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Date: 10 October 2016
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PLANNING COMMITTEE

19 OCTOBER 2016

A meeting of the Planning Committee will be held at **7.00 pm on Wednesday, 19 October 2016** in the Council Chamber, Council Offices, Cecil Street, Margate, Kent.

Membership:

Councillor Evans (Chairman); Councillors: Jaye-Jones (Vice-Chairman), Bambridge, J Fairbrass, Fenner, Howes, Partington, Taylor, Tomlinson, K Gregory, Hayton, Buckley, Dawson and R Potts

A G E N D A

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 - 22)

To approve the Minutes of the Planning Committee meeting held on 21 September 2016, copy attached.

4. **SITE VISITS**

4a **FH/TH/16/0756 - 26 OLD HALL DRIVE, RAMSGATE** (Pages 23 - 28)

4b **OL/TH/16/0654 - 66 MONKTON ROAD, MINSTER** (Pages 29 - 46)

5. **SCHEDULE OF PLANNING APPLICATIONS** (Pages 47 - 50)

To consider the report of the Director of Community Services, copy attached for Members of the Committee.

Note: Copies of correspondence relating to applications received will be

Item
No

Subject

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/16/0423 - 20 BEACH ROAD, WESTGATE ON SEA** (Pages 51 - 64)
- 5b **A02 - FH/TH/16/0916 - 1 ST MAGNUS COURT, ST MAGNUS CLOSE, BIRCHINGTON** (Pages 65 - 70)
- 5c **A03 - F/TH/16/0728 - ALL SAINTS INDUSTRIAL ESTATE, ALL SAINTS AVENUE, MARGATE** (Pages 71 - 82)
- 5d **A04 - F/TH/16/0939 - UNIT 22 MANSTON BUSINESS PARK, INVICTA WAY, RAMSGATE** (Pages 83 - 88)
- 5e **A05 - F/TH/16/0856 - HAINE LODGE, SPRATLING LANE, RAMSGATE** (Pages 89 - 96)

Declaration of Interests Form



Please scan this barcode for an electronic copy of this agenda.

Public Document Pack Agenda Item 3

Planning Committee

Minutes of the meeting held on 21 September 2016 at 7.00 pm in Council Chamber, Council Offices, Cecil Street, Margate, Kent.

Present: Councillor Peter Evans (Chairman); Councillors Jaye-Jones, J Fairbrass, Fenner, Howes, Partington, Taylor, Tomlinson, K Gregory, Hayton, Buckley, Dawson and R Potts

In

Attendance: Councillors: Shonk, Connor, L. Fairbrass, Game, Grove, Crow-Brown, Larkins and Townend.

80. **APOLOGIES FOR ABSENCE**

Apologies were received from Councillor Bambridge for whom Councillor Taylor-Smith was present.

81. **DECLARATIONS OF INTEREST**

There were no declarations of interest.

82. **MINUTES OF PREVIOUS MEETING**

It was proposed by Councillor Buckley, seconded by Councillor Tomlinson and agreed that the minutes of the Planning Committee held on 17 August 2016 be approved and signed by the Chairman.

83. **SCHEDULE OF PLANNING APPLICATIONS**

(a) **A01 - OL/TH/16/0214 - Land Rear Of 10 To 16 St Mildreds Avenue, Ramsgate**

PROPOSAL: Outline application for erection of 2No. two storey dwellings, including access, layout and scale

It was proposed by the Chairman and seconded by Councillor K. Gregory:

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

‘That the application be APPROVED subject to the following conditions:

1 Approval of the details of the appearance of any buildings to be erected, and the landscaping of the site, (including the approval and implementation of a landscape management plan), (hereinafter called 'the reserved matters') shall be obtained from the Local Planning Authority in writing before any development is commenced.

GROUND:

As no such details have been submitted.

2 Plans and particulars of the reserved matters referred to in Condition 1 above, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.

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).

3 Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this permission.

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).

4 The development hereby permitted shall be begun before the expiration of 2 years from the date of approval of the last of the reserved matters to be approved.

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 Prior to the commencement of the development hereby approved, the applicant, or their agents or successors in title, shall secure the implementation of a watching brief to be undertaken by an archaeologist approved by the Local Planning Authority so that the excavation is observed and items of interest and finds are recorded. The watching brief shall be in accordance with a written programme and specification, which has been submitted to and approved in writing by the Local Planning Authority.

GROUND:

To ensure that features of archaeological interest are properly examined and recorded in accordance with the guidance contained within the National Planning Policy Framework.

6 Prior to the first occupation or use of the development, the area shown on the deposited plan for the parking and manoeuvring of vehicles shall be operational prior to any part of the development hereby approved being brought into use, unless otherwise agreed in writing by the Local Planning Authority. The area agreed shall thereafter be maintained for that purpose.

GROUND:

In the interests of highway safety

7 Prior to the first occupation of the development, visibility splays of 2m by 2m, with no obstruction above a height of one metre, shall be provided and thereafter maintained to the accesses to Pegwell Road.

GROUND:

In the interest of highway safety.

8 Existing trees, shrubs and hedgerows identified for retention within the development site or existing trees growing on an adjacent site, where excavations, changes to land levels or

underground works are within the crown spread, shall be protected in accordance with BS 5837: 2005 using the following protective fence specification:-

o Chestnut paling fence 1.2m in height, to BS 1722 part 4, securely mounted on 1.7m x 7cm x 7.5cm timber posts driven firmly into the ground. The fence shall be erected below the outer most limit of the branch spread or at a distance equal to half the height of the tree, whichever is the furthest from the tree, unless otherwise agreed in writing with the Local Planning Authority.

The protective fencing shall be erected before the works hereby approved or any site clearance work commences, and shall thereafter be maintained until the development has been completed.

At no time during the site works shall building materials, machinery, waste, chemicals, stored or piled soil, fires or vehicles be allowed within the protective fenced area.

Nothing shall be attached or fixed to any part of a retained tree and it should not be used as an anchor point.

There shall be no change in the original soil level, nor trenches excavated within the protective fenced area.

GROUND:

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

9 No further alterations to the building, or the erection of garden buildings or the installation of satellite antennae, or erection of boundary or internal fences or means of enclosure, whether approved by Classes A, B, C, D, E or H of Part One or Class A of Part Two of Schedule 2 to the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (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 ensure a satisfactory external treatment and in the interests of the visual amenities of the locality in accordance with Policy D1 of the Thanet Local Plan.

10 Prior to the first occupation of the development hereby permitted, the replacement trees, as shown on the proposed tree planting plan received 12 February 2016, shall be planted.

GROUND:

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

11 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

12 The proposed development shall be erected at the levels shown on the proposed site section plan numbered 97/P02 Rev C, received 12 February 2016.

GROUND:

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

13 The development hereby approved shall be carried out in accordance with the submitted drawings numbered 97/P01 Rev C, 97/P02 Rev C, and 97/P03 Rev C, received 12 February 2016, and the tree planting plan received 12 February 2016.

GROUND:

To secure the proper development of the area.”

The motion was put to the vote and was declared CARRIED.

(b) **A02 - FH/TH/16/0916 - 1 St Magnus Court, St Magnus Close, Birchington**

This item was withdrawn and would be considered at a future meeting of the Planning Committee.

(c) **A03 - FH/TH/16/1038 - 31 Dane Crescent, Ramsgate**

PROPOSAL: Retrospective application for erection of single storey rear extension following demolition of existing

It was proposed by the Chairman, seconded by Councillor K. Gregory 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 Purchase Act 2004).

2 The development hereby approved shall be carried out in accordance with the submitted drawings.

numbered AM.535.01 Rev B and received 27 July 2016.

GROUND:

To secure the proper development of the area.”

(d) **A04 - FH/TH/16/0961 - 16 Simon Avenue, Margate**

PROPOSAL: Erection of single storey rear extension together with 2No. dormer windows and 2No. rooflights to front and 1No. dormer window and 2No. rooflights to rear together with alterations to roof

Speaking in favour of the application was Mr Brooks.

Speaking as ward councillor was Councillor Game.

It was proposed by the Chairman and seconded by Councillor J. Fairbrass:

“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 Purchase Act 2004).

2 The development hereby approved shall be carried out in accordance with the amended drawing:

127-1C received 8th August 2016

GROUND:

To secure the proper development of the area.

3 The external materials and external finishes to be used in the hereby approved shall be of the same colour, finish and texture as those on the existing property.

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 CARRIED.

(e) **A05 - FH/TH/16/0756 - 26 Old Hall Drive, Ramsgate**

PROPOSAL: Erection of a single storey side extension and two storey rear and side extension and erection of porch to front elevation following demolition of existing garage.

Speaking in favour of the application was Mr Larkins.

Speaking raising points of concern was Mr Cox.

Speaking as ward councillor was Councillor Townend.

It was proposed by the Chairman and seconded by the Vice-Chairman:

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

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

GROUND:

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

2 The development hereby approved shall be carried out in accordance with the submitted drawings numbered 22699A_04 Revision P3, and 22699A_05 Revision P4 received 5 August 2016.

GROUND:

To secure the proper development of the area.

3 The external materials and external finishes to be used in the extensions hereby approved shall be of the same colour, finish and texture as those on the existing property.

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.

Then, it was proposed by the Chairman and seconded by Councillor Taylor-Smith:

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

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

(f) **A06 - F/TH/16/0809 - Manston Methodist Church, High Street, Manston**

PROPOSAL: Change of use of church to single dwelling together with alterations to fenestration, insertion of 9no. roof lights and formation of hard surfacing to provide 4No. car parking spaces and change of use from agriculture to form garden to rear

It was proposed by the Chairman, seconded by Councillor K. Gregory 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 Purchase Act 2004).

2 The development hereby approved shall be carried out in accordance with the submitted drawings:

4091 A100 /B

4091 A103 /C received 19/07/16

4091 A104 /A

4091 A106 /B received 19/07/16

GROUND:

To secure the proper development of the area.

3 Prior to the first use of the development, the area shown on drawing 4091 A100 /B for the parking and manoeuvring of vehicles shall be operational prior to any part of the development hereby approved being brought into use. The area approved shall thereafter be retained for that purpose.

GROUND:

Development without adequate provision for the parking or turning of cars is likely to lead to parking inconvenient to other road users and detrimental to amenity and in pursuance of policy D1 of the Thanet Local Plan.

4 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 area 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.

5 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 first 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.

6 Prior to the first occupation of the development hereby approved the building shall be provided with a minimum sound attenuation of not less than 30dB average over the frequency range 100 to 3150 Hz against the external noise from aircraft to which future property occupiers could be exposed.

GROUND:

In the interest of the living conditions of future occupiers, in accordance with Thanet Local Plan Policy D1.

7 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.”

(g) **A07 - L/TH/16/0889 - Amusement Park - Dreamland, Marine Terrace, Margate**

PROPOSAL: Application for Listed Building Consent for repair works to Menagerie Cages 1, 2 and 3, and Gardeners Cottage

It was proposed by the Chairman, seconded by Councillor K. Gregory and
RESOLVED:

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

‘That the application be APPROVED subject to the following conditions:

1 The works to which this consent relates shall be begun not later than the expiration date of three years beginning with the date on which this permission is granted.

GROUND:

In pursuance of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2 Prior to commencement of works, a sample panel of repointing, showing mortar mix, profile and finish, shall be agreed in writing by the Local Planning Authority and the repointing hereby approved carried out in accordance with that agreed detail.

Ground:

To secure a satisfactory external treatment and to safeguard the special character and appearance of the building as a Listed Building in accordance with advice contained within the NPPF.

3 Prior to commencement of the development hereby approved, detailed method statements of the repair works to be undertaken shall be submitted to and approved in writing by the Local Planning Authority.

Ground:

To preserve the integrity and character of the listed building in accordance with advice contained within the NPPF.

4 Prior to commencement of the development hereby approved, a sample of the grouting to be used accompanied by the results and evaluation of in situ testing to inform the justification of the selected grouting, should be submitted to and approved in writing by the Local Planning Authority.

Ground:

To secure a satisfactory external treatment and to safeguard the special character and appearance of the building as a Listed Building in accordance with advice contained within the NPPF.”

(h) **R08 - F/TH/15/1239 - Beach Area Opposite Victorian Shelter, Marine Drive, Margate**

The item was withdrawn as the planning application was withdrawn from the statutory register.

(i) **R09 - F/TH/16/0640 - 37 Sea Road, Westgate On Sea**

PROPOSAL: Erection of a four storey building comprising 7no. 2-bed self-contained flats together with erection of first and second floor rear extension and front entrance ramp to existing building and creation of new vehicular access onto Sea Road

Speaking in favour of the application was Mr Colyer.

Speaking as town councillor was Councillor Morrish.

It was proposed by the Chairman and seconded by the Vice-Chairman:

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

‘That the application be REFUSED for the follow reason:

1 The proposed 4 storey block of flats would by virtue of its location directly in front of 'Ellingham', a Grade II listed building cause an obstruction to the open setting between 'Ellingham' and the sea which would diminish the status of 'Ellingham' within the conservation area. This would be further exacerbated by the design, size, mass and bulk of the proposed flat block which would be visually prominent in relation to 'Ellingham' causing significant harm to the 'setting' of the listed building and consequential harm to the character and appearance of the conservation area, contrary to Policy D1 of the Thanet Local Plan and paragraphs 132 and 134 of the National Planning Policy Framework.”

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

(j) **R10 - F/TH/16/0367 - Land Rear Of 17 Sea Road, Westgate On Sea**

PROPOSAL: Erection of 1no. detached two storey dwelling

Speaking under council procedure rule 20.1 was Councillor Ashbee.

It was proposed by the Chairman and seconded by Councillor J. Fairbrass:

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

‘That the application be REFUSED for the follow reason:

1 The proposed dwelling would represent an isolated form of development, out of keeping with the prevailing pattern of street frontage development of surrounding properties, resulting in significant harm to the Westgate on Sea Conservation Area as a designated heritage asset, contrary to Policy D1 of the Thanet Local Plan and paragraphs 17, 58, 61, 64, 132 & 134 of the National Planning Policy Framework.”

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

(k) **R11 - FH/TH/16/0888 - 22 Winterstoke Crescent, Ramsgate**

PROPOSAL: Erection of two storey side extension

Speaking as ward councillor was Councillor Connor.

Speaking in favour of the application was Mr German.

It was proposed by the Chairman and seconded by the Vice-Chairman:

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

‘That the application be REFUSED for the follow reason:

1 The proposed extension, by virtue of its scale, width, location and design would result in a prominent and incongruous form of development that is architecturally unrelated to the design and scale of the original dwelling and which will result in the loss of space between properties, giving a cramped and congested appearance that is significantly out of keeping with the established pattern of development and character and appearance of the area, contrary to Policy D1 of the Thanet Local Plan and paragraph 17 of the National Planning Policy Framework.”

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

Then, it was proposed by Councillor Gregory and seconded by Councillor Tomlinson:

“That Members approve the application subject to safeguarding conditions, as it will not have a significantly harmful impact on the character and appearance of the area”

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

(l) **R12 - FH/TH/16/0790 - 17 Beech Drive, Broadstairs**

PROPOSAL: Erection of first floor side extension

Speaking in favour of the application was Mrs Frampton.

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

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

‘That the application be REFUSED for the follow reason:

1 The proposed extension, by virtue of its location, scale and design, would form a dominant and visually intrusive element within the street scene, significantly detrimental to the established pattern of development and the character and appearance of the surrounding area, contrary to Thanet Local Plan Policy D1 and paragraphs 58, 60 and 64 of the National Planning Policy Framework.”

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

Then, it was proposed by Councillor Partington and seconded by Councillor Tomlinson:

“That Members approve the application subject to safeguarding conditions, as it will not have a significantly harmful impact on the character and appearance of the area.”

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

(m) **D13 - OL/TH/16/0654 - 66 Monkton Road, Minster**

PROPOSAL: Outline application with some matters reserved including access, for the erection of 36 dwellings with construction of new access from Monkton Road, associated new internal access roads, drainage and landscaping (reserved)

Speaking in favour of the application was Mrs Scott.

Speaking raising points of concern was Mrs Ball.

Also speaking raising points of concern was Mr Johnson.

Speaking as ward councillor was Councillor Grove.

Also speaking as ward councillor was Councillor Crow-Brown.

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

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

‘That the application be DEFERRED AND DELEGATED to the Director of Community Services to approve subject to the following safeguarding conditions:

1 Approval of the details of the layout, scale and appearance of any buildings to be erected, the means of access to the site and the landscaping of the site, (hereinafter called 'the reserved matters') shall be obtained from the Local Planning Authority in writing before any development is commenced.

GROUND:

As no such details have been submitted.

2 Plans and particulars of the reserved matters referred to in Condition 1 above, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.

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).

3 Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this permission.

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).

4 The development hereby permitted shall be begun before the expiration of 2 years from the date of approval of the last of the reserved matters to be approved.

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 No buildings within any part of the site shall exceed two storey in height specified in the supporting statements that was submitted in conjunction with the planning application hereby approved.

GROUND:

To ensure that the development takes place substantially in accordance with the principles and parameters contained within the outline documentation.

6 The vehicular access hereby permitted shall be provided prior to the first occupation of the development.

GROUND:

In the interest of highway safety.

7 Prior to the commencement of development details of the proposed roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, driveway gradients, car parking and street furniture to be laid out and constructed in accordance with details to be submitted to, and agreed in writing by, the Local Planning Authority.

GROUND:

In the interests of highway safety.

8 The details to be submitted pursuant to Condition 1 above shall show provision of areas for vehicle parking spaces and turning areas. Such approved details shall be thereafter implemented in full prior to the first occupation of any dwelling.

GROUND:

Development without adequate provision for the parking or turning of cars is likely to lead to parking inconvenient to other road users and detrimental to amenity and in pursuance of policy D1 of the Thanet Local Plan.

9 The development hereby approved shall incorporate a bound surface materials for the first 5 metres of the access from the edge of the highway.

