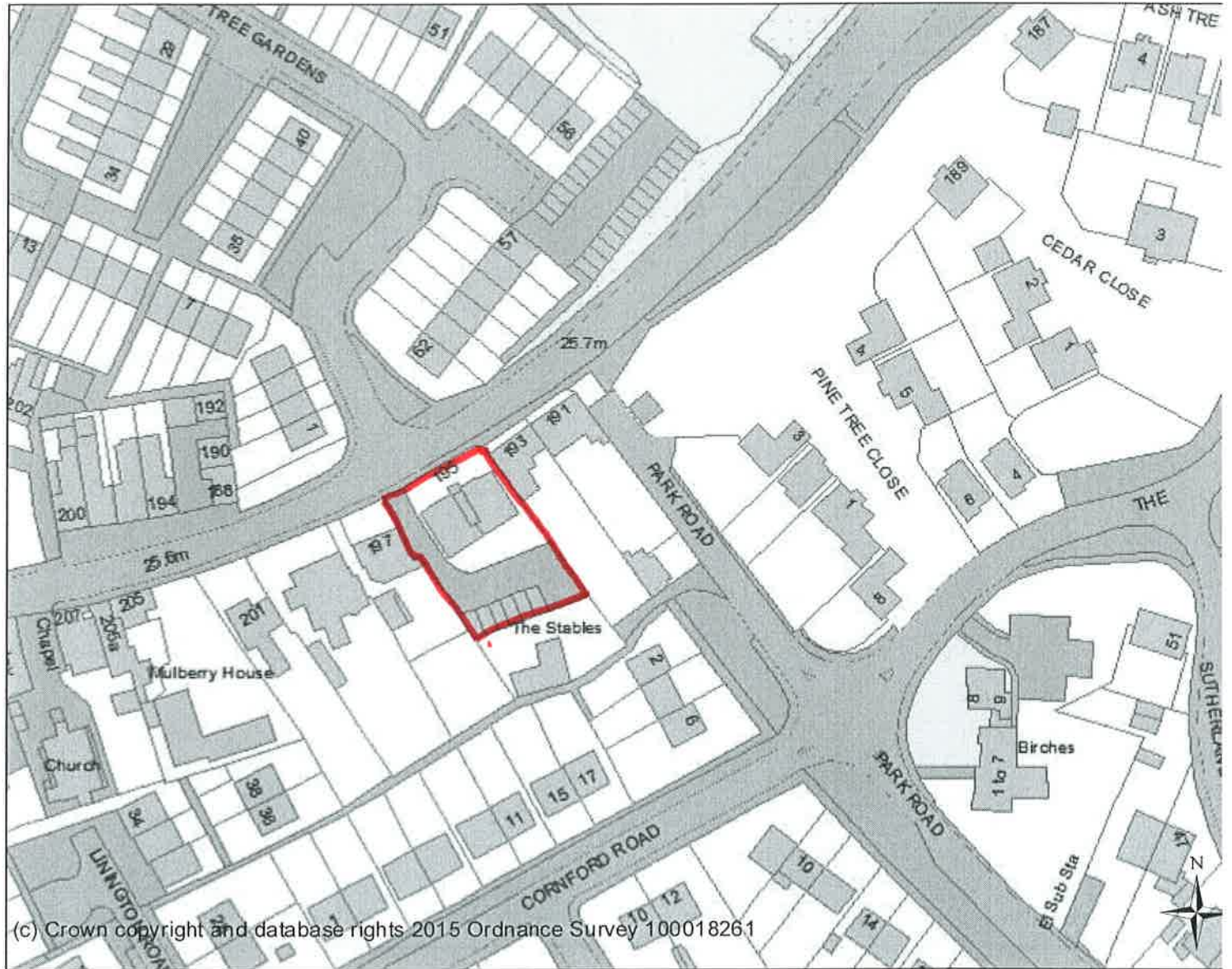
Title: F/TH/15/0029

Project name: Mount Lavina, 195 Canterbury Road, Birchington

Notes:

Scale: 1:1,250

Author:



Legend

F/TH/15/0029

MOUNT LAVINA, 195 CANTERBURY ROAD,
BIRCHINGTON



PROPOSED DEVELOPMENT

The application proposes the change of use of the building from a public house to a house in multiple occupation for 15 people together with alterations to the existing single storey rear conservatory. The rooms would each have a kitchenette and shower rooms, toilets and a laundry room would be shared. A patio would be provided to the rear along with refuse and cycle storage areas for use by future occupants of the rooms. The public house has been vacant since November 2014.

DEVELOPMENT PLAN POLICIES

H1 – Housing
H11 – Non-self Contained Residential Accommodation
H4 – Windfall housing Sites
D1 – Design
TR12 – Cycling
TR16 – Car Parking

NOTIFICATIONS

Neighbour notification letters were sent to properties directly surrounding the site and a site notice posted near the site. One objection has been received in response raising the following concerns:

- Impact on neighbouring amenity
- Impact on neighbouring property values

Ramsgate Town Council: Strongly objects to the application and considers it to be overdevelopment; cramming people into limited space with limited facilities will create a living slum. This standard of accommodation should not be tolerated in this day and age in Thanet. There is also no parking provision.

CONSULTATIONS

Housing Improvement Officer: The applicant has already been in contact with us relating to amenities and I gave them some advice. The advice was whilst there are adequate kitchens, shared showers and WC's and the room sizes were acceptable we were concerned that with 15 rooms there will be a need for significant management arrangements. From our experience this type of larger HMO have caused problems relating to the management particularly around anti-social behaviour, noise and waste. With the potential of 15 occupiers and visitors there could be large amounts of activity from people coming and going at all times. At present we do not have any Mandatory Licenced HMO's in the adjoining roads.

Environmental Health Officer: Given the proposed use as an HMO there needs to be adequate sound insulation between adjacent walls and floors. The applicant should be referred to Building Control for both consultation on the installation of noise insulation between rooms for residential purposes, and of the suitability of the existing structure for

conversion to residential accommodation. Should Building Control not wish to comment, the applicant should be required as a condition of approval, if given, to submit a noise insulation scheme, together with appropriate cross-sections, for the conversion. This should ensure that the proposal satisfies the Building Regulations, Approved Document E: Resistance to the Passage of Sound.

Building Control Officer: Advised that the laundry within the basement identified on the original plans would not achieve adequate head height and should be relocated. The remainder of the development could meet building regulations. Amended plans relocated the laundry room to the ground floor in place of the originally proposed sixteenth room.

Waste and Recycling Officer: The storage area would be okay but would be better for the bins to all be together at the far end by the big gates.

COMMENTS

The application is brought before members at the request of Councillor Campbell for the following reasons: over development, lack of parking facilities, cramped and unsuitable accommodation.

The main considerations in determining this application are the principle of the change of use, the impact on the character and appearance of the area, the impact on the living conditions of future and neighbouring property occupiers and impact on the local highway network.

Principle

Housing

The site lies within the urban confines and the proposal is for non self contained accommodation. In the local plan it is stated that whilst the Council does not wish to encourage the proliferation of HMOs it recognises that such sharing arrangements can provide a source of cheap rented accommodation and are typically suited to the needs of small households. Policy H11 of the Local Plan allows for the provision of HMOs, subject to account being taken of the existing concentration of such accommodation in the local area and the likely impacts in terms of potential noise, disturbance as well as the visual impact and the adequacy of car parking provision and bin storage

Loss of Community Facility

Policy CF1 of the Thanet Local Plan and the National Planning Policy Framework strongly support the retention of community facilities, unless there is evidence to suggest that the community use of the building is no longer needed. Policy CF1 only allows the change of use of existing community facilities for non-community uses if it is demonstrated that there is no longer a sufficient need for the facilities to warrant retention for community use, or if it can be demonstrated that adequate alternative accommodation appropriate to community use will be provided. The applicant has sought to justify the loss of the public house on viability grounds and the provision of alternative public houses in close proximity to the application site.

The applicant's supporting document includes a letter from Porters Chartered Surveyors stating that between August 2013 and September 2014 Shepherd Neame had been marketing the public house as a tenancy, however, despite offering the tenancy on easy terms at a low rent of £150 per week they were unable to secure a suitable tenant. The marketing of the freehold of the property commenced in early September 2014. For Sale boards were erected and at the time of submission of the application the boards remain on the premises making it clear that the freehold of the property is for sale to all local residents. In addition, the property was marketed via the internet, on Porters websites, the Publicans Morning Advertiser and Daltons Weekly. The details were emailed to approximately 400 applicants on Porters mailing list who had contacted them previously expressing interest in freehold properties in the area. Further advertisements were placed in national trade magazines primarily aimed at the licensed trade. During the six months that the For Sale boards have been erected on the premises no direct communication has been received from community groups enquiring as to the suitability of the premises for their use. Porters confirm that only one serious offer for the premises was received during the marketing period and that was by the applicant of this planning application.

In addition to this, supporting evidence, produced by Shepherd Neame, has been provided to support the application. The document highlights that trade has been declining since 2001, with the number of barrels a year reducing from 82.63 in 2001 to 9.93 in 2014. Shepherd Neame advise within the document that they have supported the public house with investment and they consider that the premises has become increasingly and now terminally unviable.

The evidence submitted suggests that there is no viable community use for the site. The applicant has provided a clear explanation for why the continued use of the public house is no longer viable (including representations from Shepherd Neame and Porters). Nor has any alternative community use been forthcoming. It is therefore considered, regrettably, that the loss of the community facility in this instance is justified, and should not be refused under Policy CF1 of the Thanet Local Plan.

Character and Appearance

The building occupies a prominent corner location at the junction of traffic lights and fronts both Margate Road and Princes Road. The surrounding area is predominantly in residential use with some commercial properties. Due to the height of the existing wall to the boundary with Princes Road, the proposed bin store and cycle storage areas would not be highly visible from the public highway and would be accessible through gates within the wall. There are no alterations proposed to the front or side elevations of the building. The alterations proposed to the existing single storey rear conservatory involve the replacement of the glazed roof with slates and replacement of the glazed panels with brickwork to match the existing together with the insertion of windows and door to the rear. Whilst this addition is visible from public vantage points it is not considered that the proposed alterations to the existing structure would cause material harm to the character and appearance of the area.

Living Conditions

In terms of living conditions, the application proposes the change of use to a house in multiple occupation comprising fifteen rooms for single occupancy. The plans indicate five rooms on each of the three floors, at ground floor there would be a laundry room, two shared shower rooms and two further toilets and there would be a shared shower room and additional toilet to first and second floors. All occupants would have access to a patio to the rear of the property and refuse would be stored to the rear of the site and these arrangements are considered acceptable. Each of the rooms would have a bed, kitchenette, wardrobe, table and chair and range in size from 12.97m² to 18.66m². Whilst the proposed rooms would not provide a high standard of accommodation, based on their size, they would provide the necessary facilities and meet private sector housing licencing requirements and are therefore considered adequate.

The application building is detached and the nearest neighbouring property no. 70 Margate Road is in residential use. Concern has been highlighted by the Housing Officer that houses in multiple occupation of the size proposed have caused issues relating to anti-social behaviour, noise and waste in their experience and the smooth operation of these properties relies heavily upon management arrangements. The applicant has provided information relating to the management procedures they employ within their other houses in multiple occupation and these are extremely comprehensive. However, management procedures cannot be conditioned as part of a house in multiple occupation licence. In accordance with Thanet Local Plan Policy H11 account must be taken of the likely or experienced effect of the proposed used on the character and amenity of the locality resulting from noise, disturbance and visual impact. The existing lawful use of the building as a public house with accommodation to upper floors has the potential to generate a degree of noise and disturbance as would alternative community facilities. The housing department confirm that they do not have any mandatory licenced houses in multiple occupation in the adjoining roads and therefore the proposal would not result in an intensification or concentration detrimental to the amenity and character of the neighbourhood. These factors should be considered and balanced against the fact that the former public house is located on the corner of busy road junction and as such the local environment is generally noisier than the majority of residential areas in Thanet.

Highways

Whilst the application does not propose off street parking, it is located on the corner of a busy traffic light junction and there is limited on street car parking available in the vicinity of the site. The application makes cycle parking provision to the rear of the site. The site is within close proximity of a convenience store and benefits from good bus and train public transport links. I am therefore satisfied that no material harm would be caused to the local highway network or highway safety.

Other Matters

Concern has been raised regarding the impact the proposed change of use may have upon neighbouring property values; however this is not a material planning consideration.

Conclusion

It is considered that the proposed change of use would comply with Thanet Local Plan Policy CF1, would not cause harm to the character or appearance of the area or highway safety and would provide an adequate standard of accommodation for future occupiers, in accordance with Thanet Local Plan Policies and the National Planning Policy Framework. However, in determining this application Members should give very careful consideration to the potential impact upon the residential amenity of the area . This is a finely balanced case, which Officers consider would justify the grant of planning permission in this instance, and should Members agree then it is recommended that permission be granted subject to the conditions set out in this report.

CASE OFFICER
Helen Johnson

Title: F/TH/15/0084

Project name: Derby Arms, 72 Margate Road, Ramsgate

Notes:

Scale: 1:1,250

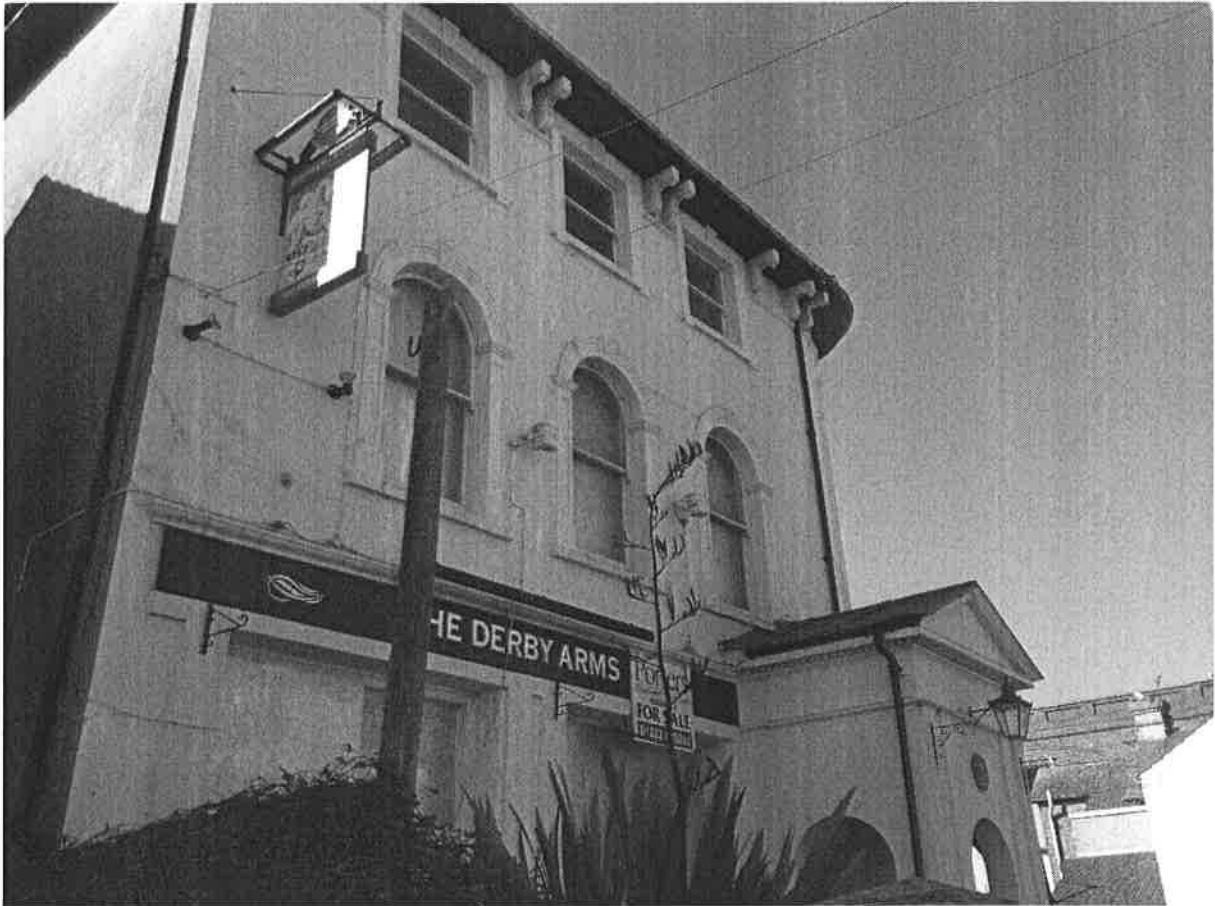
Author:



Legend

F/TH/15/0084

DERBY ARMS, 72 MARGATE ROAD, RAMSGATE



plot, and shall be provided in accordance with standards to first be approved in writing by the Local Planning Authority. Such facilities as approved shall be operational prior to the occupation of the units, and thereafter shall be maintained for their approved purpose.

GROUND:

In the interests of highway safety, in accordance with Thanet Local Plan Policy TR16.

- 6 The details pursuant to condition 1 shall show the provision of a turning head that provides visibility splays (in accordance with the Kent Design standards) within the site which is sufficient to allow for the turning of an 11 metre pantenchnicon

GROUND:

In the interest of highway safety

- 7 The details submitted pursuant to condition 1 shall show the re-provision of the existing gate and guardrail currently situated at the end of the existing highway to a location at the end of the newly extended road.

GROUND:

In order to prevent motorcycle access to the open space in the interest of highway safety

- 8 No development shall take place until a surface water drainage scheme, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and agreed in writing by the Local Planning Authority for that phase. The scheme shall include:

- i. (if ground conditions suitable) soakaways designed for the critical 100 year plus climate change rainstorm event;
- i. Driveways and car parking areas to comprise permeable paving with porous sub-base designed to store the 1 in 100 year plus climate change critical rainstorm event. (as detailed in the Flood Risk Assessment by Monson, dated June 2012);
- i. Design provision for exceedance events so excess runoff is safely routed away from the dwellings;
- i. Rainwater harvesting and grey water recycling measures should also be incorporated where practicable; and
- i. Details with regard to the proposed maintenance of the drainage scheme.

The scheme shall be implemented at the time of development and thereafter maintained in accordance with the approved details.

GROUND:

To prevent the increased risk of flooding, in accordance with the National Planning Policy Framework

9 No development shall take place until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Plan shall include details of:

- i. the parking of vehicles of site operatives and visitors
- ii. construction vehicles loading/unloading and turning facilities
- iii. wheel-washing facilities
- iv. details of construction haul routes
- v. construction times

The development shall be carried out in accordance with such details that are approved.

GROUND:

In the interest of highway and pedestrian safety and the convenience of road users in accordance with policy D1 of the Thanet Local Plan.

a) A formal application for connection to the public sewerage system is required in order to serve this development. To initiate a sewer capacity check to identify the appropriate connection point for the development, please contact Southern Water, Southern House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk.

b) Any Reserved Matters application should include some detail within the design of the proposed dwellings to provide visual interest, such as windows headers and cills, bay windows, chimneys or a mixture of brick colours.

c) Any Reserved Matters application should show ecological enhancements incorporated within the design, layout and landscaping of the development hereby approved

SITE, LOCATION AND DESCRIPTION

The site lies at the end of Alexandra Road, which is a dead end road off Albion Street. The site is outside, but directly adjacent to, the Broadstairs Conservation Area.

Alexandra Road is wholly residential in character, containing a mixture of two and three storey semi-detached and terraced dwellings. The buildings appear to date from approximately the late C19th and early C20th and are designed in a typically Victorian and Edwardian style. The dwellings are set back from Alexandra Road by small front gardens.

To the rear of the site is The Pathway, which serves the rear of properties on Alexandra Road and Harbour Mews and links to Seaview Cottages.

The site itself is currently used informally for the growing of vegetables and storage. It contains several small timber structures, including two sheds and is partially bounded by fences. Around the peripheries of the site are a series of relatively young trees, bushes and shrubs, some of which appear to have been pollarded or lopped in the recent past, whilst the centre of the site is partly cultivated, partly covered in stored materials and wood and partly covered by plants.

RELEVANT PLANNING HISTORY

It is not considered that there is any relevant planning history for this site.

