

Date: 5 March 2018
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PLANNING COMMITTEE

14 MARCH 2018

A meeting of the Planning Committee will be held at **7.00 pm on Wednesday, 14 March 2018** in the Council Chamber, Council Offices, Cecil Street, Margate, Kent.

Membership:

Councillor Grove (Chairman); Councillors: J Fairbrass (Vice-Chairman), Ashbee, Buckley, K Coleman-Cooke, Connor, Dellar, Edwards, Fenner, Matterface, Messenger, L Piper, D Saunders, Taylor, Taylor-Smith 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 - 32)

To approve the Minutes of the Planning Committee meeting held on 14 February 2018, copy attached.

4. **SITE VISIT**

4a **F/TH/17/1781 - LAND ADJACENT 1 ALBERT ROAD, BROADSTAIRS**
(Pages 33 - 42)

5. **SCHEDULE OF PLANNING APPLICATIONS** (Pages 43 - 46)

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

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

Item
No

Subject

For Refusal

5a **R01 - F/TH/18/0005 - ST PETERS PRESBYTERY, 117 CANTERBURY ROAD, WESTGATE ON SEA** (Pages 47 - 54)

5b **R02 - F/TH/18/0114 - 14 DOMNEVA ROAD WESTGATE ON SEA** (Pages 55 - 60)

For Deferral

5c **D03 - OL/TH/16/1374 - ST STEPHENS, HAINE ROAD, RAMSGATE** (Pages 61 - 90)

5d **D04 - OL/TH/17/1763 - MANSTON COURT BUNGALOWS, 5 MANSTON ROAD, MANSTON, RAMSGATE** (Pages 91 - 110)

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 14 February 2018 at 7.00 pm in Council Chamber, Council Offices, Cecil Street, Margate, Kent.

Present: Councillor Bob Grove (Chairman); Councillors J Fairbrass, Ashbee, Campbell, K Coleman-Cooke, Connor, Edwards, Matterface, Messenger, D Saunders, Shonk, Taylor, Taylor-Smith and Tomlinson

In

Attendance: Councillors Crow-Brown, Dawson, L Fairbrass and M Saunders

285. **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Buckley for whom Councillor Shonk was present, Councillor Fenner for whom Councillor Campbell was present and Councillor L. Piper.

286. **DECLARATIONS OF INTEREST**

There were no declarations of interest.

287. **MINUTES OF PREVIOUS MEETING**

It was proposed by the Vice Chairman, seconded by Councillor D Saunders and AGREED that the minutes of the Planning Committee held on 17 January 2018 be approved and signed by the Chairman.

288. **SITE VISIT**

289. **F/TH/17/0941 - 18 WESTERN ESPLANADE, BROADSTAIRS**

PROPOSAL: Erection of three storey building containing 6No. 3-bed flats, sedum roof car port and refuse store following demolition of existing dwellinghouse

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

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

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

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

GROUND:

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

2 The proposed development shall be carried out in accordance with the submitted application as amended by the revised drawings numbered PR147.05 Rev D, PR147.06 Rev D, PR147.07 Rev D, PR147.04 Rev D, and PR147.03 Rev D, received 03 January 2018; and drawing numbered PR147.08, received 27 June 2018.

GROUND:

To secure the proper development of the area.

3 The refuse storage facilities as specified upon the approved drawing numbered PR147.04 Rev D and dated 03 January 2018 shall be provided prior to the first occupation of the flats hereby approved and shall be kept available for that use at all times.

GROUND:

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

4 Prior to the first occupation of the development, the area shown for the parking and manoeuvring of vehicles shall be operational prior to any part of the development hereby approved being brought into use. The area approved shall thereafter be maintained for that purpose.

GROUND:

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

5 Prior to the first occupation of the development, the secure cycle parking facilities, as shown on approved drawing no. PR147.04 Rev D and dated 03 January 2018, shall be provided and thereafter maintained.

GROUND:

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

6 Prior to the commencement of the development hereby approved samples of the materials to be used in the construction of the external surfaces and hard surfacing 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

7 The windows to be provided in the side elevation of the development hereby permitted (excluding the high level windows), shall be provided and maintained with obscure glass, as agreed by the agent in correspondence received 5th January 2018.

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.

8 The high level windows to be provided within the side elevations of the development hereby permitted shall be provided and maintained with a cill height of not less than 1.73 metres above the finished internal floor level.

GROUND:

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

9 Prior to the first occupation of the development 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.

10 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.

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

GROUND:

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

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

290. SCHEDULE OF PLANNING APPLICATIONS

Following the publishing of the Planning Committee Agenda, the Council received an updated consultation response on items D04, D05 and D06 of the agenda from Kent County Council, specifically with regard to contributions towards secondary education. The updated requests follow a review of costs of various recently completed secondary projects in Kent, with the previous figures submitted based on build costs from 2008. The request increases the required contribution to £4,115 per house towards a secondary expansion project. This new figure applies to agenda items D04,D05 and D06 on this evening’s agenda, therefore superseded the amounts stated within the individual reports consultation section and within the heads of terms section

regarding the secondary school contribution. This change does not change the project that the contribution has been requested for.

291. A01 - F/TH/17/1781 - LAND ADJACENT 1 ALBERT ROAD, BROADSTAIRS

PROPOSAL: Erection of 2No. 4-bed semi-detached dwellings

Speaking raising points of concern was Mrs Seal.

Speaking as town councillor was Councillor Binks.

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

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

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

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

GROUND:

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

2 The proposed development shall be carried out in accordance with the submitted application as shown on drawing numbered 17.1116.AE.PL03, 17.1116.AE.PL04, 17.1116.AE.PL05 and 17.1116.AE.PL06.

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, details of location, type and height the boundary treatments, which shall be erected delineating the private gardens of the approved dwellings, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details prior to the occupation of either approved dwelling.

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 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.

7 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.

8 The first floor windows in the rear elevation of the dwellings hereby approved (as shown on drawing numbered 17.1116.AE.PL05) shall be provided and maintained with level 5 obscure glass or equivalent.

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.

9 The windows to be provided at first floor level in rear elevation of the dwellings hereby approved shall be provided and maintained with a cill height of not less than 1.73 metres above the finished internal floor level.

GROUND:

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

Following debate, the Chairman AND THE Vice-Chairman withdrew the motion.

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.

292. A02 - F/TH/17/1440 - QUEX PARK LAND ADJ TO THE SECRET GARDEN NURSERY, QUEX PARK, BIRCHINGTON

PROPOSAL: Erection of a single storey timber framed therapy and education centre for children with special needs, with associated access and parking

Speaking under council procedure rule 20.1 was Councillor Dawson.

Speaking under council procedure rule was Councillor Crow-Brown.

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 DB/QP/9/1, DB/QP/9/2, DB/QP/9/3, DB/QP/9/4,, DB/QP/9/6 and the Design, Access and Heritage Statement, received 28 September 2017, DB/QP/9/3 received 24 October, 2017, DB/QP/9/6a received 29 November 2017 and, DB/QP/9/1 (Phase 1) received 05 January 2018.

GROUND:

To secure the proper development of the area.

3 Prior to the construction of the external surfaces 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.

4 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.

5 Prior to the first use 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

6 All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the first use 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

7 Prior to the first use of the development hereby permitted, the location, design and materials of the refuse storage and cycle storage shall be submitted to and approved in writing by the Local Planning Authority. The refuse stores and cycle stores shall be provided in accordance with the approved details prior to the first use of the development hereby permitted, and thereafter maintained.

GROUND:

To secure a satisfactory standard of development and in the interests of the amenities of the area and to promote increased cycling, in accordance with Policies D1 and TR12 of the Thanet Local Plan.

8 Prior to the first use of the development hereby approved, details of how the development will enhance biodiversity shall be submitted to, and approved in writing by, the Local Planning Authority. The approved details shall be implemented and thereafter retained.

GROUND:

To enhance biodiversity in accordance with the NPPF.

9 Prior to the removal of the section of hedgerow shown on the approved plan numbered DB/QP/9/6a received 29 November 2017, the applicant, or their agent, or successors in title, shall secure the implementation of a watching brief for the avoidance of disturbance to breeding birds and reptiles. The watching brief shall be in accordance with a written programme and specification, which has been submitted to and approved by the Local Planning Authority.

GROUND:

In order to safeguard protected species that may be present, in accordance with guidance within the National Planning Policy Framework.

10 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.

11 Prior to the first use of the development, the area shown on submitted plan DB/QP/9/6a received 29 November 2017 for the parking and manoeuvring of vehicles shall be operational prior to any part of the development hereby approved being brought into use. The area approved shall thereafter be maintained for that purpose.

GROUND:

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

12 The premises shall be used as a Therapy and Education Centre and for no other purpose including any other purpose in Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

GROUND:

To secure the use as approved on the basis of the special justification for this particular development in the countryside, in accordance with Thanet Local Plan Policy CC1.”

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

293. A03 - FH/TH/17/1579 - 27 DEVON GARDENS, BIRCHINGTON

PROPOSAL: Installation of cladding at first floor level all elevations

It was proposed by Councillor Tomlinson, seconded by Councillor Saunders 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 17/287/MG/BR01 received 27 October 2017.

GROUND:

To secure the proper development of the area.

3 The first floor elevations of the property shall be finished in horizontal Cedar Weatherboarding cladding colour: Satin Country Cream, as annotated on the approved plan numbered 17/287/MG/BR01 received 27 October 2017.

GROUND:

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

294. D04 - OL/TH/17/1342 - LAND NORTH EAST OF THE LENGTH, ST NICHOLAS AT WADE

PROPOSAL: Outline planning application for the erection of up to 25 houses with all matters reserved

Speaking in favour of the application was Mrs Mills.

Speaking raising points of concern was Mr Hamment.

Speaking as parish councillor was Councillor Bryant.

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 for approval subject to receipt of Section 106 agreement securing required planning obligations and the following conditions:

1 Approval of the details of the access to, appearance, layout and scale of any buildings to be erected and the landscaping of the site, (herein 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 the approval of the last of the reserved matters to be approved.

GROUND:

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

5 Details pursuant to condition 1 shall 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 saved policy H8 of the local plan.

6 Details to be submitted pursuant to condition 1 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 saved policy H14 of the Local Plan.

7 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 saved policy H8 of the Local Plan.

8 Details pursuant to condition 1 shall include full details (in the form of scaled plans and/or written specifications) to illustrate the following:

- i) parking provision in accordance with adopted standard;
- ii) Turning areas;
- iii) Secure, covered cycle parking facilities.

The scheme shall be implemented as approved prior to the first occupation of the units hereby approved.

GROUND:

In the interests of highway safety.

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

- details of the proposed footpath located to the site's frontage with The Length;
- details of the proposed uncontrolled crossing points; and
- details of the proposed upgrade to the existing bus stop to the south east of the site

together with a timescale for their provision.

These works shall be implemented in accordance with the approved details and shall thereafter be permanently retained.

GROUND:

In the interests of highway safety and traffic flow in accordance with saved local plan policy TR16.

10 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.

11 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.

12 Details pursuant to condition 1 (in the form of scaled plans and/or written specifications) shall include , but not necessarily be limited to, the following; proposed roads, footways, footpaths, verges, junctions, sewers, retaining walls, service routes, vehicle overhang margins, embankments, accesses, carriageway gradients, driveway gradients and street furniture.

The development shall be laid out and constructed in accordance with the approved details prior to the first occupation of the dwellings hereby permitted.

GROUND:

In the interests of highway safety.

13 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:

- i) Footways and/or footpaths, with the exception of the wearing course;
- ii) 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.

14 Prior to the first installation of any external lighting, 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 National Planning Policy Framework and saved policy D1 of the Local Plan.

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

(a) Site Characterisation

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

- o A survey of the extent, scale and nature of contamination
- o An assessment of the potential risks to:
 - o Human health
 - o Property
 - o Adjoining land
 - o Groundwaters and surface waters
 - o Ecological system
- o An appraisal of remedial options and a recommendation of the preferred options

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

(b) Submission of remediation scheme

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

(c) Implementation of Approved Remediation Scheme

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

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out shall be submitted to and approved in writing by the Local Planning Authority

GROUND:

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

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 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.

18 No development shall take place until a scheme for foul 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.

19 No infiltration of surface water drainage into the ground is permitted other than with the written consent of the Local Planning Authority. The development shall be carried out in accordance with the approved details.

GROUND:

To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants in line with paragraph 109 of the National Planning Policy Framework.

20 No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of

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

GROUND:

To ensure appropriate assessment of the archaeological implications of any development proposals and the subsequent mitigation of adverse impacts through preservation in situ or by record.

21 All ecological mitigation measures and/or works shall be carried out in accordance with the details contained in the Ecological Appraisal Report (April 2017) as already submitted with the planning application and agreed in principle with the Local Planning Authority prior to occupation of any part of the development.

GROUND:

To ensure that the measures considered necessary as part of the ecological impact assessment are carried out as specified.

22 Prior to the completion of the development hereby approved details of how the development will enhance biodiversity shall be submitted to, and approved in writing by, the Local Planning Authority. These shall include the installation of bat and bird nesting boxes along with the installation of generous native planting where possible. The approved details shall be provided prior to the first occupation of the development hereby permitted and thereafter permanently retained.

GROUND:

To enhance biodiversity

23 No development shall take place 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:

- i) the parking of vehicles for site operatives and visitors;
- ii) construction vehicle loading/unloading, tuning facilities and access routes/arrangements;
- iii) loading and unloading of plant and materials;
- iv) storage of plant and materials used in constructing the development;
- v) wheel washing facilities and their use;
- vi) measures to control the emission of dust and dirt during construction including a scheme for recycling/disposing of waste resulting from construction works
- vii) a construction environmental management plan, including details of operation 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 with the National Planning Policy Framework paragraph 109 and in the interest of highway safety.

24 Details to be submitted pursuant to condition 1 shall be in accordance with parameters shown on drawing number 365_199_004.

GROUND:

To ensure the development does not have an adverse effect on the adjacent heritage assets.”

Further to debate, the motion was put to the vote and declared CARRIED.

295. D05 - OL/TH/17/1447 - LAND ADJACENT LITTLE ORCHARD, CANTERBURY ROAD, ST NICHOLAS AT WADE

PROPOSAL: Outline application for the erection of 30 No dwellings with construction of new access from Manor Road with all other matters reserved

Speaking in favour of the application was Mrs Scott.

Speaking raising points of concern was Ms Holmes.

Speaking raising points of concern was Mr Fermor.

Speaking as parish councillor was Councillor Bryant.

Speaking as ward councillor was Councillor Crow-Brown.

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 for approval subject to receipt of Section 106 agreement securing required planning obligations and the following conditions:

1 Approval of the details of the appearance, layout and scale of any buildings to be erected and the landscaping of the site, (herein 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 the 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 the first occupation of any dwelling hereby approved the access and visibility splays shown on drawing no. 757/201B shall be provided and thereafter permanently retained with no obstructions over 0.9 metres above carriageway level within the splays.

GROUND:

In the interests of highway safety.

6 Details pursuant to condition 1 shall include full details (in the form of scaled plans and / or written specifications) to illustrate the following: -

- i) Parking provision in accordance with adopted standard.
- ii) Turning areas
- iii) secure, covered cycle parking facilities

The scheme shall be implemented as approved prior to the first occupation of the units hereby approved.

GROUND:

In the interests of highway safety

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

- The proposed build out and priority changes on Manor Road and

- The provision of the footpath along Manor Road.
together with a timescale for their provision.

These works shall be implemented in accordance with the approved details and shall thereafter be permanently retained.

GROUND:

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

8 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.

9 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

10 Details pursuant to condition 1 (in the form of scaled plans and/or written specifications) shall include, but not necessarily be limited to, the following; proposed roads, footways, footpaths, verges, junctions, sewers, retaining walls, service routes, vehicle overhang margins, embankments, accesses, carriageway gradients, driveway gradients and street furniture.

The development shall be laid out and constructed in accordance with the approved details prior to the first occupation of the dwellings hereby permitted.

GROUND:

In the interests of highway safety.

11 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.

12 Details pursuant to condition 1 shall not show any building exceeding 2 storeys with roof accommodation in height.

GROUND:

In the interests of the amenities of the locality in accordance with saved policy D1 of the Local Plan and the National Planning Policy Framework.

13 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 saved Local Plan policy HO8.

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

GROUND:

To meet the housing needs of the community in accordance with saved policy HO8 of the Local Plan.

15 Details to be submitted in pursuant to condition 1 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 saved policy H14 of the Local Plan.

16 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 agreed 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 the National Planning Policy Framework.

17 Prior to the installation of any external lighting, 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.

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

(a) Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, shall be completed in accordance with a scheme to assess the nature and extent of

any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment shall be undertaken by competent persons and a written report of the findings shall be submitted to and approved in writing by the Local Planning Authority, and shall include:

- o A survey of the extent, scale and nature of contamination
- o An assessment of the potential risks to:
 - o Human health
 - o Property
 - o Adjoining land
 - o Groundwaters and surface waters
 - o Ecological system
- o An appraisal of remedial options and a recommendation of the preferred options

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

(b) Submission of remediation scheme

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

(c) Implementation of Approved Remediation Scheme

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

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out shall be submitted to and approved in writing by the Local Planning Authority

GROUND:

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

19 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.

