D11	**OL/TH/15/0187**
PROPOSAL:	Outline application for the redevelopment of the existing site for up to 120 dwellings including access, following demolition of existing buildings
LOCATION:	FLAMBEAU EUROPLAST LTD, MANSTON ROAD, RAMSGATE, CT12 6HW
WARD:	Newington
AGENT:	Hume Planning Consultancy Limited
APPLICANT:	Flambeau Europlast Ltd
RECOMMENDATION:	**Defer and Delegate**

Defer and delegate to the Planning Manager to approve subject to the following safeguarding conditions and a legal agreement to secure the financial contributions and affordable housing provision as set out in this report:

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

GROUND:
As no such details have been submitted.

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

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

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

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

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

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

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

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

6 No development shall take place, excluding demolition of the warehouse building to ground level and removal of other structures, until the applicant, or their agents or successors in title, has secured the implementation of

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

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

7 No development shall taken place until the following components of a scheme to deal with the risks associated with contamination of the site have been submitted to, and approved, by the local planning authority:

1. Intrusive Investigation

a) An intrusive investigation and updated risk assessment shall be undertaken by competent persons and a written report of the findings shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the development. It shall include an assessment of the nature and extent of any contamination on the site, whether or not it originates on the site. The report of the findings shall include:

(i) A survey of the extent, scale and nature of contamination;

(ii) An assessment of the potential risks to:

Human health;

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

Adjoining land,

Ground waters and surface waters,

Ecological systems,

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

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

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

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

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

GROUND:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

GROUND:
In the interests of highway safety.

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

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

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

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

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

GROUND:
In the interests of highway safety.

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

GROUND:
In the interest of highway safety.

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

GROUND:
In the interests of highway safety.

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

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

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

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

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

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

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

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

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

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

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

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

INFORMATIVES:

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

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

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

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

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

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

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

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

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

SITE, LOCATION AND DESCRIPTION

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

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

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

RELEVANT PLANNING HISTORY

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

PROPOSED DEVELOPMENT

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

The proposed mix of units is set out below:

Affordable

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

Open Market

Flats x 2 bed	28
2 bed House	14
3 bed house	42
Subtotal	120 dwellings

Total (combined affordable and open market)

Flats x 2 bed	40
2 bed House	20
3 bed house	60
Total	120

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

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

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

DEVELOPMENT PLAN POLICIES

Thanet Local Plan (2006)

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

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

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

NOTIFICATIONS

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

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

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

CONSULTATIONS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

COMMENTS

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

Principle

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

Loss of employment land

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

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

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

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

Proposed housing

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

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

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

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

Character and Appearance

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

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

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

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

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

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

Living Conditions

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

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

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

Affordable Housing

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

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

Ecology and Biodiversity

Protected Species

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

Designated Sites

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

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

Highways

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

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

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

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

Development Contributions

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

They are:

(a) Necessary to make the development acceptable in planning terms;

(b) Directly related to the development; and

(c) Fairly and reasonably related in scale and kind to the development.