GROUND:

To prevent extraneous material being deposited on the public highway

10 Prior to the occupation of any dwellings hereby approved the following works shall be completed:

- (a) Footways and/or footpaths, with the exception of the wearing course;
 - (b) Carriageways, with the exception of the wearing course but including a turning facility, highway drainage, visibility, street lightning, street nameplates and highway structures
- Between a dwelling and the adopted highway.

GROUND:

In the interests of highway safety.

11 Prior to the first occupation of any dwelling hereby permitted a visibility splay shall be provided in full accordance with the details indicated on the approved plan. The splay shall thereafter be maintained at all times free from any obstruction exceeding 1 metres above the level of the adjacent highway carriageway.

GROUND:

In the interests of highway safety.

12 Prior to the first occupation of any dwelling hereby permitted a pedestrian visibility splay measuring 1 metre X 1 metre shall be provided behind the footway on both sides of each private access and such splays shall thereafter be maintained at all times free from any obstruction exceeding 0.6 metres above the level of the footway.

GROUND:

In the interests of highway safety

13 Prior to the first occupation of the development, secure cycle parking facilities for each dwelling hereby permitted shall be provided and thereafter maintained.

GROUND:

In the interests of promoting increased cycling in accordance with policy TR12 of the Thanet Local Plan

14 The details to be submitted pursuant to Condition 1 above shall include provision of a pedestrian connection to public footpath TE462. The connection shall be completed prior to the first occupation of any dwelling hereby approved.

GROUND:

To ensure that the development is sustainable in accordance with the principles of the NPPF.

15 Details to be submitted in pursuant of Condition 1 above shall include a construction management plan, to include the following details:

- (a) Routing of construction and delivery vehicles to/from site
- (b) Timing of deliveries
- (c) Parking for site personnel
- (d) Parking and turning for delivery vehicles
- (e) Provision of wheel washing facilities

GROUND:

In the interests of highway safety

16 The layout plan to be submitted in pursuant of condition 1 above shall identify the location of Electric Vehicle Charging Points, in the form of 1 EV charging point per residential property with dedicated parking, and 1 in 10 of all allocated parking, with full details of the Electric Vehicle Charging Points to be submitted to and approved in writing by the Local Planning Authority.

GROUND:

To mitigate against the cumulative impact of the proposal on air quality, in accordance with Policy EP5 of the Thanet Local Plan.

17 The details to be submitted pursuant to Condition 1 above shall show at least 15% of the development provided as lifetime homes and wheelchair housing.

GROUND:

To meet a range of community needs, in accordance with Policy H8 of the Thanet Local Plan.

18 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the Local planning authority. The remediation strategy shall be implemented as approved.

GROUND: To protect vulnerable groundwater resources and ensure compliance with the National Planning Policy Framework.

19 No drainage systems for the infiltration of surface water drainage into the ground are permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approved details.

GROUND: Infiltration through contaminated land has the potential to impact on groundwater quality.

20 No development shall take place until details of the means of foul and 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 detailed drainage scheme shall demonstrate that the run-off leaving the site post-development will be attenuated on site and discharged to the receiving sewer at a maximum rate, as formally agreed with Southern Water, for all rainfall events, up to and including the climate change adjusted critical 100yr storm. 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 National Planning Policy Framework.

21 No building hereby permitted shall be occupied until details of the implementation, maintenance and management of the sustainable drainage scheme have been submitted to and approved in writing by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:

- i) a timetable for its implementation, and
- ii) a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage system throughout its lifetime.

GROUND:

To ensure that the principles of sustainable drainage are incorporated into this proposal and to ensure ongoing efficiency of the drainage provisions, in accordance with the National Planning Policy Framework.

22 The detailed design of the dwellings hereby approved, to be submitted in pursuant of condition 1 above shall show no habitable rooms located closer than 15 metres to the boundary of a proposed pumping station site.

GROUND:

In order that the Local Planning Authority may retain control over the development in the interests of the residential amenities of the locality in accordance with the NPPF.

23 The landscaping plan to be submitted in pursuant of condition 1 above shall include the ecological enhancements detailed within the Ecological Appraisal (dated February 2016 by Aspect |Ecology) and the recommendations of the Arboricultural Report (dated 16th May 2016 by Chartwell Tree Consultants Ltd).

GROUND:

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

24 The landscaping plan to be submitted in pursuant of condition 1 above shall include the recommendations as identified within the Landscape Appraisal (Crabtree & Crabtree dated November 2015).

GROUND:

In the interests of the visual amenities of the area and to adequately integrate the development into the environment in accordance with Policies CC1 of the Thanet Local Plan.

25 No development shall take place 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 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 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.”

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

It was then proposed by Councillor Gregory, seconded by Councillor Hayton...

“That Members REFUSE the application.”

The motion was withdrawn.

It was then proposed by Councillor Gregory and seconded by Councillor Tomlinson:

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

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

(n) **D14 - F/TH/16/0952 - 131-137 King Street, Ramsgate**

PROPOSAL: Erection of a 4 storey building comprising 14No. flats and 4No. 2-bed dwellings following demolition of existing garage/storage unit

Speaking raising points of concern was Mrs Higgins.

Speaking as ward councillor was Councillor Larkins.

It was proposed by the Chairman and seconded by the Vice Chairman:

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

'That the application be DEFERRED AND DELEGATED to the Director of Community Services to approve subject to the receipt of the legal agreement securing the financial contribution towards mitigating the recreational pressure of Special Protection Area in accordance with the Habitat Regulations and the following safeguarding 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 as amended by the revised drawings numbered 203 Rev B, 204 Rev B, 205 Rev C, 206 Rev C, 207 Rev C, and 208, received 02 September 2016.

GROUND:

To secure the proper development of the area.

3 No development shall commence (excluding demolition) until a site characterisation and remediation scheme has been submitted to and approved in writing by the Local Planning Authority and the remediation scheme has been implemented in accordance with the approved details. The site characterisation, remediation scheme and implementation of the approved remediation scheme shall be carried out in accordance with the following criteria:

(a) Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, shall be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and 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, and shall include:

A survey of the extent, scale and nature of contamination

An assessment of the potential risks to:

Human health

Property

Adjoining land

Groundwaters and surface waters

Ecological system

An appraisal of remedial options and a recommendation of the preferred options

The site characterisation report shall be conducted in accordance with British Standards and current DEFRA and Environment Agency best practice.

(b) Submission of remediation scheme

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 must be prepared, and shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include all works to be undertaken, proposed

remediation objectives and remediation criteria, a timetable of works and site management procedures. The scheme shall ensure that the site cannot be considered as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

(c) Implementation of Approved Remediation Scheme

The approved remediation scheme shall be carried out in accordance with its terms prior to the commencement of the development other than that required to carry out remediation. The Local Planning Authority shall be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in Planning Policy Statement 23 as a validation report) that demonstrates the effectiveness of the remediation carried out shall be submitted to and approved in writing by the Local Planning Authority

GROUND:

To ensure that the proposed site investigation, remediation and development will not cause harm to human health or pollution of the environment, in accordance with the National Planning Policy Framework.

4 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 National Planning Policy Framework.

5 Prior to the occupation of the development hereby approved, the redundant vehicle crossing to King Street 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.

6 No development shall take place (excluding demolition) until samples of the materials shown on the approved plan numbered 206 Rev C for the construction of the external surfaces of the development hereby permitted have been 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.

7 No meter boxes or satellite equipment shall be attached to the front elevation of the building.

GROUND:

To safeguard the special character and appearance of the area as a Conservation Area in accordance with the National Planning Policy Framework.

8 No development shall take place (excluding demolition) until full details of both hard and soft landscape works have been submitted to, and approved in writing by, the Local Planning Authority and these works shall be carried out as approved.

These details shall include:-

(1) details of new trees, shrubs, hedges and grassed areas to be planted, together with details of the species and method of planting to be adopted.

(2) details of the treatment proposed for all hard surfaced areas beyond the limits of the highway.

(3) details of walls, fences, other means of enclosure proposed, together with details of materials and construction and details of other minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc.)

GROUND:

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

9 The refuse storage facilities as specified upon the approved plans numbered 203 Rev B and 205 Rev C shall be provided prior to the first occupation of any of the flats/dwellings hereby permitted and shall be kept available for that use at all times, and at no time shall dustbins be stored other than in the approved location.

GROUND:

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

10 Prior to the first occupation of the development, the secure cycle parking facilities, as shown on approved drawing numbered 205 Rev C shall be provided and thereafter maintained.

GROUND:

In the interests of promoting increased cycling in accordance with Policy TR12 of the Thanet Local Plan

11 Prior to the commencement of the development hereby approved (excluding demolition) joinery details including sections through glazing bars, frames and mouldings 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. Such details as are approved shall be carried out concurrently with the development and fully implemented prior to the first occupation of any part of the approved development.

GROUND:

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

12 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

13 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

14 No development shall take place (excluding demolition) until details of the means of foul 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 guidance contained within the NPPF.

15 (i) No development shall commence (excluding demolition) until a detailed sustainable surface water drainage scheme for the site has been submitted to (and approved in writing by) the local planning authority. The detailed drainage scheme shall demonstrate that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100yr storm) can be accommodated and disposed without increase to on site or off site flood risk. Any discharge to the public sewer network shall be agreed in advance in writing with the local planning authority and Southern Water.

(ii) No building hereby permitted shall be occupied until details of the implementation, maintenance and management of the sustainable drainage scheme have been submitted to and approved in writing by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:

- i) a timetable for its implementation, and
- ii) a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage system throughout its lifetime.

GROUND:

To ensure that the principles of sustainable drainage are incorporated into this proposal and to ensure ongoing efficiency of the drainage provisions.

16 Prior to the commencement of development hereby permitted (excluding demolition), details of the railings shall be submitted to and approved in writing by the Local Planning Authority. The railings shall be installed in accordance with the approved details.

GROUND:

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

17 Prior to the first occupation of the self-contained flats hereby permitted, the play space and associated boundary treatment as shown on the approved plan numbered 203 Rev B shall be provided and thereafter maintained.

GROUND:

To provide doorstep playspace in accordance with Policy SR5 of the Thanet Local Plan.

18 Prior to the commencement of development hereby permitted (excluding demolition) , details of a construction management plan 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 highway safety.

19 The proposed pedestrian gates adjacent to King Street shall not open over the highway.

GROUND:

In the interests of highway safety.

20 Prior to the commencement of development hereby permitted (excluding demolition) the design of the means of access shall be submitted to, and agreed in writing by, the Local Planning Authority

GROUND:

In the interests of highway safety.

21 Prior to the first occupation of the development hereby permitted, the retractable bollards as shown on the approved plan numbered 203 Rev B, shall be provided and thereafter maintained.

GROUND:

In the interests of highway safety.

22 The 3m high boundary wall between the application site and no. 145 King Street shall be retained, unless otherwise agreed in writing by the Local Planning Authority.

GROUND:

In the interests of neighbouring privacy, in accordance with Policy D1 of the Thanet Local Plan.”

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

Meeting concluded : 10.40pm

A05

FH/TH/16/0756

PROPOSAL: Erection of a single storey side extension and two storey rear and side extension and erection of porch to front elevation following demolition of existing garage.

LOCATION: 26 Old Hall Drive RAMSGATE Kent CT12 5LE

WARD: Cliffsend And Pegwell

AGENT: Miss Aileen Waddell

APPLICANT: Mr & Mrs Larkins

RECOMMENDATION: Approve

Subject to the following conditions:

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

GROUND:

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

2 The development hereby approved shall be carried out in accordance with the submitted drawings.

numbered 22699A_04 Revision P3, and 22699A_05 Revision P4 received 5 August 2016., ,
****, ****, ****, ****, ****

GROUND:

To secure the proper development of the area.

3 The external materials and external finishes to be used in the extensions hereby approved shall be of the same colour, finish and texture as those on the existing property.

GROUND:

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

SITE, LOCATION AND DESCRIPTION

The site is located within the urban confines of Cliffsend. Old Hall Drive is characterised by two storey development with predominantly detached properties and groups of terraced properties. Architecturally properties are of a neo-Georgian appearance with a very uniform

external appearance and open plan front gardens laid to lawn. The detached properties in this part of Old Hall Drive most notably have virtually identical front entrances with arch and columns in the neo-Georgian style with bow windows at ground floor. The properties are set back from the highway and have distinct separation from each other with single storey garages to one side, maintaining an openness between properties which is characteristic of the appearance of this part of Old Hall Drive.

PLANNING HISTORY

There is no previous planning history for this property.

PROPOSED DEVELOPMENT

The original proposal was for the erection of a two storey side and rear extension with balcony to rear, erection of porch to front elevation following demolition of existing garage. Following a number of objections from neighbouring residential occupiers and concerns regarding 'terracing' the proposal has been amended to omit the balcony to the rear and revise the extensions.

The proposal now under consideration is for the erection of a single storey side extension and two storey rear and side extension and erection of a porch to the front elevation following demolition of the existing garage.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan 2006 (Saved Policies)

D1 - Design principles

NOTIFICATIONS

Letters of objection have been received from 12 nearby residential properties raising the following concerns:

Overbearing impact on neighbouring properties

Loss of spacing between properties

Loss of light

Loss of outlook

Loss of view through existing gap between properties

Overlooking and loss of privacy

Negative impact on surrounding area

Porch is too large and not in keeping with other houses

Loss of parking as a result of larger porch

Additional parking in front garden out of keeping

Balcony - overlooking and loss of privacy

Frontage should remain a Georgian style with open plan appearance

Loss of open soft landscaping to the front of the property to car parking

Impact on the whole look and economic benefits of living in a village environment

Addition of flue

Covenant for the estate - nothing shall be built in advance of the front of the house.

The Cliffsend Residents Association confirm the objections already listed.

Two letters of support have been received, one from the immediate neighbour at No.24, raising no objection.

CONSULTATIONS

Cliffsend Parish Council - Initially raised concerns over the potential loss of privacy resulting from the balcony but this has since been removed from the proposal. Concerns are raised over the side extension together with the porch making the property out of character with existing properties.

ANALYSIS

The application is brought before members by Cllr John Townend for members to consider the impact of the size and severity of the planned alterations/extensions on the character and appearance on Old Hall Drive which has retained its original open plan design.

Character and Appearance

The area comprises two storey detached properties with a very uniform external appearance and open plan gardens to the front laid to lawn. The detached properties in this part of Old Hall Drive most notably have virtually identical front entrances with arch and columns in the neo-Georgian style with bow windows at ground floor.

Many of the objection received raised concerns over the loss of the originally designed entrance door and the erection of a porch that would change the character and appearance of properties within Old Hall Drive. The proposed porch has external measurements of 1.8 metres by 3.2 metres and a height of 2.7 metres. A modest porch could be built under permitted development allowances as the property is set back more than 2 metres from the highway however this proposal is larger in floor area than that permitted within the permitted development allowance. The proposed porch would alter the uniform appearance of this property compared to its neighbours in Old Hall Drive, however, porches can be added without the need for planning permission where they meet the permitted development criteria. I therefore consider the argument to keep the external appearance of the entrance to the property unchanged is not one that can be considered on its own as a reason for refusal. The proposed porch would extend across the front of the property, extending 0.5 metres beyond the existing front elevation. The facing brickwork is to match that of the main property with the addition of a timber door and glazing. I consider the porch to be residential in design and not inappropriate in scale to the main dwelling and is therefore acceptable.

The single storey side extension has been set back slightly from the front elevation and would be set back 2.1 metres from the proposed front porch. This single storey element runs almost 6 metres from the front elevation of the main dwelling to the rear and together with its mono pitched roof maintains the visual gap between properties as viewed from the highway. The proposed two storey extension runs across the rear of the property to a similar depth of the extension of the neighbouring property at No.28. The two storey extension to the rear of

the property would not be immediately visible from Old Hall Drive, however, the portion of extension to the side of the property, towards the rear adjoining the boundary with No.24, would only be visible from glances between properties. I consider the siting and design of the two storey rear and side extension, together with the windows fronting the highway and materials to match, would not appear unduly dominant within the streetscene.

It is therefore considered that the proposed development, by virtue of its siting and design, would not result in an unduly dominant or intrusive development within the street scene and the proposal is therefore in line with policy D1 of the Local Plan and the National Planning Policy Framework.

Living Conditions

The proposal under consideration no longer includes the balcony roof terrace to the rear which raised concerns of overlooking and loss of privacy.

There are no windows proposed in the side elevations facing either adjoining properties (Nos 28 and 24). The two storey extension would project 3.5 metres into the rear garden with the single storey rear extension extending a further 3 metres, in the location of the garage, alongside the existing garage of No.24. This extension would be approximately 0.6 metres wider than the garage footprint it replaces. A window is proposed in the side elevation of the single storey rear extension facing the rear garden of No.28 and is approximately 7.5 metres from the side boundary which is screened by a high level wooden fence.

The single storey rear extension would be approximately 9.5 metres from the rear garden boundary with properties in Moyes Close and Greystones Road, with the two storey element being approximately 12.5 metres from the boundary. From the rear garden of the application site it was noticeable that properties to the rear overlook directly into the application site resulting in mutual overlooking between properties. The existing windows at first floor serve a bedroom and bathroom. The windows proposed at first floor in the extended rear elevation would serve bedrooms which is similar to the existing situation, albeit 3.5 metres further into the site. This is not considered to be significantly harmful to the neighbours at the rear, given the presence of existing first floor windows.

The rear extension would project the same distance into the rear garden as the existing glazed conservatory which is to be removed. I consider there to be no material change in the impact of window arrangements at ground floor.

The proposed extensions would be built on the boundary with No.24, however, due to the separation distance of approximately 2.5 metres and the location of the existing garage it is considered there would not be an unacceptable impact on the living conditions of occupiers of No.24.

The occupants of No.28 have objected to the impact of the rear extension on a bedroom facing the application site, with concerns that the side wall would be very close and have a significant overbearing impact on the bedroom and loss of natural light. The distance between the application site and No.28 remains the same (2.5 metres) however the extension would add an additional 3.5 metres of depth to the property. At the time of my visit

the first floor side window of No.28, serving a bedroom, was clearly in shadow from the existing proximity of No.26. The natural light reaching the window is mainly from above, over the roof of No.26. Given the orientation of the room some morning light will be reduced to this bedroom, however, I do not believe this would significantly change as a result of the proposed extension given the existing relationship between the two properties.