PROPOSED DEVELOPMENT

This application proposes the erection of five dwellings. The application is outline, with all matters (appearance, scale, access, landscaping and layout) reserved at this stage.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan (2006)

D1 - Design
D2 - Landscaping
H1 - Residential development sites
H2 - Dwelling supply
H4 - Windfall sites
H8 - Size and type of housing
TR12 - Cycle parking
TR16 - Car Parking
SR5 - Doorstep play space
SR11 - Private open space

NOTIFICATIONS

Letters have been sent to neighbours, a site notice has been posted and an advert has been placed in the local newspaper. Nineteen representations have been received, raising the following concerns:

- Loss of recreation space/amenity land
- The development would be out of character with the area
- Impact on neighbouring properties
- Increased noise and disturbance
- The development would not benefit the poor and needy of Broadstairs
- Inadequate access for refuse vehicles, fire appliances etc.
- Inadequate car parking
- The dwellings are too small
- Loss of habitat
- Loss of trees
- Loss of light to west facing windows in the neighbouring property

- Potential danger during construction works
- Loss of green space
- Overlooking
- The road is too narrow for cars and fire appliances
- With the Vere Road development there are enough houses being built

Broadstairs and St Peters Town Council - Recommend approval, but with a concern that the site encroaches upon land which is leased by Broadstairs and St Peters Town Council.

Broadstairs Society - Raise several points for consideration. 1) The land was left in Trust for the poor of Broadstairs. 2) The development should not jeopardise the Conservation Area and should harmonise with the Vere Road development. 3) The Conservation Officers views must be taken into account. 4) The Highway Authority's views should also be taken into account.

CONSULTATIONS

KCC Highways and Transportation - The existing gate and guard railing situated at the end of the existing highways on Alexandra Road is in place to prevent motorcycle access to the open space and would need to be replicated at the end of the newly expanded access road.

The provision of a turning head is appropriate given the absence of turning provision in Alexandra Road, however visibility would rely on visibility across land outside the highway or applicants control. Therefore the turning head would be better placed at the end of the road. This turning head should be sufficient to serve a 11m pentenchnicon with swept paths provided to demonstrate this movement

An informal crossing provision should be engineered so that pedestrians travelling on the southern footway can access the extended northern footway

If the road is to be adopted parking restrictions may be necessary to prevent parking on the public highway. this would need to be funded by the applicant.

There appears to be space for additional vehicle parking space on each plot frontage and it would be prudent, given the parking pressure locally, to provide this additional space to cater for visitors.

Southern Water - No objection, subject to an informative being attached to any grant of permission.

Kent Fire and Rescue - Adequate turning facilities would be required for a fire appliance in accordance with Building Regulations.

Kent County Council Ecological Advice Service - The proposed development has the potential to result in ecological impacts, with the site and its surrounds having habitats and

feature that indicate potential for ecological impacts, including but not limited to the potential for reptiles, breeding birds and bats. The Reptile Survey report that has been submitted presents a reasonable survey effort to support the conclusion that reptiles are unlikely to be present on the site. Nesting birds and hedgehogs are potentially present and avoidance measures to minimise the potential for impacts will need to be secured by condition.

We also advise that ecological enhancements should be secured within the design of the proposed development

Kent County Council Archaeologist-no comments received

COMMENTS

The planning application is brought before members of the Planning Committee as it represents a departure from Policy H1. The planning application is for outline planning permission, with matters of appearance, scale, access, landscaping and layout reserved for future submissions.

Principle

The proposal would represent development on non-previously developed land, which would be contrary to Policy H1 of the Thanet Local Plan. The policy constraints, however, need to be balanced with the fact that there is a current need for housing in Thanet, and on this basis the National Planning Policy Framework (NPPF) indicates that applications for housing should be considered in the context of the presumption in favour of sustainable development. In this case the site lies within the urban confines with access to local amenities and public transport, and is therefore sustainably located within the district. Therefore the development of the site for housing could be accepted in principle subject to the consideration of all other material considerations, including the impact on the character and appearance of the area.

Policy SR11 of the Thanet Local Plan seeks to protect from development private open space where it provides active recreational facilities; meets a deficiency in recreational facilities or has intrinsically beneficial qualities and makes a contribution to the character of the area either in itself or by virtue of the longer distance views it affords. The site does not provide any opportunity for recreation and, subject to whether the site contributes to the character of the area which will be assessed later in this report, the proposal would not be contrary to this policy.

Character and Appearance

The site lies adjacent to the Broadstairs Conservation Area and, therefore, the development has the potential to affect the setting of the Conservation Area. There are also two listed buildings approximately 130m to the north of the site, the settings of which could also be impacted by the development.

Indicative drawings have been submitted with the application, to show a form of development which could be accommodated within the site; however, the layout, scale,

landscaping, appearance and access arrangements submitted at Reserved Matters stage may be different to the indicative drawings submitted.

The area has a mixed character, with both residential and commercial properties within the vicinity. Alexandra Road itself is characterised by a mixture of two and three storey, semi-detached and terraced properties set back from the road behind small front gardens. The individual design of properties varies considerably, with a range of styles, proportions and materials, although the terrace of dwellings adjacent to the site, on the northern side of the road, is relatively uniform.

It is not considered that the land provides an important visual gap, or has visual amenity value, being a piece of unkempt land partially covered in young trees and scrub. The character of this land is in stark contrast to the well maintained grass land and copses of trees to the west which provide a sense of openness within the area.

The application is for outline planning permission. However whilst detailed matters of appearance, scale and layout are reserved, the indicative site plan and elevations show a terrace of five two-storey houses fronting an extended road, laid out to reflect the spacing, widths and plot sizes of other properties within the road. The building height of two storeys, would also adhere to the character of the road, which is almost wholly two storey to its western end. The indicative plans also demonstrate that the dwellings could be comfortably accommodated within the site, whilst retaining a set back from the road the same depth as the neighbouring properties.

The indicative drawings show that the development could be designed relatively simply, to tie in with the uncomplicated designs of the neighbouring Edwardian houses; however, it is considered that the detailed design, when submitted at Reserved Matters stage, would need to include some detail to provide visual interest, such as windows headers and cills, bay windows, chimneys or a mixture of brick colours. The suggested uniformity to the design of the dwellings would relate well with the uniform terrace adjacent to the site.

For these reasons, it is considered that the five dwellings could be constructed on the site in a manner which would preserve the local character, reflecting the density, spacial characteristics and scale of the area, complementing the special character of the area and according with Policies D1, D2 and SR11 of the Thanet Local Plan, whilst causing no unacceptable harm to the setting of the Conservation Area.

Regard has been had for whether the development would impact the settings of two listed buildings to the north, No.'s 33 and 35 Nelson Place; however, given the separation distance and the existing context of the application, it is not considered that the development would cause harm to the significance of the settings of these buildings. It is not considered that the proposal would affect the setting of any other listed buildings.

Living Conditions

The site is well separated from the nearest properties to the north, south and west. The indicative site plan shows a minimum distance of approximately 24 metres between existing and proposed dwellings back to back, whilst there are no properties nearby to the north or west. The spatial relationship between new and existing properties will match the

pattern of development between Alexandra Road, The Pathway and Wardour Close. The site is towards the bottom of a shallow valley, with the land rising from the site to both the north and south, meaning that the properties in either direction are slightly higher than the site. Given the distances to neighbouring properties, it is considered that the development could comfortably be accommodated within the site without causing any unacceptable loss of light, sense of enclosure or overlooking.

The property at 33A Alexandra Road, would be closest to the proposed dwellings. Whilst this dwelling contains a series of side facing windows, its primary outlook derives from the windows within the front elevation, with further windows to its rear. Having regard for the location of these windows, and their relationship with the site, whilst some loss of outlook and loss of light would occur, this impact would not be significant so as to justify refusal of this application.

Highways

The indicative plans show that sufficient space can be provided within the site to accommodate parking. This is a matter that would be dealt with as part of the considerations in any subsequent Reserved Matters application should outline planning permission be granted.

The site is of sufficient size to provide a turning space and this will again be a matter for detailed consideration should outline permission be granted as will the provision of measures to restrict vehicular access and facilitate greater pedestrian access within the area.

Impact on Trees

There are numerous trees to the periphery of the site. These trees are typically small sycamores, although there are also larger trees present. Having regard for their size and species, it is not considered that these trees provide a significant contribution to the visual amenity of the area and are not worthy of protection. Furthermore, as the site is outside the Conservation Area, they do not have any protection and could be felled without the requirement for consent.

Loss of Habitat

Concern has been raised that the development would lead to a loss of habitat. The site contains a number of relatively small trees, hedges and other vegetation, which are largely confined to the periphery of the site. The wider area also contains copses of trees, hedges and grass, with some areas of overgrown weeds and brambles; however it does not exhibit any characteristics to warrant the provision of a habitat or protected species survey. The applicant has provided an Ecology report which considers the presence of protected species at the site. The survey work concludes that the development, would not have unacceptable impact on protected species. The advice of the KCC Ecologist is that planning permission could be granted in principle.

Other Matters

With regard to concerns about noise and disturbance it is not considered that the development of the site would cause substantial harm in this respect. Furthermore, the Environmental Protection Act can safeguard against nuisance, should it occur. Furthermore, it is not considered that the development, once constructed, would create any significant noise and disturbance.

Matters relating to ownership and covenants are not material to this decision which is made under the Planning Acts

Conclusion

It is considered that, whilst the site is not previously developed, the openness of site does not contribute to the character of the area, whilst the site is in a highly sustainable location. Furthermore, it is considered that five dwellings could be erected on the site, without causing any harm to the character and appearance of the area, the setting of heritage assets, the living conditions of neighbours or the local highway network. In the absence of any material harm, it is considered that the proposal would be sustainable development and therefore it is recommended that planning permission be granted

CASE OFFICER
Luke Blaskett

OL/TH/14/0639 - LAND AT ALEXANDRA ROAD, BROADSTAIRS



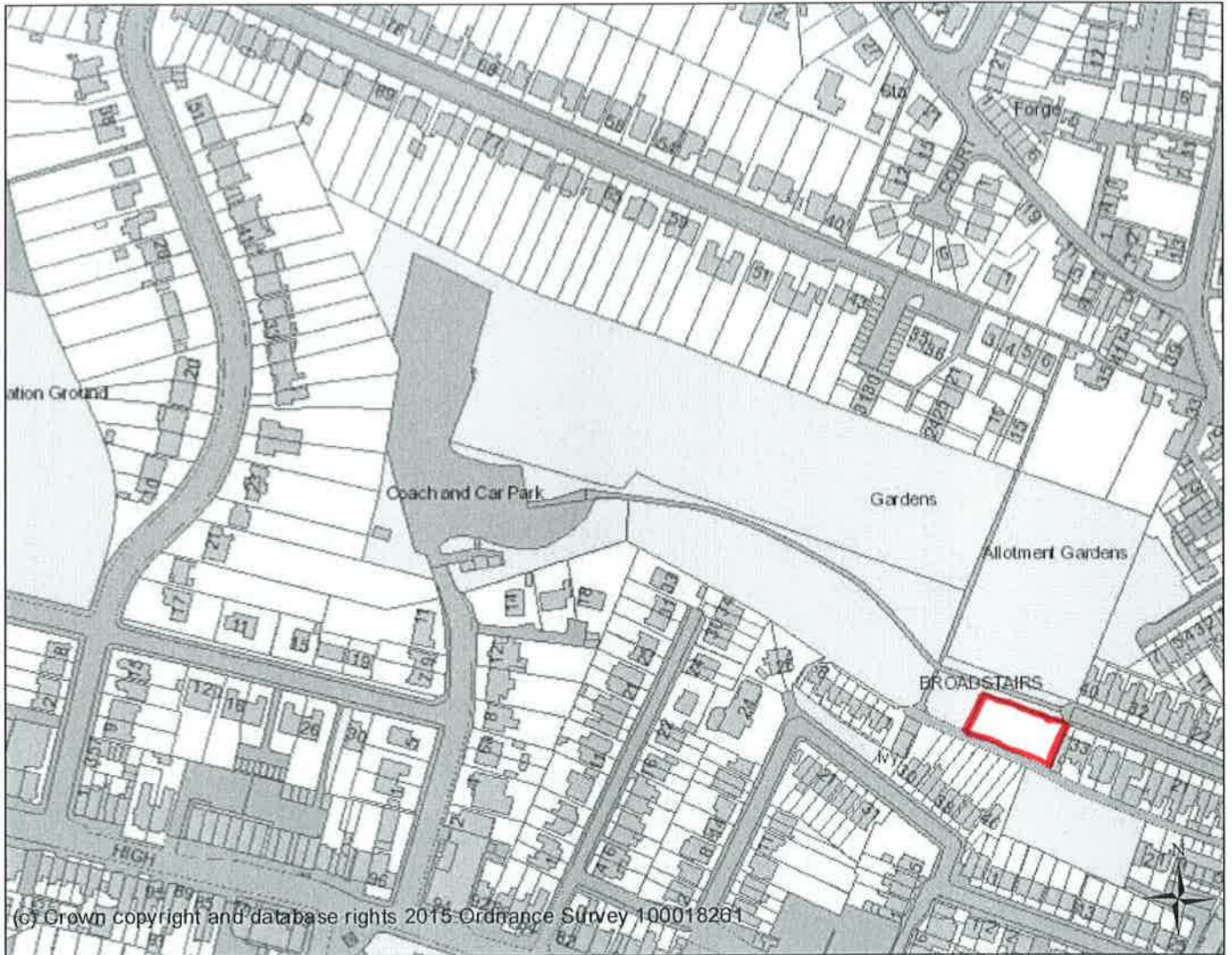
Title: OL/TH/14/0639

Project name: Land West of 33A Alexandra Road, Broadstairs

Notes:

Scale: 1:2,500

Author:



Legend

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In the interests of visual amenity in accordance with Policy D1 of the Thanet Local Plan.

SITE, LOCATION AND DESCRIPTION

The site lies just outside of the Area of High Townscape Value, and is in an area that consists entirely of residential development. Buildings within the road are pre-dominantly detached, and set within large plots, and are generally 2-storey in height, although there is also evidence of bungalows and buildings with loft conversions. Development within the street tends to vary in its design and scale, however, nos. 15-21 are of a similar design, scale and appearance, although their orientation differs, along with their front building line, which is extremely staggered. The application property is a detached 4-bed dwelling with an attached garage to the side. Adjacent to the property are a detached bungalow and 2-storey dwelling.

RELEVANT PLANNING HISTORY

No relevant planning history.

PROPOSED DEVELOPMENT

The application has been amended during this process, and the plans now show the omission of a first floor front balcony, the front and side setback of the first floor side extension, and the hipping of the roof to the 2-storey front extension.

The application is now for the erection of a 2-storey front extension with hipped roof, measuring 4m deep, and the full width of the original dwelling. To the side of the property the existing garage is being demolished and replaced with a single storey extension with parapet wall to the front and part of the side elevation. The single storey extension extends to the side boundary with no. 11, and in line with the proposed front extension. A first floor side extension is proposed, which is setback from the proposed front building line by 4.5m, and setback from the side boundary by 0.8m. Two first floor windows are proposed within the north-west side elevation, which serve a landing. The 2-storey front and single storey side extension are to be rendered with grey aluminium windows and doors. The first floor side elevation is to be timber clad.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan (2006)

D1 - Design

NOTIFICATIONS

Neighbouring occupiers have been notified. Seven letters of objection were initially received, and one letter of objection was received in response to the re-consultation following the submission of amended plans. The main concerns are:

- overdevelopment,
- detract from visual appearance of road,
- loss of parking,
- loss of privacy,
- scale,
- forward projection of building line,
- proximity to neighbour, and presence of proposed windows adjacent to boundary,
- sense of enclosure,
- loss of outlook,
- shadowing,
- out of keeping.

Broadstairs Town Council - Recommend refusal on grounds of overdevelopment, overbearing, overlooking and lack of boundary clearance.

CONSULTATIONS

No consultation responses have been received.

COMMENTS

This application has been called in by Cllr Mave Saunders, to allow members to consider the size and scale of the development, its proximity to the boundary, and impact upon no.11 Seacroft Road.

Character and Appearance

The application site is located in a road where properties vary in size, height and scale, and where there is a staggered front building line. The existing property is currently located entirely in front of no.17, but is setback from no. 11 by 2.5m. The proposal is for a 2-storey front extension measuring 4m deep, which will project beyond the front building line of no.11 by 1.5m, but remain setback from the front building lines of nos. 5 and 7. Given this staggered arrangement within the road, the proposed development is not considered to be out of keeping with the existing pattern of development.

The roof design of the front extension has been amended to hipped roof and is of a scale that is in keeping with the scale and design of the existing dwelling, and the fenestration is well proportioned and positioned, resulting in an interesting front elevation that adds to the variety of development within the street. The proposed front extension is to be rendered and painted, in keeping with the materials used on both the existing and surrounding development. The impact of the front extension upon the character and appearance of the area is therefore considered to be acceptable.

The proposed single storey side extension replaces an existing side garage, although the extension will project forward to fall in line with the proposed front extension. The single storey extension has a parapet wall to the front and side elevation, and fenestration and materials to match the proposed front extension. A number of properties within the street benefit from flat roof front or side garage extensions, and therefore it is considered that

the proposed single storey side extension would not significantly detract from the character and appearance of the surrounding area.

A modest first floor side extension is proposed, which is setback from both the front elevation and the side boundary. Whilst retaining a sense of space at first floor level between the proposed development and the neighbouring bungalow is considered to be important, the proposed first floor extension, as amended, is setback from the boundary by 0.8m, setback from the proposed front elevation by 4.5m, and has been designed with a low catslide roof, resulting in an eaves level of only 1.1m high. The extension is also to be constructed using timber cladding, which adds interest to the design of the development as a whole. It is therefore considered that given the setback location of the proposed extension and its modest size and scale, the impact upon the character and appearance of the area is, on balance, acceptable.

Living Conditions

No. 11 is a bungalow property adjacent to the development site, and is located approximately 1.2m from the proposed development. The front of no.11, closest to the proposed development is a garage, and therefore given that the proposed front extension projects beyond the front of their property by only 1.5m, the light to and outlook from any front windows will not be affected. To the rear of no. 11 a primary kitchen window is closest to the development, but this would only be affected by the proposed single storey extension, the impact from which would not be significantly worse than that from the existing garage. For the same reason it is not considered that the sense of enclosure resulting from the development would be any worse than that existing. The impact upon neighbouring light and outlook is therefore considered to be acceptable.

Concerns have been raised by neighbouring occupiers in relation to overlooking, but the first floor front balcony that was originally proposed has now been omitted from the application, with only a single door onto the flat roof remaining for maintenance use. The flat roof area could not be used as a balcony without further planning permission being acquired for both the balustrading (which is a requirement through Building Control) and the provision of the balcony. The proposed first floor side windows facing no. 17 will only overlook their front driveway area, which is not classed as private amenity space. In any event the windows serve a landing area, not habitable rooms, so there would be very limited overlooking from these windows. The impact upon neighbouring privacy is therefore considered to be acceptable.

Transportation

There is an existing driveway to the front of the site, which can accommodate at least two vehicles parked in tandem, and there is also a garage. The proposal will not increase the number of bedrooms contained within the property, however, the garage is being removed and the front extension will result in the loss of some driveway. An amended block plan has been submitted to show the proposed widening of the driveway to the front of the property, in order to accommodate at least 2no. vehicles. The impact upon highway safety and amenity is therefore considered to be acceptable.

Conclusion

The proposed development is of a design and scale that is in keeping with the existing property, and whilst the proposed development extends towards the road, it is not considered to be out of keeping with the existing pattern of development or the character and appearance of the area. The impact upon the living conditions of neighbouring occupiers and highway safety is considered to be acceptable. It is therefore recommended that members approve the application.

