

Date: 6 March 2017
Ask For: Emily Kennedy
Direct Dial: (01843) 577046
Email: emily.kennedy@thanet.gov.uk



PLANNING COMMITTEE

15 MARCH 2017

A meeting of the Planning Committee will be held at **7.00 pm on Wednesday, 15 March 2017** in the Council Chamber, Council Offices, Cecil Street, Margate, Kent.

Membership:

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

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 3 - 22)

To approve the Minutes of the Planning Committee meeting held on 15 February 2017, copy attached.

4. **SITE VISITS**

4a **F/TH/16/0924 - LAND FORMERLY USED AS CLUB UNION**
CONVALESCENT HOME READING STREET (Pages 23 - 54)

5. **SCHEDULE OF PLANNING APPLICATIONS** (Pages 55 - 60)

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 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/16/1109 - LAND ON THE EAST SIDE OF LEICESTER AVENUE, MARGATE** (Pages 61 - 72)
- 5b **A02 - F/TH/16/1047 - LAND AT JUNCTION OF SOWELL STREET, BROADSTAIRS** (Pages 73 - 82)
- 5c **A03 - F/TH/16/1709 - GARAGES AT KINGSTON CLOSE, RAMSGATE** (Pages 83 - 90)
- 5d **A04 - L/TH/17/0135 - 54A TRINITY SQUARE, MARGATE** (Pages 91 - 94)
- 5e **A05 - F/TH/16/1716 - GARAGE BLOCK BETWEEN 108 AND 110 CLEMENTS ROAD, RAMSGATE** (Pages 95 - 100)

For Refusal

- 5f **R06 F/TH/16/1271 - FORMER ST MARY MAGDALENE CHURCH, WOODCHURCH ROAD, BIRCHINGTON** (Pages 101 - 110)

For Deferral

- 5g **D07 - F/TH/16/1645 - CAMBAY LODGE 91 KINGSGATE AVENUE, BROADSTAIRS** (Pages 111 - 122)

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 15 February 2017 at 7.00 pm in Council Chamber, Council Offices, Cecil Street, Margate, Kent.

Present: Councillor Bob Grove (Chairman); Councillors Jaye-Jones, Bambridge, Buckley, Connor, Dawson, J Fairbrass, Fenner, K Gregory, Howes, Partington, R Potts, Taylor and Tomlinson

In

Attendance: Ashbee, Braidwood, Matterface, L Fairbrass, D. Saunders and M. Saunders

138. APOLOGIES FOR ABSENCE

Apologies were received from Councillor Edwards.

139. DECLARATIONS OF INTEREST

There were no declarations of interest.

140. MINUTES OF PREVIOUS MEETING

It was proposed by Councillor Jaye-Jones, seconded by Councillor Tomlinson and agreed that the minutes of the Planning Committee held on 18 January 2017 be approved and signed by the Chairman.

141. SCHEDULE OF PLANNING APPLICATIONS

142. A01 - FH/TH/16/1655 - 29 DOMNEVA ROAD, WESTGATE ON SEA

PROPOSAL: Erection of single storey side and rear extensions and installation of balcony to first floor front elevation, following demolition of existing garage

Speaking raising points of concern was Ms Cornford.

Speaking as ward councillor was Councillor Braidwood.

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

“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 proposed development shall be carried out in accordance with the submitted application as amended by the revised drawings numbered 16/31/02G received 01 February 2017 and 16/31/03F received 06/02/17.

GROUND:

To secure the proper development of the area.

3 The proposed brickwork to be used in the erection of the single storey side and rear extension and the boundary wall hereby approved, shall be of the same colour, finish and texture as those on the existing property.

GROUND:

To safeguard the special character and appearance of the area as a Conservation Area in accordance with advice contained within the NPPF.

4 Prior to the installation of the proposed balcony, details of the proposed balustrading shall be submitted to, and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

GROUND:

To safeguard the special character and appearance of the area as a Conservation Area in accordance with advice contained within the NPPF

5 Prior to the installation of hardstanding hereby approved, samples of the materials to be used in the construction of the external surfaces of the hardstanding 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:

To safeguard the special character and appearance of the area as a Conservation Area in accordance with advice contained within the NPPF ”

The motion was put to the vote and declared CARRIED.

143. A02 - F/TH/16/0759 - LAND REAR OF ORCHARD HOUSE 17 CHURCH STREET, BROADSTAIRS

PROPOSAL: Erection of 4No. 2-bed detached bungalows, with access leading onto Northdown Road

It was proposed by Councillor K. Gregory, seconded by Councillor Tomlinson 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.

Plans and Elevations L/16/08/02/E, Site Layout L/16/08/03/E Submitted 22 November 2016.

GROUND:

To secure the proper development of the area.

3 The bin collection point for the deposit of the residents' bins on collection days only, as detailed on the approved drawings, shall be provided prior to first occupation of the dwellings hereby approved and be kept available for that use at all times.

GROUND:

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

4 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

5 Prior to the first occupation of the development, the area shown in the plans hereby approved 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 maintained 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

6 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 2006

7 Construction of the development shall not commence until details of the proposed means of foul and surface water sewerage disposal have been submitted to, and approved in writing by the Local Planning Authority in consultation with Southern Water.

GROUND:

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

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

GROUND:

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

9 No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written specification and timetable which has been submitted to and approved by the Local Planning Authority.

GROUND:

To ensure that features of archaeological interest are properly examined and recorded.”

144. A03 - F/TH/16/1387 - 2-6 STATION APPROACH, BIRCHINGTON

PROPOSAL: Change of use from retail to 2No semi-detached 3 bedroom dwellings, including alterations to the shop front, erection of a single storey rear extension and addition of two dormers to the rear roof slope.

It was proposed by Councillor K. Gregory, seconded by Councillor Tomlinson 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 172_02 Rev 02 and 172_03 Rev 02 received 18 January 2017.

GROUND:

To secure the proper development of the area.

3 Prior to the first occupation of the dwellings hereby approved the garden areas defined on drawing number 172_02 Rev 02, received 18 January 2017, shall be provided for each dwelling and thereafter maintained.

GROUND:

To secure a satisfactory standard of amenities for future occupiers of the dwellings in accordance with Policy D1 of the Thanet Local Plan.

4 The external materials and external finishes to be used in the development 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.”

145. A04 - A/TH/15/0665 - DREAMLAND, MARINE TERRACE

PROPOSAL: Erection and display of 1No. externally illuminated flat sheet lettering sign and 4No. internally illuminated brushed steel and neon lettering signage.

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

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

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

1 Any advertisements displayed, and any site used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Local Planning Authority.

GROUND:

In pursuance with Schedule 1, Regulation 2(1) of the Town and Country Planning (Control of Advertisement) Regulations 2007.

2 Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.

GROUND:

In pursuance with Schedule 1, Regulation 2(1) of the Town and Country Planning (Control of Advertisement) Regulations 2007.

3 Where an advertisement is required under these Regulations to be removed, the removal shall be carried out to the reasonable satisfaction of the Local Planning Authority.

GROUND:

In pursuance with Schedule 1, Regulation 2(1) of the Town and Country Planning (Control of Advertisement) Regulations 2007.

4 No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

GROUND:

In pursuance with Schedule 1, Regulation 2(1) of the Town and Country Planning (Control of Advertisement) Regulations 2007.

5 No advertisement shall be sited or displayed so as to obscure or hinder the ready interpretation of, any road traffic sign, railway signal or aid to navigation by water or air, or so as otherwise to render hazardous the use of any highway, railway, waterway (including any coastal waters) or aerodrome (civil or military).

GROUND:

In pursuance with Schedule 1, Regulation 2(1) of the Town and Country Planning (Control of Advertisement) Regulations 2007.”

146. A05 - L/TH/16/1678 - 1A, 1B, 12, 14 AND 15 COASTGUARD COTTAGES, VICTORIA PARADE, RAMSGATE

PROPOSAL: Application for Listed Building Consent for external alterations

It was proposed by Councillor K. Gregory, seconded by Councillor Tomlinson 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 The development hereby approved shall be carried out in accordance with the submitted drawings.

GROUND:

To secure the proper development of the area

3 All rainwater goods installed shall be constructed of cast iron or aluminium.

GROUND:

To safeguard the special character and appearance of the listed building in accordance with advice contained within the National Planning Policy Framework

4 The repair of the external surfaces of the buildings shall be carried out in accordance with the sample panel of replacement bricks and stone inspected on site on the 26th October 2016.

GROUND:

To ensure that the materials are in keeping with the Listed Building in accordance with the principles of the NPPF.

5 The replacement tiles shall be Cwt-y-Bugail Welsh slate.

GROUND:

To ensure that the materials are in keeping with the Listed Building in accordance with the principles of the NPPF.

6 Prior to any work commencing on the windows a detailed schedule of those windows to be repaired shall be submitted to and approved in writing by the Local Planning Authority. The schedule shall detail the proposed method of repair and no windows shall be repaired unless otherwise in accordance with the approved schedule.

GROUND:

To ensure that such details are in keeping with the Listed Building in accordance with the principles of the NPPF.

7 Prior to installation/repair of any new external joinery details of the paint/stain colour scheme to be used shall be submitted and approved in writing by the Local Planning Authority prior to its application.

GROUND:

To ensure that such details are in keeping with the Listed Building in accordance with the principles of the NPPF.”

147. A06 - F/TH/16/1341 - GARAGE BLOCK ADJACENT TO NUMBER 1 NORMAN ROAD, BROADSTAIRS

PROPOSAL: Variation of condition 2 (submitted plans), 4 (parking layout) and 7 (highway works) and removal of condition 5 (alterations to street lighting columns) of planning permission F/TH/14/0093 for erection of 2No two storey dwellings with associated car parking to allow relocation of dwellings and alterations to fenestration, together with the provision of and the reinstatement of kerbs and footpaths prior to occupation.

It was proposed by Councillor K. Gregory, seconded by Councillor Tomlinson 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 24 March 2017.

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 4 received 30 November 2016, TDC-2817-NR-ZZ-GA-A-2001 Rev P01 and TDC-2817-NR-ZZ-E-A-4001 Rev P01 received 18 January 2017.

GROUND:

To secure the proper development of the area.

3 The proposed development shall be constructed with Funton Second hand Stock Facing Bricks, and Leicester Weathered Red Stock Bricks for detail, Redland 49 Granular Brown roof tiles in accordance with the samples agreed on 19 January 2017.

GROUND:

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

4 The area shown on drawing number 4 site plan, received 30 November 2016, 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 agreed shall thereafter be retained for that purpose.

GROUND:

In the interests of highway safety.

5 The areas shown on drawing number TDC-2817-NR-ZZ-OS-A-0001 Rev P02 and statement titled Proposed Control of Site Deliveries and Access - Norman Road Broadstairs Kent, received 06 December 2016 for the loading, unloading and turning of construction vehicles shall be provided prior to the commencement of the development and shall be kept available for the duration of the construction of the development

GROUND:

In the interests of highway safety.

6 Prior to the first occupation of the proposed development all off-site highway works shall be completed. These works include the provision of new dropped kerbs and the reinstatement of kerbs and footpaths.

GROUND:

In the interests of highway safety.

7 Prior to the first occupation of the proposed development, an acoustic fence, which shall achieve a minimum of a 10dB(A) reduction in the contribution of noise from the railway, shall be installed, and thereafter maintained, to the south western boundary of the site.

GROUND:

To ensure a satisfactory standard of accommodation for future occupiers, in accordance with Thanet Local Plan Policy D1.

8 Prior to the first occupation of the proposed development, acoustic trickle vents shall be installed, and thereafter maintained, to all windows within the south western elevation of the dwellings, hereby permitted.

GROUND:

To ensure a satisfactory standard of accommodation for future occupiers, in accordance with Thanet Local Plan Policy D1.

9 No further alterations to the building, whether approved by Classes A, B or C of Part One of 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.”

148. A07 - F/TH/16/1705 - GARAGES ADJACENT PIKE LANE, RAMSGATE

PROPOSAL: Variation of conditions 2 and 4 of planning permission F/TH/14/0092 for erection of 2No. 3 storey buildings to accommodate 6No. 2 bed flats and erection of 2No. 2 Storey houses together with associated parking to allow alterations to design and layout together with amended parking

It was proposed by Councillor K. Gregory, seconded by Councillor Tomlinson 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 24 March 2017.

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.

16.028 Dwg No 31 Rev D, Dwg No 26 Rev C, Dwg No 27 Rev C, Dwg No 28 Rev C, Dwg No 29 Rev B, Dwg No 30 Rev B, Received on 31 January 2017

GROUND:

To secure the proper development of the area.

3 The development shall be carried out in accordance with the approved material samples received on 15 December 2016 and Materials Schedule Rev A received on 1st February 2017.

GROUND:

In the interests of visual amenity in accordance with Policy D1 of the Thanet Local Plan 2006.

4 The area shown on drawing number 16.028 31 Rev D received on 31 January 2017 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 agreed shall thereafter be maintained for that purpose.

GROUND:

In the interests of highway safety.

5 The details of the secure cycle parking facilities shown on drawing number 16.028 31 Rev D received on 31 January 2017 shall be provided prior to the first occupation of the development and thereafter maintained.

GROUND:

In the interests of highway safety.

6 The area shown on the plan detailing the loading, unloading and turning of construction vehicles received on 15th December 2016 shall be provided prior to the commencement of the development and shall be kept available for the duration of the construction of the development.

GROUND:

In the interests of highway safety.

7 No further alterations to the dwellings, whether approved by Classes A, B or C of Part One of 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.

8 Prior to the commencement of the development hereby permitted, details of the proposed means of foul and surface water sewerage disposal shall be submitted to and approved 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 National Planning Policy Framework.

9 The clothes drying facilities as detailed in the email dated 1 February 2017 shall be provided prior to the first occupation of the flats hereby approved and shall be kept available for that use at all times.

GROUND:

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

10 The refuse storage facilities as detailed on drawing no. 16.028 31 Rev D received on 31 January 2017 shall be provided prior to the first occupation of the dwellings hereby approved and shall be kept available for that use at all times.

GROUND:

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

149. A08 - F/TH/16/1703 - GARAGES ADJACENT TO 82 TO 90 CHICHESTER ROAD, RAMSGATE

PROPOSAL: Variation of condition 2, 3, and 4 of planning permission F/TH/14/0087 for erection of 3No. dwellings to allow for changes to the design and layout together with the parking and highway works

It was proposed by Councillor K. Gregory, seconded by Councillor Tomlinson 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 24/03/2017.

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 development hereby approved shall be carried out in accordance with the amended plans numbered 21 Rev C and 22 Rev B received 25 January 2017 and the submitted plan numbered 20 Rev B received 14 December 2016.

GROUND:

To secure the proper development of the area.

3 The offsite highway works which include the stopping up of the existing bell-mouth vehicular access, the provision of new dropped kerbs and the reinstatement of footpaths shall be carried out concurrently with the development and shall be completed prior to the first occupation of the development hereby approved.

GROUND:

In the interest of highway safety.

4 The areas shown on plan number 22 Rev B for the parking and manoeuvring of vehicles shall be operational prior to the first occupation of the development hereby approved and shall be thereafter maintained for that purpose.

GROUND:

In the interest of Highway Safety.

5 All hard and soft landscape works shall be carried out in accordance with the approved details as shown on the approved plan numbered 22 Rev B received 25 January 2017 and the submitted material details outlined in the 'Chichester Road Development' document received 14 December 2016. The works shall be carried out prior to the first occupation 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 and in the interests of highway safety.

6 The development shall be carried out in accordance with the submitted samples of materials outlined in the 'Chichester Road Development' Document received 14 December 2016 which include: Ibstock Funton Second Hard Stock Bricks, Ibstock Leicester Red Bricks, Creamy White Render BS 4800 : 10 B 1, Monier/Redland Concrete interlocking roof tiles Landmark Double Pantile, colour: Brown Brindle 44, 600 x 600mm Marshalls Regent Paving colour: Buff and Marshalls Drivesett Tegula Priora Permeable Block Paving, colour: Traditional. The materials hereby approved shall be used on the areas identified in the approved plans numbered 20 Rev B received 14 December 2016 and 21 Rev C and 22 Rev B received 25 January 2017.

GROUND:

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

7 All first floor side elevation windows shall be provided and maintained with obscure glazing and shall be non-opening up to a height of 1.7m above internal finished floor level.

GROUND:

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

150. D09 - F/TH/16/0924 - LAND FORMERLY USED AS CLUB UNION CONVALESCENT HOME, READING STREET, BROADSTAIRS

PROPOSAL: Erection of 30 dwellings together with associated access and landscaping following demolition of 30 Convent Road

Speaking in favour of the application was Ms Coles.

Speaking raising points of concern was Mrs Bush.

Speaking raising points of concern was Miss Burchell.

Speaking raising points of concern was Mr Jaffa

Speaking as town councillor was Councillor Binks.

Speaking as ward councillor was Councillor Matterface.

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

“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 receipt of a legal agreement securing the agreed planning obligations 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 Purchase Act 2004).

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

- P02 Rev A, P03 Rev A, P04 Rev A, P30, P31, and P32, received 02 February 2017
- P01 Rev F, P09 Rev C, P11 Rev B, P12 Rev B, P21 Rev D, P22 Rev A, P 27 Rev A, and P19, received 31 January 2017
- P26, received 19 December 2016
- 14-019-014 Rev G, and P25 received 01 December 2016
- P20, received 29 November 2016
- 14-019-015 Rev E, received 08 November 2016
- P05, P06 Rev A, P07 Rev B, P08, P10 Rev C, P13, P14, P15, P16, and P18, received 25 October 2016

GROUND:

To secure the proper development of the area.

3 No development shall commence 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 be based upon the proposals of the Flood Risk Assessment by Herrington Consulting (dated 6th July 2016) and 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 of without increase to flood risk on or off-site. The drainage scheme shall also demonstrate that silt and pollutants resulting from the site use can be adequately managed to ensure there is no pollution risk to controlled waters.

GROUND:

To ensure that the principles of sustainable drainage are incorporated into this proposal, to ensure ongoing efficiency of the drainage provisions, to protect vulnerable groundwater resources and ensure compliance with the National Planning Policy Framework.

4 Prior to the first occupation of the development hereby permitted, details of the implementation, maintenance and management of the sustainable drainage scheme shall be

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, to ensure ongoing efficiency of the drainage provisions, to protect vulnerable groundwater resources and ensure compliance with the National Planning Policy Framework.

5 No infiltration of surface water drainage into the ground is 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 approval details.

GROUND:

To ensure that the principles of sustainable drainage are incorporated into this proposal, to ensure ongoing efficiency of the drainage provisions, to protect vulnerable groundwater resources and ensure compliance with the National Planning Policy Framework.

6 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 advice contained within the National Planning Policy Framework.

7 Prior to the first occupation of the development hereby permitted, a plan showing the location of Electric Vehicle Charging points at a ratio of 1 charging point per dwelling with dedicated parking, and 1 charging point per 10 spaces for unallocated parking, shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

GROUND:

In the interests of air quality, in accordance with the NPPF.

8 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 first been submitted to and approved in writing by the Local Planning Authority; and
- (ii) following on from the evaluation, any safeguarding measures to ensure preservation in situ of important archaeological remains and/or further archaeological investigation and

recording in accordance with a specification and timetable which has been submitted to and approved in writing by the Local Planning Authority.

GROUND:

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

9 No development shall take place until suitably qualified and experienced person has carried out a full investigation and assessment to determine the stability of the land and determine whether the development of the site can be carried out without causing instability of adjoining land or structures, and a written report of the findings/assessment including any recommendations has been submitted to and approved in writing by the Local Planning Authority.

The development shall be carried out in full accordance with any such recommendations set out within the aforementioned report, that have been approved in writing by the Local Planning Authority.

GROUND:

To ensure that the site can be developed without compromising the stability of adjoining land or buildings.

10 Prior to the commencement of development hereby permitted, a Construction Management Plan to include the following:

- i) Routing of HGV's to and from site
- ii) Access points for construction-related vehicles
- iii) Parking and turning facilities for HGV's and site personnel vehicles
- iv) Wheel washing facilities
- v) Temporary traffic management

shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved plan.

GROUND:

In the interests of highways safety during construction of the development hereby approved.

11 Prior to the first occupation of any dwelling within the development hereby approved, provision and maintenance of the visibility splays shown on drawings numbers 14-019-014 Rev. G and 14-019-010 Rev. D, with no obstructions over 1 metre above carriageway level within the driver splays and 0.6 metres above footway level within the pedestrian splays, shall be provided and thereafter maintained.

GROUND:

In the interests of highways safety.

12 Prior to the first occupation of any dwelling within the development hereby approved to which they relate, the provision and permanent retention of the vehicle parking spaces and turning facilities shall be provided as shown on the submitted plans.

GROUND:

In the interests of highways safety.

13 Prior to the first occupation of units 25-26 within the development, details of the provision of secure, covered cycle parking facilities to be provided for those units shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the submitted plans.

GROUND:

To promote sustainable forms of transportation in accordance with Policy TR12 of the Thanet Local Plan.

14 Prior to first occupation of any dwelling served by the vehicular access from Reading Street, the vehicular access from Reading Street and associated highway alterations, including closure of the existing access and provision of parking restrictions, as shown on drawing number 14-019-014 Rev. G (unless otherwise agreed with the Local Planning Authority and Highways Authority) shall be completed and operational.

GROUND:

In the interests of highways safety.

15 Prior to first occupation of any dwelling served by the vehicular access from Reading Street, the pedestrian dropped kerbs and tactile paving in Reading Street as shown on drawing number 14-019-014 Rev. G (unless otherwise agreed with the Local Planning Authority and Highways Authority) shall be completed and operational.

GROUND:

In the interests of highways safety.

16 Prior to first occupation of any dwelling served by the vehicular access from Convent Road, the Convent Road access and associated highway alterations as shown on drawing number 14-019-010 Rev. D (unless otherwise agreed with the Local Planning Authority and Highways Authority) shall be completed and operational.