The view out of this bedroom window is currently directly onto the brickwork of the side elevation of No.26 with views into the rear garden possible if leaning into the window. Due to the current lack of outlook due to the positioning of the bedroom window I do not consider the proposed extension would result in an unacceptable loss of outlook to this bedroom.

The proposed development would not result in any significant detrimental impact on neighbouring property occupiers. It is therefore considered that in terms of the living conditions of neighbouring property occupiers, the proposal is in accordance with Policy D1 of the Thanet Local Plan and the National Planning Policy Framework.

Highway Safety

The property currently benefits from a large driveway and a garage. The garage is to be removed and a porch and side extension built over existing off street parking. The proposed porch to the front will result in a distance of approximately 8 metres for the parking of vehicles. It is considered that the proposal would not materially increase the dwellings requirement for car parking provision and off street parking is available within the site and there is ample on-street parking available within Old Hall Drive.

For these reasons I consider there will be no change in highway safety.

Other Matters

Concerns raised over the loss of view from Moyes Close through the gap to the green in Old Hall Drive are not concerns that can be considered through the planning process.

The flue shown in the original drawing, removed in the amended drawing, would not require the benefit of planning permission.

Concerns regarding Covenants are civil matters and are not considered by this application.

CONCLUSION

In view of the above it is considered that this application does not have an adverse impact on its surroundings or living conditions of neighbouring property occupiers and accords with Local Plan Policy D1 and the NPPF.

It is therefore recommended that members approve the application subject to safeguarding conditions.

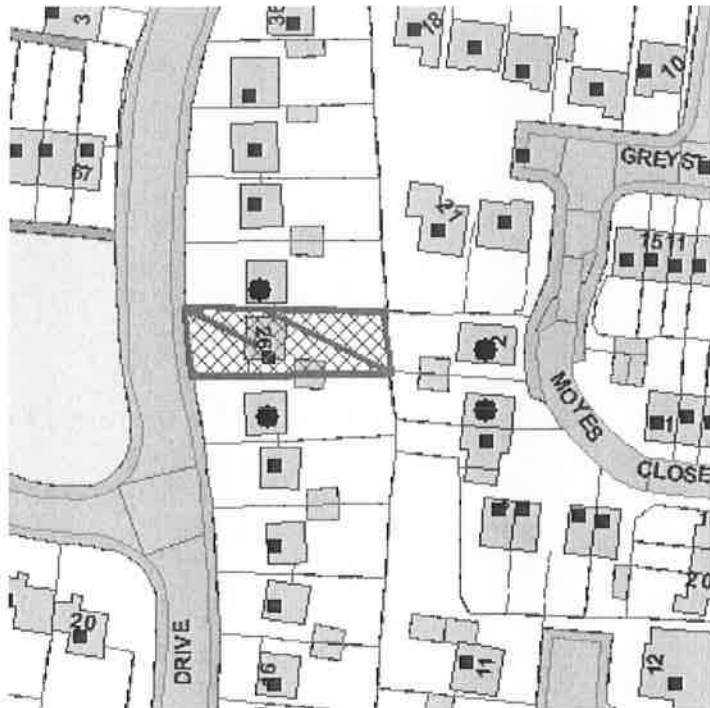
Case Officer

Rosemary Bullivant

TITLE: FH/TH/16/0756

Project 26 Old Hall Drive RAMSGATE Kent CT12 5LE

Scale:



D13

OL/TH/16/0654

PROPOSAL: Outline application with some matters reserved including access, for the erection of 36 dwellings with construction of new
LOCATION: access from Monkton Road, associated new internal access roads, drainage and landscaping (reserved)

66 Monkton Road Minster RAMSGATE Kent CT12 4EE

WARD: Thanet Villages

AGENT: Mrs Jane Scott

APPLICANT: Crabtree

RECOMMENDATION: Defer & Delegate

Subject to the following conditions:

1 Approval of the details of the layout, scale and appearance of any buildings to be erected, the means of access to the site and the landscaping of the site, (hereinafter called 'the reserved matters') shall be obtained from the Local Planning Authority in writing before any development is commenced.

GROUND:

As no such details have been submitted.

2 Plans and particulars of the reserved matters referred to in Condition 1 above, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.

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).

3 Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this permission.

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).

4 The development hereby permitted shall be begun before the expiration of 2 years from the date of approval of the last of the reserved matters to be approved.

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 No buildings within any part of the site shall exceed two storey in height specified in the supporting statements that was submitted in conjunction with the planning application hereby approved.

GROUND:

To ensure that the development takes place substantially in accordance with the principles and parameters contained within the outline documentation.

6 The vehicular access hereby permitted shall be provided prior to the first occupation of the development.

GROUND:

In the interest of highway safety.

7 Prior to the commencement of development details of the proposed roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, driveway gradients, car parking and street furniture to be laid out and constructed in accordance with details to be submitted to, and agreed in writing by, the Local Planning Authority.

GROUND:

In the interests of highway safety.

8 The details to be submitted pursuant to Condition 1 above shall show provision of areas for vehicle parking spaces and turning areas. Such approved details shall be thereafter implemented in full prior to the first occupation of any dwelling.

GROUND:

Development without adequate provision for the parking or turning of cars is likely to lead to parking inconvenient to other road users and detrimental to amenity and in pursuance of policy D1 of the Thanet Local Plan.

9 The development hereby approved shall incorporate a bound surface materials for the first 5 metres of the access from the edge of the highway.

GROUND:

To prevent extraneous material being deposited on the public highway

10 Prior to the occupation of any dwellings hereby approved the following works shall be completed:

- (a) Footways and/or footpaths, with the exception of the wearing course;
- (b) Carriageways, with the exception of the wearing course but including a turning facility, highway drainage, visibility, street lightning, street nameplates and highway structures

Between a dwelling and the adopted highway.

GROUND:

In the interests of highway safety.

11 Prior to the first occupation of any dwelling hereby permitted a visibility splay shall be provided in full accordance with the details indicated on the approved plan. The splay shall thereafter be maintained at all times free from any obstruction exceeding 1 metres above the level of the adjacent highway carriageway.

GROUND:

In the interests of highway safety.

12 Prior to the first occupation of any dwelling hereby permitted a pedestrian visibility splay measuring 1 metre X 1 metre shall be provided behind the footway on both sides of each private access and such splays shall thereafter be maintained at all times free from any obstruction exceeding 0.6 metres above the level of the footway.

GROUND:

In the interests of highway safety

13 Prior to the first occupation of the development, secure cycle parking facilities for each dwelling hereby permitted shall be provided and thereafter maintained.

GROUND:

In the interests of promoting increased cycling in accordance with policy TR12 of the Thanet Local Plan

14 The details to be submitted pursuant to Condition 1 above shall include provision of a pedestrian connection to public footpath TE462. The connection shall be completed prior to the first occupation of any dwelling hereby approved.

GROUND:

To ensure that the development is sustainable in accordance with the principles of the NPPF.

15 Details to be submitted in pursuant of Condition 1 above shall include a construction management plan, to include the following details:

- (a) Routing of construction and delivery vehicles to/from site
- (b) Timing of deliveries
- (c) Parking for site personnel
- (d) Parking and turning for delivery vehicles
- (e) Provision of wheel washing facilities

GROUND:

In the interests of highway safety

16 The layout plan to be submitted in pursuant of condition 1 above shall identify the location of Electric Vehicle Charging Points, in the form of 1 EV charging point per residential

property with dedicated parking, and 1 in 10 of all allocated parking, with full details of the Electric Vehicle Charging Points to be submitted to and approved in writing by the Local Planning Authority.

GROUND:

To mitigate against the cumulative impact of the proposal on air quality, in accordance with Policy EP5 of the Thanet Local Plan.

17 The details to be submitted pursuant to Condition 1 above shall show at least 15% of the development provided as lifetime homes and wheelchair housing.

GROUND:

To meet a range of community needs, in accordance with Policy H8 of the Thanet Local Plan.

18 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the Local planning authority. The remediation strategy shall be implemented as approved.

GROUND: To protect vulnerable groundwater resources and ensure compliance with the National Planning Policy Framework.

19 No drainage systems for the infiltration of surface water drainage into the ground are permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approved details.

GROUND: Infiltration through contaminated land has the potential to impact on groundwater quality.

20 No development shall take place until details of the means of foul and 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 detailed drainage scheme shall demonstrate that the run-off leaving the site post-development will be attenuated on site and discharged to the receiving sewer at a maximum rate, as formally agreed with Southern Water, for all rainfall events, up to and including the climate change adjusted critical 100yr storm. 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 National Planning Policy Framework.

21 No building hereby permitted shall be occupied until details of the implementation, maintenance and management of the sustainable drainage scheme have been submitted to and approved in writing by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:

- i) a timetable for its implementation, and
- ii) a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage system throughout its lifetime.

GROUND:

To ensure that the principles of sustainable drainage are incorporated into this proposal and to ensure ongoing efficiency of the drainage provisions, in accordance with the National Planning Policy Framework.

22 The detailed design of the dwellings hereby approved, to be submitted in pursuant of condition 1 above shall show no habitable rooms located closer than 15 metres to the boundary of a proposed pumping station site.

GROUND:

In order that the Local Planning Authority may retain control over the development in the interests of the residential amenities of the locality in accordance with the NPPF.

23 The landscaping plan to be submitted in pursuant of condition 1 above shall include the ecological enhancements detailed within the Ecological Appraisal (dated February 2016 by Aspect |Ecology) and the recommendations of the Arboricultural Report (dated 16th May 2016 by Chartwell Tree Consultants Ltd).

GROUND:

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

24 The landscaping plan to be submitted in pursuant of condition 1 above shall include the recommendations as identified within the Landscape Appraisal (Crabtree & Crabtree dated November 2015).

GROUND:

In the interests of the visual amenities of the area and to adequately integrate the development into the environment in accordance with Policies CC1 of the Thanet Local Plan.

25 No development shall take place 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 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 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.

SITE, LOCATION AND DESCRIPTION

The site lies to the south of Monkton Road and to the west of Thorne Road in Minster, and at present has two dwellings (66 Monkton Road and Cherry Tree Cottage) in situ and their associated curtilages and also land in association with horsiculture activities.

To the east of part of the site is a public footpath and a track then runs along the southern side of the site and beyond that open countryside, which also lies beyond the western boundary of the site. Fronting the road there is linear development to Monkton Road to the west and to the east there is the recently completed Monkton Road housing development. This comprises a comprehensive scheme that went behind dwellings fronting Monkton Road.

RELEVANT PLANNING HISTORY

OL/TH/04/0069 Outline application for the erection of a detached bungalow upon land adjoining 66 Monkton Road. Granted 23/03/04

OL/TH/91/0742 Outline application for the erection of a dwelling. Refused

F/TH/96/0257 Erection of double garage. Withdrawn

F/TH/90/0396 Change of use of land to allow the grazing of horses and erection of 2 single storey stable buildings and additional single storey store. Granted 31/05/90

PROPOSED DEVELOPMENT

The proposal involves the demolition of two existing dwellings and other low level buildings. The application is in outline form with all matters reserved with the exception of access. The layout proposed shows a central access road that dwellings are either accessed off directly or there are private drives providing the connection. The submitted plans show a possible layout for 36 dwellings with two dwellings fronting Monkton Road.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan (2006)

H1- Housing

H4 – Windfall Sites

H8 - Mix of dwellings
HE12 –Archaeological Sites and Preservation
TR12 - Cycling
TR16 - Car Parking Provision
D1 – Design Principles
D2 - Landscaping
SR5 – Play space
CC1 – Development in the Countryside (urban and rural confines)
CC2 – Landscape Character Areas
R1 – General Levels of Development
CF2 – Development Contributions

NOTIFICATIONS

20 Letters of representation have been received. The following issues are raised:

- * Issues relating to access at the junction with Monkton Road and Tothill Street and getting up or down Tothill Street
- * Monkton Road and Willetts Hill are not suitable for further development
- * Drainage and sewerage issues
- * Lack of local services
- * Devalue existing properties
- * Overlooking and loss of privacy
- * Loss of outlook
- * Crime
- * Effect on ecology
- * Over-development
- * Flooding
- * Impacts during construction work
- * Archaeological issues
- * Increase in pollution

CONSULTATIONS

Minster Parish Council: OBJECTION Their points can be summarised as follows;

- * Incursion into the countryside contrary to Policy CCI of the Thanet Local Plan
- * Development of the site will impinge upon views to the detriment of the Landscape Character Area (contrary to CC2) and the Countryside in general
- * The Council has considered the most suitable locations for development in Minster as part of the emerging Local Plan process, no sites identified in Monkton Road, this indicates that the site is not one that meets sustainability criteria as well as those sites.
- * Proposal has a detrimental impact upon the setting of Eden Hall, a grade II Listed Building and this detrimental
- * The application should be refused unless it can be demonstrated that the scheme will not have a detrimental visual impact
- * Proposal is contrary to policy H4 as it is neither in the village and its location is detrimental to the countryside and the setting of a grade II Listed Building.

* There is a planning application for 2500 houses at The former Manston Airport site; questioned whether the consideration of all other speculative applications should not be held in abeyance pending determination of the suitability of that site.

* Whilst it is acknowledged that there is a shortfall in housing supply, it is strongly considered that the detrimental impact of this proposal significantly outweighs its benefits.

KCC Highways and Transportation: NO OBJECTION subject to conditions relating to internal layout, parking and turning, measures to prevent surface water onto the highway, surfacing of each access, covered cycle storage, visibility splays, connection to public footpath and construction management plan.

Public Rights of Way: We have no objection to the erection of 36 dwellings but as the development is directly adjacent to footpaths TE33 and TE462 we have concerns regarding how this will affect the surface of the footpath during the construction phase of the development.

The applicant should be aware that

1. No furniture may be erected on or across Public Rights of Way without the express consent of the Highway Authority;
2. There must be no disturbance of the surface of the right of way, or obstruction of its use, either during or following any approved development;
3. There should be no Close board Fencing or similar structure over 1.2 metres erected which will block out the views;
4. No hedging or shrubs should be planted within 1.0 metres of the edge of the Public Right of Way.

The applicant should also be aware that any planning consent given confers no consent or right to close or divert the public right of way at any time without the express permission of the Highway Authority. If the applicant needs to apply for a temporary traffic regulation order whilst works are undertaken, I would need six weeks' notice to process this.

KCC Regeneration Projects: Contributions are sought in relation to primary and secondary education, libraries in order to make the scheme acceptable.

Environment Agency: NO OBJECTION subject to condition, relating to contamination, infiltration of surface water drainage.

KCC Sustainable Drainage Officer: The outline development proposal for 36 residential properties proposes a drainage strategy which relies on storage within permeable pavement and a ditch system along the southern perimeter of the site. The location of discharge to the ditch on the boundary is not designated but assumed to be at the lowest point. BGS information also indicates the bedrock permeability is variable but with a depth to the water table expected to be less than 3m, which raised concerns with the Environment Agency.

The applicant has presented information which describes the Surface Water Flood Mapping and its implications for the site. This flooding assessment is based on topography but which may also be associated with the capacity of the ordinary watercourse on the boundary. It would be prudent to ensure that the residential layout considers these areas appropriately.

We agree with the applicant's submission that infiltration may be possible but we do not agree with the results presented for the Greenfield runoff rate calculations. The Surface Water Management Strategy has presented the range of solutions available with and without infiltration. The attenuation volumes as proposed are therefore uncertain given the calculation of the greenfield runoff rates and assumptions with respect to infiltration. Notwithstanding these issues, the final discharge destination could be via infiltration or to the adjacent ditch; therefore a drainage solution could be anticipated to be reasonably achieved even with these uncertainties. At detailed design we would require agreement of the greenfield runoff rates and confirmation of the infiltration rate through appropriate ground investigations.

Therefore, our outstanding concern is in relation to the proposed indicative layout. It is possible that new homes could be located in a surface water flow path and we would prefer that the site is arranged to account for the surface water flood mapping and which may preferably locate the attenuation volumes to the lower end of the site.

Southern Water: NO OBJECTION subject to condition (relating to foul and surface water sewerage disposal informative).

River Stour IDB: Please note that the site of the above planning application borders the River Stour (Kent) Internal Drainage Board's district and therefore has a potential to affect IDB interests, local drainage and flood risk in particular.

Whilst not opposed to this proposal in principle it is requested, should the Council be minded to approve this application, that details of surface water drainage are made subject to a condition requiring runoff rates to be restricted to that of the Greenfield site with on-site storage to accommodate the 1 in 100 year rainfall event +Cc.

Details of the proposed SuDS and its future maintenance should be designed and agreed in direct consultation with KCC's drainage and flood risk team. In addition to this, the capacity and condition of the receiving watercourse(s) must be assessed.

KCC Ecological Advice Service:

The submitted surveys have recorded the following within the site:

- Foraging soprano and common pipistrelle and Noctule
- Hedgehogs
- Grass snakes (juvenile)
- Breeding birds (including Swallows)

We are satisfied that the submitted ecological has adequately assessed the impact the proposed development will have on protected/notable species and we do not require additional information to be provided prior to determination of the planning application. Conditions are recommended and contribution to the SAMM.

Strategic Housing Manager: Strategic Housing supports this application and the proposal to provide 30 % affordable housing in accordance with Council policy. In this case, this would be 10.8 which we would expect to be rounded to 11. We would also expect to be allocated units which are representative of the split across the whole scheme.

In 2013 the Rural Housing Need survey for Minster identified the following need:

- . A total of 49 adults and 21 children have a housing need
 - . 26 respondents with a housing need currently live in Minster and 3 live outside
- Overall, a need for up to 29 affordable homes, for the following local households was identified:
- . 6 single people
 - . 13 couples
 - . 10 families

Although since this survey took place, a development has provided the majority of the affordable housing identified above, due to the increased pressures and demand on housing markets, within Minster and across Thanet, this affordable housing is still very much needed. The affordable unit breakdown would be in line with council policy and 70% Affordable rent (Social Rent) and 30% shared ownership. This could be negotiated depending on the scheme details and units offered.