20 No external meter cupboards, vents, flues or extract grilles or overhead supply cables shall be installed on any principle elevation unless in accordance with details of materials and design submitted to and approved in writing by the Local Planning Authority.

GROUND:

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

21 No development shall take place until a detailed sustainable surface water drainage scheme for the site based on the Surface Water Management Strategy incorporating a Flood Risk Assessment (dated September 2017) 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.

22 No development shall take place until a scheme for foul and 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 saved Local Plan Policy EP13 and guidance contained within the National Planning Policy Framework.

23 No development shall take place 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:

- i) the parking of vehicles for site operatives and visitors;
- ii) construction vehicle loading/unloading, tuning facilities and access routes/arrangements;
- iii) loading and unloading of plant and materials;
- iv) storage of plant and materials used in constructing the development;
- v) wheel washing facilities and their use;
- vi) measures to control the emission of dust and dirt during construction including a scheme for recycling/disposing of waste resulting from construction works
- vii) a construction environmental management plan, including details of operation 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.
- ix) All hedgerows and trees on site to be retained shall be protected during construction in line with standard arboricultural best practice (BS 5837:2012)

GROUND:

To ensure pollution prevention measures are in place for all potentially polluting activities during construction in accordance with the National Planning Policy Framework paragraph 109 and in the interest of highway safety and biodiversity.”

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

296. D06 - F/TH/17/0804 - LAND BETWEEN 47 AND 71 MONKTON STREET, MONKTON

PROPOSAL: Erection of 20No. houses with associated access, parking and landscaping

Speaking in favour of the application was Mr Hume.

Speaking raising points of concern was Mrs Johnson.

Speaking raising points of concern was Miss Ransom.

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 for approval, subject to the receipt of a satisfactory Section 106 agreement to secure the required planning obligations.

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 revised site plan numbered 003 Rev A, received 06 February 2018, and the plans numbered 005, 006, 008, 009, 010, 011, and 012, received 02 June 2017.

GROUND:

To secure the proper development of the area.

3 No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of:

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

GROUND:

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

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

(a) Site Characterisation

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

- o A survey of the extent, scale and nature of contamination
- o An assessment of the potential risks to:
 - o Human health
 - o Property
 - o Adjoining land
 - o Groundwaters and surface waters
 - o Ecological system
- o An appraisal of remedial options and a recommendation of the preferred options

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

(b) Submission of remediation scheme

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

(c) Implementation of Approved Remediation Scheme

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

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out shall be submitted to and approved in writing by the Local Planning Authority

GROUND:

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

5 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.

6 Prior to the commencement of development hereby permitted, a drainage strategy detailing the proposed means of foul disposal and an implementation timetable shall be submitted to, and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

GROUND:

To prevent pollution, in accordance with the advice contained within the National Planning Policy Framework.

7 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.

8 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.

9 Prior to the commencement of development hereby approved, including vegetation clearance, an ecological landscape plan that demonstrates the location of the reptiles log piles (as detailed within the reptile precautionary strategy) adjacent to the boundary hedgerow, and the location of bat and bird boxes, shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved ecological landscape plan, and the full reptile precautionary strategy (as detailed in paragraph 8 of the Reptile Survey Report), and shall thereafter be retained.

GROUND:

To safeguard protected species, in accordance with the NPPF.

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

- species, size and location of new trees, shrubs, hedges and grassed areas to be planted
- the treatment proposed for all hard surfaced areas beyond the limits of the highway
- walls, fences, other means of enclosure proposed
- the provision of hedgerow planting along the northern, western and eastern boundaries of the site, and part of the southern boundary,
- the provision of tree planting along the northern boundary of the site,
- ecological enhancements to the site.

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

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

GROUND:

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

12 Prior to the first occupation of any dwelling hereby approved, the proposed site access and footways, as shown on the approved plan numbered 003 Rev A, shall be completed and operational.

GROUND:

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

13 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.

14 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 accesses onto Monkton Street, as shown on the approved plan numbered 003 Rev A, with no obstructions over 1 metre above carriageway level within the splays, which shall thereafter be maintained.

GROUND:

In the interests of highway safety.

15 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;
- (e) Timing of deliveries.

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

GROUND:

In the interests of highway safety.

16 Prior to the first occupation of the development, the area shown on the approved plan numbered for the parking, manoeuvring and loading/unloading of vehicles shall be operational prior to any part of the development hereby approved being brought into use. The area approved shall thereafter be maintained for that purpose.

GROUND:

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

17 Prior to the commencement of development hereby permitted, details of the measures to prevent the discharge of surface water onto the highway shall be submitted to and approved in writing by the Local Planning Authority.

GROUND:

In the interests of highway safety.

18 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

19 The windows and doors to be inserted within the development hereby permitted shall be constructed of timber, as agreed by the agent in correspondence received 6th February 2018.

GROUND:

In the interests of visual amenity, and to protect the setting of the adjacent Grade II Listed building, in accordance with Policy D1 of the Thanet Local Plan and the NPPF.

20 Prior to the commencement of development hereby permitted, a detailed sustainable surface water drainage scheme for the site shall be 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 without increase to flood risk on or off-site and discharged at an rate and location as agreed (approved in writing by) the local planning authority. The drainage scheme shall also demonstrate that silt and pollutants resulting from the site use and construction can be adequately managed, and that pollutants are not mobilised, to ensure that contamination is not impacted and there is no pollution risk to receiving waters.

GROUND:

To ensure the development is served by satisfactory arrangements for the disposal of surface water and to ensure that the development does not exacerbate the risk of on/off site flooding, in accordance with the NPPF.

21 Prior to the first occupation of the development hereby permitted, an operation and maintenance manual for the proposed sustainable drainage scheme shall be submitted to (and approved in writing) by the local planning authority. The manual at a minimum shall include the following details:

- o A description of the drainage system and it's key components
- o An as-built general arrangement plan with the location of drainage measures and critical features clearly marked
- o An approximate timetable for the implementation of the drainage system
- o Details of the future maintenance requirements of each drainage or SuDS component, and the frequency of such inspections and maintenance activities
- o Details of who will undertake inspections and maintenance activities, including 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 drainage scheme as approved shall subsequently be maintained in accordance with these details.

GROUND:

To ensure that any measures to mitigate flood risk and protect water quality on/off the site are fully implemented and maintained (both during and after construction), as per the requirements of paragraph 103 of the NPPF and its associated Non-Statutory Technical Standards.

22 Prior to the first occupation of the development hereby permitted, a Verification Report pertaining to the surface water drainage system, carried out by a suitably qualified professional, shall be submitted to and approved in writing by the Local Planning Authority. The report shall demonstrate 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 ensure that flood risks from development to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development as constructed is compliant with the National Planning Policy Framework.

23 Prior to the commencement of development hereby permitted, details that demonstrate that off-site surface water drainage works are appropriately secured and protected shall be submitted to and approved in writing by the Local Planning Authority. The drainage shall be implemented in accordance with the approved details.

GROUND:

To ensure the development is served by satisfactory arrangements for the disposal of surface water.

24 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.”

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

Meeting concluded : 9.10pm

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A01

F/TH/17/1781

PROPOSAL: Erection of 2No. 4-bed semi-detached dwellings

LOCATION: Land Adjacent 1 Albert Road BROADSTAIRS Kent

WARD: Beacon Road

AGENT: Mr Andrew Evans

APPLICANT: Mr John Leech

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 shown on drawing numbered 17.1116.AE.PL03, 17.1116.AE.PL04, 17.1116.AE.PL05 and 17.1116.AE.PL06.

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, details of location, type and height the boundary treatments, which shall be erected delineating the private gardens of the approved dwellings, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details prior to the occupation of either approved dwelling.

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 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.

7 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.

8 The first floor windows in the rear elevation of the dwellings hereby approved (as shown on drawing numbered 17.1116.AE.PL05) shall be provided and maintained with level 5 obscure glass or equivalent.

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.

9 The windows to be provided at first floor level in rear elevation of the dwellings hereby approved shall be provided and maintained with a cill height of not less than 1.73 metres above the finished internal floor level.

GROUND:

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

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

SITE, LOCATION AND DESCRIPTION

The application site relates to a regular shaped parcel of land between numbers 1 and 3 Albert Road and 52 Whitfield Avenue, Broadstairs. The site is enclosed by a wall approximately 1m high to the Albert Road frontage. It is noted that there is a street light in situ on the public footpath in front of the site. The front portion of the site is overgrown in nature and there is a flat garage to the eastern end of the site. The rear portion of the site is associated with number 52, as part of its curtilage.

RELEVANT PLANNING HISTORY

F/TH/17/0986 Erection of 2no. two storey 4 bed dwellings. Refused 21/09/17 Planning Committee

This application was recommended by officers for approval but following full consideration of the proposal Members resolved to refuse the planning application on the following grounds:

1) 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.

2) 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.

F/TH/17/0689 Erection of 4No. two storey dwellings. Withdrawn prior to determination 26/06/17, due to officer concerns

F/TH/08/0443 Erection of a single storey dwelling. Refused 28/05/08 Appeal dismissed.

The reason for refusal was:

1. The proposed dwelling, by virtue of its prominent siting and its proximity to and relationship with the adjoining properties in Albert Road, would result in the loss of openness between dwellings, therefore 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.

The Inspector considered that the proposed single storey bungalow would infill what is now the only significant gap in the development in the immediate area, and would give a congested appearance to its frontage. In terms of the layout he noted that 'the front wall of the bungalow would be in line with the existing bungalow at 1 Albert Road, and would be forward from the building line of the semi-detached houses to the east. Together with the loss of openness from the site, the proposed bungalow would be out of keeping with the overall character of the surrounding area.' He concluded that the proposal would appear unreasonably congested on its site, and it would be out of keeping with the pattern of development in the surrounding area.

This appeal decision is still considered to be a material consideration in the determination of residential development on the site.

F/TH/04/0804 Erection of a detached, hipped-roofed bungalow, on land to be severed from the existing garden of No. 1 Albert Road. Refused 18/02/05

PROPOSED DEVELOPMENT

Planning consent is sought for the erection of 2 no. 4 bed semi-detached dwellings and associated car-ports. The dwellings would be two and a half storey with rooms within the roof space. The two dwellings are a mirror image of each other, having a centrally positioned front entrance door and window openings aligning with one another. A car port is proposed for each dwelling located to the side of each dwelling.

The submitted plans indicate that the materials will be facing brickwork, fibre cement cladding, natural slate with timber doors and windows.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan (2006) Saved Policies

- Policy D1 - Design
- Policy D2 - Landscaping
- Policy H1 - Residential development sites
- Policy H4 - Windfall Sites
- Policy TR12 - Cycling
- Policy TR16 - Car parking provision
- Policy SR5 - Doorstep and local play space
- Policy SR11 - Private Open Space

NOTIFICATIONS

Neighbouring occupiers were notified of the application and a site notice was erected at the front of the site. As a result five representations have been received (some objectors have written in more than once). The concerns can be summarised as follows:

- Fire escape and safety issues of new dwellings;
- Overdevelopment of the site
- Plans do not match the surrounding closest properties 54 & 56
- The houses are not in keeping with the rest of the road – car ports and use of timber doors and windows rather than Upvc
- Rear very visible bedroom windows look more industrial
- Adverse impact upon residential amenity by way of loss of sunlight (particularly in the winter, outlook and being overbearing
- No. 54 will become boxed in; suffering a complete sense of enclosure
- No. 56 has a bedroom balcony that can be overlooked by both properties
- Submitted drawings have a number of inaccuracies – extensions on other dwellings not included
- Highway safety concerns
- Loss of mature trees and shrubs
- Increase in noise from the proposed residential properties

CONSULTATIONS

Broadstairs Town Council: The Planning Committee of the Town Council has considered this application and has resolved unanimously that the planning application should be refused.

Concerns: Too high, overdevelopment, overshadowing, neighbours' loss of light, neighbours' loss of privacy, overlooking, detrimental impact on the residential amenities of nos. 52, 54 and 56 Whitfield avenue, creates an unacceptable overbearing sense of enclosure to neighbouring properties, cramming and loss of trees and shrubs.

Broadstairs Society: Object to the development. The previous application was for 2 4-bed semi-detached houses and there seems little difference between the applications. The Society still feels it is an overdevelopment of the site and should not be approved.

COMMENTS

This application is referred to the Planning Committee at the request of Cllr. Matterface on the basis of the impact on neighbours at number 54 and 56 Whitfield Avenue.

Principle

The 2008 appeal decision and the recent 2017 application determined by Members of the Planning Committee, referred to above are considered to be a material consideration in the determination of residential development on the site.

However, the Council does not currently have a five-year supply of deliverable housing sites, housing applications such as this, should be considered in the context of the National Planning Policy Framework's (NPPF's) presumption in favour of sustainable development.

This is because local policies relating to the supply of housing are no longer considered up-to-date (para 49). Paragraph 14 of the NPPF states that where relevant local policies are out-of-date, planning permission should be granted unless: any adverse impacts of doing so would 'significantly and demonstrably' outweigh the benefits, when assessed against the policies of the NPPF taken as a whole; or specific policies in the NPPF indicate development should be restricted.

In this case the application site lies within a residential area of Broadstairs, however, the proposal needs to be assessed with regard to the impact of the character and appearance of the area, impact on living conditions of neighbours and all other relevant material considerations.

Character and Appearance

One of the reasons for refusal for the previous application related to form and character issues; it was considered that the proposal 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. In order to address this reason, changes to the scheme have been made.

The key changes made are:

- * The car-ports have been moved to the site boundaries rather than between the two dwellings proposed
- * Barn hips have been incorporated into the design of the dwellings
- * Alterations to the fenestration including:
- * Additional roof lights incorporated into the front elevation
- * Windows at first floor/lower roof level rather than roof lights

Referring back to the design of the proposed dwellings, these reflect the traditional form of a pair of semi-detached properties, with the dwellings next to one another and garages to either side of their respective dwellings which they serve, which replicates the existing pattern of development within the street scene. In addition the roof over the dwellings incorporates a half hip rather than a gable; again there are a mix of hip and half hip roofs within Albert Road, which these two dwellings would be seen in conjunction with. The northern side of Albert Road has a pattern to the roof types alternating between full hips and half hips; nos. 3 & 5 have a full hip, nos. 7 & 9 have a half hip, nos. 11 & 13 have a full hip. This roof type will therefore reinforce this pattern.

The dwellings would have fibre cement cladding to half the front elevation and brickwork to the middle option. It is considered that this is reflection of the tile hanging on existing dwellings that is the material between the upper floor window and front entrance door. The dwellings also both have roof lights within the front roof slope, whilst this is not a common feature within the street scene it is noted that no. 29 Albert Road has a roof light. One of the main differences is that the front entrance point for both proposed dwellings is located in a central position within the main elevation, those within existing dwellings are to the outer edge of the dwellings. Whilst the proposed dwellings do not directly replicate those within the

street exactly, it is considered that the key characteristics of housing in the area have been included and the development would not appear out of keeping in the streetscene following the alterations.

The reason for refusal also refers to the prominent siting of the development; the plot has limited depth and therefore the dwellings and associated car-port cannot be moved back further into the plot without reducing the depth of the amenity space. Notwithstanding this no. 3 Albert Road (two storey) would be marginally further back than the proposed dwellings. No.1 (bungalow) however would still be set further forward of the proposed dwellings. The scheme now re-locates the carports to either side of the dwellings rather than having them between the two proposed dwellings. This gives a visual break between the two storey elements and reduces the prominence within the street scene.

In terms of the site, the plot has a width of 20m, which is greater than other semi-detached dwellings fronting Albert Road (varying between 15m-18m). The proposed layout with single storey carports located to the flank of each property replicates others within the street. Their siting also creates more space at first floor level between the neighbouring properties, appearing visually similar to others within the streetscene. It is appreciated that the depth of the plots are limited in comparison to other dwellings amenity spaces, however this would not be highly visible from the road to cause visual harm to the wider area.

It is therefore considered that the previous reason for refusal has been overcome, and that the development will not cause harm to the character and appearance of the area.

Living Conditions

The proposed dwelling would be two storeys with a room in the roof and therefore has the potential to impact upon the amenities of those residents living nearby.

To the north of the site is no.56 Whitfield Avenue and its associated curtilage. As the proposed dwelling is located to the south, there would be some loss of light received by no. 56 Whitfield Avenue, however given the separation distance and orientation of the property, perpendicular to the application site with main windows facing to the west and east, I do not consider that it would be significantly harmful. In terms of outlook, no.56 has a rear garden from which the development would be visible. The proposed dwelling would not affect the outlook from the main habitable room windows to the rear of no.56 due to the position of the site to the south of the site.

In terms of outlook, no.54 has a rear garden from which the development would be clearly visible. However, the proposed dwellings gardens would separate the built form from the boundary, and the spacing between the rear conservatory of no.54 and the development has increased from the previously refused scheme from 6m to 7.5m. This increase in space is considered on balance to be acceptable without resulting in a development that would create an unacceptable sense of enclosure to the garden of no.54.

The proposed first floor rear bedrooms of the development would be served by fixed obscure glazed windows, with opening rooflights (clear glazed) of cill height of 1.7m above finished floor level. This arrangement will mean that no actual overlooking would result to either the

rear garden of no.s 54 or 56 Whitfield Avenue. The obscurity of these windows, and the proposed side windows at first floor level, would be controlled by condition.