GROUND:

In the interests of highways safety.

17 Prior to first occupation of any dwelling served by the vehicular access from Convent Road, the pedestrian dropped kerbs and tactile paving in Convent Road as shown on drawing number 14-019-010 Rev. D (unless otherwise agreed with the Local Planning Authority and Highways Authority) shall be completed and operational.

GROUND:

In the interests of highways safety.

18 Completion of the pedestrian dropped kerbs and tactile paving in Convent Road as shown on drawing number 14-019-010 Rev. D or amended as agreed with the Local Planning Authority, prior to first occupation of any dwelling accessed from Convent Road.

19 No development shall take place until details of improvements to the Reading Street/Elmwood Avenue junction to improve street geometry and visibility have been submitted to and approved in writing by the Local Planning Authority. This shall form part of a S.278

highway agreement between the applicant/developer and the highway authority. The agreed works shall be completed and operational prior to the first occupation of any dwelling in the approved development served by the vehicular access from Reading Street.

GROUND:

In the interests of highway safety and to mitigate additional trips generated from the Reading Street access through the junction of Reading Street and Elmwood Avenue.

20 Prior to the first occupation of the development hereby permitted, details of an acoustic fence, including height, design and location, to be erected along the side boundary of no. 34 Convent Road, shall be submitted to and approved in writing by the Local Planning Authority. The acoustic fence shall be erected prior to the first occupation of the development accessed from Convent Road, and shall thereafter be maintained.

GROUND:

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

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

- species, size and location of new trees, shrubs, hedges and grassed areas to be planted, which shall include the trees as identified on the tree replacement plan numbered P20
- the treatment proposed for all hard surfaced areas beyond the limits of the highway, which shall be permeable, and include a bound surface for the first 5m of each access from the edge of the highway
- walls, fences, other means of enclosure proposed
- ecological enhancements and mitigation as recommended within section 5.0 of the 'Bat emergence and dawn re-entry surveys' dated June 2016,
- details of the boundary treatment to be provided along the southern boundary of the site, adjacent to the Grade II Listed buildings

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

22 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

23 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

24 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.

25 Prior to the commencement of the development hereby approved details and 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

26 All new window and door openings shall be set in a reveal not less than 100mm

GROUND:

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

27 The rooflights hereby approved shall be 'conservation style' rooflights, set flush with the roof plane.

GROUND:

To safeguard the special character and appearance of the area on the boundary of a Conservation Area in accordance with the NPPF.

28 No further alterations to the building, or the erection of garden buildings, whether approved by Classes A, B, C, or E of Part One of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order), shall be carried out to units 1-4 or 20-24, without the prior permission in writing of the Local Planning Authority.

GROUND:

To safeguard the living conditions of neighbouring occupiers, in accordance with Policy D1 of the Thanet Local Plan.

29 The first floor windows to be provided within the rear elevation of unit 24 hereby permitted shall be obscure glazed (level 4 or above) and non-opening below a height of 1.7m from internal finished floor level. The obscure glazing shall thereafter be maintained.

GROUND:

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

30 Prior to the first occupation of units 25-26, an obscure glazed privacy screen (level 4) of no less than 1.8m in height shall be erected along both sides of the first floor balcony within the southern boundary. The privacy screens shall thereafter be maintained.

GROUND:

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

31 The development as approved shall provide at least 15% of units as lifetime homes and wheelchair housing, with details of the location of the units to be submitted to and approved in writing by the Local Planning Authority.

GROUND:

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

32 Prior to the commencement of the affordable housing units as identified on the submitted plans, details of the tenure of the affordable housing, which shall include shared ownership and rented, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as agreed.

GROUND:

To address affordable housing need, in accordance with Policy H14 of the Thanet Local Plan.”

Following debate, the motion was withdrawn.

Then, it was proposed by the Chairman and seconded by the Vice Chairman:

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

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

Meeting concluded : 8.20pm

D09

F/TH/16/0924

PROPOSAL: Erection of 30 dwellings together with associated access and landscaping following demolition of 30 Convent Road

LOCATION: Land Formerly Used As Club Union Convalescent Home
Reading Street BROADSTAIRS Kent

WARD: Beacon Road

AGENT: Hume

APPLICANT: Mr A Horn

RECOMMENDATION: Defer & Delegate

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:

- P02 Rev A, P03 Rev A, P04 Rev A, P30, P31, and P32, received 02 February 2017
- P01 Rev F, P09 Rev C, P11 Rev B, P12 Rev B, P21 Rev D, P22 Rev A, P 27 Rev A, and P19, received 31 January 2017
- P26, received 19 December 2016
- 14-019-014 Rev G, and P25 received 01 December 2016
- P20, received 29 November 2016
- 14-019-015 Rev E, received 08 November 2016
- P05, P06 Rev A, P07 Rev B, P08, P10 Rev C, P13, P14, P15, P16, and P18, received 25 October 2016

GROUND:

To secure the proper development of the area.

3 No development shall commence 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 be based upon the proposals of the Flood Risk Assessment by Herrington Consulting (dated 6th July 2016) and 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 of without increase to flood risk on or off-site. The drainage scheme shall also demonstrate that silt and pollutants resulting from the site use can be adequately managed to ensure there is no pollution risk to controlled waters.

GROUND:

To ensure that the principles of sustainable drainage are incorporated into this proposal, to ensure ongoing efficiency of the drainage provisions, to protect vulnerable groundwater resources and ensure compliance with the National Planning Policy Framework.

4 Prior to the first occupation of the development hereby permitted, details of the implementation, maintenance and management of the sustainable drainage scheme shall be 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, to ensure ongoing efficiency of the drainage provisions, to protect vulnerable groundwater resources and ensure compliance with the National Planning Policy Framework.

5 No infiltration of surface water drainage into the ground is 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 approval details.

GROUND:

To ensure that the principles of sustainable drainage are incorporated into this proposal, to ensure ongoing efficiency of the drainage provisions, to protect vulnerable groundwater resources and ensure compliance with the National Planning Policy Framework.

6 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 advice contained within the National Planning Policy Framework.

7 Prior to the first occupation of the development hereby permitted, a plan showing the location of Electric Vehicle Charging points at a ratio of 1 charging point per dwelling with

dedicated parking, and 1 charging point per 10 spaces for unallocated parking, shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

GROUND:

In the interests of air quality, in accordance with the NPPF.

8 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 first been submitted to and approved in writing by the Local Planning Authority; and
- (ii) following on from the evaluation, any safeguarding measures to ensure preservation in situ of important archaeological remains and/or further archaeological investigation and recording in accordance with a specification and timetable which has been submitted to and approved in writing by the Local Planning Authority.

GROUND:

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

9 No development shall take place until suitably qualified and experienced person has carried out a full investigation and assessment to determine the stability of the land and determine whether the development of the site can be carried out without causing instability of adjoining land or structures, and a written report of the findings/assessment including any recommendations has been submitted to and approved in writing by the Local Planning Authority.

The development shall be carried out in full accordance with any such recommendations set out within the aforementioned report, that have been approved in writing by the Local Planning Authority.

GROUND:

To ensure that the site can be developed without compromising the stability of adjoining land or buildings.

10 Prior to the commencement of development hereby permitted, a Construction Management Plan to include the following:

- i) Routing of HGV's to and from site
- ii) Access points for construction-related vehicles
- iii) Parking and turning facilities for HGV's and site personnel vehicles
- iv) Wheel washing facilities
- v) Temporary traffic management

shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved plan.

GROUND:

In the interests of highways safety during construction of the development hereby approved.

11 Prior to the first occupation of any dwelling within the development hereby approved, provision and maintenance of the visibility splays shown on drawings numbers 14-019-014 Rev. G and 14-019-010 Rev. D, with no obstructions over 1 metre above carriageway level within the driver splays and 0.6 metres above footway level within the pedestrian splays, shall be provided and thereafter maintained.

GROUND:

In the interests of highways safety.

12 Prior to the first occupation of any dwelling within the development hereby approved to which they relate, the provision and permanent retention of the vehicle parking spaces and turning facilities shall be provided as shown on the submitted plans.

GROUND:

In the interests of highways safety.

13 Prior to the first occupation of units 25-26 within the development, details of the provision of secure, covered cycle parking facilities to be provided for those units shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the submitted plans.

GROUND:

To promote sustainable forms of transportation in accordance with Policy TR12 of the Thanet Local Plan.

14 Prior to first occupation of any dwelling served by the vehicular access from Reading Street, the vehicular access from Reading Street and associated highway alterations, including closure of the existing access and provision of parking restrictions, as shown on drawing number 14-019-014 Rev. G (unless otherwise agreed with the Local Planning Authority and Highways Authority) shall be completed and operational.

GROUND:

In the interests of highways safety.

15 Prior to first occupation of any dwelling served by the vehicular access from Reading Street, the pedestrian dropped kerbs and tactile paving in Reading Street as shown on drawing number 14-019-014 Rev. G (unless otherwise agreed with the Local Planning Authority and Highways Authority) shall be completed and operational.

GROUND:

In the interests of highways safety.

16 Prior to first occupation of any dwelling served by the vehicular access from Convent Road, the Convent Road access and associated highway alterations as shown on drawing number 14-019-010 Rev. D (unless otherwise agreed with the Local Planning Authority and Highways Authority) shall be completed and operational.

GROUND:

In the interests of highways safety.

17 Prior to first occupation of any dwelling served by the vehicular access from Convent Road, the pedestrian dropped kerbs and tactile paving in Convent Road as shown on drawing number 14-019-010 Rev. D (unless otherwise agreed with the Local Planning Authority and Highways Authority) shall be completed and operational.

GROUND:

In the interests of highways safety.

18 Completion of the pedestrian dropped kerbs and tactile paving in Convent Road as shown on drawing number 14-019-010 Rev. D or amended as agreed with the Local Planning Authority, prior to first occupation of any dwelling accessed from Convent Road.

19 No development shall take place until details of improvements to the Reading Street/Elmwood Avenue junction to improve street geometry and visibility have been submitted to and approved in writing by the Local Planning Authority. This shall form part of a S.278 highway agreement between the applicant/developer and the highway authority. The agreed works shall be completed and operational prior to the first occupation of any dwelling in the approved development served by the vehicular access from Reading Street.

GROUND:

In the interests of highway safety and to mitigate additional trips generated from the Reading Street access through the junction of Reading Street and Elmwood Avenue.

20 Prior to the first occupation of the development hereby permitted, details of an acoustic fence, including height, design and location, to be erected along the side boundary of no. 34 Convent Road, shall be submitted to and approved in writing by the Local Planning Authority. The acoustic fence shall be erected prior to the first occupation of the development accessed from Convent Road, and shall thereafter be maintained.

GROUND:

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

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

- species, size and location of new trees, shrubs, hedges and grassed areas to be planted, which shall include the trees as identified on the tree replacement plan numbered P20
- the treatment proposed for all hard surfaced areas beyond the limits of the highway, which shall be permeable, and include a bound surface for the first 5m of each access from the edge of the highway
- walls, fences, other means of enclosure proposed

- ecological enhancements and mitigation as recommended within section 5.0 of the 'Bat emergence and dawn re-entry surveys' dated June 2016,
- details of the boundary treatment to be provided along the southern boundary of the site, adjacent to the Grade II Listed buildings

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

22 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

23 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

24 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.

25 Prior to the commencement of the development hereby approved details and 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

26 All new window and door openings shall be set in a reveal not less than 100mm

GROUND:

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

27 The rooflights hereby approved shall be 'conservation style' rooflights, set flush with the roof plane.

GROUND:

To safeguard the special character and appearance of the area on the boundary of a Conservation Area in accordance with the NPPF.

28 No further alterations to the building, or the erection of garden buildings, whether approved by Classes A, B, C, or E of Part One of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order), shall be carried out to units 1-4 or 20-24, without the prior permission in writing of the Local Planning Authority.

GROUND:

To safeguard the living conditions of neighbouring occupiers, in accordance with Policy D1 of the Thanet Local Plan.

29 The first floor windows to be provided within the rear elevation of unit 24 hereby permitted shall be obscure glazed (level 4 or above) and non-opening below a height of 1.7m from internal finished floor level. The obscure glazing shall thereafter be maintained.

GROUND:

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

30 Prior to the first occupation of units 25-26, an obscure glazed privacy screen (level 4) of no less than 1.8m in height shall be erected along both sides of the first floor balcony within the southern boundary. The privacy screens shall thereafter be maintained.

GROUND:

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

31 The development as approved shall provide at least 15% of units as lifetime homes and wheelchair housing, with details of the location of the units to be submitted to and approved in writing by the Local Planning Authority.

GROUND:

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

32 Prior to the commencement of the affordable housing units as identified on the submitted plans, details of the tenure of the affordable housing, which shall include shared ownership and rented, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as agreed.

GROUND:

To address affordable housing need, in accordance with Policy H14 of the Thanet Local Plan.

INFORMATIVES

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

Thanet District Council recommends that all developers work with a telecommunication partner or subcontractor in the early stages of planning for any new development to make sure that Next Generation Access Broadband is a fundamental part of the project. Access to superfast broadband should be thought of as an essential utility for all new homes and businesses and given the same importance as water or power in any development design. Please liaise with a telecom provider to decide the appropriate solution for this development and the availability of the nearest connection point to high speed broadband. For advice on how to proceed with providing access to superfast broadband please contact broadband@kent.gov.uk

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

It is the responsibility of developers to have the appropriate waste storage facilities and containers in place prior to the property being occupied. For more information, please contact Waste and Recycling on 01843 577115, or visit our website <http://thanet.gov.uk/your-services/recycling/waste-and-recycling-storage-at-new-developments/new-developments/>

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

It is the responsibility of the applicant to ensure, prior to the commencement of the development hereby approved, that all necessary highway approvals and consents where required are obtained and that the limits of highway boundary are clearly established in order to avoid any enforcement action being by the Highway Authority. The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under such legislation and common law. It is therefore important for the applicant to contact KCC Highway and Transportation to progress this aspect of the works prior to commencement on site

SITE, LOCATION AND DESCRIPTION

The application site lies within the urban confines, adjacent to the Broadstairs Conservation Area. To the north of the site is North Foreland Golf Course (located within the green wedge), with residential development adjacent to all other boundaries of the site. To the south of the site are nos. 43-49 Reading Street, which are Grade II Listed buildings. The site was previously occupied by a Convalescent Home, but this was demolished a number of years ago. The site is now allocated for residential development within the Draft Local Plan. The site is currently open, and whilst there are some areas that are overgrown, the majority of the site has been cleared. There are trees present on the site that are covered by a Tree Preservation Order. Most of the trees are along the boundaries of the site, although a number also exist around the access point onto Reading Street. There are two existing vehicular accesses into the site, one from Reading Street and one from Convent Road. Part of the application site also includes no. 30 Convent Road, a bungalow that is proposed to be demolished.

To the south of the site is Reading Street, which contains a public house, church, church hall, and shop. Within walking distance of the site is Callis Grange Infant School and St.Peters Junior School. Development surrounding the site is pre-dominantly 2-storey in height, and consists of terraced dwellings, semi-detached dwellings and detached dwellings.

RELEVANT PLANNING HISTORY

OL/TH/02/0484 - Outline application for the re-development of the site with thirteen detached dwellings and garages, with associated access road and landscaping - Granted - 11 April 2005

RN/TH/08/0059 - Renewal of outline planning permission OL/TH/02/0484 for the redevelopment of site with 13no. detached dwellings and garages with associated access road and landscaping - Refused - 16 April 2008

R/TH/08/0406 - Application for approval of reserved matters for the erection of 13no. detached dwellings and garages with associated access pursuant to outline planning permission OL/TH/02/0484 - Granted - 19 June 2008.

OL/TH/10/0283 - Application for extension of time of planning permission OL/TH/02/0484 for outline application for the redevelopment of the site with 13no. detached dwellings and garages, with associated access road and landscaping - Granted - 23 July 2010.

F/TH/12/0875 - Application for extension of time of planning permission OL/TH/10/0283 for the redevelopment of the site with thirteen detached dwellings and garages, with associated access road and landscaping - Granted - 18 July 2013

PROPOSED DEVELOPMENT

The application is for the demolition of no. 30 Convent Road and the erection of 16no. detached dwellings, 4no. semi-detached dwellings, and 7no. terraced dwellings (all 3, 4 and 5-bed); and 2no. two-bedroom flats. There are two vehicular accesses into the site, one from Reading Street and one from Convent Road. The Reading Street access serves 13no. dwellings and the Convent Road access serves 17no. dwellings. The Reading Street access is moving further to the east of the site, and the Convent Road access is being widened, in order to improve turning and visibility. Each of the residential units have their own private garden measuring at least 10m deep. Each of the large detached dwellings served by Reading Street are provided with a double garage and large driveway. For the 17no. dwellings served by Convent Road there are 31no. parking spaces provided, some of which are allocated and some of which are communal. Nine trees are to be removed, which are covered by a Tree Preservation Order, and at least 25no. new trees are to be planted. A pedestrian access is proposed from the site onto Astor Road. Alterations are being made to no. 28 Convent Road, including the removal of their side parking area and the partial loss of their front garden to widen the access. Footpaths are extended into the site from both accesses

The application has been amended during the submission reducing the overall number of units from 34 to 30, and alterations made to the design of units 1 and 2, and 21 - 30.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan Policy (2006) Saved Policies

D1 - Design principles

D2 - Landscaping
 EP5 - Air quality
 H1 - Housing provision
 H4 - Windfall sites
 H8 - Size and type of housing
 H14 - Affordable housing provision
 CF2 - Development contributions
 SR5 - Doorstep and local play space
 TR12 - Cycling
 TR16 - Car parking provision

NOTIFICATIONS

Neighbouring occupiers have been notified and a site notice posted. 105 letters of objection have been received in total. The concerns raised in response to the original plans included:

- No access possible through Astor Road
- Impact on listed cottages,
- Impact on conservation area,
- Cavities present within the chalk sub-structure, requires full seismic survey,
- Increased traffic and congestion within Reading Street,
- Traffic survey inaccurate,
- Highway and pedestrian safety, poor visibility,
- Traffic noise,
- Tree survey inaccurate, doesn't show all trees in the location of the proposed access,
- Astor Road not suitable for additional foot/buggy/bike traffic,
- Loss of privacy,
- Can drainage pipe system cope with the extra load,
- Development is too high and close, should not exceed 2-storeys,
- Excessive density, overdevelopment,
- Lack of parking in surrounding area,
- Lack of fire and emergency access,
- No consideration has been given to refuse storage and collection,
- Access unsuitable for dustbin lorries, fire engines, removal vehicles etc.
- Loss of trees,
- Contributions towards traffic calming in Reading Street should be provided,
- Pavements either narrow or non-existent along Reading Street so concerns regarding additional pedestrian movement,
- Development out of keeping with other properties,
- Disruption during construction,
- Loss of village community,
- Noise and air pollution,
-

MP Craig Mackinlay - Raises concerns regarding impact upon conservation area, lack of parking, traffic congestion, and loss of privacy.

The Broadstairs Society - Raise concerns about the traffic that would be generated by the development and the effect it would have on the Conservation Area.

Broadstairs and St.Peters Town Council - Over-development (density of units too high), overlooking, highway safety issues (existing road system is considered to be inadequate), detrimental impact on the adjacent conservation area.

In response to the amended plans, which showed a reduction in new units from 34 to 30, and some alterations to the design/layout, the following concerns were raised by Broadstairs and St.Peters Town Council:

- Recommend refusal. Concerns regarding over-development (density of units too high), overlooking, highway safety issues (existing road system is considered to be inadequate), detrimental impact on the adjacent Conservation Area.

CONSULTATIONS

KCC Highways and Transportation - I refer to the amended site layout and Reading Street access plans submitted for the above and note that the proposed streets within the site are to remain private and the number of proposed dwellings has been reduced to 30. I also note the previous permissions for 13 dwellings served off Reading Street and the allocation of the site in the draft local plan. The proposals include the same number of dwellings served off Reading Street as previously approved, the latest permission being extant at the time of the submission of the current application. The current proposals include widening of Reading Street in the immediate vicinity of the proposed access to allow vehicles to pass each other, and connections to the existing footways. Limited parking restrictions are also proposed at the access to maintain visibility and these are in the location of the existing access to the site, which will be closed and the footway reinstated. Whilst this means that the existing access road will no longer be available for parking, it is a private access and this parking could therefore be removed at any time without the need for planning consent. The visibility available at the access is acceptable and in accordance with measured speeds. A footway is provided from the Reading Street access through the site to Convent Road, providing routes and connections to existing footway networks for pedestrians in both directions. Bearing in mind the above and the previous permissions for the same number of dwellings served off Reading Street, I would not recommend refusal of this element of the proposals on highway grounds. I note the previous approval included a s.106 contribution for a redesign of the junction of Reading Street with Elmwood Avenue to improve the street geometry and visibility. Such a scheme should be carried out by the applicant through a s.278 agreement with the highway authority, and could therefore be secured by condition.

The access from Convent Road to serve 17 dwellings provides suitable visibility and suitable width for vehicles to pass each other at the junction with Convent Road. The provision of a short single-way working section alongside no. 28 Convent Road within the site is acceptable bearing in mind the limited number of dwellings served. The visibility for drivers at the access would ideally be available at 2.4 metres back from the edge of the carriageway rather than the 2 metres achievable, and this means that the front of a car may need to overhang the edge of carriageway a little for a driver to achieve the necessary visibility. However, Convent Road is of sufficient width to accommodate this and drivers approaching

on Convent Road have good visibility to the access, which will serve a limited number of dwellings. I would therefore not recommend refusal on this issue. The number of vehicle movements likely to be generated by the additional 16 dwellings in the network peak hours (around 10 in each peak hour) is not significant and unlikely to have a severe impact on the highway network. It should be noted that the anticipated number of additional movements is likely to be less than the typical daily variation in traffic flows during these hours. The location of the proposed access in relation to Lerryn Gardens on the opposite side of Convent Road is acceptable and bearing in mind the existing and proposed streets are culs-de-sac serving a limited number of dwellings, there are likely to be few if any vehicle movements between the two. An acceptable connection is provided to the existing footway in Convent Road. The existing footway on the south side of Convent Road terminates a short distance to the west of the site access so dropped kerbs and tactile paving are proposed to enable pedestrian access to/from the existing continuous footway on the north side of Convent Road, providing access to the nearby bus stops and the wider footway network.