Environmental Health: NO OBJECTION subject to condition.

Conservation Officer: NO OBJECTION

KCC Archaeology: NO OBJECTION subject to condition.

COMMENTS

The reason for referral to the planning Committee is the proposal represents a departure from the Local Plan.

The key issues in the determination of this application are:

- Principle of development;
- Character and Appearance;
- Living Conditions;
- Transportation;
- Affordable Housing;
- Infrastructure Provision; and
- Other Material Considerations

Principle

The application site lies within an area designated as countryside as defined by the Thanet Local Plan. Policy CC1, covers this issue; development in the countryside. This policy states that within the countryside new development will not be permitted unless there is a need for the development that overrides the need to protect the countryside.

However it has been determined that the Council does not currently have a 5 year supply of deliverable housing sites as required by paragraph 49 of the NPPF. For residential development, this means that planning applications for housing should be considered in the

context of the National Planning Policy Framework's presumption in favour of sustainable development (paragraph 14). This is because local policies (including defined development boundaries) relating to the supply of housing are no longer considered up to date (paragraph 49). Paragraph 14 of the NPPF states that where relevant local policies are out-of-date, planning permission should be granted unless; any adverse impacts of doing so would "significantly and demonstrably" outweigh the benefits, when assessed against the policies of the NPPF taken as a whole; or specific policies in the NPPF indicate development should be restricted.

In this case the site is on the edge of the village of Minster, close to the main village centre which has a number of small local shops, doctor's surgery, primary school and also access to a railway station. The village in itself is therefore considered to be sustainable as its facilities could support additional dwellings and their occupants. It is acknowledged that this is a relatively large site, larger than a site that may come forward and is, not part of a proposed allocation, however paragraph 14 of the NPPF refers to there being a need for significant and demonstrable harm that would outweigh a planning permission from being granted. In light of the 5 year deliverable housing supply site issue and the sites close physical affinity and easy access to services within the village, it is considered that the proposal could comply with the NPPF's presumption in favour of sustainable development, subject to there being no demonstrable harm being demonstrated.

Character and Appearance

The proposal requires the removal of number 66 Monkton Road and Cherry Tree Cottage; no objection is raised to their demolition. Development to the west of the site is linear along Monkton Street, whilst larger sites have been developed off Monkton Street, in a more comprehensive way; to the east of the site. The proposed site includes the aforementioned properties their respective curtilages and also an area used for grazing of horses the remainder has some low level buildings and grassed areas. Along the south east and south boundaries of the site is an existing footpath, which encloses the site.

The application is all reserved matters reserved with the exception of access, until a later stage; however the application has been supported by an indicative layout plan of the site and an indicative appearance of the properties to be built.

The indicative site layout identifies a mix of two storey terrace, semi-detached and detached properties. All properties on the site will be served by a new vehicular access to the east of 68 Monkton Road. It is considered that the indicative layout, would not detrimentally affect the form and character of the development in the locality. The indicative layout of the site is not as dense as the relatively new development to the east of the site, but provides some form of transition between the denser centre of the village and a sense of more spacious plots to the west along Monkton Road, prior to open countryside which lies beyond. The site area is 1.32ha which gives a density of 27dph, which is relatively low.

In terms of the impact on the landscape character the applicant considers that the site is well contained due to existing screened boundaries. It is stated that the site is not viewed from local public roads, or trains due to the existing vegetation, although visible from local footpath along the eastern site boundary and local paths crossing the field to the south. It

was concluded that the proposal would have a negligible visual impact subject to buildings being no more than two storey, retention of the hawthorn hedge on the western boundary and Popular trees along the southern and part-western boundary should be topped as recommended.

Given the existing landscape buffers that largely screen the site, from the wider countryside and that it would be seen in the context of the village of Minster, I am satisfied that a proposal at this relatively low density could be achieved, whilst maintaining green space around the proposed dwellings to create a relatively verdant development within this edge of village location. I am of the view that proposal would accord with policy CC2 of the Local Plan, as it would not damage the setting of the Wantsum Channel, and long views of Pegwell Bay, the Wantsum channel, the adjacent marshes and the sea.

It is also recognised that Eden Hall (58 Monkton Road) is a Grade II listed building; its south western boundary will abut the site. S.66 of the Town and Country (Listed Building and Conservation Areas) Act 1990 requires Local Planning Authority to have special regard to the desirability of preserving the building or its setting. An assessment needs to be made if there is any harm caused to the setting of the listed building and if that harm is substantial in accordance with paragraph 134 of the National Planning Policy Framework.

To the east of the application site is a Grade II listed building (Eden Hall); a designated heritage asset, the proposed development would be located to the south west of this building.

In assessing the proposals impact upon the setting of the Grade II listed building, it is confirmed that the setting of a heritage asset is the surroundings in which a heritage asset is experienced, formed by, amongst other matters the location and siting, form and appearance. At present to the south west of this building is land that this primarily used for grazing land, with some low level structures in situ.

It is appreciated that this is an outline application, with all matters reserved with the exception of access, therefore there is limited information. I am satisfied however, given the low density (27 dph) that the layout, design and scale (dwellings being conditioned to be no more than two storey in height) of the proposed development could be designed in such a manner that would not affect the setting of the listed building. The Conservation Officer concurs with this view although notes that there is potential for the development to impact to the setting of Eden Hall and this would need to be fully addressed within the detailed submission.

It is appreciated that this is an outline application with all matters reserved with the exception of access, two storey properties have been shown on all the initial street sections. These dwellings are most likely to be separated from the listed buildings curtilage by their own respective gardens, in addition this boundary is quite well screened by existing vegetation, however this would need to be dealt with specifically at the reserved matters stage.

Taking into account the above I consider that the development would not harm the setting of the listed building, subject to design, layout and landscaping.

Living Conditions

Although the application seeks outline planning permission with all matters reserved with the exception of access, the indicative site layout identifies that 36 dwellings can be satisfactorily accommodated on site without causing detrimental neighbour amenity issues. The properties in Cheney Road would be separated by virtue of a path, vegetation and drain. There would be no principle overbearing and overshadowing issues experienced by the neighbours to the east or north by virtue of the ability to achieve adequate separation to these neighbours as identified on the indicated layout plan.

There are no residential properties to the west and south of the site.

Transportation

It is confirmed that the Highways Officer has not raised an objection to the application, stating:

“The proposed development is predicted to generate 20 vehicle movements in the network peak hours and these are likely to be generally evenly distributed to the east and west of the site bearing in mind the location of the site in relation to the major road network. As such there may be 10 additional movements in the peak hours through Minster to the A253 and a similar number through Monkton to the A253, which is not a significant amount. Whilst there is existing on-street parking particularly in the eastern section of Monkton Road and Tothill Street, there are spaces for drivers to wait for others to pass and the addition of 10 vehicles spread across the peak hour is unlikely to have a significant impact on the flow of traffic. There is no pattern or volume of crashes to suggest there is an existing problem which will be exacerbated by the proposals.

Connections can be made to the existing surfaced footpath along the eastern boundary of the site, providing a short and direct pedestrian route to the school as well as a route to the railway station. The existing footway in Monkton Road also provides a direct pedestrian connection from the site access to the bus stops, High Street and village services/amenities. Visibility at the proposed site access point is acceptable. Access for construction vehicles can be managed and controlled through a Construction Management Plan, which can be secured by condition. The site layout and amount of car parking can be resolved through any reserved matters application to ensure there will be no unacceptable on-street parking generated on the highway.

Taking all of the above into account the proposals are unlikely to have a severe impact on the highway network which would warrant a recommendation for refusal on highway grounds.”

Taking into account the Highway Officers comments it is considered that there is capacity for the traffic movements associated with the proposed development and the proposal will not impact to a significant degree upon the local highway network with the need for off-site work to be required.

The site is adjacent to two footpaths and as such there are certain requirements which may affect the scheme- no furniture erected or across the PROW, disturbance of the surface, or obstruction of its use, no close board fencing or similar structure over 1.2m or hedging and shrubs planted within 1m. It is considered that this can be dealt with by way of an informative drawing the applicants attention to these requirements.

Affordable Housing

In accordance with policy H14 of the Thanet Local Plan 30% of the proposed development should be in the form of affordable housing. In this instance based on a development of 36 dwellings 11 affordable homes will be required. The affordable housing mix will need to be addressed at reserved matters stage, although it would be expected to be representative of the split across the whole scheme.

A Section 106 agreement will take this into account and secure the affordable units.

Infrastructure Provision

With regard to developer contributions, Thanet Local Plan policy CF2 sets out that it is essential to ensure that adequate provision of community and social facilities, including education and health, is made. Where a proposed development would directly result in need to provide new or upgraded community facilities, the Council will seek planning obligations to require a developer to directly provide the necessary facilities or ensure a contribution towards that provision.

Kent County Council is seeking an education contribution (both primary and secondary) from this development. The contribution will go towards Phase 1 Birchington Primary School expansion and Royal Harbour Secondary School Phase 1 works. This equates to a total of £84,994.56 and £84,952.80 for primary and secondary contributions respectively.

Whilst the primary school contribution is not requested for the Minster Primary school in close proximity to the site, as no project for expansion has been identified by the education provider, the requested contribution to Birchington Primary School is considered to comply with regulation 122 of the Community Infrastructure Regulations.

A library contribution of £48.02 per household, equating to a total of £1,728.57 and will go towards the additional bookstock required to mitigate the impact of the additional borrowers generated from this development.

A requested is also made for 1 wheelchair adaptable home as part of the on-site affordable homes delivery; this can be secured by condition. A request is also made for a Broadband condition, however this is not considered to meet the planning condition tests, however, an informative can be added to advise the developer that superfast fibre optic broadband to all buildings of an adequate capacity (internal minimum speed of 100mb) to each building should be provided.

Impacts of recreational disturbance upon the Thanet Coast and Pegwell Bay Special Protection Area (SPA) and Wetland of International Importance under the Ramsar

Convention (Ramsar Site) has been published, revising the mitigation figure to £542 per dwelling.

This contribution is proposed to be used towards the employment of a warden scheme managed through the Thanet Coast Project to monitor and control recreation impact each year over a ten year period. A scheme of wardening and the co-ordination of measures in Pegwell Bay in case of any displacement of disturbance in the Thanet Coast and Pegwell Bay Special Protection Area has been confirmed by Natural England to avoid the likelihood of a significant effect on the Thanet Coast and Pegwell Bay Special Protection Area arising from residential development in Thanet.

It is confirmed that the applicant is aware and has agreed to pay the financial contributions sought for this proposal, which are to be secured through a Section 106 agreement.

Subject to the provision of the proposed mitigation measures I consider 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 is therefore considered to accord with the Habitat Regulations and the National Planning Policy Framework. KCC Ecological has not raised any outstanding issues that could not be conditioned.

Comments from the KCC Archaeological Officer have been received; they recommend a condition relates to an archaeological field evaluation to be followed by preservation in situ of any important remains identified at the site and/or further archaeological excavation as appropriate.

Other Material Considerations

The site is located within Flood Zone 1. The submitted application form indicates the foul sewage will be disposed of to the main sewer and surface water drainage by a sustainable drainage system a Surface Water Management Strategy and Foul Water Drainage Strategy have also been included. The Surface Water Management Strategy indicates that the storage will be provided within permeable paving and shallow open storage structures on the boundaries of the development draining to the lowest point at the southeast corner. The Foul Drainage Strategy indicates that the topography of the site allows foul water to be drained by gravity to the southern boundary of the site. It is detailed that the public combined sewer running along the southern boundary has a shallow invert level and connection via gravity is not feasible. A pumping station is proposed at the southern boundary to deal with this issue, with a pumped connection to be made to the combined sewer at a suitable point.

Given the advice from Southern Water, KCC Sustainable Drainage and the River Stour IDB it is considered that this could be dealt with via condition and through reserved matters submission.

The Parish Council raise an issue in relation to the current planning application for development at Manston Airport, which includes 2,500 dwellings, Members are advised that

each application is treated on its own merits and that as the Manston application has not been determined; it does not have a bearing on this current application.

Conclusion

Whilst the site lies within the countryside as identified by the Local Plan, the authority does not have a 5 year supply of deliverable housing sites. Accordingly the proposal must be viewed in the context of the presumption in favour of sustainable development and the tests of paragraph 14 of the NPPF.

The proposal seeks outline permission with only access being determined at this stage. The highways officer has no objection to the proposal subject to condition.

The proposed development would provide 36 dwellings, including affordable housing. In the context of the acknowledged shortfall against need, those are social benefits that must be accorded substantial weight. Economic benefits would be realised by the provision of these additional houses, most notably during the construction period through employment and investment. In addition the site is considered a sustainable location in terms of access to services and employment has favourable environmental implications.

These benefits need to be weighed against the harm. The site is designated countryside which must be given weight, there is a shortage of housing land and this almost certainly means that parts of the countryside, outside of existing defined villages and towns will have to be allocated for development in order to address the current shortfall. In this case the proposed residential development would be seen in the context of Minster village and would represent a logical and sustainable extension to the village that in your officers opinion would not harm to a significant degree the character and appearance of the wider countryside.

The indicative layout demonstrates that this number of dwellings could be accommodated within the site without having a detrimental impact in respect of form and character or neighbour amenity. The details of scale and appearance are matters reserved for future consideration. Neighbour amenity issues will be addressed more fully at reserved matters stage.

The S106 agreement will secure affordable housing, education, library provision and SAMM contributions.

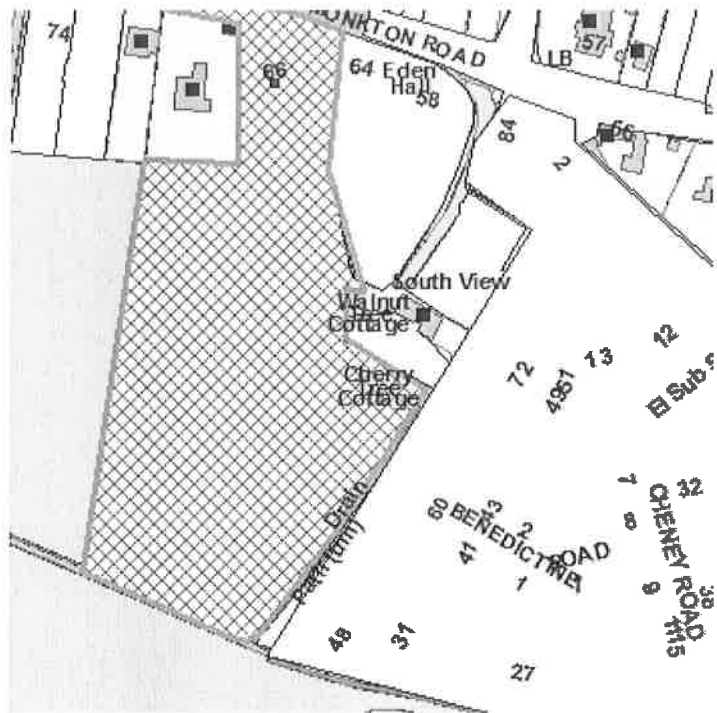
In light of the above, it is considered that the proposal complies with the provision of the NPPF and accordingly it is recommended that Members that this application be deferred and delegated to the Director of Community Services subject to the receipt of the legal agreement securing developer contributions and planning conditions.

Case Officer
Gill Richardson

TITLE: OL/TH/16/0654

Project 66 Monkton Road Minster RAMSGATE Kent CT12 4EE

Scale:



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THANET DISTRICT COUNCIL

PLANNING COMMITTEE

19 October 2016

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 40 of the Town and Country Planning (Development Management Procedure) (England) Order 2015))

(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 and via the Council's website)

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: IAIN LIVINGSTONE



SIGNED:.

Proper Officer

DATE:07 October 2016

THANET DISTRICT COUNCIL

REPORT OF THE DIRECTOR OF COMMUNITY SERVICES

PART A

TO: THE PLANNING COMMITTEE

DATE: 19 October 2016

Application Number	Address and Details	Recommendation
A01 F/TH/16/0423	20 Beach Road Westgate On Sea Kent CT8 8AD Change of use from Public House to 4No. 1-bedflats, 3No. 2-bed flats and 3 letting rooms with associated parking, bin and cycle stores, together with micro pub on ground floor and the erection of a first floor extension and erection of 3no. town houses with associated gardens and parking.	Approve
A02 FH/TH/16/0916	Ward: Westgate-on-Sea 1 St Magnus Court St Magnus Close BIRCHINGTON Kent CT7 9UP Retrospective application for erection of single storey rear extension with balcony	Approve
A03 F/TH/16/0728	Ward: Birchington North All Saints Industrial Estate All Saints Avenue MARGATE Kent CT9 5TJ Erection of 3no. general industrial units (floor area approx. 4,820 sqm) with access and associated parking	Approve
A04 F/TH/16/0939	Ward: Salmestone Unit 22 Manston Business Park Invicta Way Ramsgate Kent CT12 5FD Retrospective application for the change of use from light and general industrial unit to Cafe (use class A3)	Approve

A05 F/TH/16/0856

Ward: Thanet Villages
Haine Lodge Spratling Lane
RAMSGATE Kent CT12 5LL

Approve

Erection of a three-storey detached dwelling, with attached double garage with workshop and leisure room above, and associated parking and landscaping

Ward: Thanet Villages

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A01

F/TH/16/0423

PROPOSAL: Change of use from Public House to 4No. 1-bedflats, 3No. 2-bed flats and 3 letting rooms with associated parking, bin and cycle stores, together with micro pub on ground floor and the erection of a first floor extension and erection of 3no. town houses with associated gardens and parking.