No. 52 is within the ownership of the applicant (blue land), however, concern was raised by Members about this relationship. The built form of the proposed dwellings would extend approximately a third of the way across the bottom of their site, the degree of separation between the dwellinghouse has increased in comparison with the previously refused scheme by approximately 2.7m. I considered that this relationship is acceptable.

In terms of overlooking, the front windows face south over the frontage of properties on the opposite side of the road. Therefore views would be limited to public areas only.

Transportation

In-front of the dwellings is one off-street parking space for each unit, together with the space provided by the carport.

In terms of parking provision, the carport provides space for 1 vehicle per dwelling and there is an additional space to the front of each dwelling. This is sufficient for a four bedroom property and accords with the current parking standards.

In terms of the street light it is recommended that an informative is attached to advise that if street furniture will need to be repositioned at the applicant's own expense.

Conclusion

Given the current housing need within Thanet and the location of the site could support a housing development, and therefore the principle of housing on this site is considered acceptable. The previous application for two dwellings was refused due to the impact on the character of the area and on the living conditions of neighbours. The revisions to the design of the properties replicate the key appearance of existing dwellings within Albert Road and increase the spacing between the new buildings and existing in the streetscene, replicating plot widths in the area. Therefore the development will appear in keeping with the character and appearance of the wider streetscene.

Previously Members were also specifically concerned with the impact upon neighbouring occupiers that would result from the introduction of two, two storey dwellings on this parcel of land. Amendments have been made to the design and siting of the dwellings, with increased spacing provided between neighbouring properties and the development. It is considered on balance that the revisions made to the scheme are sufficient to overcome the previous Member concerns. Therefore in conclusion, the proposal is considered to accord with Thanet Local Plan policies and the NPPF, and is recommended for approval.

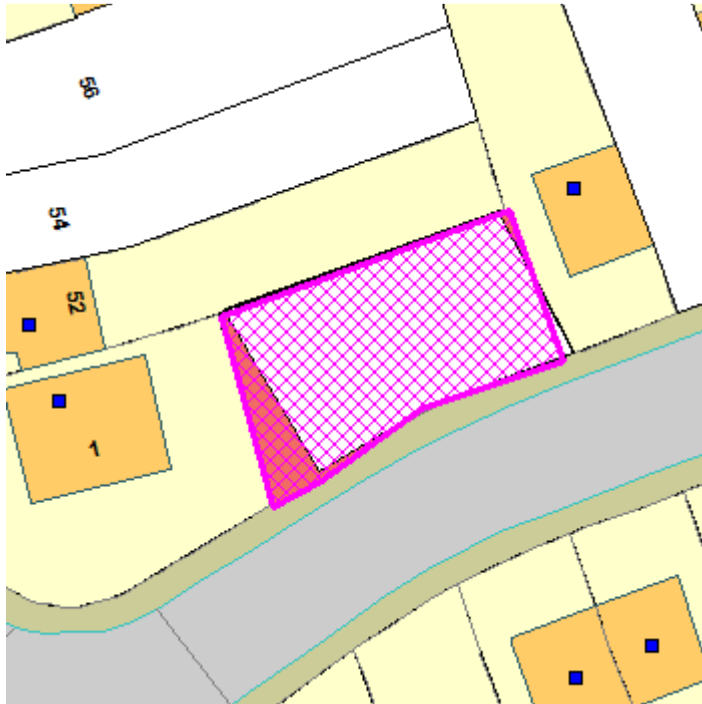
Case Officer

Gill Richardson

TITLE: F/TH/17/1781

Project Land Adjacent 1 Albert Road BROADSTAIRS Kent

Scale:



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THANET DISTRICT COUNCIL

PLANNING COMMITTEE

14 March 2018

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:05 March 2018

THANET DISTRICT COUNCIL

REPORT OF THE DIRECTOR OF COMMUNITY SERVICES

PART A

TO: THE PLANNING COMMITTEE

DATE: 14 March 2018

Application Number	Address and Details	Recommendation
R01 F/TH/18/0005	<p>St Peters Prestbytery 117 Canterbury Road Westgate On Sea Kent CT8 8NW</p> <p>Change of use of church and dwelling to Offices (Use Class A2) together with cladding to front elevation and alterations to fenestration</p> <p>Ward: Westgate-on-Sea</p>	Refuse Permission
R02 F/TH/18/0114	<p>14 Domneva Road Westgate On Sea Kent CT8 8PE</p> <p>Installation of replacement timber windows with white UPVC windows</p> <p>Ward: Westgate-on-Sea</p>	Refuse Permission

THANET DISTRICT COUNCIL

REPORT OF THE DIRECTOR OF COMMUNITY SERVICES

PART B

TO: THE PLANNING COMMITTEE

DATE: 14 March 2018

Application Number	Address and Details	Recommendation
D03 OL/TH/16/1374	St Stephens Haine Road RAMSGATE Kent CT12 5ES	Defer & Delegate
Major	Application for outline planning permission for 100no. dwellings with creation of access on to Haine Road, and all other matters reserved, on land at and adjoining St Stephens Bungalow Ward: Thanet Villages	
D04 OL/TH/17/1763	Manston Court Bungalows 5 Manston Road Manston RAMSGATE Kent	Defer & Delegate
Major	Outline planning application for the erection of 22 dwellings including access Ward: Thanet Villages	

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R01

F/TH/18/0005

PROPOSAL: Change of use of church and dwelling to Offices (Use Class A2) together with cladding to front elevation and alterations to fenestration

LOCATION: St Peters Prestbytery 117 Canterbury Road Westgate On Sea Kent CT8 8NW

WARD: Westgate-on-Sea

AGENT: Mr Ian Horswell

APPLICANT: Miles & Barr

RECOMMENDATION: Refuse Permission

For the following reasons:

1 The applicant has failed to satisfactorily demonstrate that the community use is no longer needed in the area, or that suitably located alternative accommodation for community use will be provided, and as such the development is contrary to Thanet Local Plan Policy CF1 and paragraph 70 of the National Planning Policy Framework.

2 The applicant has failed to provide an assessment of the availability and suitability of sites in the main town centres or edge of centre locations and the application is, therefore, contrary to the provisions of paragraph 24 of the National Planning Policy Framework which requires a sequential approach in site selection for main town centre uses to ensure the viability and vitality of town centres.

SITE, LOCATION AND DESCRIPTION

The application site comprises St Peters Presbytery together with the attached residential bungalow to the east located on Canterbury Road in Westgate Close to the junction with Minster Road and St Mildreds Road, within the Westgate Conservation area and adjacent to the grade II listed Summerlands Lodge.

The church has a modern gabled design with the attached bungalow being more traditional in design. The area to the front of the church is hard surfaced and marked out for the parking and there is a residential dwelling located to the north east of the site adjacent to Canterbury Road and Minster Road.

The church and its associated bungalow are currently vacant (with the church emptied of many of its internal furnishing) and the applicants advise that they are no longer required by the Catholic Church.

RELEVANT PLANNING HISTORY

TL/TH/00/0164 - The installation of a flagpole enclosing 3 no. shrouded antennae along with the associated equipment at ground level. Prior approval not required 28 March 2000.

TH/87/0088 - Erection of a detached garage. Granted 12 February 1987.

TH/75/0568/B - Erection of a chalet bungalow style dwelling for use as presbytery. Granted 16 January 1981.

PROPOSED DEVELOPMENT

The proposed development is the change of use from a church to offices (Use class A2) together with the replacement of the existing windows and the installation of new windows to the side elevations and new doors to the rear elevations.

The application is supported by a Design and Access Statement. This states that the proposed offices would be used by an estate agents as their head office and that 40 full time and 10 part time personnel would be employed. No proposed opening hours are given in the Design and Access Statement, but the application form states that the applicants would be seeking opening hours of 8am to 10pm Monday to Saturdays with no hours given for Sundays and Bank Holidays.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan 2006

D1 - Design Principles

CF1 - Community Facilities

TR12 - Cycling

TR16 - Car Parking Provision

NOTIFICATIONS

Letters were sent to neighbouring property occupiers, a site notice was posted close to the site and an advert was posted in the local paper. One letter of objection has been received raising concerns above the increased number of parking spaces and the impact upon highway safety. Concern was also raised regarding the opening hours and the increased noise and disturbance to the neighbouring residential properties.

Westgate Town Council - It is preferred that the church design is not altered and the development is sympathetic to the existing structure, but there are no problems with the application.

CONSULTATIONS

Environmental Health - No objection

KCC Highways - Referring to the above description, it would appear that this development proposal does not meet the criteria to warrant involvement from the Highway Authority in accordance with the current consultation protocol arrangements. If there are any material highway safety concerns that you consider should be brought to the attention of the HA, then please contact us again with your specific concerns for our consideration.

Conservation Officer - No objection. The proposed revised plans would not harm the character and appearance of the conservation area or the setting of the listed building.

COMMENTS

This application has been called to Planning Committee by Cllr Messenger to allow Members to consider the economic benefits of the proposal.

Principle

In relation to the principle of development, St Peters Presbytery as a Catholic Church falls within the definition of community facility in the National Planning Policy Framework and within the Council's Local Plan. In order to deliver the social, recreational and cultural facilities and services the community needs, planning decisions should guard against unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs.

The guidance within the National Planning Policy Framework (NPPF) and Policy CF1 of the Thanet Local Plan strongly support the retention of community facilities, unless there is evidence to suggest that the community use of a building is no longer required. Policy CF1 states that planning permission for the change of use or re-use of community facilities for non-community uses will only be granted if it is demonstrated that there is no longer a sufficient need for facility to warrant retention for community use or it can be demonstrated that adequate alternative accommodation appropriate to community use, and suitably located, will be provided. The onus is on the applicant to demonstrate this.

The applicant has stated that the church has been closed for some 3.5 years, however no details have been provided of why the church closed, other than reduced numbers of parishioners, or why it cannot be used for an alternative community facility. Limited information has been provided demonstrating alternative churches within the area, however an email has been received stating that there is a church hall in Westgate and a Catholic church in Birchington which the parishioners have moved to. A map has also been submitted highlighting the location of a number of bars, cafes and clubs within Westgate, however no analysis has been provided to demonstrate what facilities these venues offer, if the applicant considers these to be community facilities or how they compare to the church.

The property has only been marketed for 6 weeks and no information has been provided regarding where the property was marketed, what it was marketed as, or if this was for a realistic price. It would normally be expected that a property is marketed for at least a 6month period as a general community facility before a change of use is granted, and detailed information should be provided to demonstrate that it was marketed in the appropriate places for a suitable price.

As such, the loss of the community facility, without any suitable alternative accommodation being provided as a replacement to this provision to meet the needs of the community, is contrary to Local Plan Policy CF1, without any sufficient evidence to the contrary being provided.

This application proposes to change the use of the church and attached bungalow to an A2 office use. The A2 use class financial and professional services and covers banks, building societies, estate and employment agencies together with professional services but not including health or medical services. These services are generally visited by the general public.

The glossary of National Planning Policy Framework (Appendix 2) includes offices in its definition of main town centre uses. Paragraph 24 of the NPPF states that Local Planning Authorities should apply a sequential test to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up to date local plan. It goes on to state that Local Planning Authorities should require applications for main town centre uses to be located in town centres, then in edge of centre locations and only if suitable sites are not available should out of centre sites be considered. When considering edge of centre and out of centre proposals, preference should be given to accessible sites that are well connected to the town centre. Paragraph 27 states that where an application fails to satisfy the sequential test it should be refused.

The site is located within the built up confines but outside of the main town centres of Thanet - Margate, Broadstairs and Ramsgate. The site is, however, located within close proximity of Westgate, this is classed as a district centre within the Thanet Local Plan. The application site is, therefore, considered to be an out of centre location and the application should be supported by a Sequential Test demonstrating that there are no appropriate town centre or edge of centre sites available. There is no evidence submitted with the application to suggest that any other sites have been considered by the applicant for their proposed offices. Without any evidence of the sequential test being applied, it must be considered that the application fails to meet the guidance set out in paragraph 24 of the NPPF and as such the application should be refused in accordance with paragraph 27 of the NPPF.

Character and Appearance

The site is located within the Westgate Conservation Area and therefore 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.'

The Conservation Officer raised concerns with the initial plan which proposed additional UPVC windows, blue and orange cladding and signage to the front elevation. An amended plan has been submitted altering the proposed windows to aluminium and the removal of the signage and cladding. The grey pebble dashed will be rendered cream and the windows will be replaced around the building with new windows inserted in the side elevations.

The Conservation Officer raises no objection to the amended plan and given the modest scale of the alterations now proposed to the building and the use aluminium windows which is considered to be in keeping with the age of the building, it is considered that there will be no significant impact upon the character and appearance of the conservation area, in line with policy D1 of the Thanet Local Plan and the National Planning Policy Framework.

Living Conditions

This application makes no change to the overall scale of the property and therefore there will be no significant loss of light or sense of enclosure to the neighbouring properties. New windows are proposed at high level in the east and west elevations 3.5m above the internal floor level and bi-folding doors are proposed in the rear elevation. At the rear of the site there is a residential property, however a parking area for this property is located between the front elevation of this property and the rear elevation of the church. Due to the location of the proposed doors and windows it is considered that there will be no significant overlooking as a result of the development.

Concern has been raised regarding increased noise and disturbance to the neighbouring residential property occupiers as a result of the proposed opening hours. The hours proposed are 0800 - 2200 Monday to Saturday. The existing church has a large capacity and the potential to attract a large number of movements to and from the site. An A2 office use is not considered to generate a significant level of noise and the Councils Environmental Health department has raised no objection to the proposed opening hours. Given the existing use of the site it is considered that there will be no significant change in the neighbouring living conditions by way of noise and disturbance.

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

Transportation

The former use of the application site as a church had the potential to generate a large number of vehicular movements to and from the site particularly when services and over events were taking place. The site is located in a sustainable location with bus stops and Westgate train station located a short distance from the site. The vehicular traffic generated by the office use of the site is considered unlikely to be significantly higher than that generated by the former use of the site. The site has existing parking areas to the front and rear and it is noted that the submitted plan indicates that a cycle parking area would be provided to the front of the site. It is considered that there would be sufficient off road vehicular and cycle parking to serve the proposed office use.

Concern has also been raised regarding the proposed parking arrangement preventing vehicles from accessing the site. No objection has been raised by KCC Highways to the proposed parking layout.

It is, therefore, considered that the proposed use would not have an adverse impact in terms of traffic generation or highway safety.

Conclusion

Both national and local planning policies seek to guard against unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs. Limited evidence has been submitted by the applicant to demonstrate why the application site is no longer required/suitable for a community use and no alternative facility has been provided to demonstrate that adequate alternative accommodation appropriate to community use, and suitably located, would be provided.

A2 uses (financial and professional), such as that proposed in this application, is contained on the definition of main town centre uses within the NPPF. Paragraph 24 of the NPPF advises that a sequential approach should be taken by Local Planning Authorities when considering applications for main town centres use. They should be restricted to town centres, then edge of centre sites and then, only if no other sites are available in out of centre sites. The onus is on the applicant to demonstrate that they have considered alternative sites utilising that hierarchy of town centre, edge of centre and finally out of centre and to set out why other sites have been discounted. The information supporting the application is limited and provides no evidence that a sequential test has been undertaken.

In light of the above it is considered that the proposed development does not comply with policy CF1 of the Thanet Local Plan or the guidance contained within the National Planning Policy Framework and therefore it is recommended that planning permission is refused.

Case Officer

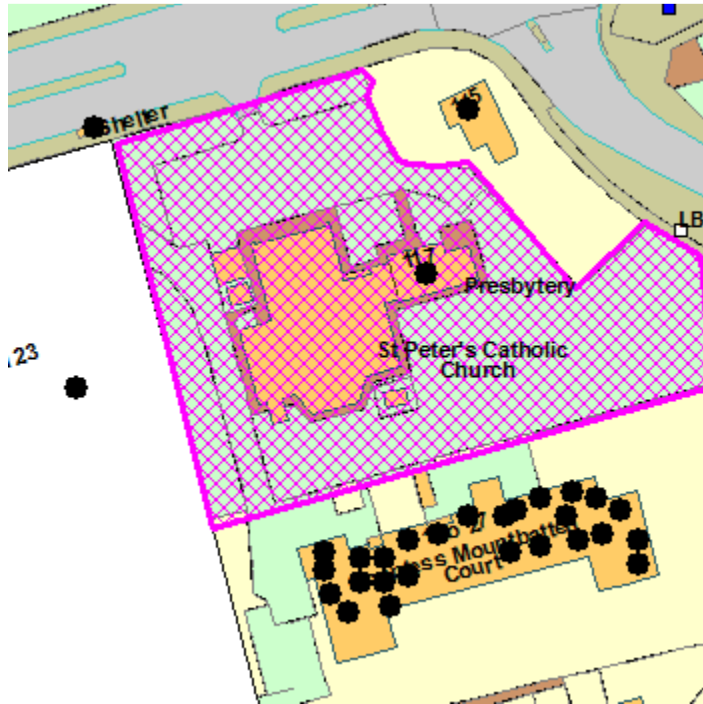
Duncan Fitt

Agenda Item 5a

TITLE: F/TH/18/0005

Project St Peter's Presbytery 117 Canterbury Road Westgate On Sea Kent CT8 8NW

Scale:



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R02

F/TH/18/0114

PROPOSAL: Replacement of existing timber windows with white UPVC windows

LOCATION: 14 Domneva Road Westgate On Sea Kent CT8 8PE

WARD: Westgate-on-Sea

AGENT: Mr Philip Palmer

APPLICANT: Mr Leadbeater

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 and enhancing its character and appearance. The replacement of the 16no. ground floor and first floor windows with UPVC will result in the loss of uniquely traditional timber windows and materials from a building that is prominently located within the Conservation Area, resulting in an inappropriate and visually intrusive form of development, detracting from the special character and appearance of the Conservation Area. The proposal is therefore contrary to Policy D1 of the Thanet Local Plan and paragraphs 17, 64, 132 and 134 of the National Planning Policy Framework.