Whilst visibility at the junction of Reading Street with Convent Road and Beacon Road is not ideal, the junction has been in use for many years and there is no apparent crash problem. The proposed additional dwellings served from Convent Road are likely to add around 10 two-way vehicle movements through this junction in each network peak hour (assuming all trips to and from the site are through this junction) and this is unlikely to have a severe impact. There may be one or two drivers who choose to use George Hill Road instead but this small number of movements is unlikely to have a severe impact on the same.

I understand that a pedestrian right of way to/from Astor Road is achievable. However, pedestrian connections are available to both Reading Street and Convent Road from all parts of the site, so the connection to Astor Road is not essential to make the development acceptable in highway terms.

The streets within the site are to remain private and will therefore not be adopted by the highway authority. The site layout and parking arrangements are such that the proposals are unlikely to lead to unacceptable parking on the highway.

Construction of the development in highway terms can be controlled and managed by condition through a Construction Management Plan, including the routing of HGV's to and from site.

Taking all of the above into account the proposals are unlikely to have a severe impact on the highway network and I would therefore not recommend refusal on highway grounds subject to the following being secured by condition:

- Provision of measures to prevent the discharge of surface water onto the highway.
- Provision and permanent retention of the vehicle parking spaces and turning facilities shown on the submitted plans prior to the use of the site commencing.
- Use of a bound surface for the first 5 metres of each access from the edge of the highway.
- Provision and permanent retention of secure, covered cycle parking facilities prior to the use of the site commencing in accordance with details to be submitted to _____ and approved by the Local Planning Authority.

- Completion of the Reading Street access and associated highway alterations including closure of the existing access and provision of parking restrictions as shown on drawing number 14-019-014 Rev. G or amended as agreed with the Local Planning Authority, prior to first occupation of any dwelling accessed from Reading Street.
- Completion of the pedestrian dropped kerbs and tactile paving in Reading Street as shown on drawing number 14-019-014 Rev. G or amended as agreed with the Local Planning Authority, prior to first occupation of any dwelling accessed from Reading Street.
- Completion of the Convent Road access and associated highway alterations as shown on drawing number 14-019-010 Rev. D or amended as agreed with the Local Planning Authority, prior to first occupation of any dwelling accessed from Convent Road.
- Completion of the pedestrian dropped kerbs and tactile paving in Convent Road as shown on drawing number 14-019-010 Rev. D or amended as agreed with the Local Planning Authority, prior to first occupation of any dwelling accessed from Convent Road.
- Provision and maintenance of the visibility splays shown on drawings numbers 14-019-014 Rev. G and 14-019-010 Rev. D with no obstructions over 1 metre above carriageway level within the driver splays and 0.6 metres above footway level within the pedestrian splays, prior to the use of the site commencing.
- Construction Management Plan to include the following:
 - i) Routing of HGV's to and from site
 - ii) Access points for construction-related vehicles
 - iii) Parking and turning facilities for HGV's and site personnel vehicles
 - iv) Wheel washing facilities
 - v) Temporary traffic management

KCC Ecology - A preliminary ecological appraisal has been undertaken, along with a bat survey report. We have reviewed the ecological information and we advise that no additional information is required to be submitted prior to the determination of the planning application.

A bat emergence and activity survey has been carried out to best practise guidelines and sufficiently concluded that no roosting bats were recorded using the buildings on site. Three species of bats were recorded foraging/commuting on site and the mitigation and enhancement options outlined in the Bat emergence and dawn re-entry surveys (2015) must be implemented if planning permission is granted.

Work to vegetation or built structures that may provide suitable nesting habitats should be carried out outside of the bird breeding season (bird breeding season is March to August) to avoid destroying or damaging bird nests in use or being built. Mitigation measures should be included in the construction management plans and implemented during construction in order to protect breeding birds that may use the vegetation, or any built structures, that will be removed, if it falls in the breeding season mentioned above. This includes examination by an experienced ecologist prior to starting work and if any nesting birds are found during work development must cease until after the juveniles have fledged. Any work that affects possible nesting sites should be completed outside of the breeding season.

Thanet District Council has produced the 'The Strategic Access Management and Monitoring Plan (SAMM)' which focuses on the impacts of recreational activities on the Thanet section of the Thanet Coast and Sandwich Bay Special Protection Area (SPA). The studies indicate that recreational disturbance is a potential cause of the decline in bird numbers in the SPA. The proposed development is 1km from the Thanet Coast and Sandwich Bay SPA, Ramsar and SSSI. Therefore, to allow TDC to be satisfied that the proposed development will avoid a likely significant effect on the designated sites (due to an increase in recreation) we advise that the developer must contribute to the borough wide mitigation strategy in relation to the tariff provided in the SAMM report.

Some enhancement recommendations are given in the Preliminary Ecological Appraisal and Bat Emergence and Dawn Re-Entry Surveys, and consideration should be given to these and other enhancement measures:

- Hedgerows and trees should be retained and managed for the benefit of wildlife;
- Planting should be of native, local provenance species to provide wildlife habitats;
- The creation of additional ponds populated with native, local provenance plants would be of great wildlife value;
- The creation of hibernacula for reptiles and amphibians would encourage biodiversity;
- Bird and bat boxes should be put up at suitable locations on the site;
- Bat bricks and swift bricks could be incorporated in any new buildings.

Some or all of these measures could be included in the proposed development to help promote biodiversity alongside development.

KCC Archaeology - Thanet is generally rich in archaeological remains and the application site lies within an area of considerable archaeological potential with many cropmark sites of barrows and enclosures lying within 500m. Of particular significance is the discovery of Roman remains in 1888 less than 100m to the west of the site.

Although part of the site is occupied by the former convalescent home, it is possible that important archaeological remains could be affected by groundworks for the new residential development. I would therefore recommend that provision is made in any forthcoming outline permission for the implementation of an archaeological evaluation to be followed by any further mitigation and / or safeguarding measures as appropriate. A safeguarding condition securing the implementation of archaeological field evaluation works is recommended.

We had previously advised that early evaluation would be preferable in order that preservation options could be taken into account in design and layout. It may be that if significant archaeology is encountered in the evaluation stage that there may need for preservation measures to be put in place to address the condition.

KCC Developer Contributions - The County Council has assessed the implications of this proposal in terms of the delivery of its community services and is of the opinion that it will have an additional impact on the delivery of its services, which will require mitigation either through the direct provision of infrastructure or the payment of an appropriate financial contribution (£124,000 towards primary school provision, £73,153.80 towards secondary school provision, £1,488.49 towards libraries).

KCC SUDs - Kent County Council as Lead Local Flood Authority are generally satisfied with the principles discussed within the flood risk assessment for the drainage of surface water. We would recommend further infiltration testing is carried out during any detailed design work to ensure that infiltration rates at shallow depths within the Head Deposits are suitable for the proposed permeable paving features. The infiltration testing to date was carried out with a soakage zone at 2 to 3mBGL (within the chalk) and there are currently no drainage features proposed extending to this depth. The ground investigation however does indicate the viability of infiltration in general and we expect detailed design work will be able to optimise the design without implications upon the site layout.

Should your Authority be minded to grant permission to this development, we would recommend a safeguarding condition.

Southern Water - Our initial investigations indicate that Southern Water can provide foul sewerage disposal to service the proposed development. Southern Water requires a formal application for a connection to the public sewer to be made by the applicant or developer. Safeguarding condition for drainage recommended. Following initial investigations, Southern Water can provide a water supply to the site. Southern Water requires a formal application for connection and on-site mains to be made by the applicant or developer.

Environment Agency - The site lies in flood zone 1 and not near a main river. As such, we do not assess there to be any fluvial flood risk and have no comment to make on fluvial flood risk.

Environmental Health - No air quality assessment or emission mitigation assessment will be required, however the following standard mitigation for residential development is:

- All gas-fired boilers to meet a minimum standard of <40mgNOx/kWh
- 1 Electric Vehicle charging point per dwelling with dedicated parking or 1 charging point per 10 spaces (unallocated parking)

Conservation Officer - I have no concerns with the effect of the proposal on the setting of the Conservation Area or the setting of the listed buildings. Nevertheless, due to the proximity of the proposed development, the setting of both heritage assets would undoubtedly be affected to some degree. The proposal would result in the visual impact of the proposal impinging upon views of the listed buildings and the adjoining conservation area. Careful design would be needed to ensure that those effects would not be harmful in including the treatment of the rear gardens on the boundary of the Conservation Area

Sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 place a statutory duty upon decision makers to safeguard the significance of heritage assets for future generations. Statute allows for change in the setting of heritage assets, where change does not harm the significance of the listed building or conservation area. In this instance, I find that the proposal would have no detrimental harm to the setting of the Conservation Area and the Grade II Listed Buildings. This would, in my opinion be a neutral factor, rather than a benefit of the proposal.

Strategic Housing Officer - I can confirm that Strategic Housing would be happy with the number and breakdown of units proposed (7no. 3-bed dwellings and 2no. 2-bed flats).

However, in line with policy the units should be broken down as 70% Social Rent & 30% Shared Ownership.

Kent Fire and Rescue - Following examination of the plans provided the access provided for fire appliance access appears to be satisfactory.

Tree Officer - Following a site visit I can confirm that T26 a maple covered in ivy was in a dead/dying condition.

T25 cherry has had a large section of its crown removed leaving it one sided, it is now in a poor condition.

T27 false acacia has a trunk wound at approximately 1m and may well have to be reduced in height for safety reasons.

T6 Whitebeam is a reasonable tree that could be retained. It is covered in ivy growth so closer inspection not possible.

T5 Sycamore, again ivy covered tree but it is obvious that it has been been pollarded in the past. Because of this there may well be decay around the old pruning points so at some point the tree will have to be reduced in size. Once reduced the tree probably would not be worthy of a T.P.O

TDC Interim Open Spaces Manager - St Peter's Rec is the closest. The play equipment is reasonably old and may need upgrading and we could look into some additional equipment too. Any new equipment will need new/additional protective matting. There is also the matter of the fencing around the playground, which is coming up for renewal.

TDC Recycling and Waste Manager - The collection points look fine dependant on the width of the road and parked cars causing issues with access. I can't see that this should be a problem.

COMMENTS

This application is brought before members as it is non-previously developed land, and is therefore a departure to Policy H1 of the Thanet Local Plan. The application has also been called to Committee by Cllr Matterface on the grounds of overdevelopment, overlooking, impact on the conservation area, highways issues due to the lack of a continuous pavement on Reading Street and Convent Road, narrow highway already congested (Reading Street), and impact on Grade 2 listed buildings.

Principle

The site is non-previously developed land within the urban confines. Policy H1 states that residential development on non-allocated sites will be permitted only on previously developed land within the existing built up confines unless specified by other Local Plan Policies. This policy constraint, however, needs to be balanced with the fact that there is a current need for housing in Thanet, and on this basis the National Planning Policy Framework (NPPF) indicates that applications for housing should be considered in the context of the presumption in favour of sustainable development. In this case the site lies within the urban confines, adjacent to residential properties in Reading Street and Convent Road, and the site is allocated for residential development within the Draft Local Plan. The

site is within close proximity of a bus stop, and is a short walk from the shop, church, hall and public house located within Reading Street, and Callis Grange and St.Peters School. The site is therefore considered to be sustainably located.

An application was previously approved for the re-development of part of the site accessed from Reading Street for the erection of 13no. dwellings in 2013. Whilst this consent is no longer extant, it is a material consideration in the determination of this application when considering the principle of development; as the previous decision took into account the same Thanet Local Plan policies and the National Planning Policy Framework.

The principle of development is therefore considered to be acceptable subject to other material considerations such as impact upon character and appearance of area, neighbouring living conditions and highway safety.

Character and Appearance

The site lies adjacent to the Broadstairs Conservation Area and the Green Wedge. It is an area of private open land, which is considered to be non-previously developed given the length of time that has passed since the demolition of the former Convalescent Home on the site. Policy SR11 of the Thanet Local Plan states that development will not be permitted on undeveloped private open space or a gap in the settlement pattern, if the site provides active recreational opportunities, meets a deficiency in recreational opportunities, or has intrinsically beneficial qualities and makes a contribution to the character of the area either in itself or by virtue of the longer distance views it affords. The site does not have a recreational use, and therefore the only consideration for the principle of development is whether the site has intrinsically beneficial qualities or contributes to the character of the area. The site is located to the rear of Reading Street and Convent Road, with limited views of the site other than through the existing access points. The site falls outside of the Conservation Area and is adjacent to the Green Wedge, which in itself provides wide open spaces and long views. Historically the site was also developed. Based on aerial photographs, the original development upon the site appeared to be contained to a small area to the east of the site. On the basis of the location and historic/current use of the site, it would appear that the openness of the site contributes little to the character of the area, and therefore the principle of developing the site is not considered to conflict with Policy SR11 of the Thanet Local Plan. In addition, permission has previously been granted for the development of this site, with consideration previously having been given to Policy SR11.

The proposal is for the erection of 16no. detached dwellings, 4no. semi-detached dwellings, and 7no. terraced dwellings, along with 2no. two-bedroom flats, following the demolition of no. 30 Convent Road. No.30 Convent Road is a bungalow located behind no. 16, and outside of the Conservation Area. The building is not considered to be a heritage asset, and as such the demolition of no.30 is considered to be acceptable.

The development is low density, at approximately 17 dwellings per hectare, and provides a range in the size and type of housing on the site, which is considered to be in keeping with the surrounding pattern of development. Many of the plots are large in size with at least 10-15m deep gardens, and between each large detached property there is approximately 6m. This respects the character of the adjacent Conservation Area, where large spaces between

dwellings and deep front/rear gardens are visible. Whilst some terraced and semi-detached properties are proposed, this adds interest and variety to the development and improves the mix of houses across the site, whilst still respecting the character of Reading Street where terraced cottages are present, and Astor Road, which contains semi-detached properties. In terms of the height, the proposed development is 2-storey in appearance (although some dwellings have accommodation within their roof space) and therefore in keeping with the surrounding area that is pre-dominantly 2-storey.

The site lies adjacent to nos. 43-49 Reading Street, which are Grade II listed buildings. Units 1 and 2 are the closest part of the development to these dwellings, with a distance of 22.4m. A section plan has been submitted showing the relationship between the listed dwellings and the proposed development. There is a ground level difference of approximately 0.8m between the proposed development and the listed dwellings, with the listed dwellings set down in the site. The relationship between the proposed development and the listed dwellings is no worse than that previously approved, and considered acceptable by the Council, with the distance between the buildings, along with the eaves and ridge height of the proposed development not exceeding the measurements stipulated within the conditions attached to previous outline consents. Whilst the original plans showed the provision of dormer windows in the roof of units 1 and 2, creating the appearance of 3-storey dwellings, this has now been removed. The Conservation Officer has visited the site and assessed the plans, and has commented that he has no concerns with the effect of the proposal on the setting of the Conservation Area or the setting of the listed buildings. He accepts that due to the proximity of the proposed development, the setting of both heritage assets would undoubtedly be affected to some degree, with the visual impact of the proposal impinging upon views of the listed buildings and the adjoining conservation area; however, sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 place a statutory duty upon decision makers to safeguard the significance of heritage assets for future generations, and the Statute allows for change in the setting of heritage assets, where change does not harm the significance of the listed building or conservation area. In this instance the Conservation Officer is of the view that the proposal would have no detrimental harm to the setting of the Conservation Area or the Grade II Listed Buildings, but recommends the careful designing of the treatment of the rear gardens on the boundary of the Conservation Area. This will be required through the submission of a detailed landscaping scheme.

There is a distance of at least 22m between the listed dwellings and the proposed development, the same distance previously considered to be acceptable, and when using the section plan submitted by the applicant it is clear that the proposed development would not be visible from Reading Street when standing in front of the listed dwellings, as the height of the proposed development only exceeds the height of the listed buildings by approximately 1.2m. As such the only view that would enable the relationship between the proposed development and the listed dwellings to be seen is through gaps in the street scene or from the vehicular access, however the extensive landscaping proposed would significantly limit these views.

It is therefore considered that on balance, the development will preserve the character and appearance of the designated heritage assets.

With regards to the design, the proposal incorporates a variety of building types with pitched roofs, gable features, and bay windows. A mixture of materials have been used, including clay tiles, natural slate, buff and red brick, and timber windows and doors, all of which are considered to be in keeping with the materials present within the adjacent Conservation Area.

The access roads are currently in situ, although alterations are proposed to their design. The access road onto Reading Street is being moved to the east in order to meet highway requirements. Whilst this has resulted in the loss of trees adjacent to the highway, it allows for better spacing either side of the access and the potential for improvements to landscaping on the site through a landscaping scheme. A Landscape Strategy plan has been submitted for the area either side of the Reading Street access. It shows the planting of new mature trees and medium trees, the planting of mixed native shrubs, and the planting of an ornamental hedge, all of which is considered to enhance the appearance of the site. A footpath is also proposed to encourage pedestrian movement.

At the other access point the side parking area belonging to no. 28 Convent Road is being removed and the access road widened. A footpath is being introduced to the northern side of the access, and to part of the southern side, with a planting buffer extending along the side boundary of no.28. In order to provide an access road that meets highway requirements, part of the land to the front of no. 28 has been used. No. 28 belongs to the applicant, however concern was raised in relation to the original plans that the complete loss of frontage for no. 28 would impact upon the character of the area. The amended plan for the alterations around no. 28 Convent Road shows the retention of a grass area to the front of no. 28, but access to and from the property would be straight onto the footpath. Whilst this arrangement is not particularly in keeping with the character of surrounding properties, it will not cause significant harm to the wider character and appearance of the area, nor would it result in the loss of a key feature in the area.

Overall the impact upon the character and appearance of the area is considered to be acceptable.

Living Conditions

A number of applications have previously been granted for the erection of 13no. dwellings on the eastern side of the site. When assessing these applications, consideration was given to the privacy and outlook of nos. 43-49 Reading Street, resulting in restrictive conditions that stipulated the minimum distance to be provided between the rear elevation of the proposed dwellings and the boundary with nos. 43-49, and the maximum eaves and ridge height of the proposed development where adjacent to this boundary. The proposed application adheres to these restrictions, with a minimum distance of 15m between the proposed rear elevation of unit nos. 1-4 and the rear boundary, and a maximum eaves height of 5m and ridge height of 8m for unit nos. 1-4. The relationship between units 1 and 2 of the proposed development and nos. 43-49 Reading Street is therefore no worse than that previously approved, which is a material consideration in the assessment of the application. Whilst the original plans showed a second floor dormer and first floor balcony to the rear of units 1 and 2, these have now been removed. The impact upon light, privacy and outlook to nos. 43-49 Reading Street is therefore considered to be acceptable.

A second floor dormer and first floor balcony have been introduced to unit nos. 3 and 4 since the previous approval, but given the distance of at least 32m between the rear elevation of units 3 and 4, and the rear elevation of nos. 35-41 Reading Street, the impact upon privacy is considered to be acceptable.

There are no south facing windows within proposed unit 20, and therefore the impact upon the privacy of nos. 29 and 33 Reading Street is considered to be acceptable.

There is a minimum distance of 24m between the proposed unit 23 and the rear elevation of no. 27 Reading Street, and as such the impact upon privacy is considered to be acceptable, given the relationships between properties in the area.

Concerns were originally raised with the impact upon the privacy of no. 8 Astor Road, however amendments have been submitted that show unit 24 becoming detached, and therefore allowing for side bedroom windows rather than rear bedroom windows. Whilst 2no. first floor rear windows are still present within unit 24, these serve a landing and bathroom, and therefore the agent has agreed that these can be obscure glazed and top opening only. Whilst first floor windows and a balcony area are proposed within the southern elevation of unit nos. 25-26, these front Astor Road itself, and do not directly overlook any private amenity space. This part of the proposal will therefore not result in any direct overlooking to neighbours, so the impact upon the privacy of the properties within Astor Road is considered to be acceptable.

Concern has been raised by nos. 12 and 14 Convent Road regarding privacy and outlook. Whilst nos. 12 and 14 Convent Road are bungalows, there is a minimum distance of 22m between the rear elevation of nos. 12 and 14 and the proposed rear elevation of unit nos. 25-26. The impact upon the light and outlook to nos. 12 and 14 is therefore considered to be acceptable. With regards to privacy, there are no rear facing windows within the rear elevation of unit nos. 25-26. Whilst a small balcony is proposed in the southern side elevation facing Astor Road, privacy screens are proposed, and would be controlled via condition, and as such there would be no direct overlooking towards nos. 12 and 14 from the balcony. Original plans submitted showed the demolition of no. 16 Convent Road and its replacement with 4no. terraced dwellings that would have overlooked nos. 12 and 14. Amendments were sought and these units have now been removed from the proposed scheme. As such the impact upon the privacy of nos. 12 and 14 Convent Road is considered to be acceptable.

There is a distance of 8m between no. 42 Convent Road and proposed unit 13. Given the distance, orientation (with the proposed dwelling angling away from no. 42) and side by side relationship between the proposed dwelling and no. 42, the impact upon light and outlook is considered to be acceptable. Two velux windows are proposed within the side elevation of proposed unit 13, but these serve a stairwell and will not result in overlooking.

