

D14

F/TH/16/0952

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

LOCATION: 131 - 137 King Street RAMSGATE Kent CT11 8PN

WARD: Eastcliff

AGENT: Miss Claire Langridge

APPLICANT: Thanet District Council

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 Compulsory Purchase Act 2004).

2 The proposed development shall be carried out in accordance with the submitted application as amended by the revised drawings numbered 203 Rev B, 204 Rev B, 205 Rev C, 206 Rev C, 207 Rev C, and 208, received 02 September 2016.

GROUND:

To secure the proper development of the area.

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

(a) **Site Characterisation**

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

written report of the findings shall be submitted to and approved in writing by the Local Planning Authority, and shall include:

A survey of the extent, scale and nature of contamination

An assessment of the potential risks to:

Human health

Property

Adjoining land

Groundwaters and surface waters

Ecological system

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

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

(b) Submission of remediation scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include all works to be undertaken, proposed remediation objectives and remediation criteria, a timetable of works and site management procedures. The scheme shall ensure that the site cannot be considered as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

(c) Implementation of Approved Remediation Scheme

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

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

GROUND:

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

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

measures identified in the approved remediation scheme a verification report shall be submitted to and approved in writing by the Local Planning Authority.

GROUND:

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

5 Prior to the occupation of the development hereby approved, the redundant vehicle crossing to King Street shall be removed and the footway reinstated in accordance with the specifications set out in the Kent Design Guide.

GROUND:

In the interests of highway safety.

6 No development shall take place (excluding demolition) until samples of the materials shown on the approved plan numbered 206 Rev C for the construction of the external surfaces of the development hereby permitted have been submitted to, and approved in writing by, the Local Planning Authority. Development shall be carried out in accordance with the approved details.

GROUND:

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

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

GROUND:

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

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

These details shall include:-

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

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

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

GROUND:

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

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

GROUND:

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

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

GROUND:

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

11 Prior to the commencement of the development hereby approved (excluding demolition) joinery details including sections through glazing bars, frames and mouldings at a scale of 1:5 of all new external windows and doors shall be submitted to and approved in writing by the Local Planning Authority. Such details as are approved shall be carried out concurrently with the development and fully implemented prior to the first occupation of any part of the approved development.

GROUND:

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

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

GROUND:

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

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

GROUND:

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

14 No development shall take place (excluding demolition) until details of the means of foul disposal, have been submitted to and agreed in writing by the Local Planning Authority.

The development shall be carried out in accordance with such details as are agreed and thereafter maintained.

GROUND:

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

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

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

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

GROUND:

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

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

GROUND:

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

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

GROUND:

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

18 Prior to the commencement of development hereby permitted (excluding demolition), details of a construction management plan shall be submitted to and approved in writing by

the Local Planning Authority. The development shall be carried out in accordance with the approved details.

GROUND:

In the interests of highway safety.

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

GROUND:

In the interests of highway safety.

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

GROUND:

In the interests of highway safety.

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

GROUND:

In the interests of highway safety.

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

GROUND:

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

SITE, LOCATION AND DESCRIPTION

The site is located within King Street, just outside of Ramsgate Town Centre, and forms part of the Ramsgate Conservation Area and an area designated as being 'in need of special action'. This part of King Street contains pre-dominantly 3-storey terraced residential development, although the odd retail unit is present. The site was previously used as a MOT testing station, but has more recently been used for informal storage and parking. Upon the site is a single storey office and garage building, with a forecourt to the front. Either side of the application site fronting King Street are 3-storey residential development.

To the rear of the site is an area that previously contained garages, but is now unused land, other than a small substation located to the corner of the site. The land is at a higher ground

level to the land fronting King Street, and the site backs onto 2-storey semi-detached residential development in Brights Place. Adjacent to the site is 3-4 story terraced residential development, which fronts Artillery Road. Between the rear gardens of the Artillery Road dwellings and the application site is a public right of way, which connects Brights Place and King Street. There is an existing narrow vehicular access off Brights Place to the north, which extends through the application site to the sub-station in the south, and connects onto the public right of way.