SITE, LOCATION AND DESCRIPTION

The site is located on the corner of Domneva Road and Westgate Bay Avenue within the Westgate-On-Sea Conservation Area. The property is a detached 3-storey building with bay windows at ground floor level, large sash style windows at first floor level, and dormer windows within the roof space. The building is brick built with very traditional features, and is highly prominent within the street.

RELEVANT PLANNING HISTORY

F/TH/17/1367 - Replace existing timber sliding sash windows with white UPVC sliding sash windows and replace existing fascia, soffit, gutter and downpipes to UPVC (Refused: 27/11/17) - The refusal reason was: *'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 and enhancing its character and appearance. The replacement of the ground floor windows, along with panels, fascia, soffits, guttering and downpipes with UPVC will result in the loss of uniquely traditional timber windows and*

materials from a building that is prominently located within the Conservation Area, resulting in an inappropriate and visually intrusive form of development, detracting from the special character and appearance of the Conservation Area. The proposal is therefore contrary to Policy D1 of the Thanet Local Plan and paragraphs 17, 64, 132 and 134 of the National Planning Policy Framework.

F/TH/16/1180 - Replacement windows at second floor level from UPVC to vertical sliding UPVC with external Georgian bars (Granted 02/11/2016)

F/TH/10/0132 - Replacement of uPVC top hung casement windows with uPVC sliding sash windows (Granted 01/04/2010)

PROPOSED DEVELOPMENT

This application is for the replacement of 16no. existing timber windows with white UPVC windows within the ground floor, and the west and east elevation of the first floor, which serve Flats 1 and 2 in the property.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan (2006)

D1 - Design Principles

NOTIFICATIONS

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

CONSULTATIONS

TDC Conservation Officer - A number of concerns are raised in relation to the application, principally that the UPVC material would emphasise the incongruity of the material and the design of the windows on the building and degrade the street scene, which would be harmful to the Conservation Area.

COMMENTS

The application is called to committee by Cllr Bambridge for consideration of the impact upon the street scene, and the energy efficiency benefits for the building.

Principle

The site is located within the built up area where the principle of development is considered to be acceptable. The main consideration in relation to assessing this application is the impact upon the character and appearance of the conservation area within which the site lies.

Character and Appearance

The site lies within the Westgate-On-Sea Conservation Area and is considered to make a positive contribution to the character and appearance of the Conservation Area in which it is located. The property is one of the original villas of the Westgate on sea seaside resort development of the late 1860s. The impact of the proposal to replace the 16no. windows from the existing timber framed windows, to the proposed UPVC material is of concern as the significance of the Conservation Area derives substantially from the form and appearance of these villas characterising the seaside resort. The position of the building on the corner of Domneva Road and Westgate Bay Avenue has a considerable presence in the local street scene and is in a prominent and visible location.

The uniformity of the building and its appearance within the conservation area is an important consideration for any changes to fenestration. The windows proposed for replacement are quite unique in design and while the proposed replacement UPVC windows are similar in appearance on plan, the proportions are not the same as the existing timber framed windows. Solid glazing panels are proposed at the bottom sections of the longer windows numbered 2-12 which would change the existing proportions of the windows numbered 2-9 which have glazing bars in the bottom section. The Conservation Officer has provided comments in relation to the change in appearance of UPVC compared with timber and considers the change in materials would take away the finesse of the original timber material. The agent advised in relation to the previous application, which was refused (F/TH/17/1367) that because of the uniqueness of the windows, it would be difficult to be able to manufacture exact replacements with the same proportions in a UPVC material.

Currently, windows 2-5 have glazed panels at the top and windows 6-12 have timber panels. The proposal details that all of the larger windows will have a UPVC panel at the top. The Conservation officer considers that it is not clear from the submitted details whether the glazing bars on the proposed windows would divide the glazing into separate units, or would sit on top of the glass, or be positioned between the glazed units. If they would be part of the frame, they would appear crude when compared with the original glazing bars. If they were stuck onto the external façade of the double glazed units, they would create false vertical glazing strips. Also, if inserted inside the glazed unit they would lack the depth and shading of traditional glazing bar profiles.

Currently the 16no. windows proposed for replacement are all timber windows and whilst the proposal would create a uniform change across the ground floor level of the building, it is considered that this would be a detrimental change. It would remove the original windows and the original proportions, which currently contribute positively to the Conservation Area. The Conservation Officer considers the conservation of heritage assets carries great importance and weight and the windows are irreplaceable. Any harm requires clear and convincing justification.

The Conservation Officer considers there are more appropriate ways of improving the performance of historic traditional windows and as such there is no public benefit on the proposal to outweigh the harm to the heritage asset. The existing timber windows appear to

be in good or at least reasonable condition presently and it is not considered that sufficient justification for the loss of the original timber framed windows has been provided. Whilst paragraph 95 of the NPPF supports energy efficiency improvements to existing buildings, it is considered in this instance that the benefits which could be achieved through the upvc material is outweighed by the harm which would be caused to the conservation area.

It was noted at the site visit and on the basis of the previous application for other windows within the building, that there are some existing UPVC sliding sash windows within the building already, following consent granted as per the site history. Application ref. F/TH/16/1180 sought to improve a situation where UPVC top hung windows had been inserted to the building prior to the designation of the Conservation Area, and sliding sash UPVC windows were considered to be an improvement to an existing situation. The 16no. windows which are being considered in this application are predominantly at the ground floor on the north and north western corner, the most prominent corner of the property and are more unique in design and larger in scale than those which have been considered at the upper floors. It would be more difficult as previously detailed for a replacement of the original windows to be provided in the UPVC material, which results in the loss of the original proportions.

A number of appeals have been dismissed in relation to the replacement of timber windows in conservation areas in Thanet. For example, Flat 1, Chandos Square, Broadstairs (APP/Z2260/W/16/3151500) when the inspector considered that because the property was visible from a public place that harm would be caused and that the claimed public benefit of thermal efficiency was not sufficient to outweigh the harm created. An application at 2 Alexandra Road, Broadstairs (APP/Z2260/C/16/3158122) was also considered to cause harm and dismissed as there would be virtually no public benefit arising from the development sufficient to outweigh the harm to the conservation area. It is considered in this instance that the windows are prominently visible and whilst there is currently a hedge running around the perimeter of the property that partially screens some of the windows, it could be cut down at any time making the ground floor windows more visible. The public benefits are not considered to outweigh the harm caused to the conservation area.

It is therefore considered that the proposal would be harmful to the Conservation Area and is contrary to Policy D1 of the Thanet Local Plan and paragraphs 17, 64, 132 and 134 of the National Planning Policy Framework.

Living Conditions

The nature of the scheme means that once the windows are in place they are not considered to have any impact upon the living conditions of neighbouring property occupiers. The proposal may provide some improved thermal efficiency to the occupiers of 14 Domneva Road, but detailed information has not been provided.

Conclusion

In terms of weighing up the impact of harm, the conservation of heritage assets carries great importance and weight. They are irreplaceable and any harm requires clear and convincing justification. Whilst double glazing would provide a more energy efficient building and would

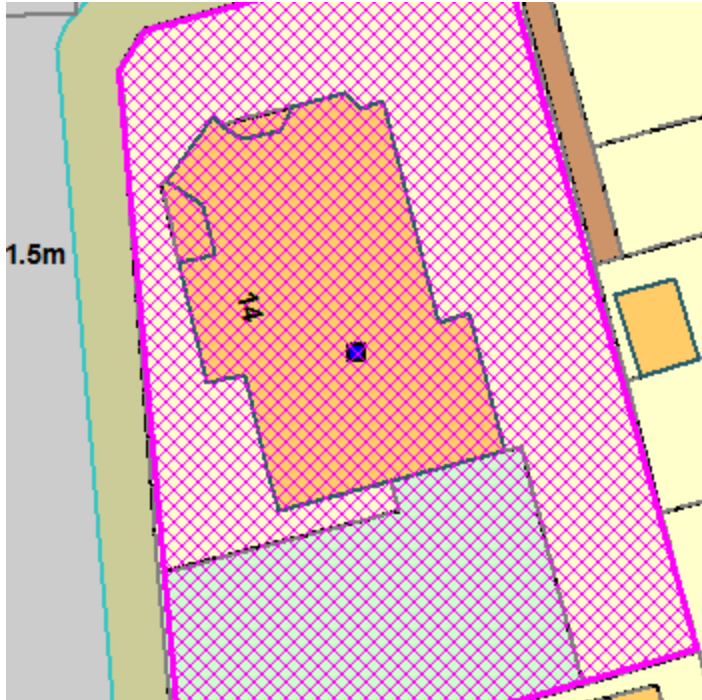
contribute towards mitigating the effects of climate change and the aspirations of paragraph 95 of the NPPF, it is not considered that the option to replace the 16no. original windows, which do not follow the same proportions and design as the existing timber framed windows is an acceptable solution. The proposal would result in a harmful impact on the Conservation Area and is considered to be contrary to Policy D1 of the Thanet Local Plan and paragraphs 17, 64, 132 and 134 of the National Planning Policy Framework. It is therefore recommended that members refuse the application.

Case Officer

Lauren Hemsley

TITLE: F/TH/18/0114

Project 14 Domneva Road Westgate On Sea Kent CT8 8PE



D03

OL/TH/16/1374

MAJOR

PROPOSAL: Application for outline planning permission for 100no. dwellings with creation of access on to Haine Road, and all other matters

LOCATION: reserved, on land at and adjoining St Stephens Bungalow

St Stephens Haine Road RAMSGATE Kent CT12 5ES

WARD: Thanet Villages

AGENT: Mr Mick Drury

APPLICANT: Mr M Taylor

RECOMMENDATION: Defer & Delegate

Defer & Delegate for approval subject to receipt of Section 106 agreement securing required planning obligations and the following conditions:

1 Approval of the details of the layout, scale and appearance of any buildings to be erected, the means of access to the site 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 drawings numbered 618/205C, 618/206C, 618/207A, and 618/208, received 12 January 2018.

GROUND:

To secure the proper development of the area.

6 No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of:

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

GROUND:

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

7 Prior to the commencement of development hereby permitted (including site clearance):

- (i) A presence/absence reptile survey shall be carried out on site and submitted to and approved in writing by the Local Planning Authority;
- (ii) If the survey submitted identifies the presence of reptiles on site, the protection measures as outlined within the Reptile Mitigation Strategy received 16 February 2018 shall be implemented and maintained, with details of the completed mitigation measures submitted to and approved in writing by the Local Planning Authority.

GROUND:

To safeguard protected species, in accordance with the NPPF.

8 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 100 year storm) can be accommodated within the curtilage of the site without increase to flood risk on or off-site. Priority shall be given to the use of infiltration and other sustainable drainage features, however if this is specifically demonstrated to be unfeasible, surface water shall be discharged off-site at a staged controlled rate as detailed in the Surface Water Management Strategy (v2.0), prepared by RMB Consultants (Civil Engineering) Ltd, dated December 2017. The drainage scheme shall also demonstrate that silt and pollutants resulting from the site use and construction can be adequately managed to ensure there is no pollution risk to receiving waters.

GROUND:

To ensure the development is served by satisfactory arrangements for the disposal of surface water and to ensure that the development does not exacerbate the risk of on/off site flooding, in accordance with the NPPF.

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

- 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 ensure that any measures to mitigate flood risk and protect water quality on/off the site are fully implemented and maintained (both during and after construction), as per the requirements of paragraph 103 of the NPPF.

10 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 ensure that flood risks from development to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development as constructed is compliant with the National Planning Policy Framework.

11 Prior to the commencement of development hereby permitted, details of the proposed means of foul and surface water sewerage and an implementation timetable, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with such details as are agreed and thereafter maintained.

GROUND:

To prevent pollution, in accordance with the advice contained within the National Planning Policy Framework.

12 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.

13 No drainage systems for the infiltration of surface water drainage into the ground are permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters or ground stability. The development shall be carried out in accordance with the approved details.

GROUND:

The site lies on a principal aquifer and in Source Protection Zones 2 and 3.

14 Prior to the first occupation of the development hereby permitted, the proposed highway improvements within Haine Road, including the road widening, toucan crossing, uncontrolled pedestrian crossing, tactile paving, footway and cycleways, as shown on the approved plans numbered 618/205C, 618/206C, 618/207A, and 618/208, shall be completed and operational.

GROUND:

To mitigate against the highway impacts of the proposed development, and to support sustainable modes of transport, in accordance with the NPPF.

15 No development shall take place until a highways work phasing plan, outlining the point at which each mitigation element outlined in condition 14 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.

16 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.

17 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.

18 Prior to the first occupation of the development hereby permitted, visibility splays of 2.4m x 120m shall be provided to the access onto Haine Road, as shown on the approved plan numbered 618/207A, with no obstructions over 0.6m above carriageway level within the splays, which shall thereafter be maintained.

GROUND:

In the interests of highway safety.

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 plan shall include the following:

- (a) Routing of construction and delivery vehicles to/from the site;
- (b) Parking and turning facilities for construction, delivery and site personnel vehicles;
- (c) Wheel washing facilities;
- (d) Temporary traffic management/signage required;
- (e) Provision of wheel washing facilities;
- (f) Access arrangements;
- (g) Timing of deliveries,
- (h) Hours of construction working;
- (i) Measures to control noise affecting nearby residents;
- (j) Dust control measures.

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

GROUND:

In the interests of highway safety.

20 Any accesses onto Haine Road and Spratling Lane shall be constructed of a bound surface material for the first 5 metres from the edge of the highway, with measures to prevent the discharge of surface water onto the highway.

GROUND:

In the interests of highway safety.

21 Details to be submitted in pursuant of condition 1 above shall include a scheme to demonstrate that the internal noise levels within the residential units and the external noise levels in back gardens and other relevant amenity areas will conform to the standard identified by BS 8233 2014: Sound Insulation and Noise Reduction for Buildings - Code of Practice.

GROUND:

To protect the living conditions of future occupiers, in accordance with paragraph 17 of the NPPF.

22 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.

23 Details to be submitted in pursuant of condition 1 above shall include an air quality emissions statement that provides details of how the air quality damage costs, as calculated within the emission mitigation assessment reference 1775-201733 dated November 2017, are to be used to achieve air quality improvements through the development.

GROUND:

To mitigate against the impact of the proposed development upon air quality, in accordance with the NPPF.

24 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 play space and equipped play areas in accordance with Thanet Local Plan Policy SR5 and guidance within the National Planning Policy Framework.

25 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.

26 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.

27 The landscaping details pursuant of condition 1 shall include hedgerow planting along the western, southern and eastern boundaries of the site, and tree planting along the southern boundary of the site.

GROUND:

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

INFORMATIVES

1. The applicant/developer should enter into a formal agreement with Southern Water to provide the necessary sewerage infrastructure required to service this development. Please contact Southern Water, Southern House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk.
2. A formal application for connection to the water supply 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.
3. 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
4. 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
5. 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/>

6. 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.
7. 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.
8. 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 4.25ha of land; mainly comprising agricultural land, with a very small area accommodating a residential plot, which until recently contained a detached bungalow. To the west of the site is Spratling Court Farm and Spratling Street Farm with associated agricultural and office buildings, and to the south of the site is Manston Golf Centre. Spratling Lane adjoins the northern boundary of the site, and Haine Road adjoins the eastern boundary of the site. To the north of the site is existing residential development in the form of a 3-storey block of flats, and to the east of the site is Haine Industrial Estate. The frontage to Haine Road comprises irregular hedgerow planting with post and wire fencing, and the street frontage to St.Stephens comprises of a lay-by in front of a tall brick wall, with hedgerow and trees along the southern boundary to the golf centre.

RELEVANT PLANNING HISTORY

No relevant planning history.

PROPOSED DEVELOPMENT

The application was originally submitted as a hybrid application, consisting of an outline application for the erection of up to 95no. dwellings with all matters reserved, and a full application for the erection of 5no. dwellings. The application has since been amended and is now solely an outline application for the erection of up to 100no. dwellings, to include the creation of a single vehicular access point onto Haine Road along with a right hand turn lane, and the removal of the proposed roundabout. All matters regarding layout, scale,

appearance and landscaping are reserved for future consideration; however, an illustrative layout plan has been submitted showing how the 100no. units could be accommodated on the site.

The illustrative layout plan shows a mix of flats, terraced, semi-detached and detached dwellings across the site, with a large open space to accommodate the play area to the front of the site, and a loop road through the site, with cul-de-sacs that extend off the road.

