

D05

OL/TH/17/0152

PROPOSAL: Outline Application for the erection of up to 65no. dwellings including access with all other matters reserved

LOCATION: Land East Of 40 Canterbury Road West RAMSGATE Kent

WARD: Cliffsend And Pegwell

AGENT: Mr Howard Courtley

APPLICANT: Mr Edward Spanton

RECOMMENDATION: Defer & Delegate

Subject to the following conditions:

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

GROUND:

As no such details have been submitted.

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

GROUND:

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

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

GROUND:

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

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

GROUND:

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

5 The development hereby approved shall be carried out in accordance with the submitted access and highway plan numbered 21300/01 Rev 02, received 04 October 2017.

GROUND:

To secure the proper development of the area.

6 Prior to the commencement of the development hereby permitted, an acoustic assessment shall be undertaken to determine the impact of noise from transport related sources and shall be made in accordance with BS8233 2014: Guidance on Sound Insulation and Noise Reduction for Buildings. The results of the assessment and details of a scheme of acoustic protection shall be submitted and approved in writing by the Local Planning Authority. The scheme shall include details of acoustic protection sufficient to ensure internal noise levels (LAeq,T) no greater than 30dB in bedrooms and 35dB in living rooms with windows closed and a maximum noise level (LAm_{ax}) of no more than 45dB(A) with windows closed. Where the internal noise levels will be exceeded with windows open, the scheme shall incorporate appropriate acoustically screened mechanical ventilation. The scheme shall include details of acoustic protection sufficient to ensure amenity/garden noise levels of not more than 55dB (LAeq,T). All works, which form part of the approved scheme, shall be completed before any part of the development is occupied and shall thereafter be maintained in accordance with the approved details.

GROUND:

To protect the living conditions of the future occupiers of the development, in accordance with the NPPF.

7 Prior to the first submission of any reserved matters application, an Emissions Mitigation Assessment shall be submitted to and approved in writing by the Local Planning Authority. The Emissions Mitigation Assessment should include a damage cost assessment that uses the DEFRA emissions factor toolkit and should include details of mitigation to be included in the development which will reduce the emissions from the development during construction and when in operation. Any agreed on-site mitigation should be included in any relevant reserved matters submission. All works, which form part of the approved scheme, shall be completed before any part of the development is occupied and shall thereafter be maintained in accordance with the approved details.

GROUND:

To protect air quality, in accordance with the NPPF.

8 Prior to the commencement of development (including vegetation clearance), a precautionary mitigation strategy shall be submitted to and approved in writing by the Local Planning Authority. The precautionary mitigation strategy must be informed by an site visit be carried out within 3months prior to the submission of the strategy. The measures shall be implemented in full accordance with the details approved.

GROUND:

To safeguard protected species, in accordance with the NPPF.

9 Prior to the installation of any external lighting, a lighting design strategy for biodiversity shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall:

a) Identify those areas / features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, e.g., for foraging.

b) Show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority.

GROUND:

To safeguard protected species, in accordance with the NPPF.

10 Development shall not begin 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 100 year storm) can be accommodated and disposed of without increase to flood risk on or off-site. The drainage scheme shall also demonstrate that silt and pollutants resulting from the site use can be adequately managed to ensure there is no pollution risk to receiving waters.

GROUND:

To prevent flood risk and pollution of groundwater, in accordance with the NPPF.

11 Development shall not begin 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:

a) a timetable for its implementation, and

b) 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 prevent flood risk and pollution of groundwater, in accordance with the NPPF.

12 Where infiltration is to be used to manage the surface water from the development hereby permitted, it will only be allowed within those parts of the site where it has been demonstrated to the Local Planning Authority's satisfaction that there is no resultant unacceptable risk to controlled waters and/or ground stability. The development shall only then be carried out in accordance with the approved details.

GROUND:

To prevent flood risk and pollution of groundwater, in accordance with the NPPF.

13 No building on any phase (or within an agreed implementation schedule) of the development hereby permitted shall be occupied until a Verification Report pertaining to the surface water drainage system, carried out by a suitably qualified professional, has been submitted to the Local Planning Authority which demonstrates the suitable operation of the drainage system such that flood risk is appropriately managed, as approved by the Lead Local Flood Authority. The Report shall contain information and evidence (including photographs) of earthworks; details and locations of inlets, outlets and control structures; extent of planting; details of materials utilised in construction including subsoil, topsoil, aggregate and membrane liners; full as built drawings; and topographical survey of 'as constructed' features.

GROUND:

To prevent flood risk and pollution of groundwater, in accordance with the NPPF.

14 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved. Reason: To ensure development meets the aims of the NPPF through sustainable management of any historic contamination present that could present a risk to groundwater within the underlying principal aquifer within Source Protection Zone 2 of a public water supply.

GROUND:

To prevent flood risk and pollution of groundwater, in accordance with the NPPF.

15 Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

GROUND:

To prevent flood risk and pollution of groundwater, in accordance with the NPPF.

16 No development shall take place until a drainage strategy detailing the proposed means of foul disposal and a implementation timetable, has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved scheme and timetable.

GROUND:

To prevent pollution of groundwater, in accordance with the NPPF.

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

GROUND:

To ensure that features of archaeological interest are properly examined and recorded, in accordance with the NPPF.

18 Prior to the first occupation of the development hereby permitted, the proposed site access, footpath and pedestrian crossing works on Canterbury Road West, as shown on the approved plan numbered 21300/01 Rev 02, shall be completed and operational.

GROUND:

In the interests of highway safety and pedestrian movement, in accordance with the NPPF.

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

GROUND:

In the interests of highway safety.

20 The following works between a dwelling and the adopted highway shall be completed prior to the first occupation of the dwelling:

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

GROUND:

In the interests of highway safety.

21 Prior to the first occupation of the development hereby permitted, visibility splays of 2.4m x 43m x 2.4m shall be provided to the access onto Canterbury Road West, as shown on the approved plan numbered 21300/01 Rev 02, with no obstructions over 1 metre above carriageway level within the splays, which shall thereafter be maintained.

GROUND:

In the interests of highway safety.

22 Prior to the commencement of development hereby permitted, a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include the following:

- (a) Routing of construction and delivery vehicles;
- (b) Parking and turning facilities for delivery and site personnel vehicles;
- (c) Wheel washing facilities;
- (d) Temporary traffic management/signage required.

Development shall be carried out in accordance with the approved details.

GROUND:

In the interests of highway safety.

23 The dwellings hereby permitted shall be constructed as to provide a minimum sound attenuation of not less than 20 dB average over the frequency range 100 to 3150 Hz against the external noise from aircraft to which they are likely to be exposed, unless otherwise agreed in writing by the Local Planning Authority.

GROUND:

To protect the residential amenities of the future occupiers of the development, in accordance with Thanet Local Plan Policies EP7 and EP8.

24 Details pursuant to condition 1 above shall not show any building exceeding 2 storeys in height.

GROUND:

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

25 Details pursuant to condition 1 shall include details of the local play space on the site, to be provided at a minimum rate of at least 0.7 hectares per 1000 population (criteria as stated in Thanet Local Plan 2006 Policy SR5) of which at least 36% shall be equipped play area in accordance with the Local Planning Authority's Supplementary Planning Document "Planning Obligations and Developer Contributions - April 2010.

GROUND:

To ensure the provision of adequate local playspace and equipped play areas in accordance with Thanet Local Plan Policy SR5 and guidance within the National Planning Policy Framework.

26 Details to be submitted in pursuant of Condition 1 above shall include the location and size of the affordable housing units.

GROUND:

To ensure that the required level and type of affordable housing is provided in accordance with Policy H14 of the Thanet Local Plan.