The impact upon light, outlook and privacy for all neighbouring properties is therefore considered to be acceptable. The only other issue to consider when assessing the impact upon neighbouring living conditions is that of noise and disturbance from vehicular and pedestrian movement. The vehicular access from Reading Street is existing, and would have previously been used to serve the Convalescent Home. The proposal will involve 13no. units

being served by the vehicular access. The access is located 25m from no. 49 Reading Street and 7m from 'Old Convent Farm House'. Given the distance and the existing nature of the access, along with the limited number of vehicle movements that would result from 13no. dwellings, the impact from noise and disturbance on the immediate neighbours to the proposed access is considered to be acceptable.

The other vehicular access is also existing, although it has previously only been used to serve nos. 30 and 42, and will now serve 18no. units. The access will be at least 3.2m from the side elevation of no. 34 Convent Road, which appears to have a garage at ground floor level closest to the access road. Whilst there will be a small buffer area between the access road and no. 34, which will contain a footpath, ultimately there will be increased noise and disturbance for this property given the additional vehicle movements that will enter and leave the application site, and the proximity of the access road to the rear garden of the property. As such a condition is recommended for the erection of an acoustic fence along this boundary, which has been agreed by the agent. Subject to the erection of the acoustic fence, the impact upon noise and disturbance for no. 34 Convent Road is considered to be acceptable.

Pedestrian access is proposed from the application site through to Astor Road. If implemented this would increase pedestrian movement along Astor Road, however the increased noise and disturbance that would result from this pedestrian movement is unlikely to be significant enough to warrant any concerns.

Overall the impact upon the living conditions of the neighbouring occupiers is considered to be acceptable.

Transportation

The application proposes an access onto Reading Street to serve 13no. units and an access onto Convent Road to serve 17no. units. Both are existing accesses, however alterations are being made to improve their design in order to achieve greater turning and visibility. There is no vehicular connection between the Reading Street and Convent Road accesses across the site. Planning permission has previously been granted for the development of the site for 13no. dwellings with access onto Reading Street, and the site has been allocated within the Draft Local Plan for residential development.

Vehicular accesses

As part of this proposal the Reading Street access is being moved further east allowing for Reading street to be widened in the immediate vicinity of the proposed access to allow vehicles to pass each other, and adding pedestrian connections to the existing footways. Limited parking restrictions are also proposed at the access to maintain visibility and these are in the location of the existing access to the site, which will be closed and the footway reinstated. Whilst this means that the existing access road will no longer be available for parking, it is a private access and this parking could therefore be removed at any time without the need for planning permission. The layout being provided at the access is acceptable to allow sufficient visibility given the measured speeds in Reading Street. KCC have advised that given the history of the site, which includes the granting of planning

permission for the same number of units to be served by this design of access, and the submission of plans that show adequate turning provision and visibility at the access, the alterations to the access onto Reading Street are acceptable in highway safety terms.

The Convent Road access is to be widened and extended across the frontage of no. 28 Convent Road, with a new footpath leading into the site. KCC Highways have commented that the access, which is to serve 17no. dwellings, provides suitable visibility and suitable width for vehicles to pass each other at the junction with Convent Road, and whilst the width of the access is slightly reduced for part of the access adjacent to no. 28, this is acceptable given the number of dwellings to be served by the access. Visibility for drivers at the access is achievable at 2m back from the edge of the carriageway, rather than the preferred 2.4m, and as a result the front of a car may need to overhang the edge of the carriageway to allow a driver to achieve the necessary visibility. However, Convent Road is of sufficient width to accommodate this and drivers approaching on Convent Road have good visibility to the access, and as such KCC have advised that they would not recommend refusal on this issue.

The location of the proposed access onto Convent Road, in relation to Lerryn Gardens opposite, is considered acceptable, and bearing in mind the existing and proposed streets are culs-de-sac serving a limited number of dwellings, there are likely to be few if any vehicle movements between the two. The location and design of both the Convent Road and Reading Street accesses are considered to be safe and suitable, and therefore acceptable in terms of paragraph 32 of the NPPF.

Traffic movement

The increase in traffic that would result from the proposed development is a serious concern raised within many of the letters of objection received from residents. Reading Street is a narrow road, which when busy with on-street parking can restrict vehicle movements. There are also areas of either narrow or no pavements, which can restrict pedestrian movement.

Given the previous permission that allowed for 13no. dwellings to be served off Reading Street, a refusal relating to the additional vehicle movements generated by the development onto Reading street would not be justified. With regards to the Convent Road element of the development, KCC have advised that the number of vehicle movements likely to be generated by the additional 16 dwellings in the network peak hours (around 10 in each peak hour) is not significant and unlikely to have a severe impact on the highway network. They would also expect the anticipated number of additional vehicle movements to be less than the typical daily variation in traffic flows during these hours.

Concerns have also been raised about the junction of Reading Street with Convent Road and Beacon Road. Whilst visibility at this junction is not ideal, KCC have advised that the junction has been in use for many years and there is no evidenced crash problem. The proposed additional dwellings served from Convent Road are likely to add around 10 two-way vehicle movements through this junction in each network peak hour (assuming all trips to and from the site are through this junction) and this is unlikely to have a severe impact. There may be one or two drivers who choose to use George Hill Road instead but this small number of movements is unlikely to have a severe impact on the same.

Developer contributions

Previous approvals for the development of the site secured a financial contribution of £25,000 towards the redesign of the junction of Reading Street with Elmwood Avenue to improve the street geometry and visibility. KCC have recommended that these improvements be secured, as they would help to improve traffic flow along Reading Street, however they are of the opinion that such works could be secured through a Section 278 agreement with the highway authority rather than a financial contribution to enter into a legal agreement under the Highway Act to make alteration to a public highway. These works can be controlled by condition, with the works to be completed prior to the first occupation of the development. The increase in traffic movements along both Reading Street and Convent Road are not considered to result in a severe impact upon highway safety, and as such the proposal is not considered to conflict with paragraph 32 of the NPPF.

Parking layout

Within the site itself, the streets are to remain private, and will therefore not be adopted by the highway authority. Double garages and large driveways are proposed for the large detached dwellings, providing a minimum of 2no. off-street spaces per dwelling, and 31no. parking spaces are provided for the 17.no dwellings off Convent Road. KCC have advised that the site layout and parking arrangements are such that the proposals are unlikely to lead to unacceptable parking on the highway within the site, and the provision on site of on-street and off-street parking is sufficient for the number of dwellings proposed, thereby not resulting in any additional parking on Reading Street or Convent Road.

In terms of pedestrian routes, a footway is provided from the Reading Street access through the site to Convent Road. A pedestrian access has also been shown on to Astor Road, which legal advice supplied by the applicant suggests is achievable. This is contested by neighbours, however, this link is not a determining factor in the application. Overall, the pedestrian connectivity through the site contributes towards the sustainability of the development. It allows for residents in Reading Street to access the bus stops within Convent Road, and the Astor Road link and Reading Street link provides access for residents of the development to the facilities and services contained within Reading Street, including a church, church hall, public house and shop. The existing footway on the south side of Convent Road terminates a short distance to the west of the site access so dropped kerbs and tactile paving are proposed to enable pedestrian access to/from the existing continuous footway on the north side of Convent Road, providing access to the nearby bus stops and the wider footway network.

Overall, whilst it is appreciated that there are existing restrictions within Reading Street, given the existing evidence on vehicle movements and incidents in the area, the alterations proposed to the access roads, the previous consent that allowed for an additional 13no. dwellings to be accessed off Reading Street, the alterations that will be made to the Reading Street/Elmwood Avenue junction, and the improvements to pedestrian connectivity for both the future occupiers of the development and existing residents within Reading Street and

Convent Road, on balance, the impact upon highway safety is considered to be acceptable and in accordance with the NPPF.

Construction of the development in highway terms can be controlled and managed by condition through a Construction Management Plan, including the routing of HGV's to and from site.

Affordable Housing

Policy H14 requires that for development that exceeds 14 units, 30% affordable housing should be provided. The applicant has proposed 30% affordable housing, which equates to nine of the thirty units proposed. A plan has been submitted showing the location of the affordable housing, which is contained within three blocks, 2no terrace blocks and the flat block. A breakdown of the size of the affordable units has been submitted and shows that seven of the units will be 3-bed dwellings and two of the units will be 2-bedroom flats. The Council's Strategic Housing Officer has been consulted and has advised that they are happy with the number and breakdown of the affordable units proposed, and recommend that of these 70% be social rent and 30% be shared ownership, details of which can be submitted through condition.

Subject to the submission of a legal agreement securing the provision of 30% housing, the affordable housing provision is considered to be acceptable and in accordance with Policy H14 of the Thanet Local Plan.

Size and Type of Housing

Policy H8 of the Thanet Local Plan requires that for development of 10 units or more there should be a mix in the size and type of housing. The proposal is for the provision of 12no. 5-bed, 3no. 4-bed, 13no. 3-bed and 2no. 2-bed. Whilst the number of 5-bed units is at a higher proportion than required when assessing against the latest Strategic Housing Market Assessment figures, which show the greatest need is for 3-bed family dwellings, this size of unit proposed is understandable given the location of the development on the edge of the Broadstairs boundary, the previous consent that was for 13no. dwellings of a similar size, and the surrounding pattern of development, which includes properties within spacious plots. Overall the split in the size of the dwellings generally complies with the Council's evidence for need, with the second largest provision being for 3-bed dwellings. There is also a split between houses and flats, with the greatest provision being houses, for which there is the greatest local need.

The proposal is therefore considered to comply with Policy H8 of the Thanet Local Plan.

Ecology

A preliminary ecological appraisal has been undertaken, along with a bat survey report. KCC Biodiversity have reviewed the ecological information and advise that they require no additional information. The bat emergence and activity survey concluded that no roosting bats were recorded using the buildings on site, however three species of bats were recorded foraging/commuting on site, and therefore the mitigation and enhancement options outlined in the Bat emergence and dawn re-entry surveys (2015) must be implemented as part of any

planning approval. The mitigation and enhancement work includes a bat sensitive lighting scheme, new shrub and hedgerow planting, bat roost boxes and other bat roost features. A condition is therefore recommended requiring that the enhancement measures be carried out, with details to be submitted as part of the landscaping plan.

The impact upon biodiversity is therefore considered to be acceptable.

Drainage

Southern Water have been consulted and have advised that their initial investigations indicate that they can provide foul sewerage disposal to service the proposed development, as well as a water supply to the site.

With regards to surface water drainage, the applicant has proposed a Sustainable Urban Drainage System. KCC SUDS have been consulted and have advised that as Lead Local Flood Authority they are generally satisfied with the principles discussed within the flood risk assessment for the drainage of surface water. However, they recommend further infiltration testing is carried out during any detailed design work on drainage to ensure that infiltration rates at shallow depths within the Head Deposits are suitable for the proposed permeable paving features. The ground investigation however does indicate the viability of infiltration in general and KCC have advised that they expect the detailed design work will be able to optimise the design without implications upon the site layout.

The principle of the drainage as proposed is therefore acceptable and not considered to impact upon flood risk, subject to safeguarding conditions.

Archaeology

Thanet is generally rich in archaeological remains and the application site lies within an area of considerable archaeological potential with many cropmark sites of barrows and enclosures lying within 500m. Of particular significance is the discovery of Roman remains in 1888 less than 100m to the west of the site.

The Archaeological Officer at KCC has been consulted and has advised that although part of the site is occupied by the former convalescent home, it is possible that important archaeological remains could be affected by groundworks for the new residential development. A safeguarding condition is therefore recommended securing the implementation of archaeological field evaluation works, along with any further mitigation and/or safeguarding measures. KCC have advised that if significant archaeology is encountered in the evaluation stage then there may be a need for preservation measures to be put in place to address the condition. The recommended conditions are considered to be appropriate to address the archaeological issues.

Play Space

Policy SR5 of the Thanet Local Plan states that new family dwellings will be expected to incorporate garden space in order to provide a safe doorstep play area for young children. All of the dwellings proposed have private gardens, in accordance with Policy SR5.

Policy SR5 also requires that where a development in its completed form would amount to ten to forty-nine residential units, the Council will expect a financial contribution to be made for the provision, maintenance and upgrade of play facilities.

The Interim Open Spaces Manager has been consulted and has advised that St Peter's Recreation Ground is the closest play area to the application site and that the play equipment is reasonably old and may need upgrading, with some new additional equipment also being needed. There is also the need for new/additional protective matting, and fencing around the playground, which is coming up for renewal.

The financial contribution required through the proposed development, which is based upon the calculation contained within the Council's SPD for Planning Obligations is £26,250. The applicant has agreed to this contribution, which will be secured through a legal agreement. On this basis the proposed development is considered to comply with Policy SR5 of the Thanet Local Plan.

Trees

The proposal involves the removal of 9 no. trees, all of which are covered by a Tree Preservation Order. A Tree Survey has been submitted as part of the application, which shows that of the 9 trees to be removed, 8 are category C and one is category B. A site visit took place with the Council's Tree Officer to assess the trees proposed for removal by the applicant. The trees located around the proposed vehicular access onto Reading Street were previously agreed for removal as part of previous planning applications, and therefore it would be unreasonable to request their retention as part of this application, as their amenity value has not changed significantly in the last 4 years. This area of trees includes the Category B tree.

With regards to other trees on the site, the Tree Officer has confirmed that T26, a maple tree located to the rear of 27 Reading Street, is covered in ivy and in a dead/dying condition; T25, a cherry tree located to the rear of 27 Reading Street, has had a large section of its crown removed leaving it one sided, and is now in a poor condition; and T27, a false acacia tree also to the rear of 27 Reading Street, has a trunk wound at approximately 1m and may well have to be reduced in height for safety reasons. T5, a sycamore tree along the boundary with the golf course is covered in ivy and has previously been pollarded, and also appears to have decay around the old pruning points. Given that all of these trees are Grade C and in poor condition; their proposed removal is considered to be acceptable.

It is accepted that all of these trees previously mentioned could be removed due to their poor quality, or the fact that their removal has previously been granted. The final tree proposed for removal is T6, a Whitebeam tree located towards the centre of the site. Whilst the tree is classed as Grade C within the tree survey, the Tree Officer has advised that it is a reasonable tree that could be retained; however it is covered in ivy growth, so a closer inspection that would provide a true understanding of its quality was not possible. The tree is towards the centre of the site and therefore does not offer significant amenity value to the wider area to warrant the refusal of the application on the grounds of the loss of tree. In addition, a tree replacement plan has been submitted in support of the application. This

shows the planting of at least 25no. trees within the site, in addition to others that may form part of the site wide landscaping strategy. On balance, the benefits that would result from the planting of 25no. trees within the site are considered to outweigh the concerns regarding the loss of one individual tree with limited amenity value, the quality of which is uncertain.

The impact upon trees is considered to be acceptable subject to safeguarding conditions requiring the planting of trees, an acceptable landscaping scheme, and the protection of existing/retained TPO trees during construction.

Kent Fire and Rescue

Concerns have been raised by residents that the layout as proposed would not allow for emergency vehicles to access the site. Kent Fire and Rescue have been consulted, and their initial comment requested the submission of plans showing a swept path analysis demonstrating a viable access for a fire appliance, both to access the site and on the site. Such plans were submitted to Kent Fire and Rescue, who have further commented that the access provided for fire appliances appeared to be satisfactory. The layout is therefore considered to be acceptable for accommodating emergency vehicles.

Air Quality

Environmental Health have advised that the application does not warrant an air quality assessment or emission mitigation assessment, however it is recommended that one electric vehicle charging point is installed per dwelling where there is dedicated parking, or one charging point per ten spaces where parking is unallocated, in order to promote renewable energy and reduce the impact upon air quality, in accordance with the NPPF. The agent has agreed to these recommendations. The impact upon air quality is therefore acceptable.

Stability of Site

Comments have been received from residents regarding the possibility of caves being present below the ground of the application site, which could affect the stability of the proposed development. Building Control have been consulted and have advised that they are unaware of any ground stability problems in the immediate area, but have recommended a condition requiring a site investigation survey report to be carried out prior to the commencement of development.

Financial Contributions

KCC have commented that a financial contribution is required to accommodate the additional primary school and secondary school places that would be created through the proposed development. The financial contribution required consists of £124,000.00 towards primary school provision, to go towards Phase 2 of the new St George's Primary School; and £73,153.80 towards secondary school provision, to go towards Phase 1 of the Charles Dickens School expansion. There is also a request for £1488.49 towards the additional bookstock required to mitigate the impact of the additional borrowers generated from this development.

These contributions are considered to be necessary to make the development acceptable in planning terms, directly related to the development and fairly and reasonably related in kind and scale.

The applicant has agreed to provide these contributions, which are to be secured through a legal agreement.

Special Protection Area

Thanet District Council has produced the 'The Strategic Access Management and Monitoring Plan (SAMM)' which focuses on the impacts of recreational activities on the Thanet section of the Thanet Coast and Sandwich Bay Special Protection Area (SPA). The studies indicate that recreational disturbance is a potential cause of the decline in bird numbers in the SPA. The proposed development is 1km from the Thanet Coast and Sandwich Bay SPA, Ramsar and SSSI. Therefore, to enable the Council to be satisfied that the proposed development will avoid a likely significant effect on the designated sites (due to an increase in recreation) a financial contribution is required to contribute to the district wide mitigation strategy.

The tariff for this contribution is provided in the SAMM report. For this development the contribution required is in the form of £724 for the 2-bed flats, £6,240 for the 3-bed dwellings, and £9,000 for the 4-bed and 5-bed dwellings. The applicant has agreed to this contribution, which will be secured through a legal agreement.

Heads of Terms

The legal agreement to be submitted in support of this application will contain the following commitments:

- 30% affordable housing, including size and location,
- £124,000 towards primary school provision at St.Georges,
- £73,153.80 towards secondary school provision at Charles Dickens,
- £1488.49 towards library provision in Broadstairs,
- £26,250 towards play equipment at St.Peters Recreation Ground,
- £15,964 towards the Special Protection Area.

Conclusion

The application site is located within the urban confines, and whilst the site is non-previously developed land, it is allocated for housing within the Draft Local Plan and would address a local need for housing. Whilst there may be some impact upon the adjoining listed buildings, this relationship has previously been considered acceptable, and based on the information submitted with this application the proposal will preserve the significance of designated heritage assets. A variety of building types and designs are proposed, which do not exceed 2-storey in height when taken to eaves level, and given the low density nature of the development at approximately 17 dwellings per hectare, the proposed development is not considered to detract from the character and appearance of the adjacent conservation area or the general area. There is considered to be no significant impact upon neighbouring light, outlook or privacy, and the impact upon highway safety is considered to be acceptable

subject to alterations to the design and layout of the accesses and improvements to the Reading Street/Elmwood Avenue junction. 30% affordable housing is proposed, and the applicant has agreed to all of other financial contributions as stated within the Heads of Terms. The proposal is considered to be a sustainable form of development that generally complies with Local Plan Policy and the NPPF. As such it is recommended that members defer and delegate the application for approval, subject to the submission of a legal agreement securing the agreed head of terms.

Case Officer

Emma Fibbens

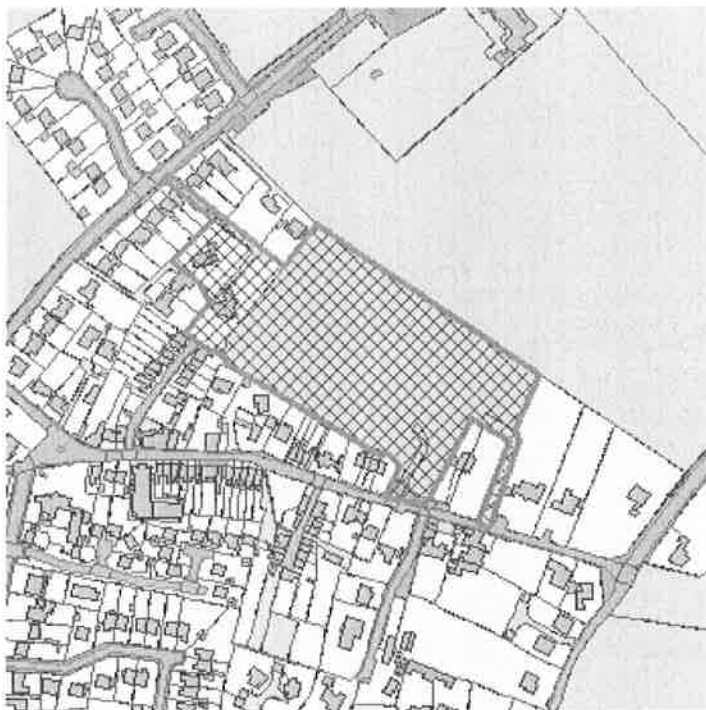
TITLE:

F/TH/16/0924

Project

Land Formerly Used As Club Union Convalescent Home Reading Street
BROADSTAIRS Kent

Scale:



THANET DISTRICT COUNCIL

PLANNING COMMITTEE

15 March 2017

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:06 March 2017

THANET DISTRICT COUNCIL

REPORT OF THE DIRECTOR OF COMMUNITY SERVICES

PART A

TO: THE PLANNING COMMITTEE

DATE: 15 March 2017

Application Number	Address and Details	Recommendation
A01 F/TH/16/1109	Land On The East Side Of Leicester Avenue MARGATE Kent Erection of three storey building containing 5No self contained flats with associated parking and landscaping Ward: Cliftonville East	Approve
A02 F/TH/16/1047	Land At Junction Of Sowell Street BROADSTAIRS Kent Erection of 2No. detached 4-bed houses with parking and access onto Sowell Street Ward: St Peters	Approve
A03 F/TH/16/1709	Garages At Kingston Close RAMSGATE Kent Variation of conditions 2 attached to planning permission F/TH/14/0096 for erection of 9No. dwellings and associated parking following demolition of existing garages to allow for changes to the design, layout and condition timing. Ward: Newington	Approve
A04 L/TH/17/0135	54A Trinity Square MARGATE Kent CT9 1HT Application for Listed Building Consent for replacement railings to front	Approve

Ward: Margate Central

A05 F/TH/16/1716

**Garage Block Between 108 And 110
Clements Road RAMSGATE Kent
CT12 6UQ**

Approve

Erection of 1no. 2 bedroom detached
house and 1no. 1 bedroom detached
bungalow

Ward: Northwood

THANET DISTRICT COUNCIL

REPORT OF THE DIRECTOR OF COMMUNITY SERVICES

PART B

TO: THE PLANNING COMMITTEE

DATE: 15 March 2017

Application Number	Address and Details	Recommendation
R06 F/TH/16/1271	Former St Mary Magdalene Church Woodchurch Road BIRCHINGTON Kent Erection of 2No. two storey dwellings with access and parking Ward: Thanet Villages	Refuse Permission

THANET DISTRICT COUNCIL

REPORT OF THE DIRECTOR OF COMMUNITY SERVICES

PART C

TO: THE PLANNING COMMITTEE

DATE: 15 March 2017

Application Number	Address and Details	Recommendation
D07 F/TH/16/1645	Cambay Lodge 91 Kingsgate Avenue BROADSTAIRS Kent CT10 3LW	Defer & Delegate

MAJOR

Variation of condition 2 of planning permission F/TH/15/0142 for erection of three storey building containing 10no. self-contained flats following demolition of existing building, with formation of parking area to rear to allow for alterations to the layout and design, creation of additional balconies at second floor level to the rear and side elevations, alterations to windows and alterations to parking area.