Off-site highway works required to mitigate against the impact of the proposed development include a toucan crossing across Haine Road, the widening of Haine Road to accommodate a separate right hand turn lane, the provision of a footpath along the eastern boundary of the application site, and the provision of a cycleway/footway on the eastern side of Hine Road linking the toucan crossing to Leigh Road.

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

NOTIFICATIONS

Neighbouring occupiers have been notified and a site notice posted. 14 letters of objection have been received. The main concerns are:

- Increased traffic and congestion,
- Spratling Lane is too narrow, could not take additional traffic,
- Gas mains on site,
- Increased noise and disturbance,
- Loss of agricultural land,
- Loss of countryside,
- Visual impact,
- Lack of infrastructure, nearby doctors always full,

- Density of development out of keeping with Manston Village,
- Illustrative layout plans shows proposed trees overhanging neighbours boundary, which is not agreed,
- Inadequate parking provision,
- Inadequate road and footpath infrastructure,
- Proximity of development to driving range,
- Lack of public transport,
- Development is out of keeping,
- Land within sightlines not in ownership of applicant.

Cliffsend Parish Council - Having discussed and carefully considered the planning application, we would recommend it be refused.

The density is too high and the proposed road modifications are unsuitable, considering the road issues now. The addition of a roundabout in an area already filled with roundabout will make gridlocks worse.

Manston Parish Council -

1. This is an over development of the site. This amount of housing would increase the size of housing in Manston Parish by nearly 1/4. We have 500 approx homes at the moment, and another 100 is a sizeable addition.
2. This development would put an enormous strain on existing community facilities. Doctors for Manston are already hard to find, also Dentists and saying the convenience shop is a short distance away. Tesco Manston Road would be the nearest shop to them and that is across the main road and quite a distance on an unfootpathed road.
3. Traffic or Highways. Haine Road - is a very busy road which is not going to be helped by further a roundabout. Spratling Lane will be used as a 'rat run/cut through' to avoid Haine Road. 95 homes would mean at least 95 vehicles, which would be coming and going twice daily. Most homes these days have 2 cars so that would mean a further 380 movements extra per day. This would also affect pollution levels for this area. Noise pollution would also be increased.
4. There is no public transport provision for this area. No amenities.
5. A general dislike for the proposal, due to the effect the size of the development will have of the village, and it is not in keeping with the village of today.

(in response to amended plans)

Our previous comments are still valid and we would like them taken into consideration when the decision is made.

These include - that we consider it an overdevelopment of the site - It would put an enormous strain on existing community facilities - This development would add to the already existing traffic issues in the area - there is no public transport for the area - it is not in keeping with the village.

CONSULTATIONS

KCC Highways and Transportation -

(final comments)

I refer to the amended plans and additional information submitted for the above on 12th January, which demonstrate that suitable access can be achieved to/from Haine Road for vehicles, cyclists and pedestrians. The proposed access arrangements include a new right turn lane for the site with associated right turn lanes for Leigh Road and Spratling Lane, together with a Toucan crossing in Haine Road and connection to the existing cycleway on the east side of Haine Road. This will also enable eventual more direct pedestrian and cycle access to the services and facilities in the Manston Road corridor to the east, through the approved Manston Green development.

The development is likely to generate approximately 57 two-way vehicle movements in the network peak hours, split almost evenly to the north and south of the site. This additional traffic is significantly less than the typical variation in daily flow on the adjacent highway network and is unlikely to have a severe impact, particularly as the proposed right turn lanes will mean that the flow of traffic in Haine Road should not be obstructed by turning vehicles.

Whilst the internal layout is not for consideration at this time, the illustrative layout shows no vehicular connection to Spratling Lane, to discourage the use of the same by residents of the site. A secondary emergency access connection is indicated but this will include bollards to ensure vehicular access is only for emergency vehicles, whilst allowing pedestrian access.

I therefore now have no objections in respect of highway matters subject to safeguarding conditions.

(amended comment following change of application to full outline and alterations to off-site highway works)

I refer to the change of description and amended illustrative layout submitted for the above on 19th October, and would comment as follows:

1. The proposed access off Haine Road is acceptable in principle but the detailed plans of the access arrangements and associated highway alterations, together with a safety audit and designer's response, should be submitted.
2. A bollarded emergency access from Spratling Lane is acceptable in principle. The exact location and design of the route to accommodate a fire service vehicle can be resolved through reserved matters, but it will need to provide a suitable pedestrian connection to the existing footway on the opposite side of Spratling Lane.
3. A pedestrian crossing point with dropped kerbs and tactile paving will be required across the Spratling Lane junction to connect the proposed footway to the existing. The detail of this can be resolved through reserved matters.
4. It is not clear why footway connections have been made to Spratling Lane in the north west corner of the site, but there is no existing footway for pedestrians in the vicinity and the connections should therefore be removed.

(initial comment)

Outline Application

1. The TRICS data used to derive trip rates for the proposed dwellings should be submitted.
2. Detailed plans and information including dimensions, visibility splays/envelopes, etc. are required to demonstrate that the proposed access roundabout complies with DMRB guidance. Any departures from standards and reasons for the same should be identified. A safety audit and designers response will also be required.
3. The capacity of the proposed roundabout also needs to be assessed in the network peak hours to demonstrate it is acceptable. The assessment should include the traffic from committed developments at the Manston Green and Eurokent sites, and also take account of the current planning application for Stone Hill Park. The assessment will require the distribution of traffic to/from the site to be considered and once this is agreed, the highway authority can then determine whether or not assessment of existing junctions to the north and south of the site is necessary.
4. Suitable pedestrian and cycle access should be provided to/from the site, to link with the wider network and the pedestrian and cycle facilities being provided as part of the Manston Green development to the south. A Toucan crossing should therefore be provided to the south of the proposed roundabout together with a shared footway/cycleway on the eastern side of Haine Road. The crossing will need to be included in the modelling of the proposed roundabout and suitable details of the proposed facilities, including a safety audit, will need to be submitted.

Full Application

5. Visibility splays of 120 metres x 2.4 metres x 120 metres are required at the proposed access for the 5 dwellings, unless measured speeds indicate otherwise. It should be demonstrated that these splays are available over land within the control of the applicant and/or the highway authority.
6. A connection must be made between the site and the existing footway network to the north, to prevent pedestrians having to walk in the carriageway in Haine Road.
7. The tandem parking arrangements and remoteness of the parking from the dwellings on plots 47 and 48 are likely to lead to unacceptable on-street parking in Haine Road. As the site is considered to be suburban edge in accordance with Kent Design Interim Guidance

KCC SUDs - The revised surface water management strategy proposes discharging surface run-off from the site into combined sewer located at Haine Road, whilst earlier version (dated September 2016) proposed to discharge into ground using deep borehole soakaways.

We have no objection in principle to the application but we would strongly recommend that priority is given to the use of infiltration on the site prior to utilising an off-site discharge and we do not feel that it should be disregarded on the basis of 1 poor result.

We would expect more detailed ground investigation including infiltration testing being presented during further detailed design work. Indeed the strategy itself states "More comprehensive site investigation should be carried out as part of the detailed design to establish whether or not disposal via infiltration is feasible, even over a limited extent."

Should infiltration be demonstrated to be unfeasible, we would have no objection to a connection to the public combined water sewer at the equivalent of the greenfield runoff rate on a staged discharge basis as stated in the strategy. Consultation with southern Water will

be required to agree the discharge rate and confirm that there is adequate capacity within the sewer network to receive additional/ proposed discharges from the development site.

At the detailed design stage, we would expect to see the drainage system modelled using FeH rainfall data in any appropriate modelling or simulation software. Where FeH data is not available, 26.25mm should be manually input for the M5-60 value, as per the requirements of our latest drainage and planning policy statement (June 2017).

No objections subject to safeguarding conditions.

KCC Archaeology - The site lies in an area rich in archaeology with significant remains of prehistoric and Roman date having been found in the surrounding landscape. I note from the submitted Design and Access Statement that an archaeological desk study was undertaken for the scheme but I have not seen this and it is not otherwise referred to in the submission. Given the potential for archaeology on the site and that likely to be at shallow depth on the basis of the ground investigation report I recommend that in any forthcoming consent provision be made for archaeological evaluation and mitigation that may include preservation measures for any particularly significant discovery and or more detailed investigation works.

KCC Economic Development - 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 - £4,535 per house and £1,134 per flat towards primary school provision (phase 2 of the new Manston Green Primary School), £4,115 per house and £1,029 per flat towards secondary school provision (Phase 2 Royal Harbour Academy expansion), and £4,753.57 towards the library in Newington.

KCC Biodiversity -

(final comment following submission of Reptile Mitigation Strategy)

We are satisfied with the proposed reptile receptor site around the edges of the development, and consider that this would be sufficient for the likely low numbers of reptiles on site. We would advise that if planning permission is granted, conditions are attached to ensure that the reptile surveys are undertaken and mitigation measures as outlined are implemented.

(initial comment)

We have reviewed the ecological information submitted in support of this outline application and we advise that additional information is required. All surveys and necessary mitigation measures need to be submitted prior to determination of any outline planning application to ensure that Thanet District Council are taking into account all material considerations.

Bats

The building on site has features which show potential for roosting bats and therefore further surveys will need to be undertaken. These surveys, along with any necessary mitigation will need to be undertaken, prior to the determination of any planning application.

Reptiles

The periphery of the site contains habitat suitable for reptiles and therefore a full reptile survey will need to be carried out along with any necessary mitigation measures. This information will need to be submitted prior to determination of any planning application.

Nesting Birds

The boundary of shrubs and hedgerows offer nesting potential for breeding birds and consideration for these species will need to be undertaken during the construction phase. We advise that any boundary shrubs should be retained in line with the 'mitigation hierarchy', however if this is not possible appropriate mitigation will need to be implemented. These measures can be secured as a condition of any planning application.

Enhancements One of the principles of the National Planning Policy Framework is that "opportunities to incorporate biodiversity in and around developments should be encouraged". Suggestions are made in section 11 of the submitted ecological report and these include:

- o Enhancement of hedgerows with native species.
- o Provision of species rich grassland around the margin of the site.

We advise that clear ecological enhancements are included in any submitted landscape plans taking into consideration the suggestions made in the submitted ecological report and any further suggestions in the further survey reports. It is important to ensure that any enhancement measures do not include retained habitats or mitigation measures, and are clear enhancements of the current ecology of the site. Thanet District Council should aim to have these measures implemented into any landscape plans and secured as a condition of any planning application.

TDC Environmental Health -

(final comment)

Noise

The noise assessment has demonstrated that noise from the nearby commercial sources is insignificant but road traffic noise from Haine Road significantly affects the Eastern edge of the site during the day and night. Properties 1 and 2 which are nearest to the road will need enhanced acoustic protection in the form of acoustically screened mechanical ventilation (where occupants do not need to open their windows for fresh air) to ensure reasonable internal living conditions. I do not consider that this is appropriate mitigation given the size of the development and that there is scope at this outline stage, to re-position these properties further away from the road. Properties 91 to 100, although further away, are also affected by road traffic noise and will require mitigation in the form of a landscaped bund along the edge of the Central Green. I would therefore request that the detailed application be supported by

a revised layout and a more detailed noise assessment which demonstrates that the required internal and amenity noise levels can be achieved. The applicant should be made aware of these concerns prior to determination.

Air Quality

The revised report is acceptable as the damage costs have been calculated using the baseline year of 2017 and have increased to £89K. I agree with the comments made by Mick Drury about the extensive highway works being undertaken and that further mitigation work is therefore unnecessary. However, for completeness they will need to provide an air quality emissions statement which explains this. I have suggested a condition below but if they can submit something before determination that would avoid the need for a condition.

Prior to the first use of the development hereby permitted, an air quality emissions statement that provides details of how the air quality damage costs, as calculated within the emission mitigation assessment reference 17751-201733 dated November 2017, are to be used to achieve air quality improvements through the development, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details. A Construction Environmental Management Plan condition and electric vehicle charging condition is also recommended.

(initial comment)

Given the number of dwellings proposed and that the site falls within the urban AQMA, an AQ assessment is necessary to determine the impact on relevant receptors. If the AQ impacts do not warrant refusal than an Emission Mitigation Assessment will be required along with the subsequent submission of an Emissions Mitigation Statement.

I would also wish to ensure that the development is not adversely affected by noise from the surrounding commercial activities including Spratling Street Farm and road traffic noise from Haine Road. I would therefore recommend that a noise assessment is submitted prior to determination to ensure that the site is suitable for the proposed new residential development.

TDC Waste and Recycling - It appears that there are several areas that are not accessible by our vehicles - 'Home Zones' and private drives. We wouldn't expect the crews to walk these out to the vehicle so this would involve either a change to the layout or designated collection points that the residents take their bins to and then collect them from there later in the day.

TDC Strategic Housing - No objections

Southern Water - The results of an initial desk top study indicates that 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.

The application details for this development indicate that the proposed means of surface water drainage for the site is via a watercourse. The Council's technical staff and the relevant authority for land drainage consent should comment on the adequacy of the proposals to discharge surface water to the local watercourse.

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. We request that should this application receive planning approval, the following informative is attached to the consent:

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

Environment Agency - Thank you for consulting us on the above application. We have reviewed the information submitted and consider that planning permission could be granted if the following planning conditions are included. Without these conditions, the proposed development on this site poses an unacceptable risk to the environment and we would object to the application.

Surface Water Drainage

The application form states that surface water drainage is to be discharged via a sustainable drainage system and soakaways. The Surface Water Management Strategy (dated September 2016), states that deep bored soakaways are proposed to dispose of surface water. From the information provided in this report, it appears that deep bored soakaways are proposed to be constructed up to 30 metres deep. It is not acceptable to construct soakaways up to this depth in a chalk aquifer in SPZ 2 and 3.

This will create a pathway for any contaminants entering the drainage system to get to the groundwater quickly. The design of infiltration SuDS schemes and their treatment stages needs to be appropriate to the sensitivity of the location and subject to the dilution and attenuation properties of the aquifer. Shallower infiltrating SuDS should be considered in this vulnerable location. As much unsaturated zone as possible must be maintained between the base of any infiltration device and the groundwater. The discharge of clean roof water will be acceptable discharging to shallow infiltrating SuDS provided that all roof water down-pipes are sealed against pollutants entering the system from surface run-off, effluent disposal or other forms of discharge. The method of discharge must not create new pathways for pollutants to groundwater or mobilise contaminants already in the ground. All other surface water drainage, i.e. from roads and car parking areas, should pass through appropriate pollution prevention measures prior to discharging to any infiltrating SuDS.

There should be no discharge into or allowed to discharge into land impacted by contamination or land previously identified as being contaminated. There should also be no discharge to made ground.

Foul Drainage

All foul drainage should be directed to mains foul sewer.

Thanet 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 s 106 contribution to meet these extra demands placed upon the local primary care health service.

With regards to this particular application, despite being modest in size in its own right, it poses a risk to the provision of primary care in the locality as only a limited number of practices cover the address within their catchment area.

The CCG Primary Care Home and Estate strategies support the construction of a purpose built facility at Westwood Cross. The strategies identify that the practices in the vicinity of the Westwood development are no longer fit for purpose for the long term provision of primary care services to the local population, are significantly undersized compared to NHS England guidance and are indeed not able to increase clinical capacity within their existing premises to take on additional patients as a result of the development of the wider Westwood Cross area.

The CCG has identified a need for approx. 3,500 - 4,000 sqm of accommodation to provide the required primary care services to the existing population coupled with the increase in population expected as a result of the Westwood Cross development. The Development cost of the scheme is estimated at circa. £15m.

The CCG would therefore request a capital contribution from each housing development in order to contribute towards the build cost of the facility on the understanding that the existing primary care infrastructure cannot accommodate any additional patients in its current state.

In respect of this application a developer's contribution is required in the form of £720 per 2-bed unit, £1,008 per 3-bed unit, and £1,260 per 4-bed unit.

In respect of phasing and patient numbers, the contribution is sought as a lump sum as opposed to being a phased payment. This will allow the CCG to properly plan the investment.

COMMENTS

This application is brought before members as the site lies outside of the urban confines, and is therefore a departure to Policy H1 of the Thanet Local Plan.

Principle

The site is non-previously developed land outside of the urban confines. The proposal for residential development is therefore contrary to Policy H1 of the Thanet Local Plan.

Policy CC1 of the Thanet Local Plan states that 'within the countryside, new development will not be permitted unless there is a need for the development that overrides the need to protect the countryside'.

Currently the Local Authority cannot demonstrate a 5 year supply of housing, and therefore all applications for residential development must be considered on their own merits. Whilst the application site would be a departure to current Local Plan Policy H1, the site has been identified by officers in the draft local plan as suitable for residential development. The draft local plan has limited weight in decision-making; however, given the draft allocation and identified need for housing, the proposal falls to be considered under paragraph 14 of the NPPF as to whether it represents sustainable development.

Policy H02E of the Draft Local Plan specifically relates to this housing allocation, and requires that development does not exceed a maximum density of 35 dwellings per hectare, with an indication that the number of units proposed should be up to 85no. dwellings. The policy also requires that any application be accompanied by a masterplan for the whole site informed by a Transport Assessment and Travel Plan, along with the provision and incorporation of suitable access arrangements, together with suitable footway connections. These issues are covered within the report.

