

Public Document Pack

Date: 9 October 2017
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PLANNING COMMITTEE

18 OCTOBER 2017

A meeting of the Planning Committee will be held at **7.00 pm on Wednesday, 18 October 2017** in the Council Chamber, Council Offices, Cecil Street, Margate, Kent.

Membership:

Councillor Grove (Chairman); Councillors: J Fairbrass (Vice-Chairman), Ashbee, Bambridge, Buckley, K Coleman-Cooke, Connor, Edwards, Fenner, Matterface, Partington, L Piper, Rusiecki, D Saunders, Taylor and Tomlinson

A G E N D A

Item
No

Subject

1. **APOLOGIES FOR ABSENCE**

2. **DECLARATIONS OF INTEREST**

'To receive any declarations of interest. Members are advised to consider the advice contained within the Declaration of Interest Form attached at the back of this Agenda. If a Member declares an interest, they should complete that form and hand it to the Officer clerking the meeting and then take the prescribed course of action.'

3. **MINUTES OF PREVIOUS MEETING** (Pages 3 - 26)

To approve the Minutes of the Planning Committee meeting held on 20 September 2017, copy attached.

4. **SITE VISITS**

4a **F/TH/17/0770 - LAND WEST OF FARLEY ROAD, MARGATE** (Pages 27 - 34)

5. **SCHEDULE OF PLANNING APPLICATIONS** (Pages 35 - 38)

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

Note: Copies of correspondence relating to applications received will be available for members' perusal in the Members' Room from 5.00pm on

Item
No

Subject

the Friday before the meeting until the date of the meeting.

For Approval

- 5a **A01 - F/TH/17/1174 - SEAFIELDS CLIFF ROAD BIRCHINGTON** (Pages 39 - 54)
- 5b **A02 - F/TH/17/0405 - FORMER FARM BUILDINGS REAR OF QUEX BARN, QUEX PARK, BIRCHINGTON** (Pages 55 - 72)
- 5c **A03 - FH/TH/17/1117 - 22 CALLIS COURT ROAD, BROADSTAIRS** (Pages 73 - 80)

For Refusal

- 5d **R04 - F/TH/17/1079 - 83 SEA ROAD, WESTGATE-ON-SEA** (Pages 81 - 90)

For Deferral

- 5e **D05 - OL/TH/17/0152 - LAND EAST OF 40 CANTERBURY ROAD WEST, RAMSGATE** (Pages 91 - 124)
6. **VALIDATION CHECKLIST** (Pages 125 - 150)

Declaration of Interests Form



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

Public Document Pack Agenda Item 3

Planning Committee

Minutes of the meeting held on 20 September 2017 at 7.00 pm in Council Chamber, Council Offices, Cecil Street, Margate, Kent.

Present: Councillor Bob Grove (Chairman); Councillors J Fairbrass, Ashbee, Buckley, K Coleman-Cooke, Connor, Edwards, Fenner, Partington, L Piper, D Saunders, Taylor, Tomlinson and S Piper

In Attendance: Councillors Johnston, Hillman, M Saunders, Jaye-Jones, Crow-Brown and L Fairbrass.

224. APOLOGIES FOR ABSENCE

Apologies were received from Councillor Bambridge and Councillor Rusiecki for whom Councillor S Piper was present.

225. DECLARATIONS OF INTEREST

There were no declarations of interest.

226. MINUTES OF PREVIOUS MEETING

It was proposed by the Vice Chairman, seconded by Councillor Tomlinson and AGREED that the minutes of the Planning Committee held on 16 August 2017 be approved and signed by the Chairman subject to it being noted that the following conditions should have been included in minute no. 223 relating to D03- Land Adjacent to Salmestone Grange, Nash Road, Margate:

21 No development shall take place until a highways work phasing plan, outlining the point at which each mitigation element outlined in condition 22 and the new link road through the site and associated access points will be completed and operational, has been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the agreed phasing plan.

GROUND:

In the interests of highway safety and traffic flow, in accordance with Thanet Local Plan Policy TR16.

22 No development shall take place until full final details of the proposed highways works have been submitted to, and approved in writing by, the Local Planning Authority. These details shall include:

- o Closure and reconfiguration of the signalised junction at Hartsdown Road, Shottendane Road and Nash Road.
- o Reconfiguration of Manston Road/Shottendane Road junction.
- o Revised access arrangements at the St Gregory's school access on Manston Road.

o The provision of an informal crossing point and cycle connections close to the new priority junction.

All submitted details shall substantially accord with the geometrical layout as those submitted in the plans numbered 14-011-002B and 14-011-007B received 24th May 2017. These works shall be implemented and operational in accordance with the timings within the Highways work phasing plan in condition.

GROUND:

In the interests of highway safety and traffic flow, in accordance with Thanet Local Plan Policy TR16.

23 No development shall take place until a detailed sustainable surface water drainage scheme for the site based on the Flood Risk Assessment By Herrington Consulting Limited (dated December 2016) and sustainable drainage principles, to include, but not necessarily be limited to, the method of surface water disposal and a timetable for the implementation and a maintenance and management plan for the lifetime of the development, 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 through infiltration features located with the curtilage of the site alone.

Where infiltration is to be used to manage the surface water from the development, it will only be allowed within those parts of the site where it has been demonstrated to the Local Planning Authority that there is no resultant unacceptable risk to controlled waters.

All surface water drainage from parking areas shall be passed through an interceptor designed and constructed to have a capacity and details compatible with the site being drained.

The management and maintenance plan 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.

The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details.

GROUND:

To ensure that the principle of sustainable drainage are incorporated into this process, to ensure ongoing efficiency of the drainage provisions and to protect vulnerable groundwater resources and human health from pollution in accordance with the National Planning Policy Framework.

24 No development shall take place until a scheme for sewerage disposal from the development has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall include details of any additional infrastructure required to mitigate the additional flows created by this development. The development shall be constructed and thereafter maintained in accordance with the approved details.

GROUND:

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

25 No development shall take place on the development until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority for that phase. The approved Statement shall be adhered to throughout the construction period, and shall provide details of:

- a. the parking of vehicles of site operatives and visitors.
- b. construction vehicle loading/unloading, turning facilities and access routes/arrangements.
- c. loading and unloading of plant and materials.
- d. storage of plant and materials used in constructing the development.
- e. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate.
- f. wheel washing facilities and their use.
- g. measures to control the emission of dust and dirt during construction a scheme for recycling/disposing of waste resulting from construction works.
- h. a Construction Environment Management Plan, including details of operational construction time, enclosures for noise emitting equipment, dust and waste management policy and construction site noise management including siting of stationary noisy or vibrating plant equipment.

GROUND:

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

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

GROUND:

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

27 Prior to the first occupation of the development hereby approved, a detailed outdoor lighting scheme shall be submitted to, and approved in writing by, the Local Planning Authority. The scheme shall include details of the type of lights, the orientation/angle of the luminaries, the spacing and height of the lighting columns, the extent/levels of illumination over the site and on adjacent land and the measures to contain light within the curtilage of the site. The development shall be implemented in accordance with the approved scheme and thereafter maintained as agreed.

GROUND:

In the interests of minimising light pollution and to safeguard the amenities of the locality in accordance with the NPPF and saved policy D1 of the Local Plan.

28 Prior to the first occupation of any of the units hereby approved the following works between a dwelling and the adopted highway shall be completed:

- a) Footways and/or footpath, 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.

29 The access to Nash Road and priority shift on Manston Road/Shottendane Road as indicated on plans numbered 14-011-002B and 14-011-007B received 24th May 2017 and new access roundabout and the link road connection through the site must be completed and fully operational prior to the closure of Nash Road at the junction of Hartsdown Road, Shottendane Road and Nash Road.

GROUND:

In the interests of highway safety and traffic flow, in accordance with Thanet Local Plan Policy TR16.

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.

32 In the event that contamination is found that was not previously identified at any time when carrying out the approved development, it shall be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment shall be undertaken at that time in accordance with a site characterisation report that shall be submitted to and approved in writing by the Local Planning Authority and where remediation is necessary a remediation scheme shall be submitted to and approved in writing by the Local Planning Authority, including remediation measures to render harmless the identified contamination given the end use of the site and the surrounding environment, including controlled waters. The remediation measures shall be implemented as approved and completed prior to the recommencement of works. Prior to the occupation of the approved development and following completion of measures identified in the approved remediation scheme a verification report shall be submitted to and approved in writing by the Local Planning Authority.

GROUND:

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

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

GROUND:

In the interests of highway safety.

34 The gradient of any access shall be no steeper than 1 in 10 for the first 1.5 metres from the highway boundary and no steeper than 1 in 8 thereafter.

GROUND:

In the interests of highway safety

INFORMATIVES

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

It is the responsibility of the applicant to ensure, before the development hereby approved is commenced, that all necessary highway approvals and consents where required are obtained and that the limits of highway boundary are clearly established in order to avoid any enforcement action being taken by the Highway Authority. Information about how to clarify the highway boundary can be found at <http://www.kent.gov.uk/roads-and-travel/what-we-look-after/highway-land>

The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under such legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.

Thanet District Council is committed to reducing crime and the fear of crime through design. We strongly advise the applicant to contact external bodies such as Kent Police Crime Prevention Design Advisors (CPDAs) to ensure that a comprehensive approach is taken to Crime Prevention and Community Safety before making any reserved matters application for the development.

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.

It is the responsibility of developers to have the appropriate waste storage facilities and containers in place prior to the properties 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/>

No development or new tree planting should be located within 3 metres either side of the centreline of the public sewer and all existing infrastructure should be protected during the course of the construction works.

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 6m, 5m and 4m of existing 18 inch, 15 inch and 3 inch water distribution main respectively without written consent from Southern Water.

The applicant shall use best endeavours to achieve speed restrictions on Nash Road when approaching the site from the east and waiting restrictions within the new turning head at the end of Nash Road through separate highways consents with Kent County Council.

227. F/TH/17/0592 - 97 KINGSGATE AVENUE, BROADSTAIRS

PROPOSAL: Change of use of existing single dwellinghouse into 2no. 3 bedroom and 1no. 4 bedroom terrace houses with erection of single storey ground floor extension to side elevation, alterations to fenestration, installation of balcony at second floor level to front elevation, raised rooflights to main roof and new vehicular access onto Kingsgate Avenue

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

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

‘That the application be REFUSED the following reason:

The proposed development, by virtue of the type and size of the dwellings would result in an incongruous development within the street scene, failing to complement and respect the layout and form of individual dwellings in the Area of High Townscape Value, detrimental to the special established local character of Kingsgate Avenue, contrary to saved Thanet Local Plan Policies D1 & D7 and Paragraphs 17, 56, 58 & 64 of the National Planning Policy Framework.”

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

228. SCHEDULE OF PLANNING APPLICATIONS

229. A01 - F/TH/17/0770 - LAND WEST OF FARLEY ROAD, MARGATE

PROPOSAL: Retrospective application for excavation works to level site and create vehicular access onto Farley Road

Speaking in favour of the application was Mr Brown.

Speaking raising points of concern was Mr Cooper.

Also speaking raising points of concern was Mrs Ruck.

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

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

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

1 Within six weeks from the date of this decision, the reptile exclusion fencing to the southern boundary of the site shall be replaced or repaired, with details of the repair works or the replacement fence (which shall include height, design, materials and exact location) to be first submitted to and approved in writing by the Local Planning Authority. The repaired/replacement fence shall be installed in accordance with the approved details.

GROUND:

To safeguard protected species, in accordance with the NPPF.”

Further to debate, the Chairman withdrew the motion and this was seconded by the Vice Chairman.

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

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

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

230. A02 - F/TH/17/0986 - LAND ADJACENT 1 ALBERT ROAD, BROADSTAIRS

PROPOSAL: Erection of 2No. two storey 4-bed dwellings

Speaking raising points of concern was Mr Wade.

Speaking as ward councillor was Councillor Matterface. Then, Councillor Matterface left the Chamber.

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

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

‘That the application be APPROVED subject to the following conditions

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

GROUND:

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

2 The proposed development shall be carried out in accordance with the submitted application as amended by the revised drawing numbered 17.1116.AE.P01 Revision C (received 17/08/17), 17.1116.AE.P02 Revision D (17/08/17), 17.1116.AE.P03 Revision C (received 17/08/17), 17.1116.AE.P04 Revision C (received 17/08/17), 17.1116.AE.P05 Revision B (17/08/17) and 17.1116.AE.P06 (received 23/08/17).

GROUND:

To secure the proper development of the area.

3 No development shall take place on any external surface of the development hereby permitted until details of the type, colour and texture of all materials to be used for the external surfaces of the dwellings have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

GROUND:

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

4 Prior to first occupation of the development hereby permitted, a plan shall be submitted to and approved in writing by the Local Planning Authority indicating the positions, heights, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the occupation hereby permitted is commenced or before the building(s) are occupied or in accordance with a timetable to be approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

GROUND:

To ensure that the development is compatible with the amenities of the locality in accordance with the NPPF.

5 No further roof alterations whether approved by the Town and Country Planning (General Permitted Development) (England) Order 2015 Class B or C of Part 1 Schedule 2 (or any Order revoking and re-enacting that Order), shall be carried out without the prior permission in writing of the Local Planning Authority.

GROUND:

To ensure a satisfactory external treatment and in the interests of the visual amenities of the locality in accordance with Policy D1 of the Thanet Local Plan.

6 Prior to the first occupation of the hereby approved visibility splays of 2metres by 2metres behind the footway on both sides of the dwelling access with no obstructions over 0.6m above footway level shall be provided and thereafter maintained.

GROUND:

In the interest of highway safety.

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

GROUND:

In the interests of highway safety.

8 No development shall commence on site until full details of the surface water drainage arrangements have been submitted to and approved in writing by the Local Planning Authority. The drainage details shall be constructed as approved before any part of the development hereby permitted is brought into use.

GROUND:

To ensure that there is a satisfactory means of drainage in accordance with the NPPF.”

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

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

“That the application be refused for the following reasons:

“The proposed two dwellings, by virtue of their design, prominent siting and proximity to and relationship with the adjoining properties in Albert Road, would result in the loss of openness between dwellings, comprising a cramped and congested form of development, that would appear out of character with the pattern of development in the locality and incongruous within the street scene, to the detriment of the visual amenities of the area, contrary to Thanet Local Plan Policies D1 and SR11 and paragraphs 57 and 58 of the National Planning Policy Framework.”

The proposed development by virtue of its height, siting and proximity to numbers 52, 54 and 56 Whitfield Avenue would result in a dominant form of development that would have an unacceptable overbearing sense of enclosure to neighbouring properties, significantly harmful to the living conditions of the existing and future occupiers of those properties, contrary to policy D1 of the Thanet Local Plan and paragraph 17 of the National Planning Policy Framework.”

231. A03 - F/TH/17/1138 - LAND REAR OF WALTERS HALL OAST, MONKTON STREET, MONKTON

PROPOSAL: Erection of a three storey dwelling and garage with associated parking and access

It was proposed by Councillor S Piper, seconded by Councillor Tomlinson and RESOLVED:

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

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

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

GROUND:

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

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

OV/DB/CL/05 Rev A (received 23/08/17)

OV/DB/CL/01 Rev A (received 23/08/17)

OV/DB/CL/02

OV/DB/CL/03

OV/DB/CL/04

GROUND:

To secure the proper development of the area.

3 No development shall take place on any external surface of the development hereby permitted until details of the type, colour and texture of all materials to be used for the external surfaces of the dwelling have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

GROUND:

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

4 No development or other operations shall commence on site until the existing hedgerows to be retained along the north, east and southern site boundaries have been protected in accordance with a scheme that has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall provide for the erection of fencing for the protection of any retained hedge before any equipment, machinery, or materials are brought onto the site for the purposes of development or other operations. The fencing shall be retained intact for the full duration of the development until all equipment, materials and surplus materials have been removed from the site. If the fencing is damaged all operations shall cease until it is repaired in accordance with the approved details. Nothing shall be stored or placed in any fenced area in accordance with this condition. The hedgerows shall thereafter be maintained at a height of not less than 2m above ground level.

GROUND:

To ensure that existing hedgerows are properly protected in accordance with the NPPF and policy D2 of the Local Plan.

5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order), no windows or other openings shall be inserted in the north west elevation of the dwelling and garage hereby approved without the prior written permission of the Local Planning Authority.

GROUND:

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

232. A04 - FH/TH/17/0743 - 30 KENT ROAD, MARGATE

PROPOSAL: Erection of outbuilding

Speaking raising points of concern was Mr Mundy.

Speaking as ward councillor was Councillor Hillman.

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

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

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

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

GROUND:

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

2 The development hereby approved shall be carried out in accordance with the submitted elevations received 26 June 2017 and block plan received, 08 August 2017.

GROUND:

To secure the proper development of the area.

3 Prior to the first use of the outbuilding hereby permitted a 2m fence shall be erected on the boundary between number 30 and 32 Kent Road as indicated on the submitted plan received 08 August 2017.

GROUND:

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

Further to debate, the motion was withdrawn by the Chairman and this was seconded by the Vice Chairman.

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

“That the decision be deferred and brought back to Committee after the enforcement investigation by the Council relating to the change in levels of the rear garden has been completed”.

233. A05 - F/TH/17/0780 - LAND ADJACENT TO 2 THE RIDINGS, MARGATE

PROPOSAL: Variation of condition 2 attached to Planning Permission F/TH/14/0427 for the erection of 1No. two storey detached dwelling with attached garage to allow for a single storey side extension together with alterations to internal layout and front elevation

It was proposed by Councillor S Piper, seconded by Councillor Tomlinson and RESOLVED:

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

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

1 The proposed development shall be carried out in accordance with the amended plan titled 'Detailed Plans of a New Build Chalet Bungalow' received by the Local Planning Authority on 31st July 2017.

GROUND:

To secure the proper development of the area.

2 Prior to the first occupation of the dwelling hereby permitted visibility splays of 2metres by 2metres behind the footway on both sides of the dwelling access with no obstructions over 0.6m above footway level shall be provided and thereafter maintained.

GROUND:

In the interest of highway safety.

3 The proposed development shall be carried out in accordance with the written programme and specification of the archaeological watching brief submitted to the Local Planning Authority on 15th October 2014 and approved in writing. A full report must be submitted to the Local Planning Authority on completion of the development.

GROUND:

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

4 Prior to the first occupation of the dwelling hereby permitted the area shown on the submitted plan as vehicle parking spaces and turning areas, shall be provided and kept available for such use at all times.

GROUND:

In the interests of highway safety and in pursuance of policy D1 of the Thanet Local Plan.

5 The reveals to the window and door openings in the dwelling hereby approved shall not be less than 100mm within the front elevation.

GROUND:

To secure a satisfactory external treatment in accordance with advice contained within the NPPF.

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

GROUND:

In the interests of highway safety.

7 Prior to the first occupation of the dwelling hereby approved, the soakaways identified on the site plan submitted to the Local Plannign Authority on 16th October 2014 and linear drainage to the paved driveway area shall be installed and thereafter maintained.

GROUND:

To prevent pollution and surface water discharge onto the highway, in accordance with the advice contained within the NPPF.

8 The development hereby approved shall be constructed in Selbourne Multi Mixture stock bricks and Redland 50 Double Roman Breckland Brown 52 roof tiles in accordance with the details submitted to and approved in writing by the Local Planning Authority on 17th November 2014.