27 Details pursuant to condition 1 shall show the provision of 1 Electric Vehicle Charging Points per residential property with dedicated parking, and 1 in 10 of all allocated parking, which shall be installed to the specification within Thanet Air Quality Technical Planning Guidance 2016.

GROUND:

To promote sustainable forms of transportation and to protect air quality in accordance with Thanet Local Plan Policy EP5 and guidance within the National Planning Policy Framework.

28 Details pursuant to condition 1 shall identify a minimum of 15% of housing to lifetime home and wheelchair standards and include the specification of such dwellings.

GROUND:

To meet the housing needs of the community in accordance with Policy H8 of the Thanet Local Plan 2006.

29 The landscaping details pursuant of condition 1 shall include hedgerow and tree planting along the western and southern boundaries of the site, in accordance with the recommendations as contained within the Visual Impact Assessment.

GROUND:

To limit the impact upon the countryside and Landscape Character Area, in accordance with Policies CC1 and CC2.

30 No less than 70% of the total number of dwellings constructed pursuant to this planning permission shall be dwellings of two or more bedrooms.

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.

31 All dwellings hereby permitted shall be provided with the ability for connection to Superfast Fibre Optic Broadband 'fibre to the premises', where there is adequate capacity.

GROUND:

To serve the future occupants of the development in accordance with the guidance within the National Planning Policy Framework.

INFORMATIVES

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

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

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

No infiltration of surface water drainage into the ground is approved other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. If there is any discharge to ground, the full proposals shall be submitted to and approved in writing by the Local Planning Authority.

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

The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act. Trees and scrub are likely to contain nesting birds between 1st March and 31st August inclusive. Trees and scrub are present on the application site and are to be assumed to contain nesting birds between the above dates, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity on site during this period and has shown it is absolutely certain that nesting birds are not present.

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

SITE, LOCATION AND DESCRIPTION

The site consists of 2.40 hectares located within the northern half of Cliffsend Village, on an area of land currently in agricultural use. The site is to the south of Canterbury Road West, with Jentex opposite to the north, existing residential development to both the west and east of the site along the road frontage, and agricultural land to the west, east and south of the main part of the site. Residential development to either side of the site is pre-dominantly detached, and either single storey or 2-storey in height.

RELEVANT PLANNING HISTORY

No relevant planning history

PROPOSED DEVELOPMENT

The application is in outline form, and is for the erection of up to 65no. dwellings with all matters reserved other than access, which is being applied for. An illustrative site layout plan has been submitted showing the provision of 65no. dwellings as either detached or semi-detached buildings, the provision of a vehicular access onto Canterbury Road West, and large areas of casual and formal open space (including 1140sqm formal equipped play area, 1650sqm casual play area and 1350sqm of buffer planting to western boundary).

DEVELOPMENT PLAN POLICIES

Thanet Local Plan 2006

CC1 - Development in the Countryside
CC2 - Landscape Character Area
H1 - Residential Development Sites
H8 - Size and Type of Housing
H14 - Affordable Housing
HE11 - Archaeological Assessment
HE12 - Archaeological Assessment
TR12 - Cycling
TR16 - Car Parking Provision
D1 - Design Principles
D2 - Landscaping
SR5 - Play space
EP13 - Groundwater Protection Zones
SR11 - Private Open Space
CF2 - Financial Contributions
EP5 - Local Air Quality Monitoring
EP7 - Aircraft Noise
EP8 - Aircraft Noise and Residential Development

NOTIFICATIONS

Neighbouring occupiers have been notified and a site notice posted. 155 letters of objection have been received. The main concerns are:

- Houses on this development will fall outside the village boundary which does not accord with the 2006 Thanet Local Plan.
- The Draft Local Plan is a draft and does not carry the same weight as the 2006 Local Plan
- Site of the application is on Grade I agricultural land, which is part of an important green wedge between Cliffsend and Minster.
- This proposal represents an increase of 22 dwelling on the figures in the Local Plan revision document.
- Proposal, in combination with 17/0150 and 17/0151 in addition to the 156 houses for which planning permission has already been granted will result in an increase of 35% in Cliffsend over the current 815 houses in the village. This is an excessive increase given the lack of amenities within the village.
- There is no doctors surgery or school within Cliffsend, the nearest of which is in Minster, and only one community run shop. The Sportsman Pub is set to close. There are therefore inadequate amenities and community facilities to serve an increase in population
- No plans to upgrade the roads, sewers, water supply and other facilities.
- No provision for any community facilities or amenities in the proposal.
- Lack of buses serving the area - not a sustainable location as residents are largely reliant on cars.
- Canterbury Road West is not suitable for pedestrians, due to limited footpaths and street lighting,
- Proposed site access is located on a section of Canterbury Road West which due to the presence of high hedges and fences on the north side of the road creates significant blind spots to traffic travelling along Canterbury Road West in either direction
- Proposal will result in increased traffic on roads, particularly Foads Lane which is a single track road and already a rat run between Sandwich Road and Canterbury Road West
- Roads in the village are not suitable for the type and amount of traffic that will use them if these developments are built.
- The proposals, together with the proposed Parkway Station will also increase traffic on an already constricted road system.
- The drawings suggest a pond will be provided on the site. Cliffsend is known to suffer from significant mosquito infestations, of a type which can transfer Malaria and the Zika Virus, this should not be permitted.
- The village already suffers from many water supply and sewerage issues, any further development will further overload the system, any new development should be encouraged to route sewerage to alternative interconnection points
- The development proposes a mix of houses and flats. Neither of which are sympathetic to the character of the area which predominantly comprises bungalows
- The development will ruin the rural character of the village
- The proximity of the proposed dwellings adjacent to properties fronting Cliff View Road will result in unacceptable impacts of overlooking.
- Proposal will result in a lack of daylight in Cliff View Road as gardens will be dwarfed by new dwellings.

- Loss of wild life.
- The Parish Council has failed to meet the legal duty to provide residents with allotments.
- Cliffsend is a village, which is quickly losing its status as one.
- The location of the proposed development will not be connected to the centre of the village which is over a mile away and will not add to the community.
- Impact of cycle path on safety and security of adjacent residents in Cliff View Road.

Cliffsend Parish Council - the Parish Council would like to register their objections to this development.

- The village is becoming overdeveloped. An increase of 160 properties has already been agreed and these developments are an increase on this number.
- Current water supply and sewage pipes are currently inadequate and this development would add to that, and they would not cope. The PC are against the provision of an on-site sewage facility.
- Over development of the site.
- Detrimental to the residents of Cliff View road and lead to a loss of privacy.
- Details should include upgrading of all neighbouring properties fences/walls if required by resident.
- There are not enough school facilities, Dr Surgeries, and dental surgeries to accommodate the families which would live in these properties.
- The infrastructure cannot cope with the amount of units proposed. There are too many cars in the village at the moment. Historically we have been advised that a pedestrian crossing is not allowed on that road due to a dangerous blind bend. Kent police advised us that we would be putting residents at risk if we pursued this. Previous planning applications have been refused because of this.
- There should not be houses behind bungalows - to ensure resident privacy. Is the developer aware that there is an underground surface water discharge pipe from Manston Airport which runs down the west of Cliff View Road on its way to Pegwall Bay.
- Wheel washing should be noted as essential. Access for construction traffic should be strictly controlled and only enter via Canterbury Road West. Construction should be restricted to 8am - 6pm weekday only.
- Residents are concerned about the effect this development will have on the air quality.

CONSULTATIONS

KCC Highways and Transportation -

Final Comment - I refer to the additional Technical Note dated 16 May submitted for the above and confirm I now raise no objection in respect of highway matters subject to necessary requirements being secured by condition/s.106 agreement.

The proposals are likely to generate approximately 30 two-way vehicle movements in the network peak hours and these are unlikely to have a significant impact on the highway network.