RELEVANT PLANNING HISTORY

F/TH/05/1232 - Erection of a 3 and 4-storey pitched roof building to provide 18no. 2-bedroom flats following demolition of existing buildings - Granted 24/07/06

F/TH/07/0006 - Erection of 3 and 4 storey building to provide 14no. 2-bedroom flats, following demolition of existing buildings - Granted - 30/03/07

F/TH/11/0141 - Erection of part three, part four storey building to provide 12no. 2-bedroom flats and 2no. 3-bedroom flats, following demolition of existing buildings - Refused - 09/06/11

C/TH/13/0231 - Application for conservation area consent for the demolition of existing building - Granted - 12/07/13

F/TH/13/0230 - Erection of 4-storey building to accommodate 12no. 2-bed and 2no. 3-bed self-contained flat, following demolition of existing building - Granted - 24/06/13

PROPOSED DEVELOPMENT

The application is for the erection of a 4-storey building to accommodate 2no. 3-bedroom self-contained flats and 12no. 2-bedroom self-contained flats. The building is of a traditional design, and has two mansard roofs with a flat section in between. The windows to be inserted within the front and side elevation of the building are timber sliding sash design, with the windows in the rear elevation UPVC sliding sash design. A vehicular access is provided along the side of the building to the rear, to allow for emergency access and deliveries etc, but no off-street parking is provided. There is a communal enclosed play area for the flats provided to the rear of the site. An internal refuse store is provided for the flats.

To the rear of the communal play area, 4no. 2-storey terraced 2-bedroom dwellings are proposed, each with a rear garden, and space to the front of the building for refuse storage. The dwellings are of simple design, with UPVC casement windows to the front and rear elevations.

This application has been submitted as part of the TDC & HCA new build programme. All the units will be let as affordable rent units.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan (2006)

H1 - Housing
H4 - Windfall sites
H8 - Size and type of housing
H10 - Areas in need of special action
H14 - Affordable housing
D1 - Design
TR12 - Cycling
TR16 - Car parking provision
CF2 - Development contributions

NOTIFICATIONS

A site notice has been posted and neighbouring occupiers notified. Three letters of objection have been received, with the following concerns:

- lack of parking,
- overlooking,
- contamination,
- loss of amenity within garden,
- future maintenance of property.

Ramsgate Town Council - Considers this to be an appropriate development and strongly supports it.

CONSULTATIONS

KCC Highways and Transportation - Whilst there is no on-site car parking proposed, the site is in a sustainable location and there are parking restrictions in place as necessary. There are also public parking spaces available within a reasonable distance of the site and I understand yearly permits are available for these. I also understand TDC may consider some form of permit system for the on-street parking that is available. I note the comments by the objectors over available parking, however the availability or otherwise of on-street parking right outside the front door of an associated property is an amenity issue rather than a highway issue.

The parking controls and bollards within the site are necessary to ensure cars are not parked obstructing the existing highway footway running north-south through the site. These should be secured by condition, as should provision of a Construction Management Plan, the cycle parking and the required amendments to the existing access (including alterations to the existing highway to provide a vehicle crossing and reinstate the footway).

The plans appear to show gates opening over the highway in King Street which would not be acceptable and should be prevented (by condition).

Conservation Officer - Following discussions on the proposal and the amendments to the drawings in my view the design improvements has created a more convincing scheme. I therefore consider the scheme would have an acceptable impact on the character and appearance of the conservation area.

Southern Water - No objections, but recommend condition

KCC SUDs - Following our recent discussion, we are now aware that the applicant is pursuing a connection to the Southern Water sewer network as the preferred means of disposing of the runoff from this site. Accordingly we would now be willing to recommend approval, with the detail of the surface water management subject to condition.