The site is located on the edge of Westwood Town Centre, which has good facilities and services, and is also within close proximity of Manston Road, which contains a supermarket and primary school. There are good bus links to both of these locations, with the bus stop within 400m of the application site. The proposal includes the provision of footways/cycleways and a toucan crossing, enabling good pedestrian and cycle links between the site and nearby facilities/services, which contribute to the sustainability of the development.

Given the need for housing, the principle of development is likely to be considered acceptable, subject to all other material considerations, such as the impact upon the countryside, highway safety, drainage and archaeology.

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 need for the development.

Impact upon Countryside and Landscape Character 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, with particular

care being taken to avoid skyline intrusion and the loss or interruption of long views of the coast and the sea. The application site is located on the edge of the existing urban area, and is visible from Spratling Lane and Haine Road, with existing residential development to the north of the site, an industrial estate allocated for employment use to the east of the site, a golf centre to the south of the site, and an existing farm development to the west of the site. Given the presence of existing activity surrounding the site, the proposed development will not appear as an isolated development into the countryside, but rather as a natural expansion of the urban area.

The application site is one of a number of sites, within the immediately surrounding area, that has been strategically allocated for housing development within the Draft Local Plan. Given the need for housing in the district, the expansion of Westwood has been identified as one of the preferred choices for new housing development. As such, land to the west of Haine Road, between Westwood Town Centre and up to and including the application site, has been allocated for housing within the Draft Local Plan. In addition, land to the south east of the application site has also been allocated for housing, with an application approved last year for the erection of 785no. dwellings (Manston Green development).

The development of the application site would have limited impact upon views of the countryside and the landscape character area, with the only views of the site being from the two adjoining roads. From Haine Road there would be no loss of view of the coast as the application site is to the west of Haine Road, and views of the coast are only achieved when looking from the east of Haine Road. When looking across the site from Spratling Lane, due to the distance and the presence of mature trees along the southern boundary of the site, views of the coast are again unlikely to be achievable. Furthermore, development has already been approved for residential development on land to the south east of the application site, meaning there will be a backdrop of development to the application site when looking towards the coast. With regards to the impact upon the countryside, this is a small area of agricultural land that is detached from any surrounding agricultural land, and therefore has limited use as agricultural land. The site is also surrounded by existing development, so there would be a limited impact upon long views of the countryside.

The application site does not provide an active recreational use, and it is not considered that the site provides intrinsically beneficial qualities or makes a significant contribution to the character of the area. When approaching the site along Haine Road from the north, views across the Golf Course and fields beyond are of greater importance to the character of the area than views across this site, which are limited given the presence of a brick wall and extensive growth along the boundary adjacent to Haine Road. It is therefore considered that the proposed development complies with Policy SR11 of the Thanet Local Plan.

Based on the limited long views of the site, limited impact upon coastal views, and the position of the application site, which is between both existing and future development, it is considered that the development of the site would have minimal visual harm upon the wider landscape. As a result the landscape impact is considered to be acceptable at this stage, subject to further details within future reserved matters applications regarding the scale, appearance and landscaping of the development.

Impact upon Character and Appearance of area

The proposal is in outline form only, with the only consideration being the number of units proposed and the access to the development. The allocated housing policy within the draft Local Plan indicates that up to 85no. units would be acceptable on the site, up to a density of 35 dph. Whilst 100no. units are proposed, the density is only at 24 dph, which is considered to be an acceptable level of development for this edge of urban area location. The submitted illustrative layout plan shows that the 100no. units can spaciouly fit upon the site along with the necessary formal and informal open space, and landscaping buffers along the boundaries. As such, it is considered that the proposed density would result in a form of development that is unlikely to detract from the character and appearance of the area.

The scale and appearance of the development is not being proposed at this stage, but within the design and access statement it is noted that the houses will be pre-dominantly 2-storey in height to complement the scale of existing houses in the immediate area.

In terms of the appearance and layout of the proposed development, the illustrative plan suggests that there would be a mixture of terraced, semi-detached and detached dwellings, along with a flat block. This variety of building form is considered to be in keeping with the surrounding pattern of development where there is a variety of building types, scale and designs.

Access is a consideration of the proposed development. The site plan shows the provision of a single access point into the development from Haine Road. The access point will be opposite the industrial estate and a suitable distance from Spratling Lane; and the illustrative layout plan suggests that the access will be adjacent to the proposed open space, and the access road into the site will be tree lined. The location and general appearance of the access point is considered to be acceptable with regards to the character and appearance of the area.

Landscaping is a reserved matter, however, it is stated within the draft policy that a soft landscaped edge is expected between the site and the open countryside. Furthermore, within the Reptile Mitigation Strategy, a 0.1ha ecological buffer zone is recommended to be provided and retained along the western and southern boundaries of the site. Such requirements are expected to follow through into any future reserved matters application for landscaping.

The illustrative layout plan provides for a large area of formal/informal play space adjacent to the eastern boundary of the site, measuring approximately 0.528ha. This exceeds the minimum open space requirements as set out within Policy SR5 of the Thanet Local Plan, and will include the provision of an on-site equipped play area to serve the development and surrounding properties. Additional areas of green space are also shown throughout the development, enabling the provision of a good quality spacious development that incorporates attractive soft landscaping.

Overall it is considered that the density of the development proposed, along with the location of the vehicular access point, will not significantly detract from the character and appearance of the area, and as such will be in accordance with Policy D1 of the Thanet Local Plan and the NPPF.

Living Conditions

The application site lies adjacent to Spratling Street Farm and Spratling Court Farm, which accommodates agricultural and office buildings that will not be affected by the proposed development. To the east of the application site is an industrial estate, which will again not be affected by the proposed development. To the south of the site is Manston Golf Centre. It is possible that further netting may need to be erected to protect the proposed dwellings from golf balls if existing netting along the southern boundary of the site is not adequate, but this is a private matter to be resolved under health and safety regulations.

The only residential properties to be affected by the proposed development are within Saddlers Mews to the north of the site, on the northern side of Spratling Lane. The layout, scale and appearance of the proposed development is not being assessed at this stage, so it is not possible to assess the specific impact upon the existing neighbouring properties; however, based on the illustrative layout plan there is a minimum distance of 11m between the proposed development and the nearest neighbouring property. This would be an adequate distance to prevent any significant loss of light or outlook to the neighbouring occupiers. With regards to overlooking, the illustrative layout plan suggests that the location and orientation of the nearest proposed development to the neighbouring occupiers would not result in a significant loss of privacy.

Whilst the provision of an additional 100no. dwellings on the site may increase noise and disturbance to neighbouring occupiers, the proposed access onto the site is from Haine Road, away from Saddlers Mews. There is no additional accesses onto Spratling Lane other than an emergency access. As such it is unlikely that there would be a significant increase in noise and disturbance from increased use of Spratling Lane, as the majority of vehicles will use Haine Road only.

The impact upon neighbouring occupiers at this stage is therefore considered to be acceptable and in accordance with Policy D1 of the Thanet Local Plan.

Within the development itself, the illustrative site layout plan shows that each dwelling can be provided with doorstep play space, in accordance with Policy SR5 of the Thanet Local Plan.

Whilst there may be some noise and disturbance for future occupiers of the development that adjoin the farms to the west of the site, there is a wide landscaping buffer proposed and the existing uses on the farm of agricultural and office uses are unlikely to result in significant noise and disturbance for future occupiers. A noise assessment has also been submitted at the request of Environmental Health to ensure that the site is suitable for the proposed new residential development. The submitted noise assessment has demonstrated that noise from the nearby commercial sources is insignificant but road traffic noise from Haine Road significantly affects the Eastern edge of the site during the day and night. As a result, development within close proximity of the road will need enhanced acoustic protection in the form of acoustically screened mechanical ventilation, and a landscaped bund is likely to be needed along the eastern boundary of the site to ensure reasonable internal living conditions. Whilst environmental health have recommended that these issues be considered

prior to determination, this is an outline application and the proposed layout is not being agreed at this stage, so it is not considered reasonable to request any additional information at this stage.

The impact upon neighbouring and future occupier living conditions is therefore considered to be acceptable, and in accordance with Policy D1 of the Thanet Local Plan and paragraph 17 of the NPPF.

Transportation

The application is in outline form only, with consideration to be given to the highway impact that may result from the provision of up to 100no. dwellings on the site, along with the adequacy of the proposed vehicular access to the site.

Draft Policy H02E requires that the proposed development of the site incorporate and provide for suitable access arrangements together with suitable footway connections.

The original plans showed the provision of a vehicular access onto both Haine Road and Spratling Lane, and the provision of a roundabout on Haine Road. A Transport Assessment was also submitted to support the proposal.

KCC Highways and Transportation were consulted, and queried the need for the provision of a roundabout in this location. The proposed development will generate approximately 57 two-way vehicle movements in the network peak hours, split almost evenly to the north and south of Haine Road. KCC consider that this additional traffic is significantly less than the typical variation in daily flow on the adjacent highway network, and is therefore unlikely to result in a severe impact to the network. In addition, the provision of a roundabout at this point would also disrupt the free flow of traffic along Haine Road, to the detriment of road users.

The application has now been amended to provide for the widening of Haine Road for the section between the southern boundary of the application site and the junction with St.Johns Avenue. The widening of Haine Road enables a third lane to be provided, which will provide a right turn lane into the application site, Spratling Lane and Leigh Road. This provision will enable the free-flow of traffic along Haine Road to be maintained, and will mitigate against the additional vehicle movements generated by the proposed development. The amended plans also show the creation of a single access point from the proposed development onto Haine Road, with the access point on to Spratling Lane changed to an emergency only access with bollards. The loss of the access onto Spratling Lane addresses many of the concerns raised by neighbouring residents.

In order to improve sustainable transport links, KCC have requested the provision of a toucan crossing and an uncontrolled pedestrian crossing point on Haine Road, along with the provision of a new footpath adjacent to Haine Road, along the entire eastern boundary of the site, to facilitate pedestrian movement from the site. To the eastern side of Haine Road a new footpath/cyclepath is proposed that will link to both the existing footpath/cycle path to the north, and the future proposed footpath/cycle path link to the south (which is to be provided as part of the approved Manston Green application). Connection to both of these

will improve pedestrian and cycle links between the application site and both Westwood Town Centre and Manston Road. These improvements will enable good access for both future residents of the development and existing neighbouring residents to retail uses, a primary school and health facilities, achieving wider sustainability benefits for the area.

The proposed access into the site is considered to be acceptable, as it achieves the necessary 2.4m x 120m visibility splays, and a junction stagger of 60m is achieved. A Road Safety Audit has also been submitted for the proposed access and toucan crossing, with recommendations of the audit incorporated into the design.

The number of vehicle movements that would result from the development is not considered to have a severe impact upon the highway network, and on the basis of the amended plans and additional information submitted, it is considered that appropriate off-site highway works and sustainable links are provided to mitigate against the impact of the development, and incorporate it into the surrounding area. The access is considered to be both safe and suitable, and as such the impact upon highway safety is considered to be acceptable and in accordance with the NPPF.

Utilities

- *Foul drainage*

It is proposed to connect to the public combined sewer running along Haine Road for foul drainage. Southern Water have advised that there is currently inadequate capacity within the local foul sewerage network to accommodate the foul flow from the proposed development, and that off-site upgrade works will be necessary to provide adequate capacity. The agent has agreed to this, and therefore it is considered that adequate foul drainage to serve the development is achievable.

- *Surface water drainage*

It was originally intended that surface water drainage from the site would be through the use of deep bored soakaways, which KCC SUDs had no objections to. Following the submission of amended plans, KCC requested that the drainage strategy be updated to reflect the revised illustrative layout. The Environment Agency had also advised that deep bored soakaways would not be acceptable, as the site lies above a chalk aquifer above a source protection one, and as such the soakaways could create a pathway for contaminants entering the drainage system to get to the groundwater quickly.

A revised surface water management strategy has been submitted, which now proposes discharging surface water run-off from the site into the combined sewer, as their shallow soakage tests have shown poor infiltration rates. The Environment Agency and Southern Water have no concerns with this, although KCC SUDs strongly recommend that that priority is given to the use of infiltration on the site prior to utilising an off-site discharge, and therefore recommend that more detailed ground investigation work, including infiltration testing, be carried out to determine whether or not disposal via infiltration is feasible.

Given the outline nature of the application, all consultees are satisfied that no further information is required at this stage, but can be submitted and agreed via condition. It is therefore considered that adequate surface water drainage to serve the development is achievable.

- *Electricity and gas*

The utilities statement submitted by the applicant states that utility companies have been contacted to determine whether or not sufficient capacity is available to support the development.

Electricity connections to the site have been found to be available subject to minor off-site works.

With regards to gas provision, a medium pressure gas pipe cuts diagonally across the southeast corner of the site. Development is not allowed above the gas pipe and an easement will need to be maintained along the main of this line. Further gas connections to the site have been found to be available subject to minor off-site works.

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 30no. units.

Whilst the size and location of units is illustrative at this stage, the submitted plan suggests that a range of flats, terraces and semi-detached properties would be provided. The applicant has also confirmed that they would intend to provide the 30no. units with a mix of shared ownership and affordable rent, with a 40/60 split. The Strategic Housing Officer has commented on the application and advises that she has no objections to the number of units being provided, or the 40/60 split proposed.

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

Size and Type of units

Policy H8 of the Thanet Local Plan requires that there should be a mix of dwelling sizes and types within developments to meet a range of community needs. The proposal is in outline form only, so the size and type of units is not being agreed at this stage; however, the illustrative layout plan suggests that a variety of unit types will be provided, including flats, terraces, semi-detached and detached properties. It is also intended that a range of unit sizes, including 2, 3 and 4-bed units will be provided. Given the intention to provide a range of unit sizes and types, the proposal complies with Policy H8 of the Thanet Local Plan, with further consideration to be given at the reserved matters stage once the finalised size and type of units is known.

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 0.528ha of open play space, to include casual and equipped play space. 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 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

The site lies in an area rich in archaeology with significant remains of prehistoric and Roman date having been found in the surrounding landscape. The Archaeological Officer at KCC has been consulted, who has advised that given the potential for archaeology on the site, and that likely to be at shallow depth on the basis of the ground investigation report, a safeguarding condition for archaeological evaluation and mitigation is recommended. This may include preservation measures for any particularly significant discovery, and/or more detailed investigation works.

On the basis of the safeguarding condition, the impact upon archaeology is considered acceptable.

Biodiversity

A Preliminary Ecological Appraisal was undertaken by Native Ecology in September 2015, which found that there are patches of habitat within the site that are suitable for reptiles, and therefore a reptile survey is required. The appraisal also recommended a bat survey as the existing building had the potential for roosting bats; however the building has since been demolished so there is no longer a justification for a bat survey.

Due to the time of year, it has not been possible for the applicant to carry out the necessary surveys. Instead, the applicant has submitted a Reptile Mitigation Survey. This sets out what would need to be done within the site to accommodate the reptiles if they were found following the survey. The Reptile Mitigation Strategy suggests the provision of a receptor site in the form of a 0.1 ha Ecological Buffer Zone along the western and southern boundaries of the site, a reptile proof fence to protect the receptor site, and the provision of 3no. artificial hibernacula's within the receptor site. Other ecological enhancements are also recommended. KCC Biodiversity have confirmed that they are satisfied with the proposed

receptor site around the edges of the development, and consider that this will be sufficient for the likely low numbers of reptiles on site.

There are no concerns in relation to biodiversity subject to safeguarding conditions requiring the submission of a reptile survey, and if reptiles are identified on site, a condition to enforce the mitigation measures as identified within the Reptile Mitigation Survey.

Air Quality

Given the number of dwellings proposed, and the location of the site within the urban Air Quality Management Area, an Air Quality assessment was requested by Environmental Health.

The submitted assessment identifies air quality damage costs of £89,000, but this can be offset against the air quality improvements proposed, including the toucan crossing and footpath/cycle path links, along with the provision of electric vehicle charging points within the site.

Environmental Health accept that these improvements will offset the damage to air quality as identified, and therefore comment that no further mitigation work would be necessary; however, the submission of an air quality emissions statement is required via condition that explains this.

Subject to safeguarding conditions, and the provision of the off site highway works, the impact upon air quality is considered to be acceptable.

Financial Contributions

- Education/Libraries

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 £4,535 per house and £1,134 per flat towards the new Manston Green Primary School (Phase 2); a financial contribution of £4,115 per house and £1,029 per flat towards Phase 2 of Royal Harbour Academy expansion works; and a financial contribution of £4,743.57 towards book stock at the local library in Newington.

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

- Healthcare Provision

A request has been received from the NHS regarding the need to mitigate the increased healthcare requirement created by this housing development. They have advised that any

contributions secured should be put towards the provision of a new purpose built medical facility at Westwood to serve the population.

The formulae used to calculate the contribution is based on a cost per head to provide a new surgery. This equates to £360 per person, resulting in an overall contribution of £720 per 2-bed unit, £1,008 per 3-bed unit, and £1,260 per 4-bed unit.

The principle of the contribution is considered to meet the statutory test of planning obligation, and the applicant has agreed to the principle of a contribution to be part of the Section 106 agreement. The impact upon healthcare provision is therefore considered to be acceptable.

