

Date: 8 May 2018
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PLANNING COMMITTEE

16 MAY 2018

A meeting of the Planning Committee will be held at **7.00 pm on Wednesday, 16 May 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, Edwards, Fenner, Matterface, Messenger, L Piper, D Saunders, Taylor, Taylor-Smith and Tomlinson

AGENDA

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 - 18)

To approve the Minutes of the Planning Committee meeting held on 18 April 2018, copy attached.

4. **SCHEDULE OF PLANNING APPLICATIONS** (Pages 19 - 22)

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.

For Approval

Item
No

Subject

- 4a **A01 - F/TH/18/0176 - SEAFIELDS, CLIFF ROAD, BIRCHINGTON** (Pages 23 - 34)
- 4b **A02 - F/TH/18/0410 - ELLINGTON PARK GROUNDS, ELLINGTON PARK, RAMSGATE** (Pages 35 - 44)
- 4c **A03 - OL/TH/17/1795 - LAND WEST OF HAZELDENE, RAMSGATE ROAD, SARRE** (Pages 45 - 58)
- 4d **A04 - F/TH/18/0317 - LAND REAR OF 10 FREEMANS ROAD, RAMSGATE** (Pages 59 - 66)
- 4e **A05 - F/TH/18/0347 - 12 ST JOHNS CRESCENT, RAMSGATE** (Pages 67 - 72)
5. **UPDATE ON APPEAL DECISIONS** (Pages 73 - 84)
6. **OL/TH/16/1416 – LAND ADJOINING 1 CHILTON LANE AND CANTERBURY ROAD EAST, RAMSGATE** (Pages 85 - 222)
7. **OL/TH/16/0376 – LAND REAR OF 2-28 KINGSTON AVENUE, MARGATE** (Pages 223 - 274)

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 18 April 2018 at 7.00 pm in Council Chamber, Council Offices, Cecil Street, Margate, Kent.

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

In Attendance: Councillors Jaye-Jones, Johnston and M Saunders.

307. APOLOGIES FOR ABSENCE

There were no apologies for absence.

308. DECLARATIONS OF INTEREST

Councillor Messenger declared an interest in agenda item 4c, 21 The Parade, Margate.

309. MINUTES OF PREVIOUS MEETING

Members agreed that the minutes of the Planning Committee meeting held on 14 March 2018 be approved and signed by the Chairman.

310. SCHEDULE OF PLANNING APPLICATIONS

311. A01 F/TH/18/0212 - 17 VICTORIA AVENUE, WESTGATE ON SEA

PROPOSAL: Erection of two storey 2-bed dwelling

Speaking in favour of the application was Mr Hyde.

Speaking raising points of concern was Mr Hely

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 444 Rev B received 28 March 2018.

GROUND:

To secure the proper development of the area.

3 The dwelling hereby approved shall be constructed from Redland duoplain tiles and Redland port royal brick as confirmed in the application form received 12 February 2018.

GROUND:

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

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

GROUND:

In the interest of highway safety.

5 The first floor windows in the west-facing rear elevation of the dwelling hereby approved shall be provided and maintained with obscure glass and non-opening below 1.73m above the internal finished 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.

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

312. A02 - F/TH/17/0358 - SPRINGFIELD NURSING HOME, HENGIST ROAD, WESTGATE ON SEA

PROPOSAL: Change of use of building from Nursing home to 3No. flats with erection of first floor and two storey extensions following demolition of existing together with the erection of a terrace of 4No 3 bedroom Mews houses with associated parking and landscaping.

Speaking in favour of the application was Mr Jackson.

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 drawing numbered 005 Revision B, 006 Revision A, 007 Revision A, and dated 008 Revision A all received 09/03/18

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 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 Policies D1 and CC5 of the Thanet Local Plan.

4 Prior to the 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. 005 revision B 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 first occupation of the development hereby permitted the vehicular access and visibility splays, with no obstruction exceeding 0.9 metres above the carriageway level within the splays, shall be provided and thereafter retained at the position shown on the approved plan.

GROUND:

In the interest of highway safety.

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

GROUND:

In the interests of highway safety.

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

GROUND:

In the interest of highway safety.