CASE OFFICER
Emma Fibbens

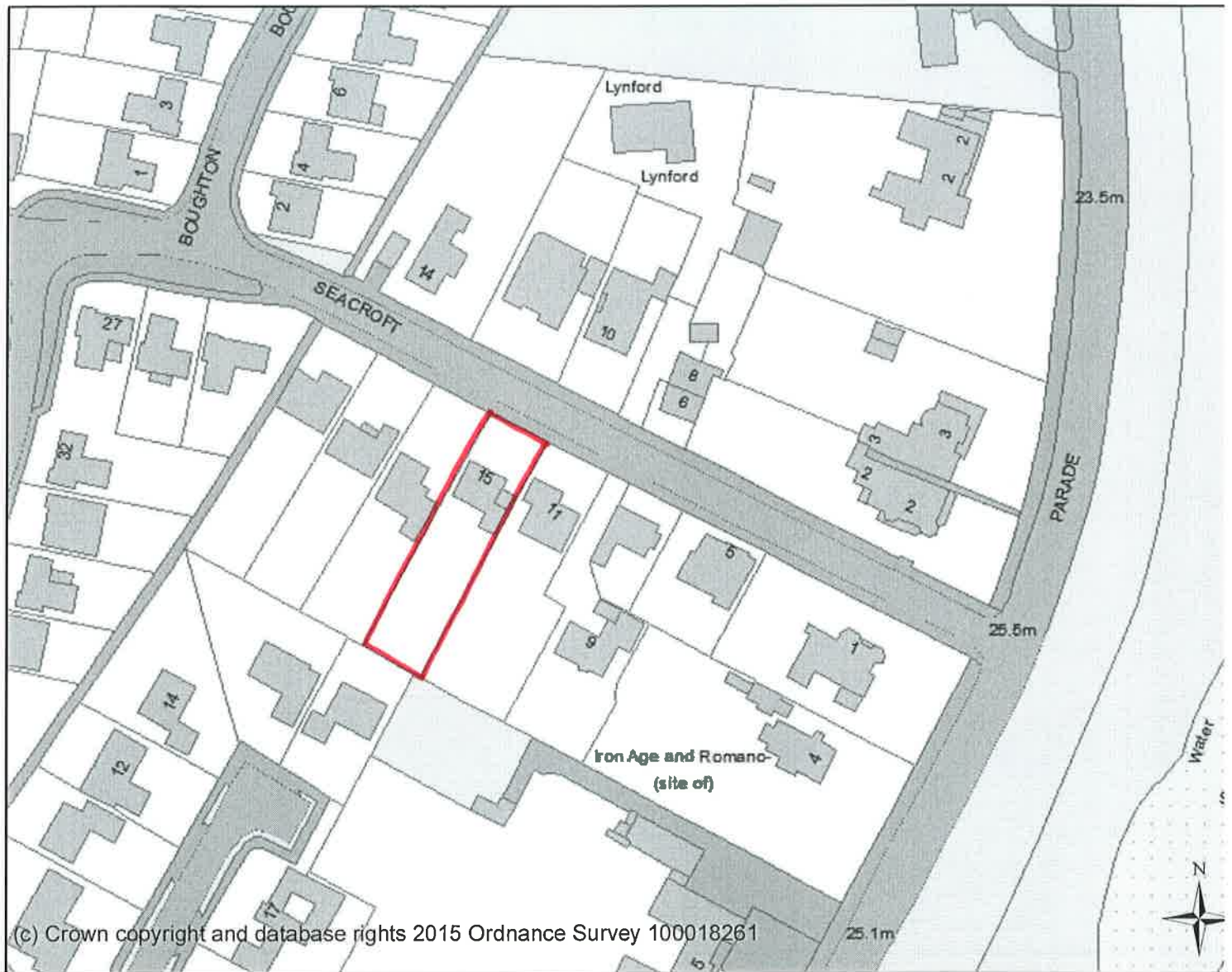
Title: F/TH/15/0147

Project name: 15 SEACROFT ROAD, BROADSTAIRS

Notes:

Scale: 1:1,250

Author:



Legend

F/TH/15/0147

15 SEACROFT ROAD, BROADSTAIRS



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In the interest of interests of highway safety.

- 5 In the event that contamination is found that was not previously identified at any time when carrying out the approved development, it shall be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment shall be undertaken at that time in accordance with a site characterisation report that shall be submitted to and approved in writing by the Local Planning Authority and where remediation is necessary a remediation scheme shall be submitted to and approved in writing by the Local Planning Authority. Prior to the occupation of the approved development and following completion of measures identified in the approved remediation scheme a verification report shall be submitted to and approved in writing by the Local Planning Authority.

GROUND:

To ensure that the proposed development will not cause harm to human health or pollution of the environment, in accordance with the NPPF.

- 6 Prior to the commencement of development hereby approved, full details of both hard and soft landscape works, to include:

- species, size and location of new trees, shrubs, hedges and grassed areas to be planted
- the treatment proposed for all hard surfaced areas beyond the limits of the highway
- walls, fences, other means of enclosure proposed

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

GROUND:

In the interests of the visual amenities of the area and to adequately integrate the development into the environment in accordance with Policies D1 and D2 of the Thanet Local Plan

- 7 All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development, or in accordance with a programme of works to be agreed in writing with the Local Planning Authority. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size and species, unless the Local Planning Authority gives any written consent to any variation.

GROUND:

In the interests of the visual amenities of the area in accordance with Policies D1 and D2 of the Thanet Local Plan

- 8 Prior to the commencement of the development hereby approved details of the materials to be used in the construction of the external surfaces of the development hereby approved shall be submitted to, and approved in writing by, the Local Planning Authority. Development shall be carried out in accordance with the approved details

GROUND:

In the interests of visual amenity in accordance with Policy D1 of the Thanet Local Plan.

- 9 The reveals to all new window and door openings shall not be less than 100mm

GROUND:

In the interests of visual amenity in accordance with Policy D1 of the Thanet Local Plan

- 10 The first floor windows to be provided in the east and west facing roofslope of the dwellings hereby approved shall be provided and maintained with a cill height of not less than 1.73 metres above the finished internal floor level.

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.

Informatives

1. A formal application for connection to the public sewerage system is required in order to service this development. To initiate a sewer capacity check to identify the appropriate connection point for the development, please contact Atkins Ltd, Anglo St James House, 39a Southgate Street, Winchester, SO23 9EH (tel 01962 858688) or www.southernwater.co.uk.

2. It is the responsibility of the applicant to ensure , before the development hereby approved is commenced, 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 taken 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 Highways and Transportation to progress this aspect of the works prior to commencement on site.

SITE, LOCATION AND DESCRIPTION

The site is an undeveloped plot of land located to the rear of 2-6 Elm Grove, set back from the street by approximately 45m, with an access onto Elm Grove between 2 Elm Grove and 7 St Mildred's Road.

The local area is characterised street frontage properties to Elm Grove and St Mildred's Road, and by development to the rear, primarily relating to the conversion of the adjacent school. The site is bounded on three sides by residential development, with the railway line forming the northern boundary of the site.

RELEVANT PLANNING HISTORY

F/TH/92/0841 - change of use of 5 St Mildred's Road from residential school to family welfare hostel – including the application site as a play area.

PROPOSED DEVELOPMENT

The proposal includes the erection of 2no. chalet bungalows, sited to the rear of 2-6 Elm Grove and accessed by a private drive between 2 Elm Grove and 7 St Mildred's Road, which is proposed to measure 4.1m in width together with a 1.8m footpath. The parking and turning area is proposed to be located to the rear of the existing dwellings in Elm Grove.

The properties are proposed to be arranged as a pair of semi-detached houses, constructed of brick and render, with a slate or tile roof. Integral garages are proposed, together with 10m rear gardens backing onto the railway line to the north. The dwellings would be separated from properties in Elm Grove by 28m.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan 2006

H1 - Housing
H4 – Windfall sites
D1 - Design principles
D2 - Landscaping
SR5 - Play space
TR12 – Cycle parking

NOTIFICATIONS

Neighbouring dwellings were notified by letter and a site notice posted on site. One letter of objection has been received raising the following points of concern:

- overlooking
- removal of trees during site clearance
- drainage

CONSULTATIONS

Kent County Council Highways and Transportation –this development proposal does not meet the criteria to warrant involvement from the Highway Authority in accordance with the current consultation protocol arrangements

Environment Agency – low environmental risk: no comments

COMMENTS

The application is reported to planning committee as the site is non-previously developed Land and therefore represents a departure to policy H1 of the Thanet Local Plan.

The main considerations with regard to the planning application are the principle of development; the impact upon the character and appearance of the local area; the impact upon living conditions of neighbouring property occupiers and highway safety.

Principle

The proposal would represent the development of non-previously developed land; contrary to Thanet Local Plan policy H1. This must be balanced with the fact that there is a current need for housing in Thanet. On this basis, the National Planning Policy Framework indicates that applications for housing development should be considered in the context of the presumption in favour of sustainable development.

In this case, the application site lies within the urban confines with access to local amenities and a local bus service, and is considered to be sustainably located within the district. The development of this site for housing could therefore be accepted in principle subject to the detailed consideration of all other material considerations including the impact upon the character and appearance of the area.

Character and Appearance

The site is located to the rear of existing street frontage properties in Elm Grove, and the proposed dwellings would be set back from the street by approximately 45m. Whilst the properties will not front Elm Grove, there is existing development adjacent to the railway line, where the adjacent former St Saviour's school was converted to residential use. The principle of development located to the rear of the existing street frontage properties has been established by the location of the adjacent school buildings, and the proposed development will be in keeping with the form and pattern of development in the surrounding area in accordance with policy D1 of the Local Plan and the National Planning Policy Framework.

The properties are proposed to have a hipped roof to the front projection with a roof light, and dormer windows to the front and rear elevations serving first floor accommodation. Given the small scale of the proposed dwellings with first floor accommodation provided within the roof space, of a similar scale to the adjacent converted school development, the properties will not be out of character with the scale and design of adjacent development

and will not be prominent in the street scene in accordance with policy D1 of the Local Plan and the National Planning Policy Framework.

Living Conditions

The proposed development would be accessed from Elm Grove between 2 Elm Grove and 7 St Mildred's Road. The parking and turning area would be located to the rear of the existing dwellings in Elm Grove. Whilst there will be some increase in the level of noise and disturbance to neighbouring property occupiers as a result of the proposed development, the width of the gap between the two dwellings in Elm Grove, when taken with the proposal to provide a landscaped strip along the length of the access to distance vehicle movements from the neighbouring properties will not this cause any significant noise and disturbance that would justify a refusal of planning permission on these grounds.

The 28m separation distance between the rear elevation of existing dwellings in Elm Grove and the proposed development is considered sufficient so as to have no adverse impact in terms of loss of light, sense of enclosure or overlooking to neighbouring property occupiers, in accordance with policy D1 of the Local Plan and the National Planning Policy Framework.

Rooflights are proposed to the side of each property. To the west there is a separation distance of 19m to the converted school buildings, which has a communal car parking area adjacent to the boundary of the application site. To the east there is a separation distance of 10m to the neighbouring property fronting St Mildred's Avenue. Given the proximity to the neighbouring properties these rooflights are proposed to be high level, which will prevent direct overlooking or loss of privacy to neighbouring property occupiers, in accordance with policy D1 of the Local Plan and the National Planning Policy Framework.

Highways

The access and parking areas to serve the proposed dwellings are considered to be acceptable, subject to conditions regarding the provision and maintenance of the parking spaces and turning area. Subject to these safeguarding conditions, it is not considered that any significant adverse effect on highway safety or convenience will result from the proposed development.

Conclusion

The proposed development is located on non-previously land, which is contrary to policy H1 of the Thanet Local Plan. However this must be balanced with the current need for housing in Thanet. The site is considered to be sustainable in its location and the currently undeveloped space does not contribute positively to the character or appearance of the local area. It is my view that given the size of the site and the existence of the school building to the rear of Elm Grove the proposed dwellings would, on balance, be acceptable in terms of their impact on the character and appearance of the area, in keeping with the established form and character of surrounding development and no

significant adverse impact to living conditions or highway safety or convenience will result from the proposed development.

It is therefore recommended to Members that this application be approved, subject to safeguarding conditions.

CASE OFFICER
Cherry Aplin

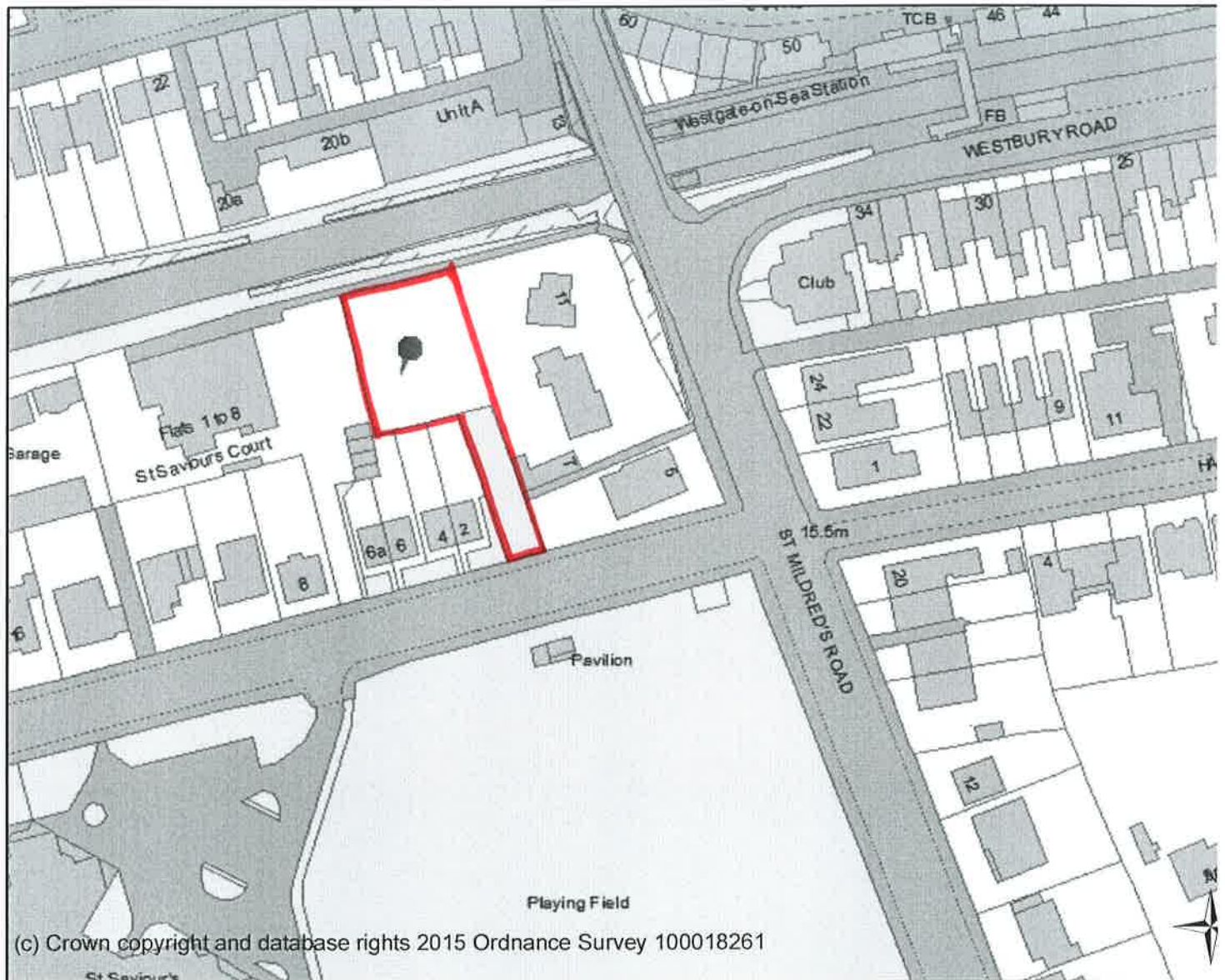
Title: LAND REAR OF 2-4 ELM GROVE, WESTGATE

Project name: F/TH/15/0377

Notes:

Scale: 1:1,250

Author:



Legend

LAND REAR OF 2-4 ELM GROVE, WESTGATE

F/TH/15/0377



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In the interest of interests of highway safety.

- 5 Prior to the first occupation of the development hereby approved, pedestrian visibility splays of 2m x 2m behind the footway on both sides of the access with no obstructions over 0.6m above footway level shall be provided and thereafter maintained as approved.

GROUND:

In the interests of highway safety.

- 6 Informatives

1. A formal application for connection to the public sewerage system is required in order to service this development. To initiate a sewer capacity check to identify the appropriate connection point for the development, please contact Atkins Ltd, Anglo St James House, 39a Southgate Street, Winchester, SO23 9EH (tel 01962 858688) or www.southernwater.co.uk.

2. It is the responsibility of the applicant to ensure , before the development hereby approved is commenced, 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 taken 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 Highways and Transportation to progress this aspect of the works prior to commencement on site.

SITE, LOCATION AND DESCRIPTION

The site is located at the top of the hill in Nash Lane and comprises a triangular shaped plot of land fronting Nash Lane, with the former railway line abutting the site to the west, and a pedestrian footbridge forms the northern boundary of the site. To the south of the site is a two-storey dwelling with attached garage, and opposite the site to the east are single storey terraced properties.

The site slopes from west to east, with a ground level change of 1.7m along the boundary with Nash Lane. The site also slopes from Nash Lane towards the former railway line with a ground level change of approximately 1.2m.

RELEVANT PLANNING HISTORY

Outline planning permission was granted in September 2014 for the erection of 4no. dwellings, including scale and layout, under reference OL/TH/14/0419.

PROPOSED DEVELOPMENT

The proposed development is for the erection of 4no. three-storey dwellings fronting Nash Lane, arranged as two pairs of semi-detached properties which are staggered within the plot. A 1.8m wide footpath is proposed to the boundary of Nash Lane, and the two central dwellings are proposed to have two car parking spaces each, and the outer properties are proposed to have one parking space to the side.

The properties are proposed to be constructed of yellow stock brickwork with red brick quoining and soldier coursing and a natural slate roof with dark grey ridge tiles, with double glazed windows and tarmac parking spaces.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan (2006)

H1 - Housing
H4 - Windfall sites
D1 - Design
TR16 - Parking Provision
TR12 - Cycling
SR5 - Doorstep play space

NOTIFICATIONS

Neighbouring dwellings were notified by letter and a site notice posted on site. One letter of objection has been received raising the following points of concern:

- overlooking
- loss of light

CONSULTATIONS

Kent County Council Highways and Transportation –this development proposal does not meet the criteria to warrant involvement from the Highway Authority in accordance with the current consultation protocol arrangements

Environment Agency – low environmental risk: no comments

COMMENTS

The application is reported to planning committee as the site is non-previously developed Land and therefore represents a departure to policy H1 of the Thanet Local Plan.

The main considerations with regard to the planning application are the principle of development; the impact upon the character and appearance of the local area; the impact upon living conditions of neighbouring property occupiers and highway safety.

Principle

The proposal represents the development of non-previously developed land; contrary to Thanet Local Plan policy H1. This must be balanced with the fact that there is a current need for housing in Thanet. On this basis, the NPPF indicates that applications for housing development should be considered in the context of the presumption in favour of sustainable development.

In this case, the application site lies within the urban confines with access to local amenities, and is considered to be sustainably located within the district. The development of this site for housing could therefore be accepted in principle subject to the detailed consideration of all other material considerations including the impact upon the character and appearance of the area.

Character and Appearance

The surrounding area contains a variety of detached, semi-detached and terraced residential properties, of varying height, with a mixture of bungalows and two storey dwellings. The proposed development follows the established layout and pattern of development in the area by fronting Nash Lane and backing onto the former railway line.

The proposed dwellings are three-storey with a ridge height of approximately 9.5m high above ground level and are pairs of similar semi-detached dwellings, which would not look out of character given that this area is comprised of varying house types, styles and layouts. Given that the development is of comparable scale to the adjacent property 21a Nash Lane and that it respects the established layout in this part Nash Lane the proposal would respect the established character and appearance of the surrounding area

Living Conditions

There is a separation distance of 2.75m from the nearest neighbouring property to the proposed development and the two windows within the side elevation facing the neighbouring property serve a downstairs bathroom and staircase. There are no properties to the north or west of the site, and the dwellings will be separated from properties opposite by approximately 15m.

The separation distance between properties and the orientation of the dwellings within the plot will not lead to any significant adverse impact upon neighbouring property occupiers, by way of loss of light, loss of privacy or sense of enclosure, in accordance with policy D1 of the Local Plan and the NPPF.

Highways

The access and parking areas to serve the proposed dwellings are considered to be acceptable, subject to conditions regarding visibility splays and the provision and maintenance of the parking spaces. Subject to these safeguarding conditions, it is not considered that any significant adverse effect on highway safety or convenience will result from the proposed development.

Conclusion

The proposed development is located on non-previously land, which is contrary to policy H1 of the Thanet Local Plan. However this must be balanced with the current need for housing in Thanet. The site is considered to be sustainable in its location and the space is not considered to significantly contribute to the character and appearance of the local area.

It is my view that the proposal responds positively to the local character and identity of the area and no significant adverse impact to living conditions or highway safety or convenience will result from the proposed development. It is therefore recommended to Members that this application be approved, subject to safeguarding conditions.