LOCATION:

20 Beach Road Westgate On Sea Kent CT8 8AD

WARD: Westgate-on-Sea

AGENT: Mr Stuart Bonnage

APPLICANT: Mr Alistair Noel

RECOMMENDATION: Approve

Subject to the following conditions:

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

GROUND:

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

2 The proposed development shall be carried out in accordance with the submitted application as amended by the revised drawings:

22531A_10 Revision D received 17/08/16

22531A/20 Revision A received 22/03/16

22531A/21 Revision A received 22/03/16

22531A/22 Revision A received 22/03/16

22531A/24 Revision C

22531A/25 Revision E revised 17/08/16

22531A/26 Revision D

22531A/27 received 04/10/16

22531A/28 Revision A

22531A/29 Revision C received 17/08/16

22531A/30 received 04/10/16

GROUND:

To secure the proper development of the area.

3 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

4 All new window and door openings to The Knot shall have a reveal of not less than 100mm

GROUND:

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

5 No development shall take place until a Construction Environmental Management Plan, which shall include the following details:

- o timing/programme of works of construction
- o mitigation for the construction phase of the development
- o traffic movements to and from the site and any necessary traffic management measures
- o areas for parking, loading, turning and unloading by site personnel, visitors and delivery vehicles
- o wheel washing facilities

has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

GROUND:

To ensure pollution prevention measures are in place for all potentially polluting activities during construction in accordance within National Planning Policy Framework paragraph 109 and in the interests of highway safety

6 No seating (tables, chairs or benches) associated with the A4 planning class premises shall be placed on the forecourt area to the front of the licensed premises at any time.

Ground: In the interests of residential amenity in accordance with policy D1.

7 No deliveries to the site associated with the A4 planning class use (Drinking establishments) shall be received outside of 09:00am to 17:00pm Monday to Friday.

Ground : In the interests of residential amenity in accordance with policy D1.

8 Prior to installation of any new plant and equipment associated with the brewing of alcohol in the basement of the A4 planning class use (drinking establishments), the occupant or operator shall provide the local planning authority with an operational plan. No installation of new plant and equipment shall commence until the operational plan has been agreed in

writing by the local planning authority. The operational plan shall include information (but not limited to):

- a. A plan of the basement area with plant and equipment position shown
- b. List of equipment to be used in the brewing process and its sound power level.
- c. A noise management plan for plant and equipment. This is to include planned mitigation if it is identified as required.
- d. An odour management plan for the brewing equipment and process. This is to include planned mitigation if it is identified as required.

The development shall be carried out in full accordance with the agreed details:

Ground: In the interests of residential amenity in accordance with policy D1.

9 No development in association with the conversion of The Knot shall commence until a scheme to protect the approved residential unit 4 from noise from the 'Micropub' has been submitted to and approved by the Local Planning Authority. The scheme shall be implemented as approved before the unit 4 is occupied.

Ground: To minimise the disturbance of noise that could be caused to incoming occupiers of unit 4 from the adjoining 'Micropub'.

10 No residential unit within The Knot shall be occupied until a detailed scheme for the parking of cycles and refuse store has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented before the development is first occupied or brought into use and thereafter retained for this purpose.

Ground: To ensure the provision of adequate cycle parking that meets the needs of occupiers of the proposed development and in the interests of encouraging the use of sustainable modes of transport and to ensure there is sufficient space for bins within the development.

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

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

12 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 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

13 A landscape management plan (including long term design objectives), management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned, domestic gardens, shall be submitted to and approved in writing by the local planning authority prior to the occupation of the development or any phase of the development, whichever is the sooner, for its approved use. The landscape management plan shall be carried out as approved.

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

14 Prior to the first occupation of the development hereby permitted the parking / turning facilities as shown on drawing numbered 22531A_10 Revision D shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.

GROUND:

To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety.

SITE, LOCATION AND DESCRIPTION

The application site comprises The Knot Public House/Restaurant/B&B Hotel (ten letting rooms and landlords' flat), its associated garden and parking to the rear. The site is bounded on three sides by roads; Beach Road, Beach Rise and Old Boundary Road. The public House itself comprises a two and a half storey building with semi-basement level. The building is constructed in brick, which has been painted cream, the building appears to have been extended previously and also has an existing flue positioned on the rear elevation.

The car park to the east of The Knot is at a lower level to Old Boundary Road and is enclosed by an existing wall; this is separated from the garden area by an existing close boarded fence. The site is located in the Westgate Conservation Area.

The surrounding area is predominately residential in character; to the north, west and south. To the east of the site are tennis courts and Old Boundary Road leads to a car park owned by TDC, both are outside the Conservation Area.

RELEVANT PLANNING HISTORY

F/TH/08/0104 Erection of terrasol in garden and replacement of window to door Refused 17/03/08

F/TH/04/1387 Change of use of first floor to guest accommodation together with erection of external steel staircase. Granted 04/01/05

PROPOSED DEVELOPMENT

The proposal seeks detailed planning permission for the change of use from Public House to 4No. 1-bed flats, 3No. 2-bed flats and 3 letting rooms with associated parking, bin and cycle stores, together with micro pub on ground floor and the erection of a first floor extension and erection of 3no. town houses with associated gardens and parking.

In terms of the conversion of the public house; at the basement is a two bedroom flat, the ground floor contains two, one bed flat, one, two bed flat and the micro pub. Each flat on this floor has its own access. At first floor level are two one bedroom units (unit 7 would be accessed via an entrance from Beach Road and units 5 and 6 are accessed via the proposed extension to facilitate the stairwells. Two letting rooms are also provided at first floor level and one on the second floor, all of these rooms are accessed from Beach Road and have en suite facilities. The external metal fire escape and flue will be removed as part of the proposal.

Seven parking spaces are provided to the rear of The Knot Public House together with a total of four visitor parking spaces.

With regard to the three town houses (approximately 9.7m to ridge height from road level), with accommodation across four floors, these have a pitched with, with the ridge parallel to Old Boundary Road. The town houses have two parking spaces each to the rear of the properties, these are formed by a mix of carports and open spaces. The three houses are terrace with the property adjoining Beach Lodge being slightly larger. Due to the change in levels access off Old Boundary Road is via steps to the front door, a patio area is provided to the rear with steps leading down into their respective garden areas.

The application was amended during the application process to address concerns raised; this involved the removal of one of the town houses fronting Old Boundary Road, the scheme is now for three instead of four town houses.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan 2006 (Saved Policies)

H1 - Residential Development Sites

H4 - Windfall Sites

TR16 - Car Parking Provision

D1 - Design Principles

D2 - Landscape
T1 - Tourist Facilities
SR5 - Play Space
SR11 _ Private Open Space
CF1 - Community Facilities

NOTIFICATIONS

A total of **ten** letters were received to the initial consultation in reference to this application. Of which there are **six** letters objecting to the scheme, **four** supporting the scheme and one petition signed by **six** people. The letters of objection raise the following concerns:

- * Noise nuisance
- * Increase in traffic
- * Insufficient parking for the development in an area that is heavily parked
- * Loss of a community facility
- * The micro pub has no toilets
- * Four dwellings to the rear is an over-development of the site in the Conservation Area
- * Additional stress on the sewer network
- * Sense of enclosure
- * Loss of light
- * Overlooking
- * Potential archaeology
- * Underground stream potential under the car park

Following the further consultation a further **three** letters were received. The following concerns were made:

- * Over development
- * Lack of toilet in the micro pub
- * Parking issues
- * Concern about potential for rubbish generated by multiple occupancy
- * Do not want a pub in a residential area
- * Addition stress on sewer network
- * Overlooking
- * Loss of light

CONSULTATIONS

Westgate Town Council: In spite of the concern at the loss of a large community asset, the Council recognises the compromise made by the provision of a micro pub and B&B

Conservation Officer: Initial comments This part of the conservation area has attractive properties which are apparently mostly 2 storeys high with numerous chimney stacks which add interest to their roofscapes. Old Boundary Road is characterised by properties set in spacious plots and retain generous gaps between properties and gardens with high levels of landscaping which softens the built form. Although there is a lack of uniformity to the architecture in the area but there is consistency and cohesion in the form, scale, layout and use of materials in buildings in the vicinity of the site. In this respect the form and

appearance of buildings are traditional with a harmony between buildings which creates a pleasing built environment and discernible townscape although the area is to some extent compromised in terms of new builds in terms of design and scale.

The proposed new development would insert 4, three storey town houses into the plot. These buildings would take-up the full width of the plot. They are shown to be slightly less tall than the roof ridges of the adjacent Beach Lodge along Old Boundary Road as a result the proposed development would be too close to Beach Lodge and appear bulky in appearance to dominate and overpower their setting.

In my view therefore, although the proposed town houses have some interesting design qualities they would appear out of character in this location. The proposed form of the town houses would give the buildings a bulky and dominant appearance in the plot and street scene. It will therefore form a discordant development to the street with little visual affinity with the character and appearance of the area. As a consequence would erode the character and appearance of the conservation area.

I have no objection to the proposed alterations to the Public House.

Further comments: Support revised proposals

Westgate Conservation Area Advisory Group: We have previous met with the developers and perused the plans. Our only comments are;

Is the access to the B&B rooms only through the Micro-pub? If so, would this leave the micro-pub vulnerable outside of opening hours?

We feel the first floor of the town houses would flow better if the front bathroom was made into an en-suite with Bedroom 2 and Bedroom 3 was allocated the Bed 2 en-suite, either of which could feature a 'Jack and Jill' double door arrangement to allow additional landing access to a bathroom.

KCC Highways and Transportation: Initial comments The proposal are unlikely to generate a significant increase in vehicle movements compared to that which could be generated by the permitted use as a public house, flat and ten letting rooms. The amount of parking proposed is acceptable, however the current layout of the proposed houses, with courtyard parking remote from the front doors of the dwellings it serves, is likely to lead to obstructive parking on the highway in Old Boundary Road. This element of the proposal is therefore currently unacceptable. In addition:

1. The existing car park access should be widened to 6 metres, to provide adequate manoeuvring room for the parking spaces nearest the access
2. The single car ports shown should have a minimum internal width of 2.9m. Alternatively they can be changed to open spaces and retain their current width
3. A minimum of 1 secure cycle parking space per bedroom should be provided for the houses, which could be provided in the rear gardens.

Further comments: I maintain my previous objection I still think the proposals will lead to obstructive parking on the highway outside the three houses fronting Old Boundary Road. The only potential solution is to implement suitable restrictions to prevent parking, but your Parking Services Team would need to be in agreement with this as they would have to make

the order and carry out enforcement. I am however, not sure that you can condition the provision of such restrictions in a planning consent.

Southern Water: Condition (foul and surface water details and measures to protect public sewers) and informatives requested.

Environmental Health: NO OBJECTION subject to condition.

COMMENTS

This application is brought to Planning Committee, as Cllr Partington and Cllr Bambridge have both raised concerns that the proposal represents an over-development of the site.

The key considerations when assessing this proposal are the principle of development, the loss of a community facility, the impact upon character and appearance, impact upon the living conditions, impact on transportation and any other material considerations.

Principle

The application site lies within the built confines of Westgate and within the Westgate Conservation Area. Within this defined area the principle of new residential development is generally considered to be acceptable under policies H1 and H4.

Furthermore, given that the Council does not currently have a five-year supply of deliverable housing sites, housing applications such as this should be considered in the context of the National Planning Policy Framework's (NPPF's) presumption in favour of sustainable development. This is because local policies relating to the supply of housing are no longer considered up-to-date (para 49). Paragraph 14 of the NPPF states that where relevant local policies are out-of-date, planning permission should be granted unless; any adverse impacts of doing so would 'significantly and demonstrably' outweigh the benefits, when assessed against the policies of the NPPF taken as a whole; or specific policies in the NPPF indicate development should be restricted.

The proposed development would provide residential units in a sustainable location within Westgate. Residential use is considered to be compatible with existing uses. In this case the application site lies within the confines of Westgate which is a sustainable location. As a result there is a presumption in favour of development in this area.

Loss of a community facility

The Knot currently operates on a commercial basis; public house/restaurant and letting rooms and the ending of this use would technically constitute the loss of a community facility under policy CF1. Local Plan policy CF1 states:

"...(B)Planning permission will be granted for the re-use of existing community facilities for alternative (community) uses if the alternative uses are not contrary to other local plan policies and the alternative use and location are demonstrated as appropriate

(C) Planning permission for the change of use or the re-use of existing community facilities for non-community uses will only be granted if:

(1) It is demonstrated that there is no longer a sufficient need for the facilities to warrant retention for community use;

Or

(2) It can be demonstrated that adequate alternative accommodation appropriate to community use, and suitably located, will be provided. "

The proposal put forward, retains a community facility, albeit at a much smaller scale; micro pub and three letting rooms. It is therefore considered that part (B) of policy CF1 has been met and that there is no policy objection.

Provision of letting rooms

The National Planning Policy Framework encourages local planning authorities to support sustainable rural tourism and leisure developments that benefit business in rural areas, communities and visitors, and which respect the character of the countryside. The document further advises that this should include supporting the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural services centres.

The Good Practice Guide on Planning for Tourism (2006) also advises that the provision of essential facilities for visitors is vital for the development of tourism in rural areas. Tourism can be a key element in rural diversification; help to revitalize market towns and villages, support important rural services and facilities; and underwrite environmental schemes and improvement to the built and the natural environment. But at the same time, the planning system must aim to ensure that these benefits are achieved in the most sustainable manner possible.

In accordance with national planning policy and guidance, policy T1 of Thanet Local Plan is supportive of development which would extend or upgrade the range of tourist facilities to increase the attraction of tourists to the area or extend the season. Whilst the number of letting rooms is decreased from the current offer under this application, the rooms sizes are increased offering a potential higher standard of room to visitors.

Character and Appearance

The Conservation Area boundary runs along the eastern and part of the western boundary of the site. This application site is within the Conservation Area.

In policy terms the NPPF requires that in determining planning applications, the desirability of sustaining and enhancing the significance of heritage assets is considered as well as the desirability of new development making a positive contribution to local character and distinctiveness. Therefore the Council will preserve and where appropriate enhance its qualities and characteristics.

In addition to national planning policy the local planning authority has statutory duties relating to Conservation Areas. S72 Listed Buildings Act 1990 provides: "In the exercise,

with respect to any buildings or other land in a conservation area, of any functions under or by virtue of [the Planning Acts], special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area."

The public house has a presence in the street scene and is quite prominent in Beach Road. The development proposed includes extensions to this building.

The extensions to this building take the form of two rear two storey extensions; flat roof over the extension providing the stairwell to units 4 and 6 and its extended accommodation and gable over the stairwell extension to units 3 and 5. The extensions are proposed to be in matching materials to the main structure. The proposed extensions to the rear of the building will be within a created courtyard area. This is at the back of the proposed town houses and the public house and whilst there are views from public places (Beach Rise) the works are seen against a backdrop of existing buildings. It is considered the proposed extension will not cause any material harm to the character and appearance of the Conservation Area.

The terrace of three town houses front Old Boundary Road. This would fill a visual gap within the street scene. This gap is not considered important to the character of the Conservation Area, indeed the re-use of this site will provide a visual improvement as the development proposal the removal of the majority of the hardstanding and would create a continuation of street frontage residential development. The design and appearance of the buildings have a contemporary appearance, but clearly take reference from the strong gable and bay windows evident in the street scene. Beach Lodge is a two storey property with a semi-basement level, the proposed town houses will also have a semi-basement level with three floors above; utilising the roof space. The ridge and eaves height of the proposed town houses do not exceed nor compete with Beach Lodge in terms of its height or scale. With the reduction in the number of town houses, it is considered that there is adequate spacing between buildings to provide an adequate setting around Beach Lodge. With the alterations to the fenestration; reduction in the width of the gable (previously going across the entire width of each dwelling) and widening the left hand unit slightly a more vertical emphasis has resulted to the town houses and in turn a less bulky and dominant appearance. The Conservation Officer has reviewed the amended plans and considers that these are now acceptable. Therefore proposed town houses are not considered to harm the special character of the Conservation Area, and would remove an area of hardsurfacing which detracts from the appearance of the area, replacing this with streetfronting development offering a visual improvement to the area.

Living Conditions

The proposed end town house is flanked by the side wall of Beach Lodge. This adjoining wall is free of fenestration. The proposed dwellings do extend slightly beyond that of Beach Lodge, but given the separation and angles involved no harm of over-looking, overshadowing or loss of light, or sense of enclosure.

The relationship between the proposed new residential units; flats, within The Knot and proposed houses has been considered. There are windows within the proposed development which look out onto windows of other parts of the proposal. However there is a minimum distance of over 26m between habitable rooms within the town houses and flats.

This is considered an acceptable distance not to result in harmful over-looking and indeed harm from the proposed built form.

The relationship between the proposal and those properties in Beach Rise is considered acceptable given the distance of separation.

In terms of the relationship of the proposal and number 18 Beach Road; this property abuts part of the southern boundary of the site and adjoins the building which is proposed to be converted. This is a two storey dwelling with a first floor window facing the site, there is a flat roof garage with a parapet wall abutting the boundary at ground floor. At the current time the building; The Knot has window openings at both ground and first floor on this elevation; the upper floor serving the landlords' flat. Given the existing means of separation and boundary treatment the proposed habitable windows at ground floor would not give rise to overlooking issues. In terms of the first floor windows the additional windows within the proposed extension serve non-habitable areas. Whilst one of the extensions is proposed adjacent to this boundary it is considered no material harm would occur as the site boundary tapers away from this dwelling and it has a flat roof therefore this extension will not cause a significant sense of enclosure or overlooking.

The proposed flats would provide a good standard of accommodation exceeding the minimum overall size required, with acceptable levels of light, outlook, circulation space and good access externally into the units. Unit 4 will back onto the micro pub and there could be potential for noise and disturbance from the use. Environmental Health have requested a condition to protect the occupier of this unit. Subject to this noise protection condition I do not consider that there will be an adverse impact upon the living conditions of existing or future property occupiers, in line with policy D1 of the Thanet Local Plan and the NPPF.

Thanet Local Plan policy SR5 requires doorstep play space to be provided for residential accommodation where two or more bedrooms are proposed. In this case three of the flats have two or more bedrooms and there is only minimal external space available around the building for use by these units. However, given the relatively close proximity to the main commercial area of Westgate and beach, it is considered that the development is acceptable without a designated doorstep play space. An internal store for cycle storage and refuse facilities is proposed to serve the flat units, which provides adequate facilities for future occupiers of the building.