9 Prior to the first occupation of the development hereby permitted provision of vehicle loading/unloading and turning facilities shown on the approved plan shall be provided and permanently retained.

GROUND:

In the interests of highway safety

10 No development shall take place until plans have been submitted to and approved in writing by the Local Planning Authority (which have already been subject of a Phase 1 Safety Audit) to detail a pedestrian crossing feature consisting of dropped kerbs on either side of the proposed new access and a single dropped kerb to cross the carriageway on the southern side. The works approved shall be completed prior to occupation of any unit hereby approved.

GROUND:

In the interests of highway safety.

11 Prior to the commencement of development, a Construction Management Plan which shall incorporate:

- Provision of construction vehicle loading/unloading and turning facilities for the duration of construction
- Provision of parking facilities for site personnel and visitors for the duration of construction
- Provision of wheel washing facilities for the duration of construction
- Full details of proposed routes for construction traffic.

The development shall be carried out in full accordance with the agreed details.

GROUND:

In the interests of highway safety.

12 No development shall take place above foundation level of the development hereby permitted until a scheme to demonstrate that the internal noise levels within the proposed terrace dwellings 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, shall be submitted to and approved in writing by the Local Planning Authority. The work specified in the approved scheme shall then be carried out in accordance with the approved details prior to occupation of the premises and be retained thereafter.

GROUND:

In the interests of the amenities of the locality in accordance with the principles of the NPPF.

13 Prior to the installation of any outdoor lighting associated with the development hereby approved, a detailed outdoor lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the type of lights, the orientation/angle of the luminaries, the spacing and height of the lighting columns, the extent/levels of illumination over the site and on adjacent land and the measures to contain

light within the curtilage of the site. The scheme shall be implemented in accordance with approved scheme and thereafter maintained and retained as agreed.

GROUND:

In the interests of minimising light pollution and to safeguard the amenities of the locality in accordance with the NPPF.

14 Prior to commencement of development a precautionary mitigation strategy for reptiles shall be submitted to, and approved by, the Local Planning Authority, which shall include:

- Map showing area of suitable reptile habitat to be lost and retained.
- Details of enhancements to be incorporated in to the retained habitat
- Simple management plan detailing how the retained habitat will be managed
- Detailed methodology to be used to carry out the site clearance.
- Timing of the proposed works

The works must be implemented as agreed within the approved document.

GROUND:

To contribute and enhance the natural and local environment in accordance with paragraph 109 of the NPPF.

15 The development hereby approved shall be carried out in full accordance with the submitted Tree Survey Issue 3 dated June 2017 by LaDellWood, Section 4.0 including tree protection fencing and replacement trees along Hengist Road.

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.

16 Prior to first occupation of the development hereby approved, full details of soft landscape works, to include:

- o species, size and location of new trees, shrubs, hedges and grassed areas to be planted
- o walls, fences, other means of enclosure proposed

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

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

GROUND:

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

17 No development shall commence until full details of the foul water drainage arrangements for the site 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 prevent pollution, in accordance with the advice contained within the NPPF.

18 No further alterations to the roofs of the dwellinghouses whether approved by Classes B, of Part 1 of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 (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.

19 Prior to the first occupation of the development hereby approved, details of the cycle storage area adjacent to the vehicular access shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented as approved prior to the occupation of the development or any phase of the development to which it relates and thereafter maintained and retained as agreed.

GROUND:

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

20 Prior to the first occupation of the development a bin storage area shall be provided and retained thereafter used for no other purpose as shown on the approved plan.

GROUND:

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

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

(a) **A03 - L/TH/17/1536 - 21 The Parade, Margate**

PROPOSAL: Retrospective application for listed building consent for replacement roof to flat roof rear extension, replacement boiler and new flue to rear elevation, installation of cctv camera to rear outbuilding

Speaking in favour of the application was Mr Roe.

Speaking raising points of concern was Mr Haddon.

Speaking as a ward councillor was Councillor Johnston.

1 The development hereby approved shall be carried out in accordance with the submitted drawings numbered 148.11 and drawing titled Proposed Layouts.

GROUND:

To secure the proper development of the area.