Given that this site is 'brownfield', we would assume that it is positively drained already. If there is an existing connection to the sewer network, it is likely that there will be an associated ongoing right to connect.

Prior to the commencement of any redevelopment, we would therefore expect to see an investigation of the existing drainage regime, with an assessment of the post-development runoff rates/volumes. If there is an increase in impermeable area, attenuation should be provided to ensure the receiving network is placed under no greater strain than that from the existing development. The applicant should also seek Southern Water's confirmation to demonstrate that they are capable and willing to accept the surface water, as proposed. If they require a reduced rate of discharge, attenuation should be provided on-site to ensure there is no exacerbation to the on/off site flood risk as a result of this development.

Should the Local Planning Authority be minded to grant permission to this development, we would recommend that the suggested safeguarding condition is attached.

Environmental Health - This application will require a standard contaminated land condition (from intrusive investigation onwards) at this stage.

COMMENTS

This application is brought before members because Thanet District Council is the applicant.

Principle

The site is previously developed land within the urban confines. The proposal for residential development therefore complies with Policy H1 of the Thanet Local Plan. The site is also sustainably located on the edge of Ramsgate Town Centre, and has good access to public transport, and facilities and services. The proposed development is therefore considered to be acceptable in principle, subject to other material considerations such as the impact upon the character and appearance of the conservation area, neighbouring living conditions and highway safety being acceptable.

Character and Appearance

The site falls within the Ramsgate Conservation Area, and an area designated under Policy H10 as in need of special action

The proposed flat development fronting King Street has the appearance of 2no. traditional semi-detached dwellings. They are symmetrical in design, with the front elevation incorporating large timber sliding sash windows, a 3-storey flat roof front projecting element that helps to break up the elevation, and doors to each of the buildings at ground floor level. The eaves height of the building is in keeping with the eaves line of other buildings within the street, and railings are proposed at the front between the projecting elements, again in keeping with the street scene, including the adjacent dwellings. A mansard is set behind the parapet wall, with 6no. flat roof dormer windows proposed. Whilst a mansard is not particularly characteristic of buildings within King Street, given the scale and design of the building, and the shallow pitch of the proposed roof, visibility of the mansard roof would be limited. A number of the surrounding residential dwellings also have pitched roofs set behind parapet walls, which are not too dissimilar to either the design or overall ridge height of the proposed development. It is therefore not considered that the proposed mansard roof would be significantly harmful to the character and appearance of the surrounding area.

To the side of the building a setback 3-storey element (with the second floor within the roof space) is proposed, along with a single storey flat roof element with parapet wall to provide the internal refuse storage area for the development. Given the setback location and reduced height of this element, it is not considered to compete with the main elevation, and helps to limit the overall scale of the building whilst attempting to provide as much street frontage development as possible to be in keeping with this high density area.

There would be limited views of both the side and rear elevations of the proposed development, and as such the use of UPVC windows within the rear elevation of the proposed development is considered to be acceptable on this occasion. The main access to the units is provided to the side and rear of the building, with the doors to the front elevation being false doors. Whilst such an arrangement is not normally encouraged, as it limits the activity to the front of the building, the applicant has advised that the layout of the building, along with advice from the refuse department that refuse storage would be required to the front of the building if accesses are provided, has prevented the doors from being used as accesses to the flats. Whilst there is some concern with this arrangement, it does not result in an objection, as the access to the side and rear is considered to be suitable for the future occupiers of the development, and the presence of doors will still give the appearance of a front access.

Whilst the building is quite deep, the northern side elevation is broken up with a number of different projecting elements, and two separate mansard roofs help to limit the height of the building and the extent of flat roof, whilst also again helping to break up the depth of the building by giving the appearance of two separate attached buildings. There is less interest to the southern side elevation, although part of the elevation is set away from the side boundary, which again reduces the visual depth of the building. From the south there are limited views of the building, with 121 King Street obscuring the majority of the side elevation, restricting views of the side elevation to the public right of way only, and not the surrounding streets. The design, height and scale of the proposed flat development is not considered to detract from the character and appearance of the area, and is considered to be an enhancement when compared to the appearance of the existing site.