GROUND:

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

9 Existing trees, shrubs and hedgerows identified for retention within the development site or existing trees growing on an adjacent site, where excavations, changes to land levels or underground works are within the crown spread, shall be protected in accordance with BS 5837: 2005 using the following protective fence specification:-

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

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

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

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

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

GROUND:

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

10 All hard and soft landscape works shall be carried out in accordance with the approved details, namely the Landscaping Plan submitted on 16th October 2014 and paving type Brett Radial Autumn Mix. The works shall be carried out prior to the occupation of any part of the development, or in accordance with a programme of works to be agreed in writing with the Local Planning Authority. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size and species, unless the Local Planning Authority gives any written consent to any variation.

GROUND:

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

234. A06 - L/TH/17/1003 - WATERSIDE STABLES, ROWENA ROAD, WESTGATE-ON-SEA

PROPOSAL: Application for listed building consent for repair works to roof, chimney and weather vane, together with change of colour to exterior paintwork.

It was proposed by Councillor S Piper, seconded by Councillor Tomlinson and
RESOLVED:

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

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

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

GROUND:

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

2 The development hereby approved shall be carried out in accordance with the schedule of work as identified within the heritage, design and access statement received 12 July 2017.

GROUND:

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

3 Any missing tiles to the south roof slope shall be replaced with reclaimed tiles to match the existing property, in accordance with the sample roof tile received 12 July 2017.

GROUND:

To secure a satisfactory external treatment and to safeguard the special character and appearance of the property as a Listed Building in accordance with advice contained within the National Planning Policy Framework.

4 The chimney shall be repointed in lime mortar, with no addition of Portland cement, in accordance with the submitted Heritage, Design and Access Statement, received 12 July 2017.

GROUND:

To secure a satisfactory external treatment and to safeguard the special character and appearance of the property as a Listed Building in accordance with advice contained within the National Planning Policy Framework.

5 The application of colour to the Dovecote, window frames and surrounds shall be Farrow and Ball Dix Blue Full Gloss, in accordance with the submitted Heritage, Design and Access Statement received 12 July 2017.

GROUND:

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

235. A07 - L/TH/17/1033 - EAST CROSSWALL, RAMSGATE

PROPOSAL: Application for listed building consent for the erection of 2No. pitched roof plant buildings either side of the dock gate and removal of existing redundant structures

It was proposed by Councillor S Piper, seconded by Councillor Tomlinson and
RESOLVED:

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

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

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

GROUND:

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

2 The development hereby approved shall be carried out in accordance with the submitted drawing numbered 17-245-02 received 13 July 2017 and the submitted drawing 3601_500 received 01 August 2017.

GROUND:

To secure the proper development of the area.

3 The proposed plant buildings shall be finished in vertical cedar cladding to the elevations and metal standing seam to the roof, coloured slate grey to match the existing harbour office building to the south west, in accordance with the approved plan numbered 17-245-02 received 13 July 2017 and the correspondence received from the applicant dated 24 August 2017.

GROUND:

To secure a satisfactory external treatment and to safeguard the special character and appearance of the property as a Listed Building in accordance with advice contained within the National Planning Policy Framework.”

236. A08 - L/TH/17/0836 - DREAMLAND CINEMA, DREAMLAND LEISURE COMPLEX, MARINE TERRACE

PROPOSAL: Application for Listed Building Consent for internal alterations to bingo hall together with refurbishment works

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

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

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

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

GROUND:

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

2 The development hereby approved shall be carried out in accordance with the submitted drawings numbered 17.01.03 Rev P0 and 17.01.04 Rev P0 received 7 June 2017.

GROUND:

To secure the proper development of the area.”

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

237. **A09 - L/TH/17/0832 - DREAMLAND CINEMA, DREAMLAND LEISURE COMPLEX, MARINE TERRACE**

PROPOSAL: Application for Listed Building consent for the erection of folding metal gates to cinema main entrance for a temporary period of three years

It was proposed by Councillor S Piper, seconded by Councillor Tomlinson and RESOLVED:

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

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

1 At the expiration of a period ending on the 20th September 2020; unless further permission has been granted, the gate hereby approved shall be removed and the building restored to its former condition in accordance with a scheme of work to be submitted to, and approved in writing by the Local Planning Authority.

GROUND:

In view of the temporary nature of the proposal and paragraphs 131 and 132 of the NPPF.

2 The development hereby approved shall be carried out in accordance with the submitted drawings, unnumbered plans received on the 6 and 26 June 2017

GROUND:

To secure the proper development of the area.”

238. **A10 - F/TH/17/0833 - DREAMLAND CINEMA, DREAMLAND LEISURE COMPLEX, MARINE TERRACE, MARGATE**

PROPOSAL: Erection of folding gates to main cinema entrance for a temporary period of three years

It was proposed by Councillor S Piper, seconded by Councillor Tomlinson and RESOLVED:

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

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

1 At the expiration of a period ending on 20th September 2020, unless further permission has been granted, the gate hereby approved and the building restored to its former condition in accordance with a scheme of work to be submitted to and approved by the Local Planning Authority.

GROUND:

In view of the temporary nature of the proposal.

2 The development hereby approved shall be carried out in accordance with the submitted drawings, unnumbered plans received on the 6 and 26 June 2017

GROUND:

To secure the proper development of the area.”

239. R11 - F/TH/17/0525 - LAND AND BUILDINGS AT 10 TO 14 BELGRAVE ROAD, MARGATE

PROPOSAL: Demolition of buildings 10-14 Belgrave Road and part demolition of building to rear together with the erection of 2m high Palisade fencing

Speaking in favour of the application was Mr Tunstall.

Speaking raising points of concern was Mr Brown.

Speaking as ward councillor was Councillor Johnston.

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

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

‘That the application be REFUSED for the following reason:

1 The proposed works, by virtue of the loss of buildings without providing an appropriate redevelopment scheme for the site would fail to preserve or enhance the character or appearance of the designated conservation area without providing any material public benefit to outweigh the visual harm from the creation of a gap within the conservation area contrary to the provisions of paragraphs 56, 64, 131, 132, 134, 136 and 137 of the National Planning Policy Framework.”

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

Then, it was proposed by Councillor Tomlinson and seconded by Councillor Ashbee that:

“That the application be APPROVED for the following reasons:

‘There would be no substantial harm to character and appearance of the conservation area, and any harm is outweighed by the public benefits of the demolition.”

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

240. R12 - F/TH/17/0884 - 55 ATHELSTAN ROAD AND 65 NORTHDOWN ROAD, MARGATE

PROPOSAL: Retrospective change of use from taxi office (sui generis) and retail (A1) to escape rooms (D2) and retention of external alterations for a temporary period of two and a half years.

Speaking in favour of the application was Mr Hunt.

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

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

‘That the application be REFUSED for the following reason:

1 The proposal, by virtue of the unsympathetic and poor quality external alterations to the prominently located building, results in significant harm to the character and appearance of the designated conservation area, which is not outweighed by the public benefits of the proposal, contrary to saved policy D1 of the Thanet Local Plan and paragraphs 56, 64, 131, 132, 134 and 137 of the NPPF.”

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

Then it was proposed by Councillor Tomlinson and seconded by Councillor Buckley:

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

‘1. At the expiration of a period ending on 20th March 2020 unless further permission has been granted, the use of the properties as Escape Rooms shall cease together with any associated development and the buildings restored to its former condition in accordance with a scheme of work to be submitted to, and approved in writing by, the Local Planning Authority.

GROUND:

In view of the temporary nature of the proposal.

2. Prior to the 20th September 2019 details of the proposed shopfront restoration for no. 55 Athelstan Road, Margate shall be submitted to, and agreed in writing by, the Local Planning Authority. The shopfront shall be restored in accordance with the details approved within two months of that approval and shall thereafter be permanently retained.

GROUND:

In the interests of preserving and enhancing the special character and appearance of the application site's conservation area setting in accordance with saved policy D1 of the Thanet Local Plan and paragraphs 56, 64, 131, 132, 134 and 137 of the NPPF.”

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

- (a) **D13 - OL/TH/16/1715 - Land South Of Manston Road Adjacent To The Beacon (Former Car Storage Site) Manston Road, Ramsgate**

PROPOSAL: Outline application for 48 dwellings including access with all other matters reserved

Speaking in favour of the application was Mr Wallis.

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

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

‘That the application be DEFERRED AND DELEGATED to the Director of Community Services to approve subject to receipt of a legal agreement securing the agreed planning obligations and the following safeguarding 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 Prior to works commencing on site (including vegetation clearance) a detailed mitigation strategy must be submitted to, and approved in writing by, the Local Planning Authority. The mitigation strategy must include the following:

- a) Map detailing location of receptor site
- b) Details of ecological enhancements to increase carrying capacity
- c) Timetable of the proposed works.
- d) Reptile Translocation methodology
- e) Long term management plan

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

GROUND:

To safeguard protected species, in accordance with the NPPF.

6 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 to consent from the Local Planning Authority.

GROUND:

To safeguard protected species, 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 the development hereby permitted, an acoustic assessment shall be undertaken to determine the impact of noise from adjoining commercial related noise sources and shall be made in accordance with BS4142 2014: Method for rating and assessing industrial and commercial sound. 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 must demonstrate that the internal noise levels within the residential units will conform to the indoor ambient noise levels for dwellings identified by BS8233 2014: Guidance on Sound Insulation and Noise Reduction for Buildings. 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.

9 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 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.

10 No development shall take place until details of the means of foul disposal have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with such details as are agreed and thereafter maintained.

GROUND:

To prevent pollution in accordance with the NPPF.

11 No development shall take place until details of the measures which will be undertaken to divert the public sewers have been submitted to, and approved in writing by, the Local Planning Authority. Development shall be carried out in accordance with the approved details.

GROUND:

To protect drainage apparatus, in accordance with the NPPF.

12 No development shall take place until a detailed sustainable surface water drainage scheme for the site has been submitted to (and approved in writing by) the local planning authority. The detailed drainage scheme shall demonstrate that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100yr storm) can be accommodated and disposed of through infiltration features located within the curtilage of the site alone.

GROUND:

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

13 Prior to the first occupation of the development hereby permitted, details of the implementation, maintenance and management of the sustainable drainage scheme shall be submitted to and approved in writing by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:

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

GROUND:

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

14 No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the local planning authority (in consultation with the Environment Agency); this may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

GROUND:

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

15 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.

16 In the event that contamination is found that was not previously identified at any time when carrying out the approved development, it shall be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment shall be undertaken at that time in accordance with a site characterisation report that shall be submitted to and approved in writing by the Local Planning Authority and where remediation is necessary a remediation scheme shall be submitted to and approved in writing by the Local Planning Authority, including remediation measures to render harmless the identified contamination given the end use of the site and the surrounding environment, including controlled waters. The remediation measures shall be implemented as approved and completed prior to the recommencement of works. Prior to the occupation of the approved development and following completion of measures identified in the approved remediation scheme a verification report shall be submitted to and approved in writing by the Local Planning Authority.

GROUND:

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

17 Piling or any other foundation designs / investigation boreholes 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 pollution of the underlying chalk Principal Aquifer in line with the sustainable development aims of the NPPF.

18 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.

19 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 Construction Management Plan shall include the following:

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

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

GROUND:

In the interests of highway safety.

20 The details to be submitted in pursuant of condition 1 above shall show a pedestrian footway extending the length of the northern boundary of the site adjacent to Manston Road, and its connection with the existing footpath to the eastern boundary of the site.

GROUND:

In the interests of highway safety and pedestrian movement.

21 The details to be submitted pursuant to condition 1 above shall show visibility splays measuring 2.4 metres x 43 metres to the west of the private road/Manston Road junction, with no obstructions over 1 metre above carriageway level within the splay. The visibility splay shall thereafter be maintained.

GROUND:

In the interests of highway safety.

22 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.

23 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.

24 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.

25 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.”

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

Meeting concluded : 9.45pm

A01

F/TH/17/0770

PROPOSAL: Retrospective application for excavation works to level site and create vehicular access onto Farley Road

LOCATION: Land West Of Farley Road MARGATE Kent

WARD: Salmestone

AGENT: Mr D Brown

APPLICANT: Mr D Manyweathers

RECOMMENDATION: Approve

Subject to the following conditions:

1 Within six weeks from the date of this decision, the reptile exclusion fencing to the southern boundary of the site shall be replaced or repaired, with details of the repair works or the replacement fence (which shall include height, design, materials and exact location) to be first submitted to and approved in writing by the Local Planning Authority. The repaired/replacement fence shall be installed in accordance with the approved details.

GROUND:

To safeguard protected species, in accordance with the NPPF.

INFORMATIVE

Please be advised that whilst the creation of an access is being considered through this application, this is solely as a maintenance/monitoring access, and the use of the access for any future alternative use/form of development will require further consideration as part of its respective planning application as to its suitability in respect of highway safety.

SITE, LOCATION AND DESCRIPTION

The site is located on the edge of Margate and constitutes a redundant section of the old Margate Railway line. The site is a strip of land running parallel to Nash Road, and located at the head of Farley Road, and falls adjacent to existing residential properties at the end of Farley Road. The site is outside, but adjacent to, the urban confines, and the site constitutes non-previously developed land.

RELEVANT PLANNING HISTORY

Since 2004 there have been various planning applications on different parts of the former railway line. For this specific part of the former railway line there has been only one previous application.

F/TH/14/0887 - Engineering operation to reduce level of site and use of excavated material to fill railway cutting - Granted - 22/07/15

PROPOSED DEVELOPMENT

The application is retrospective, and is for excavation works to level the site, along with creating a vehicular access onto Farley Road. An application has previously been approved for the excavation of part of the site up to 1m. This application is for the increase in the depth of excavation works to be carried out, ranging from the 1m already approved up to a depth of 1.6m, in the area where a new vehicular access into the site is to be created. The vehicular access was required to enable vehicles to enter the site to carry out levelling works, and to gain access to the reptile receptor site.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan (2006)

D1 - Design

D2 - Landscaping

CC1 - Countryside Development

CC2 - Landscape Character Area

NOTIFICATIONS

Neighbouring occupiers have been notified. 70 letters of objection have been received. The main concerns are:

- congestion,
- road is narrow and often parked up,
- Water and drainage problems, dropping the land level will result in flooding,
- loss of trees/hedges,
- highway safety, construction vehicles on the road carrying out dangerous manoeuvres,
- work has been carried out during weekends and public holidays, causing dust and a noise disturbance for residents,
- road is being left with dirt and chalk from the application site,
- impact on wildlife,
- work occurred without planning permission.

CONSULTATIONS

KCC Highways and Transportation - Without assuming the future use of the site the highway authority (HA) would not be able to comment on the suitability of the access for housing or any change of use. Based on the information provided by the applicant, the highway authority would be happy for the access to be maintained for ongoing ecological surveys / studies, but any future applications will need to include access matters.

KCC Biodiversity Officer - We have reviewed the submitted information and had a discussion with the ecologist and we have the following comment to make.

We accept that sufficient information have been provided for the determination of the planning application.

Reptiles

The information submitted has confirmed the following :

- o A receptor site for reptiles was established with input by a qualified ecologist and enhanced on the south part of the site area (An updated and attached map submitted by the ecologist on the 21st of June 2017 shows the right location of the receptor site at the south part of Farley Road, outside of the development area).
- o A previous reptile translocation was undertaken in 2016 but was not carried out by an experienced ecologist - instead the applicant carried out the translocation works. This is not acceptable and translocations and subsequent destructive searches should always be carried out by someone with experience to ensure that it is carried out appropriately with minimal stress to individuals.
- o The exclusion fence along the receptor area is in a poor state and a new reptile survey was undertaken by the ecologist in June 2017 which concluded that the development site is considered likely to support a modest number of slow-worms with a peak count of 5 individuals
- o The ecologist confirmed that the receptor area is safe from development and provides a suitable location for translocated slow worms and can support a breeding population.

We are satisfied that the results from the reptile survey are sufficient to inform the submitted Reptile Mitigation and recommend implementing it as a condition of planning permission if granted.

We suggest the following condition wording :

Prior to the commencement of development, including site clearance, the reptiles within the application site shall be captured and relocated to the identified receptor site, by a qualified ecologist, as shown in Fig. 7.1 Proposed Receptor Area, Calumma drawing No 1617/30/2/7.1, June 2017. The translocation shall be carried out in accordance with the mitigation detailed in paragraph 8.2 of the Reptile Survey, Calumma, June 2017.

The reptiles' receptor site shall be prepared and managed appropriately by a qualified ecologist, in accordance with the measures detailed in paragraph 8.3 of the Reptile Survey, Calumma, June 2017.

Reptiles are usually active between April and September (weather dependent) and translocation works have to be carried out as soon as possible to ensure there is sufficient time to complete the translocation this year.

The development works cannot commence until the applicants' ecologist is satisfied that the translocation has been completed. If the translocation works are not completed by September, it will have to stop and re-start during the next season in April 2018.

The results of the monitoring surveys must be submitted to TDC.

It has been noted that the reptile exclusion fencing constructed previously alongside the proposed receptor site requires urgent attention and should be replaced or repaired as soon as possible. In addition, we recommend setting up Heras fencing in front of the exclusion fence to be clearly demarcated and protected from construction traffic during the works - this will ensure that the receptor site is not damaged (and reptiles injured/killed when the works are being carried out.

The fence has to be checked on weekly inspection and must be repaired immediately following any damage.

We advise to include those measures into the Construction Environment Management Plan and secure it as a condition of planning permission if granted.

Natural England - No comments

KCC Archaeology - I understand that the site has already been subject to excavation works under permission 14/0887 and this application is to regularise the position. If further groundworks are to be undertaken and they extend to beneath the level of the former embankment then provision should be made for an archaeological watching brief. That would be consistent with advice on other sections of this disused railway.

COMMENTS

The planning application is brought before Planning Committee as it represents a departure from Thanet Local Plan Policy CC1. The main issues for consideration are the principle of development, the visual impact of the proposed engineering operation, highways and environmental matters, and other matters raised by neighbouring property occupiers.

Principle

The site lies adjacent to but outside of the urban confines, within the countryside where new development will not be permitted unless there is a need for the development that overrides the need to protect the countryside.

It is not evident that there is a need for development that could be weighed against the general need to protect the countryside; therefore the proposal does not accord with Thanet Local Plan Policy CC1.

Character and Appearance

The site forms part of a disused railway line, and currently falls outside of the urban confines. The site is located at the head of Farley Road, and lies adjacent to two existing properties within Farley Road. To the south west of the site is countryside, and to the south of the site is a reptile receptor site, which has been used to accommodate most of the reptiles identified along other parts of the disused railway. To the north of the site the former railway has been split into smaller sites, and excavation works have been carried out, with planning permission granted for both residential development and the extension of gardens to existing properties.

Planning permission has previously been granted in 2014 for the excavation of the site up to one metre. This did not include the provision of an access. Since the 2014 was approved, excavation works have been carried out at the site, but following numerous site visits during the excavation works, it became clear that the excavation works that were being carried out were greater than that previously approved.

As part of this application a level survey has been submitted, including sections, that shows the height of the original level of the land in relation to the existing land level. The area where the greatest excavation works have been carried out are in the area where the access is proposed, with excavation of up to 1.6m having taken place in order to provide a sloping access that connects to the existing road level.

There are no protected trees on the site, and many of the trees along the boundary of the site have been retained.