Ward: Kingsgate

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A01

F/TH/16/1109

PROPOSAL: Erection of 3-storey building containing 5No self-contained flats with associated parking and landscaping

LOCATION: Land On The East Side Of Leicester Avenue MARGATE Kent

WARD: Cliftonville East

AGENT: Mr Mike Hooper

APPLICANT: Chaucer Builders Ltd.

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 883/01 D, 883/02 C, 883/03 B, 883/04 E, 883/05 F received 3 February 2017.

GROUND:

To secure the proper development of the area.

- 3 Prior to the first use of the car parking area to the rear of the development hereby approved, a 2 metre high acoustic fence shall be erected along the northern, southern and eastern boundary of the site where adjacent to the parking area as shown on drawing numbered 883/01 D received 3 February 2017. In addition, laurel hedging shall be provided at a maximum height of 2.5 metres along the rear boundary. The acoustic fencing and hedging shall thereafter be maintained.

GROUND:

To ensure that the development does not cause an unacceptable impact on the neighbouring property in terms of noise and disturbance, in accordance with Thanet Local Plan Policy D1 and the National Planning Policy Framework.

- 4 Prior to the first occupation of the flats hereby approved 1.8 metre high obscure glazed privacy screens shall be provided to the balcony side returns as shown on drawings numbered 883/04 E and 883/05 F received 3 February 2017. The privacy screening shall be thereafter maintained.

GROUND:

To safeguard the living conditions of the occupiers of adjacent properties, in accordance with Policy D1 of the Thanet Local Plan and the National Planning Policy Framework.

- 5 Prior to any works commencing on site (including vegetation clearance) a precautionary reptile mitigation strategy shall be submitted to Thanet District Council for approval. The strategy must be written by an experienced ecologist and provide details on the following:

- o vegetation clearance methodology
- o Time of year the works will be carried out
- o Details of where any reptiles will be translocated
- o Details of how the retained habitat will be managed

The works must be implemented as detailed within the precautionary mitigation strategy as approved.

GROUND:

In order to safeguard protected species that may be present.

- 6 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 National Planning Policy Framework.

- 7 Prior to the first occupation of the flats hereby approved the vehicle parking spaces shown on the approved plans shall be provided and thereafter retained.

GROUND:

In the interests of highway safety.

- 8 Prior to the first occupation of the flats hereby approved, the cycle parking facilities and external amenity areas to the rear, as shown on the approved plans shall be provided and thereafter maintained.

GROUND:

In the interests of highway safety.

- 9 Prior to the first occupation of the flats 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 (to include boundary treatment to a minimum height of 1 metre to be erected around the communal amenity areas to the rear)

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, D2 and SR5 of the Thanet Local Plan

- 10 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 the flats 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

- 11 Prior to the first occupation of the flats hereby approved the refuse storage facilities and clothes drying facilities as specified upon the approved drawing numbered 883/01 D and received 3 February 2017 shall be provided and kept available for that use at all times.

GROUND:

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

- 12 Details of the design and materials to be used for the security gates, shown on the approved drawing numbered 883/04 E received 3 February 2017, shall be submitted to and approved in writing by the Local 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 permitted development and thereafter maintained.

GROUND:

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

INFORMATIVES

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

The applicant is advised to contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk with regards to diverting the water main and combined sewer.

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

Planning permission does not convey any approval for construction of the required vehicular crossing, or any other works within the highway for which a statutory licence must be obtained. Applicants should contact Kent County Council - Highways and Transportation (web: www.kent.gov.uk/roads_and_transport.aspx or telephone: 03000 418181) in order to obtain the necessary Application pack.

It is the responsibility of the applicant to ensure, before the development hereby approved is commenced, that all necessary highway approvals and consents where required are obtained and that the limits of highway boundary are clearly established in order to avoid any enforcement action being taken by the Highway Authority. The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under such legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.

SITE, LOCATION AND DESCRIPTION

The site lies within the urban confines and is a non-previously developed plot of land situated between Nos 70 and 76 Leicester Avenue. The site fronts Leicester Avenue and has a common boundary to the rear with Nos 69 and 71 Gloucester Avenue. The site is located in a wholly residential area characterised by large dwelling set in large plots of land.

RELEVANT PLANNING HISTORY

There is no previous history.

PROPOSED DEVELOPMENT

The proposal is to erect a 3-storey building comprising 5no. self-contained flats; 1 x 1 bed and 1 x 2 bed flat at ground floor, 1 x 1 bed and 1 x 2 bed flat at first floor and 1 x 2 bed flat with a study on the second floor. The building is to be finished in brickwork and monocouche render, cement slate roof tiles and grey powder coated aluminium framed windows. Eight parking spaces are provided to the rear.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan (2006)

H1- Housing
H4 - Windfall Sites
TR12 - Cycling
TR16 - Car Parking Provision
D1 - Design Principles
D2 - Landscaping
SR5 - Play space

NOTIFICATIONS

Neighbour notification letters were sent to properties directly surrounding the site, a site notice was posted near the site and a site notice posted and an advert placed in the newspaper.

Ten letters of objection have been received raising the following concerns:

- Traffic concerns
- Parking disturbance
- The design would give thieves immediate, unobstructed access to the rear of the property, whereby it will be easy to steal any cycles stored there. There will be access to the rear gardens of the residents of Gloucester Avenue with the car park providing cover to scale the fence unobserved.
- Concerns of anti-social behaviour from the overcrowding, multiple balconies giving rise to noise nuisance, and parking disputes.
- Noise and light pollution from vehicles parking to the rear.
- The building is out of character for the area and should be one large house or two semi-detached houses.
- 8 parking spaces is insufficient and will increase on-road parking.
- Would there be any guarantees in place that the properties are for owner occupancy only and are not rented out.
- The building is higher than neighbouring buildings - dwarfing those on either side.
- Balconies are out of keeping with the area.
- Balconies to the rear would cause overlooking and noise disturbance to neighbouring dwellings.
- Mature trees have been cut down.
- Contrary to Draft Local Plan Housing Strategy which supports increase in family homes (non-flatted homes), affordable homes and safeguards and enhances the character and amenity of existing residential neighbourhoods.
- Departure from Policy D7.
- Overbearing in comparison to neighbouring properties.
- Residential amenities of neighbouring properties will be adversely impacted in relation to privacy and outlook, daylight and sunlight and safety and security through access to the rear gardens of adjoining properties.
- No security on the side passageways to prevent access to the rear of the property.

- Should be one large dwelling or two smaller dwellings to fit in with the character of the Avenue.
- The building extends beyond No.70 by approximately 1.3 metres and will restrict light into the kitchen window.
- Side window on north side of No.70 is to a reception room and not a garage and there would be loss of natural daylight to the room.
- The building and balcony will be substantially higher and further out than my property (No.70) will result in loss of daylight and sunlight to the kitchen and rear windows and create overshadowing to the patio from the first floor terrace.
- There is a covenant on the land protecting the characteristics of building on the site - a dwelling house being a house designed for use as a dwelling for a single family.

CONSULTATIONS

Environmental Health comment that for the parking areas the applicant needs to include 2 metre (or whatever the highest they can get) close boarded fencing all the way round that section (apart from the entrance obviously) and maintain it for the life of the development. This will protect against most noise from the cars and light from headlights. They could also consider foliage screening at the end of the garden area before the car park.

For the balcony areas on the 1st floors slow closers (or something like it) should be provided so that they can't bang and specific testing on impact noise via the building regulations to ensure when they are used there is no downward noise transfer to the bedroom below.

Biodiversity Officer, Kent County Council raise no objection subject to a precautionary mitigation strategy being submitted as a condition of planning permission.

Archaeological Officer comments that the area is generally of archaeological potential with prehistoric and Roman remains having been found on the coastal area. Roman cremations are recorded a couple of roads to the west. The site was formerly the girl's school playing fields and then avoided the post war development along the road so any archaeology present may be relatively intact. I would recommend that in any forthcoming consent provision is made for a programme of archaeological works.

Southern Water raise no objection but request Informatives be added to ensure the applicant contact them.

COMMENTS

This application is brought before the Planning Committee as the proposal represents a departure from Thanet Local Plan Policy H1 as the land is not previously developed.

The main issues raised by this proposal are the effect of the proposals upon the character and appearance of the surrounding area, the impact upon the living conditions of the occupiers of nearby residential properties and the effect upon Highway safety.

Principle

The development would represent development on non-previously developed land which would be contrary to Policy H1 of the Thanet Local Plan; however this needs to be considered having regard to the fact that there is a current need for housing in Thanet and, on this basis, the National Planning Policy Framework (NPPF) requires that applications for housing should be considered in the context of the presumption in favour of sustainable development. In this case the site lies within the urban confines and forms part of an established residential street frontage with access to local amenities.

The plot does not provide a significant contribution to the amenity or character of the area, therefore the development of the site is not considered to be detrimental in principle and would be consistent with the principles of the NPPF, and subject to consideration of other material considerations such as impact on the character and appearance of an area, the living conditions of neighbours and impacts on the highway network, the proposal could in principle represent an acceptable departure from Policy H1 of the Thanet Local Plan.

Character and Appearance

National and Local Planning Policy requires all new development to provide a high quality design, that respects the character and appearance of the surrounding area within which it would be located.

The site does not fall within an area designated in the Thanet Local Plan as an area of High Townscape Value (Policy D7) and there are no policy objections restricting the development of flats in this location.

The proposal comprises 5 No. flats and has the appearance of a large dwelling. A central underpass (3.7m wide and 2.4m) high has been incorporated to allow occupants to reach the rear car parking area and communal amenity space. This access would be secured by metal gates. The building fronts the road, and is slightly further forward than the building line of adjacent properties and is a 3-storey building, with the third floor being within the roof space. Bay windows are provided on the front elevation, at ground level, with balconies at second floor. Flats 3 and 4 at first floor level have balconies to the rear.

Within Leicester Avenue there are a variety of architectural styles and on the corner of Leicester Avenue and Palm Bay Avenue is the large 3-storey block of flats, Goodwin Court and the 3-storey Leicester Court on the opposite corner. There are large buildings within Leicester Avenue with No.57 directly opposite being a substantial sized building. The proposed building would not therefore appear out of keeping with other buildings in this location.

The materials to be used comprise brickwork and monocouche render with windows and doors being grey powder coated aluminum, the roof to be fibre cement slate interlocking tiles. The guard rails to the front balconies are to be timber. Precise details of the materials to be used will be required prior to development to ensure the development sits well within the street.

The proposed development would infill a gap within the street scene which currently does not contribute to the setting of nearby properties, and this space is not an essential open space within the street scene, which has a clear pattern of street frontage development formed by large detached properties, with generally a few metres gap between properties (this does vary for each property). It is therefore considered that the loss of the space would not be detrimental to the character and appearance of the area and the development would complete the streetscene with development that would be in keeping with the character and appearance of the area. The proposal therefore accords with Thanet Local Plan policy D1.

Living Conditions

The proposed building comprises 5 flats; 1 x 1 bed and 1 x 2 bed flat at ground floor, 1 x 1 bed and 1 x 2 bed flat at first floor and 1 x 2 bed flat with a study on the second floor. The primary windows are shown to the front and rear of the building, with secondary oriel or bathroom windows contained within the side elevation facing the side elevation of No.76, which contains no windows or opening.

Within the proposed side elevation facing No.70 are 2No. secondary windows and 2No. oriel windows. No.70 has a single storey side extension directly on the boundary with the application site, which contains a side window. The applicant confirms that the window in this side elevation provides the sole source of natural daylight to a reception room. Whilst the proposed development would reduce the amount of light and outlook to this window, a 1.3 metre gap would be retained, and the neighbouring window is located on the boundary and therefore a realistic fallback position is that a 2 metre high fence could be erected alongside the window without the need for planning consent which could significantly erode the light and outlook to that window. Given this fallback position the impact of the development on this ground floor side window is considered on balance to be acceptable.

There are further windows within the northern side elevation of No.70 at first and second floor level but these do not directly face the windows contained within the proposed development so there would be no loss of privacy to these rooms. In terms of the impact on light and outlook the distance at first floor level from the proposed development is approximately 4 metres, and therefore given this distance, the orientation of the proposed building due north, and the secondary/non-habitable nature of the rooms served by these windows it is not considered that the impact on light and outlook to these windows would be unacceptable.

The balconies on the front elevation, at first floor, look onto the public highway and would not lead to loss of privacy or cause overlooking.

The balconies to the rear, serving Flats 3 and 4 include 1.8 metre high obscure glazed privacy screens to the balcony side returns. These balcony areas extend approximately 2.5 metres beyond the rear elevations of neighbouring dwellings (Nos 70 and 76) but together with the separation distance of over 1 metre either side and the addition of privacy screening there is unlikely to be significant overlooking or loss of privacy to neighbouring properties.

The distance from the rear elevation of the proposed dwelling and the rear boundary is approximately 35 metres and properties in Gloucester Avenue are a further 18 metres from

the rear boundary. The proposed development would not result in unacceptable overlooking or loss of privacy to neighbours in Gloucester Avenue.

The room sizes offer a reasonable standard of accommodation with good overall sizes for each flat. The ground floor flats have private amenity space with all flats having access to a communal area for clothes drying, bin storage and cycle storage.

Safety and security concerns have been raised by neighbours that anyone would have access to the rear gardens of adjoining properties through the rear car parking area. Following these concerns the applicant has added security gates in the gap to the front of the property making the rear more secure.

Local Plan policy SR5 requires new dwellings with two bedrooms or more to provide safe doorstep play space for young children. The rear amenity area will provide a safe play space and space for clothes drying, refuse storage and storage facilities.

The vehicle parking to the rear would result in traffic movements and potential noise disturbance to occupiers of the flats, particularly at ground floor, however the level of movements would be limited by the number of units in the property. Environmental Health request an acoustic fence be provided to minimise noise disturbance to neighbouring residential occupiers. Amended drawings show a 2 metre high acoustic fencing to the eastern boundary with Laurel hedging maintained at a 2.5 metre maximum height. Following feedback from Environmental Health the applicant further confirms that acoustic fencing would be provided to the 3 sides of the parking area and this can be conditioned.

The living conditions for future occupiers and surrounding neighbours accords with the aims of Thanet Local Plan policy D1 and SR5 and the NPPF.

Highway Safety

Concern has been expressed that the proposal would result in more vehicle parking on the highway, particularly during the summer months. Kent County Council Highway standards require one vehicle parking space per unit. Eight parking spaces have been provided within the site, which exceeds the minimum parking requirements, and is therefore considered to be acceptable.

The provision of vehicular gates along the access is not considered to be harmful to highway safety as they will be set back from the road by approximately 7.8 metres, which will allow for a vehicle to fully enter the site without overhanging the highway before the gates are opened.

Cycle storage is shown provided within the site which accords with Thanet Local Plan Policy TR12 and the vehicle parking accords with KCC Highway standards and the proposal is not therefore considered detrimental to highway safety and accords with the aims of Thanet Local Plan Policy TR16.

Biodiversity

The site is undeveloped and Kent County Council's Biodiversity Officer advised that there is some potential for the presence of protected species and advised that a scoping survey be carried out. As a result the applicant has undertaken an ecological assessment which has been reviewed by KCC who concluded that a precautionary mitigation approach should be implemented when clearing the area.

With regard to trees previously on the site that have recently been removed I can confirm that there are no protected trees within the site, however, there are several protected trees within the rear garden of the adjacent site, No.76 (TH/TPO/7(2005)). The nearest protected trees within the adjacent property is adjacent to the area marked out as communal seating area on the drawing and therefore unlikely to be adversely affected by this proposal.

Archaeology

The Kent County Archaeological Officer comments that the site has the potential for undisturbed archaeology and recommends the implementation of a programme of archaeological work in accordance with a written specification and timetable which is to be submitted to and approved by the Local Planning Authority. It is considered that the proposed safeguarding condition would be acceptable to address any archaeological concerns.

Other Matters

Residents have raised concerns regarding covenants on the site. Covenants are civil matters and are not considered within a planning application.

Conclusion

Whilst the site is non-previously developed land, it is within the urban confines, and there is a need for housing within Thanet. The proposed development would not result in any substantial harm to the character and appearance of the area or to the living conditions of neighbouring residential occupiers and is in line with Local Plan policies and the aims of the NPPF. It is therefore recommended that Members approve the proposal as an acceptable departure to Policy H1, subject to safeguarding planning conditions.

Case Officer

Rosemary Bullivant

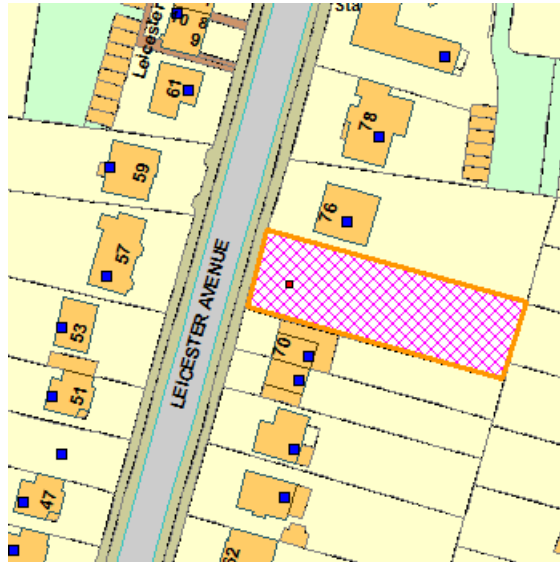
TITLE:

F/TH/16/1109

Project

Land On The East Side Of Leicester Avenue MARGATE Kent

Scale:



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A02 **F/TH/16/1047**

PROPOSAL: Erection of 2No. detached 4-bed houses with parking and access onto Sowell Street

LOCATION: Land At Junction Of Sowell Street BROADSTAIRS Kent

WARD: St Peters

AGENT: Mr John Elvidge

APPLICANT: Help2Develop Ltd

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;
16/159/MG/PL01 (received 15/12/16)
16/159/MG/PL02 Rev B (received 15/12/16)
16/159/MG/PL03 Rev A (received 15/12/16)
16/159/MG/PL04 Rev A (received 15/12/16)
16/159/MG/PL05 Rev F (received 23/01/17)
16/159/MG/PL06 Rev D (received 24/02/17)
16/159/MG/PL07 Rev B (received 23/01/17)

GROUND:

To secure the proper development of the area.

- 3 Prior to the first occupation of the development hereby permitted the proposed new vehicular access shall be provided and thereafter retained at the position shown on the approved plan (drawing number 16/159/MG/PL07 Rev B). Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

GROUND:

To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway.

- 4 Prior to the first occupation of the development 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 0.9 metres above the level of the adjacent highway carriageway.

GROUND:

In the interests of highway safety.

- 5 Prior to the first occupation of the development hereby permitted the proposed accesses / on-site car parking and turning areas 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.

- 6 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 or use of anypart of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority. Any trees or plants that 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 similar size and species as those originally planted, unless the Local Planning Authority gives written approval to any variation.

GROUND:

To ensure that the work is carried out within a reasonable period in accordance with the NPPF.

SITE, LOCATION AND DESCRIPTION

The site is located on a corner plot which fronts St. Peters Park Road and Sowell Street. The site is elevated off both St. Peters Park Road and Sowell Street. It is covered by vegetation and trees, which are the subject of a Tree Preservation Order. To the opposite side of St. Peter's Park Road is the railway, and the surrounding area contains residential development of varying designs and types, including traditional two storey semi-detached houses on St Peter's Park Road and a mix of traditional and more modern houses and bungalows. Adjacent to the site is a bungalow on St. Peter's Park Road, and a detached two storey dwelling on Sowell Street.

RELEVANT PLANNING HISTORY

F/TH/13/0112 Erection of detached dwelling, with access leading onto Sowell Street.
Granted 16/05/13

F/TH/10/0694 Erection of detached dwelling, with access leading onto Sowell Street. Granted 16/11/10

F/TH/06/1153 Erection of detached 2-storey dwelling, with access leading onto Sowell Street. Granted 24/11/06

RN/TH/04/0151 Renewal of planning consent ref no F/TH/98/0479 for the erection of a detached three bedroom dwelling. Granted 16/04/04

F/TH/98/0479 Erection of a detached dwelling. Granted 04/11/99

TH/74/251K Erection of a 2 storey detached dwelling with integral garage. Refused. Appeal allowed.

PROPOSED DEVELOPMENT

The proposal is for the erection of two detached two and a half storey dwellings. Both properties have the same appearance and design. In terms of accommodation which they provide at ground floor is a central hallway with doors off to either side for the kitchen/dining room and lounge. At first floor level there are two bedrooms, family bathroom and guest room with en-suite, the master bedroom and en-suite is provided in the roof space.