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

313. A04 - F/TH/18/0013 - LAND EAST OF THE GRANARY, UPPER HALE, ST NICHOLAS AT WADE

Proposal: Change of use of barn to 1No. 3-bed house with excavation works to create basement level extension with terrace above together with erection of detached car port

It was proposed by Councillor K Coleman-Cooke, seconded by Councillor Ashbee 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 17.1151.MB.PL0 Rev A, 17.1151.MB.PL06, 17.1151.MB.PL10, 17.1151.MB.PL09, 17.1151.MB.PL12 received 02 January 2018 and the amended drawings numbered 17.1151.MB.PL08 Rev C received 20 March 2018 and 17.1151.MB.PL07 Rev A received 06 April 2018.

GROUND:

To secure the proper development of the area.

3 The proposed excavation works to facilitate the basement extension hereby approved, shall be carried out in accordance with the submitted drawings and specification of the plan numbered 9899.01 Rev PL1 received 08 March 2018, with the building remaining in situ. At no time shall the building be removed, or the demolition works exceed that which is stated within the Method Statement.

GROUND:

To ensure the conversion of the existing building, in accordance with paragraph 55 of the NPPF.

4 Prior to the commencement of the excavation works to facilitate the basement extension hereby permitted, an updated structural roof and side elevation impact assessment to be carried out by an appropriately qualified person, to demonstrate that the roof structure to the rear and side walls are able to be retained during the excavation works outlined on the submitted plan numbered 9899.01 Rev PL1 received 08 March 2018 shall be submitted to, and approved in writing by, the Local Planning Authority.

GROUND:

To safeguard the special character and appearance of the Non-Designated Heritage Asset, in accordance with advice contained within the NPPF and ensure the conversion of the building accords with paragraph 55 of the NPPF

5 The original timber weatherboarding to the front elevation and the original plain clay roof tiles shall be reinstated to the front elevation and roof once the excavation works are completed, except in instances where the material is damaged beyond repair, in which case timber weatherboarding and/or plain clay roof tiles to match the colour, texture and finish of the existing materials shall be installed.

GROUND:

To secure a satisfactory external treatment and to safeguard the special character and appearance of the property as a non-designated heritage asset in accordance with advice contained within the NPPF.

6 Prior to the installation of any external windows and doors to the development hereby approved, joinery details at a scale of 1:5 of all new external windows and doors shall be submitted to and approved in writing by the Local Planning Authority. Such details as are approved shall be carried out concurrently with the development and fully implemented prior to the first occupation of any part of the approved development.

GROUND:

To secure a satisfactory external treatment and to safeguard the special character and appearance of the property as a non-designated heritage asset in accordance with advice contained within the NPPF.

7 Prior to the first occupation of the dwelling 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

8 Prior to the construction of the basement extension of the development hereby approved, a sample of the proposed brickwork to the front elevation of the basement extension 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:

To secure a satisfactory external treatment and to safeguard the special character and appearance of the property as a non-designated heritage asset in accordance with advice contained within the NPPF.

9 The timber weatherboarding and plain clay roof tiles to be used in the construction of the detached open sided car port hereby approved shall be of the same colour, texture and finish as the timber weatherboarding and plain clay roof tiles to the existing building.

GROUND:

To secure a satisfactory external treatment and to safeguard the special character and appearance of setting of the property as a non-designated heritage asset in accordance with advice contained within the NPPF.

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

1) A preliminary risk assessment which has identified:

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

2) Intrusive Investigation

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

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

(ii) An assessment of the potential risks to:

Human health;

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

Adjoining land,

Ground waters and surface waters,

Ecological systems,

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

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

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

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

GROUND:

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

11 The 2No. car parking spaces and the cycle storage within the car port hereby approved as specified on the approved drawings numbered 17.1151.MB.PL07 Rev A received 06 April 2018 and 17.1151.MB.PL10 received 02 January 2018 shall be provided prior to the first occupation of the dwelling hereby approved and shall be kept available for that use at all times.

GROUND:

To secure a satisfactory standard of highway amenity in accordance with Policies TR12 and TR16 of the Thanet Local Plan.

12 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.

13 The gate to the vehicular access of the development hereby approved shall open away from the highway, as specified on the approved drawing numbered 17.1151.MB.PL07 Rev A received 06 April 2018.