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 £40,800. 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,
- £4,535.00 per 'applicable' house and £1,134.00 per 'applicable' flat towards primary school provision in the form of Phase 2 of the new Manston Green Primary School,
- £4,115.00 per 'applicable' house' and £1,029.00 per 'applicable' flat towards secondary school provision in the form of Phase 2 Royal Harbour Academy expansion works,
- £4,753.57 towards library provision,
- £40,800 towards the Special Protection Area.
- £720 per 2-bed unit, £1,008 per 3-bed unit, and £1,260 per 4-bed unit for improvements within primary care through contributing towards the provision of a new purpose built medical facility at Westwood,
- Off-site highway works in Haine Road.

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 100no. 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. It is not considered that the proposed development would significantly impact upon neighbouring amenity due to the distance to the nearest residential properties, and an equipped play area is to be provided on site. All requests for social contributions towards education, social and health care have been agreed by the applicant, and 30% on-site affordable housing is provided. 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 be viewed as a natural expansion of the urban area, with limited impact upon the wider landscape area. The density of the proposed development falls below 30 dwellings per hectare, thus in keeping with the character of this urban edge location, and landscape enhancements are proposed including a large area of amenity space and soft landscaping along the 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. Off-site highway works are proposed to improve traffic flows and a toucan crossing, island crossing and footpath/cyclepath links are proposed to both improve sustainable links with the surrounding area, and mitigate against air quality concerns resulting from the development. 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 or drainage.

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 proposed development of this draft allocated housing site.

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.

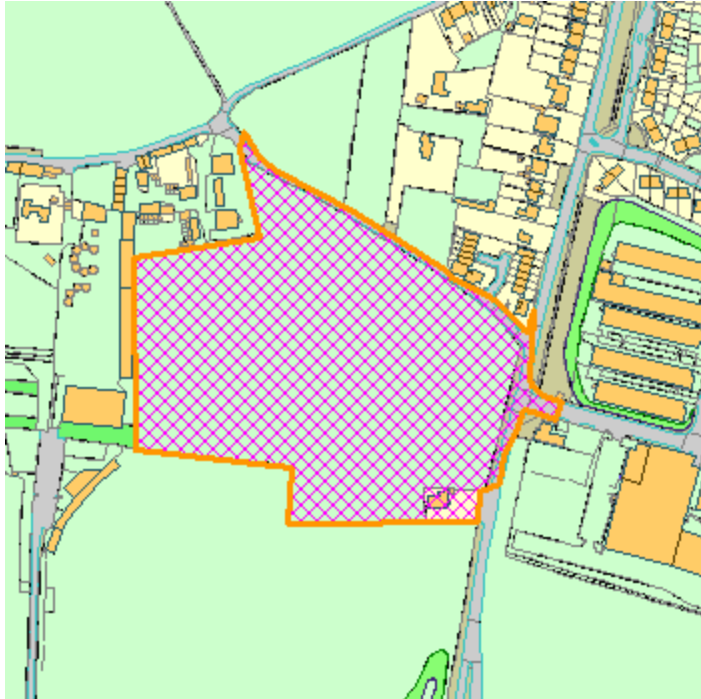
Case Officer

Emma Fibbens

TITLE: OL/TH/16/1374

Project St Stephens Haine Road RAMSGATE Kent CT12 5ES

Scale:



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D04

OL/TH/17/1763

PROPOSAL: Outline planning application for the erection of 22 dwellings including access

LOCATION: Manston Court Bungalows 5 Manston Road Manston RAMSGATE Kent

WARD: Thanet Villages

AGENT: Alister Hume

APPLICANT: Kentish Projects Ltd

RECOMMENDATION: Defer & Delegate

Defer & Delegate for approval subject to receipt of Section 106 agreement securing required planning obligations and the following conditions

1 Approval of the details of the appearance, layout and scale of any buildings to be erected and the landscaping of the site, (herein 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 the approval of the last of the reserved matters to be approved.

GROUND:

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

5 Details pursuant to condition 1 shall include full details of the enhancements to the pedestrian link with Esmonde Drive and Manston Road. These shall be implemented prior to the occupation of the units hereby approved and thereafter permanently retained.

GROUND:

In the interests of sustainability and the integration of the development into the surrounding area.

6 Details pursuant to condition 1 shall include full details (in the form of scaled plans and / or written specifications) to illustrate the following: -

- i) Parking provision in accordance with adopted standard.
- ii) Turning areas
- iii) secure, covered cycle parking facilities

The scheme shall be implemented as approved prior to the first occupation of the units hereby approved.

GROUND:

In the interests of highway safety

7 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.

8 Details pursuant to condition 1 (in the form of scaled plans and/or written specifications) shall include, but not necessarily be limited to, the following; proposed roads, footways, footpaths, verges, junctions, sewers, retaining walls, service routes, vehicle overhang margins, embankments, accesses, carriageway gradients, driveway gradients and street furniture.

The development shall be laid out and constructed in accordance with the approved details prior to the first occupation of the dwellings hereby permitted.

GROUND:

In the interests of highway safety.

9 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.

10 Details pursuant to condition 1 shall not show any building exceeding 2 storeys with roof accommodation in height.

GROUND:

In the interests of the amenities of the locality in accordance with saved policy D1 of the Local Plan and the National Planning Policy Framework.

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

GROUND:

To meet the housing needs of the community in accordance with saved policy HO8 of the Local Plan.

12 Details to be submitted in pursuant to condition 1 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 saved policy H14 of the Local Plan.

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

14 Prior to the installation of any external lighting, 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.

15 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.

16 No external meter cupboards, vents, flues or extract grilles or overhead supply cables shall be installed on any principle elevation unless in accordance with details of materials and design submitted to and approved in writing by the Local Planning Authority.

GROUND:

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

17 No development shall take place until a detailed sustainable surface water drainage scheme for the site based on the Surface Water Management Strategy incorporating a Flood Risk Assessment (dated September 2017) 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.

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

GROUND:

To prevent pollution, in accordance with the advice contained within the National Planning Policy Framework.

19 Prior to the occupation of the development hereby approved, details of how the development will enhance biodiversity will be submitted to, and approved in writing, by the Local Planning Authority. These shall include the installation of bat and bird nesting boxes along with the provision of generous native planting where possible. The approved details will be implemented and thereafter retained.

GROUND:

To enhance biodiversity

20 Details pursuant of condition 1 above shall include an area of open space in the same location and no smaller than that shown on the indicative layout plan no.23361A_SK001 Rev F received 13 December 2017. 36 percent of the proposed open space shall be formally equipped as a play area.

GROUND:

To provide open space that offers recreational, community and amenity value in accordance with Policy SR11 of the Thanet Local Plan, and guidance within the National Planning Policy Framework.

21 Details pursuant to condition 1 above shall include full details of hard and soft landscaping, including details of play equipment for the site, and an implementation timetable for the agreed works; together with a Landscape Management and Maintenance Plan (LMP) for all areas of the site falling outside the identified curtilage of dwellings.

GROUND:

To provide open space that offers recreational, community and amenity value and to integrate the development into the surrounding area in accordance with Policy SR11 of the Thanet Local Plan, and guidance within the National Planning Policy Framework.

22 Prior to the commencement of the development hereby approved a Construction Method Statement shall be submitted to, and approved in writing by, the Local Planning Authority. 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. wheel washing facilities and their use.
- f. measures to control the emission of dust and dirt during construction a scheme for recycling/disposing of waste resulting from construction works.
- g. 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

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

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/>

The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended, it is an offence to remove, damage or destroy the nest of any wild bird while that nest is use or being built. Planning consent for a development does not provide a defence against prosecution under this act.

Surface water infiltration systems should only be used where it can be demonstrated that they will not pose a risk to underground water quality.

Piling or any other foundation designs using penetrative methods shall be permitted on those parts of the site where it can be demonstrated that there is no resultant unacceptable risk to groundwater.

All existing infrastructure associated with the existing public water main located close to the site 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.

Kent County Council recommends that all developers work with a telecommunication partner or subcontractor in the early stages of planning for any new development to make sure that Next Generation Access Broadband is a fundamental part of the project. Access to superfast broadband should be thought of as an essential utility for all new homes and businesses and given the same importance as water or power in any development design. For advice on how to proceed with providing access to superfast broadband please contact broadband@kent.gov.uk

This application is the subject of a legal agreement/unilateral undertaking.

SITE, LOCATION AND DESCRIPTION

The application site (measuring approximately 0.9 hectares) was part of a larger site formerly occupied by a number semi-detached bungalows occupied by Ministry of Defence Personnel (MOD) and their families. The site lies outside any defined built up settlement and is considered to lie within the countryside for planning purposes.

The site is generally overgrown with areas of grassland and some dense scrub cover. The pedestrian paths linking Esmonde Drive to the former MOD site can largely still be seen on site, together with evidence of areas of hard standing within the site and elements of a disused equipped play area located adjacent to the south western boundary of the site. The site is largely level with no notable topographical features.

The site is covered by CC2 (Landscape Character Areas) of the saved Local Plan but is otherwise free of Tree Preservation Orders, heritage constraints or flood risk designations.

Surrounding area

To the south east of the site is a series of residential cul-de-sacs running off the Esmonde Drive (a former MOD residential development comprising some 76 two storey dwellings) and a further 12 dwellings served from Bell Davies Drive. To the north east of the site is a detached commercial building (used for car repairs/dismantling and sales), whilst development associated with the fire training school lies immediately to the north east of the site on the opposite side of Manston Road. A section of the south western site boundary abuts an adjacent field margin, with the remainder set behind an established woodland buffer extending across the south west perimeter of the Esmonde Drive residential development terminating at the junction with Spitfire Way. The airfield and associated development of the former Manston Airport lie to the south and east of the site.

RELEVANT PLANNING HISTORY

There is no planning history related to the application site itself alone, but there were a number of applications relating to the larger MOD site of which the application site once formed a part.

F/TH/03/0249 - Redevelopment of site comprising 34 two storey dwellings, together with detached garages and garage block, access roads and open space, play area and landscaping. Approved June 2003. (This consent is currently being implemented. The siting of the approved dwellings is restricted to land outside of the current application site).

F/TH/00/0027 - Removal/variation of condition 14 of planning consent reference OL/TH/99/0506 which restricts development of the site to 34 bungalows with total floor area of units not exceeding total floor area of existing development. Approved March 2000. (Revised wording of condition 14 - The development hereby approved shall be restricted to the erection of 34 houses of no more than two storeys in height, with the total floor area of the units now exceeding the total floor area of the existing development. GROUND: In the interests of achieving a satisfactory development of this site).

OL/TH/99/0506 - Demolition of existing bungalows and redevelopment for residential purposes. Approved November 1999.

PROPOSED DEVELOPMENT

This application seeks outline consent for the erection of up to 22 dwellings with access to be taken from the approved access road to the adjacent development (F/TH/03/0249) and the provision a new equipped play area within the open space serving the development and the retention and enhancement of the existing pedestrian links between the site and Esmonde Drive. All matters, except access, are reserved for future consideration. Members are, therefore, considering the principle of up to 22 residential units on the application site together with the acceptability of the access to serve the proposed development. All other matters - appearance, landscaping, layout and scale - will be the subject of a reserved matters application(s).

DEVELOPMENT PLAN POLICIES

Thanet Local Plan (2006) Saved Policies

H1 - Residential Development Sites
H4 - Windfall Sites
H8 - Size and Type of Housing
H14 - Affordable Housing
H15 - Rural Local Needs Housing
D1 - Design Principles
D2 - Landscaping
HE11 - Archaeological Assessment
HE12 - Archaeological Sites and Preservation
SR4 - Provision of New Sports Facilities
SR5 - Playspace
SR10 - Public Open Space
R1 - General Levels of Development
CF2 - Development Contributions
CC1- Development in the countryside
CC2 - Landscape Character Areas
TR4 - New Road and Highway Improvements
TR12 - Cycling
TR16 - Car Parking Provision
CS10 - Contributions to Infrastructure Requirements

NOTIFICATIONS

Letters were sent to the occupiers of adjacent properties, a site notice posted close to the site and the application publicised in a local newspaper.

No representations have been received from local residents.

Minster Parish Council: Support the application on the condition that the six affordable housing units have a local lettings plan which forms part of the section 106 agreement for the development.

CONSULTATIONS

Southern Water: The exact position of the combined sewer within the site must be determined by the applicant before the layout of the finalised development is

finalised. Informatives setting out restrictions on development in the proximity of existing sewers should be attached to any grant of planning permission.

Southern Water can provide foul sewage disposal to service the proposed development and a formal application would be required for the connection. An informative to that effect should be attached to any grant of planning consent. The application makes reference to the use of soakaways to dispose of surface water from the proposed development. The adequacy of this method would need to be fully assessed. A condition requiring details of foul and surface water disposal to be submitted and approved should be imposed on any grant of planning permission.

The proposed development would lie within a Source Protection Zone around one of Southern Water's public water supply sources. Southern Water will rely on comments from the Environment Agency to ensure the protection of the public water supply source.

Southern Water can provide a water supply to the site. A formal application will be required for connection to that supply.

Environment Agency: No objection to the proposed development subject to the imposition of conditions relating to unexpected contamination, surface water infiltration and foundation design.

Natural England: The application will result in a net increase in residential accommodation, impacts on the coastal Special Protection Area(s) and Ramsar Site(s) may result from increased recreational disturbance. Thanet Council has measures in place to manage that impact and this should mitigate against the potential effects of the development.

KCC (Flood and Water Management): No objection in principle. A condition to secure the submission and agreement of a surface water drainage scheme should be imposed on any planning consent.

KCC (Archaeology): Have reviewed the online submission and our own case notes on the former bungalow site. The adjacent site permitted under TH/03/0249 was the subject of an archaeological evaluation that identified Bronze Age remains. Due to the conditions in that area we agreed further works would be addressed through controlled monitoring of the soil stripping of the site which is hopefully underway on the present construction.

Given the archaeological potential of the area it would be appropriate for further archaeological evaluation and mitigation of the present proposals. I advise that a condition for a programme of archaeological work be attached to any forthcoming consent.

KCC (Highways and Transportation): The proposals are unlikely to have a severe impact on the highway network that would warrant a recommendation for refusal. Vehicular and pedestrian access is to be via the access and internal street already approved under F/TH/03/0249, which are currently under construction. Additional pedestrian access is proposed via connections to existing pedestrian routes in Esmonde Drive and Manston Road. Also note that the internal roads are to remain private. Therefore, raise no objections in respect of highway matters subject to the following being secured by condition - construction management plan, access road and visibility splays as shown on the submitted drawings, completion of pedestrian links as shown on the submitted plans, measures to prevent surface water discharge to the highway, provision and permanent retention of vehicle and cycle parking and turning space, bound surface to the first 5 metres of the access from the edge of the highway and the completion of works between dwellings and the adopted highway prior to the first occupation of the dwelling.

KCC (Biodiversity): Under the Natural Environment and Rural Communities Act (2006), "Every public authority must, in exercising its functions have regard, so far as it is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity". In order to comply with this biodiversity duty, planning decisions must ensure that they adequately consider the potential ecological impacts of a proposed development.

The National Planning Policy Framework states that "the planning system should contribute to and enhance the natural and local environment by ... minimising impacts on biodiversity and delivering net gains in biodiversity where possible."

Sufficient information has been provided for the determination of the planning application.

Protected Species - The submitted ecological report has carried out the required range of protected species surveys and taken into consideration any detrimental impacts. Are satisfied with the conclusions of the ecological report in relation to any potential impacts that the proposed development may have on protected species and sites. Recommend that proposed precautionary mitigation measures are incorporated into any Construction Environmental Management Plan.

Statutory Designated Sites - The development includes proposals for new dwellings within the zone of influence (6km) of the Thanet Coast and Sandwich Bay Special Protection Areas (SPAs) and Wetlands of International Importance under the Ramsar Convention (Ramsar sites). Therefore, the Council will need to ensure that the proposals fully adhere to the agreed approach within the Strategic Access Management and Monitoring Strategy (SAMM) to mitigate for additional recreational impacts on the designated sites and to ensure that adequate means are in place to secure the mitigation before first occupation. Subject to the above, are satisfied that the proposals may be screened out as not having a likelihood of significant effects upon the designated sites.

Enhancements - The proposed development site provides opportunities to incorporate features into the design which are beneficial to wildlife, such as native species planting or the installation of bat/bird nest boxes. Advise that measures to enhance biodiversity are secured by a condition on any grant of planning consent.

KCC (Economic Development): Are of the opinion that the proposed development 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.

The Planning Act 2008 and the Community Infrastructure Levy Regulations 2010 (the CIL Regulations) (Regulation 122) require that requests for development contributions of various kinds must comply with three specific legal tests - 1. Necessary, 2. Related to the development and 3. Reasonably related in scale and kind.

These tests have been applied and give rise to the following specific requirements:

Primary Education - per applicable house (22) £3,324. Total £73,128 towards Birchington Primary School Phase 2 expansion.

Secondary Education - per applicable house (22) £4,115. Total £90,530 towards Ursuline College Phase 2 expansion.

Libraries - per dwelling (22) £48.02. Total £1,056.35 towards additional bookstock at Westgate Library.

Request an informative is imposed on any grant of planning consent relating to high speed fibre optic broadband.

Kent Police: The applicant/agent has not demonstrated that they have considered crime prevention. Recommend that an informative advising the applicant/agent of the availability of the Kent Police's Local Designing Out Crime Officer should be added to any grant of planning consent.