The reduction in the height of the land by up to 1.6m has integrated the land into the existing street scene, and as such it could not be argued that the reduction has been significantly harmful to the character and appearance of the area, especially given the fall-back position of the previous planning permission that allowed excavation works of up to one metre. Whilst the site is located just outside of the urban boundary, the reduction in land level has not significantly impacted upon views from the countryside and therefore whilst there is not considered to be a need for the proposed works, it is not considered that any wider landscape harm has accrued from the development.

Living Conditions

The reduction in land level has not impacted upon neighbouring light or outlook. If anything the reduction in land level may have improved light and outlook to no. 36 Farley Road, who have side windows facing the site.

Concerns have been raised by residents regarding noise and disturbance and dust from the works, however, these works have already been completed and so there is unlikely to be any further harm to residents. In any event, noise and disturbance and dust during development works is not a refusal reason when considering a planning application.

Transportation

The impact upon highway safety is one of the main concerns raised by residents. The concerns of residents are understood, in that this is a narrow cul-de-sac, and therefore the presence of construction traffic and additional vehicle movements through the road may have resulted in some recent highway safety problems. Unfortunately, it is not possible to refuse a planning application on the basis of the inconvenience caused during the development works process. This application is also retrospective with the levelling works complete.

In terms of the new access, consideration can only be given to the creation of an access to the vacant site, and cannot be assessed as an access to any future potential development of the site. KCC Highways and Transportation have been consulted and have advised that based on the information provided by the applicant, they have no concerns with the access being maintained for ongoing ecological surveys / studies; however, any future applications for new development will need to include access matters. The adequacy of the access for any new uses/development will be assessed in any future applications if they are received.

The access is therefore considered to be acceptable, as the only additional vehicle movements likely to result would be in relation to the reptile receptor site, or to gain maintenance access of adjoining land. The number of trips created is unlikely to result in a severe harm to the highway network. The impact upon highway safety is therefore considered to be acceptable.

Biodiversity

With regards to the reptiles that have previously been identified on the site, a receptor site for the reptiles was established on the southern part of the site. Reptile translocation was undertaken in 2016 but was not carried out by an experienced ecologist - instead the applicant carried out the translocation works himself, and therefore a report was requested by KCC from a qualified Ecologist to advise on the acceptability of the receptor site, and the presence of reptiles within the receptor site. A new reptile report was submitted in June 2017, which confirmed that whilst the fencing of the receptor site was in a poor state, the development site was considered likely to support only a modest number of slow-worms with a peak count of 5 individuals. The ecologist confirmed that the receptor site is safe from development and provides a suitable location for translocated slow worms and can support a breeding population. In response to this report, KCC have advised that they are satisfied with the results from the reptile survey, which are sufficient to inform the submitted Reptile Mitigation.

Whilst a condition requiring the reptiles to be captured and relocated prior to the commencement of works has been recommended by KCC, the application is retrospective, and therefore it is not intended for any further works to be carried out at this stage. It has been noted, however, that the reptile exclusion fencing constructed previously alongside the proposed receptor site requires urgent attention and should be replaced or repaired as soon as possible. The replacement/repair of the fencing is matter that can be covered via condition, as the creation of an access is likely to create the potential for harm to reptiles that

may move onto the application site from the receptor site. Again, Heras fencing is not required as there is no further construction works proposed.

Other Matters

Concerns regarding drainage have been raised by residents. The excavation works have already taken place, and the agent has confirmed that no water mains were found.

In terms of the potential for flooding, the access is not to be re-surfaced as part of this application, and therefore the potential for surface water runoff onto the highway is considered to be no worse than with the previous land level, which also saw a slope towards the road but from a greater height.

Conclusion

The development would be a departure from Local Plan Policy CC1, as there is no need for the development within the countryside. However, notwithstanding this, the excavation has not resulted in any visual or landscape harm to the character or appearance of the countryside or residential area; therefore the development has had a neutral impact on the Countryside. All ecology concerns on the site have previously been dealt with, and no highway safety concerns are raised in relation to the creation of an access for maintenance access and access for the monitoring of the receptor site. The application therefore represents an acceptable departure from Local Plan Policy CC1 and is recommended for approval.

Case Officer

Emma Fibbens

TITLE: F/TH/17/0770

Project Land West Of Farley Road MARGATE Kent

Scale:



THANET DISTRICT COUNCIL

PLANNING COMMITTEE

18 October 2017

BACKGROUND PAPERS TO SCHEDULE OF APPLICATIONS

The Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000 (as amended)

(A) Standard Reference Documents - (available for inspection at the Council offices)

1. Thanet District Council Local Plan saved policies
2. Cliftonville Development Plan Document
3. Government Circulars and the National Planning Policy Framework issued by the Department of Communities and Local Government.

(B) Register of Applications for Planning Permission (Article 40 of the Town and Country Planning (Development Management Procedure) (England) Order 2015))

(Copy of applications together with accompanying plans or drawings are available for inspection at the Council offices)

(C) Background Papers in relation to specific reports in the Schedule of Planning Applications

(Copies of background papers and any appeal decisions referred to are available for inspection at the Council offices and via the Council's website)

I certify that the above items are not exempt information.

(D) Exempt information in accordance with paragraph of Schedule 12 (A) of the Local Government Act 1972.

N/A

I certify that the above items are exempt information.

Prepared by: IAIN LIVINGSTONE



SIGNED:.

Proper Officer

DATE:06 October 2017

THANET DISTRICT COUNCIL

REPORT OF THE DIRECTOR OF COMMUNITY SERVICES

PART A

TO: THE PLANNING COMMITTEE

DATE: 18 October 2017

Application Number	Address and Details	Recommendation
A01 F/TH/17/1174	Seafields Cliff Road BIRCHINGTON Kent CT7 9LS	Approve
	Erection of three storey building containing 4 No 2 bed flats and 2 No 1 bed flats with associated car parking following demolition of existing house	
	Ward: Birchington North	
A02 F/TH/17/0405	Former Farm Buildings Rear Of Quex Barn Quex Park Birchington Kent	Approve
	MAJOR	
	Change of use of existing barn buildings to 9 holiday let units and a club room, and erection of one new single storey building to create an additional two holiday let units, with associated parking	
	Ward: Birchington South	
A03 FH/TH/17/1117	22 Callis Court Road BROADSTAIRS Kent CT10 3AF	Approve
	Erection of two storey rear extension, together with two storey garage to rear garden	
	Ward: Beacon Road	

THANET DISTRICT COUNCIL

REPORT OF THE DIRECTOR OF COMMUNITY SERVICES

PART B

TO: THE PLANNING COMMITTEE

DATE: 18 October 2017

Application Number	Address and Details	Recommendation
R04 F/TH/17/1079	83 Sea Road Westgate On Sea Kent CT8 8QF Erection of two storey building incorporating garage to ground floor and 1No. studio flat to first floor following demolition of existing boundary wall Ward: Westgate-on-Sea	Refuse Permission

THANET DISTRICT COUNCIL

REPORT OF THE DIRECTOR OF COMMUNITY SERVICES

PART C

TO: THE PLANNING COMMITTEE

DATE: 18 October 2017

Application Number	Address and Details	Recommendation
D05 OL/TH/17/0152	Land East Of 40 Canterbury Road West RAMSGATE Kent	Defer & Delegate
MAJOR	Outline Application for the erection of up to 65no. dwellings including access with all other matters reserved Ward: Cliffsend And Pegwell	

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

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

GROUND:

To ensure the provision of adequate cycle parking that meets the needs of occupiers of the proposed development and in the interests of encouraging the use of sustainable modes of transport.

6 Prior to the first occupation of the development hereby permitted the vehicular access shall be provided and thereafter retained at the position shown on the approved plan numbered 09A (received 15/09/17).

GROUND:

In the interests of highway safety.

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

GROUND:

In the interests of highway safety.

8 The gradient of the vehicular access shall not exceed 1:10 for the first 1.5 metres into the site from the highway boundary and shall not exceed 1:8 thereafter.

GROUND:

In the interests of highway safety.

9 Prior to the first occupation of the units hereby permitted pedestrian visibility splays of 2metres by 2metres behind the footway on both sides of the dwelling access with no obstructions over 0.6m above footway level shall be provided and thereafter maintained.

GROUND:

In the interest of highway safety.

10 Prior to the first occupation of the development hereby permitted a visibility splay shall be provided in full accordance with the details indicated on the approved plan. The splay shall thereafter be maintained at all times free from any obstruction exceeding 0.9 metres above the level of the adjacent highway carriageway.

GROUND:

In the interest of highway safety.

11 Prior to the commencement of the development hereby approved a Construction Management Plan shall be submitted to include the following:

- a) Routing of construction and delivery vehicles to/from the site
- b) Parking and turning areas for construction and delivery vehicles and site personnel
- c) Timing of deliveries
- d) Provision of wheel washing facilities
- e) Temporary traffic management/signage

GROUND:

In the interest of highway safety.

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

GROUND:

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

13 Existing trees, shrubs and hedgerows identified for retention within the development site or existing trees growing on an adjacent site, where excavations, changes to land levels or underground works are within the crown spread, shall be protected in accordance with BS 5837: 2005 using the following protective fence specification:-

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

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

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

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

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

GROUND:

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

14 The refuse storage facilities and clothes drying facilities as specified upon the approved drawing 09A and received 15/09/17 shall be provided prior to the first occupation of the units hereby approved and shall be kept available for that use at all times.

GROUND:

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

15 Prior to the commencement of the development hereby approved samples of the materials to be used in the construction of the external surfaces of the development hereby approved shall be submitted to, and approved in writing by, the Local Planning Authority. Development shall be carried out in accordance with the approved samples.

GROUND:

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

16 All new window and door openings shall be set within reveals not less than 100mm.

GROUND:

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

17 The first and second floor windows in the east and west-facing elevation serving the kitchens of flat 4, 5 and 6, en-suite, bathroom to flat 6 and living/dining area of flat 6 of the building hereby approved shall be provided and maintained with obscure glass and be top hung only.

GROUND:

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

18 Prior to occupation of any residential units to which they relate the privacy screens to the balconies and patio areas shall be fitted and maintained with a 2 metre obscure privacy screen as detailed on drawing numbered 07A (received 15/09/17). The screens shall thereafter be maintained.

GROUND:

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

INFORMATIVES

It is the responsibility of the applicant to ensure, before the development hereby approved is commenced, that all necessary highway approvals and consents where required are

obtained and that the limits of highway boundary are clearly established in order to avoid any enforcement action being taken by the Highway Authority.

Across the county there are pieces of land next to private homes and gardens that do not look like roads or pavements but are actually part of the road. This is called 'highway land'. Some of this land is owned by The Kent County Council (KCC) whilst some are owned by third party owners. Irrespective of the ownership, this land may have 'highway rights' over the topsoil. Information about how to clarify the highway boundary can be found at <http://www.kent.gov.uk/roads-and-travel/what-we-look-after/highway-land>

The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under such legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.

Planning permission does not convey any approval for construction of the required vehicular crossing, or any other works within the highway for which a statutory licence must be obtained.

Applicants should contact Kent County Council - Highways and Transportation (web: www.kent.gov.uk/roads_and_transport.aspx or telephone: 03000 418181) in order to obtain the necessary Application Pack.

SITE, LOCATION AND DESCRIPTION

The application site is located on the southern side of Cliff Road, Birchington; the site overlooks a green swathe and Grenham Bay. To the western boundary of the site is a footpath that links Cliff Road with Sea View Avenue.

The site is enclosed to Cliff Road by a wall, with a hedge behind, with brick piers to either side of the existing vehicular access. The site is hard surfaced at the front with only soft landscaping provided along the boundaries. A detached chalet bungalow occupies the site currently; this has a hipped roof over and flat roof dormer windows to all three elevations. The property has a flat roof store and garage to the western side and small flat roof projection on the eastern side.

The wider area comprises a mix of dwelling types, which are detached, but not one design style prevails.

RELEVANT PLANNING HISTORY

None.

PROPOSED DEVELOPMENT

Full planning consent is sought for the erection of a three storey contemporary designed flat roof building to accommodate four 2 bedroom flat and two 1 bedroom flats with parking and amenity area.

The proposed building is set back from the road by a minimum of 21 metre, approximately 2.4m from the western boundary and 1.4 metres from the eastern boundary.

The proposed building has an overall height of 8.6 metres, at the top of the third floor, which has a smaller floorspace than the lower two levels. The ground floor includes to one bedroom flats at the front of the building accessed off the communal entrance which is located on the side elevation and a two bedroom flat at the rear, all of the ground floor flats have access to their own patio area. The first floor has two, 2 bedroom flats, the front flat has access to a balcony area and the second floor has a two bedroom unit area with a balcony area to the front.

A communal garden is shown to the rear of the proposed building which is to be maintained by a management company together with two rotary clothes lines, with a pathway leading to this area. A bin storage area is shown to the front of the proposed building.

The existing vehicular access is to be closed and a new vehicular access formed to the west side on the road frontage. The area in front of the building will be constructed in block paving for the parking of residents vehicles. Seven parking spaces are provided to the front of the proposed building.

The supporting statement details that the proposed building would be constructed in blockwork with a self-finished white render with a concrete flat roof with a self-finished grey facia. The windows are to be large paned windows or sliding folding patio doors and self-finished in grey upvc or similar. Balconies are provided and finished with clear plate glass and stainless steel handrail and posts.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan Policy (2006) Saved Policies

- H1 - Housing provision
- H4 - Windfall sites
- TR12 - Cycling
- TR16 - Car parking provision
- D1 - Design principles
- D2 - Landscaping
- D7 - Areas of High Townscape Value
- SR5 - Doorstep and local play space

NOTIFICATIONS

Thirty two letters of representation have been received in respect of the submitted planning application. The concerns can be summarised as follows:

- Existing property is in good order
- Site is within an Area of High Townscape Value which the Local Planning Authority is required to maintain and where possible enhance this area. The proposal does not by virtue of its height, mass, scale and design

- Proposal is contrary to Policy D1 and D7 and accordingly should be refused
- Inappropriate over-development for an established road of detached individually occupied properties
- Proposed building looks overbearing given the size and position of the plot
- Could set a precedent
- Neighbour amenity issues- significant loss of privacy, overshadowing, light, noise and traffic
- Parking provision is insufficient and will spill out onto neighbouring streets
- Increase in traffic will disrupt the use of the footpath that runs to the side of "Seafields"; due to park cars
- Similar proposals have been refused in the area reference is made specifically to planning reference F/TH/08/0440
- Some of the second bedrooms are small in area
- Separation between properties would be adversely affected
- No buildings in Cliff Road occupied as multiple occupation/flats and would change the nature of Cliff Road
- Disruption, noise and dust during construction
- Loss of view from balcony
- Loss of front garden land to car parking
- Limit of two storey height was set following development at "Cranworth" and "Wyndcliffe"

CONSULTATIONS

Kent County Council Highways and Transportation No objection subject to conditions relating to vehicle parking spaces, cycle storage, access specification, pedestrian visibility splays and a Construction Management Plan.

Recycling and Waste Manager: No objection but state that the storage area would be better closer to the entrance to the property as there would be less likelihood of parked causing access issues.

Environmental Health Officer: I have reviewed the application for the construction of a new block of flats at this location. I do not consider there to be any air quality or contaminated land issues at this site and have the following comments on noise: -

The drawings show that the layout places bedroom areas above and below living areas, which is undesirable. I would therefore recommend a condition to safeguard the aural amenity of the occupiers.

Natural England: The application sites are in close proximity to European designated sites (also commonly referred to as Natura 2000 sites), and therefore have the potential to affect their interest features. European sites are afforded protection under the Conservation of Habitats and Species Regulations 2010, as amended (the 'Habitats Regulations'). The application sites are in close proximity to:

. Thanet Coast & Sandwich Bay Special Protection Area (SPA) and Ramsar site, part of which is also designated as the Tankerton Slopes and Swalecliffe Special Area of Conservation (SAC).

The above site is also designated at a national level as the Thanet Coast Site of Special Scientific Interest (SSSI). Please see the subsequent sections of this letter for our advice relating to SSSI features.

In advising your authority on the requirements relating to the Habitats Regulations Assessment (HRA), and to assist you in screening for the likelihood of significant effects, based upon the information provided, Natural England offers the following advice:

The proposals are not necessary for the management of the European sites

Subject to appropriate financial contributions being made to strategic mitigation, the proposals are unlikely to have a significant effect on these sites, and can therefore be screened out from any requirement for further assessment

When recording your HRA, we recommend you refer to the following information to justify your conclusions regarding the likelihood of significant effects:

Appropriate financial contributions should be made to:

o the Thanet Coast and Sandwich Bay SPA SAMM Plan being developed in conjunction with Thanet District Council.

This strategic mitigation will need to be in place before the dwellings are occupied.

Natural England is satisfied that the proposed developments being carried out in strict accordance with the details of the applications, as submitted, will not damage or destroy the interest features for which the SSSI named above have been notified. We therefore advise your authority that this SSSI does not represent a constraint in determining these applications. Should the details of these applications change, Natural England draws your attention to Section 28(1) of the Wildlife and Countryside Act 1981 (as amended), requiring your authority to re-consult Natural England

COMMENTS

This application is reported to planning committee as it has been called in by Councillor Coleman-Cooke due to concerns regarding the change of the street scene and grounds of over-development.

Principle

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

In this instance part of the development is within the existing garden area of "Seafields" and is considered therefore to represent non-previously developed land. In accordance with policy H1 the erection of a building for residential purposes on that part of the site would therefore be in conflict. This policy constraint, however, needs to be balanced with the fact that there is a current need for housing in Thanet, and on this basis the National Planning Policy Framework (NPPF) indicates that applications for housing should be considered in the context of the presumption in favour of sustainable development. Furthermore, Policy H01 -

Housing Development in the Draft Local Plan paragraph 3 states that permission for new housing development will be granted on residential gardens where not judged harmful to the local area in terms of the character and amenity considerations set out in Policy QD01 (Design principles). In this case the site is within an urban area along an established residential street frontage with an existing residential dwelling on part of the site. The undeveloped part of the plot does not provide a significant contribution to the amenity or character of the area, accordingly the development of the site is not considered to be detrimental in principle and would be consistent with the NPPF and represents an acceptable departure to policy H1.

The development of this site for housing could therefore be acceptable subject to the detailed consideration of all other material considerations including the impact upon the character and appearance of the area, the impact on living conditions of neighbouring properties and highways safety.

Character and Appearance

The NPPF states that planning decisions should aim to ensure that developments will function well and add to the overall quality of the area; establish a strong sense of place; respond to local character and history; reflect the identity of local surroundings and materials; and are visually attractive as a result of good architecture and appropriate landscaping (paragraph 58). Policy D1 of the Thanet Local Plan outlines that the design of all new proposals must respect or enhance the character or appearance of the area particularly in scale, massing, rhythm and use of materials.

Cliff Road is designated as an Area of High Townscape Value where the conservation or enhancement of the existing local character is the primary planning aim. Policy D7 sets out that new development will only be permitted where the design, scale of development, separation between buildings, materials and landscaping compliment the special character of the area.

In order to assess the impact the proposed development would have on the Area of High Townscape Value, it is necessary to understand the existing character of the area. The existing pattern of development is a mix of detached dwelling types, but no one design style prevails. The main part of the special character of the area is derived from the open spaces to the front of the sites, and separation distances between the individual buildings, although at this point in the street scene it is noted that dwellings between “Mistral” to “Seafields” are sited much closer together than those further to the east in Cliff Road (beyond “Chesapeake”) or to the West in The Parade. In terms of design features balconies are a strong feature in many of the surrounding buildings, to maximise the clear views to the north.