With regard to the external appearance, the dwellings have balance in terms of their openings. Oriel windows have been included within the west side elevation; facing Sowell Street, the agent has detailed that one half would have a solid/coloured/obscured glass to prevent overlooking towards the rear garden of the property opposite. The rear elevations, facing St. Peter's Park Road have a vertical stairwell projection. The front elevations have pitched roof dormer windows. Vehicular access is proposed from Sowell Street.

A schedule of materials have also been included, which includes feather edge boarding, Ibstock Alderley Orange, Val Das Cubas Polaris Slate and external joinery in dark Oak. Additional tree planting is also proposed.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan

H1 - Residential Development Sites

H4 - Windfall Sites

H8 - Size and Type of Housing

TR12 - Cycling

TR16 - Car parking Provision

D1 - Design Principles

D2 - Landscaping

SR5 - Play Space

SR11 - Private Open Space

NOTIFICATIONS

Three Initial objection letters received. The following concerns were raised:

- Bungalow would be more in keeping
- Highway concerns due to the narrowness of the road, lack of pedestrian paths and vehicles using Sowell Street as a “rat-run”
- Proposed access is on a blind bend
- Concern about construction traffic if consent is permitted
- Concern about noise and dust
- Due to raised levels of the site the dwellings will appear more prominent /concern about height
- Close proximity to adjoining properties
- Loss of light and view
- Loss of wildlife
- Site has been poorly maintained over the years

One further representation received on amended plans. The following concerns were raised:

- Note that there is a proposed change of levels within the site
- Revised plans do not address highway concerns

Broadstairs & St. Peter’s Town Council: Refuse Despite the previous site history; two units considered to be over-development, highway safety issues resulting from the increased traffic movements in what is already a busy and congested area, overlooking, loss of trees, height of buildings and overbearing.

Broadstairs Society: Objection Concerns about proximity to adjoining properties, development too high, increase in traffic. Despite the changes the development will still use Sowell street as the only access/egress point. That street is used as a rat run and there is bound to be an accident sooner or later.

CONSULTATIONS

Southern Water: The exact position of the public sewers must be determined on site by the applicant before the layout is finalised, as this will determine position of soakaways and tree planting. An informative is recommended.

Tree Officer: Trees in the main are self-sown sycamores and elms. The elms may succumb to Dutch elm disease, one tree is showing signs of dieback, the others may become infected at some point in the near future.

If the trees are to remain then adequate fencing will be necessary to protect the roots from compaction whilst construction is undertaken.

Long term there will be pressure to remove these trees due to the shading effect that there will inevitably be, so buildings need to be at least 10m from trees.

COMMENTS

The proposal has been brought before committee due to the application being a departure from Thanet Local Plan Policy H1.

The main issues for consideration are the principle of development, the impact upon the character and appearance of the surrounding area, the impact upon living conditions of neighbouring property occupiers and the impact upon highway safety.

Planning History

There is extensive history relating to residential development on this site. Permission for the erection of a 2 storey detached dwelling with integral garage (ref TH/74/251K) was refused as it was considered that the loss of trees on the site would be detrimental to the character of the area. Permission was later allowed on appeal as the Inspector considered that the trees had a limited life and that the granting of permission for the dwelling would be likely to achieve the retention of existing trees plus the planting of additional trees.

More recently permission for a detached dwelling has been granted in 1999 (F/TH/98/0479), 2004 (RN/TH/04/0151), 2006 (F/TH/06/1153), 2010 (F/TH/10/0694) and 2013 (F/TH/13/0112). The last planning permission expired in May 2016, although this is extant by the digging of a trench to take footings.

Principle

The National Planning Policy Framework (NPPF), 2012 states, at paragraph 49, that: *'Housing applications should be considered in the context of the presumption in favour of sustainable development'*.

Thanet Local Plan Policy H1 states that new development proposals shall be located on previously developed land. The site is non-previously developed land which is currently covered with vegetation and no built form. The proposed development is therefore contrary to policy H1 of the Thanet Local Plan. However, a significant material consideration in this case is that previous planning permission was approved for the proposed development in 2013, as a departure from Policy H1. This permission was implemented through the digging of a trench for footings, which is a material consideration.

In terms of Policy SR11; private open space, I am satisfied that this private open space does not provide active recreation opportunities, nor would not meet a deficiency in recreational facilities nor does not have intrinsically beneficial qualities or makes a contribution to the character of the area. I am of the opinion that there will be no conflict with SR11.

Character and Appearance

Paragraph 58 of the NPPF requires that planning decisions should 'ensure that developments will function well and add to the overall quality of the area...respond to local character...and be visually attractive as a result of good architecture'. It goes on to state at

paragraph 64 that 'permissions should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions'.

With regard to the appearance of the proposed dwellings, the surrounding area is characterised by a variety of dwellings which are traditional and more modern in design, ranging from substantial to more modest dwellings.

Due to the change in site levels the proposed dwellings have the potential to be more prominent within the street scene. The submitted scene indicates that the plot closest number 63 St. Peters Park Road will have a similar ground level to that dwelling with the other plot being slightly elevated. The change in building heights is not considered to be inappropriate, as there is variety within the street scene.

The proposed dwellings would be traditional in design, with a gable roof, being well-proportioned in terms of openings, giving a balanced appearance. The materials proposed would match the palette of materials in the vicinity, with slate, timber windows and facing brickwork and white render. The proposed dwellings would be set back from St. Peters Park Road (further than the previous approval), but would be closer to Sowell Street than the previous approval.

The two dwellings would sit comfortably in the site, whilst still maintaining a sense of openness within the street scene.

The layout is considered to sensitively infill this gap with dwellings that are of a scale, mass and design that relate adequately to the site and the surrounding area.

The site currently contains a number of protected trees. Whilst these are considered to positively contribute to the character and appearance of the surrounding area, they were previously considered to be in poor health and to have a limited life span. In addition the agent has provided correspondence from the Council's tree officer in 2007, which details that no further application is required to carry out the tree works due to the poor condition subsequent to an application for the felling and removal of a number of trees (10No. Elms, 1No. m/s Sycamore, No. Sycamore saplings and 1No. Ash, although some plating was required) in 2005. The proposed scheme includes a scheme of planting which provides more of a permanent cover and therefore would enhance the character and appearance of the site in the long term. On this basis it is considered that an objection on the loss of trees could not be sustained. A condition should be attached to secure tree planting as detached on the submitted plan.

In terms of design the proposal is considered appropriate for the site. It takes sufficient reference from building designs and materials in the surrounding area to ensure it will fit into the area without harm. The use of timber cladding links through to the treed nature of the site. Successful implementation of the landscaping scheme will ensure that it sits in its immediate environs in an appropriate manner.

Living Conditions

The relationship between the dwelling as proposed and existing dwellings has been examined.

The dimensions, distances from boundaries and position of the proposed dwellings are such that it will not result in significant overshadowing or loss of light for the occupants of neighbouring properties north-west and south.

With regard to the property to the south east which is a single storey dwelling; number 63 St. Peters Park Road. This property has a number of ground floor side windows, facing onto the site. These serve an office, bathroom and W.C. the latter two are considered non-habitable rooms. The proposed dwelling is approximately 5 metres from the bungalow. The proposal will have some impact, the habitable room window; office is located to approximately at the mid-point of the side wall of the house and given the orientation I considered that an objection could not be sustained on this site.

The dwellings are also positioned so that neighbouring property occupiers should not be subject to an unacceptable degree of overlooking or loss of privacy.

Once constructed, the proposal will result in additional vehicle movements and general increased activity at the site, but the use is compatible with surrounding residential development and unlikely to result in significant amenity issues.

The proposed dwelling is considered to provide a good standard of accommodation and provides ample space to be used for safe doorstep play space in accordance with Policy SR5.

Transportation

The proposed vehicular access will be off Sowell Street. It is appreciated that this is a relatively narrow highway; at this point in the road having double yellow lines to either side and a narrow footpath on the western side.

The location of the access has been previously accepted by the approval of a single dwelling in 2013, together with 2m x 2m visibility splays. It was concluded that the proposal had adequate off-street parking, and would not cause harm to the free-flow of traffic on the surrounding network.

It is considered that the proposed access is sufficient distance from the junction, especially given the presence of the existing crossover opposite the site at number 31. Additional plans have been submitted to illustrate visibility splay of 2m x 25m, the embankment levels are shown to be reduced to ensure that it does not affect visibility; this is particularly beneficial to the visibility to the north than that secured in the previous scheme; planning reference no. F/TH/13/0112.

Two parking spaces are shown for each of the dwellings, it is considered that an additional parking space for visitors could be accommodated within the site, which would therefore limit

on street parking resulting from this development and would be in full accordance with KCC standards.

On this basis there is no objection to the proposal subject to conditions relating visibility splays and the provision of parking and turning.

Conclusion

This site already has approval, which is extant for 1 dwelling so this application represents an increase in density from that permitted. The proposed development of 2 dwellings on the site can be accommodated without harm to the character of this locality. The loss of the trees whilst covered by a Tree Preservation Order has been previously considered to be in poor condition and to have a limited life span. The proposed scheme includes provision of further tree planting which would provide an enhancement to the character of the site. The proposal will not have a significantly detrimental impact on the overall landscape quality of the area.

The proposed house designs are appropriate and respect the building characteristics of the area. It is therefore considered that the proposed scheme will adequately fit in with the characteristics of this part of St. Peters, Broadstairs in terms of scale, density, massing, height, landscape, layout and materials.

Conditionally there are no outstanding highways issues or landscaping concerns, and there are no outstanding residential amenity issues.

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

Case Officer

Gill Richardson

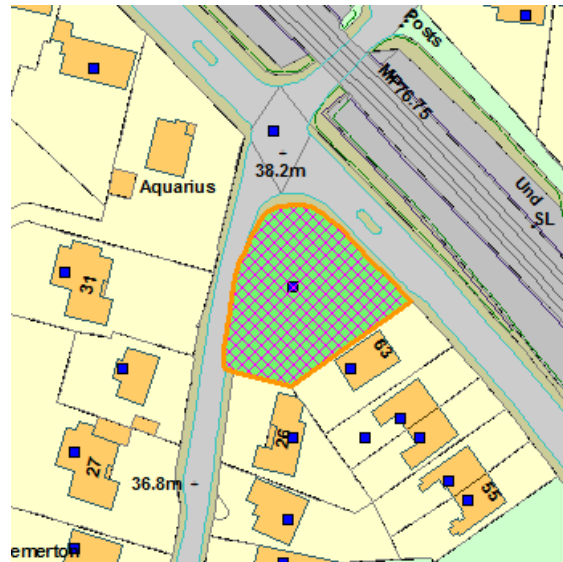
TITLE:

F/TH/16/1047

Project

Land At Junction Of Sowell Street BROADSTAIRS Kent

Scale:



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A03

F/TH/16/1709

PROPOSAL: Variation of conditions 2 attached to planning permission F/TH/14/0096 for erection of 9No. dwellings and associated parking following demolition of existing garages to allow for changes to the design, layout and condition timing.

LOCATION:

Garages At Kingston Close RAMSGATE Kent

WARD: Newington

AGENT: Mr Philip Graham

APPLICANT: Thanet District Council

RECOMMENDATION: Approve

Subject to the following conditions:

- 1 The development hereby permitted shall be begun before the 20 March 2017.

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 32 Rev E, 33 Rev D, 34 Rev D, 35 Rev D, 36 Rev D, 37 Rev D, 38 Rev E, received 26 January 2017 and 41 Rev A received 27 January 2017.

GROUND:

To secure the proper development of the area.

- 3 Prior to the commencement of development (excluding demolition) hereby permitted, details of the measures to be undertaken to protect the public sewers and water apparatus shall be submitted to, and approved in writing by, the Local Planning Authority.

GROUND:

To prevent pollution in accordance with the National Planning Policy Framework.

- 4 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. The area agreed shall thereafter be maintained for that purpose.

GROUND:

In the interests of highway safety.

- 5 Prior to the first occupation of the development hereby permitted, the Turning Head shown on drawing number 41 Rev A received 27 November 2016 for the manoeuvring of vehicles shall be brought into use. The area agreed shall thereafter be maintained for that purpose.

GROUND:

In the interest of highway safety.

- 6 The proposed development shall be constructed with Ibstock Lansdown Multi Gold Bricks, and Ibstock Leicester Red Bricks for detail, Through colour render smooth finish BS4800: 10 C 33 Vanilla, Monier/Redland concrete interlocking roof tiles Landmark Double Pantile Brown Brindle 44 in accordance with the approved samples agreed 19 January 2017.

GROUND:

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

- 7 All hard and soft landscape works shall be carried out in accordance with the approved details as shown on the approved plan numbered 38 Rev E and the submitted material details outlined in the 'Kingston Close Development' document received 26 January 2017.

GROUND:

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

- 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 Prior to the first use of the development hereby permitted, a brick boundary wall, no less than 1.8m in height, shall be erected along the northern side boundary of the plot in the north-west corner of the site, adjacent to the pedestrian footpath leading to Conynghan Close, and the eastern boundary of the site adjacent to the end of Lancaster Close and forming the side boundary of the plot in the south-east corner of

the site. Details of the wall shall be submitted to and approved in writing by the Local Planning Authority, and the walls shall be erected in accordance with the approved details.

GROUND:

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

INFORMATIVES

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

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

SITE, LOCATION AND DESCRIPTION

The site is located at the end of Kingston Close, which is a small cul-de-sac consisting of 2-storey terraced dwellings, bungalows, and 4-storey blocks of maisonettes. The site itself is currently occupied by two blocks of garages, and a large area of hardstanding, with two islands of soft landscaping central to the hardstanding. To the north of the application site is a row of 5no. bungalows, and to the south and west of the site are 4-storey maisonettes, which front onto an area of communal open space.

RELEVANT PLANNING HISTORY

F/TH/14/0096 - Erection of 9No. dwellings and associated parking following demolition of existing garages. Granted 20/03/2014. This permission is extant.

PROPOSED DEVELOPMENT

The approved 2014 application is for the erection of 9No. 2-storey dwellings and associated parking following demolition of the existing garages. The development will consist of 8No. semi-detached dwellings and 1No. detached dwelling. 7No. dwellings will front Kingston Close and 2No. dwellings will face Lancaster Close. The dwellings are 3-4 bedrooms in size, each with their own garden and will be constructed using brick, render and concrete tiles. Twenty nine parking spaces are proposed in total.

This application for the variation of condition 2 and 3 of planning application F/TH/14/0096 is sought to alter the layout and timescale for the submission and approval of details of the measures to protect the public sewers and water apparatus.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan (2006)

H1 - Housing

H4 - Windfall sites

D1 - Design

SR5 - Doorstep play space

TR16 - Car parking provision

NOTIFICATIONS

Letters were sent to neighbouring property occupiers and a site notice was posted close to the site. Three letters of objection have been received raising concerns about the loss of parking.

CONSULTATIONS

Ramsgate Town Council - Supports this application.

KCC Highways - I refer to the amended plans submitted for the above on 26 January and note that a total of 11 allocated and 18 unallocated parking spaces are now proposed, compared to 11 allocated and 16 unallocated in the approved scheme. In addition the turning area shown for a refuse vehicle is acceptable. As such I have no objections to the variations proposed.

Southern Water - Southern Water has no objections to the variation of condition 2. The comments in our response dated 24/02/2014 remain valid.

Southern Water would not recommend discharge of condition3 relating to protection of public apparatus until the scheme to divert the public water main is agreed and approved by Southern Water under Section 185 of Water Industry Act 1991.

COMMENTS

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

Principle

Thanet Local Plan Policy H1, states that on non-allocated sites, such as is the subject of this application, residential development will only be permitted on previously developed land within the built up confines.

The land is occupied by numerous garage buildings and associated hard standing and I am satisfied that the land is therefore previously developed. The site also lies within the built-up confines of Ramsgate, as shown on the Local Plan Proposals Map. The principle of the proposal is therefore acceptable.

Character and Appearance

The southern end of Kingston Close currently contains two long garage blocks, a large area of hardstanding which is used for parking, and two grassed islands. The garages all appear to be unused, and along with the large areas of hardstanding, these currently detract from the visual amenities of the area, forming an area that lacks function and activity. The proposed development seeks to demolish the garages and erect in their place 9no. two storey dwellings.

The 2014 application approved 6 dwellings on the western side of the site, two as a semi-detached pair and four in a terrace. The new plan proposes to split the terrace into two pairs of semi-detached houses moving the properties towards the northern boundary by approximately 2m to allow for the extra space between the properties.

The design of the properties along the western side of the site has been altered to include gables above the first floor windows and a porch canopy on the front elevation. The arrangement of the windows on the front elevations has also been altered to give a more balanced appearance with fewer blank areas. The depth of units 1, 3 and 5 has been increased at the rear and a single storey rear projection has been added to unit 6. The increased depth of units 1,3 and 5 allows for the third bedroom to be located on the first floor and therefore the approved rooflights have been removed. The increased depth of the properties and the rear extension will have limited visibility from the street scene.

The detached property on the eastern side of Kingston Close was approved with a hipped roof. The design of this property has been altered to have a gabled roof in keeping with the other proposed dwellings. The floor plan of this property has been increased to include a front projection on the south-western side. This increase in size is to allow for this property to be wheel chair accessible. An open sided timber framed car port has been included on the northern side of this dwelling.

Minor changes have been made to the two dwellings facing Lancaster Close, one window has been removed from the ground floor front elevation of each dwelling and a new window is proposed in the ground floor side elevation. At the rear the location of the French doors has been swapped with the rear window.

The applicant is no longer proposing to use Eternit boarding on the first floor of the properties, the dwelling will be constructed from Ibstock Lansdown Multi Gold bricks at ground floor, an Ibstock Leicester Red brick and cill course, and vanilla render at first floor level. The roof will be constructed from Monier/Redland Landmark double pantile brown brindle 44 concrete interlocking tiles. Whilst there is less variation in the materials used on the dwellings, the staggered layout, variations in height and width, and the increased spacing will break up the development and be more in keeping with the surrounding development.

Hedging has been added to the front gardens of the properties on the western side of the site to break up the parking areas and soften the appearance of the development.

The parking areas at the southern side of Kingston close have been adjusted to allow for the turning head to comply with KCC standards.

It is considered that the proposed development is of a good design and layout, and will have a significant improvement to the character and appearance of the area when compared to the existing form of development present on the site. The proposed development is considered to be in keeping with the existing pattern of development, and the layout and materials add interest to the street scene.

Living Conditions

Units 5 and 6 located to the south-western side of the site are separated from the side elevation of 28 and 32 Lancaster close by approximately 3m and set forward of the front elevation of this property by 3.8m. The closest part of this neighbouring property is a refuse store and the front door. The closest habitable room window is approximately 6m from the proposed dwelling. Two windows are proposed in the southern side elevation which will look across the front garden of 28 and 32 Lancaster Close. The rear windows will look across the front gardens on 61 and 68 Conyngham Close. The front gardens of these properties are surrounded by low open boundary treatment and are not considered to be a private amenity space, therefore the impact of these dwellings on neighbouring amenity is considered to be acceptable.

The rear windows in units 1-4 will look across the open grassed area and the garage block in Conyngham Close. Bathroom windows are located in the northern side elevations of these dwellings and will offer limited opportunity for overlooking.

Two windows have been removed from the ground floor front elevation of the properties facing Lancaster Close and one new window is proposed in the ground floor side elevation of each dwelling. The windows in the first floor side elevation have been increased in size but will still serve bathrooms. They are located approximately 33m from the rear elevation of the closest property, 166a Newington Road and will therefore cause no significant loss of light or sense of enclosure. The proposed first floor front windows do not look directly towards this property's private amenity space and given the separation distance there will be no significant overlooking.

The detached dwelling located towards the eastern side of the site is separated from the front elevations of 28 and 29 Kingston Close by approximately 11.8m. A 1.8m fence is proposed around the rear garden of this property which is set approximately 5.8m from the front elevation of number 29. No first floor windows are proposed within the side elevation of this dwelling and there is a separation distance of approximately 37m to the rear elevations of the properties on Newington Road.

Given the above it is considered that the proposed development will have no significant impact upon the neighbouring living conditions in line with policy D1 of the Thanet Local Plan and the National Planning Policy Framework.

Highways

The existing site has been used for open car parking and garaging. Whilst existing parking areas would be lost, within this location there are no policies which require the retention of existing car parking, plus communal parking is being provided as part of the proposed scheme. As such, the loss of these garages would not cause any material harm.

This variation of condition increases the number of parking spaces from the approved plan by two from 27 to 29, with the number of allocated spaces remaining the same.

Following concerns within the previous application a turning head plan has been submitted showing that there is adequate space for refuse lorries to maneuverer within the site.

The dwellings include large rear gardens capable of providing sufficient cycle parking facilities and refuse storage for the development.

Given the increase in parking spaces and the submitted turning head plan, KCC Highways have raised no objection to the proposed variation of conditions and therefore the overall impact on highway safety is considered to be acceptable.

Other Matters

The applicant has requested that the wording of condition 3 is altered to allow for the demolition of the garages to occur whilst the plan to agree the methods to protect the public water main is agreed with southern water. This rewording will mean that no excavation of the site can occur until this condition is cleared.

Conclusion

It is considered that the principle of the proposed development is acceptable. Furthermore, it is considered that the proposal would be of no detriment to the character and appearance of the area, the living conditions of neighbouring properties or future residents, or the local highway network, and would be acceptable in all other material respects. It is therefore recommended that planning permission is granted.