Transportation

The Highways Authority have raised an objection to the proposal. The existing vehicular access will need to be modified, (but remains off Beach Rise) and courtyard area is proposed to be used to serve the new residential units. Two parking spaces (one for each property is provided in the form of a car port) are shown for the three terrace properties and 7 spaces for the flats with room for four spaces for visitors (letting rooms). There is adequate turning space within the parking area with just over 6m separation distance between spaces.

The car park access is shown to be 6 metres wide. The car port spaces shown have a minimum internal width of 2.7m, in line with the highways requirements. It is considered that

there is sufficient space within the proposed dwellings curtilage to accommodate cycle storage.

The Highways Authority also raised concern that the current layout of the proposed houses, with courtyard parking remote from the front doors of the dwellings it serves, is likely to lead to obstructive parking on the highway in Old Boundary Road. In order to resolve this issue the scheme would have to provide parking to the front of the dwellings, in their curtilage. This would create a large swathe of hardstanding to the front of the dwellings. Given that this site is within the Conservation Area where the Local Planning Authority has a duty to preserve or enhance this is not considered to be an appropriate solution and would result in a particular harsh and prominent feature.

It is appreciated that Old Boundary Road is narrow, however the Council is not aware of any particular parking issues in this vicinity, indeed there is a Council owned carpark at the end of Old Boundary Road, which is not heavily utilised, even in the summer months. In the winter months; November to March parking is free.

A cycle store has been proposed for the flats. This provision and its on-going retention can be suitably conditioned if permission is granted.

The concerns raised by the Highways Authority are acknowledged, however in this case it is considered that the scheme's clear benefits need to be balanced against the highway concerns.

Other material considerations

The submitted plans show both an area of hard and soft landscaping, it is considered appropriate to control these details by condition to ensure a high quality development. Soft landscaping is shown around the flat conversion, it is not clear who would maintain these areas, it is suggested that this is controlled by condition.

In terms of the comments raised by Environmental Health, conditions are recommended in relation to the proposed micropub; no seating associated within the A4 use being placed on the forecourt area, no deliveries associated with the A4 use being received outside of the hours of 0900 to 1700 Monday to Friday, details of plant and equipment and mitigation measures being submitted and agreed and a scheme for the protection of noise from the micro pub to unit 4.

The Town Council raised concerns about the access to the letting rooms, it is confirmed that this is via an access off Beach Road and would not be via the micro pub access.

Conclusion

In conclusion, the principle of residential development is acceptable in this location and the scheme is also considered compliant with policy CF1 and T1. The application incorporates elements of design that are evident in the area but with a contemporary feel, to give the design context and therefore the design of the proposal adequately promotes local distinctiveness. The plans show that the proposal will be sufficiently in harmony with the

building characteristics of the area and will enhance the heritage assets of the Conservation Area. The proposal can be achieved without material harm to the amenity of occupants of existing adjoining properties as well as residents of the proposed new dwellings.

In this case there remains a highway objection to the scheme; the remoteness of the car parking provision for the terrace of three dwellings, which front Old Boundary Road. Providing curtilage parking spaces for these dwelling would however necessitate the creation of hardsurfacing to the front of these dwellings which would detract from the design of the units proposed and the Conservation area. Whilst officers acknowledge the concerns of the Highways Authority, in this case it is considered that more weight should be attached to the fact that the proposal will utilise an existing hard surfacing car parking area, which detracts from the visual appearance of the Conservation area, and will provide high quality residential accommodation within the Conservation Area. The proposal also provides adequate amount of off-street parking facilities to the rear of both developments.

Therefore on balance, the proposal is considered to accord with the general principles of the NPPF and Local Plan Policies and accordingly it is recommended that this application is approved, subject to conditions.

Case Officer

Gill Richardson

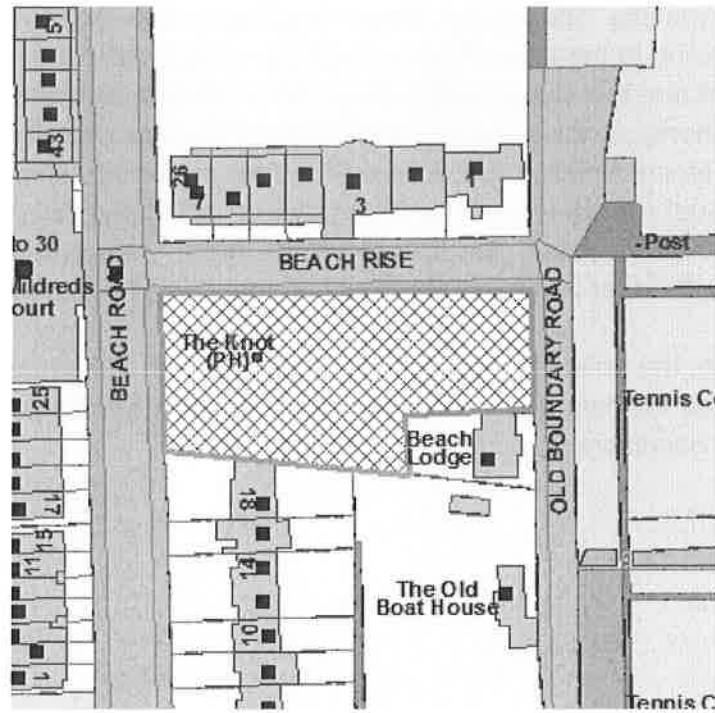
TITLE:

F/TH/16/0423

Project

20 Beach Road Westgate On Sea Kent CT8 8AD

Scale:



A02 **FH/TH/16/0916**

PROPOSAL: Retrospective application for erection of single storey rear extension with balcony

LOCATION: 1 St Magnus Court St Magnus Close BIRCHINGTON Kent CT7 9UP

WARD: Birchington North

AGENT: No agent

APPLICANT: Mr R Brown

RECOMMENDATION: Approve

Subject to the following conditions:

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

GROUND:

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

2 The proposed development shall be carried out in accordance with the submitted application as amended by the revised drawings numbered 03 B and 04 C received 10 August 2016.

GROUND:

To secure the proper development of the area.

3 Prior to the commencement of use, obscure glazed privacy screens at a minimum height of 1.8m shall be erected along the sides of the balcony hereby approved, in accordance with the approved plan 04 C received 10 August 2016. The privacy screens shall be thereafter maintained.

GROUND:

To safeguard the privacy and residential amenities currently enjoyed by the occupiers of adjacent neighbouring properties, in accordance with Policy D1 of the Thanet Local Plan.

4 The 1no. window to the West side elevation of the extension hereby approved shall be provided and maintained with an obscure glazed non opening window, in accordance with approved plan 04 C received 10 August 2016.

GROUND:

To safeguard the privacy and residential amenities currently enjoyed by the occupiers of adjacent neighbouring properties, in accordance with Policy D1 of the Thanet Local Plan.

SITE, LOCATION AND DESCRIPTION

St Magnus Court is a residential Courtyard development of modern two storey terraced houses, located off St Magnus Close, of a variety of designs. St Magnus Close, adjacent to the site is characterised by relatively uniform designed modern two storey detached and semi-detached houses, with garages to the side elevations.

1 St Magnus Court is an end of terrace house designed with a gabled tiled roof and a ground floor front porch.

RELEVANT PLANNING HISTORY

FH/TH/15/1317 - Erection of single storey rear extension with balcony - Granted 11/02/16

NM/TH/16/0950 - Non-material amendment of planning reference FH/TH/15/1317 to allow for colour changes; cladding and rendering from white to light grey, downpipe and guttering from black to white - Granted 04/08/16

PROPOSED DEVELOPMENT

This is a retrospective application for the erection of a single storey rear extension with balcony and raised platform. The extension measures 4m in depth, at a height of 3.75m at the highest point given the falling ground levels to the North of the site towards the sea. The extension extends 6m in width, set off the boundary to the adjoined neighbour to the East by approx. 3m and 2.1m to the West. The raised platform extends a depth of 1.5m from the rear elevation of the extension with steps in the centre of the rear. Finally the balcony is set in from the rear and side elevations of the extension and extends 1.8m in depth of a reduced width of 4m with 1.8m obscure glazed privacy screens to each side elevation.

This application follows the previous consent reference FH/TH/15/1317 for the erection of a single storey rear extension with balcony. The extension which is now being considered is 0.25m higher than the previous consent with an alternative type of window to the West side. The window to the East side elevation has been omitted from this application.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan 2006 (Saved Policies)

D1 - Design Principles

NOTIFICATIONS

Letters were sent to neighbouring property occupiers and a site notice was posted near the site. One letter of objection has been received. The objection raises the following concerns:

- The increased height of the extension has resulted in a loss of light and overshadowing to our property.
- The obscure glazed screens will result in a further loss of light and overshadowing.
- The increased height of the extension and the height of the internal floor levels results in a loss of privacy as the existing window overlooks the wall and into to our house and rear garden.
- The neighbours have turned their garage into a room and now park their numerous vehicles on the street, which results in a lack of parking for other residents.
- The extension can also be seen within the street and diminishes the amenity and connectivity to the sea.

CONSULTATIONS

None received.

COMMENTS

This application has been called in to Committee by Councillor Coleman-Cooke on the grounds of adverse impacts of a loss of privacy, loss of light and overlooking to the neighbouring property occupiers.

The main considerations with regard to this planning application will be the impact of the proposed development on the character and appearance of the area and the residential amenity of neighbouring property occupiers.

The previous application for the erection of a single storey rear extension with balcony was found to be acceptable and therefore members should only consider the changes to the original consent of the increase in height by 0.25m and the different type of window to the West Side Elevation.

Character and Appearance

The single storey extension, by virtue of its location to the rear has limited visibility within the street scene, and is only visible from Northward views between number 19 St Magnus Court and 1 St Magnus Close. Given its relatively modest depth of 4m and single storey nature, the extension appears clearly subservient to the main house, and therefore I do not consider it to appear significantly intrusive to the character and appearance of the area. The proposal is therefore considered to be acceptable in accordance with Policy D1 of the Thanet Local Plan and the National Planning Policy Framework.

Living Conditions

The extension and raised platform are located approx. 3m from the side boundary with number 2 St Magnus Court to the East, and given the existing configurations of the adjoining properties, the proposed extension will only extend a further 1.5m from the existing rear elevation of the neighbouring garage. Additionally the nearest opening to the extension within the neighbouring property is a garage door, which is not considered to serve a primary

habitable room. Therefore whilst the extension has risen in height by 0.25m, it is considered the modest depth of the extension beyond their rear elevation along with the sufficient separation distance to the neighbouring property will prevent any significant adverse impacts with regard to a loss of light or sense of enclosure.

There is a separation distance of approx. 3m between the extension and raised platform and the neighbouring property to the West, 19 St Magnus Close. Whilst the location and orientation of the neighbouring property in relation to the extension results in some loss of outlook from the rear window of the neighbouring property, the neighbouring properties rear window is relatively wide and therefore offers a good degree of outlook, which is not significantly infringed by the extension. Furthermore it is not the only window serving the living room, as there is a large bay window to the front elevation. The addition in height of 0.25m is considered to be a relatively modest increase in height, which when taken with the single storey nature of the proposal, together with the separation distance to the neighbour and the size and number of windows serving the nearest affected room in the neighbouring property, is not considered to result in significant harm to the living conditions of the neighbouring property occupiers.

Concern has been raised regarding the increased height of 0.25m of the obscure glazed privacy screens to the balcony, however given the material of the screens which consists of obscure glass; light will easily pass through limiting any impacts of additional bulk and massing. Furthermore the obscure glazed screens are set in from the extensions side elevations and will retain sufficient separation distance to each neighbouring property to prevent any harm.

In terms of overlooking, the extension includes 1no. three paned obscure glazed fixed shut window facing the adjacent neighbour to the West 19 St Magnus Close. Given the size of the window and its location, some of the window is visible above the boundary wall, creating a perception of overlooking. However as the window is obscure glazed and fixed shut there is no actual overlooking created by the proposal and as such the impact upon neighbouring privacy is considered to be acceptable.

The raised platform is located 0.7m above ground level, however the limited depth of the raised platform of 1.5m does not encourage the siting of tables and chairs, with its function being to serve as an entry and exit to the property and garden. Therefore I do not consider it likely that people will congregate or spend any length of time in this area, leading to significantly harmful impacts of overlooking.

The balcony has a relatively modest depth of 1.8m which minimises any wider views which may be gained, and a width of 4m which is set in from each side elevation of the extension. This allows for a separation distance of 3.8m to the adjacent neighbour at 19 St Magnus Close to the West and a separation distance of 4m to the adjoined neighbour 2 St Magnus Court to the East. Both sides of the balcony will also have a 1.8m obscure glazed privacy screen which extends the full depth of the balcony, preventing any direct overlooking to the most private amenity space of neighbouring properties rear gardens. I consider that by virtue of the constrained size of the proposed balcony, its central location within the site and the height and depth of the privacy screens, sufficient restrictions and separation distance will exist to prevent any direct overlooking of private amenity space.

Overall I consider, given the scale and location of the extension, together with its relationship with the adjacent neighbour properties, that sufficient restrictions and separation distances are in place to prevent any significant adverse impacts as a result of the increase of the extension height by 0.25m and the differing window design to the West side elevations, when compared to the original consent. The proposal is therefore considered to be acceptable in terms of residential amenity, in accordance with Policy D1 of the Thanet Local Plan and the National Planning Policy Framework.

Other Matters

Concerns have been raised regarding the conversion of the garage into a room serving 1 St Magnus Court. This conversion is permitted development, and does not form part of this application. Therefore this conversion does not impinge on the material planning considerations when determining this application.

Conclusion

The impact upon the character and appearance of the area and neighbouring property occupiers living conditions is considered to be acceptable. It is therefore recommended that members approve the application.

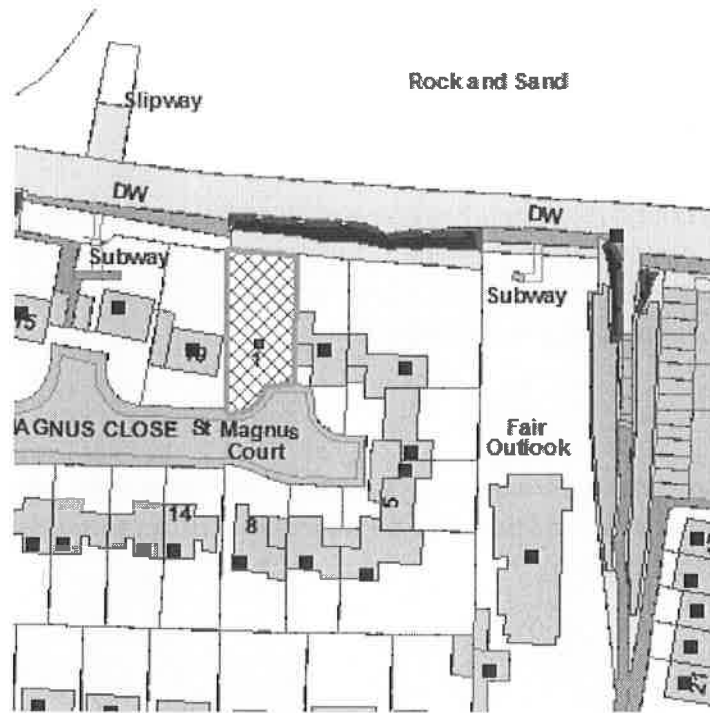
Case Officer

Jenny Suttle

TITLE: FH/TH/16/0916

Project 1 St Magnus Court St Magnus Close BIRCHINGTON Kent CT7 9UP

Scale:



A03

F/TH/16/0728

PROPOSAL: Erection of 3no. general industrial units (floor area approx. 4,820 sqm) with access and associated parking

LOCATION: All Saints Industrial Estate All Saints Avenue MARGATE Kent CT9 5TJ

WARD: Salmestone

AGENT: Mr Alistair Milne

APPLICANT: Mr Eley

RECOMMENDATION: Approve

Subject to the following conditions:

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

GROUND:

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

2 The proposed development shall be carried out in accordance with the submitted application as amended by the revised drawings numbered 300 REV A, 304 Rev A, 305 Rev B and 306 received 30th August 2016 and 307 received 1st September 2016.

GROUND:

To secure the proper development of the area and to protect the living conditions of neighbouring property occupiers, in accordance with Thanet Local Plan Policy D1 and guidance within the National Planning Policy Framework paragraph 17.

3 Prior to the first use of the development hereby permitted, details of cycle parking for a minimum of 3no. bikes shall be submitted to and approved in writing by the Local Planning Authority. The cycle parking shall be provided in accordance with the approved details.

GROUND:

In the interests of promoting increased cycling in accordance with Policy TR12 of the Thanet Local Plan.

4 Prior to the commencement of development hereby permitted, a parking area shall be provided within the site for use by site personnel and visitors, and a loading and

unloading and turning area shall be provided within the site for use by construction vehicles. These areas shall be kept available for this use at all times during the construction period.

GROUND:

In the interests of highway safety.

5 Prior to the first use of the development hereby permitted, the 6 metre wide link road around the site and the vehicle loading and unloading and turning facilities, as shown on the approved plan numbered 300 REV A shall be provided and thereafter maintained.

GROUND:

In the interests of highway safety.

6 The car parking spaces shown on the approved drawing shall be provided before the occupation of the building to which they relate and thereafter shall remain available solely for the parking of staff and visitor vehicles related to the use of the premises.

GROUND:

In the interests of highway safety.

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

- o species, size and location of new trees, shrubs, hedges and grassed areas to be planted
- o the treatment proposed for all hard surfaced areas beyond the limits of the highway (which shall be a bound surface for the first 5 metres of the access from the edge of the highway)
- o 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

8 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

9 No deliveries to or collections from any part of any buildings hereby approved shall take place between the hours of 10pm and 7am, on any given day.