GROUND:

In the interest of highway safety.

314. A05 - FH/TH/18/0034 - UPDOWN MEWS, 274 RAMSGATE ROAD, MARGATE

PROPOSAL: Erection of 2No. single storey ground floor rear extensions

It was proposed by Councillor K Coleman-Cooke, seconded by Councillor Ashbee 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 17103FS-PP-06, 17103FS-PP-07, 17103FS-PP-08, 17103FS-PP-09 and, 17103FS-PP-10 received 5 January 2018.

GROUND:

To secure the proper development of the area.

3 The external materials and external finishes to be used in the extensions hereby approved shall be of the same colour, finish and texture as those on the existing property.

GROUND:

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

315. A06 L/TH/18/0060 - 54 TRINITY SQUARE, MARGATE

PROPOSAL: Application for Listed Building Consent for the replacement of railings and boot scrapper to front elevation

It was proposed by Councillor K Coleman-Cooke, seconded by Councillor Ashbee and RESOLVED:

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

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

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

GROUND:

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

2 The proposed development shall be carried out in accordance with the submitted application drawings numbered PL.501 Rev C dated 10 January 2018 and PL.104 Rev B dated 01 February 2018.

GROUND:

To secure the proper development of the area.

316. A07 F/TH/18/0165 - LAND ADJACENT 28 PRINCESS ANNE ROAD, BROADSTAIRS

PROPOSAL: Variation of condition 2 of planning permission F/TH/16/0236 for the erection of a detached two storey building containing 2no. 2-bed flats together with parking to allow for alterations to landscaping and fenestration

It was proposed by Councillor K Coleman-Cooke, seconded by Councillor Ashbee and RESOLVED:

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

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

1 The proposed development shall be carried out in accordance with the submitted application as amended by the revised drawings numbered TDC-2817-PA-ZZ-GA-A-2001 Rev P07, TDC-2817-PA-ZZ-E-A-4001 Rev P07 and TDC-2817-PA-ZZ-LP-A-8001 Rev P06 received 05 April 2018.

GROUND:

To secure the proper development of the area.

2 The brickwork to the ground floor external elevations shall be constructed of Redland 49 Granular Brown bricks and the soldier course shall be constructed of Reigate Purple multi as approved through the condition discharge application reference CON/TH/16/1540 granted 29/11/16. The roof shall be constructed of Redland 49 Brown Granular Tile as annotated on the approved drawing numbered TDC-2817-PA-ZZ-E-A-4001 Rev P07 received 05 April 2018.

GROUND:

In the interests of visual amenity

3 Prior to the construction of the external walls, details of the colour of the render to the first floor elevations 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:

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

4 The first floor flank window in the east-facing elevation of the development hereby approved serving the landing shall be provided and maintained with obscure glass.

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.

5 Prior to the first occupation or use of the development, the areas shown on the plan numbered TDC-2817-PA-ZZ-LP-A-8001 received 05 April 2018 for the parking and manoeuvring of vehicles shall be operational prior to first occupation of the development hereby permitted. The area agreed shall thereafter be maintained for that purpose.

GROUND:

In the interests of highway safety

6 The foul and surface water drainage shall be carried out in accordance with the details provided upon approved drawing numbered Sht-1 Rev 1 received 7th November 2016, and shall be thereafter maintained.

GROUND:

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

7 The hardstanding areas to accommodate the off street parking as shown on approved drawing TDC-2817-PA-ZZ-LP-A-8001 Rev P06 received 05 April 2018 shall be constructed of permeable paving, as agreed in the email received from the applicant dated 06 April 2018.

GROUND:

In the interests of highway safety.

317. D08 F/TH/18/0122 - LAND ADJACENT 15 SOUTHALL CLOSE, MINSTER

PROPOSAL: Variation of condition 13 of planning permission OL/TH/16/0967 'Outline Application for the erection of 12 detached dwellings, with access via Southall Close including access, layout and scale' to allow amendments to layout including changes to vehicle turning heads

Speaking in favour was Mr Shaw.

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

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

‘To DEFER & DELEGATE for approval to officers subject to receipt of a legal agreement securing required planning obligations and the following conditions:

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

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).