Case Officer

Duncan Fitt

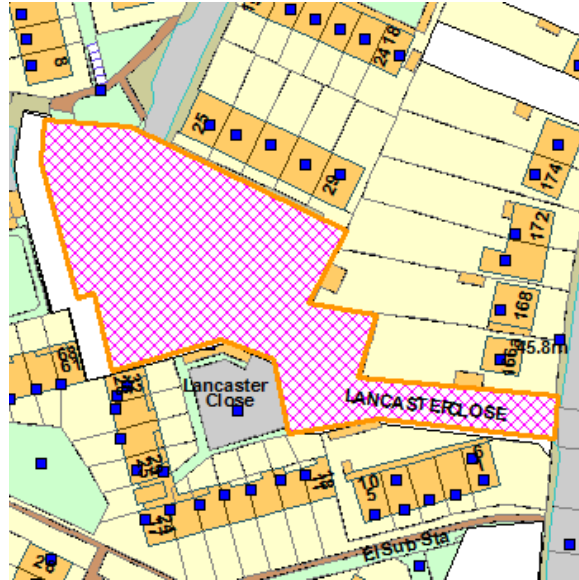
TITLE:

F/TH/16/1709

Project

Garages At Kingston Close RAMSGATE Kent

Scale:



A04 **L/TH/17/0135**

PROPOSAL: Application for Listed Building Consent for replacement railings to front

LOCATION: 54A Trinity Square MARGATE Kent CT9 1HT

WARD: Margate Central

AGENT: Mr Alex Johnson

APPLICANT: Thanet District Council

RECOMMENDATION: Approve

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 The proposed development shall be carried out in accordance with the submitted application as amended by the revised drawing numbered PL.501 Rev B and dated 13 February 2017

GROUND:

To secure the proper development of the area.

SITE, LOCATION AND DESCRIPTION

This application is for 54A Trinity Square which is a Grade II listed building located within the Margate Conservation Area. The application site is on the Western side of Trinity Square and is within a terrace of properties of a similar scale and appearance. Number 54 forms part of the listing for Nos 53-57 Trinity Square. The property has undergone repair works previously approved by planning consent L/TH/16/0049 and displays render to the basement and ground floor with brick facing to the top 2 floors with predominantly single glazed timber sash windows. New steps have been cast from the ground floor level to the street.

RELEVANT PLANNING HISTORY

L/TH/16/0049 - Application for Listed Building Consent for replacement roof structure, re-covering of roof with natural slate, repair of windows to front and rear elevations,

replacement doors with timber doors to front and rear, repainting to front elevation together with internal alterations. (Granted 22/04/2016)

L/TH/16/0603 - Application for Listed Building Consent for the erection of replacement access steps and railings to front elevation. (Granted 21/07/2016)

PROPOSED DEVELOPMENT

This listed building application relates to the replacement of the railings to the front of the property which are specifically mentioned within the listing. The proposal seeks to refurbish and reuse the existing railings where possible. The previous planning consent proposed for the existing railings to be kept in place and new steps cast around them, however, following commencement of works to break away the steps approved by planning consent L/TH/16/0603, the railings were found to be heavily corroded. This listed building consent therefore seeks to retain as much of the existing railing as possible and install replacement bars like for like, to bars that are beyond repair and then the railings will be cast into the steps.

NOTIFICATIONS

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

CONSULTATIONS

Conservation Officer - No objection to revised proposal and design of the railings.

COMMENTS

The application is reported to planning committee because Thanet District Council is the applicant.

The main issue for members to consider is the impact of the proposed works on the listed building.

The consideration of the acceptability of the proposal must take into account Section 16 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 which requires when 'considering whether to grant listed building consent for any works the local planning authority ... shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses'. Paragraph 131 of the National Planning Policy Framework requires local planning authorities to take account of the desirability of sustaining and enhancing the significance of the heritage asset, and the desirability of new development making a positive contribution to local character and distinctiveness.

This amended application, seeks to repair and retain the existing cast iron railings to the steps up to the ground floor front door where possible and replace those which are beyond repair with a like for like replacement, the railings will then be re-cast into the steps. The

intention as approved by L/TH/16/0603 had been to retain the railings, but when work commenced to remove the steps which were approved to be recast, the railings were found to be heavily corroded. It is considered the proposals will still adhere to the principles of the Listed Building and Conservation Areas Act 1990 which has special regard for the desirability of preserving and enhancing the original historic fabric and features of the building. As such the proposal is considered to preserve and enhance the significance of the Heritage Asset, in accordance with the National Planning Policy Framework.

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

Case Officer

Lauren Hemsley

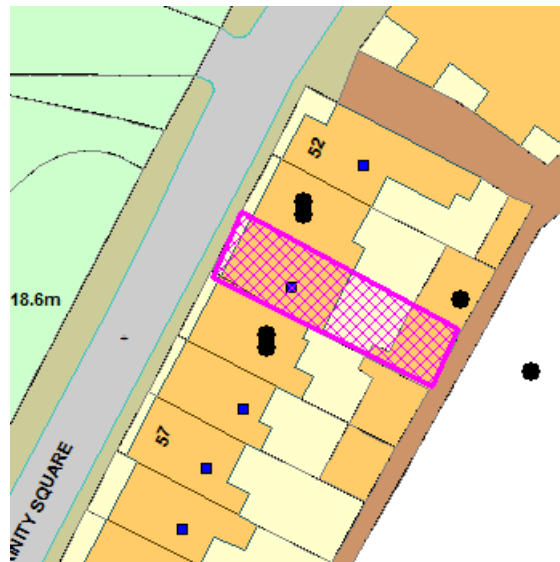
TITLE:

L/TH/17/0135

Project

54A Trinity Square MARGATE Kent CT9 1HT

Scale:



A05

F/TH/16/1716

PROPOSAL: Erection of 1no. 2 bedroom detached house and 1no. 1 bedroom detached bungalow

LOCATION: Garage Block Between 108 And 110 Clements Road
RAMSGATE Kent CT12 6UQ

WARD: Northwood

AGENT: Mr Philip Graham

APPLICANT: Thanet District Council

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
25 Rev D (received 27/01/17), 23 Rev C (received 27/01/17), 24 Rev B (received 16/12/16)

GROUND:

To secure the proper development of the area.

- 3 The area shown on drawing number 25 Rev D, received on 27/01/17 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 agreed shall thereafter be maintained for that purpose.

GROUND:

In the interests of highway safety.

SITE, LOCATION AND DESCRIPTION

The site is within a wholly residential area. The western side of Clements Road predominantly comprises terraces, with a mixture of single storey and two storey dwellings. The properties on this side of the road are street fronting; with front gardens providing a set

back from the road. To the eastern side of the road, there is a mixed character of terraces of two storey dwellings, set either parallel or perpendicular to the road, and three storey L-shaped blocks of flats. The area has a spacious character with dwellings set back from the road and large open areas being provided adjacent to the flat blocks. The buildings are typically constructed of brick work of various colours, under a concrete tile roofs, although some weatherboarding and render can also be found in the area.

RELEVANT PLANNING HISTORY

F/TH/14/0099 Erection of 1No. two storey attached dwelling, 1No. single storey attached dwelling, and 1No. detached single storey dwelling to rear, with associated off-street parking, following demolition of existing garage block. Granted 24/03/14

F/TH/14/0094 Erection of 1No. two storey attached dwelling and 1No. single storey attached dwelling. Granted 24/03/14

PROPOSED DEVELOPMENT

This application is for the erection of a detached two storey dwelling which would located to the north west of 108 Clements Road (an existing two storey end of terrace) and a detached bungalow to the south east of 110 Clements Road (an existing end of terrace bungalow). These dwellings would provide two bedrooms and one bedroom respectively. Car parking for two vehicles (one per dwelling) would be provided to the rear of the dwellings which would be accessed via the existing vehicular access to Clements Road. The dwellings would be finished in brick work (Ibstock Leicester Weathered Multi Reds) and render (Dawn Grey), under a concrete tile roof (Marley modern concrete interlocking roof tile- Antique Brown).

DEVELOPMENT PLAN POLICIES

Thanet Local Plan (2006) Saved policies

H1 - New Residential Development
H4 - Windfall Sites
TR12 - Cycling
TR16 - Car Parking Provision
D1 - Design Principles
D2 - Landscaping
SR5 - Doorstep Play Space

NOTIFICATIONS

A site notice has been posted and neighbouring occupiers notified. Two letters of representation have been received raising the following concerns:

- Proposal would impede rear access to properties which front Clements Road
- Rear access blocked
- Site is unsuitable for dwellings

CONSULTATIONS

KCC Highways: No comments.

Environmental Health: No comments.

COMMENTS

This application is reported to Planning Committee as Thanet District Council is the applicant.

It is considered that the main considerations in the assessment of the application are the principle of the proposed development and its impact on the character and appearance of the area, the living conditions of neighbouring properties and future occupiers and the local highway network.

Principle

Thanet Local Plan Policy H1, states that on non-allocated sites, such as is the subject of this application, residential development will only be permitted on previously developed land within the built up confines.

The site is within the built up confines of Ramsgate. Whilst the site includes areas of hard standing, the proposal also includes areas of grass which are not considered to be previously developed. The development of these areas is therefore considered to be contrary to Policy H1.

However, 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 Local Plan Proposed Revision to draft Local Plan (preferred options) January 2017 has now been published. Amongst other issues covered Section 4 deals with housing; proposed additional sites. In combination with the Preferred Option Local Plan published in 2015, the Council is seeking to make full provision for the housing requirement of 17,140 dwellings for the Plan period to 2031.

The weight to be given to the emerging local plan prior to adoption is set out in the NPPF para 216. The weight given depends on the stage reached, the extent of unresolved objections, and the consistency with the NPPF.

It is considered that limited weight can be attached to the draft Plan at this stage.

In this case the application site lies within a residential area of Ramsgate, is close to local services and transport links, on this basis the principle of development is acceptable, subject to the detail of the proposal.

Character and Appearance

The NPPF states that planning decisions should aim to ensure that developments will function well and add to the overall quality of an area, reflecting the identity of local surroundings and materials. This is supported by saved policy D1 of the Local Plan, which states that new development will only be permitted if it respects or enhances the character or appearance of the surrounding area in terms of scale, massing, rhythm and use of materials.

The site incorporates land which fronts onto Clements Road and adjacent to No.'s 110 and 108 Clements Road. It is proposed to erect two detached dwellings, one two storey and the other single storey. These dwellings would each front the road and be set back from the road by the same distance as their neighbours, continuing the pattern of development to this side of Clements Road. It was previously accepted that the loss of this area of open space would not harm the character of the area, by the earlier approvals. It was considered that the openness to the fronts of the properties would be retained and there are several other areas of open space exist within the immediate vicinity. This remains the case.

The scale and mass of these two dwellings would replicate that of the adjacent dwellings. The detailed design of these dwellings would be similar to their respective neighbours. The key differences between the earlier approval and this application are, both dwellings are detached, the footprint/design is slightly altered, and alterations to fenestration.

The revised design to both of the dwellings include front entrance doors addressing the road, rather than to the side. This gives the front elevation more presence. The dwellings also include a small canopy over the entrances. Open canopies over the primary entrance doors is a feature within the street scene. As the two dwellings would also have a frontage to the access road leading to the rear parking area, this elevation would also be clearly visible. These elevations have windows facing out onto the road at both ground and first floor level. The windows include those which serve habitable rooms and therefore this will give a degree of natural surveillance over this area. It is not considered that these changes would detract from the character and appearance of the properties.

There is a tree to the front of the site, adjacent to No.110 Clements Road, which would need to be felled to allow for the proposed development. The loss of this tree has been previously accepted by the approval of the earlier scheme, as whilst it had aesthetic value, it is not protected by a tree preservation order and could therefore be removed at any time, without requiring any permission.

For the reasons outlined above, it is considered that the proposal would sit comfortably within the area, causing no harm to the character or appearance of the area.

Living Conditions

The proposed dwellings would extend the existing form of development and, as such, the front and rear elevations would be in line with the front and rear elevations of the neighbouring properties. Having considered the location, scale and design of the dwellings and their relationship with neighbouring properties, it is not considered that any significant loss of light or sense of enclosure. Equally, whilst a new first floor window is proposed within the two storey dwelling, given its use as a bathroom (non-habitable) and relationship with neighbours, no unacceptable overlooking would be caused.

The proposed dwellings would provide an acceptable standard of accommodation, being of a reasonable overall size and having reasonable sized rooms, benefiting from natural light. The development would include a garden area for each property which would provide general amenity space and adequate door step play space for the two bedroom dwelling.

Transportation

The proposal would utilise the existing access road off Clements Road to provide vehicular access to the site. Two car parking spaces would be provided to the rear of the site. The majority of the area to the rear of properties fronting Clements Road would remain unaltered by the proposed development.

Other issues

Third parties have raised concerns about the blocking off of a rear access between properties in Clements Road and those that front Margate Road. This matter is a civil one and outside of the planning remit.

Conclusion

There is no objection in principle to the erection of two dwellings on this site. The two proposed dwellings are considered to respect the character and appearance of the surrounding area in terms of scale, design and use of materials. I am satisfied that the proposal will not result in material harm to adjoining occupiers. There are no outstanding issues in terms of issues raised by consultees. It is recommended that this application is approved subject to condition.

Case Officer

Gill Richardson

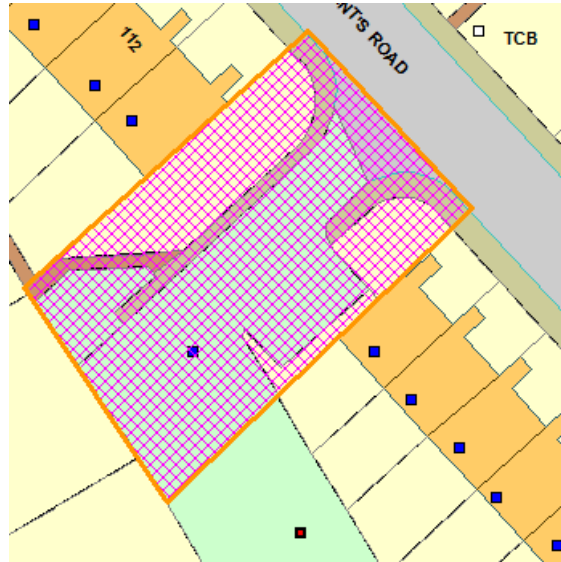
TITLE:

F/TH/16/1716

Project

Garage Block Between 108 And 110 Clements Road RAMSGATE Kent
CT12 6UQ

Scale:



R06

F/TH/16/1271

PROPOSAL: Erection of 2No. two-storey dwellings with access and parking

LOCATION: Former St Mary Magdalene Church Woodchurch Road
BIRCHINGTON Kent

WARD: Thanet Villages

AGENT: Miss Donna Staples

APPLICANT: Mr Richard Gradus

RECOMMENDATION: Refuse Permission

For the following reasons:

- 1 The proposed development would result in new homes in the countryside and have a detrimental impact upon the character of the rural area as a result; it is not considered that there is any special justification why countryside protection should be relaxed, under paragraphs 17 and 55 of the NPPF. The proposal is therefore contrary to the NPPF and there are no material considerations that suggest it is appropriate. In this instance permitting development would significantly and demonstrably outweigh the benefits of providing two dwellings.

SITE, LOCATION AND DESCRIPTION

The site lies within an area designated as Countryside according to Local Plan Proposals Maps.

The application site lies on the south western side of Park Road, Woodchurch. It is approximately 0.23 hectares in area and, when a site visit was conducted, pigs were being kept on the land.

There is sporadic residential development; Woodchurch Farmhouse opposite, The Granary to the west of the site and Woodchurch Cottages to the south east.

RELEVANT PLANNING HISTORY

F/TH/15/0266 Erection of 2No. two storey dwellings with access and parking. Withdrawn

OL/TH/08/1389 Outline application for the erection of 2 dwellings including layout. Withdrawn

PROPOSED DEVELOPMENT

Full planning consent is sought for the erection of two, two storey dwellings with access and parking.

The dwellings whilst similar in design terms are slightly different; unit 1 being slightly smaller than unit 2. The main living accommodation is located at ground floor with the bedrooms being located at first floor. The materials for the dwellings are identified as being a slate roof and timber cladding.

Vehicular access to the site would be via a shared access leading to an area of permeable gravel to allow cars to park and manoeuvre. The land would then be subdivided to provide a large curtilage for the proposed units.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan 2006

CC1 – Development in the countryside
CC2 – Landscape character areas
D1 – Design principles
D2 - Landscaping
H4 – Windfall sites
TR16 – Car parking provision
EP13 – Groundwater protection zones
SR5 – Play space
HE11 – Archaeological assessment
HE12 – Archaeological sites and preservation

NOTIFICATIONS

Neighbouring occupiers have been notified and site notice posted. Two Letters of representation received. The following concerns are raised:

- Loss of light to reception room of The Granary resulting from the positioning of unit 1
- Effect on ecology
- Increase in traffic and pollution
- Over-development
- Sufficient development in the rural area

Manston Parish Council: Do not consider that the planning fits in with the street scene, the area is old buildings and these are too modern.

CONSULTATIONS

KCC Highway and Transportation: The development falls within the criteria for the Local Planning Authority to assess.

Archaeology (Initial Comments): The site of development is extremely sensitive archaeologically and historically in view of the survival of the medieval St Mary Magdalene Church. Remains associated with this church, including the burial ground, are considered to survive on site and in the immediately surrounding area.

The applicant has discussed general proposed development schemes with KCC Heritage and has commissioned several archaeological assessments, including fieldwork by Trust for Thanet Archaeology (TTA). Through these assessments and on the basis of the interpretation by TTA, it seems that the remains of the church are now very fragmentary but what does survive can be preserved in situ, with the development taking place over and around them.

In principle, this development is acceptable but prior to determination of this application, the applicant needs to demonstrate what the impact on the church remains would be. The applicant does not seem to have submitted any information on or assessment of the heritage issues.

The information required would comprise a summary of the TTA findings and how the development scheme would affect the archaeology. We also need to agree a mitigation proposal. Mitigation can be covered by a condition but in accordance with NPPF, the applicant needs to demonstrate how they have minimised any impact on sensitive archaeological remains. This information needs to be formally submitted to the LPA.

I therefore recommend that the applicant is asked to provide a Heritage Statement with scaled drawings describing the impact of this revised scheme on the archaeology, as known now from the recent TTA work.

Further comments: The developer has provided additional information on the evaluation of archaeological remains. The evaluation works by Trust for Thanet Archaeology demonstrated that archaeology was still present on the site, including human burials. However, the area of potentially greatest impact by the development contains possibly only fragmentary remains.

The most sensitive area over the church itself is to be protected. The developer has suggested that each house holding can be accompanied by provisions to ensure there are no extensive groundworks in the gardens. I am not sure still how this is going to be secured but acceptance of this development is subject to confirmation of safe-guarding measures for the important remains associated with the church.

The development could still have an impact on archaeological remains, including on human burials, and there is a need for detailed archaeological work. This can be secured through a suitably worded condition.

Although this development could still be considered to be harmful to the significance of the medieval church, I consider the developer has addressed archaeological concerns as much as possible and has attempted to minimise disturbance. As such conditions are recommended.

Arboricultural Officer: There are three roadside Sycamores. One tree covered in ivy directly opposite the farmhouse, difficult to ascertain its health due to the ivy, but probably not worthy of a TPO.

The other trees again are not exceptional specimens; one of these has had wire wrapped around its main stem at 2m creating a potential weakness.

Southern Water: The exact position of the public water main must be determined on site by the applicant before the layout of the proposed development is finalised.

All existing infrastructure, including protective coatings and cathodic protection, should be protected during the course of construction works. No excavation, mounding or tree planting should be carried out within 4 metres of the public water main without consent from Southern Water.

Furthermore, due to changes in legislation that came in to force on 1st October 2011 regarding the future ownership of sewers it is possible that a sewer now deemed to be public could be crossing the above property. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and potential means of access before any further works commence on site.

Under current legislation and guidance SUDS rely upon facilities which are not adoptable by sewerage undertakers. Therefore, the applicant will need to ensure that arrangements exist for the long term maintenance of the SUDS facilities. It is critical that the effectiveness of these systems is maintained in perpetuity. Good management will avoid flooding from the proposed surface water system, which may result in the inundation of the foul sewerage system.

Thus, where a SUDS scheme is to be implemented, the drainage details submitted to the Local Planning Authority should:

- Specify the responsibilities of each party for the implementation of the SUDS scheme
- Specify a timetable for implementation
- Provide a management and maintenance plan for the lifetime of the development.

This should include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

The Council's Building Control officers or technical staff should be asked to comment on the adequacy of soakaways to dispose of surface water from the proposed development.

The proposed development would lie within a Source Protection Zone around one of Southern Water's public water supply sources as defined under the Environment Agency's Groundwater Protection Policy. Southern Water will rely on your consultations with the Environment Agency to ensure the protection of the public water supply source.

Environment Agency: Conditions recommended, relating to contamination and drainage.

COMMENTS

This application has been called in to Committee by Cllr. Ken Gregory on the grounds that it is an acceptable, sustainable development and would be in keeping with the surrounding community.

Principle

Woodchurch is a hamlet within Thanet; without facilities or services.

It is recognised that as the site is within the countryside, normally new residential development would not be permitted, unless there is special justification. However, 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 is for two dwellings within an area that is predominately rural in nature with only sporadic housing. By consolidating existing sporadic development the proposal would result in an adverse impact upon the character and appearance of the countryside that would significantly and demonstrably outweigh the benefits of providing residential accommodation. The proposal is therefore contrary to paragraph 14 and Chapter 6 of the NPPF and policy CC1 of the Local Plan.

In this case the application site lies a significant distance from a defined settlement. The site is remote from facilities which are required to support new family dwellings, with there being no direct and safe walking or cycling route. The proposal dwellings would be highly reliant on the private car for the day-to-day needs of the occupiers. However the applicant has provided a justification in terms of a specific need; paragraph 55 of the NPPF.

Paragraph 55 of the NPPF advises that new isolated homes in the countryside should be avoided unless there are special circumstances. The paragraph provides examples of the types of development that would constitute such special circumstances:

- * "The essential need for a rural worker to live permanently at or near their place of work in the countryside; or
 - * Where such development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets; or
 - * Where the development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting; or
 - * The exceptional quality or innovative nature of the design of the dwelling.
- Such a design should:

- Be truly outstanding or innovative, helping to raise standards of design more generally in rural areas;
- Reflect the highest standards in architecture;
- Significantly enhance its immediate setting; and
- Be sensitive to the defining characteristics of the local area.”