CASE OFFICER
Cherry Aplin

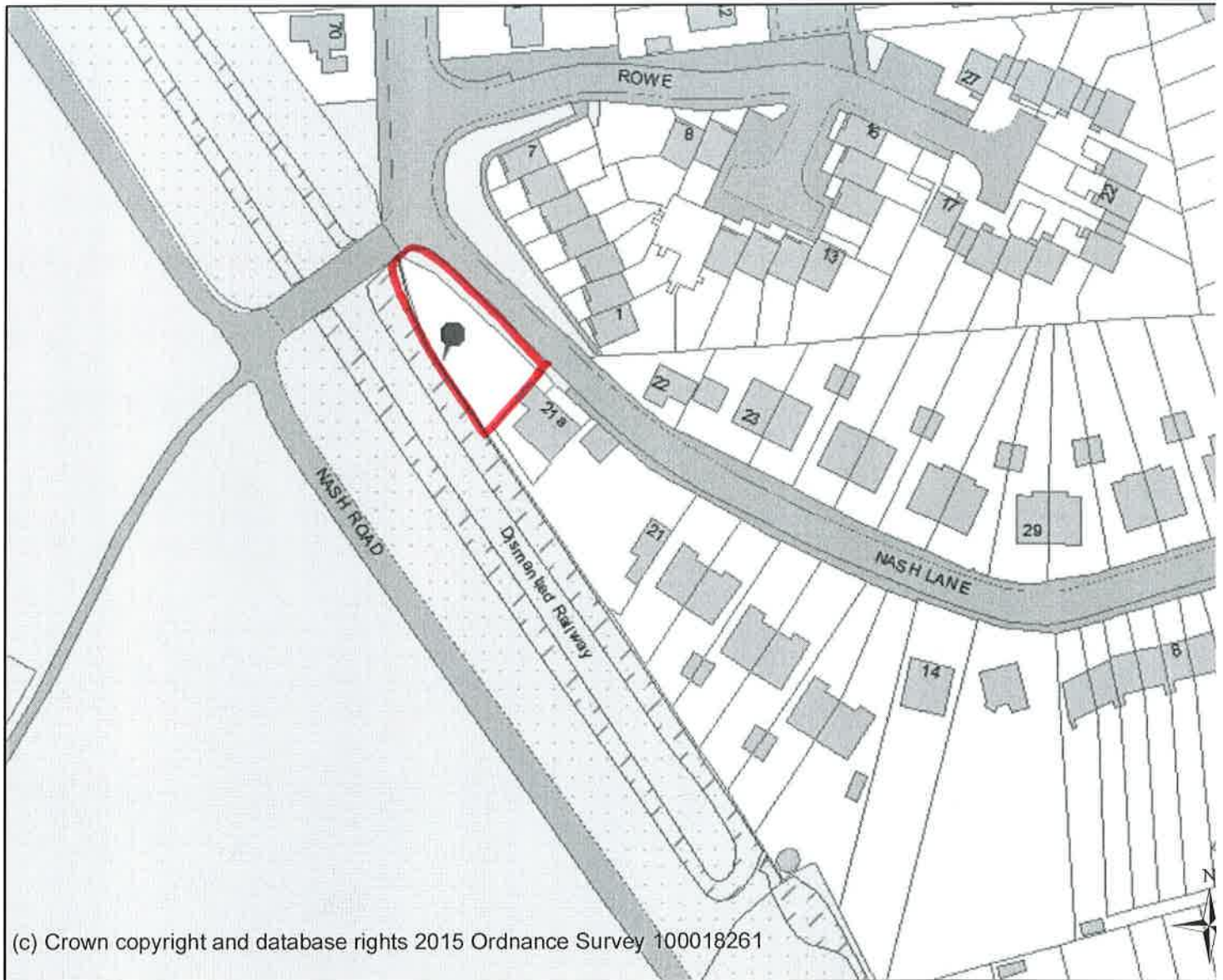
Title: LAND ADJACENT 21A NASH LANE

Project name: F/TH/15/0334

Notes:

Scale: 1:1,250

Author:



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Legend

**LAND ADJACENT 21A NASH LANE, MARGATE
F/TH/15/0334**



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A07

F/TH/15/0253

PROPOSAL: Erection of single storey front, side and rear extensions

LOCATION: 24 OLD CROSSING ROAD, MARGATE, CT9 5JH

WARD: Westbrook

APPLICANT: Mr & Mrs A Fibbens

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 Compulsory Purchase Act 2004).

- 2 The proposed development shall be carried out in accordance with the submitted application, site plan and plans numbered 02 & 03 received by the Local Planning Authority on 27th March 2015.

GROUND:

To secure the proper development of the area.

SITE, LOCATION AND DESCRIPTION

The site is located within the urban confines. The application site comprises a two storey link attached property; this scale and design of dwelling is characteristic of the streetscene. The application property benefits from a conservatory and outhouse to the rear, a single storey attached garage to the side elevation, porch with pitched roof and is finished in brick and pebbledash render.

RELEVANT PLANNING HISTORY

There is no previous site history relevant to the determination of this application.

PROPOSED DEVELOPMENT

The application proposes the erection of single storey extensions to the front, side and rear of the property. The proposed single storey flat roof extension would protrude beyond the rear building line by 3 metres with a width to match the existing property and a height of approximately 3 metres. The existing porch would be extended to a depth in line with

the bay window projection at ground floor level whilst the proposed single storey side extension would extend the depth of the existing property and protrude beyond the front elevation in line with the enlarged porch. The proposed porch and front projection of the side extension would have a shared pitched roof with a maximum height of 3.2 metres. The proposed side extension would have a flat roof behind the pitch of approximately 2.85 metres in height.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan Policies

D1 – Design

NOTIFICATIONS

Neighbour notification letters were sent to properties directly surrounding the site and a site notice was posted near the site. No representations have been received in response.

COMMENTS

The application is brought before members as the applicant is a member of staff.

The main considerations in determining this application are the principle of development, the impact on the character and appearance of the area, the impact on the living conditions of neighbouring property occupiers and impact on the local highway network.

Character and Appearance

The proposed single storey rear extension, due to its positioning would not be visible from public vantage points and whilst the proposed front element of the extensions would be visible from the highway the remainder of the side extension would be partially obscured by the neighbour's garage positioned on the shared boundary. The materials that would be visible within the streetscene would match those existing and other properties fronting Old Crossing Road have been extended in a similar manner. I do not therefore consider that the proposed development would cause harm to the character or appearance of the area.

Living Conditions

With regards to the living conditions of neighbouring property occupiers, the proposed rear extension would project beyond the rear building line by 3 metres along the shared boundary with the adjoining property no. 22 Old Crossing Road. The proposed extension would sit in line with the rear extension of this neighbouring property and therefore, in my opinion, would have no impact upon the living conditions of these neighbouring occupiers. The proposed rear extension would be set away from the boundary with no. 26 Old Crossing Road by approximately 2.5 metres and having regards to this separation distance and design of the proposed rear extension, it is not considered that this element of the scheme would cause harm to the living conditions of these neighbouring property occupiers.

The application property currently benefits from a single storey garage to the side of the property to the boundary with no. 26 Old Crossing Road; this adjacent property has a similar garage and a conservatory to the shared boundary. The application proposes a single storey side extension comprising a play room and utility room to the rear and a garage to the front which would extend the full depth of the existing side elevation of the property and protrude beyond the front elevation by 0.89 metres. The existing front porch would also be extended, with a depth of 0.89 metres, in line with the proposed side extension and the existing bay window projection at ground floor level. The land level of the application site is approximately 0.3 metres higher than that of the neighbouring plot and having regards to the positioning of the nearest front facing habitable room windows of the neighbouring property no. 26 it is considered that the proposed front extension would not result in a loss of light, outlook or sense of enclosure to these windows.

The proposed side extension would have a high level window within the side elevation serving the utility room and a flat roof with a height of approximately 2.85 metres. Whilst the extension would be sited adjacent to the neighbouring property's (no. 26) single storey conservatory, having regards to the height of the existing boundary fence, scale and design of the proposed development it is not considered that this element of the scheme would cause harm to the living conditions of this neighbouring property occupiers.

Highways

The proposed scheme would result in an increase in the amount of living accommodation within the property. The property benefits from off street parking and on street parking is available in the vicinity of the site. It is not considered that the proposal would materially increase the dwellings requirement for car parking provision. For these reasons I am satisfied that no harm would be caused to the local highway network or highway safety.

Conclusion

In view of the above, it is considered that the proposal would cause no material harm to the character and appearance of the area, living conditions of neighbouring property occupiers or highway safety and accords with Thanet Local Plan Policy D1 and the NPPF. The application is therefore recommended for approval.

CASE OFFICER
Helen Johnson

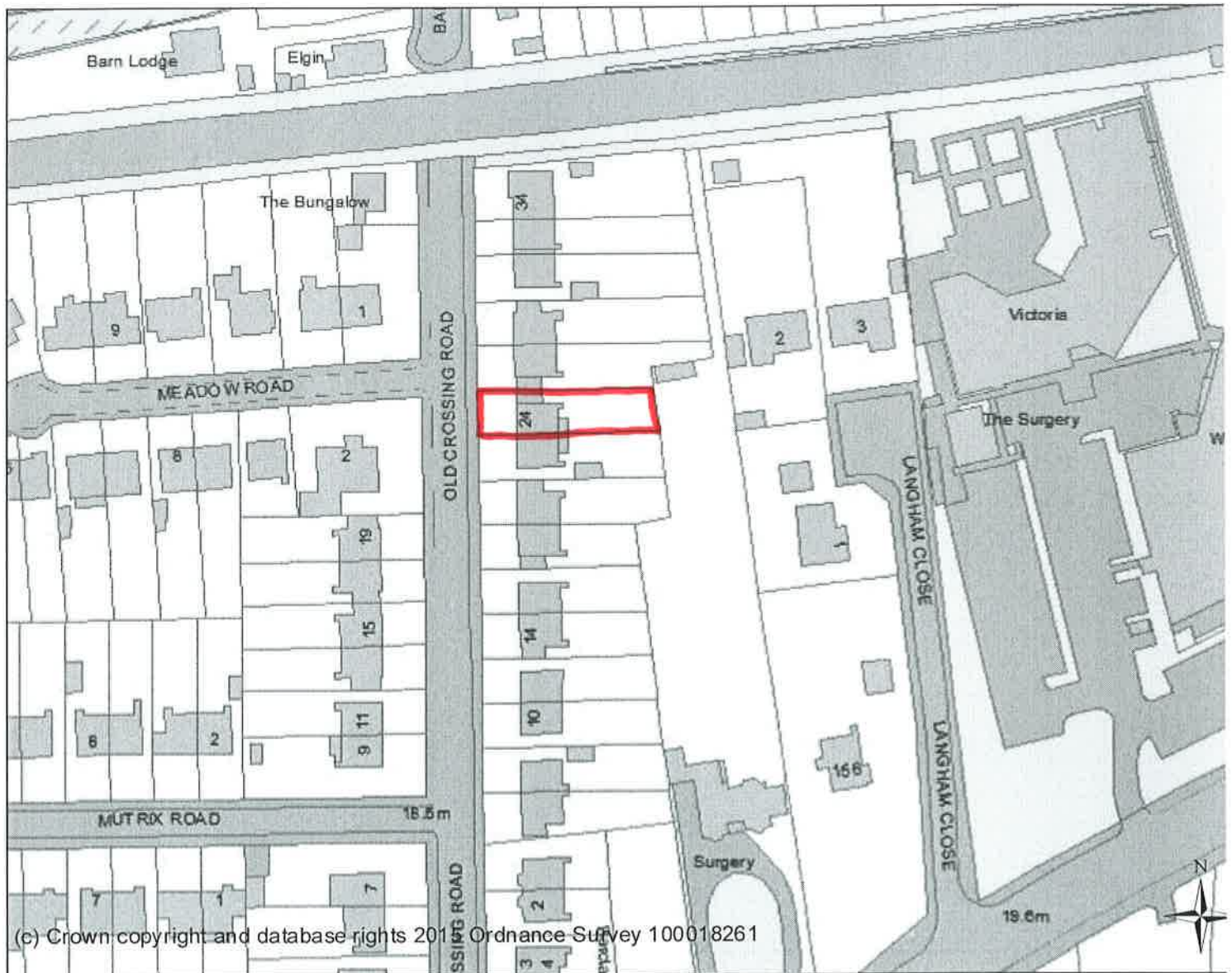
Title: F/TH/15/0253

Project name: 24 Old Crossing Road, Margate

Notes:

Scale: 1:1,250

Author:



Legend

F/TH/15/0253

24 OLD CROSSING ROAD, MARGATE



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A08

F/TH/15/0212

PROPOSAL: Change of use of farm office and agricultural storage barn to 1No. one bed dwelling

LOCATION: POND COTTAGE, GRINSELL HILL, MINSTER, RAMSGATE, CT12 5DP

WARD: Thanet Villages

AGENT: Phil Dadds Design

APPLICANT: Mr T Buckman

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 Compulsory Purchase Act 2004).

- 2 The proposed development shall be carried out in accordance with the submitted application and the plans numbered 86/P01 & 86/P02 received by the Local Planning Authority on 12th March 2015.

GROUND:

To secure the proper development of the area.

- 3 Prior to the commencement of the development hereby approved joinery details including sections through at a scale of 1:5 of all new external windows and doors 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 Policy D1 of the Thanet Local Plan.

- 4 Prior to the first occupation of the dwelling hereby approved, the rooflights within the west facing rear elevation shall be fitted with obscure film and thereafter maintained.

GROUND:

In the interests of residential amenity.

- 5 No enlargement or alteration to the roof of the dwelling, whether permitted by The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order), shall be carried out without the prior permission in writing of the Local Planning Authority.

GROUND:

To safeguard the visual impact of the development on the character and appearance of the area in accordance with Policies CC2 & D1 of the Thanet Local Plan and the privacy and amenities currently enjoyed by the occupiers of adjacent residential properties in accordance with Policy D1 of the Thanet Local Plan.

SITE, LOCATION AND DESCRIPTION

The site is located on Grinsell Hill and comprises a two storey pitched roof timber barn with an existing use for storage and a farm office. The barn lies within the curtilage of Pond Cottage which is in residential use. The barn has been vacant since 2010. The site lies outside the village confines of Minster, within the open countryside and a Landscape Character Area.

RELEVANT PLANNING HISTORY

Recent site history for Pond Cottage:

F/TH/00/0586 – Erection of a two storey building for storage use and farm office at 1st floor level – granted 13/11/2000

A condition attached to this consent stated:

‘The premises shall be used for storage and farm office and for no other purpose in Use Class B1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order.’

F/TH/11/0743 – Erection of a part two storey and single storey side extension incorporating a double garage – granted 24/10/2011

PROPOSED DEVELOPMENT

The application proposes the change of use of the two storey barn to 1no. 1 bed dwellinghouse. There are no additions proposed to the building with the only alterations relating to the insertion of a ground floor window to the north and south side facing elevations and the insertion of two sets of French doors within the east front facing elevation. One set of the proposed French doors would replace the existing double timber entrance doors. The scheme proposes the renovation of the existing building with materials to match those existing and a new timber post and rail fence.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan Policies

CC1 – Development in the countryside

CC2 – Former Wantsum North Shore Landscape Character Area

H1 – Housing

H4 – Housing Windfall Sites

D1 – Design

TR12 – Cycling

TR16 – Car Parking

NOTIFICATIONS

Neighbour notification letters were sent to properties directly surrounding the site, a site notice was posted at the site and an advert placed in the local newspaper. There have been no representations received in response.

COMMENTS

The application has been brought before Members of the Planning Committee as it is a departure to Policy CC1 of the Thanet Local Plan as the site is located within the open countryside.

Councillor Roberts also requested that the application be reported to Planning Committee on the grounds that the redundant agricultural office/workshop will benefit by its conversion into a dwelling and thus greatly improve its appearance and prevent further deterioration of the building.

The main issues for members to consider are the principle of the development, the impact on the character and appearance of the area, the impact on the living conditions of future and neighbouring property occupiers and the impact on the local highway network.

Principle

The site is located outside the urban confines, within the open countryside. The adopted Thanet Local Plan Policy CC1 relates to development in the countryside and states that new development will not be permitted unless there is a need for the development that overrides the need to protect the countryside. The application proposes the change of use of an existing barn and its surrounds to residential use.

The National Planning Policy Framework states that Local Planning Authorities should avoid new isolated homes in the countryside unless there are special circumstances, none of which apply in this instance, therefore the proposal is contrary to Policy CC1 of the Thanet Local Plan.

However, a more recent change in planning law has meant that The Town and Country Planning (General Permitted Development) (England) Order 2015 permits the change of use of a building and any land within its curtilage from use as an agricultural building to a

residential use and building operations reasonably necessary to convert the building to a dwellinghouse, subject to a number of conditions. Based upon the information submitted by the applicant, it is considered that this is a realistic fallback position.

On this basis it is considered that whilst the application represents a departure to the Local Plan and National Planning Policy Framework, the applicant has a realistic fallback position which would allow the conversion of the building to a dwellinghouse under permitted development and therefore, because of the fallback position and subject to all other material considerations this proposal would represent an acceptable departure from local and national planning policy.

Character and Appearance

The site lies within the countryside and within The Former Wantsum Northshore Landscape Character Area. The barn lies within the curtilage of Pond Cottage which is in residential use and adjacent to the row of four 'Thorne Cottages'. The scheme proposes the renovation of the existing barn with materials to match those existing. There would be no extensions to the building and only minimal external alterations necessary in order for the building to function as a dwellinghouse. These materials would match those existing. A timber post and rail fence is proposed to the front and side boundaries. The building is not prominent within the streetscene or landscape and there are a number of trees surrounding the site. The existing building would not be enlarged and the materials proposed are considered sensitive to the existing building and its location. For these reasons it is not considered that the proposal would cause harm to the special character and appearance of the countryside or the Former Wantsum Northshore Landscape Character Area.

Living Conditions

With regards to living conditions, the proposed change of use would provide 1 no. 1 bed house comprising an open plan living/dining/kitchen and a bathroom, with a bedroom, shower room and storage space at first floor level. The habitable rooms would benefit from natural light and ventilation. The layout of the proposed accommodation is considered acceptable with generous habitable room sizes. The property would benefit from amenity space and this is considered adequate for refuse storage and clothes drying. Off street parking to the front of the site and cycle storage within the property is proposed. For these reasons, it is considered that the proposal would provide a good standard of accommodation for future occupiers.

In terms of neighbouring residential amenity, the application building is separated from the built form of Pond Cottage by over 50 metres. No. 4 Thorne Cottages lies adjacent to the site and the cottage is over 25 metres away from the rear building line of the application property. Having regards to the positioning of new openings and the separation distance with Pond Cottage, I am of the opinion that these openings would not have a detrimental impact in terms of overlooking or loss of privacy for the occupiers of this neighbouring property. There is an element of screening to the boundary with no. 4 Thorne Cottages and whilst the rooflights within the pitch to the rear elevation would primarily allow views in an upwards direction, they have a floor to eil height below 1.7metres and would face the private amenity space of this neighbouring property. The scheme proposes the application

of obscure film to the existing rooflights within the rear elevation and this is considered sufficient to protect the living conditions of the neighbouring property occupiers in accordance with Policy D1 of the Thanet Local Plan.

Highways

The application proposes off street car parking which would be accessed via the existing access from Grinsell Hill serving Pond Cottage. There is space within the hall of the proposed unit to provide covered cycle storage. I am therefore satisfied that the proposed scheme would not cause harm to the local highway network or highway safety.

Conclusion

In summary, the proposed development would result in an isolated dwelling within the countryside, contrary to Policy CC1 of the Thanet Local Plan and Paragraph 55 of the National Planning Policy Framework and as such which would constitute unsustainable development which would justify refusal of the application. However, in this particular instance there is a realistic fallback position whereby, under the General Permitted Development Order, the change of use of this building could be carried out without the need for planning permission from the Council. It is therefore considered that, despite the strong policy objection to the proposal, planning permission should be granted in this instance.