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 15th September 2020.

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 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:
 - Human health
 - Property
 - Adjoining land
 - Groundwaters and surface waters
 - 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.

Submission of remediation scheme

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

(c) Implementation of Approved Remediation Scheme

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

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

GROUND:

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

6 No development of the dwellings hereby permitted shall take place until details of the means of foul and surface water disposal, including details of the implementation, management and maintenance of any proposed Sustainable urban Drainage Systems, 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.

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

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

GROUND:

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

8 Prior to the first occupation of the development, the area shown on the deposited plan 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 agreed shall thereafter be maintained for that purpose.

GROUND:

In the interests of highway safety.

9 Prior to the first occupation of the development, the secure cycle parking facilities shall be provided and thereafter maintained.

GROUND:

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

10 Details to be submitted pursuant to Condition 1 above shall show development not exceeding the building heights indicated within the Design and Access Statement dated August 2015.

GROUND:

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

11 The development hereby approved shall be carried out in accordance with the submitted drawings numbered 017-05-0015 Rev A dated 20th February 2018.

GROUND:

To secure the proper development of the area.

12 Prior to the commencement of work on site, construction vehicle loading/unloading and turning facilities, and parking facilities for site personnel and visitors, shall be provided for the duration of construction.

GROUND:

In the interests of highway safety.

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

318. F/TH/15/1204 - LAND ADJACENT AND REAR ASHBRE, MANOR ROAD, ST NICHOLAS AT WADE

It was proposed by the Chairman, seconded by Councillor Tomlinson and Members agreed the recommendation in the report, namely:

“That Members approve the planning application subject to submission and approval of a legal agreement securing the financial contributions, and the 30% affordable housing, with the size and tenure of the units as amended.”

Meeting concluded: 8.15pm

THANET DISTRICT COUNCIL

PLANNING COMMITTEE

16 May 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:08 May 2018

THANET DISTRICT COUNCIL

REPORT OF THE DEPUTY CHIEF EXECUTIVE

PART A

TO: THE PLANNING COMMITTEE	DATE: 16 May 2018
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Application Number	Address and Details	Recommendation
A01 F/TH/18/0176	<p>Seafields Cliff Road BIRCHINGTON Kent CT7 9LS</p> <p>Erection of 2No semi- detached 3 storey houses with associated car parking following demolition of existing chalet bungalow</p> <p>Ward: Birchington North</p>	Approve
A02 F/TH/18/0410	<p>Ellington Park Grounds Ellington Park Ramsgate Kent</p> <p>Erection of single storey amenity building including community cafe, kitchen and toilets</p> <p>Ward: Central Harbour</p>	Approve
A03 OL/TH/17/1795	<p>Land West Of Hazeldene Ramsgate Road Sarre Birchington Kent</p> <p>Outline application for the erection of 2No detached two storey houses including access</p> <p>Ward: Thanet Villages</p>	Approve
A04 F/TH/18/0317	<p>Land Rear Of 10 Freemans Road RAMSGATE Kent</p> <p>Erection of 1no. 3- bed bungalow</p> <p>Ward: Thanet Villages</p>	Approve

Agenda Item 4

A05 F/TH/18/0347	12 St Johns Crescent Ramsgate Kent CT12 6FF Change of use of ground floor from retail (Use Class A1) to 1No 1 bedroom flat together with alterations to fenestration, replacement roof tiles and hung tiles Ward: Newington	Approve

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A01

F/TH/18/0176

PROPOSAL: Erection of 2No semi- detached 3 storey houses with associated car parking following demolition of existing chalet

LOCATION: bungalow

Seafields Cliff Road BIRCHINGTON Kent CT7 9LS

WARD: Birchington North

AGENT: Mr Anthony O'Connor

APPLICANT: AOC Ramsgate Ltd

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 development hereby approved shall be carried out in accordance with the submitted drawings numbered 05 and 06 both received on the 18th April 2018.

GROUND:

To secure the proper development of the area.

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

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.

4 Prior to the first occupation of the development hereby permitted the vehicular access shall be provided and thereafter retained at the position shown on the approved plan numbered 06 (received 18/04/18).