The proposal is for a three storey building. The proposed overall height of the proposal is 8.6m. The existing dwelling to the ridge is 6.9m; a difference of 1.7m. The dwellings which flank the site have heights of approximately 8 and 10m. The existing dwelling extends across the width of the side, although it is appreciated that to the sides this is by subservient elements; garage/store and W.C. and porch. The proposed building is approximately 1.4m from the boundary with “Bay House” and 2.4m from the boundary with the footpath.

These distances of separation to the boundary are comparable to “Thalatta” and greater than “Seacroft”. “Bay House” has a much greater distance of separation to its boundaries especially to the western side however “Fort Grenham” is built on the eastern boundary and approximately 1.2m off the western boundary. “The Gables” is approximately 2.2m from the western boundary and 1.7m.

The proposed building still maintains a large open space to the site frontage, which is a characteristic of this part of Cliff Road and The Parade.

Given the pattern of development at this point in the street scene and given the existing relationship to boundaries of the current building on site I consider that there is an appropriate distance of separation between the proposed building and site boundaries.

It is acknowledged that the application site is narrower than other plots to the east but has a similar width to those to the east, which it would also be seen in conjunction with. The existing building due to the limited width of the site has a depth of approximately 18m to maximise accommodation. The proposed depth of the proposed building is just less than 20m in depth, not unlike that of the existing building.

The proposal shows a three storey bespoke modern designed building that is contemporary and suited to its environment; each house is individually designed. It is therefore not considered necessary for a new building on this plot to directly replicate an adjoining property. There are other examples of three storey flat roofed modern buildings within the immediate area to the application site “Bay House”, “Fort Grenham” and “Villa Valri”. The proposed building will be seen within this context.

In terms of materials to be utilised the external walls will be white rendered, window and door openings in uPVC with a grey flat roof over. The balconies would be provided by stainless steel handrails and balustrades, powder coated aluminium posts and glass panels. The use of these external materials can be found locally.

The proposed replacement building is of a contemporary design. The shape of the building responds to the shape of the site. The flat roof design of the building helps to keep the building as low as possible with the three storey element set back and in from the lower floors. For the most of the units the principle living accommodation is located at the front of the building to take advantage of the best views with. Balconies to the upper two floors on the front elevation are included within the scheme; which are also a feature of dwellings on Cliff Road and The Parade. The use of materials will not give a bulky appearance. In this regard the proposal is considered to promote local distinctiveness and reflects local character and the identity of Cliff Road.

The location of the proposed replacement building is shown to be as much as possible on the footprint of the existing building, although it is acknowledged that it has a slightly greater footprint. The depth of the building is greater than those that flank the site. “Bay House” have a depth at its greatest of approximately 18m, the proposal being 20m. The design of the building has a tiered effect, with some recessed elements and window openings giving visual interest within the side elevations. I am of the view that this articulation will lessen the perceived depth of the building from Cliff Road.

The NPPF is clear in setting out that planning decisions should not stifle innovation, originality or initiative but should seek to promote or reinforce local distinctiveness (paragraph 61). It goes on to state that permission should be refused for development of poor design where it fails to improve the character and quality of an area and the way in which it functions.

In this case the design of the proposed replacement building has taken reference from other examples found in the vicinity, whilst not seeking to directly replicate them, as this would be at odds with the individuality of buildings within the area of High Townscape Value. The design and site layout reflects the features and constraints of the site. Despite the increase in footprint, the proposed building is not considered to dominate the site or lead to an unacceptable loss of space around the built form.

Whilst it is accepted that there would be a material change for residents surrounding the site, it is considered that the development would assimilated into the environment without causing material harm.

In terms of built form, the proposed building is detached in form and has a separation to the site boundaries, akin to those of adjacent plots. The scale and form of the proposed fits in well with the surrounding development of detached properties on Cliff Road and The Parade.

In summary it is considered that the proposed development fits well within the site. It respects the form and character of the surrounding development within the street scene and will be in harmony with the building characteristics of the Area of High Townscape Value.

Living Conditions

The site is screened to some degree due to existing soft landscaping along the site perimeter and the current roadside hedge. The existing vegetation is not protected and could be removed without the need for consent from the Local Planning Authority. However, the layout has been planned so that much of the existing landscaping and planting can be retained.

The proposed development is three storey in height. The building has a small floor area, as it is set in from the lower floors. The top of the main roof of the proposal sits below that of the adjoining property of "Thalatta" but slightly higher than "Bay House".

On the eastern elevation of the building, facing "Bay House" there are windows serving an en-suite, bedroom, bathroom and kitchen at ground floor level, with further windows at second floor level serving an en-suite, bathroom and kitchen. These windows will look towards the side elevation of "Bay House" and are 8.8 metres from that dwelling. The ground floor windows are not considered to result in material harm, as existing boundary treatments would limit harm, in addition it is considered no worse than the current window arrangement.

With regard to the windows on the second floor, two of these windows serve non-habitable accommodation (a room in which a resident would not spend a considerable amount of time within) and therefore do not result in any unacceptable impacts with regards loss of privacy.

The third window serves a kitchen, this is a secondary window and the applicants agent has confirmed that this will be fitted with obscure glazing and top hung.

The western elevation has the main entrance door to the proposed units and windows at ground floor again the existing boundary treatment would deal with any potential for overlooking.

Windows at first and second floors serve two kitchens and a living/dining area, they are all secondary windows. There are also two windows serving the communal stairwell, a non-habitable space. All of these windows serving habitable areas are shown to be obscure glazed and top hung thereby ensuring no overlooking and resulting loss of privacy.

The balconies to the front of the building are fitted with a 2 metre privacy screen (toughened opaque glass) to the sides to ensure that there is no scope for overlooking of the properties to either side.

There is a distance of approximately 29 metres to the dwelling to the rear of the site; number 14 Sea View Road. To the rear of the proposed building Juliette balconies are proposed at the first and second floor level, by their very nature they do not allow the occupier to step out. There are windows serving bedrooms and living/dining rooms facing towards number 14. Given the distance of separation I consider that no material harm will result to the occupiers of properties at the rear of the site.

The proposal will have a different impact to that of the building that currently occupies the site; whilst there is an increase in height, the building is a greater distance from the boundaries of the site. Given this I consider the sense of enclosure experienced from neighbouring occupiers will not be so detrimental as to result in an unacceptable relationship that would warrant refusal. The proposal will maintain an appropriate separation distance between buildings such as not to appear overly dominant when viewed from the adjoining properties.

The scheme proposes a communal rear garden, providing play and amenity space for the upper floor flats. The size of the amenity areas are considered appropriate for the intended uses and are compliant with the requirements of policy SR5 of the Local Plan.

Once constructed, the proposal will result in additional vehicle movements, but this is compatible with surrounding residential development and unlikely to result in significant amenity issues.

Whilst there will be additional noise generated by the development of flats, it is considered that a residential use in this locality would not be detrimental to the enjoyment of the existing home owners in the locality.

Transportation

The proposal seeks to provide a new vehicular access closer to the boundary with the public footpath to replace the existing access on the boundary closer to "Bay House". In terms of parking the scheme seeks seven parking spaces.

KCC Highways and Transportation have confirmed that there is no objection to the proposal subject to conditions to secure vehicle parking spaces, cycle storage, access specification, pedestrian visibility splays and a Construction Management Plan.

Third parties comments are concerned about the potential for parked cars along Cliff Road, which could result in highway harm due to pedestrians trying to cross between parked vehicles when emerging from the footpath to the side of the site. It is acknowledged that there is currently no parking restrictions on this part of Cliff Road, therefore this could currently occur. Given that seven parking spaces are provided for six flats, in line with KCC Standards, I consider this appropriate and any overspill would not be sufficient to result in a material harm to highway safety.

Whilst local residents consider that the proposal will result in additional traffic detrimental to highway safety, the KCC Highways raises no objection to the scheme subject to conditions; therefore a refusal could not be sustained on highway safety grounds on the basis of the submission.

Other Issues

Natural England in their consultation response request a SAMM contribution, however, as the development is for less than 10 units a contribution is not required currently.

A bin storage area has been incorporated into the scheme that has a close physical relationship with the building. Whilst the waste and recycling officer may prefer this to be closer to the road it would make this element more prominent within the street scene. It is considered that the distance from the highway is not unreasonable.

Third parties have likened this scheme to another scheme at “Cranworth” and “Wyndcliffe” (planning reference F/TH/06/0850) which was for the demolition of “Cranworth” and construction of 10 flats and 3 houses plus all associated works. This scheme was refused on the effect of the proposals on the character and appearance of the locality. The subsequent appeal was dismissed. However this was assessed in accordance with Planning Policy Statements and Guidance which has been superseded by the NPPF and housing policies within the Local Plan are considered to be currently out-of-date due to the lack of a 5 year supply of housing land.

As such the test is whether development of the land would result in significant and demonstrable harm to the character of Birchington.

In the appeal the Inspector noted that “Cranworth” occupied a corner plot and the property was an imposing building which made a significant contribution to the local character. He also noted that the open nature of the garden was apparent in both short and medium range views. He also considered that this as important to the wider character and appearance of the area because it provides an appropriate setting for the scale of the house. He considered the proposed flats would impinge on the open space of the garden to an unacceptable degree and would be very prominent in views from The Parade, Cliff Road and the cliff top, reducing the sense of spaciousness.

In terms of design he noted that the flats would rise to three storeys with long roof slopes down over two storey sections either side and to the north-west the roof would be dominated by bulky dormer windows. He considered that the design and scale of this roof form would not be well related either to the Tudorbethan or Modern Movement examples within the Area of High Townscape Value. In terms of the front elevation he considered the proportions and detailing would not reflect those found elsewhere in the Area of High Townscape Value.

With the current submission it is considered that this site is not in such a prominent location; sited between two dwellings and not on a corner plot. The space to the front of the proposal would be similar to that of the existing. The design is considered to reflect those modern dwellings to the east of the site referred to as part of the “modern movement” design of buildings, and would not appear out of character. On this basis it is not considered that development of the site would result in significant and demonstrable harm to the character of the Area of High Townscape Value that outweighs the benefits of providing housing. It is also confirmed that each application should be judged on its own planning merits.

Conclusion

The site is non-previously developed land beyond the village confines and is therefore considered contrary to the aims of saved Policy H1. This policy constraint, however, needs to be balanced with the fact that there is a current need for housing in Thanet, and on this basis the National Planning Policy Framework (NPPF) indicates that applications for housing should be considered in the context of the presumption in favour of sustainable development. This is because local policies relating to the supply of housing are no longer considered up-to-date (para 49). Paragraph 14 of the NPPF states that where relevant local policies are out-of-date, planning permission should be granted unless: any adverse impacts of doing so would ‘significantly and demonstrably’ outweigh the benefits, when assessed against the policies of the NPPF taken as a whole; or specific policies in the NPPF indicate development should be restricted. In this case the site is considered sustainable in its location, which is flanked on three sides by existing residential development.

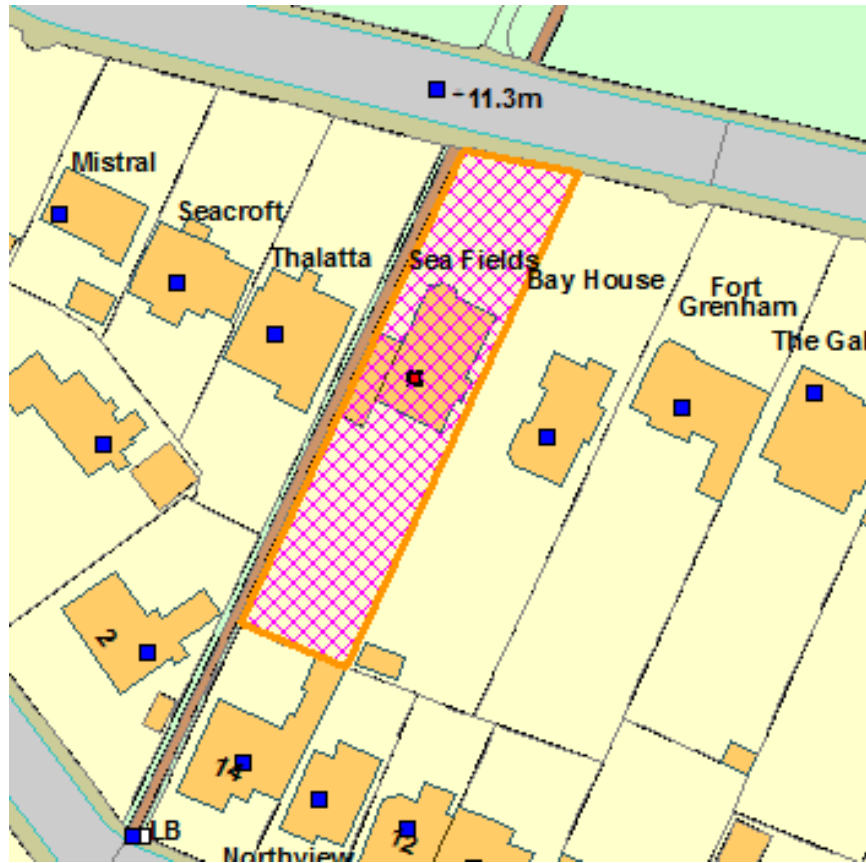
It is considered that the proposal can be delivered in a manner that is in keeping with the established character and pattern of the neighbouring residential development and will not result in unacceptable impacts upon the Area of High Townscape Value. On balance the need for housing in sustainable locations such as this site outweighs the need set out in saved Policy H1 of protecting non-previously developed land. All matters of planning importance may be addressed via condition and the proposed development would go towards meeting the shortfall of housing within the District. It is therefore recommended to Members that this application is approved, subject to safeguarding conditions.

Case Officer

Gill Richardson

TITLE: F/TH/17/1174

Project Seafields Cliff Road BIRCHINGTON Kent CT7 9LS



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A02

F/TH/17/0405

PROPOSAL: Change of use of existing barn buildings to 9 holiday let units

and a club room, and erection of one new single storey building

LOCATION: to create an additional two holiday let units, with associated parking

Former Farm Buildings Rear Of Quex Barn Quex Park
Birchington Kent

WARD: Birchington South

AGENT: Mr Doug Brown

APPLICANT: Mr A Curwen

RECOMMENDATION: Approve

Subject to the following conditions:

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

GROUND:

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

2 The proposed development shall be carried out in accordance with the submitted application as amended by the revised drawings titled/numbered; Location Plan (08/06/17), Site Layout (received 03/07/17), DB/IM/16/8a, DB/IM/16/8b, DB/IM/16/9, DB/IM/16/10, DB/IM/16/4, DB/IM/16/5, DB/IM/16/6 and DB/IM/16/7.

GROUND:

To secure the proper development of the area.

3 The development hereby permitted shall not be commenced until the following components of a scheme to deal with the risks associated with contamination of the site have been submitted to, and approved, by the local planning authority:

A preliminary risk assessment which has identified:

- all previous uses
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors
- potentially unacceptable risks arising from contamination at the site.

GROUND:

To ensure that the proposed site investigation, remediation and development will not cause harm to human health or pollution of the environment, in accordance with the advice contained within the NPPF.

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

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

(ii) An assessment of the potential risks to:

Human health;

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

Adjoining land,

Ground waters and surface waters,

Ecological systems,

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

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

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

GROUND:

To ensure that the proposed site investigation, remediation and development will not cause harm to human health or pollution of the environment, in accordance with the advice contained within the NPPF.

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

GROUND:

To ensure that the proposed site investigation, remediation and development will not cause harm to human health or pollution of the environment, in accordance with the advice contained within the NPPF.

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

GROUND:

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

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

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

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

GROUND:

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

8 Prior to any vegetation clearance on site a reptile mitigation strategy must be submitted to the Local Planning Authority for written approval. The strategy must be based on the recommendations within paragraph 7.3.1 of the Preliminary Ecological Appraisal; Calumma Ecology; June 2017. The works must be implemented as detailed within the approved report.

GROUND:

In order to safeguard protected species that may be present within or adjacent to the building and in accordance with the advice contained within the NPPF

9 Prior to the occupation of the development hereby approved, an ecological enhancement plan detailing what enhancements will be incorporated in to the site will be approved in writing by the Local Planning Authority.

GROUND:

In the interests of nature conservation in accordance with the advice contained within the NPPF

10 Prior to the first use of the development, the area shown on the deposited plan (received 03/07/17) for the parking of vehicles shall be operational. The area agreed shall thereafter be maintained for that purpose.

GROUND:

In the interests of highway safety

11 The development shall not be brought into use until a covered cycle storage area has been provided in accordance with a detailed scheme to be submitted to and approved in writing by the Local Planning Authority. The secure cycle parking facilities, as agreed shall be provided and thereafter maintained.

GROUND:

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

12 Notwithstanding the provisions of Schedule 2, Part 1, Classes A, B, and C of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), the enlargement, improvement or other alteration to the holiday lets, or enlargement of a holiday let consisting of an addition or alteration to its roof; or any other alteration to the roof shall not be allowed without the granting of a specific planning permission.

GROUND:

In order that the Local Planning Authority may retain control of development which might be detrimental to the amenities of the locality if otherwise allowed by the mentioned Order.

13 The holiday lets, shall be occupied for holiday purposes only. No holiday let hereby approved shall be occupied as a person's sole or main place of residence.

GROUND:

The application is for short-term holiday accommodation only, and a more permanent form of accommodation would be contrary to Council's policies, in accordance with Policy H1 and paragraph 55 of the NPPF.

14 The owners/operators of the holiday lets hereby approved, shall maintain an up-to-date register of the names of all owners/occupiers of individual holiday lets on the site, and of their main home addresses and shall make this information available at all reasonable times to the local planning authority.

GROUND:

The application is for short-term holiday accommodation only, and a more permanent form of accommodation would be contrary to Council's policies, in accordance with Policy H1 and paragraph 55 of the NPPF.

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

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

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

GROUND:

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

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

GROUND:

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

17 No development over or above foundations shall take place on site until full details of the window style, reveal, cill and header treatment has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details

GROUND:

To ensure that the design and appearance of the development is appropriate in accordance with the principles of the NPPF.

18 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.

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

GROUND:

To ensure that historic building features are properly examined and recorded.

20 Notwithstanding the provisions of Schedule 2, Part 2, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no fence, gate, wall or other means of enclosure shall be erected.

GROUND:

To safeguard the setting of the Listed Building, wider Quex Farm site and landscape in accordance with the principles of the NPPF.

INFORMATIVES

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

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

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.

It is the responsibility of the applicant to ensure, before the development hereby approved is commenced, that all necessary highway approvals and consents where required are obtained and that the limits of highway boundary are clearly established in order to avoid any enforcement action being taken by the Highway Authority.

Across the county there are pieces of land next to private homes and gardens that do not look like roads or pavements but are actually part of the road. This is called 'highway land'. Some of this land is owned by The Kent County Council (KCC) whilst some are owned by third party owners. Irrespective of the ownership, this land may have 'highway rights' over the topsoil. Information about how to clarify the highway boundary can be found at <http://www.kent.gov.uk/roads-and-travel/what-we-look-after/highway-land>

The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under such legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.

SITE, LOCATION AND DESCRIPTION

The site is located within the countryside and within Quex Park to the south of Birchington.