The combined impact of these proposals together with the proposals in Cottington Road

(TH/17/0150 and TH/17/0151) on the Sevenscore and Cliffsend roundabouts has been considered and is not significant, being less than the typical variation in daily traffic flow. The site connects to the existing footway in Canterbury Road West, thus providing access to the wider footway network. The proposals also include provision of a pedestrian crossing point near Arundel Road to improve access to the existing eastbound bus stop in Canterbury Road West. The proposed access may require minor amendment to the new bus stop position agreed for the approved Jentex site proposals and this can be resolved in the detailed design of the highway improvements. All the proposed highway improvements have been subject to an independent safety audit and will be carried out by the applicant under a s.278 agreement with the Highway Authority. The development will also make a financial contribution for a footpath connection between the south edge of the site and the proposed Thanet Parkway Station to the south, thus providing suitable pedestrian access to the same and encouraging travel by non-car modes.

Visibility splays appropriate for the speed limit in Canterbury Road West Road can be provided at the site access and the detailed layout of the site, including parking provision, can be resolved through reserved matters. Matters relating to access and parking for construction traffic can be dealt with through a Construction Management Plan which can be secured by condition.

Taking all of the above into account the proposals are unlikely to have a severe impact that would warrant a recommendation for refusal on highway grounds. No objections subject to safeguarding conditions.

Initial Comment - I refer to the above planning application and would comment as follows:

1. This application is one of three currently submitted by the same applicant/landowner in Cliffsend, however the Transport Statements do not consider the cumulative highway impact of all three sites. The applicant should therefore submit trip generation and distribution figures (based on 2011 Census data) for the three sites combined so that the cumulative impact can be considered and any subsequent assessment of the highway network required can be advised.
2. Should the development of the Jentex site opposite not come forward, pedestrians will need to gain access between the site and the existing eastbound bus stop further to the east in Canterbury Road West. As such a pedestrian crossing point incorporating dropped kerbs and tactile paving should be provided. It appears this could be provided near the junction with Arundel Road but will need to take account of the westbound bus stop which although not marked, is still in use. Clarification will need to be sought from Stagecoach as to exactly where the bus stops and proposals for the crossing submitted accordingly. It appears dropped kerbs will also be required across the Arundel Road junction. The proposals should be accompanied by a safety audit and designer's response, which are also needed for the proposed kerb alterations immediately to the east of the proposed site access.
3. The proposed pedestrian connection to the potential Parkway Station site needs now only to take the form of a Public Right of Way, without lighting or a tarmac surface. As such our Countryside Access Team will confirm the contribution required in the s.106 agreement to provide this facility.

I wish to place a holding objection until the above matters have been satisfactorily resolved. Whilst layout is not for consideration at this time, the number of proposed dwellings is such that a loop arrangement should be provided within the site to provide an alternative fire service access route. As such the pedestrian route indicatively shown around plot 27 will need to be amended to accommodate a fire service vehicle.

Conservation Officer - I am satisfied with the Historic Landscape assessment and setting assessment of St Augustine's Cross.

Since the application is at an outline stage with reserved matters with regard to design and form of the proposed development, the assessments has adequately explored the potential impact of the proposed development and equally have set mitigation measures on the impact of the development to St Augustine's Cross. I would advise that special attention should be paid to the design, form and layout as well as retention of an appropriate visual setting of St Augustine's Cross in particular on the proposed development at site B which has a more possibility of affecting its setting.

Environmental Health -

Noise impact

I have reviewed the above application which is adjacent to the AQMA and close to the busy A299 and a railway line. To ensure that future occupants are safeguarded against road and railway noise I would recommend an acoustic assessment condition.

Air Quality

The development is for up to 65 dwellings and would therefore be classed as a major size application as per the air quality technical planning guidance. I would therefore require the submission of an emissions mitigation assessment with the full application to assess the impact of the development on air quality. An emissions mitigation assessment condition is recommended.

Contaminated Land

I have reviewed the outline application for the erection of up to 65 dwellings at the above and the Phase 1 Site Investigation Report submitted in connection with the above. Although no further site investigation was recommended, I would be grateful if you could attach a watching brief condition to safeguard the development should planning permission be granted, as the site is located in a sensitive groundwater area and in proximity to the Pegwell Bay SSSI.

Southern Water –

Final Comment - Further to Additional information provided by the developer and our recent assessments carried out for the increased foul flows (increased foul flow rate from 0.7 l/s to 3 l/s at manhole reference TR34655002).

Southern Water currently cannot accommodate the needs of this application without the development providing additional local infrastructure. The proposed development would increase flows into the wastewater sewerage system and as a result increase the risk of flooding in and around the existing area, contrary to paragraph 109 of the National Planning Policy Framework.

Should the Local Planning Authority be minded to approve the application, Southern Water would like the following condition to be attached to any permission. "Development shall not commence until a drainage strategy detailing the proposed means of foul disposal and a implementation timetable, has been submitted to and approved in writing by, the local planning authority in consultation with the sewerage undertaker. The development shall be carried out in accordance with the approved scheme and timetable."

Submitted Illustrative site layout shows existing sewers on site (not shown on our records). An investigation of the sewer is required to ascertain its condition.

Please find attached a plan of the utility records showing the approximate position of public sewers in the vicinity of the site, and a public trunk water main along the eastern boundary of the site. Please note that no new development or new tree planting is allowed within 6 metres of the public water main. No new soakaways or other water retaining or conveying features should be located within 5 metres of a public sewers.

All existing infrastructure, including protective coatings and cathodic protection, should be protected during the course of construction works. No excavation, mounding or tree planting should be carried out within 6 metres of the public water main without consent from Southern Water.

In order to protect water supply apparatus, Southern Water requests that if consent is granted, a condition is attached to the planning permission. For example "The developer must agree with Southern Water, prior to commencement of the development, the measures to be undertaken to protect the public water supply main."

Any works within highways will be subject to consultations under the New Roads and Street Works Act. Southern Water will rely on these consultations to ensure that all existing plant is appropriately protected.

The proposed surface water drainage is not acceptable to Southern Water. Alternative methods for surface water disposal, avoiding infiltration to the ground, should be investigated. The proposed site lies within Source Protection Zone and is situated above Southern Water adits in very close proximity of the Public Water Supply Abstraction (groundwater sources). These are critically important public water supply abstractions with extensive shallow adits and disinfection only treatment, serving the Thanet supply area. The close proximity of the source and the sensitivity of the public water supply mean that careful consideration must be given to the protection of the public water supply. Southern Water will rely upon consultations with the Environment Agency, to ensure the imposition and enforcement of appropriate conditions.

Southern Water will object to any discharge to underground strata. Thanet Chalk block is probably the most contaminated aquifer in our region and has the highest level of protection being a WFD Groundwater Protection Area. Given the already high nitrate levels in the Thanet Chalk, which exceed the DW PCV, we would not expect the EA to approve any more discharges to ground that would add to the nitrogen loading.

Initial Comment - Please find attached a plan of the water main records showing the approximate position of a public water distribution main crossing the site. The exact position of the public water main must be determined on site by the applicant before the layout of the proposed development is finalised.

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

Any works within highways will be subject to consultations under the New Roads and Street Works Act. Southern Water will rely on these consultations to ensure that all existing plant is appropriately protected.

Our initial investigations indicate that Southern Water can provide foul sewage disposal to service the proposed development via gravity connection at manhole TR34655002. If pumped connection is proposed, the developer should, in consultation with Southern Water, confirm the rate of discharge and connection point with available capacity. Southern Water requires a formal application for a connection to the public foul sewer to be made by the applicant or developer.

The proposed surface water drainage is not acceptable to Southern Water. Alternative methods for surface water disposal, avoiding infiltration to the ground, should be investigated.