CASE OFFICER
Helen Johnson

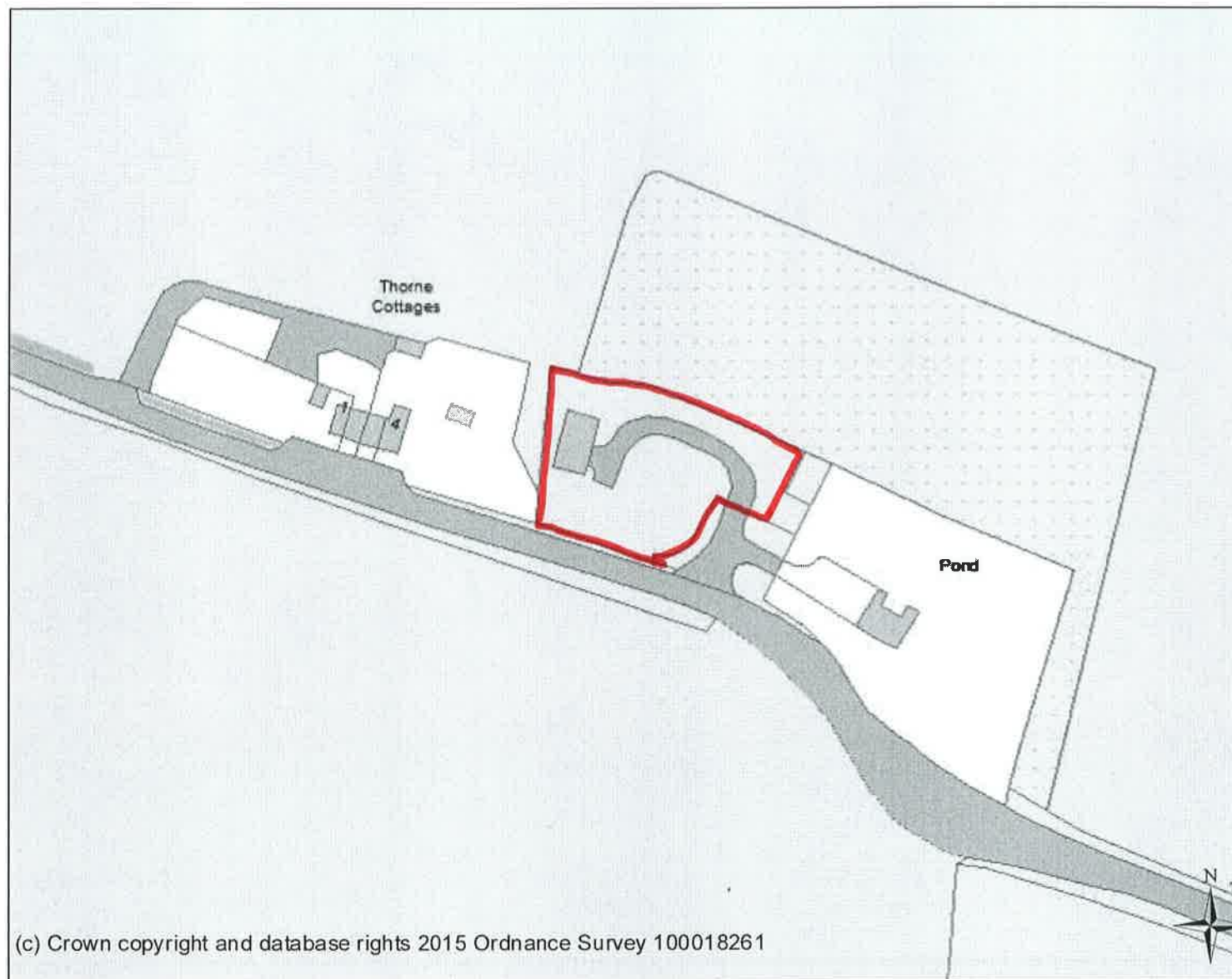
Title: F/TH/15/0212

Project name: Pond Cottage, Grinsell Hill, Minster

Notes:

Scale: 1:1,250

Author:



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Legend

F/TH/15/0212

POND COTTAGE, GRINSELL HILL, MINSTER



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SITE, LOCATION AND DESCRIPTION

The site is located off Harbour Parade, Ramsgate, an area that is pre-dominantly characterised by commercial development, and forms part of the Ramsgate Conservation Area. The application site is located between the clockhouse and the Pavilion (both of which are Grade II Listed buildings) and in front of the slipways. The land is currently used as public amenity space.

RELEVANT PLANNING HISTORY

No relevant planning history.

PROPOSED DEVELOPMENT

The application is for the creation of a new access with dropped kerb onto Harbour Parade, in order to provide a more direct access route for vehicles wishing to access the slipways. Access to the slipways is currently via the existing public carpark located to the front of the Clockhouse. The proposed access is the first phase of a larger project for public realm improvements in the area. As a result of the proposal, 2no. on-street car parking spaces will be lost, and a number of bollards will be removed adjacent to the highway and the existing access road. The proposed access road is of a level and finish to match the existing amenity space.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan (2006)

Policy D1 - Design

Policy EC8 - Ramsgate Waterfront

NOTIFICATIONS

Neighbouring occupiers have been notified and a site notice posted. Two letters of objection have been received. The main concerns are:

- destroy maintenance of maritime commerce at this site,
- slipways are not only functional but are of heritage value,
- vehicular access for the fishing fleet and other marine users is essential as currently arranged,
- not in keeping with conservation area,
- complex mix of maritime commerce and leisure should be maintained and encouraged,
- ingress and exit of vehicles at the obelisk will create more risks for pedestrians and also reduce Harbour parade parking.

Ramsgate Town Council - Fully support the application. Suggest that the sign indicating access to the harbour arm and brasserie is moved to the new entrance.

Ramsgate CAAG - No objections to plans but surface treatment in a conservation area is of concern as is the need to consider impact on neighbouring projects.

CONSULTATIONS

KCC Highways and Transportation - No objections

Conservation Officer - No objections

COMMENTS

This application is brought before planning committee as Thanet District Council is the applicant.

Principle

New development in Ramsgate Royal Harbour that supports mixed leisure and Marina activities is considered to be acceptable, subject to the consideration of the location, design and materials, and in accordance with Policy EC8 of the Thanet Local Plan.

Character and Appearance

The proposed dropped kerb is located within Harbour Parade, where there are other dropped kerbs, and the relocated access road leading down to the slipway is to be built to match the level and finish of the existing amenity space. Some bollards are to be removed adjacent to the highway, and adjacent to the existing access road, but the loss of these will not impact upon the character of the area. The Conservation Officer has raised no objections with the proposed works, on the basis that the materials are to match.

The impact upon the character and appearance of the surrounding conservation area is therefore considered to be acceptable.

Highway Safety

KCC Highways and Transportation have been consulted, and having assessed the plans requested additional information to demonstrate that the turning radius into the site was suitable for larger vehicles and cranes, both of which would need to gain access to the slipways. An additional plan showing that the necessary turning radiuses are achievable has been submitted, to which KCC Highways and Transportation raise no objections. The proposed access has suitable visibility and is suitable to accommodate the vehicles that will use it, and KCC therefore raise no objections in respect of highway matters subject to a condition requiring the completion of the necessary works on the highway prior to the use of the access commencing.

Whilst 2no. parking spaces are being lost as a result of the proposed works, this will not significantly impact upon highway amenity, and there is a multi-storey carpark with spare capacity located in close proximity to the site.

The proposed works do not result in the loss of access to any of the existing businesses or uses at the harbour.

Other Issues

Ramsgate Town Council have suggested that the sign indicating access to the harbour arm and brasserie be relocated to the new vehicular entrance to the access road. In response to this the applicant has advised that a full new signage scheme is being considered for the area as part of the overall project plan.

Conclusion

In conclusion, the proposed development forms part of an improvement plan for the public realm, and given that the impact upon the character and appearance of the area and highway safety is considered to be acceptable, it is recommended that members approve the application.

CASE OFFICER
Emma Fibbens

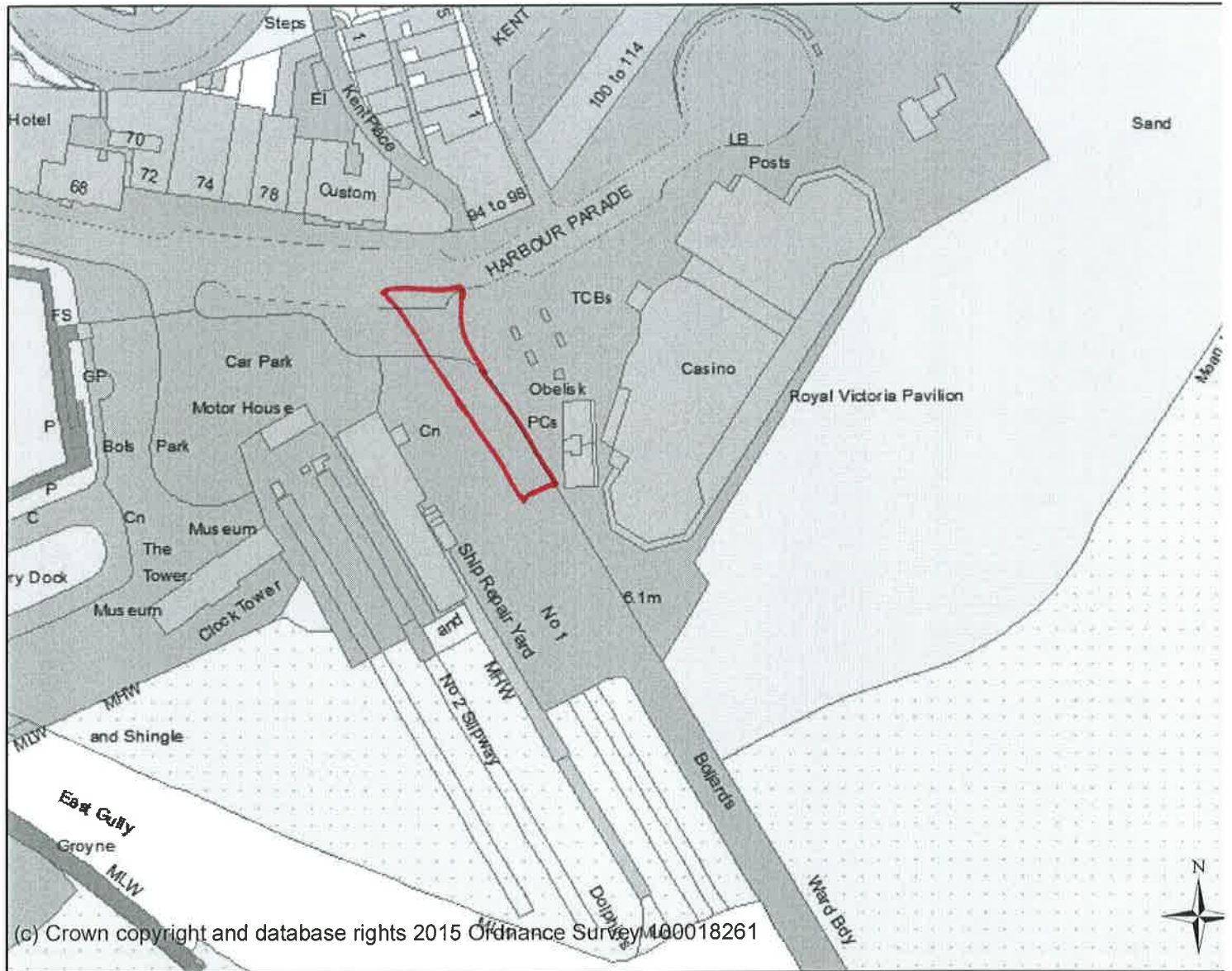
Title: F/TH/15/0245

Project name: EAST PIER, THE ROYAL HARBOUR

Notes:

Scale: 1:1,250

Author:



Legend

F/TH/15/0245

EAST PIER, THE ROYAL HARBOUR, RAMSGATE



A10

F/TH/15/0173

PROPOSAL: Change of use from dwelling to language school with ancillary residential accommodation

LOCATION: 65 WESTGATE BAY AVENUE, WESTGATE ON SEA,
WESTGATE-ON-SEA, CT8 8SW

WARD: Westgate-on-Sea

AGENT: Designs Architecture Ltd

APPLICANT: London House School of English

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 Compulsory Purchase Act 2004).

- 2 The premises shall be used as a language school and for no other purpose including any other purpose in Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

GROUND:

As the proposed development would generate significant economic benefit to the local economy, in accordance with Policy T6 of the Thanet Local Plan, and in the interests of highway safety.

SITE, LOCATION AND DESCRIPTION

The site is located within the Westgate Conservation Area, in a predominantly residential street, close to the district centre of Westgate. Other uses within this main road include hotels, a church and a doctors surgery. The property which is the subject of this application is a large, semi-detached, 3-storey dwelling, located on the corner at the junction of Westgate Bay Avenue and Ethelbert Square. The adjoining semi-detached property has an existing use of a language school.

RELEVANT PLANNING HISTORY

No relevant planning history for site, however, the applicant has advised that prior to its existing use as a dwellinghouse the building was used as a hotel.

PROPOSED DEVELOPMENT

London House School of English was founded in 1965 and previously had premises at 53 Sea Road. In 2010 it re-opened at 63 Westgate Bay Avenue (following a grant of planning permission), and the school employs up to 20 staff in the high season, nearly all of whom live locally. The applicant advises that the continued success of the school and growing numbers of students wanting to attend has prompted the need to expand the business. The school provides a variety of English courses, which focus on all aspects of English language learning.

Students first arrive in Westgate generally on a Sunday, and are dropped off by coach or minibus on the Royal Esplanade adjacent to the tennis courts where they are met by a member of staff. They are then collected by host families which they will be staying with. Student classes finish each day at 1pm, and afternoon activities begin at 2pm, which are usually held at local facilities. i.e. bowling, mini golf, cinema.

The proposal is for the change of use of the adjoining building from a single dwellinghouse to a language school, to provide additional classroom space, and student accommodation on the upper level when needed. The proposed language school will accommodate up to 100 additional pupils, and 14 new members of staff will be employed. In addition to this the applicant has advised that the number of local 'host' home stay families will be increased by between 160-200.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan (2006)

H12 - Retention of Existing Housing Stock

T6 - Language Schools

D1 - Design

NOTIFICATIONS

Neighbouring occupiers notified. One letter received. The main concerns are:

- school has carried out work without planning permission,
- coaches have caused chaos by double parking in road,
- students block right of way.

Westgate CAAG - Do not oppose, and are pleased to note no external changes, no loss of front garden, and there do not appear to be any noise complaints that they are aware of.

CONSULTATIONS

KCC Highways and Transportation - I note that the existing school appears to operate as originally intended without any apparent problems on the highway, i.e. nearly all students and a significant proportion of staff appear to walk to/from the school and there are no apparent parking issues. The extended school is likely to operate in a similar fashion and I would therefore not recommend refusal on highway grounds. A condition should be applied restricting use to a language school only and preventing other uses under class D1, as applies to the existing school. This is because other uses under this class may have significantly different travel characteristics to the language school, with potentially many more associated vehicle trips to/from the site.

Conservation Officer - No objections

Environmental Health - On reviewing the above application I have noted that this is a dwelling that is only attached to the neighbouring language school 63 Westgate Bay Avenue. On checking systems, the complaint history for 63 Westgate Bay Avenue does not indicate any concerns where noise has affected residents in the nearby vicinity. Based on this information I conclude that Environmental Health have no comments to raise at this point.

COMMENTS

This application has been brought before planning committee as a departure to Thanet Local Plan Policy H12. The main issues are the principle of the development, and the impact upon the character and appearance of the area, living conditions and highway safety.

Principle

The existing property's lawful use is as a single dwelling house. Thanet Local Plan Policy H12 states that the loss of existing residential accommodation is not generally considered permissible. Exceptions to this are made, including where the continuation of a residential use of the premises is undesirable for reasons of incompatibility with adjacent uses, where a change of use would provide the best reasonable means of preserving a building of architectural or historic importance, where it relates to the provision of a community facility, or where it relates to a proposal in the Local Plan. Whilst the change of use of the property to a language school would be compatible with the adjoining language school use at 63 Westgate Bay Avenue, it could not be argued that the retention of the residential use is undesirable, and as no other criteria within the policy would apply, there is considered to be no initial justification for the loss of the existing residential accommodation. The proposal is therefore considered to be contrary to Thanet Local Plan Policy H12.

However, Policy T6 of the Thanet Local Plan supports applications for language schools, due to the contribution they make to the local economy, both in the short and long term. This is supported by a recent economic impact survey carried out

recently, which showed that in 2013 overseas students spent an estimated £33.6 million in the area, and that this spend supports 905 jobs. The proposed use will result in an additional 100 students and 14 members of staff, and would require the number of host families locally to be increased by 160-200. It is therefore acknowledged that the proposed use will have an economic tourism benefit locally, and therefore in my opinion in this instance the benefits of the proposed use of the property as a language school would outweigh the disbenefits of losing a residential dwelling. Therefore, subject to the impact upon the character and appearance of the area and neighbouring living conditions being considered acceptable, the proposed use would be acceptable in principle.

Character and Appearance

No external alterations are proposed and the Conservation Officer has raised no objections to the proposed scheme.

The proposal is to expand an existing language school, and whilst there are other language schools located within Westgate, there do not appear to be any within the immediate vicinity, and as such there is not considered to be a over-concentration of these uses to an extent that could affect the character and appearance of the area.

Living Conditions

The neighbouring language school accommodates approximately 100-120 pupils. Whilst the proposal would result in an additional 100 pupils being accommodated at the language school, there is no evidence to suggest that the impact upon neighbouring amenity would be significantly worse than that existing, and the site is located within an area where there are a variety of alternative uses, including a church, doctors surgery and hotels. Having spoken to Environmental Health there would appear to have been no noise complaints made by any neighbouring residential occupiers since the language school use commenced. The proposed use will also be in the semi-detached property adjoining the existing language school, and it is on a corner, so the nearest neighbouring residential property is to the rear of the site at least 10 metres away. It is therefore considered that, on balance, the impact on neighbouring living conditions is acceptable. The proposal is therefore considered to be in accordance with Policies D1 and T6 of the Thanet Local Plan.

Transportation

No off-street car parking spaces are proposed, however, the school is within a couple of minutes walking distance of the town centre, sea front, railway station and bus stops. In addition the host families are all located within a maximum 10-15 minute walking distance of the site.

KCC Highways and Transportation have been consulted and have advised that the existing adjoining school appears to operate as originally intended without any apparent problems on the highway, i.e. nearly all students and a significant proportion of staff appear to walk to/from the school and there are no apparent parking issues. The proposed extended school is likely to operate in a similar

fashion and KCC would therefore not recommend refusal on highway grounds. They do recommend that a condition be applied restricting the proposed use to a language school only, preventing other uses under class D1, as applies to the existing school. This is because other uses under this class may have significantly different travel characteristics to the language school, with potentially many more associated vehicle trips to/from the site.

A letter of objection has been received which raises concern with coaches double parking and students blocking pavements. KCC Highways are not aware of any problems caused by the existing use, and only the one letter of objection has been received, suggesting that this is not a significant problem for neighbouring occupiers. Any inconvenience is likely to be of a temporary nature before or after lessons at the school, and the road is wide enough to allow any groups of students to disperse quickly.

Subject to the necessary safeguarding condition, KCC Highways and Transportation raise no objections to the proposed use. The impact on highway safety is therefore considered to be acceptable.

Conclusion

Whilst the proposal will result in the loss of an existing residential use, the proposed use is compatible with the adjoining language school use, and will further support the local economy. The impact upon the character and appearance of the area and neighbouring living conditions is considered to be minimal, and KCC Highways and Transportation have raised no objections. On balance, the tourism benefit for language schools as supported by Policy T6 of the Thanet Local Plan is considered to outweigh the concern regarding the loss of the existing residential use, and as such it is recommended that members approve the application as an acceptable departure to Thanet local Plan Policy H12.