GROUND:

In the interests of highway safety.

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

GROUND:

In the interests of highway safety.

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

GROUND:

In the interests of highway safety.

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

GROUND:

In the interest of highway safety.

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

GROUND:

In the interest of highway safety.

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

- 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.

10 Prior the construction of the external surfaces of the development hereby approved samples of the materials to be used 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:

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

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

GROUND:

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

12 No development shall commence on site excluding demolition of existing building 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 prevent pollution, in accordance with the advice contained within the NPPF.

INFORMATIVES

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

SITE, LOCATION AND DESCRIPTION

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

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

The property has a flat roof store and garage to the western side and small flat roof projection on the eastern side.

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

RELEVANT PLANNING HISTORY

F/TH/17/1174 Erection of three storey building containing 4 No 2 bed flats and 2 No 1 bed flats with associated car parking following demolition of existing house. Refused by the Planning Committee, decision issued 16/11/17.

The reason for refusal was:

The proposal, by virtue of its depth and scale, would appear cramped, incongruous and obtrusive within the streetscene and when viewed from the public footpath, out of keeping with the character and appearance of the Area of High Townscape Value resulting in significant harm to the amenity of the area, not outweighed by any public benefits, contrary to Thanet Local Plan Policies D1 and D7 and paragraph 17 of the National Planning Policy Framework.

This decision is currently subject of a Planning appeal.

PROPOSED DEVELOPMENT

The application seeks planning consent for a pair of 4 bedroom semi-detached houses with off-street parking in-front of the dwellings and private amenity spaces to the rear. The dwellings face onto the road frontage; Cliff Road. A central access is proposed off Cliff Road with a shared drive and turning area in front of each property, the existing access will be closed.

The proposed building is set back from the road by a minimum of 21 metres, approximately 2 metres from the adjacent to the public footpath and 1.2 metres from the boundary with Bay House.

The proposed building is two and a half storeys, with traditionally designed pitched roofs with an overall height of 9.2m. The building has been designed to appear as a single entity from the front, but their internal layouts are largely the same. At ground floor level there is a W.C., study and utility room of a hallway which also leads to an open plan kitchen/dining/family room. At first floor there are three bedrooms, family bathroom and lounge. The second floor comprises the master bedroom which has a walk-in wardrobe leading into an en-suite.

Soft landscaping to the rear garden is to be retained. With concrete block paved turning area and access and block paved footpaths to each house.

The supporting statement details that the proposed building would be constructed in blockwork with a self-finished white render with a grey interlocking concrete tile finish to the pitched roof with a self-finished grey fascia. The windows are to be large paned windows or

sliding folding patio doors and self-finished in grey upvc or similar. Balconies are provided and finished with clear plate glass and stainless steel handrail and posts.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan Policy (2006) Saved Policies

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

NOTIFICATIONS

16 letters of representation have been received in respect of the submitted original plans submitted under this reference number. The concerns can be summarised as follows:

- Contrary to policy D7 relating to Areas of High Townscape Value
- Unlike any other residence
- Proposal is too large/bulky and would be cramped with the plot
- Insufficient considerations given to neighbours privacy, loss of light and will be overbearing
- Should maintain the building line
- Undesirable car park to the front
- Should only be a single dwelling - not flats or semi-detached dwellings
- No merit in demolishing existing bungalow
- Many properties have covenants to retain them as single dwellings
- Represents town cramming
- Tunnelling effect of the public footpath
- Outlook of Bay house adversely affected
- Sets a precedent
- Represents unsustainable development
- Proposal if permitted could be adopted to form flats
- Impact upon highway safety

Following the receipt of revised plans third parties were advised and 10 representations have been received raising the following concerns:

- Would not preserve character of area and is therefore contrary to Policy D7
- Impact negatively on neighbours
- Development too high
- Increase in traffic and pollution
- More open space needed
- Over-development
- One-for one development only

- Affect local ecology
- Why is such a large parking area required
- Inadequate parking provision
- Set precedent
- Not consist with previous decision made by Council at Thalatta

CONSULTATIONS

Birchington Parish Council: Object due to overdevelopment in an area of high townscape.