The proposed site lies within Source Protection Zone and is situated above Southern Water adits in very close proximity of the Public Water Supply Abstraction (groundwater sources). These are critically important public water supply abstractions with extensive shallow adits and disinfection only treatment, serving the Thanet supply area. The close proximity of the source and the sensitivity of the public water supply mean that careful consideration must be given to the protection of the public water supply. Southern Water will rely upon consultations with the Environment Agency, to ensure the imposition and enforcement of appropriate conditions.

Southern Water will object to any discharge to underground strata. Thanet Chalk block is probably the most contaminated aquifer in our region and has the highest level of protection being a WFD Groundwater Protection Area. Given the already high nitrate levels in the Thanet Chalk, which exceed the DW PCV, we would not expect the EA to approve any more discharges to ground that would add to the nitrogen loading.

In order to protect groundwater supply sources, Southern Water requests that if a consent is

granted, a condition is attached to the planning permission. For example " The developer must advise the local authority (in consultation with Southern Water) of the measures which will be undertaken to protect the public underground water supply sources, prior to commencement of the development."

Land uses such as general hardstanding that may be subject to oil/petrol spillages should be drained by means of oil trap gullies or petrol/oil interceptors.

We request that should this application receive planning approval, the following condition is attached to the consent: "Construction of the development shall not commence until details of the proposed means of foul and surface water sewerage disposal have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water."

Following initial investigations, Southern Water can provide a water supply to the site. Southern Water requires a formal application for connection and on-site mains to be made by the applicant or developer.

Environment Agency :-

Final comment - We have reviewed the Detailed Drainage Strategy (RJ Fillingham Assocs Ltd, July 2017). With respect to foul drainage, we understand from the above report that the development will connect to the public sewer at Canterbury Road West. As this means no foul effluents will be discharged to ground we have no further objections in relation to foul drainage.

We consider that planning permission could be granted to the proposed development as submitted if a planning condition related to infiltration is included. Without this condition, the proposed development on this site poses an unacceptable risk to the environment and we would object to the application.

The reported actions and analysis of risks and liabilities detailed in the submitted Phase 1 Site Investigation Report (Ecus Ltd, June 2015) are agreed in principle as being in accordance with relevant guidance and good practice. Further clarification should be sought from the Local Authority Environmental Health Officer with respect to issues related to harm to human health.

With respect to any proposals for piling through made ground, we would refer you to the EA guidance document "Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention" (NGWCL Centre Project NC/99/73). We suggest that approval of piling methodology is further discussed with the EA when the guidance has been utilised to design appropriate piling regimes at the site.

Initial comment - We have reviewed the information submitted and we OBJECT to the proposed development of 65 houses at this site because it is not clear what the proposed foul drainage arrangements are. The site lies in Source Protection Zone 1 and 2 for the Lord of the Manor public water supply, therefore this is a very vulnerable site to develop and the use of a non-mains foul drainage system poses an unacceptable risk of pollution to

groundwater quality. We therefore recommend that planning permission be refused until a suitable solution for foul drainage has been found. Reasons: The applicant is proposing the use of a private sewage treatment plant (this includes cesspits, septic tanks and package treatment plants) which poses a significant risk to the environment. Our approach to groundwater protection is set out in Groundwater Protection: Principles and Practice (GP3). In implementing the position statement in this guidance we will oppose development proposals that may pollute groundwater especially where the risks of pollution are high and the groundwater asset is of high value. In this case, we consider that the discharge of treated foul sewage to ground poses an unacceptable risk of causing a detrimental impact to groundwater quality. We also have concerns regarding how any private treatment plant will be managed to allow it to be operated to protect people and the environment in this location. Consequently it is unlikely that the applicant will receive a permit from us to operate a private treatment plant in this location. The site lies on the chalk aquifer in Source Protection Zone (SPZ) 1 and 2 for a public water supply. The chalk in this area is part of the Kent Isle of Thanet Chalk Groundwater Body. Under the Water Framework Directive (WFD) classification, this groundwater body is of poor chemical status with high confidence. One of the main chemicals for causing this failure is elevated concentrations of nitrate in the groundwater. The South East river basin management plan contains environmental measures and objectives that are set out in the WFD. Under the WFD Regulations public bodies including local planning authorities must have regard to the river basin management plan. This includes the WFD requirement for no deterioration in water body status, which is applied for the individual quality elements that make up water body status. It also includes facilitating measures in the river basin management plan to improve the water body. The discharge of treated sewage effluent to ground in this location would cause additional loading of nitrate and this could lead to rising trends of nitrate in the groundwater body and prevent its recovery. This objection is also supported by the National Planning Policy Framework, paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels water pollution. Paragraph 120 states that local policies and decisions should ensure that new development is appropriate for its location, having regard to the effects of pollution on health or the natural environment, taking account of the potential sensitivity of the area or proposed development to adverse effects from pollution.

Overcoming our objection - Further discussions should be sought with Southern Water Services to secure a connection to the foul sewer network from this development. We will maintain our objection until the applicant has supplied information to demonstrate a satisfactory solution for dealing with foul drainage from the development has been found that will not pose a risk to groundwater quality.

KCC SUDs - No objections. Having held discussions with the applicant's consultant we are satisfied with the design and that our concerns with regards to the final drainage outfall being within land outside of the red line planning boundary can be dealt with by condition. Should your Authority be minded to grant permission to this development, we recommend safeguarding conditions regarding a drainage strategy, management and maintenance of the drainage and detail of any infiltration.

KCC Archaeology - As explained in the submission this site has been the subject of archaeological assessment, geophysical survey and evaluation trial trenching the scope of which has been agreed with me and which I have monitored. Despite the very high archaeological potential of the area very little has been revealed by the archaeological investigations though there remains potential for significant archaeology to be present. I have agreed subsequent to the evaluation that the site should be subject to a programme of further archaeological works in the form of a targeted watching brief and investigation of any remains that arise. It should be noted that the area of access to the east of no 40 was not evaluated and has been recommended for evaluation secured by condition on separate applications. The appropriate archaeological works to address the impact of the development proposals can be secured through condition.

KCC Biodiversity - We have reviewed the ecological information submitted in support of this planning application and the information provided by the applicant in December when we provided pre application advice.

We advise that sufficient information has been provided and we are satisfied with the conclusions of the report - We note that the survey was carried out in 2015 but as the fields are actively managed arable fields we are satisfied that the conclusions of the survey are unlikely to have changed.

The reports detail that there is some limited potential for protected species to be present (including reptiles/breeding birds/ bats/badgers) particularly within the area of dense scrub and the hedgerows/field margins. The report details that the impacts can be minimised by implementing a precautionary mitigation strategy and originally we did have concerns that a precautionary approach for reptiles was not appropriate for this site due to the limited connectivity to the surrounding area. But additional information has been provided by the applicant satisfying us that due to the low potential of reptiles being present we do accept that it is appropriate on this occasion. We advise that a detailed precautionary mitigation strategy is submitted as a condition of planning permission.

Lighting

The proposed development will result in an increase in lighting within the immediate area which may have a negative impact on biodiversity and we advise that any lighting scheme proposed for the development must be sensitively designed. We suggest a lighting condition is included if planning permission is granted.

Designated Sites

The site is within 1km from the Thanet Coast and Sandwich Bay Special Protection Area (SPA) and Ramsar site and is therefore in the zone within which residential development cannot be ruled out from contributing to a likely significant effect on this European site due to an increase in recreational pressure. Thanet District Council have established a strategic mitigation project to which developers in this zone need to contribute if they wish to avoid the proposed development the need for a Habitats Regulations Assessment to be carried out. We advise that a developer contribution to a borough wide mitigation strategy corresponding to the amount of proposed dwellings is carried out. These contributions will ensure that the

proposed development avoids likely significant effects on the designated sites due to an increase in recreational pressure.