To the rear of the site, 4no. 2-storey terraced dwellings are proposed on land that previously occupied garages, but is now unused other than for flytipping. The dwellings have a staggered layout, and a simple cottage design. The height is in keeping with the 2-storey height of development within Brights Place, and the limited size of the dwellings allows for adequate space around the buildings to be maintained (with a minimum distance of 13m between the front elevation and proposed flat development and 21m between the proposed rear elevation and the nearest dwelling in Brights Place). The ground level is higher than the flat development, but lower than the existing dwellings in Brights Place, and the proposed terraced units are in keeping with the terraced dwellings adjacent to the site in Artillery Road. Overall, given the modest size of the proposed dwellings, and the retention of space around the site, along with the improvements of developing this sustainably located previously developed land, the impact upon the character and appearance of the area is considered to be acceptable.

A vehicular access is provided to the side of the flat development, which will allow for emergency and delivery access to the rear of the site. The access is to be block paved. Some soft landscaping is also proposed to the front and rear of the site around the building. This is considered to be a visual improvement to the existing vehicular access, which is almost half of the width of the site, and leads to a tarmac parking area.

The development is to be constructed using sage green and cream render, yellow brick, grey slate roof tiles, lead cheeks to the dormer, and stone cills. The cream render and yellow brick is characteristic of the surrounding area, and the sage green render, which is limited to the upper levels of the front projection, will add interest to the overall design of the building.

Living Conditions

The proposed development will be located 5m from the nearest side elevation of no.145 King Street. The existing garage/office building is currently located adjacent to the boundary, however, whilst the proposed development will be further from the neighbouring property, it will also be higher and deeper. There are no windows in the existing side elevation of no.145. To the rear there are windows in the rear elevation of no.145, and windows in the side elevation of a further block to the rear. There is a high boundary wall between the application site and no.145 of approximately 3m. The applicant hopes that this could be retained, or if not a new wall could be constructed of a similar height. Given the distance to the proposed development, and the presence of the boundary wall, it is not considered that the increased height and depth of the proposed development will significantly impact upon the light and outlook to no.145 or the block to the rear.

The proposed development will be attached to no. 127 King Street, with the proposed development extending 2.4m beyond the rear elevation of no. 127. The proposed development will not extend into the 45 degree line from the centre of the nearest neighbouring window, and as such the impact on their light and outlook is considered to be acceptable. No. 125 King Street backs onto the side boundary of the application site, and will be 7.5m from the side elevation of the proposed development. Within the rear elevation of no. 125 there are 2no. windows at first floor level, one of which appears to be obscure glazed. The wall of the existing garage is currently on the rear boundary, and already extends to almost 2-storey in height. At ground floor level the neighbouring dwelling appears

to have windows set behind a canopy, which would already limit views out. Therefore, whilst the proposed development will result in some loss of light and outlook to the rear garden of the property through the increased height of the building, the impact is not considered to be significantly worse than that existing.

At the rear the proposed dwellings are located a minimum of 21m from the rear elevation of the dwellings in Brights Place, with the application site being on a lower ground level. The impact on their light and outlook is therefore considered acceptable.

The proposed dwellings will be a minimum of 7.6m from the nearest property in Artillery Road. Within the rear elevation of the dwellings there are a few windows which appear to serve either bathrooms or stairwells. Given the orientation and 2-storey height of the proposed dwellings, the distance, and the reduced ground level, along with the fact that most of the neighbouring windows do not appear to serve habitable rooms, the impact upon light and outlook to these windows is considered to be acceptable. Whilst the neighbour's gardens are quite shallow, the location of the proposed buildings north of their gardens means that sunlight to their gardens should not be affected.