Natural England: Since this application will result in a net increase in residential accommodation, impacts to the coastal Special Protection Area(s) and Ramsar Site(s) may result from increased recreational disturbance. As your authority has measures in place to manage these potential impacts through the agreed strategic solution, subject to the appropriate financial contribution being secured, Natural England is satisfied that the proposal will mitigate against the potential effects of the development on the site(s) and that the proposal should not result in a likely significant effect.

Natural England has not assessed this application for impacts on protected species.

Southern Water: Seeks appropriate Planning Conditions to ensure that appropriate means of surface water disposal are proposed for each development. It is important that discharge to sewer occurs only where this is necessary and where adequate capacity exists to serve the development. When it is proposed to connect to a public sewer the prior approval of Southern Water is required. An informative should also be added in terms of connection to the public sewerage system.

Environment Agency: This application has a low environmental risk; we therefore have no comments to make.

COMMENTS

This application is reported to planning committee as it has been called in by Councillor Coleman-Cooke due to concerns regarding the change of the street scene, not in keeping with surrounding properties and grounds of over-development.

Principle

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

In this instance part of the development is within the existing garden area of "Seafields" and is considered therefore to represent non-previously developed land. In accordance with policy H1 the erection of a building for residential purposes on that part of the site would therefore be in conflict. This policy constraint, however, needs to be balanced with the fact

that there is a current need for housing in Thanet, and on this basis the National Planning Policy Framework (NPPF) indicates that applications for housing should be considered in the context of the presumption in favour of sustainable development. Furthermore, Policy H01 - Housing Development in the Draft Local Plan paragraph 3 states that permission for new housing development will be granted on residential gardens where not judged harmful to the local area in terms of the character and amenity considerations set out in Policy QD01 (Design principles). In this case the site is within an urban area along an established residential street frontage with an existing residential dwelling on part of the site. The undeveloped part of the plot does not provide a significant contribution to the amenity or character of the area, accordingly the development of the site is not considered to be detrimental in principle and would be consistent with the NPPF and represents an acceptable departure to policy H1.

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

Character and Appearance

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

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

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

The proposal is for a two and a half storey building. The proposed overall height of the proposal is 9.2m. The existing dwelling to the ridge is 6.9m; a difference of 2.3m. The

dwelling which flank the site have heights of approximately 8 and 10m. The existing dwelling extends across the width of the side, although it is appreciated that to the sides this is by subservient elements; garage/store and W.C. and porch. The proposed building is approximately 1.4m from the boundary with "Bay House" and 2m from the boundary with the footpath. It is therefore considered that the height and width of the building are not out of keeping in the street scene.

These distances of separation to the boundary are comparable to "Thalatta" and "Seacroft". "Bay House" has a much greater distance of separation to its boundaries especially to the western side however "Fort Grenham" is built on the eastern boundary and approximately 1.2m off the western boundary. "The Gables" is approximately 2.2m from the western boundary and 1.7m. The proposed building still maintains a large open space to the site frontage, which is a characteristic of this part of Cliff Road and The Parade. Given the pattern of development at this point in the street scene and given the existing relationship to boundaries of the current building on site it is considered that there is an appropriate distance of separation between the proposed building and site boundaries.

It is acknowledged that the application site is narrower than other plots to the west but has a similar width to those to the east, which it would also be seen in conjunction with. The existing building due to the limited width of the site has a depth of approximately 18m to maximise accommodation. The proposed depth of the proposed building is approximately 15.3m in depth, a lesser depth than the existing building.

The location of the proposed replacement building is shown to be on a similar footprint of the existing building, but does not extend so far back into the plot. The depth of the building is also similar to those that flank the site. "Bay House" have a depth at its greatest of approximately 18m, the proposal being 15.3m. The design of the building has a slightly staggered effect, with a gable feature element which is off set and a flat roof dormer window giving visual interest within the side elevations. The depth of the building has been reduced from the earlier refusal, which was of a particular concern to Members when viewed from the adjacent public footpath. In terms of built form, the proposed building is detached and has separation to the site boundaries, akin to those of adjacent plots. The scale and form of the proposal fits in well with the surrounding development of detached properties on Cliff Road and The Parade.