Enhancements

The application provides opportunities to incorporate features into the design which are beneficial to wildlife, such as enhancing the existing hedgerows (as indicated on the indicative site plan) , designing the area of open space to benefit biodiversity or the installation of bat/bird nest boxes. We advise that details of ecological enhancements to be incorporated in to the finalised site plan if planning permission is granted - This is in accordance with Paragraph 118 of the NPPF "opportunities to incorporate biodiversity in and around developments should be encouraged".

Waste and Recycling - Obviously this is very early stages but we are a little concerned as it does look as if the road around the outside narrows significantly in the far corner which would necessitate us reversing twice rather than driving straight round and back out. We would like to be kept in the loop - as with all new developments we have concerns re parking areas and the sizes of turning circles etc

KCC Developer Contributions - The County Council has assessed the implications of this proposal in terms of the delivery of its community services and is of the opinion that it will have an additional impact on the delivery of its services, which will require mitigation either through the direct provision of infrastructure or the payment of an appropriate financial contribution (£197,778 towards primary school provision, £140,408.10 towards secondary school provision, £3,121.03 towards libraries).

NHS CCG Estates Manager - NHS Thanet CCG (TCCG) now has the responsibility for requesting Section 106 (s106) health care contributions, on behalf of developments in areas where CCG practices are located. TCCG wishes to apply for such assistance and a healthcare contribution is therefore requested against the above development in accordance with the recognised Thanet District Council Planning Obligations and Contributions Guidance.

Inevitably, any increase in the local population has a knock-on effect in terms of health care and TCCG would seek to apply this s106 contribution to meet these extra demands placed upon the local primary care health service. With regards to these particular applications, despite being modest in size in their own right, collectively they pose a risk to the provision of primary care in the locality and so the effect has been considered as a totality rather than individually. A need has been identified for contributions to support the delivery of investments highlighted by our internal Premises Review. This improvement to the primary care infrastructure is expected to result in a need to invest in improvements to Dashwood Medical Centre, Newington Road Surgery or Minster Surgery, as all sit within 1.5 miles of the proposed developments. Any increase in patient list sizes will push the practices to an unacceptable level of patients per sqm and it is hoped that this development will directly support improvements within primary care by way of extension, refurbishment and/or upgrade in order to provide the required capacity.

In respect of this application a developer's contributions is required. Whilst each individual planning application would have only a minimal impact on the local provision of primary care, the approval of 3 separate applications within the same area in a short space of time would inevitably have an impact on local GP practices. As the applicant appears to be the same for all 3, the CCG took the decision to make one application for funding to account for the total.

In respect of phasing and patient numbers, the contribution is sought upfront from each application, this will allow improvement works to be complete in advance of new patients wishing to register and will mitigate capacity issues going forward.

The River Stour (Kent) IDB - Has potential to affect the Internal Drainage Board's district - Need consent by drainage board to discharge into Stonelees Stream

Natural England - I would like to confirm that Natural England has no objection to this development providing that the appropriate financial contribution is made to the Thanet Coast Strategic Access Management and Monitoring Strategy (SAMMS).

Kent Wildlife Trust - Object. Cumulative effect of the loss of three fields, which will impact upon the loss of over-wintering habitat in the vicinity of Pegwell and Sandwich Bays. If approved, enhancement measures should be incorporated to compensate for the loss of suitable land.

COMMENTS

This application is brought before members as the site lies outside of the village confines, and is therefore a departure to Policy H1 of the Thanet Local Plan. The application has also been called in by Cllr Townend to enable members to consider the principle of the development within the countryside.

Principle

The site lies outside of the village confines and is therefore contrary to Thanet Local Plan Policy H1, which states that 'residential development on non-allocated sites will be permitted only on previously developed land within existing built-up confines'. This policy no longer accords with the requirements of the National Planning Policy Framework (NPPF), as the Council cannot demonstrate a 5 year housing land supply, and as such this policy has little weight.

Policy CC1 of the Thanet Local Plan states that new development within the countryside will not be permitted unless there is a need for the development that overrides the need to protect the countryside. There is a current need for housing within Thanet, which is being reviewed through the Local Plan process.

In the Draft Thanet Local Plan Preferred Options Consultation document the site has been allocated for housing under Policy H04E, with a notional dwelling capacity of 40 dwellings. Whilst the notional dwelling capacity is much lower than the proposed 65no. units, concerns could only be raised if this increased number detrimentally impacted the character and appearance of the area or the countryside.

Whilst the application site would be a departure to current Local Plan Policy H1, this policy is not up-to-date, and the direction of travel of the new Policy document to allocate the site for housing development has some weight in decision-making to support this submission. The proposal falls therefore to be considered in the context of the presumption in favour of sustainable development in accordance with paragraph 49 of the National Planning Policy Framework.

The application site is located on the edge of Cliffsend, a village that has been considered through the Local Plan process to be a sustainable village that is suitable for expansion. Within the village there is a shop, post office, village hall, church, nursery, along with a recreation ground and equipped play area. As part of a recently approved application at Cliffsend Farm Cottages, planning permission has been granted for the erection of an additional shop to the centre of the village, along with improved footpath connections between the north and south of the village and to bus stops. These additional services and infrastructure improvements are increasing the sustainability of the village, and help to support the future expansion of the village. The site also falls within 100m of a bus stop, and a bus route that connects with both Ramsgate and Minster that have primary schools and other facilities and services.

Policy H04E requires that as part of any future application a pre-design archaeological evaluation, contamination assessment (to investigate potential pollution in light of the site's proximity to Jentex Petroleum), and a transport statement (that takes account of the traffic impact onto the Foad's Lane area) be submitted, and the possibility of a sustainable connection link to the proposed Parkway Station be explored.

In determining whether the development of the site is acceptable, the need for housing in the district and benefits of the proposal will therefore need to be balanced against other issues such as the impact on the countryside and character and appearance of the area, impact on the highway network, impact upon archaeology, and impact upon living conditions.

Quality of Land

The NPPF states that local planning authorities should seek to use areas of poorer quality land in preference to that of higher quality. The planning statement advises that the application site consists of Grade 2 agricultural land, similar to much of the agricultural land within Thanet that is either Grade 2 or higher. The loss of this land will need to be balanced against the established need for the residential development in the area.

Impact on Countryside and Surrounding Area

The site falls outside of the urban confines and within a Landscape Character area. Policies CC1 and CC2 of the Thanet Local Plan look to protect the open landscape, and the wide, long views of the former Wantsum Channel area and Pegwell Bay. The application site is located on the edge of the existing settlement, in a wide open area of field, and will therefore be visible from the surrounding area, including long views from Canterbury Road West and the A299.

- *Landscape Impact*

The application site forms an expansion of the village to the west, with part of the site infilling between existing residential development on Canterbury Road West, and no part of the application site extending beyond the western boundary line of the existing dwellings that front Canterbury Road West. As such, the proposed development could be viewed as a natural expansion of the village, rather than an isolated extension into the countryside.

A Visual Impact Assessment has been submitted as part of the application in order to examine the visual impact of the proposed development on the immediately surrounding area, as well as on long views of Pegwell and Sandwich Bay, given the location of the site within a Landscape Character Area.

The assessment describes the application site as being situated on the edge of a large arable field on the north western side of the settlement of Cliffsend. A public footpath passes the site on the western boundary, and the site is overlooked by a number of properties. Public views of the site are contained to some clear middle distance views, and some near partial filtered views from Canterbury Road West to the west and north respectively; middle distance views from the new road network (A299 and A256) to the west and south, and from Cottington Road to the southwest; and near and middle distance views from public footpath TR32 along the western development boundary. The assessment states that the site does not carry any statutory land designations, there are no landscape features or distinguishing characteristics within the body of the site, and in light of its edge of settlement location the application site, whilst likely to be valued at a local level, is concluded by the report as having medium landscape quality and sensitivity.