NHS Thanet Clinical Commissioning Group (TCCG): 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 this particular application, despite being modest in size in its own right, it poses a risk to the provision of primary care in the locality as many practices are actively managing their patient list due to lack of clinical capacity, both in terms of workforce and physical accommodation.

Using the current NHS England guidance for premises sizing, the closest surgery to the development, Minster Surgery is considered to be appropriately sized however is poorly served in terms of parking. Any development is therefore going to increase the pressure on access to core GP services from the site.

The practice has recently sought quotes to increase the parking provision on site to relieve the pressure on the existing site. The expected cost of the proposal is approximately £45,000 and the CCG would seek a contribution towards these works.

In respect of this application, a developers contribution is required in the form of £720 per 2 bed unit, £1,008 per 3 bed unit and £1,260 per 4 bed unit.

TDC Environmental Health: Please include a condition requiring details (including those related to its ongoing maintenance) of an acoustic fence along the north east boundary of the site with the commercial building to be submitted and agreed by the Local Planning Authority.

TDC Housing: The submitted planning application confirms that the site will provide 30% affordable housing as per policy. Would like an appropriate allocation (unit size) of the properties across the whole site.

TDC Waste and Recycling: No objection.

COMMENTS

This application is reported to Planning Committee as a departure to the saved Local Plan - policy H1.

The main considerations with regard to the planning application are the principle of development, the impact upon the character and appearance of the local area, the impact upon living conditions of the occupiers of neighbouring properties and future occupiers of the development; highway safety, archaeology, biodiversity impacts, drainage and flood risk considerations together with Environmental Health considerations.

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 2006) unless material considerations indicate otherwise. The National Planning Policy Framework (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 guidance within the NPPF.

Although there is evidence that there was previous development of the site still partially visible, the site is now largely overgrown and, as such, the site is considered to be non-previously developed land outside of any defined settlement. The proposal is, therefore, contrary to the aims of saved policy H1 that states that residential development on non-allocated sites will be permitted on previously developed land within the existing built up confines unless specified by other Local Plan policies. This policy constraint, however, needs to be balanced with the fact that there is a current need for housing in Thanet, and on this basis, the NPPF indicates that applications for housing should be considered in the context of the presumption in favour of sustainable development unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

In this case whilst the site lies beyond the village confines, it lies between an existing residential site and a residential development site currently under construction. Whilst it is acknowledged that there are limited services currently within a reasonable walking distance of the application site, the site is, however, served by bus services from stops along Manston Road including one outside the main entrance. The bus services provide access to Birchington, Acol, Ramsgate, Broadstairs, Kingsgate, Palm Bay, Canterbury, Wickhambreaux, Wingham, Preston, Minster and Westwood. There are also cycle routes along around the site. It could, therefore, be considered a fairly sustainable location with regards to services and facilities.

The proposed development would also provide a modest addition to the district's housing land supply.

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

Visual Impact on countryside

The site falls outside of the urban confines and within a Landscape Character Area. Saved policies CC1 and CC2 of the Thanet Local Plan looks to protect the open countryside and avoid disturbance to the generally flat/undulating landscape with enclosed fields under intensive arable cultivation at the edges of the urban areas within the district. As set out above, the application site was formerly part of a larger area of MOD residential accommodation. There is existing residential development along the cul-de-sacs radiating from Esmonde Drive and new two storey residential development currently under construction. It is also noted that the site's boundary to underdeveloped land are characterised by established trees and vegetation. As such, it is considered that the proposed development would be seen as an infill development and would not result in an isolated extension into the countryside.

It is considered that whilst the proposed development would be seen in short views, in longer views it is considered that it would be difficult to see the development in isolation given the

existing vegetation to its boundaries with the open countryside to the south and west and the proximity of other development surrounding the site. It is considered that the proposed dwellings would appear merged into the surrounding development and there would have no harmful impact on the surrounding landscape.

Based on the limited views of the site it is considered that there would be minimal harm on the wider landscape, including the Landscape Character Area, and the recommendations contained in the assessment are supported and would be enforced via safeguarding conditions.

Character and Appearance

The NPPF states that planning decisions should aim to ensure that development 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). Saved policy D1 of the Local Plan outlines that the design of all new proposals must respect or enhance the character and appearance of the area particularly in scale, massing, rhythm and use of materials.

The density of the development proposed is 22 dwellings per hectare, which is considered to be in keeping with the surrounding residential development.

The illustrative site layout plan shows that the proposed 22 units would be a mix of semi-detached and detached dwellings. Such dwelling types would be in keeping with the general pattern of development in the existing residential development and the residential development currently being built out.

Whilst the scale and appearance of the proposed dwellings is not being considered at this stage, the information submitted with the application advises that the proposed dwellings would be predominantly 2 storey in height. A development of this height/scale would be keeping with the surrounding character and appearance of the area and the scale of dwellings currently being constructed on the adjoining sites. Given the countryside location of the application site and the modest scale of existing surrounding residential development and the adjoining development 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 to be used in the proposed development is not for consideration as part of this application, but it is noted from the supporting information that the proposed development would take keys from the surrounding residential development. It is considered appropriate to attach a condition to require samples of materials to be submitted and agreed.

On the basis of the information submitted, the impact of the proposed development upon the character and appearance of the surrounding area is considered to be acceptable on the basis of the information provided at outline stage, subject to safeguarding conditions relating to issues such as development height and materials.

Living Conditions

As set out above, as an outline application with only the principles and vehicular access to be considered at this time and only an indicative layout plan, it is not possible to fully assess the impact of the proposed development on the living conditions of neighbours to the site or the standard of living conditions for the future occupiers of the development at this

stage. However, it is considered that the quantum of development proposed provides sufficient flexibility to ensure that living conditions of neighbours can be safeguarded and a good standard of accommodation for future occupiers of the development provided through an appropriate layout. This will, however, need to be fully assessed at the reserved matters stage.

It is noted, that there is a commercial unit used for car repairs and sales which has the potential to generate noise and disturbance for the future residents of the proposed development. A Noise Assessment has been submitted to support the application. This assessment has considered not only the potential noise impact from the adjoining commercial building, but also potential road traffic and aircraft noise. It concludes that the development of the site would not be constrained due to road traffic noise and that standard forms of construction would provide adequate acoustic insulation against aircraft noise for future residents. It notes, however, that there is some potential for noise generated in the commercial building to affect the application site. It, therefore, recommends that mitigation could be achieved via either the exclusion of sensitive residential facades from a small area near the site's northern boundary extending into the site for a distance of approximately 4 metres at the worst case location or a 3m acoustic barrier along the site's common boundary with the commercial building. They advise that the level of sound insulation required for the material forming the barrier can be achieved by any solid, imperforate material that has sufficient integrity to form a barrier of the required height.

The illustrative layout plan shows an area of open space (with play area) running along the rear and eastern side of the adjoining commercial building as well as an acoustic fencing to its rear. The Council's Environmental Health Team have agreed with this assessment and have requested a condition requiring details of the acoustic fence (including its future maintenance) to be submitted and agreed be attached to any grant of consent. This condition is considered to be reasonable and necessary.

Affordable Housing

Affordable housing is dealt with through saved policy H14 of the Thanet Local Plan setting out 30% as the starting point of negotiations on all qualifying developments of more than 15 dwellings or sites of more than 0.5 hectares. Based on the provision of 22 units in total on the site the affordable housing requirement would be to provide 7 units.

The Strategic Housing Manager has confirmed that they would expect the affordable provision to be reflective of the mix of units on the whole site. It is considered reasonable to include a requirement for 100% nomination rights for potential occupants to be controlled by TDC to ensure that people on the local housing register are housed in the affordable housing units.

The applicant has confirmed that they are intending to meet this obligation, secured through a legal agreement. The proposal is, therefore, considered to comply with saved policy H14 of the Local Plan.

Size and Type of Units

The application is in outline form and, therefore, the exact unit sizes or types are not being agreed at this stage. Saved policy H8 of the Thanet Local Plan requires that there should be a mix of dwelling sizes and types to meet a range of community needs. This would need to come forward as part of the reserved matters application.

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

Play Provision

The Council's Planning Obligations and Developer Contributions Supplementary Planning Document (SPD) (adopted in April 2010) states that for new residential developments of 10 to 49 units a developer will be expected to make a contribution payment for the maintenance and upgrade of play facilities within 0.87km of the site.

In this instance, however, is proposing to provide an area of publicly accessible open space to serve both the future occupiers of the proposed development, the residential development under construction as well as the existing residential occupiers of Esmonde Drive. It is proposed that the open space would be a positive landscape feature within the development helping to integrate it into its surrounding as well as providing a general landscape amenity area together with an equipped play area. Given the lack of other publically accessible landscaped areas and equipped plays areas in the local area it is considered that the provision would be a benefit to surrounding area and a social benefit from the proposed development. It is, however, noted that no information has been submitted as to what would be provided in the play area or how it and the open space would be managed in the future. Subject to the submission and approval of the details of the equipment within the play space and amenity area and its on-going management being secured via a planning condition it is considered that on site provision would be acceptable.

The illustrative layout plan shows the open space located to the rear and western side of the commercial building on the adjoining site. In this location the open space would help to mitigate any potential noise impact from that building and it is considered that this would be the most appropriate location for the open space and play area. It is considered that the location of the open space and play area should be secured via a condition.

Highway Safety

As set out above, this application seeks to agree the principle of 22 dwellings on the site with all matters except access reserved for future consideration. The application proposes to utilise the access road to the adjacent development which is currently under construction and enhances the pedestrian link through to Esmonde Drive.

KCC Highways were consulted on the application and advise that the proposal is unlikely to have a severe impact on the highway network would warrant a recommendation for refusal. They raise no objection to the proposed development subject to conditions relating to a construction management plan, access road and visibility splays as shown on the submitted drawings, completion of pedestrian links as shown on the submitted plans, measures to prevent surface water discharge to the highway, provision and permanent retention of vehicle and cycle parking and turning space, bound surface to the first 5 metres of the access from the edge of the highway and the completion of works between dwellings and the adopted highway prior to the first occupation of the dwelling being imposed on any grant of planning consent.

The requested conditions are considered reasonable and necessary. It is considered that subject to these conditions that the impact on highway safety and would provide a public benefit by providing enhanced pedestrian links within the local area.

Archaeology

The Archaeological Officer at KCC has been consulted on the application and advises that the adjacent site permitted under TH/03/0249 was the subject of an archaeological evaluation that identified Bronze Age remains. Due to the conditions in that area we agreed further works would be addressed through controlled monitoring of the soil stripping of the site which is hopefully underway on the present construction. Given the archaeological potential of the area it would be appropriate for further archaeological evaluation and mitigation of the present proposals. They recommend a condition for a programme of archaeological works be attached to any forthcoming consent.

The impact upon archaeology is, therefore, considered to be acceptable subject to the imposition of the recommended safeguarding condition.

Ecology and Biodiversity

The NPPF states at paragraph 109 states that the "planning system should contribute to and enhance the natural and local environment by ... minimising impacts on biodiversity and providing net gains in biodiversity where possible ..." The NPPF continues at paragraph 118 that "if significant harm resulting from the development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.

A Preliminary Ecological Survey was submitted with the planning application outlining the details of a phase 1 habitat survey carried out on the site. This survey identified that there was the potential for reptiles to be present in part of the site and recommended that a reptile survey be undertaken to inform the determination of the application. This additional survey work has been undertaken and KCC Ecology have confirmed that they now have all the ecological information required to determine the application.

They raise no objection subject to the imposition of conditions requiring the mitigation measures proposed to be incorporated within a Construction Management Plan and to secure the ecological enhancements proposed.

The recommended conditions are considered reasonable and necessary to ensure that any ecological, biodiversity harm from the development is mitigated.

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. This has been accepted as an appropriate approach by Natural England.

It is considered that the SAMM request meets the test for inclusion within a S106 agreement. The contribution required in this instance would be £408 per dwelling, totalling £8,976 for the 22 units proposed. The applicants have agreed to pay this contribution and this would be secured through the S106 agreement to accompany any permission.

Drainage and Flood Risk

The application site is not within an area prone to flooding and is designated as being of low risk; accordingly the development would not pose a flood risk issue.

A Flood Risk Assessment and Drainage Strategy was submitted in support of the application. It concludes that the site can be drained satisfactorily in accordance with National and Local Planning Policy Guidance and that the details of the drainage systems (foul and surface) should be the subject of suitably worded planning conditions.

Southern Water, the Environment Agency and KCC (Flood and Water Management) were consulted on the application and confirm that they have no objection to the application subject to the imposition of safeguarding conditions requiring the submission and approval of details relating to foul and surface water disposal including the use of SUDs. These conditions are considered to be both reasonable and necessary.

Planning Obligations

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 (including transport infrastructure educational, recreational facilities or affordable housing) the Local Planning Authority will negotiate with the applicant for a contribution towards the cost of such provision, which is fairly related in scale and kind to the proposed development.

Such financial contributions would need to be secured via a S106 agreement or unilateral undertaking. The test for such contributions is that they must be fairly and reasonably related in scale and kind to the development proposed.

KCC have been consulted and have advised that there is a need for financial contributions towards primary, secondary schools and libraries. The primary contribution is in the form of £73,128 to be used towards phase 2 expansion works at Birchington Primary School and the secondary contribution is in the form of £90,530 to be used towards the phase 2 expansion of Ursuline College. KCC have advised that these schools are the nearest schools to the application site with a current expansion project, which would justify a need for financial contributions. A library contribution of £1,056.35 is also required towards additional bookstock for Westgate Library.

A request has been received from the NHS regarding the need to mitigate the increased healthcare requirement created by this housing development. They have advised that any contributions secured should be put towards the internal reconfiguration and upgrade of Minster surgery. The formulae used to calculate the contribution is based on a cost per head to provide enhanced facilities. This equates to £360 per person, resulting in an overall contribution of £19,872 for the application site. The principle of the contribution is considered to meet the statutory test of planning obligation, and the applicant has agreed to the principle of a contribution to be part of the Section 106 agreement. The impact upon healthcare provision is therefore considered to be acceptable

It is considered that the above requests meet the tests for inclusion in a S106 agreement/undertaking.

Heads of Terms

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

- 30% affordable housing,

- £73,128 towards primary school (phase 2 expansion of Birchington Primary School),
- £90,530 towards phase 1 (phase 2 expansion of Ursuline College),
- £1,056.35 towards additional bookstock at Westgate Library,
- £8,976 towards the Special Protection Area (Habitat Mitigation Contribution),
- £720 per 2 bed unit, £1,008 per 3 bed unit and £1,260 per 4 bed unit towards the upgrade of Minster Surgery.

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 22 dwellings would make a modest contribution to the District's housing supply, supporting economic and social dimensions of sustainable development, with employment provided through construction. All requests for contributions towards education, social and health care have been agreed by the applicant, and 30% on-site affordable housing is provided together with enhancement of the existing pedestrian link to the adjoining residential development off Esmonde Drive together with the provision of a publicly accessible area of open space with an equipped play area. moderate weight can, therefore, be attached to this application due to these social and economic benefits.

It is also noted that whilst there are limited facilities located within a reasonable walking distances, there are cycle links from the site and the site is located adjacent to several bus stops including one adjacent to the site entrance.

In terms of the environmental dimension, the proposal would result in the loss of countryside, but would appear as an infill between two areas of residential development and an expansion of the other development within the area with limited impact upon the wider landscape area. 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 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, 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 moderate economic and social benefits from the proposal.

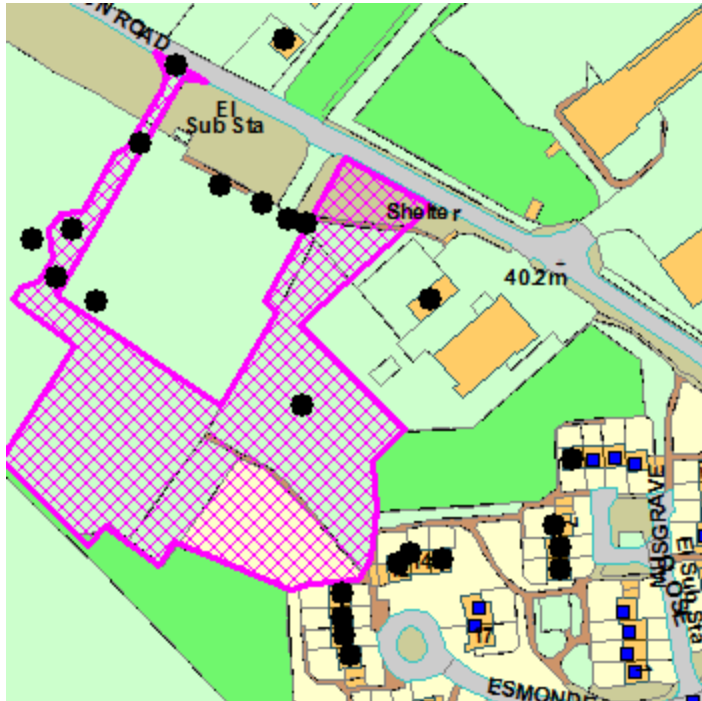
It is therefore recommended that Members defer and delegate the application for approval, subject to the receipt of a satisfactory Section 106 agreement to secure the required planning obligations.

Case Officer
Annabel Hemmings

TITLE: OL/TH/17/1763

Project Manston Court Bungalows 5 Manston Road Manston RAMSGATE Kent

Scale:



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.