Quex Park vehicular access is located on the eastern side of Park Lane. The application site is approximately 0.27 hectares in size. The site is screened from Park Lane by mature hedgerow making views into the site difficult from Park Lane which bounds the site.

To the north and west of the site, which is within the ownership of the applicant are existing domestic and commercial buildings.

At present the site relates to an area that has existing agricultural buildings in a horseshoe layout with a central area that currently has poultry onto. The buildings subject of this application varying in materials and state of repair. To the east and south of the site is a track. The site is set down at a slightly lower level to the land to the south.

RELEVANT PLANNING HISTORY

The wider Quex Park site has an extensive planning history, most is not relevant to the determination of this application, although some relate to tourism uses for example miniature golf, falconry centre, paintball arena. Member's attention is drawn to planning reference: F/TH/10/0553 Erection of 19no. holiday rondavels, 1no. manager's rondavel and 1no. office/reception rondavel, together with associated parking, access and recreation area. Consent was approved on the 3rd February 2011. This site is to the south of the current application site, bordering on two sites with the public highway.

PROPOSED DEVELOPMENT

Full planning consent is sought for the conversion of existing barn buildings to 9 holiday let units and a club room, and erection of one new single storey building to create an additional two holiday let units, with associated parking.

Barns A (3x2 bed), B (2x2 bed) and C (2x2 bed) relate to the buildings to be converted, which are constructed in brick and stone, additional openings are proposed to facilitate the proposed use.

Building D (1x2 bed unit) and E (1x1 bed unit) is the existing timber framed and clad granary, with balcony entrance. Barn F has been extensively refurbished and significant rebuilding and would provide a club room and toilet facilities.

Barn G is the new build element of the scheme, it is proposed to construct it with a timber frame and feather edge boarding with corrugated roof to match the existing development. This building will provide 2x2 bed units.

Each of the holiday lets will have their own kitchen and bathroom.

Building F will provide a club room and reception to be used in association with the holiday lets.

DEVELOPMENT PLAN POLICIES

Saved Policies Thanet Local Plan

D1 – Design Principles
D2 - Landscaping
CC1 – Development in the Countryside (urban and rural confines)
CC2 – Landscape Character Areas
CC10 – Farm Diversification
TR12 - Cycling
TR16 – Car Parking Provision
T1 – Tourist Facilities
T3 – Self-Catering Accommodation
HE11 – Archaeological Assessment
HE12 – Archaeological Sites and Preservation
EP13 – Groundwater Protection Zones

NOTIFICATIONS

No third party representations received.

CONSULTATIONS

Birchington Parish Council: No objections

Environmental Health: Given that this application is for new residential holiday lets and the potential for historic contaminants from the former agricultural use of the site, conditions are requested to safeguard the development and ensure appropriate remediation is undertaken to render the site suitable for its intended use. Conditions relate to a preliminary risk assessment, intrusive investigation and remediation if necessary followed by a verification report.

Kent County Council Highways and Transportation: No objection subject to conditions relating to vehicle and cycle parking, together with an informative relating to highway approvals and consents.

Kent County Council Development Contributions: As the units are for holiday lets, we assume they will be restricted and not for permanent occupation. KCC do not seek contributions from units which are not for permanent occupation.

Environment Agency: No objection, subject to informatives relating to foul drainage and SUDs

Kent County Council Flood and Water Management: Consider that the development is low risk, but state that the building will need to be compliant with Building Regulations. Farm buildings may utilise existing connection to a local ditch or stream. Any works within a stream channel will need land drainage consent from KCC.

Southern Water: Southern water requires a formal application for a connection to the public sewer to be made by the applicant or developer. Request an informative and planning condition is attached relating to connection to the public sewerage system and foul and surface water drainage.

Natural England: The application site is in close proximity to European designated sites (also commonly referred to as Natura 2000 sites), and therefore has the potential to affect their interest features. European sites are afforded protection under the Conservation of Habitats and Species Regulations 2010, as amended (the 'Habitats Regulations'). The application site is in close proximity to:

Thanet Coast & Sandwich Bay Special Protection Area (SPA) and Ramsar site, part of which is also designated as the Tankerton Slops and Swalecliffe Area of Conservation (SAC).

The above site is also designated at a national level as the Thanet Coast Site of Special Scientific Interest (SSSI).

In advising your authority on the requirements relating to the Habitat Regulations Assessment (HRA) the following advice is offered:

The proposals are not necessary for the management of the European sites

Subject to appropriate financial contributions being made to strategic mitigation, the proposals are unlikely to have a significant effect on these sites, and can therefore be screened out from any requirement for further assessment.

Subject to the development being carried out in strict accordance with the details of the application as submitted, will not damage or destroy the interest features for which the SSSI has been notified. The SSSI does not represent a constraint in determining this application.

The LPA will need to assess local site (biodiversity and geo diversity), local landscape character, local or national biodiversity priority habitats and species, protected species and biodiversity enhancements.

Kent County Council Ecological Advice Service: We have reviewed the submitted bat survey and we advise that sufficient information has been provided. No bats were recorded emerging from the building, and therefore no further surveys are required, however we advise that the outlined precautionary mitigation measures are implemented. Conditions are

also recommended in terms of reptile mitigation statement being provided and ecological enhancement be incorporated into the scheme.

Kent County Council Archaeology: The site lies in an area of high archaeological potential with cropmarks showing buried archaeological landscapes in the land immediately to the south of the development. The farm itself is historic and included in the Kent Historic Farmsteads survey and dates at least back into the 19th century. I note the intention is to convert the buildings with little impact to their external appearance but modification to their interiors. It would be appropriate before conversion for a record to be made of the buildings prior to conversion. The development of the new unit may also have an impact on buried archaeology and former farmstead remains and provision for a programme of archaeological works would be appropriate. Conditions are recommended for a written specification of archaeological work and a programme of building recording.

Historic England: No requirement to consults under the relevant statutory provisions.

Conservation Officer: No objection, although a condition is suggested to remove permitted development rights for the erection of means of enclosures which would be harmful to the setting of the listed cottage or create harsh and unsympathetic boundaries around the proposed curtilage. They would alter the way in which Quex Farm is perceived and the surrounding area which would be materially detrimental to its appearance within the landscape.

Tourism Manager: The Council is aware that there is a lack of bed spaces in the district for the visitor economy, particularly during weekends and during the summer period. Between 2013 and 2015 the visitor economy grew by 19% (the total value reached £293 million) making it the biggest district tourism success story in the county of Kent and arguably the whole of the UK. More importantly overnight trips also increased by 24%, while direct expenditure for Thanet was up 20%, which is 10 times that for the rest of England. The Council and its partners are directly promoting the need for suitable visitor accommodation in the district.

The current on-site mix of leisure and activity uses at Quex Park represents a good critical mass of activities, which would help to support (and service) future accommodation uses. It can be estimated that every visitor who stays in self-catering accommodation contributes £391 to the local economy. Thanet District Council's Tourism Service would like to give support to the expansion of additional quality holiday lodge accommodation on the Quex Park Estate.

Recycling and Waste Manager: TDC do not collect from holiday parks.

COMMENTS

The application is reported to the Planning Committee as the proposal represents a departure from the adopted Local Plan.

The main considerations in determining this application are:

Principle of development;
Economic benefits;
Character and appearance;
Living conditions;
Transportation;
Ecology; and
Other matters.

Principle

Planning consent is sought for the conversion/reconstruction and change of use of existing redundant barn buildings to 9 holiday let units and a club room, and construction of one new building to create an additional two holiday let units, with associated parking.

In terms of the policy context the National Planning Policy Framework (NPPF), sets out a clear presumption in favour of sustainable development, with paragraph 19 advising great weight should be placed on the need to support economic growth. Moreover, chapter 3 seeks to support a prosperous rural economy through, amongst other things, promoting sustainable growth and expansion of all types of rural business through conversion of existing building. It specifically details that planning policies should support economic growth in rural areas. It further states:

“To promote a strong rural economy, local and neighbourhood plans should:

- * support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well-designed new buildings;
- * promote the development and diversification of agricultural and other land-based rural businesses;
- * support sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors , and which respect the character of the countryside. This should include supporting the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres; and
- * promote the retention and development of local services and community facilities in villages, such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship.”

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

Thanet Local Plan policy CC1 states that development will not be permitted in this location unless there is an overriding need for it, which outweighs the requirement to protect the countryside.

Farm diversification is supported by Thanet Local Plan policy CC10, subject to a number of criteria. These include;

- * whether the proposal is complementary to the agricultural operations on the farm
- * the impact on the highway network
- * living conditions of local residents
- * character of area, loss of farmland
- * use of existing farm buildings
- * protected species
- * whether the proposal is appropriate to the economic, social and environmental character of the area.

The acceptability of this proposed farm diversification scheme will be determined by an assessment of economic, social and environmental impacts of the proposal.

The extension and upgrade of tourist facilities in the District is supported by Thanet Local Plan policies T1 and T3, so as to attract tourists to the area and diversify and improve self-catering facilities in the district.

Tourism Manager has confirmed that there is a lack of bed spaces in the district, and considers that the wider Quex Complex would help support self-catering accommodation. They confirm that they would like to give support to the proposal.

The above policies clearly provide support for the conversion of existing buildings for tourist accommodation which would be a form of business use, providing economic benefits to the District.

The proposed scheme seeks the provision of an additional building (building G) this is similar in scale and footprint. The additional impact it would have on the surrounding countryside would be limited due to its location within the site and proximity to existing buildings and for this reason officers consider it to accord with the above policies.

Policies at both national and local level support the enhancement of existing tourist and leisure uses in rural areas. In principle the conversion of existing barns and the erection of a single storey building for tourist purposes in this location are considered acceptable, subject to the detail of the scheme which is assessed below. A condition is however required to ensure that the accommodation is only used for holiday lets and not for general residential use given the countryside location of the development.

Character and Appearance

The core theme behind the National Planning Policy Framework (NPPF) is the presumption in favour of sustainable development. In paragraph 56, the NPPF highlights that good design is a key aspect of sustainable development. Paragraph 57 highlights that it is important to achieve high quality and inclusive design for all land and buildings. If a proposal fails to achieve good design, paragraph 64 stipulates that permission should be refused where the design fails to improve the character and quality of an area.

Saved policy D1 of the Local Plan deals with issues pertaining to achieving a good quality scheme, in terms of design, use, density, form, scale, landscaping and habitat creation.

New development proposals in Quex Park must respect the historic character of the parkland. If the proposals conflict with this policy, development will only be permitted where it can be demonstrated that it is essential for the economic or social well-being of the area. The development is considered to have a minimal impact on the historic character of the parkland, given that the scheme mostly involves the conversion of existing buildings and that it would be seen in conjunction with an existing group of buildings.

With regard to the buildings to be converted these are located within the northern end of the site, barns A, B and C are constructed in brick and field flint with corrugate roofs.

The development introduces a number of new openings including roof lights and limited other openings within the walls. Collectively these alterations are sympathetic and maintain the character of the buildings whilst meeting the operational requirements of the end business use.

By virtue of the relative age of the barns, their state of repair, (especially barn A) and their historic agricultural use it is considered the development for their re-use and renovation is a benefit both in terms to the visual amenity of the area and also the public benefit of the scheme, albeit relatively small, would provide additional tourist accommodation to the district, enhancing the rural economy.

Building D is located along the eastern side of the site in a relatively central position. The building comprises a mono pitch and has an open front. The building will require more work than for the conversions of barns A, B and C including installation of a front and side walls to fully enclose the structure. Timber boarding is proposed which is appropriate to traditional farm buildings and other existing buildings within this wider grouping.

Building E, the grain store had already been completed when a site visit was conducted, with the raised access being in place, and utilises timber cladding.

With regard to the club room (building F), this part of building will not visually alter. The entrances to the club room area would face in towards the central courtyard created by the buildings subject of this application.

In terms of the new building (building G), is located in the southern portion of the site. It is constructed in timber cladding. In terms of openings these are more numerous and have more of a domestic appearance in terms of their size. Most of the additional openings are on the rear elevations and would not be seen in conjunction with the converted barns. A single stable type door is incorporated into the front elevation which would lead into a shared hallway to the two units. Whilst the openings might be slightly more domestic in nature, given the appropriate use of materials and the location of the openings I am satisfied that this arrangement is acceptable.

Overall the replacement design is considered to be suitable, as it is similar in appearance to the surrounding converted units. The proposed materials (including black stained boarding to

match the adjacent barns and matching roof) will also help reduce its potential impact as a new feature. The building would also be seen in the context of an existing grouping of former agricultural buildings and also buildings that are already in use as a restaurant and shop. Furthermore the buildings are well screened from views from roads surrounding the site by virtue of existing building or the physical degree of separation. It is recommended that window details are subject to a condition, it is not considered appropriate for the windows to be white timber; windows should be black/dark as this relates to conversion of agricultural building or construction of building that would have an appearance of an agricultural building. Given the above I consider that there will no adverse impact upon the character and appearance of the countryside.

External soft landscaping is shown around the buildings, although precise details are not known, it is considered that this should be kept to an under-stated level, with only native planting were appropriate to avoid a domestication of the area or separating it from the surrounding countryside, which would inappropriate given the context.

Living Conditions

With regard to the impact on neighbouring residents, the application site forms part of the wider Quex Park estate and is a significant distance for non-associated residential occupiers. I therefore consider that the proposed development will not result in material harm.

Transportation

Quex Park Estate is on the periphery of the town of Birchington, which has good transport links. It is appreciated that the proposed use increases the traffic demand to and from Quex Park.

Following comments from the KCC Highways team the plans were amended to show parking spaces to comply with size requirements and the provision of cycle parking. The KCC Highways have raised no objections to this revision subject to a set of conditions should the application be approved.

The development would provide 11 on-site parking spaces, (to the rear of building A & G and the lean-to and granary building) and as such would accord with policy TR16 of the Local Plan. This level of parking is considered to be acceptable to serve the proposed development. In addition a cycle storage area has been provided within the communal area. Details of its appearance will need to be secured by condition.

For these reasons, the applicant has satisfied the KCC Highways in providing a safe access to both the proposed development.

Ecology

The Preliminary Ecological Appraisal provided with the application was reviewed by Natural England and Kent County Council's Ecology Officer and it recommended that further ecological information was required to inform the application. This report recommended that

bat emergence surveys be carried out; KCC Ecological Advice Service advised that this would need to be submitted prior to determination of the application; the precautionary approach.

Bats are a Protected Species by virtue of the EU Habitats Directive and the Conservation of Habitats and Species Regulations 2010. The additional Bat Survey Report (dated 30th August 2017) was carried out on the 3rd and 10th August 2017.

The submitted Bat Survey Report states that no bats emerged from the buildings during the emergence survey. Furthermore low bat activity was recorded during the surveys and the site was not considered to support roosting bats.

KCC Ecological Advice Service have confirmed they have no objection to the proposal subject to conditions relating to the precautionary mitigation measures being implemented the provision of a reptile mitigation statement and ecological enhancements. The applicant has confirmed that should permission be granted they are prepared to pay the SAMM contribution required by Natural England.

Other matters

The Council as Local Planning Authority has a duty under section 66 of the Listed Buildings Act to have special regard to the desirability of preserving (among the other things listed in that section) the setting of a listed building. The glossary annexed to the NPPF defines the "setting of a heritage asset" as:

"The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral."

The overall aims of paragraphs 132-134 of the NPPF which indicate that a balance applies; great weight should be given to the conservation of designated heritage assets and that where harm is identified that is less than substantial, the harm should be weighed against the public benefits. It is not disputed that the effect on the significance of heritage assets in this case would be 'less than substantial'.

The nearest listed building to the application site is number 2 Quex Farm Cottage which is Grade II listed and is positioned to north-west of the application site.

The supporting information that accompanies this application asserts that "The scheme does not require any significant change to the built form. The only new building is at the furthest point of the site from the listed building. The re-use of the redundant buildings will ensure their beneficial retention. The nature of the use is one that will not cause detriment to the visual amenity or outlook from the listed building. The site is well contained and access is not near to the listed dwelling."

This statement concludes that the proposal not have a significant impact upon the setting of the listed building.

The Conservation Officer has confirmed that he has no objection to the scheme, and has suggested a condition can be attached to remove permitted development rights for means of enclosures. Taking into account the submitted scheme and views of the Conservation Officer, I am of the view that the application will bring back into use a number of traditional buildings that would offer a neutral impact upon the setting of the listed building.

Kent County Council Archaeology have confirmed that they have no objection subject to the attachment of conditions – which are considered reasonable.

The Environment Agency have confirmed that they have no objections to the proposal, although query where the foul sewage would be going; it should be to the main sewer. The applicants agent has subsequently confirmed that this will be to the main sewer.

Southern Water have requested that an informative be attached advising that the applicant should contact them to initiate a sewer capacity check to identify the appropriate connection point for the development. No issues are raised by KCC Flood and Water Management as they considered the development to be low risk.

In terms of contamination the NPPF advises at paragraph 120 and 121 that planning decisions should ensure that the site is suitable for its new use taking into account ground conditions and land instability including from former activities and uses.

Due to the previous use of the buildings there is a possibility of contaminants from the historic use, the Environmental Health team have requested that conditions be attached to any consent given.

The holiday units are classed as C3 use class as such benefits from permitted development rights for householder works. In order to limit the potential for various alterations and extensions to the holiday units, which may be inappropriate in this countryside location, as such it is recommended that permitted development rights are removed.

Conclusion

At the heart of the Framework is a presumption in favour of sustainable development. Paragraph 14 of the Framework advises that the presumption in favour of sustainable development is a golden thread running through both plan-making and decision-taking. There are three dimensions to sustainable development: economic, social and environmental.

I consider that there will be significant economic benefits to the local area and the positive contribution to Thanet's visitor economy; as the scheme would create jobs during the construction period and once the holiday let use is in its day-to-day operation and furthermore future occupants could bring additional expenditure in the area. The scheme would therefore benefit the local economy and this is given significant weight.

In terms of social role of the development, the scheme would provide benefits in creating a high quality built environment, and the proposed holiday lets would be complimentary to the

existing uses on the site, including restaurant, shop and mini golf providing a moderate social benefit.

The NPPF advises that the environmental aspect of sustainability includes contributing to protecting and enhancing our natural, built and historic environment; economic and social gains should be sought jointly and simultaneously with environmental improvement. The proposed scheme would bring back into use existing buildings, three of the barns are constructed in traditional materials in terms of their walls and the use proposed would safeguard the buildings and prevent deterioration of the buildings with no adverse impact upon the countryside.

In this case there are relevant policies relating to designated heritage assets that have to be considered. Paragraph 129 says that the impact of a proposal on the significance of a heritage asset should be taken into account, in order to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal. It is considered that the scheme would result in less than substantial harm to the setting of the adjacent listed building and would in my view have the potential to offer a benefit in the re-use of these buildings.

The proposal will not give rise to conditions detrimental to highway safety, neighbour amenity, ecology and contamination subject to conditions.

The proposal therefore complies with the provisions of the development plan and national planning policies contained within the NPPF, and as such it is recommended that permission be approved subject to condition.