Concern has been raised by neighbours in relation to overlooking. To the rear there is a minimum distance of 21m between the rear elevation of the proposed dwellings and the rear elevation of the neighbouring dwellings in Brights Place. There is also a drop in ground level, meaning that the first floor windows of the proposed dwellings would be level with the ground floor windows of the neighbouring property. Whilst boundary treatment would normally prevent overlooking of ground floor windows, the gardens of the neighbouring properties significantly drop in level, meaning that the ground floor windows of the neighbouring properties can be seen from the application site. However, given the minimum distance of 21m, along with the orientation of the properties that prevents any direct window to window overlooking, along with the potential for landscaping along the rear boundary of the proposed dwellings, the impact upon neighbouring privacy is considered to be acceptable.

For neighbouring properties in King Street there are no significant overlooking concerns. A side window is proposed in the elevation to the rear of no.125 King Street, but has an oriel design preventing any direct overlooking of gardens or windows.

Whilst some upper level windows are again proposed in the side elevation facing no.145 King Street, there is a 3m high boundary wall between the site, which will prevent overlooking of amenity space and lower level windows. The closest windows in the proposed development to the neighbouring site are secondary small windows, and will not result in significant overlooking in any case.

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

For the future occupiers of the development, the flats are all of good size, and an internal refuse store and cycle store will be provided to serve the occupants. Access is to the rear of the development where there is some lighting, and space for additional lighting and a large play area is provided to the rear of the site to serve the flats. The play area measures approximately 80sqm, and is enclosed partly by 1.8m high fencing and partly by 1.5m high

railings. The space is therefore considered to be safe doorstep play space in accordance with Policy SR5 of the Thanet Local Plan. The impact on the future occupiers of the development is considered to be acceptable.

Transportation

The proposal is provided with no off-street parking, only an emergency/delivery access to the rear of the site, which is controlled via retractable bollards.

KCC Highways and Transportation have been consulted and advised that whilst there is no on-site car parking proposed, the site is in a sustainable location and there are parking restrictions in place as necessary. There are also public parking spaces available within a reasonable distance of the site, for which yearly permits are available.

In response to the comments by the objectors over available parking, KCC have advised that the availability or otherwise of on-street parking right outside the front door of an associated property is an amenity issue rather than a highway issue, which could not be supported through a refusal reason.

KCC have further commented that the parking controls and bollards within the site are necessary to ensure cars are not parked obstructing the existing highway footway running north-south through the site, and that these should be secured by condition, as should the provision of a Construction Management Plan, cycle parking and the required amendments to the existing access (including alterations to the existing highway to provide a vehicle crossing and reinstate the footway). The plans appear to show gates opening over the highway in King Street which would not be acceptable and should be prevented (by condition).

The Council are currently considering a permit system for the on-street parking that is available, particularly in Brights Place, and comments from residents appear to support this approach, although this is a separate matter, and not a material consideration for the planning application.

The site is sustainably located, within walking distance of the town centre and public transport, and a cycle storage area is provided internally to be used by the occupants of the development. No objections have been raised by KCC Highways and Transportation to the lack of on-street parking provision, and as such, the impact on highway safety is considered to be acceptable.

Size and Type of Housing

The proposal includes the provision of 12no. 2-bed flats, 4no. 2-bed dwellings, and 2no. 3-bed flats. As such, a mix of building sizes and types are proposed, however, they do not proportionately accord with the type of need as identified within the latest housing needs study. The applicant has justified the size of accommodation proposed on the limitations of the site, including the size of the area to the rear of the site, where large dwellings would appear out of character, and the size of the flat block, which comfortably accommodates 3-4

flats per floor. The 2-bed flats are all large in size, exceeding 62sqm, and the applicant has advised that the size of units proposed would result in the optimum use of the land, and addresses the Council's housing register need, where the greatest demand is for 1-bed and 2-bed units. It is therefore considered that given a mix of housing size and types are proposed, along with a clear justification for the need, the proposal will accord with Policy H8 of the Thanet Local Plan.