GROUND:

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

10 Prior to the installation of any mechanical ventilation or other plant associated with the commercial operation of the building full details including plans and drawings, full specifications of all filtration and odour abatement systems, noise output, termination points and maintenance schedules shall be submitted to and approved in writing by the Local Planning Authority. The design and installation of new items of fixed plant at the proposed site shall be such that, when operating, the cumulative noise level LAeq Tr arising from the proposed plant, measured or predicted at 1m from the facade of the nearest noise sensitive premises, shall be a rating level of 3dB(A) below the background noise level LAF90 Tbg. All measurements shall be determined using the guidance of BS 4142:2014 RATING FOR INDUSTRIAL NOISE AFFECTING MIXED RESIDENTIAL & INDUSTRIAL AREAS. In the event that an assessment of the specific noise level at the nearest residential location is not practicable, the applicant, in agreement with the local planning authority, can define one or more reference measurement positions which should be relatively close to the item of plant. The noise level from the facade of the nearest noise sensitive premises can then be calculated on the basis of the measurement(s) at the reference location(s).

The mechanical ventilation or other plant shall be installed in accordance with the approved details and shall be permanently maintained thereafter.

GROUND:

In the interest of the amenities of the occupiers of surrounding dwellings, in accordance with Local Plan Policy D1 and the National Planning Policy Framework.

11 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 advice contained within the NPPF.

12 Prior to first use of the development hereby approved, full details of any external lighting, including their fittings, illumination levels and spread of light shall be submitted to,

and approved in writing by, the Local Planning Authority. The lighting installation shall then be carried out in accordance with the approved details.

GROUND:

To ensure that light pollution is minimised in the interest of the visual amenities of the area and in the interests of biodiversity, in accordance with Policy D1 of the Thanet Local Plan and the NPPF.

13 No development shall take place until the following components of a scheme to deal with the risks associated with the contamination of the site are each submitted to and approved in writing by the Local Planning Authority:

1. A site investigation scheme based on the submitted preliminary risk assessment to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
2. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of any remediation methods required and how they are to be undertaken.
3. If necessary following (2), a verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (2) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.
4. If a verification plan is required, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of 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 include any plan (a long-term monitoring and maintenance plan) for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

GROUND:

To prevent pollution of controlled waters and comply with the National Planning Policy Framework paragraph 109.

14 No piling or any other foundation design/investigation boreholes using penetrative methods are permitted, unless details for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater are submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with any details approved.

GROUND:

To prevent pollution of the underlying chalk Principal Aquifer in accordance within paragraph 109 of the National Planning Policy Framework.

15 Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound should be at least equivalent to the capacity of the largest tank or the combined capacity of interconnected tanks, plus 10%. All filling points, vents, gauges and sight glasses shall be located within the bund. The drainage system of the bund shall be sealed with no discharge to any water course, land or underground strata. Associated pipework should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge downwards into the bund.

GROUND:

To prevent harm to human health and pollution of the environment, in accordance with the advice contained within the National Planning Policy Framework.

16 Prior to commencement of the development, a detailed construction management plan shall be submitted to, and approved to the local authority. The construction management plan shall include (but not limited to) the following matters:

- a. Construction process - to include mitigation measures for neighbouring sensitive premises
- b. Hours of operational construction work.
- c. Site deliveries plan - given the limited access this is to include times deliveries will be accepted and if required plans to mitigate for large scale deliveries of materials and equipment.
- d. Construction site dust management strategy
- e. Construction noise management - to include expected significant noise generating activities and mitigation measures to be employed.
- f Site parking strategy for staff - to include strategy on dealing with overflow of site staff parking in the vicinity.
- g. Waste Management policy - we advise this includes a restriction on any burning of material at the site

GROUND:

To protect the living conditions of neighbouring occupiers during construction, in accordance with Thanet Local Plan Policy D1 and paragraph 17 of the National Planning Policy Framework.

17 Prior to the commencement of development, a detailed sustainable surface water drainage scheme for the site shall be submitted to, and approved in writing by, the Local Planning Authority. The detailed drainage scheme shall be based upon the proposals within the Flood Risk and SUDS Assessment by BJB Consulting Ref. 2244/FR01, May 2016, and demonstrate that the surface water generated by this development (for a" rainfall durations and intensities up to and including the climate change adjusted critical 100yr storm) can be accommodated and disposed of without increase to flood risk. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:

- i) a timetable for its implementation, and
- ii) a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any

other arrangements to secure the operation of the sustainable drainage system throughout its lifetime.

GROUND:

To ensure adequate provision for surface water drainage without resulting in additional flood risk, in accordance with guidance within the National Planning Policy Framework.

18 No drainage systems for the infiltration of surface water drainage into the ground are permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approved details.

GROUND:

Infiltration through contaminated land has the potential to impact on groundwater quality and the principal aquifer, which should be protected in accordance with guidance within the National Planning Policy Framework.

19 The approved buildings shall only operate between the hours of 7am and 10pm Monday to Friday, 8am to 1pm on Saturday and at no times on Sunday or Bank Holidays.

GROUND:

In the interests of residential amenities, in accordance with Thanet Local Plan Policy D1 and paragraph 17 of the National Planning Policy Framework.

INFORMATIVES:

Where there are planning conditions requiring the submission of information (desk study, site investigation, remediation method statement and remediation verification report) in relation to either Special Sites or pollution of Controlled Waters then the Environment Agency would like to receive copies of any documents produced by the developer in connection with those conditions.

Please be aware that carrying out acoustic surveys and specifying sound insulation is a specialised area and is best done by professionals. It is therefore recommend that the applicant appoint a noise consultant registered with the Institute of Acoustics or Association of Noise Consultants to prepare a scheme of sound insulation and noise control measures to aid in meeting the above conditions. It would be improper of us to recommend one acoustic consultant above another but, if required, the Environmental Protection Team can provide details of acoustic consultants in and around the South East.

For information the noise assessment for any mechanical plant, in any submitted information the reference time interval T_r shall be 1 hour during the day (07.00 to 23.00 hours) and 5 minutes during the night (23.00 to 07.00 hours). The measurement and/or prediction of the noise should be carried out in line with BS 4142: 2014 and as such, may make use of measurements over a shorter period if appropriate. For the background noise measurement,

the reference time interval T_{bg} shall not be less than 15 minutes and the measurements made in accordance with BS 4142: 2014 at a time representative of the hours of operation of the plant. The "Fast" time weighting should be used. The measurements should be reported as façade noise levels. If it is not possible to measure at 1m from a façade, the measurement can be made at an equivalent free-field position with a +3dB correction added to calculate the equivalent façade level.

The applicant is advised to contact KCC Highways and Transportation to discuss improvements to the footway outside of the site, and to carry out resurfacing works in the vicinity of the access to remove any slip trip hazards and stop surface water gathering on the footways, and in this regard please contact KHS on 08458 247800.

SITE, LOCATION AND DESCRIPTION

This application site is an irregular shaped piece of vacant land bounded by the rear of properties in Railway Terrace and Tivoli Park Avenue to the west, the railway line and industrial buildings to the north east and an open storage yard to the south east. Vehicular access to the site is from All Saints Avenue to the north. This access also serves other industrial uses within the wider industrial estate. The site has an area of about 1.3 ha.

The site is set down lower than the railway line and the adjoining residential properties by around 3m. Trees align the residential and railway boundaries.

RELEVANT PLANNING HISTORY

There is an extensive planning history relating to the site and its surroundings:

Erection of storage building within existing storage yard
Ref. No: F/TH/12/0441 | Status: Granted

Retention of part 2.7 Metre high fence with three strand crank barbed wire topping (with a pair of access gates) and part 2.4 Metre high palisade triple spike fencing.
Ref. No: F/TH/08/1319 | Status: Granted

Erection of a single storey flat roof extension for existing retail sales area
Ref. No: F/TH/06/0637 | Status: Granted

Outline application for residential development with access from All Saints Avenue
Ref. No: OL/TH/04/0088 | Status: Refused

PROPOSED DEVELOPMENT

The application was submitted for 3 no. general industrial units (Class B2) but during the consideration of the application the use has been amended to erection of 2no. light industrial units and 1 no. part light and part general industrial building. Blocks A and B are at the northern end of the site and are identical in design, appearance and size, each one being 318.06 sq m of light industrial space (B1 c). Block C is much larger at 4348.95 sq m. It is

proposed that it will be subdivided internally so that the south western half, that closest to the residential properties will be B1c and the north eastern half, facing the adjoining industrial sheds, will be for general industry (B2).

Parking for 105 cars is proposed across the site, 13 of which are for disabled users.

The tallest building is block C which has a ridge height of 10.5m. Block C is located broadly parallel to the rear garden boundaries of the properties in Tivoli Park Avenue at a distance of between 17.5m and 22m.

The materials proposed and design is typical for buildings with the proposed industrial function: insulated panels in white above a brick plinth with grey insulated panel roof, forming rectangular buildings with shallow pitched roofs.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan Policy (2006) Saved Policies

EC12 - Retention of Employment Sites
D1 - Design principles
D2 - Landscaping
TR12 - Cycling
TR16 - Car parking provision

NOTIFICATIONS

Letters were sent to occupiers of neighbouring premises in Tivoli Park Avenue, Mere Gate, Railway Terrace, and Fulsham Place together with businesses at the Industrial Estate. A site notice was also displayed.

A total of 6 individual letters of objection were received on the original application raising the following points of concern:

- Too large and would have negative impact on existing businesses
- Too close to adjoining properties
- Too high
- Development would cause noise; some restriction on hours of use necessary
- Increased traffic including HGVs

The revised drawings submitted by the applicant on 18th August were also consulted upon, but at the time of writing, no further letters of representation have been received.

CONSULTATIONS

Environment Agency - No objection subject to conditions.

Environmental Health - No objection to amended plans subject to conditions requiring a construction management plan and a scheme of lighting to be submitted for approval, and the hours of use to be restricted.

KCC Highways and Transportation - Initial comments: perimeter road needs to be 6m wide, new dropped kerb should be installed at access to All Saints Avenue together with resurfacing of footway at this point.

Further comments: no objections subject to provision and retention of covered cycle parking facilities and vehicle parking spaces prior to the use of the site commencing, wheel washing facilities, parking for site personal/vehicle loading/unloading, provision of dropped kerb at entrance and resurfacing of footway on access.

Drainage (KCC) - no objection subject to conditions relating to the submission of drainage details.

ANALYSIS

The application is brought before Planning Committee by Councillor Evans to consider the impact on neighbouring properties and the highway network.

Principle of Development

The proposed employment use is acceptable in principle having regard to the site's lawful use and Policy EC12 of the Local Plan, which seeks the retention of industrial use at this location as indicated on the Local Plan Proposals Map. The policy specifies that sites will be retained for employment uses falling within use classes B1 (light industrial) and B8 (storage and distribution) in locations close to residential area with additional B2 use away from residential areas. It is therefore considered that the proposals fall to be considered as acceptable in principle, subject to compliance with all other relevant development plan policies.

Character and appearance

The site is an established industrial area. The simple rectangular plan form of the buildings with shallow pitched roofs is typical of a modern day industrial buildings and fitting for the site and location. Sufficient space around the buildings is proposed to ensure the buildings sit well in the townscape. It is suggested that the existing trees along the boundaries should be supplemented with addition planting and this would be required through a landscaping condition.

Impact on residential amenity

By definition, a B1c use will involve activities and processes, which can take place without causing harm to residential amenity. A B2 use however is one where general industrial activities can take place and therefore it is necessary to ensure that no harm will be caused to the residential amenities of nearby dwellings. With this in mind, the B2 element of the proposal is located in the northeastern part of Block C away from any dwelling. The Environmental Health Officer confirms that this arrangement will safeguard the amenities of local residents. The EHO also suggests the imposition of conditions to control the hours of use, given that all B uses would give rise to an impact from operation at nighttime when background noise levels are low. The applicant has cited that other business on the

industrial estate operate without restrictions, however given the proximity of the residential properties to the new building, the restriction of the development is considered to be necessary and reasonable. Deliveries would also be restricted by virtue of conditions, and a construction management plan to minimise disturbance during the construction phase is required to ensure harm to nearby residential properties from the level of construction proposed.

The buildings would be sufficiently distant from the rear boundaries of residential properties on Tivoli Park Avenue and due to the considerable lower level of the site combined with the height of the proposals with properties on Railway Terrace there would be no undue harm caused to visual amenity, by overlooking, by overshadowing or loss of outlook. The section drawings provided by the applicant demonstrates the relationship between the proposal and the houses. The detail of the boundary treatment is not provided, but is shown to be fencing and soft landscaping is and this will be secured by condition to ensure the use satisfactorily relates to neighbouring properties. The relationship would be satisfactory and the proposals would accord with Policy D1 of the adopted Local Plan.

Traffic and parking

KCC Highways have raised no objection to the proposal with regard traffic generation, the level of parking or highway safety. The perimeter road has been widened in accordance with Highways and the internal layout of the development is considered to provide adequate amount of parking (105 spaces) for the development. The applicant has also confirmed that the highway improvements at the entrance (new drop kerb and footway resurfacing) can be carried out. Whilst improvements to the footway outside the access would benefit the wider environment, the additional pedestrian and vehicular traffic from the proposed development is not considered to result in such a significant number of movements to render the public footway unusable, and therefore a condition requiring the work to be carried out is not necessary to make the development acceptable in planning terms; therefore it is not imposed.

Contamination

The applicant has submitted a Phase 1 Environmental Desk Study that has satisfied the Environment Agency. Conditions have been suggested in order that the necessary follow up investigations take place, and these are considered to be justified given the risk assessment submitted and previous use of the site.

Drainage

As Lead Local Flood Authority KCC raise no objection to the proposal subject to a condition requiring details of drainage in accordance with the submitted Flood Risk and SUDS Assessment.

Conclusion

The principle of the development is considered acceptable given the location of the site within an existing employment area. Residential and visual amenity will not be harmed and

technical matters relating to highways, contamination and drainage can satisfactorily be overcome by imposition of conditions. The appearance of the proposal is also considered acceptable for the proposed function of the buildings. There are therefore no in principle objections to the proposed development which would accord with the policies of the Development Plan, that is the adopted saved policies of the Thanet Local Plan, and would constitute sustainable development in accordance with the NPPF.

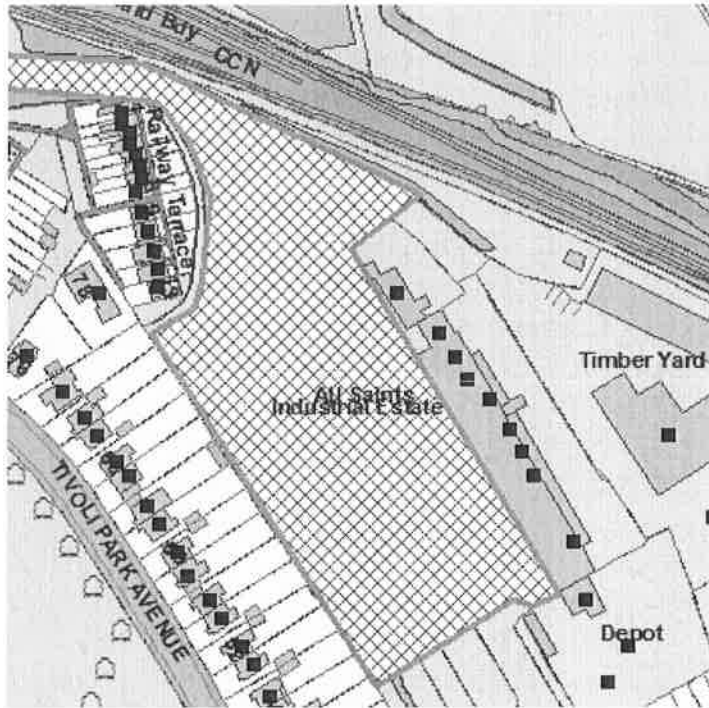
Case Officer

IAIN LIVINGSTONE

TITLE: F/TH/16/0728

Project All Saints Industrial Estate All Saints Avenue MARGATE Kent CT9 5TJ

Scale:



A04

F/TH/16/0939

PROPOSAL: Retrospective application for the change of use from light and general industrial unit to Cafe (use class A3)

LOCATION: Unit 22 Manston Business Park Invicta Way Ramsgate Kent CT12 5FD

WARD: Thanet Villages

AGENT: Mr Malcolm Rowlett

APPLICANT: Mrs S A Dicks

RECOMMENDATION: Approve

Subject to the following conditions:

1 The premises shall be used as a cafe and for no other purpose including any other purpose in Class A 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:

To secure the proper development of the area in accordance with Thanet Local Plan Policy EC12.

2 The use of the premises hereby approved shall not be used other than between the hours of 0700 and 14.30 Monday to Friday in any week, and at no time on Saturday or Sundays.

GROUND:

To secure the proper development of the area, and reduce any impact on the vitality and viability of existing centres, in accordance with Thanet Local Plan Policy EC12 and the National Planning Policy Framework.

INFORMATIVE:

Please be advised that should additional ventilation be required, details of this are required under conditions attached to the original permission for the site.

SITE, LOCATION AND DESCRIPTION

The site forms part of Manston Business Park, and is an employment site, protected under Policy EC12 of the Thanet Local Plan. Manston Business Park has been slowly developing

over time, with a number of different plots within the site, some of which contain established development, others which have only recently been constructed, and others which are still vacant. Most of the sites that have been developed contain large industrial/storage/office units. Many of the units have already been constructed, although some development work is still taking place on the site, and the planning application for the final phase of the works is still pending, although is principally acceptable. The application is for a change of use of one of these small individual business units, located towards the centre of the site.