The proposed development does not meet any of the first three of the examples of special circumstances, as identified in paragraph 55. However, the last example requires consideration of whether the proposed dwelling would be of exceptional quality or innovative in the nature of its design. In order to meet this test a design should be truly outstanding or innovative, helping to raise standards of design more generally in rural areas, reflect the highest standards in architecture significantly enhance its immediate setting and be sensitive to the defining characteristics of the local area.

The proposed dwellings have been designed to have the appearance of agricultural buildings. The proposed dwellings have windows on two sides. The materials to be used in the construction of the walls are timber cladding; locally sourced where possible with slate and photovoltaics to the roof. The proposed dwellings have been designed on the passivhaus system. The applicant details within their supporting statement that the design reflects the local vernacular of farm buildings and in particular the greenhouses found around Quex Park. The positioning of the dwellings is not related; one would normally expect to see agricultural buildings being grouped together.

Whilst an agricultural appearance of a rural barn maybe acceptable in the context of serving a functional purpose in the countryside, this is not synonymous with a building of exceptional quality or truly outstanding or innovative design.

There is nothing within the supporting documentation to demonstrate that utilising triple glazing, efficient wall systems, solar gain or photovoltaic panels represents particularly ground-breaking technology.

The Framework also requires designs to 'significantly' enhance their immediate setting. In this case, the immediate setting consists of the site which is currently a field and a small group of houses and outbuilding/farm buildings associated with them. The immediate setting around the site is a semi-rural surrounding with a two storey dwelling and opposite an extended farmhouse. It is not considered that the schemes architectural quality would be sufficient to significantly enhance its immediate setting.

Living Conditions

The application site has dwellings to the north west and south east that could be affected by the proposal.

The proposed windows to serve the dwelling are located facing out onto the field rather than the road; the elevations to the roads and facing towards neighbouring dwellings is a part blank and part glazed elevation.

In terms of unit 1, a glazed area serving the main living area at ground floor and a glazed area serving the stairs, hallway at first floor level would face onto the property known as The Granary. Unit 1 does not run parallel to this boundary, but is at a slight angle to it. Unit 1 closets point to this boundary is approximately 1.6m increasing to 3.6m where the glazing starts. The Granary has a number of windows at ground floor and a balcony area on a flat roof area above. The sites are separated by an existing wall with brick piers evenly spaced, although views would be gained over the wall. An increased boundary treatment, could be secured by condition at this south western end of the proposed dwelling. The building itself having a gable of a maximum height of 6.6m to the ridge dropping down to the eaves level, there will be a loss of light, however this not considered to be of such a level to merit refusal.

With regard to unit 2, due to the distance of separation with No.4 Woodchurch Cottages (approximately 11m to the common boundary) I am of the view that this would not cause any significant harm due to the distance of separation.

Some of the rooms within the proposed dwellings will be served by roof lights rather than conventionally openings, it is considered that this would provide adequate natural daylight to the living accommodation.

Transportation

Access to serve the proposed properties is off Park Road, two parking spaces per dwelling are shown, which are in tandem and there is ample space for visitor space if required. There is also sufficient site within the confines of the site to allow for vehicles to manoeuvre. I am satisfied there are no outstanding highway issues.

Other issues

KCC Heritage has confirmed, following the submission of further information that the development is acceptable in principle subject to condition.

The Arboricultural Officer has confirmed that he considers that the trees are not of sufficient quality to be worthy of a Tree Preservation Order. In order to provide sufficient visibility one of these trees may be required to be pruned.

Conclusion

With no special circumstances being put forward as justification for the dwelling in accordance with paragraph 55 of the National Planning Policy Framework, the proposal would be contrary to the provisions of the framework. Furthermore the introduction of housing in this location would have a detrimental impact upon the form and character of the area. The proposal is contrary to national and local policies on development in the countryside.

Notwithstanding the Local Authority's lack of a 5-year supply of deliverable housing sites, this application is contrary to the NPPF and there are no material considerations that suggest the development is acceptable. In this instance permitting development would

significantly and demonstrably outweigh the benefits of providing two dwellings. It is therefore recommended that members refuse this application.

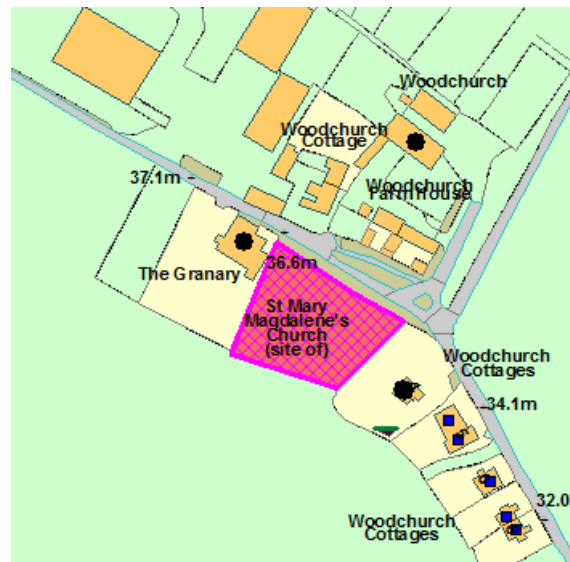
Case Officer

Gill Richardson

TITLE: F/TH/16/1271

Project Former St Mary Magdalene Church Woodchurch Road BIRCHINGTON Kent

Scale:



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D07

F/TH/16/1645

PROPOSAL: Variation of condition 2 of planning permission F/TH/15/0142 for erection of 3-storey building containing 10no. self-contained flats following demolition of existing building, with formation of parking area to rear to allow for alterations to the layout and design, creation of additional balconies at second floor level to the rear and side elevations, alterations to windows and alterations to parking area.

LOCATION:

Cambay Lodge 91 Kingsgate Avenue BROADSTAIRS Kent
CT10 3LW

WARD: Kingsgate

AGENT: Mr Patrick Mills

APPLICANT: Mr John Palmer

RECOMMENDATION: Approve

Subject to the following conditions:

- 1 The development hereby permitted shall be begun before the 17th June 2018.

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 22034A/200 Rev C, 22034C/100 Rev E and 22034C/101 Rev F, received 9 January 2017, drawings numbered 22034C/150 Rev C and 22034C/151 Rev C, received 10 January 2017, and drawing numbered 22034A/015, received 11 June 2015.

GROUND:

To secure the proper development of the area.

- 3 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 and flooding in accordance with guidance within the National Planning Policy Framework.

- 4 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. The area agreed shall thereafter be maintained for that purpose.

GROUND:

In the interests of highway safety.

- 5 Prior to the first use of the car parking area to the rear of the development hereby approved, an acoustic fence shall be erected along the north-west boundary of the site and thereafter maintained, in accordance with specification and details to be submitted to and approved in writing by the Local Planning Authority. The details shall include a section through the car park and neighbouring property Clairville, showing the level of the carpark, the fence and the ground level of Clairville.

GROUND:

To ensure that the development does not cause an unacceptable impact on the neighbouring property in terms of noise and disturbance, in accordance with Thanet Local Plan Policy D1 and the National Planning Policy Framework.

- 6 Prior to the first occupation of the development, the secure cycle parking facilities, as shown on approved drawing number 22034C/200 Rev C received 1 December 2016 shall be provided and thereafter maintained.

GROUND:

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

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

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

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

GROUND:

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

- 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 Policy D1 and D2 of the Thanet Local Plan.

- 9 The refuse storage facilities as specified upon the approved drawing numbered 22034C/200 Rev C received 1 December 2016 shall be provided prior to the first occupation of the flats hereby approved and shall be kept available for that use at all times.

GROUND:

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

- 10 Prior to the commencement of the development hereby approved, samples of the brick and timber cladding 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.

- 11 Prior to the first occupation of any of the residential units hereby approved, details of the obscure glazed screens at first and second floor level shown on drawings numbered 22034C/100 Rev E and 22034C/101 Rev F received 9 January 2017, including the height and level of obscurity, 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 and thereafter maintained.

GROUND:

To protect the privacy of neighbouring property occupiers, in accordance with Thanet Local Plan Policy D1.

- 12 The first floor and second floor windows in the south-west and north-east facing side elevations of the building hereby approved shall be provided and maintained with obscure glass and be non-opening below 1.7metres above finished floor level.

GROUND:

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

- 13 Prior to the commencement of development hereby approved, precise details of glazed ballustrading to all of the balconies, including manufacturers details, type of glazing and design of hand rail, shall be submitted to and approved in writing by the Local Planning Authority. The development should be carried out in accordance with the details as approved.

GROUND:

In the interests of visual amenity, in accordance with Thanet Local Plan Policies D1 and D7.

- 14 Prior to the commencement of the development hereby approved a 1m2 sample of metal panelling to show the type, texture, fixing and colour, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried in accordance with the approved sample.

GROUND:

In the interests of the visual amenities of the area, in accordance with Thanet Local Plan Policy D1 and D7.

- 15 No external meter cupboards, vents, flues or extract grilles or overhead supply cables shall be installed on the principle elevation of the building hereby approved.

GROUND:

In the interests of visual amenity in accordance with Policy D1 and D7 of the Thanet Local Plan.

- 16 Prior to the first occupation of the development hereby permitted precise details of clothes drying facilities for each unit shall be submitted to and approved in writing by the Local Planning Authority. Such details as are agreed shall be fully implemented in accordance with the approved details and thereafter be maintained as specified.

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.

- 17 Prior to the first occupation of any of the residential units hereby approved, the 1.8metre boundary wall shown on drawing numbered 22034A/015 received 11 June 2015, shall be erected and completed in accordance with the approved details.

GROUND:

To ensure that the development does not cause an unacceptable impact on the neighbouring property in terms of noise and disturbance, in accordance with Thanet Local Plan Policy D1 and the National Planning Policy Framework.

- 18 Prior to the first occupation of all first and second floor flats hereby permitted 1.8 metre high privacy screens shall be erected along the sides of all balconies. The screens shall be erected and maintained in accordance with the details as approved as shown on the submitted plans annotated with details of the materials and design

of the screening to be submitted to and approved in writing by the Local Planning Authority.

GROUND:

To protect the privacy of neighbouring property occupiers and to prevent overlooking, in accordance with Thanet Local Plan Policy D1.

INFORMATIVES

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

To arrange for bin storage for future occupiers of the site, please contact Waste and Recycling on 01843 577115, or visit our website: <http://thanet.gov.uk/your-services/recycling/waste-and-recycling-storage-at-new-developments/new-developments/>

The applicant should refer to the provisions of the Control of Pollution Act 1974 and the associated British Standard 5228:2009 "Noise Control on Construction and Open Sites" when demolishing the existing building and constructing the development hereby approved.

The applicant is advised that the Deed of Variation for the Unilateral Undertaking is required to be satisfied in connection with this planning permission.

SITE, LOCATION AND DESCRIPTION

The site comprises a pitched-roof 2-3 storey property containing 7no.residential units. The site lies within an area of High Townscape Value (AHTV) which is characterised by large detached properties set within spacious plots. The site comprises previously developed land, with the new building replacing the existing, thereby not representing development on garden land. The site is within the urban confines, fronts the street, and therefore would be in accordance with the principles of the National Planning Policy Framework (NPPF) and Policy H1 of the Thanet Local Plan.

RELEVANT PLANNING HISTORY

F/TH/15/0142 - Erection of three storey building containing 10no. self-contained flats following demolition of existing building, with formation of parking area to rear. Granted 18.06.2015

PROPOSED DEVELOPMENT

The application proposal is to amend the previously approved permission for the erection of a three storey building containing 10no. self-contained flats (being a net increase of 3 units), following demolition of the existing building, with the formation of a parking area to the rear. The current proposal includes an enlarged balcony to the living room area of Flat 10, facing the front and side elevation at second floor, additional balconies to two bedrooms to the rear of Flats 9 and 10 at second floor, with installation of obscure glazed screens to the balconies.

The amendments do not propose to increase the number of units created. The amendments enlarge the internal living space by extending the side elevation of rooms at ground and first floor by approximately 1.2 metres. At second floor, which is set in further than ground and first floor, the enlarged rooms are towards the rear of the building but the enlargement remains set in from the lower floors.

The parking layout to the rear has been revised by relocating 4 spaces along the rear boundary, with the total number of spaces remaining as before, being a total of 15 spaces.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan (2006)

H1 - Residential Development Sites
H4 - Windfall Sites
D1 - Design
D2 - Landscaping
SR5 - Play Space
TR12 - Cycle Parking
TR16 - Car Parking Provision

NOTIFICATIONS

Neighbour notification letters were sent to properties directly surrounding the site, a site notice was posted near the site and an advert placed in the newspaper.

Two letters of objection has been received raising the following concerns:

- loss or privacy from windows and balconies
- parking to the rear - requested clarification that the 1.8 metre boundary wall previously agreed is to be carried forward to the revised scheme.
- object to additional balconies because of increased noise nuisance
- larger building will intrude on the landscape in an area of high townscape value
- not enough parking spaces

A further letter has been received from a neighbour living opposite the site concerned that any damage caused to his property by lorries running over the grassed area will be rectified and made good. The neighbour has no problem with the development going ahead. A copy

of this letter has been forwarded to the applicant in order that they are aware of these concerns.

Broadstairs & St Peter's Town Council - Overdevelopment, out of keeping with pattern of development in Area of High Townscape Value.

CONSULTEES

KCC Floor and Water Management - No objection

KCC Highways and Transportation - No comment.

COMMENTS

This application is brought before the Planning Committee at the request of Councillor Bob Bayford to allow members to consider the over-development and adverse impact on the street scene.

The main considerations in assessing the variation application are the principle of development, the impact upon the character and appearance of the development on the Area of High Townscape Value, the impact upon living conditions of neighbouring property occupiers and the impact upon highway safety.

Principle

The site comprises previously developed land, with the new building replacing the existing, thereby not representing development on garden land. The site is within the urban confines, fronts the street, and therefore would be in accordance with the principles of the National Planning Policy Framework (NPPF) and Policy H1 of the Thanet Local Plan.

The principle of development has also been established through the granting of planning permission under reference F/TH/15/0142, which is an extant consent, and is therefore a material consideration in the determination of the application.

Character and Appearance

The submitted plans do not propose to increase the number of units created. The amendments are to increase the size of the internal living space and re-arrange the parking layout to the rear. The increase in the internal room sizes would result in the building extending approximately 1.2 metres nearer the boundary of the neighbouring property, No.93 at ground and first floor level. The front elevation of the property, when viewed from the street, would not appear significantly different from that previously approved. The main change in appearance would be the reduction in the space, at ground level, between the site and the adjacent property, No.93, resulting in a gap of approximately 3 metres at ground and first floor (previously 4 metres) and approximately 4.5 metres at second floor due to the extended balcony to the side (previously a gap of approximately 7.5 metres).

The gap provided between No.89 Kingsgate Avenue is maintained at approximately 5.2 metres at ground level and 8.4 metres at second floor.

At second floor level rooms have been re-positioned resulting in bedrooms to the rear within Flats 9 and 10, which extends the depth of the building at this point but does not project beyond the overall lower floor levels at first floor. These alterations would not be immediately visible from the street as they would be partially obscured by the modular form of the front part of the building.

The private terraced area for unit 10, at second floor, has been altered to continue the terraced area further along the side and this is shown to have privacy screening. There are other minor alterations to window arrangements to reflect the re-arrangement of internal rooms and the windows to the front elevation has been altered, fronting the highway, however, the overall design remains essentially the same as that previously approved.

The site lies within an area of high townscape value (AHTV), where the conservation or enhancement of the local character will be the primary planning aim. The previously approved scheme extends almost the full width of the plot and it was considered that the sense of openness created by development was maintained. The proposed amendments would result in the building reducing the gap between the neighbouring property, No.85, but it is considered the reduction is not significantly different from that previously approved, and would not reduce the sense of openness between properties to an unacceptable level.

The overall design of the building remains unchanged and I do not consider the amendments proposed significantly change the overall appearance of the building when compared to that previously approved.

The design is heavily dependent on the quality of materials to be used and this was conditioned in F/TH/15/0142 and would be conditioned again to ensure the satisfactory development of the area.

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

Living Conditions

The footprint of the building has been staggered away from neighbouring properties No.89 and No.93 when moving through the site. The amendments would result in the two storey elements of the building being a minimum of approximately 6 metres (previously 7 metres) from the nearest rear facing habitable room window of no.93. The amendments would continue to provide a similar separation distance and protrude past the rear building lines of neighbours, the building will not result in a significant sense of enclosure or have an overbearing impact on neighbours.

The side windows at first and second floor level were previously conditioned to be obscure glazed and non-opening below 1.7metres above the finished floor level of the rooms which they serve and these conditions are to remain in the present scheme to protect privacy.

The previous permission included a condition requiring details of balustrading to all balconies and this would be retained. Additional balconies have been added to two bedrooms to the rear (within Flats 9 and 10) and includes privacy screening to the sides; these rooms previously had full length glazed windows facing the rear. The increased terrace to be provided to unit 10 would include a 1.8 metre high frosted glass privacy screen running parallel to the flank wall of the adjoining neighbour. By virtue of its location, which is set back from the edge of the building, and the addition of permanent screening which would be conditioned, its use is unlikely to result in overlooking to neighbouring properties. The impact on the living conditions of neighbouring residential properties was considered acceptable in the previously approved scheme and it is considered the amendments to the scheme now under consideration would not be significantly different and subject to conditions retaining privacy screening and obscure glazed windows within the side elevations, any potential overlooking or loss of privacy issues would be overcome.

The previous consent included a condition relating to landscaping details and details of an acoustic fencing/wall along the rear boundary at a minimum of 1.8metres in height above the ground level of the car park, with details and section provided prior to the use of the rear area for parking. I consider the revised layout would provide a more usable amenity area for the future occupants of the building and is considered acceptable.

The bin storage is shown to the rear of the building with the collection point closer to the front of the property as previously approved. This is to avoid the unsightly appearance of a large number of bins to the front of the property, which would detract from the character and appearance of the area.

The proposed amendments would maintain adequate outlook and natural light, with communal amenity space provided to the rear, and would represent acceptable residential development in accordance with Policies D1 and SR5 of the Local Plan.

Transportation

The amendments maintain the previous level of parking (15 spaces) however the layout has been revised, relocating spaces along the rear boundary. This amendment would result in additional spaces adjacent to the boundary, with 4 spaces to the rear of the building. This is not materially different from the previous scheme and would have no adverse highway impact.

Cycle storage is provided to the rear as previously approved and will be conditioned to be retained. The development will not result in severe harm to the highways network nor a significant harm to on-street parking availability to Kingsgate Avenue.

The proposed landscaping scheme would provide soft landscaping areas which would minimise surface water runoff from the development, with the sloping land level meaning that no run off to the highway should occur from the development. This remains the same as previously approved.

Special Protection Area

The site lies within close proximity to a European designated site. A unilateral undertaking under Section 106 of the Town & Country Planning Act 1990 was entered into with regards to the previously approved scheme.

It has been agreed that a scheme of wardening of the Special Protection Area (SPA) be funded by financial contributions borne from development proposals. Under the previously approved scheme the applicant proposed to mitigate the impact of their development following the principles agreed with Natural England and are offered to secure a contribution of £184 per applicable unit towards the 'wardening' scheme. Since the 2015 approval was granted a new tariff applies. This would increase the amount of contribution required and a Deed of Variation for the Section 106 agreement is required to reflect the revised tariff.

Thanet District Council - Strategic Access Management and Monitoring Plan - Main Report sets out the tariff that is to be applied to new housing; 1 bed flat = £229, 2 bed flat = £362, 3 bed flat = £480. (p3). This development includes 2 x 3 bedroom flats and 8 x 2 bedroom flats.

The applicant has agreed to provide a Deed of Variation, reflecting the revised tariff, for the contribution towards the cost of mitigation measures relating to the Special Protection Area.

This mitigation approach is considered appropriate to offset the impact of this development on bird populations and therefore complies with the requirement of the Habitats Regulations.

Conclusion

The proposed amendments are not considered significantly different from the previously approved scheme and is not considered to be harmful to the character and appearance of the locality as an Area of High Townscape Value, and in the absence of any material harm, and having regard for the National Planning Policy Framework, and the extant permission for the erection of a building on this site, it is considered that it would be unreasonable to refuse permission in this instance and, as such, it is recommended that Members defer the application for approval subject to the receipt of a Deed of Variation.

Case Officer

Rosemary Bullivant

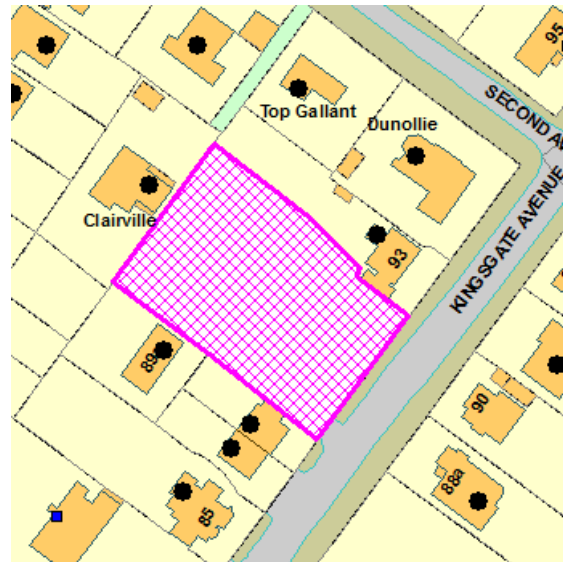
TITLE:

F/TH/16/1645

Project

Cambay Lodge 91 Kingsgate Avenue BROADSTAIRS Kent CT10 3LW

Scale:



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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.