Case Officer

Gill Richardson

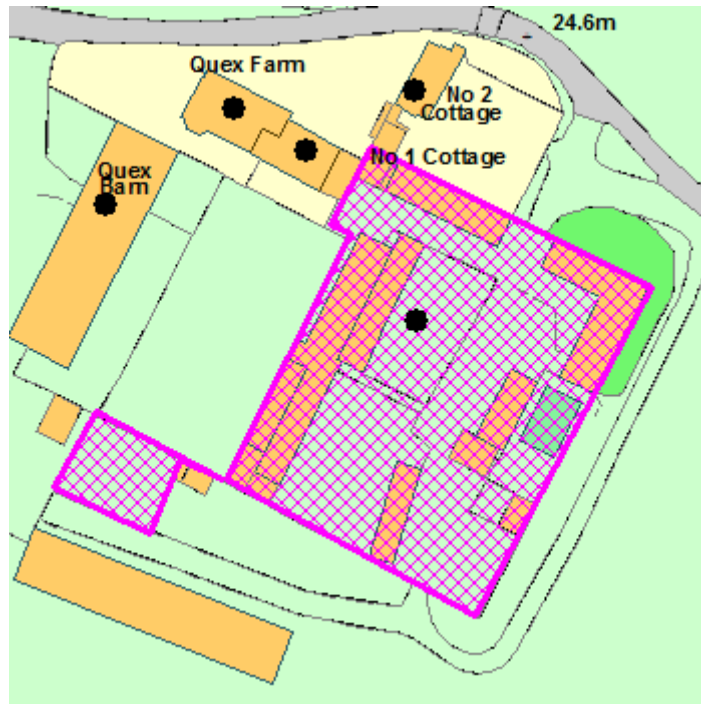
TITLE:

F/TH/17/0405

Project

Former Farm Buildings Rear Of Quex Barn Quex Park Birchington Kent

Scale:



In the interest of highway safety.

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

GROUND:

In the interests of highway safety.

INFORMATIVES

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

The applicant is advised that separate prior approval is required from Kent Highway Services for the new vehicle crossing/removal of the existing vehicle crossing/works within the highway and in this regard they should contact KHS on 08458 247800

SITE, LOCATION AND DESCRIPTION

The application site relates to a corner site on the corner of Callis Court Road and Stanley Road, Broadstairs. The site is predominantly residential in character, although the site is The Lanthorne Public House and Rugby and Tennis club.

The subject dwelling is an imposing detached two storey dwelling that is constructed in render and brickwork to the elevations and clay tiles over the main roof. The site is enclosed to the Callis Court Road frontage by a low brick wall and fencing a close boarded fence forms the boundary to Stanley Road; to enclose the rear garden of the application site.

RELEVANT PLANNING HISTORY

F/TH/16/1445 Erection of two storey rear extension, together with two storey garage to rear garden. Refused 16/01/17

This application was refused for two reasons:

1) The proposed extension, by virtue of its design and scale, and proximity to the boundary of this prominent corner plot will form a dominant element to the original dwelling and a visually intrusive element in the surrounding area that is out of keeping with and severely detrimental to the character and visual amenities of the area, contrary to Thanet Local Plan Policy D1 and paragraph 17, 58 and 64 of the National Planning Policy Framework.

2) The scale of the proposed two storey garage and the level of accommodation it would provide together with the fact that the site is capable of being sub-divided, providing separate amenities, parking and access, are tantamount to a new dwelling. A new dwelling in this location would represent a cramped and congested form of development contrary to

the aims of policy D1 of the Thanet Local Plan and to the provisions of the National Planning Policy Framework.

PROPOSED DEVELOPMENT

Planning consent is sought for the erection of a two storey rear extension and two storey detached garage located within the rear garden.

The proposed extension to the dwelling can be separated into two elements. The first involves the removal of the existing lean-to single garage to the side of the dwelling and replacement with a two storey extension that would tie into the main roof. This extension would be set back, like the existing garage and extend down the side of the newly extended dwelling. The extension would have a width of 3m; the same width as the extension garage.

The second element is the two storey rear addition which would project out a distance of 6m from the rear wall of the original dwelling. The roof over this element would be two spans with a central valley.

The extension as a result of the proposal would not increase the number of bedrooms to the dwelling, but would increase their size and provide a large en-suite and wardrobe to the master bedroom and an en-suite to an additional bedroom. At ground floor again it is noted that the rooms have an increased floor area and also a study, boot room and utility room are provided.

The detached garage has external dimensions of 10m x 7m and measures 2.8m to the eaves and 6.7m to the ridge. The proposed positioned is 2.7m from the boundary with 80 Stanley Road. The proposed garage when viewed from Stanley Road would have the appearance of a garage with a typical open and over garage door and an aerial window above. The side elevation facing number 22 Callis Court Road would have domestic scale windows and two external doors; one leading into the garage and then into a vestibule to the roof space, which is proposed to be used as a home office and store, there is also provision for a W.C. The remaining two sides of the garage would be devoid of window openings.

It is noted that the block plan shown on drawing 135-1 is incorrect in terms of positioning of the garage and drawing 135-2A is the correct block plan.

DEVELOPMENT PLAN POLICIES

Saved policies of Thanet Local Plan 2006

D1 – Design Principles

TR16 – Car Parking Provision

NOTIFICATIONS

Initial Objections: One letter of representation was received in respect of the initial plans received by the Local Planning Authority. The following concerns were raised:

- Site falls within an Area of High Townscape Value and ask that objectors property be considered as adjoining this area
- Two storage garage is inappropriately scaled and has the potential to be overbearing and harmful to objectors property by way of overshadowing, loss of daylight, sunlight and amenity
- Negative impact on our rear garden
- Garage design gives impression of separate dwelling
- Do not consider previous reasons for refusal have been adequately addressed
- Block plan scale incorrect
- Room uses of objector's property not correct and would have a severely detrimental impact

Further Objections:

One further letter received. This states that the garage maybe on land forward of the building line for houses in Stanley Road, as the garage would effectively be in Stanley Road the objector asks that this be taken into consideration.

CONSULTATIONS

Broadstairs Town Council: Have considered this application and has resolved unanimously to make no comment.

COMMENTS

This application is brought before members by Cllr. Wells to consider the previous reason for refusal in terms of size and scale of garage and its impact on the character and appearance of the area.

Principle

The application site relates to a detached dwellinghouse located within the built confines of Broadstairs. The site is not within the Callis Court Road Area of High Townscape Value as defined by the Thanet Local Plan proposals map (saved policy D7). The boundary at this point in Callis Court Road covers The Drive and Worcester Grove. The pre-amble to this policy does state:

“The District Council will also seek to protect any other areas of valuable character and amenity from harmful development through its planning powers, even though they may not fall within the criteria for Policy D7.”

In principle there is no objection to the extension of dwellings subject to the detail of the scheme, which is assessed below.

Planning history

The key differences between the previously refused scheme and the current scheme are:

Extension

Side extension increased to two storey rather than single storey
Reduction in depth of rear two storey extension from 14.9m to 6m
Width of extension is now across entire width of original dwelling
Alterations to external appearance as a result of changes above

Detached garage

Two side dormer windows removed and roof lights sought

Shower removed

Garage siting altered and is now 2.2m from the rear boundary with 24 Callis Court Road and 2.7m from the side boundary with 80 Stanley Road

Character and Appearance

The proposed extension is situated on a prominent corner site where the existing dwelling sits away from the corner and has a relatively spacious feel. The proposed two storey extension projects a distance from the rear wall of the original house of 6m and has a width of 12.m. In addition a two storey side extension is shown in place of the existing garage and to the south of number 24. This scheme seeks to address the previous refusal.

The proposed extension has been significantly reduced in depth from the previous submission and accordingly the design and external appearance of the extension has changed reducing the visual impact within the street scene.

The proposed extensions to the dwelling would be visible from Callis Court and Lanthorne Roads and would increase the mass of the building. It is however, recognised that this is not significantly different to the two storey element of 24 Callis Court Road, still maintaining a degree of spaciousness between the dwelling and outbuilding and dwellings within Stanley Road on this prominent corner site, thereby reducing its visual prominence. The extension would be a continuation of the existing side of the property, and would be constructed in matching materials and would therefore appear in harmony with the original dwelling.

The design of the extension from the front is not too dis-similar from number 24 Callis Court Road. Whilst the single storey elements of the garages serving both 22 and 24 Callis Court Road does provide a visual gap, and this gap will be reduced, it is recognised that other dwellings on this side of Callis Court Road do not have this separation. Therefore appearance of the front elevation within the street scene is considered acceptable and complies with Saved policy D1.

The garage measures 7m x 10m and has an overall height of 6.7m. It provides an office space at first floor and storage area, whilst a W.C. has been included the shower room has been removed. It is acknowledged that the shower has been removed, although internal alterations such as this would not require planning permission once constructed. The removal of the dormer windows reduces the head height within the roof space and therefore amount of useable space in comparison to the previous scheme. Whilst the dimensions of the garage are the same as previously considered the removal of the dormers visually reduces the presence of the building within the street scene. Concern was previously raised about the potential subdivision of this area to create a separate dwelling. Given that the proposed has altered the garages siting this would make this subdivision difficult whilst trying

to maintain the character of the street scene, neighbour amenity and parking standards for example. It is recommended that the proposed outbuilding is subject to a condition that requires it to remain ancillary to 22 Callis Court Road. Separate planning permission would be required to use the garage as a self-contained dwelling. Overall the scale and appearance of the garage will not appear incongruous within the street scene.

Living Conditions

The two storey extension proposed, would be adjacent to the boundary with number 24 Callis Court Road and wrap around the rear. The proposed extension would be approximately 1m from the side boundary. The extension measures 5.2m to eaves level and 9.1m to ridge level. High level windows are proposed at ground and first floor level on the side elevation facing number 24.

Number 24's garage forms the boundary between the two sites and a later single storey project extends off this and this is set in slightly from the boundary where a close boarded fence denotes the boundary. The garage of number 24 has a side facing window, given its use and whilst it is appreciated that this will limit light to a greater degree it is not considered that harm would not occur. There are no other windows which would be affected by the proposal. Given the site layout I do not consider that material harm would occur in terms of overshadowing or that the extension would represent development that is overbearing.

The proposed two storey outbuilding would be located to the side elevation of the neighbouring property on Stanley Road, which has openings on the ground, first and second floor in this side elevation. The windows at first and second floor are stained glass and serve a staircase. The boundary treatment is formed by a close boarded fence. The proposed garage is approximately 2.7m from the boundary. Number 80 Stanley Road has three windows and a door at ground floor. The windows serve the entrance hallway and the other two windows serve and breakfast room and kitchen, there is a second kitchen window in the rear elevation.

The garage height up to the eaves level is 2.9m; this is approximately 900mm over what a means of enclosure could be. The pitched roof at its highest point is approximately 6m from the boundary with 80 Stanley Road. The proposed siting of the garage will have some impact upon the side ground floor windows, making the breakfast room slightly darker in the late afternoon/evening. However, given the increased distance of separation and the design of the garage (with the roof pitching away from No. 80) I consider that this relationship is acceptable without causing significant harm to neighbour's living conditions.

The side of the garage which faces this dwelling has no window openings within the exception of a high level roof light serving the circulation area within the roof. No mutual overlooking will occur.

Transportation

The proposal also includes the provision of a vehicular crossover to access the proposed garage. In order to achieve the appropriate visibility this will require part removal of the

existing close boarded fence that surrounds the site. A condition is proposed requiring visibility splays to be provided and maintained

Conclusion

The proposal seeks to address the previous reasons for refusal relating both to the two storey house extension and in addition the detached garage/office space. The site is not within the defined Area of High Townscape Value, although it is adjacent to the boundary. Taking into account the amendments to the scheme and the character and appearance of the street scene it is considered that the development would respect the surrounding area and therefore be compliant with Saved policy D1 of the Development Plan. The proposed garage will result in an impact on the residential amenity of the neighbouring property, but this impact is not considered to be significantly harmful so as to warrant refusal of planning permission given the distance between the garage and neighbour. It is therefore recommended that planning permission be granted subject to conditions including that the detached outbuilding remains as ancillary accommodation.

Case Officer

Gill Richardson

TITLE: FH/TH/17/1117

Project 22 Callis Court Road BROADSTAIRS Kent CT10 3AF

Scale:



R04

F/TH/17/1079

PROPOSAL: Erection of two storey building incorporating garage to ground floor and 1No. studio flat to first floor following demolition of existing boundary wall

LOCATION: 83 Sea Road Westgate On Sea Kent CT8 8QF

WARD: Westgate-on-Sea

AGENT: Mr Ian Horswell

APPLICANT: Mr Max Tillings

RECOMMENDATION: Refuse Permission

For the following reasons:

1 The site lies within the Westgate-on-Sea Conservation Area, and it is the duty of the council, as the Local Planning Authority to pay special attention to the desirability of preserving or enhancing its character and appearance. In the councils opinion the proposed development will result in the loss of a historic wall which contributes towards the significance of the Westgate-on-Sea Conservation Area as a designated Heritage Asset, significantly harmful to the special character and appearance of the Westgate-on-Sea Conservation Area, contrary to Policy D1 of the Thanet Local Plan and paragraphs 17, 64 and 134 of the National Planning Policy Framework.

SITE, LOCATION AND DESCRIPTION

The site comprises a large detached building which has been converted to flats and is set within a large plot. The property fronts Sea Road and the rear boundary is shared with Westgate Bay Avenue. This application relates to an area of the site to the rear of the property enclosed by a wall and fronting Westgate Bay Avenue.

RELEVANT PLANNING HISTORY

F/TH/16/1264 - Erection of 2-storey building containing triple garage with 1No. 1-bed flat above. Refused 08/11/2016 for the following reasons:

1 - The site lies within the Westgate-on-Sea Conservation Area, and it is the duty of the council, as the Local Planning Authority to pay special attention to the desirability of preserving or enhancing its character and appearance. In the councils opinion the proposed development will result in the loss of a historic wall which contributes towards the significance of the Westgate-on-Sea Conservation Area as a designated Heritage Asset,

significantly harmful to the special character and appearance of the Westgate-on-Sea Conservation Area, contrary to Policy D1 of the Thanet Local Plan and paragraphs 17, 64 and 134 of the National Planning Policy Framework.

2 - The proposed residential accommodation, by virtue of its size, would not constitute high quality development due to its restrictive internal layout, not securing an appropriate standard of accommodation and amenity which future residents would expect to enjoy, contrary to Thanet Local Plan Policy D1 and paragraph 17 of the National Planning Policy Framework.

F/TH/14/0062 - Change of use of building to 2No. 2 bed bungalows and 1No. 1bed dwelling, and insertion of new windows and doors. Granted 14/04/2014.

F/TH/13/0651 - Change of use from a residential home to 6 No. 2 bedroom flats together with the erection of 3 No. houses without compliance of condition 2 of planning permission F/TH/09/0719 to change internal layout and external elevations. Granted 31/01/2014.

F/TH/09/0719 - Change of use from a residential home to 6 No. 2 bedroom flats together with the erection of 3 No. houses. Granted 16/11/2009.

C/TH/09/0728 - Application for conservation area consent for the demolition of part of the existing building. Granted 16/11/2009.

F/TH/07/0795 - Conversion of property to nine self-contained flats together with alterations to fenestration. Granted 13/08/2007.

OL/TH/05/1397 - Outline application for the erection of 6No. two-bedroomed flats together with provision of replacement parking for No. 83 Sea Road. Refused 23/12/2005. Allowed on appeal.

OL/TH/96/0748 - Erection of a 3 storey building to accommodate 6 x 2 bed flats together with the provision of replacement parking for St. Cecillas. Granted 27/03/1997.

PROPOSED DEVELOPMENT

The proposed development is the erection of a two storey building with a double garage to the ground floor and one studio flat to the first floor following the demolition of the existing boundary wall.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan Policies

D1 - Design

H1 - Residential Development

H4 - Windfall Sites

TR12 - Cycling

NOTIFICATIONS

Neighbour notification letters were sent to the properties directly surrounding the site, a site notice was posted near the site and an advert was placed in the local paper. One letter of objection was received raising the following points:

- o Overdevelopment of the site
- o Obstruct the rear elevation of the main property
- o Loss of the wall would be detrimental to the street scene

Seven letters of support and 44 petition letters were received raising the following points:

- o Attractive and interesting appearance
- o Quality development
- o Existing planning permission for a garage on the site
- o Openings have already been created in walls within the Conservation Area
- o Existing property has been restored to a high standard
- o Previous approval on the site
- o Scheme has been amended from previously refused application
- o Poor and unsympathetic repairs have been made to the existing wall

Westgate Conservation Area Advisory Group - We concur completely with the TDC Conservation Officer Report Comments dated 14/8/17 and support his view; that to lose the boundary wall at this site in Westgate Bay Avenue would be detrimental to the Conservation Area.

Margate Civic Society - Margate Civic Society fully supports the Conservation Officer's comments relating to this proposal and objects to any proposal to demolish historic boundary walls within Conservation Area. The Design & Access Statement submitted with the proposal refers to the 'poor condition' of this wall fronting Westgate Bay Avenue and seeks its demolition to facilitate the wider construction. Attempts to thus justify the demolition somewhat miss the point - namely, that details of historic interest like boundary walls within Conservation Areas should be retained and protected and, if in poor condition, should be repaired utilising the correct materials rather than provide a basis for demolition where it suits.

CONSULTATIONS

Conservation Officer - The clinker bricks walls along Westgate Bay Avenue are a distinct characteristic of front boundary treatment to the locality and add considerable interest and character on this part of the Conservation Area. These walls characterise the period in the development of the Westgate on Sea and indeed the buildings they mostly serve.

As per my previous comments on application F/TH/16/1264, the boundary wall along Westgate Bay Avenue is a strong townscape feature which adds considerable character to this part of the Conservation Area and has a positive contribution to the overall character and appearance of the area. The current proposal wants to demolish a considerable part of the existing historic wall to allow a new development along Westgate Bay Avenue. The new

development would incorporate pastiche clinker brick wall panels which the applicant says will preserve this feature in this area.

In my view, I still consider that the existence of the parts of the traditional wall as a means of enclosure along the street remains as an important feature in the character and appearance of the area. The proposed demolition and the replacement of the wall with imitation panels would result in loss of a historic feature which positively contributes to the character and will have a harmful impact upon the character and appearance of the area. In addition, the incorporation of the building within the boundary wall due to its scale and siting will not conform with the established pattern of building setbacks behind boundary walls which contributes to the character of the street scene and the grain of the area. The new building will therefore have an obtrusive and unacceptable impact on the street scene.

Whilst the unifying effect of the original traditional clinker boundary walls has been somewhat diluted by replacement of various sections in different styles and materials, I nevertheless consider that the existing traditional wall along the street remains an important feature to the character of the area. The proposal would therefore have a harmful impact upon the character and appearance of the street scene and would not preserve or enhance the character or appearance Conservation Area as heritage asset.

The development would be contrary to section 72 (2) of the P(LB & CA) Act 1990 and NPPF.

KCC Highways - I would raise no objection to the proposals on behalf of the highway authority. It should be noted that the garage doors must open away from the public highway.

The applicants will need to ensure that they apply to the Kent Vehicle Crossovers Team to request a dropped kerb, separate from the planning process.

Environmental Health - I have reviewed the above application on behalf of Environmental Health. I note that we were not previously consulted on this application. It is noted that any objection by us would just be an informative as we did not comment on the original application.

On review of the application I am concerned that noise transfer from the use of the garage on the ground floor will transfer to the studio flat on the 1st floor. I note that the studio is all on one floor so both living and sleeping areas could be affected by noise transfer.