CASE OFFICER
Emma Fibbens

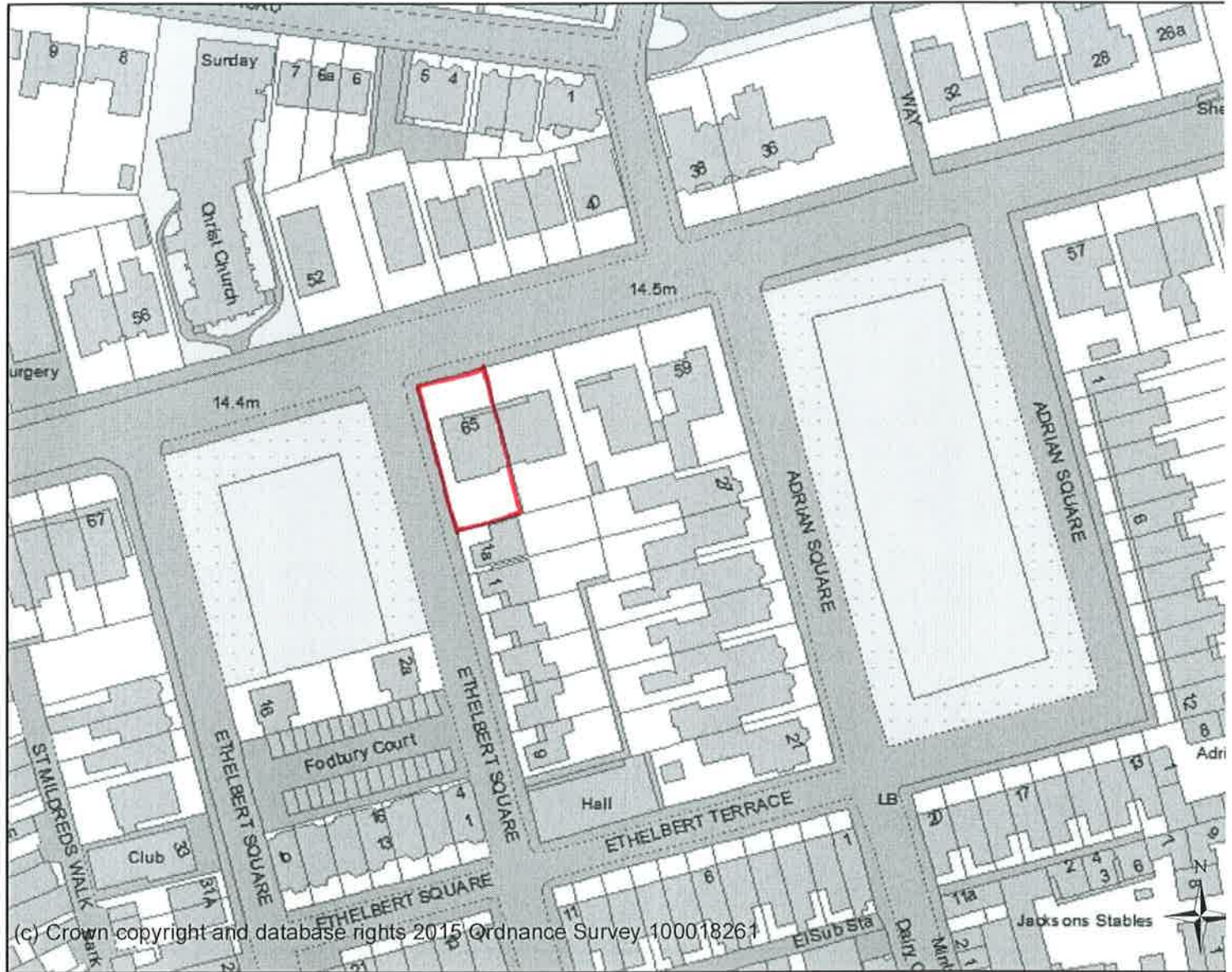
Title: F/TH/15/0173

Project name: 65 WESTGATE BAY AVENUE, WESTGATE

Notes:

Scale: 1:1,250

Author:



Legend

F/TH/15/0173

65 WESTGATE BAY AVENUE, WESTGATE-ON-SEA



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GROUND:

In accordance with Section 92(2) of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

- 5 Details pursuant to condition 1 shall show the provision of a minimum of 4 Electric Vehicle Charging Points, which shall be installed to an agreed specification and thereafter maintained.

GROUND:

To promote sustainable means of transportation, in accordance with guidance within the National Planning Policy Framework.

- 6 No development shall take place, excluding demolition of the warehouse building to ground level and removal of other structures, until the applicant, or their agents or successors in title, has secured the implementation of
- i. archaeological field evaluation works in accordance with a specification and written timetable which has been submitted to and approved in writing by the Local Planning Authority; and
 - ii. following on from the evaluation, any safeguarding measures to ensure preservation *in situ* of important archaeological remains and/or further archaeological investigation and recording in accordance with a specification and timetable which has been submitted to and approved in writing by the Local Planning Authority.

GROUND:

To ensure appropriate assessment of the archaeological implications of any development proposals and the subsequent mitigation of adverse impacts through preservation *in situ* or by record in accordance with Thanet Local Plan Policy HE12 and guidance within the National Planning Policy Framework.

- 7 No development shall taken place until the following components of a scheme to deal with the risks associated with contamination of the site have been submitted to, and approved, by the local planning authority:
1. Intrusive Investigation
 - a) An intrusive investigation and updated risk assessment shall be undertaken by competent persons and a written report of the findings shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the development. It shall include an assessment of the nature and extent of any contamination on the site, whether or not it originates on the site. The report of the findings shall include:
 - (i) A survey of the extent, scale and nature of contamination;
 - (ii) An assessment of the potential risks to:

Human health;

Property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,

Adjoining land,

Ground waters and surface waters,

Ecological systems,

(i) An updated conceptual model of the site indicating sources, pathways and receptors.

(ii) An appraisal of remedial options and identification of the preferred option(s).

All work pursuant to this Condition shall be conducted in accordance with the DEFRA and Environment Agency document Model Procedures for the Management of Land Contamination (Contamination Report 11).

b) If investigation and risk assessment shows that remediation is necessary, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the development. The scheme shall include details of all works to be undertaken, proposed remediation objectives and remediation criteria, a timetable of works, site management procedures and a verification plan. The scheme shall ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. The approved remediation scheme shall be carried out in accordance with the approved terms including the timetable, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority shall be given two weeks written notification of commencement of the remediation scheme works.

c) Prior to commencement of development, a verification report demonstrating completion of the works set out in the approved remediation scheme and the effectiveness of the remediation shall be submitted to and approved in writing by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include details of longer term monitoring of pollutant linkages and maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the Local Planning Authority.

GROUND:

To prevent the development from contributing to, or being put at unacceptable risk from, or being adversely affected by, unacceptable levels of water pollution, in accordance with Policy EP13 of the Thanet Local Plan and guidance within the National Planning Policy Framework.

- 8 If, during development, significant contamination is found or caused at the site, then this contamination shall be fully assessed and an appropriate remediation scheme agreed with the Local Planning Authority. The approved works shall be implemented within a timetable approved by the Local Planning Authority and shall be of such a nature as to render harmless the identified contamination given the proposed end use of the site and surrounding environment, including controlled waters.

GROUND:

To ensure that the proposed development will not cause harm to human health or pollution of the environment, in accordance with the advice contained within the National Planning Policy Framework.

- 9 Prior to being discharged into any water course, surface water or soakaway system, all surface water drainage from parking areas shall be passed through an interceptor designed and constructed to have a capacity and details compatible with the site being drained, which shall first be submitted to and agreed in writing by the Local Planning Authority. The interceptor will be installed as approved and thereafter maintained.

GROUND:

To ensure that the proposed development will not cause harm to human health or pollution of the environment, in accordance with DEFRA and Environment Agency document Model Procedures for the Management of Land Contamination (Contamination Report 11) and National Planning Policy Framework.

- 10 Piling or other foundation designs using penetrative methods shall not be used, other than with the prior written approval of the Local Planning Authority, where it has been demonstrated that there is no risk to groundwater. Should such approval be given the development shall thereafter be carried out in accordance with such details as are approved

GROUND:

To ensure that the proposed development will not cause harm to human health or pollution of the environment, in accordance with the advice contained within the National Planning Policy Framework.

- 11 No development, excluding demolition of the existing buildings on site, shall take place on the development hereby approved until details of the means of foul and surface water disposal have been submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with such details as are agreed and thereafter maintained.

GROUND:

To prevent pollution in accordance with Thanet Local Plan Policy EP13 and guidance contained within the National Planning Policy Framework.

- 12 No development, excluding demolition of the existing buildings on site, shall take place until a surface water drainage scheme for the development, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development and including details of how the scheme shall be maintained and managed after completion, has been submitted to and agreed in writing by the Local Planning Authority for the site. The scheme shall be subsequently implemented in accordance with the approved details.

REASON:

To prevent the increased risk of flooding, in accordance with the National Planning Policy Framework.

- 13 No development shall take place, including any works of demolition, until a Demolition and Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority for that phase. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for and include:

- Site operation times.
- Dust control measures.
- Demolition / construction waste - storage and removal.
- Identified sources of excessive noise and planned mitigation.
- Policy on burning of material at the site.
- Community contact / complaint handling.
- Routing of delivery vehicles.
- Parking and turning facilities for delivery vehicles and site personnel.
- Proposed access point for delivery vehicles and site personnel.
- wheel washing facilities.

The development shall be carried out in accordance with the approved plans.

GROUND:

In the interests of highway safety and the living conditions of neighbouring properties, in accordance with Thanet Local Plan Policy D1 and guidance within the National Planning Policy Framework.

- 14 Details pursuant to Condition 1 shall include proposed roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, accesses, carriageway gradients, driveway gradients and street furniture, and shall be laid out and constructed in accordance with those details as submitted and approved by the Local Planning Authority.

GROUND:

In the interests of highway safety and to ensure the proper development of the site without prejudice to the amenities of the occupants.

- 15 Details pursuant to Condition 1 shall include adequate details of the areas reserved for vehicle parking spaces and turning, and shall be provided in accordance with standards to be agreed with the Local Planning Authority. Such facilities as approved shall be operational prior to the occupation of the units for which it is provided to meet relevant parking and layout standards for the development, and thereafter shall be maintained for their approved purpose.

GROUND:

In the interests of highway safety, in accordance with Thanet Local Plan Policy TR16.

- 16 Details pursuant to Condition 1 shall include the provision of adequate secure covered cycle parking facilities within the site.

REASON:

In the interests of highway safety and to facilitate the use of alternative means of transport, in accordance with Thanet Local Plan Policy TR12.

- 17 No dwelling shall be occupied before the alterations to the access to the site, including the provision of the pedestrian crossing, as shown on 'dimensions plan' drawing numbered 14/316/103 received 23rd April 2015, have been completed in accordance with the current standards and specifications used by Kent County Council Highways Services and has been made available for use.

GROUND:

In the interests of highway safety.

- 18 Details pursuant to Condition 1 above shall include the provision of a means of access for pedestrians and cyclists to each of the proposed dwellings within the development. No individual building shall be occupied until the means of access is constructed and ready for use in relation to that building.

REASON:

In the interests of highway safety and to facilitate the use of alternative means of transport, in accordance with Thanet Local Plan Policies TR11 and TR12.

- 19 The carriageways of the proposed roads shall be laid out and constructed up to and including at least road base level, prior to the occupation of any residential dwelling or building intended to take access from that road.

GROUND:

In the interests of highway safety and to ensure the proper development of the site without prejudice to the amenities of the occupants.

- 20 No dwelling shall be occupied before the redundant vehicle crossing to Manston Road shall be removed and the footway reinstated in accordance with the specifications set out in the Kent Design Guide.

GROUND:

In the interests of highway safety.

- 21 Prior to the first occupation of any part of the development hereby approved, the visibility splays shown on the approved drawing no. 14/316/101A received 23rd April 2015 shall be provided and thereafter maintained to the access to Manston Road with no obstruction above a height of 0.6 metre.

GROUND:

In the interest of highway safety.

- 22 Prior to the first use of the individual vehicular accesses within the development, measures to prevent the discharge of surface water onto the highway shall be provided for each individual access and thereafter maintained.

GROUND:

In the interests of highway safety.

- 23 No development shall take place until a detailed reptile mitigation strategy, informed by reptile surveys, has been submitted to and approved in writing by, the Local Planning Authority. The strategy shall be carried out as approved.

GROUND:

In the interests of bio-diversity and ecological potential, and to adequately integrate the development into the environment, in accordance with Policies D1 and D2 of the Thanet Local Plan and the National Planning Policy Framework.

- 24 Details pursuant to Condition 1 shall include a sound attenuation scheme for dwellings adjacent to Manston Road, on the western boundary of the site adjacent to the superstore access road, and adjacent to the southern boundary of the site next to the railway line. This scheme should include, but not be limited to, mechanical ventilation for properties adjacent Manston Road and the railway line, with 1.8m acoustic timber fencing on the western boundary of the dwellings adjacent to the superstore access road and on to the southern boundary of dwellings adjacent to the railway line, in accordance with the Noise Impact Assessment report received and applicant's email received 8th May 2015.

GROUND:

In the interest of the living conditions of future occupiers of the development in accordance with Thanet Local Plan Policy D1 and paragraph 17 of the National Planning Policy Framework.

- 25 No less than 50% of the total number of dwellings within the development shall be 3 or more bedroomed houses.

GROUND:

To ensure the provision of a mix of house sizes and types to meet a range of community needs, in accordance with Policy H8 of the Thanet Local Plan.

- 26 Details pursuant to condition 1 shall include provision of a minimum of 15% of housing to lifetime home and wheelchair standards.

GROUND:

To meet the housing needs of the community in accordance with Policy H8 of the Thanet Local Plan.

- 27 Details pursuant to condition 1 shall include a plan showing the location of all affordable housing units on the site.

GROUND:

To promote mixed and balanced communities in accordance with Policy H14 of the Thanet Local Plan.

- 28 Details pursuant to condition 1 shall include a single area of open space on the site, a minimum of 415 sqm in area, benefitting from natural surveillance, to be provided as a local play area. The area shall comprise approximately 36% equipped play area and approximately 64% casual/informal play space and details of the proposed equipment shall be provided.

GROUND:

In order to provide amenity and play space in accordance with Policies SR5 of the Thanet Local Plan.

INFORMATIVES:

1. 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.

2. Planning permission does not convey any approval for construction of the required vehicular crossing , or any other works within the highway for which a statutory license must be obtained. Applicants should contact KCC Highway and Transportation in order to obtain the necessary Application Pack.

3. Formal applications for connection to the public sewerage system and for

connection to the water supply are required in order to service this development. Please contact Southern Water, Southern House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk

4. Most contaminated soils are regarded as controlled waste. Therefore, their handling, transport, treatment and disposal are subject to waste management legislation, which includes:

- (i) Duty of Care Regulations 1991
- (ii) Hazardous Waste (England and Wales) Regulations 2005
- (iii) Environmental Permitting (England and Wales) Regulations 2010
- (iv) The Waste (England and Wales) Regulations 2011

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the licensable status of any proposed off site operations is clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

5. If materials containing asbestos are present on the site, a specialist contractor must remove such material to a licensed facility before demolition works commence. This is to ensure that the material is not broken up and left on-site and does not pose a health risk to site workers or neighbouring residents. The enforcing authority with regard to asbestos on a demolition or construction site is the Health & Safety Executive.

6. The developer should contact the Kent Police Crime Prevention Design Advisors to ensure that that proposed layout accords with the principles of designing out crime

SITE, LOCATION AND DESCRIPTION

The site encompasses an irregular shaped plot of land on the south side of Manston Road. The site is 3.5 hectares in area, comprising the Flambeau Europlast office and warehouse building, operational yard and storage areas. The site is bounded to the south by the Railway line, to the west by Tesco Superstore and the Old Timber Yard Industrial Estate, with Manston Road to the north running along the whole frontage of the site (around 300metres). The land level changes across the site with an increase in the road level when travelling to the east on Manston Road.

The site is previously developed land, currently operated by Flambeau Europlast for the manufacturing and distribution of plastic based products, and is a designed employment site under Policy EC12.

The land uses in the vicinity of the site are varied, with retail and industrial uses to the west and residential properties of differing forms and scale to the north and south.

RELEVANT PLANNING HISTORY

Planning permission was granted for the erection of 2no.silos for storage on the site in January 2011, under reference F/TH/10/0919.

PROPOSED DEVELOPMENT

The proposal is for outline planning permission for up to 120 dwellings on the site following the demolition of the existing industrial buildings on the site, with consideration of access at this stage. There would be a mix of 2-3 bed dwellings and 2 bed flats. It is intended, as stated in the submission, that 30% of the dwellings will be affordable rent and shared ownership affordable housing.

The proposed mix of units is set out below:

Affordable

| | |
|---------------|----|
| Flats x 2 bed | 12 |
| 2 bed House | 6 |
| 3 bed house | 18 |

Open Market

| | |
|---------------|----|
| Flats x 2 bed | 28 |
| 2 bed House | 14 |
| 3 bed house | 42 |

| | |
|----------|---------------|
| Subtotal | 120 dwellings |
|----------|---------------|

Total (combined affordable and open market)

| | |
|---------------|----|
| Flats x 2 bed | 40 |
| 2 bed House | 20 |
| 3 bed house | 60 |

| | |
|-------|-----|
| Total | 120 |
|-------|-----|

The site would be accessed via a single vehicular entry point on Manston Road, with the entry road leading to a centre rotunda with two spurs diverging towards either corner of the site. The submission shows building heights of 2-3 storey dwellings on the majority of the site, with 3 storey buildings in the eastern and western corners of the site and surrounding the central rotunda.

Whilst the plan shows a potential layout and scale of development on the site, the exact details are reserved for a future submission where those elements will be assessed; known as the Reserved Matters submission. At the Reserved Matters submission stage, details of the appearance of the buildings proposed, the scale and layout and the landscaping of the site will be assessed. The current application is to assess the principle

of development, the access point and the parameters of development to inform the Reserved Matters submission.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan (2006)

EC12 - Retention of employment sites
H1 - New residential development
H8 - Mix of dwellings
H14 - Affordable housing;
TR11 - Pedestrian movement
TR12 - Cycle storage provision;
TR16 - Car parking provision;
D1 - Design, layout and materials
D2 - Landscaping;
HE11 and HE12 - Archaeology;
SR3 - Maximising use of existing recreational facilities;
SR4 - Provision of sports land
SR5 - Provision of doorstep play space
CF2 - Development Contributions.

Draft Thanet Local Plan - Preferred Options Consultation (January 2015)

H01 - Identifies the site for housing development (subject to adequate infrastructure being in place, compliance with housing objectives in respect of housing mix, sufficient mitigation for recreational pressure, and no other policy conflict).

NOTIFICATIONS

The application was the subject of public notification in the press and by a site notice and letters to neighbouring properties. 4 representations were received, 3 raising objections on the following grounds:

- No infrastructure for roads, schools, dentists, doctors and hospital.
- Traffic congestion at peak times of the day means applicant should pay for speed cameras and infrastructure.
- No need for housing
- Too close to flight path
- No real assessment of impact on groundwater aquifer.
- No recognition for the need for an archaeological assessment in an area with known Anglo-Saxon and Bronze Age Settlement.

1 further representation was received stating that planning consent should only be given if a condition of the planning consent is that a factory be built before demolition of the old building and is located in the Thanet area.

CONSULTATIONS

Kent County Council Highways and Transportation – I refer to the additional information and drawing numbers 14/101 Rev. B; 102 Rev. C and 103 submitted for the above and confirm I now have no objections in respect of highway matters. The proposals are unlikely to generate a significant increase in vehicle movements in comparison to the existing and permitted uses and improved access arrangements, including a pedestrian crossing point with a central island and dropped kerbs/tactile paving, are to be provided. It should be noted that alterations to the existing parking restrictions in Manston Road will be required as part of the highway alterations to be carried out through the s.278 process. It should also be noted that access only is being considered at this stage and therefore the car parking numbers given on the application form cannot be agreed at this stage as the site layout is a reserved matter. However, it should be noted that the layout will need to accord with Manual for Streets and Kent Design, including Interim Guidance Note 3 Residential Parking for a suburban situation. Provision of vehicle and cycle parking, bound surfaces, visibility splays, and wheel washing facilities, with the completion of footways, carriageway etc prior to occupation, closure of the existing access and the submission of a construction management plan should be required by conditions.

TDC Environmental Health – No objections, subject to conditions requiring installation of acoustic fence to the south and west boundaries of residential properties with the edge of the site, mechanical ventilation installed in the residential properties adjacent to Manston Road and the Railway line, and 4no. electrical charging points to be installed throughout the development.

TDC Contaminated Land Officer – Given the previous and existing use, conditions should be added to ensure that further intrusive works are undertaken to safeguard the development and sensitive groundwater receptors in the area. Should complete pollutant linkages be identified, appropriate remediation shall be undertaken to render the site suitable for its intended use should planning permission be granted.

TDC Economic Development Manager - Commented that the site "is a large employment space that is not easily accessible from both ends of the building due to the site levels. With large employment sites you expect large vehicle movements – these are both difficult on the site and access to the site is negatively affected by the Lord of the Manor roundabout. The building is not fit for purpose, it leaks and is not up to modern day standards. This in part is due to under investment, however the building does not suite modern manufacturing. As far as I am aware Flambeau have tried to rent out parts of the space through Locate in Kent and a local agent and there was no interest. The site is also impacted by restrictions in terms of working hours due to the residential area that surrounds the site. Developers have also been contacted by the owners to identify opportunities to redevelop the building and/or the site, however these have not come forward."