The proposal is for development of no higher than two storeys in height, on land that falls in elevation. The section plan submitted with the application shows that the proposed dwellings would drop down with the level of the land. This form of development is discussed within the report and it is concluded that through stepping down the slopes the proposed dwellings will respect the falling landform of the site, which will prevent the housing from intruding on the skyline, or obscuring views towards Pegwell and Sandwich Bays. In addition it is recommended within the report that on the southern and western boundaries native hedgerows be planted, preferably no higher than between 1.5m and 1.8m in height, and broken up with small scattered trees on the southern and eastern boundaries to soften the development in key views from the west. It is also recommended that solid fences be avoided on the western and southern boundaries in favour of a post and rail fence which would allow open views into the development.

The information contained within the Visual Impact Assessment report is acknowledged, and it is appreciated that given the proposed development (as shown on the illustrative layout plan) would be setback from the road, not exceed 2-storey in height, drop with the land level, and provide soft landscaping along the boundaries, that long views of the coast and sea will not be lost or interrupted, and will therefore not be substantially affected by the proposal. Given the fact that the site is an edge of village location with a backdrop of existing residential development as seen from the main public vantage points of the A299 and the western end of Canterbury Road West, the development is considered to be seen as a logical expansion of the village. It is therefore considered that the report accurately

concludes that the proposed development could be accommodated at the site without resulting in material adverse landscape or visual effects.

- *Impact on Historic Monument*

A Historic Landscape Assessment has been submitted as part of the application in order to assess the impact upon the Grade II Listed monument 'St. Augustine's Cross'. The Conservation Officer has assessed the submitted document and is of the opinion that the report fully assesses the impact of the proposed development on St. Augustine's Cross, and that given the distance between the proposed development and the designated heritage asset, the proposed development is unlikely to result in harm to the setting of the Grade II Listed monument. No objection has been received from the Conservation Officer or the Archaeology Officer. The impact upon the Grade II Listed monument is therefore considered to be acceptable.

- *Impact upon Character and Appearance of area*

Whilst the proposed development exceeds the notional dwelling capacity indicated within the Local Plan for the site allocation, the density of the development proposed does not exceed 27dph, which is classed as a low density development, which is in keeping with the spacious rural character of the village. The illustrative site layout plan shows that the 65no. units would be in the form of semi-detached and detached dwellings, which would be in keeping with the general pattern of development within the village, whilst also including public/private open space. Whilst a small number of self-contained flats are proposed, the plans indicate that these could be accommodated within buildings that are viewed as single units, rather than any large-scale flat block.

Whilst the scale and appearance of the proposed dwellings is not being considered at this stage, the planning statement submitted with the application advises that the dwellings will be single storey and 2-storey in height, and an illustrative site section plan has been submitted showing that the height of the dwellings will drop with the land level, which reduces considerably from the north to the south of the site. A development of this height/scale would be in keeping with the surrounding character and appearance of the area. Given the edge of village location of the site, a condition is proposed to restrict any future reserved matters application to development that is a maximum height of 2-storey.

Details of the materials are not for consideration as part of this application, although the illustrative site layout plan suggests that the hard surfacing will consist of shared surface block paved roads, which would be supported in any future reserved matters application.

On the basis of the information submitted, the impact upon the countryside and surrounding area is considered to be acceptable, subject to safeguarding conditions enforcing landscaping and limiting development height.

Living Conditions

The main residents likely to be affected by the proposed development are those in Cliff View Road to the east of the site, and those fronting Canterbury Road West to the west and north of the site.

The application is in outline form and therefore the layout is not being considered at this stage. Based on the submitted Illustrative Layout Plan a minimum distance of at least 30m could be provided to the residents in Cliff View Road and a minimum distance of 22m to the residents in Canterbury Road West. The site would also drop in level meaning that any proposed dwellings would be at a lower level than the properties in Canterbury Road West, and a similar level to those properties in Cliff View Road. The application has also stated that the intention is for both 2-storey houses and bungalows within the site, but again the detail of this would be considered at the reserved matters stage. Based on the information provided at this outline stage, it is considered that the number of units proposed could be accommodated within the site without any adverse impact upon neighbouring amenity.

In terms of the proposed access road, it would be a minimum of 32m from no. 22 Canterbury Road West and a minimum of 56m to no. 40 Canterbury Road West. The Illustrative Layout Plan does not show any parking provision adjacent to neighbouring gardens. It is therefore not considered that there would be any significant impact upon neighbouring properties from the noise and disturbance created by additional vehicle movements within the site.

The location of the proposed footpath link has been indicated within the preliminary footpath cost estimate document. The footpath would be located a number of metres from the rear boundary of the properties in Cliff View Road, and whilst security concerns have been raised by some residents in relation to the location of the footpath, it is not considered that the footpath (which will not be lit) would result in any security problems beyond those which would already exist from the existing adjacent open field.

Based on the current proposal, which it not considering the specific layout, size, and design of the dwellings at this time, it is considered that the amount of development proposed could be accommodated on the site without resulting in significant harm to the standard of amenity of existing neighbouring occupiers, in accordance with Policy D1 of the Thanet Local Plan and paragraph 17 of the NPPF.

Transportation

- Highway Safety

As part of this application consideration is being given to the creation of a new vehicular access onto Canterbury Road West, and the use of the access by the future residents of up to 65no. dwellings. In terms of parking the illustrative layout plan shows the provision of 1 parking space per 1 bed flat, 2 spaces per 2/3 bed house, 2-3 spaces per 4-bed house, and 10no. additional unallocated visitor parking spaces.

Paragraph 32 of the NPPF requires that all developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment, and decisions should take into account whether a safe and suitable access to the site can be achieved, and whether the residual cumulative impact of the proposed development is severe.

A Transport Assessment has been submitted by the applicant as part of the application, which concludes that the site is accessible by modes of transport other than the private car, a suitable access for the site can be provided via a new junction connecting to Canterbury

Road West, the housing proposals will generate peak hour traffic at any one location beyond the site access including Canterbury Road West, Foads Lane and the A299, which will fall significantly below the threshold of 30 vehicle movements per hour, the junction overall will accommodate traffic significantly below its design capacity for 65no. dwellings, and there are no highway safety issues and road accident records for highways in the vicinity of the site. As such, the report concludes that the proposed development is acceptable in transport terms.

KCC Highways and Transportation have been consulted and initially raised concerns that the Transport Assessment had not taken into consideration the cumulative highway impact of the trip generation for the application site, alongside that of the proposed housing developments being considered under separate applications for Cottington Road. In addition, the provision of a pedestrian crossing point with associated safety audit was requested to provide access between the application site and the eastbound bus stop (should the Jentex development not proceed).

A Technical Note has subsequently been submitted by the applicant, which has assessed that the addition of this traffic in conjunction with the traffic generated by the other two proposed housing sites within Clifsend will result in an increase of vehicle movements of only 1.7% when compared with the existing 2016 link traffic flows along the A299 in the vicinity of the roundabout. The applicant's traffic consultant concludes this increase to be negligible, creating only a limited impact upon the operation of the A299, the Clifsend roundabout, and the Sevenscore roundabout to the south. An independent Stage 1 Safety Audit for the proposed access junction and off has also been submitted by the applicant, which does not raise any highway safety concerns.

KCC have assessed this additional information and accept that the proposals are likely to generate approximately 30 two-way vehicle movements in the network peak hours, with the combined impact of the three Clifsend housing proposals being less than the typical variation in daily traffic flow and therefore unlikely to have a significant impact upon the highway network.

The revised proposal connects to the existing footway in Canterbury Road West, provides a pedestrian crossing point near Arundel Road to improve access to the existing eastbound bus stop, and a financial contribution for a footpath connection between the south edge of the site and the proposed Thanet Parkway Station to the south is offered, all of which support pedestrian movement and encourage travel by non-car modes.