RELEVANT PLANNING HISTORY

F/TH/14/0562 - Phase 1 - units 1-21 - Granted 22/08/14
F/TH/15/0125 - Phase 2 - units 22-31 - Granted - 01/05/15
F/TH/15/0511 - Phase 3 - units 32-39 - Granted - 28/07/15
F/TH/15/0538 - Phase 4 - units 40-49 - Granted - 28/07/15
F/TH/15/0741 - Phase 5 - units 50-72 - Granted - 13/01/16
F/TH/16/0127 - Phase 6 - units 73-91-Granted - 04/05/16
F/TH/16/0914 - Phase 7 - pending

PROPOSED DEVELOPMENT

The proposal is for the change of use of one of the business units from light industrial use to cafe use (A3). The unit is mainly for takeaway food, such as sandwiches and pies, although cooked breakfast is also served. Within the unit five tables with twenty-four chairs are provided. The hours of use proposed for the unit are 7am to 2.30pm Monday to Friday.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan (2006)

EC12 - Retention of Employment Sites
D1 - Design

NOTIFICATIONS

Neighbouring occupiers have been notified and a site notice posted. No letters of objection have been received.

CONSULTATIONS

Environmental Health - No objections, given that the activities will not impact on residential.

COMMENTS

This application is brought to members as a departure to Thanet Local Plan Policies EC1 and EC12.

Principle

The site falls within the area identified within the local plan as an employment site. Policies EC1 and EC12 of the Thanet Local Plan state that the land is allocated for business purposes only, for employment uses falling within use classes B1 and B8, and B2 where away from residential areas. The proposal is for a change of use of a light industrial unit to A3 use, and is therefore contrary to Policies EC1 and EC12 of the Thanet Local Plan.

The proposed A3 use is also a town centre use, and as such the preferable location for such uses would be within the town centre, and then at edge of town centre sites. However, paragraph 25 of the NPPF states that this sequential approach should not be applied to applications for small scale rural development.

Sustainability

Whilst there is a principle policy objection to the proposed development, consideration must be given to the National Planning Policy Framework, which advises on a presumption in favour of sustainable development.

Within the Manston Business Park, most units are large in scale, with the potential for an ancillary café within the building. On the application site, development consists of many small business units measuring only 102sqm per unit. There is no scope for an ancillary café on the site for the occupiers of the business units, and therefore occupants who require refreshments would need to travel by car to the nearest village of Minster. The provision of a café unit on the site to serve the needs of the business units would significantly reduce vehicle movements to and from the site during lunchtime hours, and as such could be seen to contribute to the sustainability of the site. The proposed café will serve breakfast and lunch only (mainly takeaway), between the hours of 7am and 2.30pm Monday to Friday, and has therefore been designed solely to serve the needs of the business unit occupants. Such a facility may also help to provide the infrastructure necessary to help support sustainable economic growth on the site.

If it is accepted that the sustainability benefits would outweigh the harm regarding the location of the proposed development on an allocated business park, strict restrictive conditions would need to be applied, including an hours condition that restricts the use of the unit to weekdays and daytime hours only, in line with the opening hours of the business units, and a condition which limits the use of the building to A3 use only, and no other town centre use.

It is also considered that whilst there may be a sustainability justification for this particular, it should not set a precedent for any future applications. The justification for the café use would be on the basis that this is a business park within the rural area that is not within close proximity of existing facilities and services, and the site provides small business's units where the provision of an ancillary café within one of the existing business unit is not achievable due to the limited size and scale of the units. The proposed café is only one unit out of one hundred and one units proposed for the site, and therefore in terms of the scale the proposed café would occupy only 102sqm of the 10,350sqm (approximate) business development planned for the site. Any justification would therefore solely be based on the

merits of this particular proposal, including the identified need, rural location and limited scale of the proposed development.

Character and Appearance

The unit is existing and there are no changes to appearance of the building, other than the installation of internal doors and windows behind the approved shutter, and the addition of a small sign within the window. No external seating is proposed. As such the impact upon the character and appearance of the area is acceptable.

Living Conditions

There are no residential properties within close proximity of the site. The unit requiring the change of use is surrounded on all sides by existing business units.

Within the unit it would mainly be cold food that is served, other than breakfast, which is cooked using a grill plate and microwave. Environmental Health has been consulted and has advised that the ventilation provided is acceptable, and that the activities will not impact upon residential amenity. Should additional ventilation be required, details of this can be submitted under the original condition requiring details of ventilation for the site.

The impact upon neighbouring living condition is therefore considered to be acceptable.

Transportation

The proposed use is to serve occupants of the existing business park, and therefore it is expected that most trade would be by foot, with no additional vehicle movements expected. Should there be the occasion when additional parking beyond that existing is required, there is spare on-street capacity within close proximity of the site.

The impact upon highway safety is therefore considered to be acceptable.

Conclusion

The proposed development is contrary to Policies EC1 and EC12 of the Thanet Local Plan, however, the proposal would improve sustainability within the site, and therefore given the limited scale of the development, and the need for the proposed development in this rural location, it is considered that on balance, the benefits of the proposal to sustainable economic growth outweigh the concerns regarding the loss of one small individual business unit within the business park, with no discernible impact on any town centre areas. It is therefore recommended that members approve the application as an acceptable departure to Thanet Local Plan Policies EC1 and EC12.

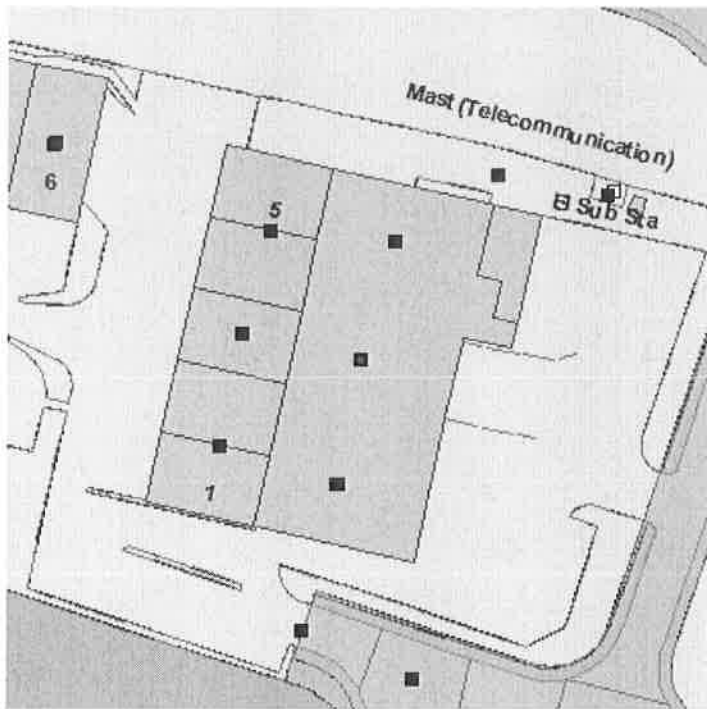
Case Officer

Emma Fibbens

TITLE: F/TH/16/0939

Project Unit 22 Manston Business Park Invicta Way Ramsgate Kent CT12 5FD

Scale:



A05

F/TH/16/0856

PROPOSAL: Erection of a three-storey detached dwelling, with attached double garage with workshop and leisure room above, and
LOCATION: associated parking and landscaping

Haine Lodge Spratling Lane RAMSGATE Kent CT12 5LL

WARD: Thanet Villages

AGENT: Mr Doug Brown

APPLICANT: Mr Steve Fox

RECOMMENDATION: Approve

Subject to the following conditions:

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

GROUND:

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

2 The development hereby approved shall be carried out in accordance with the submitted drawings numbered 107/P01, 107/P02 Rev A, 107/P03 Rev A, 107/P04, 107/P05, 107/P06 Rev A, and 107/P07, received 30 June 2016.

GROUND:

To secure the proper development of the area.

3 Prior to the first occupation of the development hereby approved, full details of both hard and soft landscape works, to include:

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

4 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

5 The development hereby approved shall be constructed in Belgravia Yellow multi stock brick and Vivera Natural slate, in accordance with the submitted samples, and precast stone cills and heads, as annotated on the approved plans.

GROUND:

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

6 All external windows and doors shall be set within a minimum reveal of not less than 100mm.

GROUND:

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

7 Prior to the commencement of the development hereby approved, the applicant, or their agents or successors in title, shall secure the implementation of a programme of archaeological work, in accordance with a written scheme of investigation which has first been submitted to and approved in writing by the Local Planning Authority

GROUND:

To ensure that the archaeological history of the site is recorded in accordance with the advice contained within the National Planning Policy Framework.

8 No development shall take place until details of the means of foul and 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 NPPF.

SITE, LOCATION AND DESCRIPTION

The site lies just inside the urban area. To the west and south of the site are agricultural fields, and to the east of the site is a residential development of 2-3 storey in height. The

application site forms part of a much larger plot containing a detached residential property with associated stable structures and outbuildings. The application site is located to the front of the site adjacent to Spratling Lane. It is enclosed by fencing and is currently overgrown non-previously developed land that is not considered to form part of the residential curtilage of the site.

RELEVANT PLANNING HISTORY

OL/TH/14/0118 - Outline application for the erection of 7no. dwellings, together with associated car parking and access. Granted - 04/08/15

OL/TH/00/1056 - Outline application for the erection of dwelling. Refused - 15/02/01

PROPOSED DEVELOPMENT

The proposal is for the erection of a 3-storey detached dwelling, with attached garage with leisure room above. The dwelling is setback from the road by 10m, with a large driveway for parking and manoeuvring, and the site will be accessed via the existing access off Spratling Lane. A garden is provided to the rear measuring 15m by 33m.

A scheme has previously been approved for the erection of 7no. dwellings to the rear of the site, on garden land associated with the existing dwelling. This application is for land to the front of the site adjacent to Spratling Lane, which has been split from the residential site and is now overgrown, with the current use as stated on the application form being a paddock.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan (2006)

H1 - Housing

H4 - Windfall

D1 - Design

TR12 - Cycle parking

TR16 - Car parking provision

SR5 - Doorstep playspace

NOTIFICATIONS

Neighbouring occupiers have been notified and a site notice posted. No letters of objection have been received.

CONSULTATIONS

KCC Highways and Transportation - No comments, as site does not meet the criteria to warrant involvement from the Highway Authority.

KCC Biodiversity - We have reviewed the ecological information and we advise that sufficient information has been provided to determine the planning application. The same ecological information was submitted for planning application OL/TH/14/0118 and we did

have concerns that the results of the ecological surveys would no longer be valid. However we have re-reviewed the surveys and we are satisfied that the conclusions of the survey are unlikely to have changed. Due to the habitat present on site the results of the reptile surveys were surprising however as the survey concluded that reptiles were likely absent and due to the limited amount of suitable reptile habitat within the immediate area we are satisfied that it is unlikely reptiles will have colonised the site in the last 14 months.

Senior Archaeological Officer - No objections subject to safeguarding condition.

COMMENTS

The application is brought before members as a departure to Policy H1 from the Thanet Local Plan as the site is not previously developed.

Principle

The site is non-previously developed land within the urban confines, and is therefore contrary to Thanet Local Plan Policy H1, which requires that all residential development should be on previously developed land within the urban confines.

The site is allocated for residential development within the draft local plan for a notional dwelling capacity of 12no. dwellings for the overall site. Currently the Local Authority cannot demonstrate a 5 year supply of housing, and therefore all applications for residential development must be considered on their own merits. Whilst the application site would be a departure to current Local Plan Policy H1, the direction of travel of the new Policy document to allocate the site for housing development will have some weight in decision-making to support a proposal for housing development on the site, as does the fact that the site is within the urban confines. However it will be important to ensure that all policy requirements for residential development on this site in the draft Local Plan are met to ensure that the proposal represents sustainable development.

The NPPF states in para 49 that housing application should be considered in the context of the presumption in favour of sustainable development. In determining whether housing on the site would be acceptable, the need for housing in the district needs to be balanced against other issues such as the impact on the character and appearance of the area, neighbouring living conditions and highway safety.

Character and Appearance

It is acknowledged that a scheme has previously been approved for the erection of 7no. dwellings to the rear of the site, on garden land associated with the existing dwelling. This application is for land to the front of the site adjacent to Spratling Lane, and did not form part of the previous application other than to be shown as soft landscaped. The implementation of this scheme (if granted) would affect the ability to implement the previously approved scheme at the rear, which would require the relocation of the vehicular access and minor amendments to the layout. However, it is considered that this proposal would not prejudice the future development of the land to the rear, which is allocated for residential development

within the draft local plan, due to the space that will be retained around the site for the access provision.

The site is located within the urban confines, but is adjacent to agricultural field, and therefore this site should be viewed as a transition site between the high density corner development in the urban area, adjacent to the eastern boundary of the site, and the open rural character of agricultural fields, adjacent to the western boundary of the site. The proposed development appears to have achieved this through the provision of a single detached dwelling with plenty of surrounding space. There is a minimum setback of 10m from the front boundary, a minimum of 6m gap to the western boundary, and 2m gap to the eastern boundary (18m to the overall eastern boundary shown in the blue line). Therefore, whilst the proposed dwelling is 3-storey in height and of quite a large scale, there is a sufficiently spacious setting to serve the development, which will allow for a generous amount of soft landscaping around the site. This includes hedgerow to the front, side and rear boundaries and new tree planting along the eastern side boundary.

In terms of the building, it is of a traditional manor house design. Whilst large in scale, the building is broken up with the double garage and infill extension between the garage and the dwelling setback from the front elevation and lower in height. The second floor is contained within the roof space, and the section plan shows that the building would be lower than the 3-storey building on the adjacent site. The building has interesting features, such as chimney, small pitched roof dormer windows, stone cills and heads to windows, and brick corner patterns, and a brick finish with slate roof is proposed. All of this contributes to a good quality design, which is considered to contribute to the character and appearance of the area as a transition site between the countryside and the more urban development along Haine Road.

Living Conditions

There is 25m between the proposed development and the nearest neighbouring property. As such the impact upon neighbouring light and outlook is acceptable.

There is a distance of 25m between the second floor windows in the side elevation of the proposed development and the nearest neighbouring boundary. The side windows are secondary bedroom windows and could be obscure glazed if necessary; however the minimum 21m distance for overlooking has been achieved, and no neighbour letters of objection have been received. The impact upon neighbouring privacy is therefore considered to be acceptable.

There may be some overlooking of the application properties garden from existing properties on adjacent sites, however, the distance is considered to be adequate to prevent any significant overlooking, and the planting of new trees along the side boundary of the rear garden is proposed in order to provide some screening to the garden area. A large garden has been provided for the property, which will provide adequate doorstep play space in line with Policy SR5 of the Thanet Local Plan. As such, the impact upon the living conditions of the future occupiers of the development is considered to be acceptable.

Transportation

KCC Highways and Transportation have not commented upon the application, which is for a single dwelling utilising an existing access. Adequate off-street parking and space for manoeuvring is provided to the front of the site which is approximately 10m deep by 20m wide. The impact upon highway safety is therefore considered to be acceptable.

Whilst the site falls within the urban confines, it is not in a particularly sustainable location; however, there is a primary school and supermarket within 800m of the site, which is walking distance. Furthermore, there are a number of sites around this site that has been allocated within the draft local plan for residential development, some of which require the provision of retail units to serve the local community. There are also plans to improve the bus service along Haine Road and the cycle route. As such, the sustainability of the development on highway grounds is considered acceptable.

Ecology

An ecology scoping survey and reptile survey has been submitted with the application. KCC Biodiversity have advised that sufficient information has been provided to determine the planning application, and whilst it is the same information as that submitted with the previous application in 2014, KCC have re-reviewed the surveys and are satisfied that the conclusions of the survey are unlikely to have changed, and reptiles are unlikely to have colonised the site in the last 14 months. The impact upon biodiversity is therefore considered to be acceptable.

Archaeology

The site lies within an area of prehistoric, Roman and Early Medieval activity. There are numerous crop marks in the surrounding fields and these may represent remains of settlement and burials. Some Roman ditches were located just south east of the site and similar remains may survive on this site. As such a condition requiring the implementation of a programme of archaeological work is recommended.

Conclusion

There is a need for housing and the application site consists of an allocated housing site within the draft local plan. Whilst the site is non-previously developed land, it does fall within the urban confines, and based on the existing and proposed services in the area, is considered to be sustainable development. The proposed development is of a good design, an existing vehicular access is being utilised, and there will be no significant impact upon neighbouring living conditions. As such it is recommended that members approve the application as an acceptable departure to Policy H1 of the Thanet Local Plan.

Case Officer

Emma Fibbens

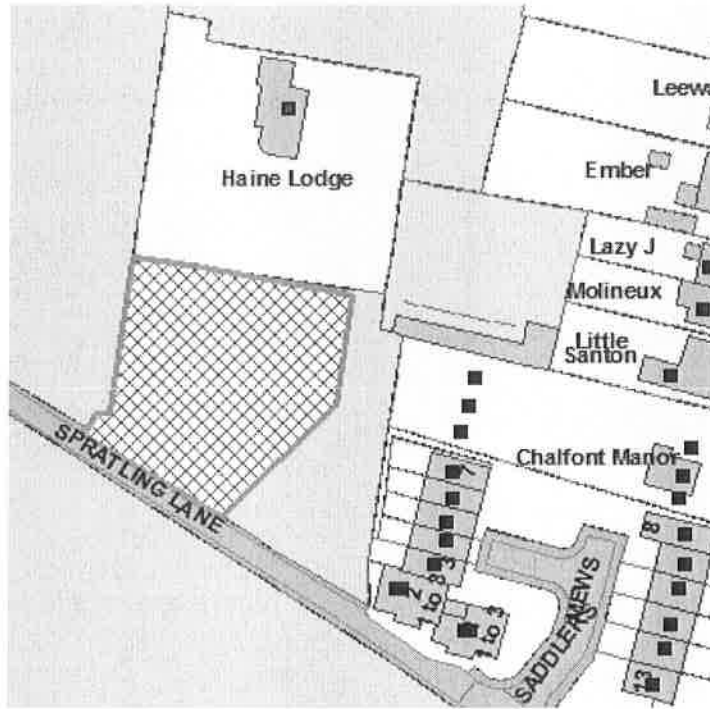
TITLE:

F/TH/16/0856

Project

Haine Lodge Spratling Lane RAMSGATE Kent CT12 5LL

Scale:



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.