When considering mitigation it would not be appropriate or reasonable to control the use of the garage by times. The application unfortunately does not include any information on sound insulation between the garage and the residential. We could consider the condition below:

"The ceiling and floor that separated the 1st floor residential and ground floor garage unit shall resist the transmission of airborne sound such that the weighted standardised difference (DnT, W + Ctr) shall not be less than 53 decibels. The weighted standardized difference (DnT, W) a spectrum adaption term, Ctr, is quoted according to BS EN ISO 10140; 2011 Acoustics- Measurement of sound insulation in buildings and of building elements- Part 4: Field measurements of airborne sound insulation between rooms"

Unfortunately the condition is more relevant to a commercial use under a residential use. A garage may generate high level so noise due to the machinery that occupies it and intensifying effect of the enclosed space.

We could also consider a condition requesting noise and vibration testing but this may be excessive.

At this stage without further information Environmental Health would have to object to the application.

Further information was submitted by the applicant's agent regarding the construction of the building and the noise attenuation measures. Updated Environmental Health comments are below:

The information supplied appears to meet our concerns.

It would be advisable to inform the applicant that while we feel this is acceptable this doesn't prevent action later under nuisance legislation. I am concerned by the description of storage of classic cars and the disconnection in ownership between the garage and the flat. It may be advisable for the owner to look to control the use in some way through their tenancy (if applicable).

COMMENTS

The application is brought before members by Cllr Carol Partington for members to consider the impact of the development on the Conservation Area.

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

Principle

This proposal would represent development on non-previously developed land which would be contrary to Policy H1 of the Thanet Local Plan; however this needs to be considered having regard to the fact that there is a current need for housing in Thanet and, on this basis, the National Planning Policy Framework (NPPF) requires that applications for housing should be considered in the context of the presumption in favour of sustainable development. Furthermore, albeit further to consultation, the emerging Policy H01 of the draft preferred options document states that the Council will grant permission for new housing development on residential gardens where it is judged to not be harmful to the character and amenity of the local area. The principle of developing the site is therefore considered to be acceptable and consistent with the principles of the NPPF, subject to the consideration of other material considerations, such as the impact on the character and appearance of an area, the living conditions of neighbours and impacts on the highway network, being considered acceptable.

Character and Appearance

As the site is located within the Westgate Conservation Area the Council must take into account Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, which requires that in relation to conservation areas, 'special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the area.' Current policy guidelines advise that where harm is caused to the character and appearance of the area through inappropriate development planning permission should be refused. The NPPF states that permission should be refused for a development of poor design that fails to take the opportunity of improving the character and quality of the area, and that where a development leads to less than substantial harm to a heritage asset, this harm should be weighed against the public benefit of the proposal.

An application for a building of a similar scale and design was approved in 2009 under planning application reference F/TH/09/0719. This application did not involve the loss of the historic boundary wall as the proposed building was situated within the site and behind the wall. The boundary wall is a distinctive feature within the conservation area with large elements clearly visible along Westgate Bay Avenue and the surrounding roads. The boundary walls visible within this area make a significant contribution to the character of the area and historically the wall would have run the length of Westgate Bay Avenue from the junction with St Mildreds Road to the junction with Domneva Road. Whilst it is acknowledged that the boundary wall has been lost in some instances, which has diluted the unifying effects of the original wall somewhat, it is considered that the existence of the remnants of the traditional wall as a means of enclosure is an important feature within the area, which positively contributes to the character and appearance of the Conservation Area.

When compared to the refused 2016 application this proposal has reduced the number of garage doors fronting Westgate Bay Avenue from three to two and has introduced the re-use of the salvaged bricks in the arches over the garage and clinker bricks in panels either side of the proposed garages. The amended scheme is considered an improvement to the refused application, with the re-use of materials from the demolished wall in the front elevation of the building, however as the proposed building will still result in the total demolition of the historic wall, the proposal will result in the loss of a historic and positive feature to the historic asset of the Conservation Area, significantly detrimental to its special character and appearance. Whilst the proposal constitutes less than substantial harm to the heritage asset of the Conservation Area, there are no discernible public benefits of the proposal. The Conservation Officer objects to this proposal, and it is considered that the proposed development would neither preserve nor enhance the character and appearance of the Historic Asset of the Conservation Area, contrary to Policy D1 of the Thanet Local Plan and the National Planning Policy Framework.

Living Conditions

The erection of a building of a similar scale and design to the proposed development has previously been considered and found to be acceptable through application reference F/TH/09/0719. This application proposes a two storey building of the same scale and in the same location as the refused 2016 application. The ground floor layout has been altered

reducing the number of garage doors from three to two and the first floor has been altered from a one bedroom flat to a studio flat.

When compared to the approved 2009 application this proposal increases the ridge height of the building by 0.5m and will extend in front of two bedroom windows and one bathroom window in the main building of number 83 Sea Road. The proposed building has a hipped roof design and by virtue of its location will hip in front of the two bedroom windows, only partially obscuring their outlook. Whilst the proposed development will result in some loss of light and outlook from these two bedrooms, given that less than half of each window will be obscured, together with the fact this situation has previously been considered and found to be acceptable, it is considered that this proposal is a relatively moderate increase to the previously accepted scheme, which will not result in significant harm to the living conditions of the occupiers of these rooms. The building will extend directly in front of the obscure glazed bathroom window, which by virtue of the use of this room, is not considered to be a primary habitable room. Therefore as such it is considered that the proposal would not result in significant harm to the residential amenity by way of loss of light or sense of enclosure to this room.

The proposal does not include any windows to the rear elevation of the building, and will only contain windows fronting the street, thereby preventing any adverse impacts of overlooking as a result of the proposed windows. The staircase to access the flat may offer the potential for overlooking, however as the staircase will only enable clear views towards the obscure glazed bathroom window, and is only for the means of entry and exit of the flat, it is considered that this element does not result in a significantly harmful level of overlooking to warrant refusal of the application.

The proposal involves the creation of one self-contained studio flat to the first floor which will be accessed by an external staircase to the rear of the building. The rooms to the proposed flat will have a good standard of light, outlook and ventilation. Clothes drying facilities are provided by a tumble drier within the kitchen, and refuse storage and cycle storage shall be provided within the shared courtyard to the East of the unit.

The erection of the two storey building will only introduce one additional unit and it is therefore unlikely to result in any adverse impacts to the living conditions of neighbouring property occupiers by way of noise and disturbance.

The overall area of the studio flat is approximately 28.71m² (excluding an area of 6.47m² which is not defined as useable space where the ceiling is less than 1.52m in height). The flat is located in a sustainable location close to the Westgate Town centre and regular bus and train services. It is considered that the habitable rooms would benefit from adequate natural light and ventilation.

Environmental Health have raised a concern regarding noise transfer between the garage and the residential accommodation above as the proposed garage and flat will be in separate ownership and therefore the use of the garage would not be in the residents control. Further information regarding the construction of the floor/ceiling separating the garage and the flat has been submitted by the applicant's agent which has addressed the

concerns raised by the Environmental Health Officer subject to conditions limiting the transfer of noise.

Given that there is a current need for housing in Thanet and for the reasons outlined above it is considered that the proposal would provide an acceptable standard of accommodation for future occupiers and would not cause material harm to the living conditions of the neighbouring property occupiers.

Transportation

The site is located in a sustainable location close to the centre of Westgate where regular bus and train services are available. No parking is proposed for the studio flat, however parking along Westgate Bay Avenue is unrestricted and given the sustainable location of the site it is considered that the proposed development will not result in a significant increase in demand for on street parking to the detriment of highway safety.

KCC Highways have raised no objection to the location of the garage and the creation of the dropped kerb provided that the garage doors do not open over the highway.

Conclusion

It is considered that the proposed development would result in an unacceptably harmful impact upon the character and appearance of the Westgate Conservation Area due to the loss of the historic wall and therefore planning permission should be refused.

Case Officer

Duncan Fitt

TITLE: F/TH/17/1079

Project 83 Sea Road Westgate On Sea Kent CT8 8QF



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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 to 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 Cottingham 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 Cliffsend 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 Cliffsend 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 Cliffsend 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

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LIST OF VALIDATION REQUIREMENTS

Planning Committee – 18th October 2017

Report Author ***Iain Livingstone, Planning Applications Manager***

Portfolio Holder ***Cllr Lin Fairbrass, Community Services***

Classification: Unrestricted

Executive Summary:

This report advises Members to agree the use of local lists for validation requirements of planning applications submitted to the Council. The report outlines the national guidance regarding validation and details the advantages and opportunities to be gained from introducing a method of assisting applicants to get their applications valid upon first submission.

Recommendation:

Members agree for use of list of validation requirements.

CORPORATE IMPLICATIONS

<p>Financial and Value for Money</p>	<p>Applications that are valid in the first instance are cheaper to process for the department, so therefore if validation lists successfully increase the number of applications valid upon submission this could result in an increased efficiency within the technical team. Speeding up process to increase number of valid applications on submission would also expedite development benefiting the wider economy whilst also making a contribution towards Council income through Council tax and Business rates for development that is approved.</p> <p>If the validation checklists are unreasonably used, this could result in non-determination appeals which would be a cost incurred by the organisation from use of staff resources, therefore flexibility and discretion should still be used when assessing applications to avoid this potential outcome. Any cost incurred as a result of the appeal would have to be found within the existing budget of the service.</p>
<p>Legal</p>	<p>The introduction of a list of validation requirements is supported by the National Planning Practice guidance and the statutory tests are set out in section 62 (4A) of the Town and Country Planning Act 1990 (inserted by the Growth and Infrastructure Act) and article 11(3)(c) of the Town and Country Planning (Development Management Procedure) (England) (Order) 2015. The procedure for resolving any disputes is set out in article 12 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, where an applicant could serve notice on the local planning authority stating the reason why the information requested does not meet the statutory tests. The local planning authority must then either issue a 'validation notice', stating that it no longer</p>

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	requires the information specified in the article 12 notice, or a 'non-validation notice' stating that it still requires the applicant to provide the information requested. The applicant could thereafter appeal to the Planning Inspectorate under the non-determination of applications procedure, where the merits of the validation dispute and the appeal itself would be considered.
Corporate	The Council's Corporate Plan supports Government policy in relation to planning for the built environment and achieving economic prosperity. The use of a list of validation requirements assists applicants when preparing planning applications, resulting in an increased quality of submissions and efficiency in handling planning applications. This directly supports the corporate priority of promoting inward investment through a fast and efficient planning service.
Equalities Act 2010 & Public Sector Equality Duty	<p>Members are reminded of the requirement, under the Public Sector Equality Duty (section 149 of the Equality Act 2010) to have due regard to the aims of the Duty at the time the decision is taken. The aims of the Duty are: (i) eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act, (ii) advance equality of opportunity between people who share a protected characteristic and people who do not share it, and (iii) foster good relations between people who share a protected characteristic and people who do not share it.</p> <p>Protected characteristics: age, gender, disability, race, sexual orientation, gender reassignment, religion or belief and pregnancy & maternity. Only aim (i) of the Duty applies to Marriage & civil partnership.</p> <p>The Public Sector equality duty is not engaged or affected by this report.</p>

1.0 Introduction and Background

1.1 Planning applications are 'validated' upon submission. This validation constitutes an assessment of whether the information required for statutory consultation and for determination of the application have been provided.

1.2 The Town and Country Development procedure order 2015 sets out the basic information requirements for all planning applications (except for Section 73 or variation of condition applications). Submissions can be in hard copy or electronically and must include:

- a plan which identifies the land to which the application relates (known as the 'red line plan');
- any other plans, drawings and information necessary to describe the development which is the subject of the application.
- A design and access statement when one is required.

Any plans must be drawn to an identified scale, and in the case of plans, must show the direction of North. If submitted in hard copy, 3 copies of the relevant application form and plans must be submitted.

1.3 In addition to the general requirements of the Development Procedure Order, Local authorities are encouraged to create a list of validation requirements to clarify what information is usually required for applications of a particular type, scale or location, known as Validation Checklists. The information requested with a particular planning application must be:

- reasonable having regard, in particular, to the nature and scale of the proposed development; and

- about a matter which it is reasonable to think will be a material consideration in the determination of the application.

1.4 Invalid planning applications create delay for applicants in starting the process of planning determination and in proceeding with acceptable development, whilst also using finite Council officer and department resources in validating applications and requesting further information. Validation checklist offer certainty to applicants about what is required for different types of applications, to prevent any unnecessary delay in the process to both applicants and the Council.

2.0 The Current Situation

2.1 Thanet District Council has not prepared a list of validation requirements.

2.2 In the financial year 2016/2017 only 36% of 1859 submissions were valid on the day of receipt. The main reasons for invalid applications have been shown to be:

- No planning fee submitted.
- Floor plans and elevations not matching
- Application form incomplete
- Location plan submitted without north point.
- No scale/scale bar on plans/plans not to scale
- No heritage statement when required.

2.3 When an application is considered to be invalid, the applicant is contacted via telephone, email or letter depending on details provided. If the required information is not submitted within 28 days of the initial contact (following reminder correspondence sent after 14 days), the application is returned to the applicant and any fee refunded.

2.4 If there is a dispute between the applicant and the Council about requested information, an applicant can send the local planning authority a notice under article 12 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (an 'article 12 notice'), setting out the reasons why the applicant considers that the information requested by the local planning authority, in refusing to validate the planning application, does not meet the statutory tests. The Council can then issue a 'validation notice' which confirms the application is valid, or a 'non-validation notice' stating that the information is still required. An applicant would be able to appeal a non-validation notice through a non-determination application.

2.5 The Council has as yet not received any article 12 notices.

3.0 Proposed Validation Checklists and procedure

3.1 Validation checklists covering different types of planning application have been created using government guidance and benchmarked against other Local Authorities' checklists. The particular issues experienced by the department have also informed the requirements.

3.2 The checklists were published on the Council's website in May this year, providing 21 days for any comments in relation to the requirements. All 30 members of the Planning department's user group (consisting of the agent/architects/developers that regularly use the Council's planning service) were asked for comment on the checklists.

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- 3.3 One comment was received, raising issue with the potential requirements for joinery details to a detailed scale for listed building consent applications. The requirement has been revised in light of this comment.
- 3.4 In line with Building Control and other Council Services, it is proposed not to validate planning submissions until the planning fee has been paid.
- 3.5 A separate assessment will also occur as part of the Council's fees and charges work as to whether an administrative fee should be charged for applications that have been assessed for the purposes of validation but are never made valid because required information is not received. This charge would be taken as a proportion of the refunded application fee upon returning the planning application after 28 days.

4.0 Options

- 4.1 Members agree to the publishing of Local lists of information requirements for applications appended at Annex 1-10
- 4.2 Members proposed an alternative motion.
- 4.3 No action is taken.

Contact Officer:	<i>Iain Livingstone, Planning Applications Manager</i>
Reporting to:	<i>Helen Havercroft, Head of Growth and Development</i>

Annex List

<i>Annex 1</i>	<i>Householder – Validation Checklist</i>
<i>Annex 2</i>	<i>Householder and Listed Building Consent – Validation Checklist</i>
<i>Annex 3</i>	<i>Full and Outline Planning Permission – Validation Checklist</i>
<i>Annex 4</i>	<i>Listed Building Consent – Validation Checklist</i>
<i>Annex 5</i>	<i>Advert Consent – Validation Checklist</i>
<i>Annex 6</i>	<i>Variation or Removal of Condition – Validation Checklist</i>
<i>Annex 7</i>	<i>Tree Works – Validation Checklist</i>
<i>Annex 8</i>	<i>Non Material Amendment – Validation Checklist</i>

Corporate Consultation

Finance	Matthew Sanham, 5 TH October 2017
Legal	Tim Howes, 5 th October 2017

Householder Validation Checklist

All plans should include an accurate scale bar, the scale and the paper size, site address and drawing number.

We would recommend a maximum print size of any document or drawing not to exceed A1 size.

Application Form

When required?	All applications – guidance is available to download on our website
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Ownership Certificate

When required?	All applications – completed certificate stating the ownership of the application site
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Fee

When required?	Planning applications incur a fee
What information is required?	The correct fee – full details can be found on the Council’s website

Location Plan – Scale 1:1250 or 1:2500

When required?	All applications
What information is required?	<ul style="list-style-type: none"> • Up to date map with site edged clearly with a red line • The direction of north should be shown • Where practicable at least two road names should be shown • The plan must cover a large enough area to enable the location to be easily found • A blue line should be drawn around any other land on the plan owned by the applicant

Proposed Site/Block Plan – Scale 1:500 or 1:200

When required?	All applications other than alterations to roof or fenestration
What information is required?	The plan must show the proposed development in relation to the site boundaries and other existing buildings on the site and neighbouring properties, proposed parking arrangements etc. Any trees or public rights of way affected by the development should be shown together with any boundary walls or fencing proposed as part of the development

Existing Elevations – Scale 1:100 or 1:50

When required?	Where alterations and/or extensions to an existing building are proposed.
What information is required?	Drawings that clearly and accurately show the existing appearance of the building with all elevations clearly labelled.

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Annex 1

Proposed Elevations – Scale 1:100 or 1:50

When required?	Where alterations and/or extensions to an existing building are proposed, when new buildings, such as garages/outbuildings are proposed or where new boundary treatments are proposed.
What information is required?	Drawings that clearly and accurately show any elevations that would be created or altered by the development; with all elevations clearly labelled.

Existing and Proposed Floor Plans – Scale 1:100 or 1:50

When required?	Where alterations and/or extensions to an existing building are proposed.
What information is required?	Drawings that clearly and accurately show any floorplans that would be created or altered by the development; These should highlight any walls to be demolished and show the uses of any proposed new rooms.

Existing and Proposed Roof Plans – Scale 1:100 or 1:50

When required?	Where any roof is being altered.
What information is required?	The shape of the roof, including any areas cut-away or proposed to be used for balconies; seating.

Site Sections– Scale 1:100 or 1:50

When required?	When a change in existing land level or excavation is proposed e.g. on a sloping site
What information is required?	These should show existing and proposed site levels, and finished floor levels, with levels related to a defined datum point.

Contaminated Land Report

When required?	When the development is known to be contaminated land
What information is required?	Contaminated Land Preliminary Risk Assessment

Tree Report/Survey

When required?	When the development will affect any trees covered by a Tree Preservation Order or within a Conservation Area, or if the proposal is likely to affect trees within the application site or adjacent to the site including street trees.
What information is required?	A full tree survey which includes a plan showing the location of the tree.

Householder and Listed Building Consent Validation Checklist

All plans should include a scale bar, the scale and the paper size.

We would recommend a maximum print size of any document or drawing not to exceed A1 size.

Application Form

When required?	All applications – guidance is available to download on our website
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Ownership Certificate

When required?	All applications – completed certificate stating the ownership of the application site
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Fee

When required?	Planning applications incur a fee
What information is required?	The correct fee – full details can be found on the Council’s website

Location Plan – Scale 1:1250 or 1:2500

When required?	All applications excluding non-material amendments and variation of conditions
What information is required?	<ul style="list-style-type: none"> • Up to date map with site edged clearly with a red line • The direction of north should be shown • Where practicable at least two road names should be shown • The plan must cover a large enough area to enable the location to be easily found

Proposed Site Plan – Scale 1:500 or 1:200

When required?	All applications other than alterations to roof or fenestration
What information is required?	The plan must show the proposed development in relation to the site boundaries, neighbouring properties and other existing buildings on the site. Any trees or public rights of way affected by the development should be shown together with any boundary walls or fencing proposed as part of the development

Design and Access Statement

When required?	All Applications
What information is required?	A Design and Access Statement is a concise report accompanying certain applications for planning permission and applications for listed building consent. They provide a framework for applicants to explain how the proposed development is a suitable response to the site and its setting, and demonstrate that it can be adequately accessed by prospective users. Design and Access Statements can aid decision-making by enabling local planning authorities and third parties to better understand the analysis that has underpinned the design of a development proposal. The level of detail in a Design and Access Statement should be proportionate to the complexity of the application, but should not be long.