Affordable Housing

Policy H14 of the Thanet Local Plan requires that for development of more than 14 units, 30% affordable housing be provided. This application has been submitted by the Housing Department of the Council, as part of the TDC and HCA new build programme. As such it is intended for all units to be provided as affordable housing for social rent, to accommodate those on the local housing register. The proposed development is therefore considered to comply with Policy H14 of the Thanet Local Plan.

Drainage

KCC SUDs have raised no objections to the proposed scheme on the basis that the applicant is pursuing a connection to the Southern Water sewer network for disposing of runoff from the site. Details requested through condition include the existing drainage regime, with an assessment of the post-development runoff rates/volumes. If there is an increase in impermeable area, attenuation should be provided to ensure that the receiving network is placed under no greater strain than from the existing development.

Southern Water have raised no objections to the proposed scheme subject to a condition requiring details of the foul and surface water sewerage disposal to be submitted. Whilst Southern Water have not commented specifically on whether there is spare capacity within the surrounding area for surface water runoff, this would have been raised as a concern if use of the existing sewer network were not achievable. It is therefore considered that there is adequate drainage facilities for the proposed development.

Contamination

A phase 1 contamination assessment has been completed, with the results confirming the possibility of 4no. underground petrol tanks. Phase 2 of the site investigation, which includes the drilling of boreholes, has commenced on site, however the full extent of contamination will not be known until the existing buildings have been demolished and further testing can take place to the rear of the site. Environmental Health have been consulted and have advised that a standard contaminated land condition requiring intrusive investigation of the site, and details of any mitigation, is required.

Financial Contributions

KCC have requested financial contributions towards primary education, secondary education, and libraries, which totals £48,571.48. The applicant has advised that they cannot agree to the submission of these financial contributions, as the site is not viable.

Information on the viability of the development has been provided, on the basis that the development is not for profit and is to provide affordable housing. This viability information shows that the development will be provided at cost to the Local Authority, with no financial return for at least 27 years, following which any money will go back into the Housing Revenue Account to support future developments. Government advice is that, where a development does not comply with planning policy for reasons of non-viability, the local planning authority is entitled to take a view on whether there are benefits from the scheme that justify flexibility. It is considered that given the significant regeneration benefits associated with the proposal in the area of special action, and the provision of much needed affordable housing under the control of the Local Authority, that in this specific instance contributions for education and libraries has not been secured.

The applicant has agreed to pay the contribution of £9,756 towards the full time cost of a year round warden (£542 per dwelling) to offset the potential impact on protected birds at European designated sites from increased visitors from the district to these areas. This approach has been considered by the Council and Natural England as acceptable in housing developments of 10 or more dwellings, as necessary to deal with the potential effects of increased disturbance to both summer and winter birds, in accordance with the Habitats Regulations. Should members decide to grant planning permission for the proposed development, this contribution is to be secured prior to the determination of the application.

Conclusion

The proposed development would result in the re-use of brownfield land, the regeneration of a site within an allocated 'area in need of special action', and the provision of housing, for which there is a need. The principle of development is therefore considered to be acceptable and in accordance with Policy H1 of the Thanet Local Plan and the guidance contained within the NPPF. In addition, the development will provide 100% affordable social housing to accommodate local people on the housing register. The impact upon the character and appearance of the surrounding Conservation Area, neighbouring living conditions and highway safety is considered to be acceptable; however, the applicant is unable to comply with Policy CF2, (which requires financial contributions to offset the impact of the proposed development) as the proposed scheme is not viable. On balance, the benefits of regenerating the site for affordable housing is considered to outweigh the concern regarding the lack of financial contribution. The proposed development is therefore considered to be in accordance with the guidance contained within the NPPF, and as such it is recommended that members defer and delegate the application to enable the financial contribution towards the Special Protection Area to be secured.

Case Officer

Emma Fibbens

Site Plan for F/TH/16/0952, 131 - 137 King Street RAMSGATE Kent CT11 8PN