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

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

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

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

Recreation and Leisure

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

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

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

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

Flood risk and drainage

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

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

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

Surface and foul water drainage

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

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

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

Contamination

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

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

Air Quality

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

Archaeology

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

Other Matters

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

Conclusion

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

CASE OFFICER
Iain Livingstone

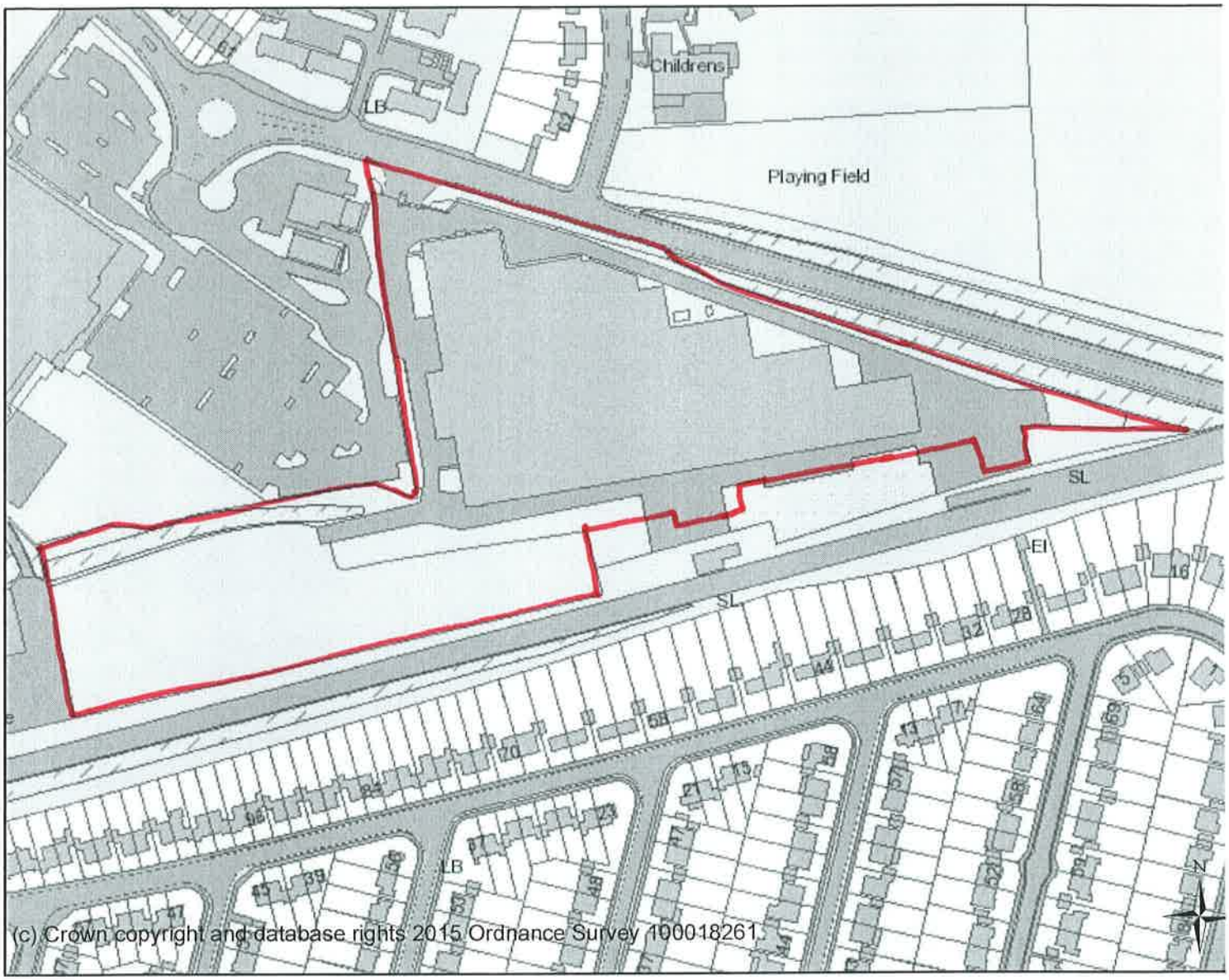
Title: F/TH/15/0187

Project name: FLAMBEAU EUROPLAST LTD, MANSTON ROAD, RAMSGATE

Notes:

Scale: 1:2,500

Author:



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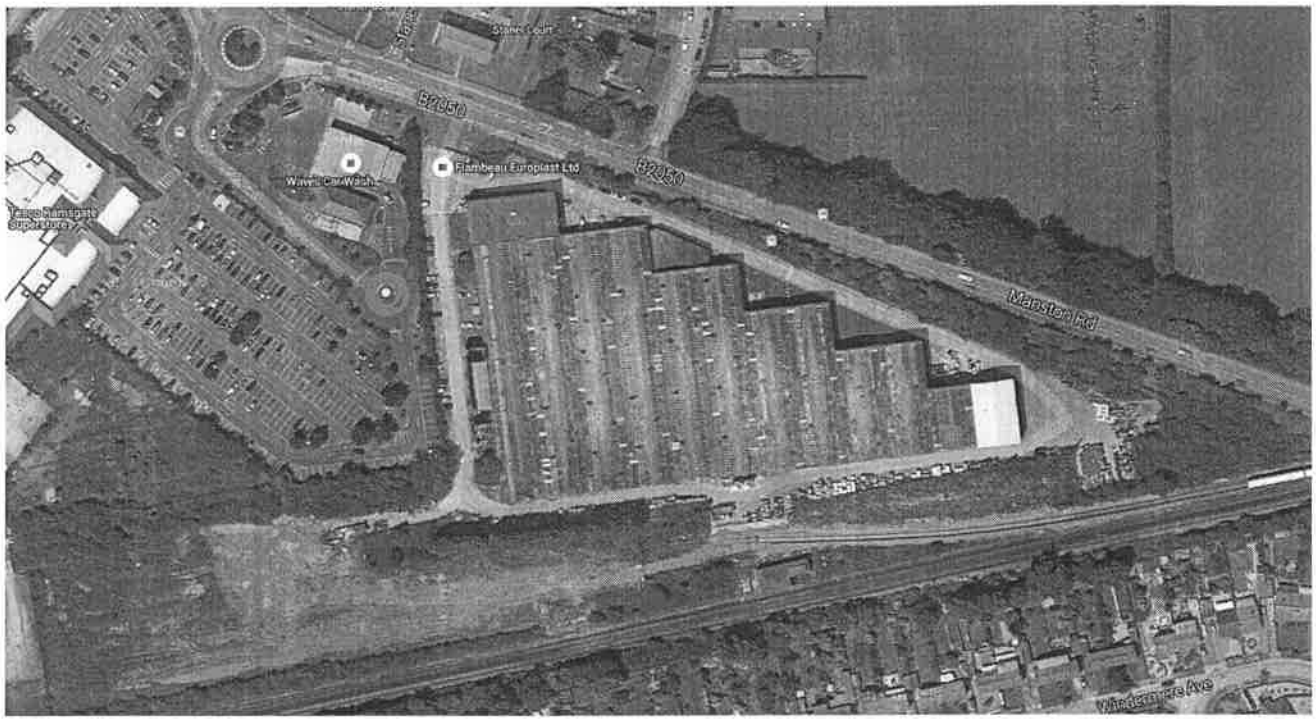
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