TDC Strategic Housing Manager - Would expect the affordable units to have a proportionate mix of the market units, with 3bed provided. In terms of the percentage of affordable rent and shared ownership, the 51%/49% split is appropriate on this site in the context of the wider area.

Environment Agency – No objection subject to safeguarding conditions; intrusive investigation, updated risk assessment, verification report condition, unsuspected contamination condition, no infiltration of surface water drainage into ground, no piling of foundation designs using penetrative measures, submission and approval of surface water drainage scheme based on sustainable drainage principles

Southern Water – Southern Water can provide foul sewage disposal to service the development, require an informative outlining the need for a formal application for connection to the public sewage network, require that for the Sustainable Urban Drainage System that the details submitted to the Local Authority should specify the responsibilities of each part for implementation, specify a timetable for implementation, provide a management and maintenance plan for the lifetime of the development, with a precedent condition requiring that the means of foul and surface water drainage must be submitted and approved before any construction takes place.

Kent County Council Heritage Planning & Environment – The site lies within an area of high archaeological potential associated with prehistoric, Roman and Early Medieval activity. There are numerous archaeological sites recorded around this application site but of greatest significance is the Early Medieval site located underneath the Tesco site and the potential for remains associated with Upper Court, a 14th century manor complex. There is also an HER note which suggests some Anglo-Saxon burials from the Ozengell Cemetery to the south, were reburied around this spot. Potential for remains could survive under the footprint of the existing warehouse, and it would have been preferable for the application to have been supported by an Archaeological Deskbased Assessment. In view of the archaeological potential of the site, a programme of works should be required by condition prior to the removal of the foundations of the existing warehouse.

Kent County Council Development Project Manager - Having had regard to the 5 Obligation restriction towards a 'project' or 'type of infrastructure', KCC have evaluated their request for contributions towards community infrastructure within Thanet and have requested that the following contributions are requested:

- Primary Education @ £4000 (new build) per applicable house (x82) and £1000 per applicable flat (x40) = £368,000 towards the Phase 1 of the Manston Green new Primary School (2)
- Secondary education - no current requirement
- Library bookstock £5857.93 - project: bookstock for the new residents of this development alone (supplied to Ramsgate Library)
- Delivery of 3 Wheelchair Accessible Homes within the affordable housing on site
- Provision of Superfast Fibre Optic Broadband 'fibre to the premises' to all buildings of adequate capacity (internal min speed of 100mb to each building) for current and future use of the buildings

Kent County Council Biodiversity Officer - Comments received on Ecological Appraisal, requiring further reptile surveys, a precautionary mitigation strategy submitted about how trees to be felled with potential for roosting bats, with buildings and vegetation are removed outside of breeding bird season, and that the scheme must make provision

for biodiversity enhancements are incorporated into the site layout. Further comment received clarifying that if TDC decided to granted planning permission a condition is included requiring a detailed reptile mitigation strategy, informed by reptile surveys, is submitted to the LPA for approval prior to works starting on site.

Natural England – No objection subject to provision of interim strategic access mitigation and monitoring contribution, with Local Planning Authority required to assess the impact on protected species and priority habitat, local sites (biodiversity and geodiversity) and local landscape character.

Kent Police Crime Prevention Design Advisor – Recommend that contact is made with the Crime Prevention Design Advisors by the applicant/agent, otherwise a condition or informative shall be added to any approval to ensure that the principles of designing out crime are included in any reserved matters application.

Kent Police Developer Contributions Manager – The application is not sustainable or sound without a developer contribution towards policing infrastructure, for additional police officers, new police support employees, and 3 new custody cells. The contribution requested for this proposal is £34,055 based on £400.65 per market dwelling (85), calculated on the basis of c12,000 dwellings and 18.5% additional demand for services on that basis.

COMMENTS

The application is brought before the Planning Committee as it is a departure from the adapted Local Plan Policy EC12. The main issues for the application relate to the principle of development and the impact of the development on the area in terms of character and appearance, living conditions, biodiversity and ecology, highways and transportation, and infrastructure provision.

Principle

In considering the planning application under section 38 (6) of the Planning Act, the determination must be made in accordance with the development plan (in this case the Thanet Local Plan) unless material considerations indicate otherwise. The National Planning Policy Framework (NPPF), in paragraph 215, requires due weight to be given to relevant policies in existing plans according to the degree of consistency with the policies within the NPPF.

Loss of employment land

Ensuring sufficient land of the right type is available in the right place at the right time to support growth and meet the needs of local business is a key role of the planning system. Policy EC12 of the Thanet Local Plan 2006 identified this site as an employment site to be retained as an industrial use in the long term, to ensure the provision of a variety of sites to meet the needs of local business. The National Planning Policy Framework (NPPF) encourages the identification of strategic sites for local and inward investment to match economic strategy and to meet need over the plan period, to help facilitate sustainable economic growth.

Subsequent to the designation of the site as employment use, the Council has undertaken a review of allocated employment land through the development of the new Local Plan. This has concluded that the District has an excess of allocated employment land in relation to the need in the District. The Preferred Options Draft Local Plan has been through consultation, with the responses to the document currently being considered by the Council. Within the Draft Local Plan, the application site is not proposed to be allocated as an employment site, but instead has been allocated as a housing site.

The new Local Plan should be afforded some, albeit limited weight currently, as it is in draft stage. and also as it shows a direction of travel in how the Council wish to see the application site developed.

The existing use of the site is by Flambeau Europlast, who produce plastic products and specialist parts, both for sale and for production assembly elsewhere. The site operator as the European distribution centre for Flambeau's American holding company. The applicant has submitted an additional statement with the application, outlining what are felt to be factors affecting the continuing operation of the business on the site. These are stated as the inefficiency caused by the building layout (single access point to site and building combined with building layout results in double handling costs), the age and condition of the building (gaps in roof with leaks, moss covering the large asbestos roof, damp, energy inefficiency with no potential for heat recovery), and the direct impact these matters have in attracting investments and new contracts from the image created upon visiting the site. From my site visit, all of the physical deficiencies outlined were clearly visible. The Economic Development Manager has commented that the business has attempted to attract investment into the building with no success. The recent review of the Council's Employment land Review acknowledged these issues. Whilst the land is allocated as employment land, due to the factors outlined the building does not represent an economic asset to attract investment, nor does redevelopment appear likely. The NPPF encourages the effective use of land by reusing land that has been previously developed (brownfield land), and requires that land allocations for employment use are regularly reviewed. Therefore on balance, alternative uses can be considered for this site given the evidence and proposed housing allocation for the site.

Proposed housing

The Council is required to provide a 5 year supply of deliverable housing sites to accommodate the need for market and affordable housing and to ensure choice and competition in the market for land. The Council currently cannot demonstrate this required 5 year supply, and this has been established through planning appeals and planning decisions made. Therefore Policy H1 of the current Local Plan, which set out the allocated housing sites and principles for other residential development in the district, has little weight. Any application for housing development must now be considered in the context of the presumption in favour of sustainable development, which takes into account economic, social and environmental factors.

The site is within the urban confines, connected to the main road network, and constitutes brownfield or previously developed land. The site is located in close proximity to local amenities including shops, schools and recreation facilities.

The proposed mix of housing would accord with the principles of the Strategic Housing Market Assessment (SHMA) for Thanet, which outlines that the proportion of houses should increase in the overall stock to diminish the share of flatted accommodation. The majority of units proposed are 2 and 3 bedroom houses, along with a proportion of flats. Whilst the mix would not provide for 4 bedroom houses within the development, the mix of dwelling sizes is sufficient and broadly in conformity with the aspiration of the SHMA.

The site is therefore suitable for residential development, subject to all other material planning considerations which include the employment allocation, the impact on the character and appearance of the area, living conditions of neighbouring, highways and environmental impacts amongst other considerations.

Character and Appearance

Residential development on the site would fit with the character of the area, with residential properties to the north and south of the site. The site plan submitted shows a mixture of detached, semi-detached and terrace properties on the site, with all houses provided with private gardens. The layout provided demonstrates how 120 dwellings can be accommodated on the site, at a density of 34 dwellings per hectare and also providing for sizable gardens, space between proposed houses and the adjacent road, railway line and industrial sites, whilst providing open space on the site for recreation opportunities for small children.

The layout shows development fronting the internal streets created within the development, rather than fronting Manston Road. This is consistent with nearby residential development such as New Meridian Village to the North west of the site, and represents an acceptable option for the development of the site which would preserve the character of the area. Three main focal points are shown, with 3storey properties around a central rotunda, and the 3storey buildings at the end of roads in the west and east corners of the site.

The site sections provided show 2-3 storey pitched roof brick properties, incorporating flat roof bay windows and uniform window design. Surrounding development is 2-3storey with a mixture of traditional pitched roofs and more modern flat roof buildings, with a mixture of brick and render facing materials, and therefore this design and scale of development would be acceptable on this site.

Whilst the detailed layout and appearance of the properties is not under consideration at this stage of the planning process, the design, layout, type and mix of housing units and amount of open space shown in the submission would fit in with the residential development in the area, preserving the appearance of the area. The development will create its own 'sense of place' through the three focal points and open space, making good use of the space through an appropriate density of development. Overall I consider that the design approach proposed would support the principles of good design as set out in the NPPF and Kent Design Guidance.

Kent Police have requested to be contacted when the detailed layout of the development site is being prepared to ensure that measures to minimise the risk of crime are

incorporated within the layout which will ensure that the principles of designing out crime are included promote public safety and security in accordance with Thanet Local Plan Policy D1.

Living Conditions

All new development must provide a good standard of amenity for future occupiers, as well as for existing neighbours. The nearest residential properties are opposite the entrance to the site, and to the south across the railway line on Windermere Avenue. The site levels vary on the site, however these levels are lower than the ground level of surrounding residential properties. The details of siting and the exact relationships between existing and proposed development would be submitted at reserved matters stage, however the illustrative plan shows distances from the site to the properties to the south in excess of 21metres, and therefore the layout and scale of dwellings shown on the current plans would not result in any significant loss of privacy or overbearing impact to these neighbours if the plans were submitted at reserved matters stage as they are now.

The proposal would result in new residential units being sited adjacent to the boundary with the retail superstore, the boundary with the railway line, and with Manston Road. To ensure that the new occupants do not suffer noise and disturbance from the railway line and for the access to the superstore, the applicant has proposed mechanical ventilation for bedrooms in the dwellings adjacent to the railway line and Manston Road, to avoid the need to open windows. As well as this, an acoustic barrier a minimum of 1.8metres high with no gaps between fence panels or the ground has been proposed along the southern boundary of the site adjacent to the railway and on the section of the western boundary with the retail superstore, to minimise noise and disturbance to garden areas. These measures are required to provide new dwellings with a good standard of amenity, and no objections have been raised by the Council's Environmental Health team on the basis that these measures are provided and maintained. Therefore these measures will be conditioned to be provided.

Details of the properties' layout and outlook afforded to the new property occupiers would be submitted and assessed at reserved matters stage.

Affordable Housing

The Council seeks to facilitate the provision of a wide range of affordable accommodation to meet the needs of lower income groups through the planning process. The applicant's submission proposes 30% of the housing units provided on site will be affordable housing, which is required for housing sites in excess of 15units under Policy H14 of the Local Plan. The tenure mix of these affordable is proposed at 51% affordable rent (let by a Housing association to eligible households at a rate of no more than 80% of the local market rent) and 49% shared ownership (part owned by occupier and housing association). This mix has been agreed with the Council's Strategic Housing Manager. The units have been stated as 2 bed flats/maisonettes and 2 and 3 bedroom houses, which reflects the local need and match the proportion of market units. No details have been provided about the location of the units at this stage, however it is important that the development is a sustainable, inclusive and mixed community, and therefore the affordable housing should not be clustered together. The provision of an affordable

housing scheme, including requirement that the units are occupied by people on the Council's housing list. The layout of units will be secured through a planning condition and mix will be secured through a Section 106 Planning Agreement.

Ecology and Biodiversity

Protected Species

The planning application includes an ecological appraisal carried out on the land, due to areas of hedgerows and scrub growth in situ. Any proposed development must minimise impact on biodiversity and conserve protected species, and the layout submitted includes the retention of hedgerows and scrub growth across the site. The initial appraisal recommended additional surveys to establish whether reptiles are present, and surveys are being carried out to clarify the matter. However KCC Biodiversity have recommended that planning permission can be granted by subject to conditions to ensure the protection of reptiles, breeding birds and roosting bats, which are considered necessary to ensure that the development conserves biodiversity.

Designated Sites

The site does lie within close proximity to European designated site (also referred to as Natura 2000 sites) and therefore there is potential to affect it interest features. European sites are afforded protection under the Conservation and Habitats and Species regulations 2010 (as amended the habitat Regulations) and there is a duty placed upon the competent authority (in this case TDC) to have regard to the potential impact that a project may have. Projects can only be permitted having ascertained that there will be no adverse effect on integrity of the protected area, either alone or in combination with other projects or plans.

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 SPA and RAMSAR have been identified. Evidence from annual survey work looking at bird numbers has indicated that there is already some level of disturbance from human recreational activity which has resulted in a decrease in levels and change in distribution of bird activity across the site. In order to mitigate these affects a strategic access management scheme is being developed in conjunction with adjoining authorities which will feed into the current local plan process, this work is on-going and the evidence base for it is currently being compiled. In advance of the results of this work and to ensure that the impacts are adequately addressed as is required under Habitats Directive an interim approach to mitigating the harm has been devised in conjunction with NE. The strategy currently agreed is a scheme of wardening of the SPA to be funded by financial contributions borne from development proposals. The applicant has proposed to mitigate the impact of their development following the principles agreed with Natural England and are offering to secure a contribution of £184 per applicable unit towards the 'wardening' scheme. This is proposed to be secured through s106 agreement. This mitigation approach is considered appropriate to offset the impact of this development on bird populations and therefore complies with the requirement of the Habitats Regulations.

Highways

The application would create a new vehicular access point into the site on Manston Road, to the east of the existing access. A new pedestrian crossing point is proposed to be created with a central island, and a right hand turn lane for vehicles travelling to the site from the west. The pedestrian crossing point will supplement any existing toucan crossing to the west before the roundabout for the retail superstore. The existing use of the site as a general industrial and storage and distribution unit, generates vehicle movements from staff, visitors, deliveries and transportation of products, and this level of movements will not be significantly increased by the replacement of the industrial use with up to 120 residential properties according to the information submitted by the applicant. KCC Highways and Transportation agree with this assessment, providing that the improved access and crossing point are provided.

The new access has been assessed by KCC in terms of the visibility and the ability for vehicles of varying sizes to enter and exit the site safely; with additional plans and details provided by the applicant to ensure that the new access would be suitable. The new vehicular access is considered appropriate for a development of the scale proposed.

As the site layout is a reserved matter, the amount of car parking provided on the site would be under consideration at the reserved matters stage. However any development would be expected to provide for vehicle and cycle parking facilities prior to the use of the site, the layout of roads, parking and footways in accordance with KCC Highways and Transportation guidance, with a construction management plan required to ensure to adverse impact on the road network during construction.

The development is also within 300metres of a primary school and public open play space, adjacent to a retail store and is located on a bus route, meaning the use of sustainable transport modes can be maximised. Therefore subject to layout detail to be submitted at the reserved matters stage, the proposal would not cause a significantly adverse impact on the transportation network.

Development Contributions

Requests for financial contributions need to be scrutinised in accordance with Regulation 122 of the Community Infrastructure Regulations 2010 (which were amended in 2014). These stipulate that an obligation can only be a reason for granting planning permission if it meets the following criteria:

They are:

- (a) Necessary to make the development acceptable in planning terms;
- (b) Directly related to the development; and
- (c) Fairly and reasonably related in scale and kind to the development.

A request for developer financial contributions has been made on behalf of Kent County Council. The contributions sought are towards primary education and libraries. Details

submitted in support of the request indicate that the scheme would generate the need for additional primary school places in Ramsgate, and library bookstock at Ramsgate Library.

Having regard to the information provided by Kent County Council it is considered necessary and reasonable for the applicant to provide contributions towards the identified new primary school at the Manston Green site and library bookstock at Ramsgate library, and the applicant has agreed to make the requested contributions which will be secured through a Section 106 legal agreement.

A contribution request has also been received from Kent Police, requesting money for additional police officers, new police support employees, and 3 new custody cells. However the NPPF states that planning obligations should only be used where they are necessary, reasonable and directly related to the development. In terms of the £81,131 requested for new custody cells, no project or location has been identified, nor have costing been provided, with no firm commitments to implementation. The request for a funding toward additional staff does not meet the tests of the NPPF as contributions are not intended to pay salaries or revenue costs. Therefore to seek a contribution on the basis of the information provided would not be reasonable, nor has it been shown that the contribution would mitigate an impact directly related to the development.

Recreation and Leisure

Planning decisions should aim to achieve places which promote high quality public space and to deliver recreational facilities and services that the community needs. Through Policy SR5 of the Local Plan, the Council seeks to ensure that children's play space is safely and conveniently available to all new residential development likely to generate demand for it.

The proposals include formal and informal public open space, including a local area for play (LAP) for small children approximately 415 sq metres in size. This area would include play equipment to be agreed through a planning condition, and will be within 200metres of any new dwellings on the site. The site is also within 300metres of the existing Local Equipped Area for Play (LEAP) at Princess Margaret Avenue, which has recently been upgraded and includes open space for children of all ages. The site is also within walking distance of the Warre Recreation Ground and sports facilities. Whilst the size of the open space provided on the site does not accord with the ratio of open space provided within Policy SR5, the site is located very close to an existing play area which would serve the development, with the provision of a LAP for the younger children within the site.

Older children on the site would naturally utilise this existing good quality open space, and its use by residents would help to integrate the new community into the existing, and the open space and play provision can be facilitated through a contribution to upgrade the existing facilities at Warre Road Recreation Ground. A current Youth and Sports Facilities Project is ongoing to upgrade the facilities, and this contribution would reasonably contribute to this project, whilst offset the lack of on-site space on the site. Taking into account the provision on-site, the location and proximity of the site to the existing LEAP and large open space on Princess Margaret Avenue and Warre Recreational Ground, and the contribution proposed, the application will provide for recreation and sport facilities to serve the new residents in the development as well as the improved pedestrian crossing

facilities that would facilitate access to the existing play areas it is considered that the proposed development would comply with the relevant policies in relation to open space and play provision.

Flood risk and drainage

The NPPF requires local authorities to adopt a proactive strategy to mitigate and adapt to climate change, taking account of flood risk and coastal change. The NPPF steers development away from areas which experience flood risk and where development is proposed in an area known to be at risk of flooding the sequential text is applied.

In this case the site does not lie within an area identified by the Environment Agency flood risk maps as an area susceptible to flooding.

However the site does overlie a principal aquifer and within groundwater protection zones (SPZ 1 and 2). As such careful consideration of groundwater protection and potential for pollution will be needed, and this will also influence the options available for drainage of the site since infiltration of the ground water will be restricted.

Surface and foul water drainage

The NPPF promotes the use of Sustainable Drainage Systems (SUDS) and states that local planning authorities should prevent both new and existing developments from contributing to, or being put at unacceptable risk of water pollution.

The application includes a section within the Flood Risk assessment which deals with drainage aspects associated with the site and includes details of the constraints regarding available drainage options.

Much of the site has limited possibilities for ground infiltration due to its proximity to the SPZ associated with a public water aquifer. As such the applicant has opted for a range of potential SUDS methods to manage surface water run-off and protect water quality included amongst these areas including permeable paving, catchment ditches and an infiltration basin with other flow device controls referenced in the Flood risk assessment. A detailed scheme enshrining these methods can be secured by appropriate planning conditions, and the Environment Agency have confirmed that they have no objection to the methods in principle subject a variety of planning conditions designed to ensure that groundwater is protected. Additional conditions restricting any surface water drainage to the ground unless express consent of the Council is given (with interceptors to restrict contaminants) are considered appropriate for any permission granted given the sensitive location of the site.

Contamination

As outlined the site is within a Groundwater Protection Zone, with infiltration of groundwater restricted. Due to the historic industrial use of the site, and potential for contaminants to be present in the ground from these industrial processes, a Phase I & II Environmental Ground Investigation Reports has been submitted with the application. Both the Council's Contaminated Land Officer and the Environment Agency have stated

the requirement for further intrusive works to assess the site, with any pollutant linkages discovered appropriately remediated to safeguard the end residential users and the sensitive groundwater receptors in the area. This work would be safeguarded through conditions to ensure that no unacceptable risk to the water supply or human health is caused by the development.