KCC Highways and Transportation have assessed the safety audit that has been carried out in relation to the highway works, and are satisfied that the proposed visibility splays appropriate for the speed limit in Canterbury Road West Road can be provided at the site access.

Any concerns regarding access and parking for construction traffic can be dealt with through a Construction Management Plan condition.

Taking all of the matters raised into consideration, it is considered that the proposal for the erection of 65no. dwellings is unlikely to have a severe impact that would warrant a

recommendation for refusal on highway grounds. The impact upon highway safety is therefore considered to be acceptable subject to safeguarding conditions.

- *Footpath provision*

Policy HO4E of the Draft Thanet Local Plan for the housing allocation of the site requires that consideration be given to the provision of a pedestrian footpath to the proposed Parkway Station, which is intended to be located on land to the south of the site.

As part of the application the applicant has submitted the potential location of the new footpath, which extends from the south of the application site to the bypass, and which lies adjacent to the rear boundaries of existing properties in Cliffsend; along with a cost estimate for the works. KCC have assessed this submission and carried out their own costings for the proposed 2.5m wide foot/cycle path, with equates to £43,815. The applicant has agreed to the provision of this financial contribution through the legal agreement, with a clawback clause that if the money is not spent within 10 years the money will be paid back to the developer of the site. This clause is required should the Parkway Station not proceed, as there would be no reasonable justification for the contribution without the presence of the proposed station.

Should the new footpath link be provided, it is likely that the existing footpath link TR32 would no longer be required, however, KCC have advised that the closure of TR32 would be dealt with through a separate public consultation.

The agreement by the applicant to the proposed financial contribution adds to the overall sustainability of the proposed development, as the financial contribution would allow for the provision of a footpath that would improve pedestrian movement and connectivity for residents of the village to the proposed station.

- *Waste and Recycling vehicles*

The Waste and Recycling department have commented on the application and advised that whilst this is early stages, they are concerned that the access road through the site narrows significantly in the far corner, which would necessitate a refuse truck reversing twice rather than driving straight round and back out. The application does not include consideration of layout at this stage, and therefore this concern can be addressed through any future reserved matters application.

Contamination

Draft Policy H04E requires the submission of a contamination assessment with the application, in order to investigate potential pollution in light of the site's proximity to Jentex Petroleum. A contamination assessment has been submitted as part of the application. The report concludes that the site is very unlikely to be affected by shallow soil contamination; there is the potential for off-site sources of petroleum hydrocarbon in proximity to the site from Jentex oil storage /reprocessing site and Manston Airport / former RAF Manston, but any such contamination would be at a depth at which vapours could not migrate into buildings with shallow foundations; and the risk from migration of landfill gases from a

nearby landfill site is considered to be low. The report therefore recommends that no further site investigation is necessary at this stage.

The Environment Agency and Environmental Health have been consulted. The EA have agreed to the principle of the reported actions and analysis of risks and liabilities detailed in the submitted Phase 1 Site Investigation Report, and whilst the report does not recommend any further site investigation, Environmental Health have recommended that a watching brief condition be attached to any consent given the location of the site in a sensitive groundwater area in proximity to the Pegwell Bay SSSI.

It is therefore considered that the site could be developed without unacceptable harm to future occupiers of the development through contamination.

Drainage

- Foul Drainage

Concerns were originally raised by the Environment Agency in relation to foul drainage, as it was not clear what the proposed foul drainage arrangements were, and the use of a private sewerage treatment plant had been suggested by the applicant, which would have posed a significant risk to the environment.

Southern Water commented that their initial investigations showed that foul sewage disposal to service the proposed development could be provided via gravity connection at manhole TR34655002.

An additional report has now been submitted by the applicant, which confirms that the development will connect to the public sewer at Canterbury Road West. As this means no foul effluents will be discharged to ground, the Environment Agency has confirmed that they have no further objections in relation to foul drainage.

Whilst Southern Water have confirmed that there is capacity to provide foul drainage to the site if discharged by gravity, the submitted report does not show that this is feasible, and that a pumping station may be required. As this may increase the flow rate to the foul sewerage system, Southern Water may require a further capacity check to prove that the wastewater sewerage system can accommodate this; otherwise there may be a need for additional local infrastructure.

The provision of foul drainage is considered to be acceptable subject to a safeguarding condition requiring a drainage strategy for the proposed means of foul disposal along with an implementation timetable and any required improvements to infrastructure.

- Surface Water Drainage

The proposed site lies within Source Protection Zone and is situated above Southern Water adits in very close proximity of the Public Water Supply Abstraction (groundwater sources).

The Detailed Drainage Strategy submitted July 2017 proposes that the surface water drainage will consist of a single off site infiltration basin, located on land outside of the application site, but within the same land ownership. KCC SUDs have advised that they have no objections to the proposed drainage subject to a condition requiring further details of the proposed infiltration, along with the safeguarding of the future maintenance of the drainage given that its falls outside of the application site boundary. This can be secured through the legal agreement.

Southern Water have raised concerns with the use of infiltration to the ground, given the proximity of the site to a Source Protection Zone, and whilst the Environment Agency have not objected to infiltration drainage (subject to a safeguarding condition requiring it to be demonstrated that there would be no resultant unacceptable risk to controlled waters); Southern Water have recommended that alternative forms of surface water drainage are investigated. Southern Water has advised that alternative forms of surface water drainage are feasible, as there are other surface water drainage systems in close proximity of the site. Southern Water therefore has no objections to the principle of the development, subject to a safeguarding condition requiring details of the surface water disposal and details of the measures that will be undertaken to protect the public underground water supply source.

It is therefore considered that whilst infiltration drainage provision is currently proposed, alternative forms of surface water drainage may need to be investigated if it cannot be demonstrated that there will be no resultant unacceptable risk to controlled waters; however, Southern Water has advised that alternative surface water drainage options would be feasible in this location, and therefore the provision of drainage to the site is considered to be acceptable subject to strict safeguarding conditions requiring the submission of further details that enable the most appropriate form of surface water drainage for the site to be determined.

Affordable Housing

Policy H14 of the Thanet Local Plan requires that 30% affordable housing be provided on sites of 15 units or more. The agent has confirmed that 30% of the development will be provided as affordable units, which equates to 20no. units. Whilst the exact unit size is not being agreed at this stage, details submitted with the application indicate that the affordable units will be a mix of 1, 2 and 3-bed units, although the exact size and type of these are not yet known at this outline stage.

As part of any reserved matters application the location and size of the units will be required, and they should be proportionate to the overall houses sizes on site.

A legal agreement has been submitted that includes the provision of 30% affordable housing. The proposal therefore complies with Policy H14 of the Thanet Local Plan.

Size and Type of units

The application is in outline form, and therefore the exact unit sizes are not being agreed at this stage; however, an illustrative layout plan has been submitted, which shows the provision of 4no. 1-bed flats, 2no. 2-bed flats, 14no. 2-bed houses, 41no. 3-bed houses, and

4no. 4-bed houses. . Whilst this mix of unit sizes could change through a reserved matters application, if the mix stated were to come forward as part of a future application, it would be considered acceptable, as it complies with Policy H8 of the current Thanet Local Plan, which requires that there should be a mix of dwelling sizes and types to meet a range of community needs.

In terms of the dwelling types, the illustrative site layout plan shows a mix of semi-detached and detached dwellings, along with a few self-contained flats and therefore it is considered that an appropriate mix in unit types is proposed to comply with Policy H8.

Policy H8 also requires that 15% of the development is provided as lifetime homes, which the applicant has agreed to.

Play Provision

Policy SR5 of the Thanet Local Plan requires that where a development in its completed form would amount to fifty or more residential units, there is a requirement for the development to incorporate local play area provision on the basis of 0.7ha per 1000 population, which should be split between equipped (36%) and casual (64%) play space.