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Annex 2

Existing Elevations – Scale 1:100 or 1:50

When required?	Where alterations and/or extensions to an existing building are proposed.
What information is required?	Drawings that clearly show the existing appearance of the building, with all elevations clearly labelled.

Proposed Elevations – Scale 1:100 or 1:50

When required?	Where alterations and/or extensions to an existing building are proposed, when new buildings, such as garages/outbuildings are proposed or where new boundary treatments are proposed.
What information is required?	Drawings that clearly and accurately show any elevations that would be created or altered by the development; with all elevations clearly labelled.

Existing and Proposed Floor Plans – Scale 1:100 or 1:50

When required?	Where alterations and/or extensions to an existing building are proposed.
What information is required?	Drawings that clearly and accurately show any floorplans that would be created or altered by the development; These should highlight any walls to be demolished and show the uses of any proposed new rooms.

Existing and Proposed Roof Plans – Scale 1:100 or 1:50

When required?	Where any roof is being altered.
What information is required?	The shape of the roof, including any areas cut-away or proposed to be used for balconies; seating.

Site Sections– Scale 1:100 or 1:50

When required?	When a change in level is proposed eg on a sloping site
What information is required?	These should show existing and proposed site levels, and finished floor levels, with levels related to a defined datum point.

Parking Plan– Scale 1:100

When required?	When the proposals involve the conversion of a garage to living space or building over a parking space
What information is required?	Drawing showing proposed parking arrangements.

Structural survey

When required?	When the proposal involves substantial or complete demolition of a listed building.
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Heritage Statement

When required?	All Applications
What information is required?	A Heritage Statement is required, identifying the significance of the heritage asset and impact of proposals in accordance with the advice in NPPF including any archaeological impacts, and listing details of property. This can be included within a design and access statement.

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Planning Permission Validation Checklist

All plans should include an accurate scale bar, the scale and the paper size, site address and drawing number.

We would recommend a maximum print size of any document or drawing not to exceed A1 size.

Application Form

When required?	All applications – guidance is available to download on our website
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Ownership Certificate

When required?	All applications – completed certificate stating the ownership of the application site
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Fee

When required?	Planning applications incur a fee
What information is required?	The correct fee – full details can be found on the Council’s website

Location Plan – Scale 1:1250 or 1:2500 on A4

When required?	All applications
What information is required?	<ul style="list-style-type: none"> • Up to date map with site edged clearly with a red line • The direction of north should be shown • Where practicable at least two road names should be shown • The plan must cover a large enough area to enable the location to be easily found • A blue line should be drawn around any other land owned by the applicant

Site/Block Plan – Scale 1:500 or 1:200

When required?	All applications excluding change of use where no external alterations are proposed
What information is required?	The plan must show the proposed development in relation to the site boundaries and other existing buildings on the site, details of all proposed parking should be shown on the drawings. Any trees or public rights of way affected by the development should be shown together with any boundary walls or fencing proposed as part of the development

□ Design and Access Statement

When required?	Any major development (10 houses or 1000 or more square metres of floorspace) anywhere in Thanet. Development in Conservation Areas.
What information is required?	<ul style="list-style-type: none"> • Explain the design principles and concepts that have been applied to the development. • Demonstrate the steps taken to appraise the context of the development and how the design of the development takes that context into account • Explain the policy adopted as to access, and how policies relating to access in relevant local development documents have been taken into account • State what, if any, consultation has been undertaken on issues relating to access to the development and what account has been taken of the outcome of any such consultation; and • Explain how any specific issues which might affect access to the development have been addressed.

□ Existing Elevations – Scale 1:100 or 1:50

When required?	Where alterations and/or extensions to an existing building are proposed.
What information is required?	Drawings that clearly show the existing appearance of the building, with all elevations clearly labelled.

□ Proposed Elevations – Scale 1:100 or 1:50

When required?	For all new buildings and for all proposals where extensions or alterations to an existing building are proposed
What information is required?	Drawings that clearly and accurately show any elevations that would be created or altered by the development . Where new buildings or structures are proposed, plans should show the relationship of the new building to neighbouring buildings

□ Existing and Proposed Floor Plans – Scale 1:100 or 1:50

When required?	For all new buildings and for all proposals where external alterations and extensions are proposed and a change of use of buildings to any residential use is proposed
What information is required?	Drawings that clearly and accurately show any floorplans that would be created or altered by the development; These should highlight any walls to be demolished and show the uses of any proposed new rooms.

□ Existing and Proposed Street Scene – Scale 1:100

When required?	
What information is required?	

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Annex 3

Existing and Proposed Roof Plans – Scale 1:100 or 1:50

When required?	Where any roof is being altered.
What information is required?	The shape of the roof, including any areas cut-away or proposed to be used for balconies; seating.

Site Sections/levels– Scale 1:100 or 1:50

When required?	When a change in level is proposed eg on a sloping site
What information is required?	These should show existing and proposed site levels, and finished floor levels, with levels related to a defined datum point.

Heritage Statement

When required?	Where demolition of a building/structure in a Conservation Area is proposed
What information is required?	Assessment of the contribution of the building to the character and appearance of the Conservation Area. Explanation and justification for the proposed demolition. This can be included within a design and access statement.

Site Survey– Scale minimum of 1:200

When required?	New build residential development
What information is required?	Topographical survey showing existing features and levels

Ecological Assessment/Protected Species Survey [Phase One]

When required?	<ul style="list-style-type: none"> • Where the proposal affects a traditional timber framed building (for example a barn or oast house) • Development of meadows, grassland, parkland and pasture on, adjacent to or linked to the site by other semi-natural habitat • Ponds or slow flowing water bodies (e.g. ditches) are found on or within 500 metres of the site and linked by semi-natural habitat • Rough grassland on or immediately adjacent to the site
What information is required?	An Ecological Assessment to establish what protected species may be using the site, when likely to concentrate on bats/breeding birds, reptile, badger, great crested newt, water vole, invertebrate and where they are found, proposals for mitigating the impact of the development

Flood Risk Assessment

When required?	When the development is within Environment Agency Flood Zone areas 2 or 3 OR is over 1 hectare in size in Flood Zone 1
What information is required?	Flood Risk Assessment Detailed Guidance from the Environment Agency can be found at: http://www.environment-agency.gov.uk/research/planning/82584.aspx

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Annex 3

Foul and Surface Water Assessment

When required?	For all major development other than changes of use where there will be no material change in foul or surface water discharges
What information is required?	Foul and Surface Water Assessment http://www.kent.gov.uk/waste-planning-and-land/flooding-and-drainage/sustainable-drainage-systems

Contaminated Land Assessment

When required?	For redevelopment of former petrol filling sites; commercial garages; landfill sites and other brownfield sites where contamination is known or suspected
What information is required?	Desk based study. Report of on-site investigative reports if warranted by desk study

Tree Survey/Arboricultural Survey

When required?	When the development will affect any trees covered by a Tree Preservation Order or within a Conservation Area, or if the proposal is likely to affect trees within the application site or adjacent to the site including street trees.
What information is required?	This must include survey drawings showing the position of any existing trees and their canopy spread, trees to be felled and any pruning required during and after construction.

Ventilation/Extraction Details

When required?	For proposed new restaurants; hot food takeaways and public houses and other premises selling/serving hot food when installing ventilation/extraction units
What information is required?	Details of the ventilation/extraction proposals, including the associated alterations/additions to the external appearance of the building required to accommodate them

Transport Assessment

When required?	Residential development of 100 dwellings; Retail and/or employment/leisure uses of 1000m2.or more; and waste management facilities
What information is required?	Transport implications of the proposal, including access to the site by different modes and impact on any nearby trunk road

Functional and viability Assessment

When required?	When the proposal includes an isolated dwelling in the countryside for agricultural; equestrian or other rural based enterprises business
What information is required?	Professional assessment by independent expert/consultant on whether there is an essential need for a rural worker to live near their place of work in the countryside

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Annex 3

Noise Impact Assessment

When required?	For industrial uses falling within class B2 (general industrial uses) and that are proposed within 10 metres of a boundary with residential property and waste management facilities. For proposed residential uses that are adjacent to or within close proximity of noise generating industrial uses
What information is required?	A professional noise assessment that demonstrates the impact of the use on the amenity of existing residential properties or in the case of proposed new residential development demonstrates the likely impact on the amenity of the occupiers of the proposed dwellings including any mitigation proposals

Landscape and visual Impact Assessment

When required?	Proposals for major development outside or adjacent to the urban confines
What information is required?	A professional landscape and visual impact assessment that demonstrates the impacts on the character and appearance of the landscape and includes mitigation strategy (if proposed).

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Listed Building Consent Validation Checklist

All plans should include a scale bar, the scale and the paper size.

We would recommend a maximum print size of any document or drawing not to exceed A1 size.

Application Form

When required?	All applications – guidance is available to download on our website
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Ownership Certificate

When required?	All applications – completed certificate stating the ownership of the application site
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Location Plan – Scale 1:1250 or 1:2500

When required?	All applications
What information is required?	<ul style="list-style-type: none"> • Up to date map with site edged clearly with a red line • The direction of north should be shown • Where practicable at least two road names should be shown • The plan must cover a large enough area to enable the location to be easily found

Site Plan – Scale 1:500 or 1:200

When required?	All applications
What information is required?	The plan must show the proposed development in relation to the site boundaries and other existing buildings on the site. Any trees or public rights of way affected by the development should be shown together with any boundary walls or fencing proposed as part of the development

Existing Elevations – Scale 1:100 or 1:50

When required?	Where alterations and/or extensions to an existing building are proposed.
What information is required?	Drawings that clearly show the existing appearance of the building, with all elevations clearly labelled.

Proposed Elevations – Scale 1:100 or 1:50

When required?	Where alterations and/or extensions to an existing building are proposed, when new buildings, such as garages/outbuildings are proposed.
What information is required?	Drawings that clearly show any elevations that would be created or altered by the development; these should include proposed building materials and the style and materials of windows and doors. The drawing also needs to have all elevations clearly labelled.

Existing and Proposed Floor Plans – Scale 1:100 or 1:50

When required?	Where alterations and/or extensions to an existing building are proposed.
What information is required?	These should highlight any walls to be demolished and show the uses of any proposed new rooms.

Agenda Item 6

Annex 4

Design and Access Statement

When required?	All Applications
What information is required?	<p>A Design and Access Statement is a concise report accompanying certain applications for planning permission and applications for listed building consent. They provide a framework for applicants to explain how the proposed development is a suitable response to the site and its setting, and demonstrate that it can be adequately accessed by prospective users. Design and Access Statements can aid decision-making by enabling local planning authorities and third parties to better understand the analysis that has underpinned the design of a development proposal.</p> <p>The level of detail in a Design and Access Statement should be proportionate to the complexity of the application, but should not be long.</p>

Heritage Statement

When required?	All Applications
What information is required?	<p>A Heritage Statement is required, identifying the significance of the heritage asset and impact of proposals in accordance with the advice in NPPF including any archaeological impacts, and listing details of property. This can be included within a design and access statement.</p>

Structural Survey

When required?	When the proposal involves substantial or complete demolition of a listed building
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Advertisement Validation Checklist

All plans should include a scale bar, the scale and the paper size.

We would recommend a maximum print size of any document or drawing not to exceed A1 size

Application Form

When required?	All applications – guidance is available to download on our website
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Fee

When required?	Planning applications incur a fee
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What information is required?	The correct fee – full details can be found on the Council’s website
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Location Plan – Scale 1:1250 or 1:2500

When required?	All applications excluding non-material amendments and variation of conditions
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What information is required?	<ul style="list-style-type: none"> • Up to date map with site edged clearly with a red line • The direction of north should be shown • Where practicable at least two road names should be shown • The plan must cover a large enough area to enable the location to be easily found
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Site Plan – Scale 1:500 or 1:200

When required?	All applications
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What information is required?	The plan must show the proposed development in relation to the site boundaries and other existing buildings on the site. Any trees or public rights of way affected by the development should be shown.
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Existing Elevations – Scale 1:100 or 1:50

When required?	All applications where the advert is proposed on an existing building/structure
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What information is required?	Drawings that clearly show the existing appearance of the building that an advert would be sited, with all elevations clearly labelled.
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Proposed Elevations – Scale 1:100 or 1:50

When required?	All Applications where the advert is proposed on an existing building/structure
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What information is required?	Show proposed elevations to a recognised scale (showing the advert in context on the existing building if applicable) clearly labelled.
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Agenda Item 6

Annex 5

Drawing/Sections – Scale 1:100 or 1:50

When required?	All applications
What information is required?	Include advertisement drawings (showing advertisement size, a cross section through the advertisement, position on the land or building, materials to be used, colours, style of lettering and symbols, height above the ground and extent of projection)

Illumination

When required?	If sign is to be illuminated
What information is required?	Provide full details of the method and extent of illumination, including the colour and method of fixing to the structure if applicable.



**Application for removal or variation of a conditions following grant of
Planning permission - Validation Checklist**

All plans should include a scale bar, the scale and the paper size.

We would recommend a maximum print size of any document or drawing not to exceed A1 size.

Application Form

When required?	All applications – guidance is available to download on our website
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Ownership Certificate

When required?	All applications – completed certificate stating the ownership of the application site
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Fee

When required?	Planning applications incur a fee
What information is required?	The correct fee – full details can be found on the Council’s website

Proposed Plans – Scale 1:100 or 1:50

When required?	Where alterations or amendments to original permission are proposed
What information is required?	Plans/drawings that are necessary to describe the amendment(s)

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Application for Tree Works: Works Trees covered by a Tree Preservation

Order or within a Conservation Area

NATIONAL REQUIREMENTS (One copy of all documents unless stated otherwise)		
Completed form	<input type="checkbox"/>	
Sketch plan showing the location of the tree(s)	<input type="checkbox"/>	
Full and clear specification of the works to be carried out	<input type="checkbox"/>	
A statement of reasons for the proposed works	<input type="checkbox"/>	
Evidence in support of statement of reasons – where required by the standard application form	<input type="checkbox"/>	
Whether the trees are protected by a TPO or in a conservation area, please indicate which of the following types of additional information you are submitting:		
Photographs	<input type="checkbox"/>	
Report by a tree professional (arboriculturist) or other	<input type="checkbox"/>	

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Non-Material Amendments Validation Checklist

All plans should include a scale bar, the scale and the paper size.

We would recommend a maximum print size of any document or drawing not to exceed A1 size

Application Form

When required?	All applications – guidance is available to download on our website
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Fee

When required?	Planning applications incur a fee
What information is required?	The correct fee – full details can be found on the Council’s website

Proposed Plans – Scale 1:100 or 1:50

When required?	Where alterations and/or extensions to an approved plan are proposed.
What information is required?	Plans/Drawings that are necessary to describe the amendment(s)

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THANET DISTRICT COUNCIL DECLARATION OF INTEREST FORM

Do I have a Disclosable Pecuniary Interest and if so what action should I take?

Your Disclosable Pecuniary Interests (DPI) are those interests that are, or should be, listed on your Register of Interest Form.

If you are at a meeting and the subject relating to one of your DPIs is to be discussed, in so far as you are aware of the DPI, you **must** declare the existence **and** explain the nature of the DPI during the declarations of interest agenda item, at the commencement of the item under discussion, or when the interest has become apparent

Once you have declared that you have a DPI (unless you have been granted a dispensation by the Standards Committee or the Monitoring Officer, for which you will have applied to the Monitoring Officer prior to the meeting) you **must:-**

1. Not speak or vote on the matter;
2. Withdraw from the meeting room during the consideration of the matter;
3. Not seek to improperly influence the decision on the matter.

Do I have a significant interest and if so what action should I take?

A significant interest is an interest (other than a DPI or an interest in an Authority Function) which:

1. Affects the financial position of yourself and/or an associated person; or Relates to the determination of your application for any approval, consent, licence, permission or registration made by, or on your behalf of, you and/or an associated person;
2. And which, in either case, a member of the public with knowledge of the relevant facts would reasonably regard as being so significant that it is likely to prejudice your judgment of the public interest.

An associated person is defined as:

- A family member or any other person with whom you have a close association, including your spouse, civil partner, or somebody with whom you are living as a husband or wife, or as if you are civil partners; or
- Any person or body who employs or has appointed such persons, any firm in which they are a partner, or any company of which they are directors; or
- Any person or body in whom such persons have a beneficial interest in a class of securities exceeding the nominal value of £25,000;
- Any body of which you are in a position of general control or management and to which you are appointed or nominated by the Authority; or
- any body in respect of which you are in a position of general control or management and which:
 - exercises functions of a public nature; or
 - is directed to charitable purposes; or
 - has as its principal purpose or one of its principal purposes the influence of public opinion or policy (including any political party or trade union)

An Authority Function is defined as: -

- Housing - where you are a tenant of the Council provided that those functions do not relate particularly to your tenancy or lease; or
- Any allowance, payment or indemnity given to members of the Council;
- Any ceremonial honour given to members of the Council
- Setting the Council Tax or a precept under the Local Government Finance Act 1992

If you are at a meeting and you think that you have a significant interest then you **must** declare the existence **and** nature of the significant interest at the commencement of the

matter, or when the interest has become apparent, or the declarations of interest agenda item.

Once you have declared that you have a significant interest (unless you have been granted a dispensation by the Standards Committee or the Monitoring Officer, for which you will have applied to the Monitoring Officer prior to the meeting) you **must**:-

1. Not speak or vote (unless the public have speaking rights, or you are present to make representations, answer questions or to give evidence relating to the business being discussed in which case you can speak only)
2. Withdraw from the meeting during consideration of the matter or immediately after speaking.
3. Not seek to improperly influence the decision.

Gifts, Benefits and Hospitality

Councillors must declare at meetings any gift, benefit or hospitality with an estimated value (or cumulative value if a series of gifts etc.) of £25 or more. You **must**, at the commencement of the meeting or when the interest becomes apparent, disclose the existence and nature of the gift, benefit or hospitality, the identity of the donor and how the business under consideration relates to that person or body. However you can stay in the meeting unless it constitutes a significant interest, in which case it should be declared as outlined above.

What if I am unsure?

If you are in any doubt, Members are strongly advised to seek advice from the Monitoring Officer or the Democratic Services and Scrutiny Manager well in advance of the meeting.

DECLARATION OF DISCLOSABLE PECUNIARY INTERESTS, SIGNIFICANT INTERESTS AND GIFTS, BENEFITS AND HOSPITALITY

MEETING

DATE..... **AGENDA ITEM**

DISCRETIONARY PECUNIARY INTEREST

SIGNIFICANT INTEREST

GIFTS, BENEFITS AND HOSPITALITY

THE NATURE OF THE INTEREST, GIFT, BENEFITS OR HOSPITALITY:

.....
.....
.....

NAME (PRINT):

SIGNATURE:

Please detach and hand this form to the Democratic Services Officer when you are asked to declare any interests.