Air Quality

The site lies within the Thanet Urban Air Quality Management Area, which encourages mitigation to reduce emissions from developments. To offset the emissions produced by the development, the applicant has agreed to incorporate 4 electric charging points within the development to agreed specifications. This has been agreed by Environmental Health, and would be conditioned to be provided within the detailed layout at reserved matters stage.

Archaeology

The site is located within an area of high archaeological potential, and the KCC Heritage Officer has recommended that a programme of archaeological works should be agreed prior to the removal of the foundations of the existing warehouse across the site, to ensure archaeological investigation can occur and record/excavate any findings. This programme would be required by condition in accordance with Thanet Local Plan Policy HE13 and guidance within the NPPF.

Other Matters

The applicant has stated that their intention is to seek to build a purpose built factory in Thanet to replace the business. This is not a material planning consideration, and furthermore it is not legally possible for this to be a requirement of any grant of planning permission.

Conclusion

The site is considered to be suitable for residential development, given the condition of the buildings, the future allocation and the details of the proposed development and its impact on the character and appearance of the area, living conditions, the highway network and environmental protection measures. Affordable housing will be provided, and developer contribution will offset the impact from residential occupiers on infrastructure in the area. Overall the proposal is an acceptable departure from Thanet Local Plan Policy EC12, and is in accordance with the principles of the draft Local Plan, the current Thanet Local Plan 2006, and would constitute sustainable development in accordance with the NPPF.

CASE OFFICER
Iain Livingstone

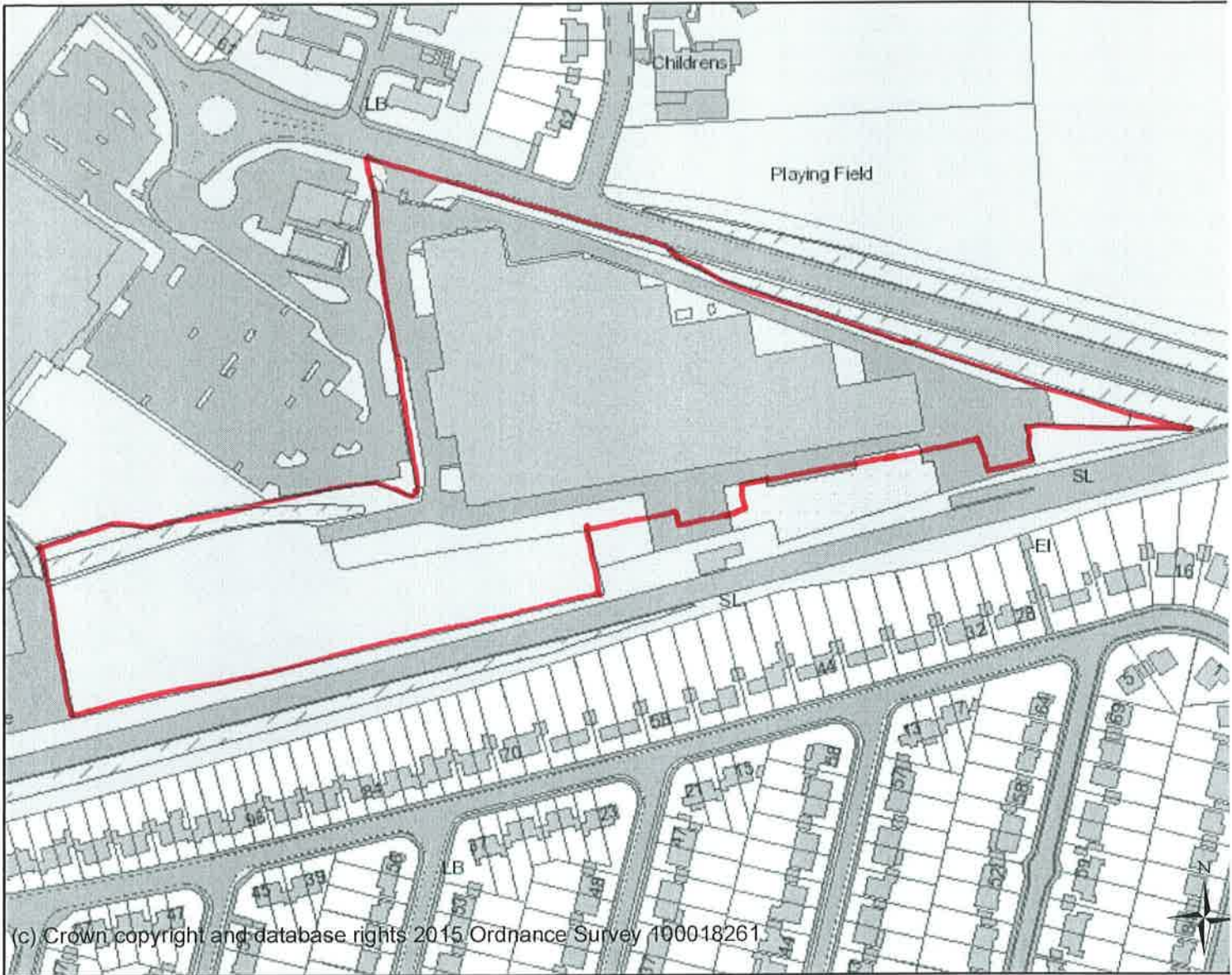
Title: F/TH/15/0187

Project name: FLAMBEAU EUROPLAST LTD, MANSTON ROAD, RAMSGATE

Notes:

Scale: 1:2,500

Author:



Legend

OL/TH/15/0187

FLAMBEAU EUROPLAST LTD, MANSTON ROAD, RAMSGATE



UPDATE ON APPEAL DECISIONS

To: **Planning Committee – 17 June 2015**

By: **Planning Manager**

Classification: **Unrestricted**

Summary: This report advises Members on the planning appeals that were decided during the period from April 2014 to March 2015 (inclusive), including the decision of each appeal.

For Information

1.0 Introduction and Background

1.1 Applicants for planning permission have the right of appeal when the council refuses planning permission or when the council has failed to decide an application within the statutory time period which, in most cases, is 8 weeks or in the case of major applications 13 weeks.

2.0 The Current Situation

2.1 The annex to this report lists each of the applications that were decided at appeal between the months of April 2014 and March 2015 (inclusive). The annex identifies the site, proposal as well as the outcome of the appeal.

2.2 The number of appeals decided over the period was **38**.

2.3 The Council has been successful in defending the majority of appeals for the period.

2.4 The figure for the appeals that were allowed is 31.5% which falls just short of the 30% target that we aim to achieve.

3.0 Options

3.1 Members note the report

4.0 Corporate Implications

4.1 Financial

4.1.1 None relating to this report. Appeals are generally dealt with by Planning Officers and the cost absorbed within the cost of the service. In the case of Public Inquiries and occasionally hearings legal assistance will be necessary and this incurs additional costs. Furthermore, the Council can be liable to claims for costs at appeal when, for example, it is judged by the Planning Inspector that the council has acted unreasonably.

4.2 Legal

4.2.1 None

4.3 Corporate

4.3.1 The Corporate target for appeals is for no more than 30% to be allowed. The current position for the period referred to in this report is 31.5% of appeals have been allowed and as such we have fallen just short of the target.

4.4 Equity and Equalities

4.4.1 There are no equity or equality issues directly in relation to this report. However, in general the Planning Applications section is carrying out monitoring of planning applicants and agents in order to help us to understand the diversity of our customers and to help us to ensure that service we provide takes account of the needs of our customers.

5.0 Recommendation(s)

5.1 Planning Committee note this report

Contact Officer: Simon Thomas – Planning Manager

Appendices

Annex 1 Appeals Decided between 1 April 2014 and 31 March 2015

Appeals Decided between 1-Apr-14 and 31-Mar-15

| <u>Application no.</u> | <u>Location</u> | <u>Appeal Start Date</u> | <u>Appeal Procedure</u> | <u>Appela Decsion Date</u> | <u>Appeal Decision Type</u> | <u>STATCLASS</u> |
|------------------------|--|--------------------------|-------------------------|----------------------------|-----------------------------|------------------|
| A/TH/13/0774 | 36 MARINE TERRACE, MARGATE | 15/01/2014 | Written Representations | 22/04/2014 | Allowed with conditions | 22 |
| L/TH/12/0852 | 3 FORT CRESCENT, MARGATE, CT9 1HN | 27/09/2013 | Written Representations | 08/04/2014 | Dismissed | 23 |
| L/TH/13/0410 | 44 ALBION STREET, BROADSTAIRS, CT10 1NE | 5/01/2014 | Written Representations | 15/09/2014 | Dismissed | 23 |
| L/TH/13/0583 | 56 WEST CLIFF ROAD, RAMSGATE, CT11 9NT | 14/11/2013 | Written Representations | 05/06/2014 | Dismissed | 23 |
| L/TH/13/0194 | 15 AUGUSTA ROAD, RAMSGATE, CT11 8JP | 14/11/2013 | Written Representations | 07/04/2014 | Dismissed | 23 |
| L/TH/13/0714 | CAFE G, 1 HIGH STREET, MARGATE, CT9 1DL | 01/04/2014 | Written Representations | 19/01/2015 | Dismissed | 23 |
| L/TH/13/0319 | 27 FORT CRESCENT, MARGATE, CT9 1HX | 16/01/2014 | Written Representations | 16/01/2015 | Dismissed | 23 |
| L/TH/14/0306 | 41 HAWLEY SQUARE, MARGATE, CT9 1NY | 26/11/2014 | Written Representations | 27/02/2015 | Allowed with conditions | 23 |
| F/TH/14/0413 | ROSE INN, 13 ALBION STREET, BROADSTAIRS, CT10 1LU | 31/08/2014 | Written Representations | 11/11/2014 | Withdrawn | 13 |
| F/TH/12/0739 | 3 FORT CRESCENT, MARGATE, CT9 1HN | 27/09/2013 | Written Representations | 08/04/2014 | Dismissed | 21 |
| F/TH/13/0136 | 74 ST MILDREDS ROAD, WESTGATE ON SEA, CT8 8RF | 09/08/2013 | Written Representations | 11/04/2014 | Dismissed | 21 |
| F/TH/13/0065 | 3 BEACH RISE, WESTGATE ON SEA, CT8 8AB | 18/10/2013 | Written Representations | 02/04/2014 | Dismissed | 21 |
| F/TH/13/0022 | LAND ADJACENT TO 3 ROSE COTTAGES, THE LENGTH, ST NICHOLAS AT WADE, BIRCHINGTON | 5/11/2013 | Written Representations | 14/05/2014 | Dismissed | 13 |
| OL/TH/13/0569 | 88 PARK LANE, BIRCHINGTON, CT7 0AS | 15/01/2014 | Written Representations | 16/04/2014 | Dismissed | 13 |
| F/TH/13/0582 | 56 WEST CLIFF ROAD, RAMSGATE, CT11 9NT | 14/11/2013 | Written Representations | 05/06/2014 | Dismissed | 21 |
| F/TH/13/0911 | COURTSTAIRS LODGE, PEGWELL ROAD, RAMSGATE, CT11 0JE | 04/03/2014 | Written Representations | 19/06/2014 | Dismissed | 13 |
| F/TH/13/0955 | 38 DOWNS ROAD, RAMSGATE, CT11 0LT | 14/03/2014 | Written Representations | 14/04/2014 | Dismissed | 21 |
| F/TH/13/0669 | REAR OF 37, PALM BAY AVENUE, MARGATE | 15/04/2014 | Written Representations | 24/07/2014 | Dismissed | 13 |
| F/TH/13/0759 | ST CHRISTOPHERS CHURCH, PRINCESS MARGARET AVENUE, RAMSGATE, CT12 6HX | 01/05/2014 | Written Representations | 23/07/2014 | Dismissed | 13 |
| F/TH/13/0979 | LAND ADJOINING 30, STATION ROAD, BIRCHINGTON | 23/05/2014 | Written Representations | 18/03/2015 | Dismissed | 13 |
| F/TH/13/0311 | 60 NORTHLUMBERLAND AVENUE, MARGATE, CT9 3BJ | 13/11/2013 | Written Representations | 02/04/2014 | Dismissed | 13 |
| F/TH/13/0389 | LAND REAR OF 28, MONKTON STREET, MONKTON, RAMSGATE | 23/12/2013 | Written Representations | 17/06/2014 | Dismissed | 13 |
| F/TH/13/0740 | LOCKWOODS YARD, THE GROVE, WESTGATE ON SEA, CT8 8AS | 03/03/2014 | Written Representations | 16/06/2014 | Dismissed | 18 |
| F/TH/13/0713 | CAFE G, 1 HIGH STREET, MARGATE, CT9 1DL | 01/04/2014 | Written Representations | 19/01/2015 | Dismissed | 16 |
| F/TH/14/0146 | LAND REAR OF 31, ROYAL ROAD, RAMSGATE | 03/07/2014 | Written Representations | 23/09/2014 | Dismissed | 13 |
| F/TH/14/0033 | 2 & 3 THE BROADWAY, RAMSGATE, CT11 9JN | 18/08/2014 | Written Representations | 13/03/2015 | Dismissed | 16 |
| F/TH/14/0516 | 1 & 2, COLLETTS HILL, MONKTON, RAMSGATE | 03/09/2014 | Written Representations | 18/12/2014 | Dismissed | 13 |
| F/TH/14/0557 | 1 ARTILLERY ROW, WEST CLIFF ROAD, RAMSGATE CT11 9JS | 20/10/2014 | Written Representations | 01/12/2014 | Dismissed | 21 |

Appeals Decided between 1-Apr-14 and 31-Mar-15

| <u>Application no.</u> | <u>Location</u> | <u>Appeal Start Date</u> | <u>Appeal Procedure</u> | <u>Appela Decsion Date</u> | <u>Appeal Decision Type</u> | <u>STATCLASS</u> |
|------------------------|---|--------------------------|-------------------------|----------------------------|-----------------------------|------------------|
| OL/TH/13/0426 | YOUNGS NURSERY, ARUNDEL ROAD, RAMSGATE, CT12 5DZ | 03/02/2014 | Informal Hearing | 11/06/2014 | Allowed with conditions | 13 |
| OL/TH/11/0910 | LAND AT, NEW HAINE ROAD, RAMSGATE | 20/02/2014 | Public Inquiry | 29/10/2014 | Allowed with conditions | 1 |
| F/TH/13/0147 | LAND ADJACENT ST MILDREDS CHURCH, PLUMSTONE ROAD, ACOL, BIRCHINGTON | 24/10/2013 | Written Representations | 25/07/2014 | Allowed with conditions | 13 |
| F/TH/13/0276 | 1 & 2 CLIFFSEND FARM COTTAGES, CLIFFS END ROAD, RAMSGATE, CT12 5JG | 20/01/2013 | Written Representations | 17/04/2014 | Allowed with conditions | 21 |
| F/TH/13/0077 | ST GEORGES HALL, GEORGE STREET, RAMSGATE, CT11 9AS | 17/10/2013 | Written Representations | 04/07/2014 | Allowed with conditions | 13 |
| F/TH/13/0843 | 88 THE SILVERS, BROADSTAIRS, CT10 2LZ | 30/04/2014 | Written Representations | 24/07/2014 | Allowed with conditions | 20 |
| F/TH/14/0405 | 9 HELENA AVENUE, MARGATE, CT9 5SL | 08/08/2014 | Written Representations | 09/09/2014 | Allowed with conditions | 21 |
| F/TH/13/0989 | ROSE INN, 13 ALBION STREET, BROADSTAIRS, CT10 1LU | 25/03/2014 | Written Representations | 08/09/2014 | Allowed with conditions | 13 |
| F/TH/13/0986 | 68 PERCY AVENUE, BROADSTAIRS, CT10 3LD | 09/09/2014 | Written Representations | 16/12/2014 | Allowed with conditions | 13 |
| F/TH/14/0305 | 41 HAWLEY SQUARE, MARGATE, CT9 1NY | 26/11/2014 | Written Representations | 27/02/2015 | Allowed with conditions | 13 |

| <u>Apl Dec Type</u> | <u>% of Type</u> |
|---------------------|------------------|
| ALC | 31.58% |
| D/S | 65.79% |
| W/DN | 2.63% |
| Count | 100.00% |

Count of CASEFULLREF 38
 Count of CASEFULLREF 38

THANET DISTRICT COUNCIL DECLARATION OF INTEREST FORM

Do I have a Disclosable Pecuniary Interest and if so what action should I take?

Your Disclosable Pecuniary Interests (DPI) are those interests that are, or should be, listed on your Register of Interest Form.

If you are at a meeting and the subject relating to one of your DPIs is to be discussed, in so far as you are aware of the DPI, you **must** declare the existence **and** explain the nature of the DPI during the declarations of interest agenda item, at the commencement of the item under discussion, or when the interest has become apparent

Once you have declared that you have a DPI (unless you have been granted a dispensation by the Standards Committee or the Monitoring Officer, for which you will have applied to the Monitoring Officer prior to the meeting) you **must:-**

1. Not speak or vote on the matter;
2. Withdraw from the meeting room during the consideration of the matter;
3. Not seek to improperly influence the decision on the matter.

Do I have a significant interest and if so what action should I take?

A significant interest is an interest (other than a DPI or an interest in an Authority Function) which:

1. Affects the financial position of yourself and/or an associated person; or Relates to the determination of your application for any approval, consent, licence, permission or registration made by, or on your behalf of, you and/or an associated person;
2. And which, in either case, a member of the public with knowledge of the relevant facts would reasonably regard as being so significant that it is likely to prejudice your judgment of the public interest.

An associated person is defined as:

- A family member or any other person with whom you have a close association, including your spouse, civil partner, or somebody with whom you are living as a husband or wife, or as if you are civil partners; or
- Any person or body who employs or has appointed such persons, any firm in which they are a partner, or any company of which they are directors; or
- Any person or body in whom such persons have a beneficial interest in a class of securities exceeding the nominal value of £25,000;
- Any body of which you are in a position of general control or management and to which you are appointed or nominated by the Authority; or
- any body in respect of which you are in a position of general control or management and which:
 - exercises functions of a public nature; or
 - is directed to charitable purposes; or
 - has as its principal purpose or one of its principal purposes the influence of public opinion or policy (including any political party or trade union)

An Authority Function is defined as: -

- Housing - where you are a tenant of the Council provided that those functions do not relate particularly to your tenancy or lease; or
- Any allowance, payment or indemnity given to members of the Council;
- Any ceremonial honour given to members of the Council
- Setting the Council Tax or a precept under the Local Government Finance Act 1992

If you are at a meeting and you think that you have a significant interest then you **must** declare the existence **and** nature of the significant interest at the commencement of the

matter, or when the interest has become apparent, or the declarations of interest agenda item.

Once you have declared that you have a significant interest (unless you have been granted a dispensation by the Standards Committee or the Monitoring Officer, for which you will have applied to the Monitoring Officer prior to the meeting) you **must**:-

1. Not speak or vote (unless the public have speaking rights, or you are present to make representations, answer questions or to give evidence relating to the business being discussed in which case you can speak only)
2. Withdraw from the meeting during consideration of the matter or immediately after speaking.
3. Not seek to improperly influence the decision.

Gifts, Benefits and Hospitality

Councillors must declare at meetings any gift, benefit or hospitality with an estimated value (or cumulative value if a series of gifts etc.) of £100 or more. You **must**, at the commencement of the meeting or when the interest becomes apparent, disclose the existence and nature of the gift, benefit or hospitality, the identity of the donor and how the business under consideration relates to that person or body. However you can stay in the meeting unless it constitutes a significant interest, in which case it should be declared as outlined above.

What if I am unsure?

If you are in any doubt, Members are strongly advised to seek advice from the Monitoring Officer or the Democratic Services and Scrutiny Manager well in advance of the meeting.

DECLARATION OF DISCLOSABLE PECUNIARY INTERESTS, SIGNIFICANT INTERESTS AND GIFTS, BENEFITS AND HOSPITALITY

MEETING.....

DATE..... AGENDA ITEM

DISCRETIONARY PECUNIARY INTEREST

SIGNIFICANT INTEREST

GIFTS, BENEFITS AND HOSPITALITY

THE NATURE OF THE INTEREST, GIFT, BENEFITS OR HOSPITALITY:

.....
.....
.....

NAME (PRINT):

SIGNATURE:

Please detach and hand this form to the Democratic Services Officer when you are asked to declare any interests.