The illustrative site layout plan shows the provision of 1,140sqm of equipped play space (exceeding the 410sqm required under Policy SR5), and the provision of 1,650sqm of casual play space (exceeding the 727sqm required under Policy SR5). The illustrative site layout plan therefore shows that the provision of the necessary play space as required through Policy SR5 of the Thanet Local Plan is achievable whilst still accommodating the number of units proposed.

The provision of a new equipped play area to the north of the village would be of benefit to the existing occupiers of the village, who currently rely upon a single equipped play area to the south of the village. Accessibility to play provision for both existing residents and future occupiers of the development would be improved, and add to the social dimension of sustainability for the development.

The provision of play space is therefore considered to be acceptable and in accordance with Policy SR5 of the Thanet Local Plan, subject to a condition requiring the minimum provision of the formal and casual open space as part of any future reserved matters application.

Archaeology

An Archaeological Evaluation Report has been submitted as part of the application. The Archaeological Officer at KCC has been consulted and has advised that the site has been the subject of archaeological assessment, geophysical survey and evaluation trial trenching the scope of which the Archaeological Officer has agreed with and monitored. Despite the very high archaeological potential of the area very little has been revealed by the archaeological investigations though there remains potential for significant archaeology to be present. The Archaeological Officer has agreed that subsequent to the evaluation the site should be subject to a programme of further archaeological works in the form of a targeted watching brief, with the investigation of any remains that arise.

The impact upon archaeology is therefore considered to be acceptable subject to safeguarding conditions.

Biodiversity

As part of the application an extended phase 1 habitat survey has been submitted. The report confirms that no notable species were identified on site during the survey, which is likely to be due to the arable nature of the land and the lack of any nearby watercourse. Safeguarding conditions are recommended within the report for during the construction phase.

KCC Biodiversity have been consulted and have advised that sufficient information has been provided, and they are satisfied with the conclusions of the report, and the recommendation for a precautionary mitigation strategy as a condition of any planning permission. A lighting condition and ecological enhancement condition is also recommended.

Subject to these safeguarding conditions, the impact upon biodiversity is considered to be acceptable.

Air Quality

The site falls adjacent to an Air Quality Management Area, and given the size of the development, which is for 65no dwellings an emissions mitigation assessment will be required in order to assess the impact of the development on air quality. This must be provided prior to the reserved matters application to ensure that the layout takes into account any of the required features. Subject to this safeguarding condition the impact upon air quality is considered to be acceptable.

Manston Kent International Airport

The site lies within Noise Exposure Category B, where Policy EP7 states that noise will be taken into account in determining applications, and where appropriate conditions will be imposed to ensure an adequate level of protection against noise. The impact on noise is therefore considered to be acceptable subject to a safeguarding condition.

Healthcare Provision

A request has been received from the NHS regarding the need to mitigate the increased healthcare requirement created by this housing development (cumulative with the separately considered applications in Cliffsend). The initial information provided indicates required contributions could be put towards schemes for either extensions, refurbishments or upgrades at three separate healthcare practises (Dashwood Medical Centre, Newington Road Surgery or Minster Surgery) on the basis of a formulae using the illustrative mix of housing multiplied by £360 to request a contribution of approximately £59,904 for this site individually. Whilst the principle of the contribution is considered to meet the statutory test of planning obligation, additional information has been requested for officers to confirm that the money requested by the CCG is reasonably in scale with the size of the development being considered here. Also any funds requested need to be for an identified project at a specific

location, rather than three separate locations for undefined projects. We have requested further information from the NHS CCG Estates Manager and will update members of the committee at the meeting, however the applicant has agreed to the principle of a contribution to be part of the Section 106 agreement, and it is considered reasonable to include this within the heads of terms of the legal agreement for subsequent negotiation.

Financial Contributions

Policy CF2 of the Thanet Local Plan requires that where a proposed development would directly result in the need to provide new or upgraded community facilities, a financial contribution towards the cost of such provision will normally be sought.

KCC have been consulted and have advised that there would be a requirement for a financial contribution of £197,778 towards Phase 2 of Birchington Primary School expansion; a financial contribution of £140,408.10 towards Phase 1 of Ursuline College expansion works; and a financial contribution of £3,121.03 towards book stock at the local library.

Whilst these projects are not located within the village itself, KCC have advised that all obligations have now been sought for the Ramsgate Free School, and that Birchington Primary School is the nearest primary school to the application site with a current expansion project, which would justify a need for financial contributions. In the same way, Ursuline College is the nearest secondary school to the application site with a defined expansion project, and therefore a justified need.

The applicant has agreed to provide all of the required financial contributions, which will be secured through the submission of a legal agreement.

Habitat Regulations

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

The tariff for this contribution is provided in the SAMM report. For this development the contribution required is in the form of £408 per unit. The applicant has agreed to this contribution, which will be secured through a legal agreement.

Heads of Terms

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

- 30% affordable housing,

- £3324.00 per 'applicable' house and £831.00 per 'applicable' flat towards primary school provision in the form of Phase 2 Birchington Primary School expansion,
- £2,359.80 per 'applicable' house' and £589.95 per 'applicable' flat towards secondary school provision in the form of Phase 1 Ursuline College expansion works,
- £3,121.03 towards library provision,
- £26,520 towards the Special Protection Area.
- £43,815 towards the provision of a footpath link connection with the proposed Parkway Station
- £59,904 (based on the current housing mix) towards improvements within primary care by way of an extension, refurbishment and/or upgrade at a nearby Medical Centre of Surgery,
- Safeguard any required drainage provision on land outside of the application site, within the blue line.

Conclusion

Whilst the site lies within the countryside as identified by the Local Plan, the authority does not have a 5 year supply of deliverable housing sites. Accordingly the proposed housing development must be viewed in the context of the presumption in favour of sustainable development and the tests of paragraph 14 of the NPPF, with any adverse impacts of granting permission having to significantly and demonstrably outweigh the benefits from the scheme to withhold planning permission.

The provision of 65no. dwellings would make a significant contribution to the District's housing supply, supporting economic and social dimensions of sustainable development, with employment provided through construction. All requests for social contributions towards education and social care have been agreed by the applicant, and 30% on-site affordable housing is provided, along with an on-site equipped play area, a pedestrian crossing point to the bus stop on Canterbury Road West, and a financial contribution towards a new pedestrian footpath connection to the proposed Parkway Station. This attaches significant weight in favour of the application due to these social and economic benefits.

In terms of the environmental dimension, the proposal would result in the loss of countryside, but would appear as a natural expansion of Cliffsend, with limited impact upon the wider landscape area and the setting of the Grade II St. Augustine's Cross. The density of the proposed development falls below 30 dwellings per hectare, thus in keeping with the rural character of the area, and landscape enhancements are proposed including hedgerows and trees along the southern and western boundaries of the site. Kent Highways raise no objection in principle to the proposal, and the proposed access is considered to be both safe and suitable. Therefore overall limited environmental harm would result from the proposal.

It is considered that, with safeguarding conditions and appropriate contributions and items secured via a S106 legal agreement, that there would be no adverse impact of the development on ecology, archaeology, air quality, flooding or drainage. The reserved matters application(s) will consider detailed impact on living conditions of neighbouring occupiers, however the development of the site for the development submitted can be accommodated without resulting in a significant adverse impact to residential properties in the vicinity of the site.

Therefore when considering the framework as a whole, the proposal constitutes sustainable development, as any harm is outweighed by the significant economic and social benefits from the proposal, and the development supports the direction of the emerging Thanet Local Plan.

It is therefore recommended that Members defer and delegate the application for approval, subject to the receipt of a satisfactory Section 106 agreement to secure the required planning obligations.

Case Officer

Emma Fibbens