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

The proposal shows a two and a half storey traditionally designed building. Buildings occupying this street are individually designed. It is therefore not considered necessary for a new building on this plot to directly replicate an adjoining property. The building has been designed to have the appearance of a single dwelling following concerns raised by officers; the building is in fact a pair of semi-detached dwellings. In terms of materials to be utilised the external walls will be white rendered, window and door openings in uPVC with a grey concrete tiles. The balconies would be provided by stainless steel handrails and balustrades,

powered coated aluminium posts and glass panels. These materials are considered to be in keeping with the area. The proposed replacement building is of a traditional design, rather than the contemporary design which was previously sought (see planning history). The overall height has increased to that previously sought, in order to utilise a pitched roof, however when viewed in the context of the street in does not appear unduly out of place. In this case the design of the proposed replacement building has taken reference from other examples found in the vicinity, whilst not seeking to directly replicate them, as this would be at odds with the individuality of buildings within the area of High Townscape Value. The design and site layout reflects the features and constraints of the site. The proposal is therefore considered to promote local distinctiveness and reflects local character and the identity of Cliff Road.

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

Living Conditions

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

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

On the eastern elevation of the building, facing "Bay House" there are windows serving the kitchen and study and utility room door at ground floor level, with a bathroom window at first floor level. These windows will look towards the side elevation of "Bay House" and are approximately 8.4 metres from that dwelling. The ground floor windows are not considered to result in material harm, as existing boundary treatments would limit views with no overlooking, in addition it is considered no worse than the current window arrangement.

With regard to the bathroom window at first floor, this is a non-habitable room (a room in which a resident would not spend a considerable amount of time within) and therefore it does not result in any unacceptable impacts with regards loss of privacy to "Bay House". Given the use of the rooms I do not consider it necessary to condition the use of obscure glazing.

The western elevation has the main entrance door to one unit and windows at ground floor serving a study and kitchen, again the existing boundary treatment would deal with any potential for overlooking.

A window at first floors serves a stairway which is a non-habitable room. I am therefore satisfied that no significant harm will occur through overlooking and resulting loss of privacy to "Thaletta".

The balconies to the front of the building would have views out to either side, but these would be to the front gardens of neighbouring properties to either side which are not private spaces.

In terms of the increase in height and footprint of the proposed building in comparison to the existing dwelling, it is considered that, given the distance of separation between the proposal and Thaletta which is separated by a public footpath, the development will not result in an overbearing impact on Thaletta.

With regard to the relationship Bay House there is an adequate degree of separation and due to the way in which the proposed building is designed the roof pitches away from this property. This property is to the east of the proposed building. Given the orientation some evening sun will be lost through overshadowing, however the property would be unaffected in terms of morning and afternoon sun. Given the separation distance and design of the proposal, it is not considered that this is significant to result in harm to living conditions to warrant refusal.

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

Transportation

The proposal seeks to provide a new vehicular access closer to the boundary with the public footpath to replace the existing access on the boundary closer to "Bay House". In terms of parking the scheme seeks two off-street parking spaces per dwelling, which is considered appropriate in this location.

It is considered that the proposal is acceptable subject to conditions to secure vehicle parking spaces, access specification and pedestrian visibility splays. Whilst a Construction Management Plan was previously recommended in the previous application, given the scale of development now proposed it is not considered necessary for the condition to be attached.

Other Issues

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

Third parties are concerned about the introduction of a pair semi-detached properties no saved policies with the Local Plan prohibit this. Member's attention is drawn to a recent appeal decision at 97 Kingsgate Avenue, Broadstairs (Planning reference number F/TH/17/0592). This case was similar to this case in that the proposal was for a change of use and associated works of a single dwellinghouse a terrace of three dwellings within an Area of High Townscape Value. The Inspector noted:

"I accept that the existing development within the vicinity of the appeal site does not host terraced properties. However, I cannot conclude that the type and style of the proposed development would be harmfully out of keeping with the local character of the area taking into account the designation that is in place."

It is my view therefore that a reason for refusal on this basis could not be substantiated.

Third parties have also raised issues about covenants being attached to this parcel of land, it is confirmed to Members that these are not planning considerations. Furthermore third parties consider that if this proposal is permitted it could set a precedent, Members are also advised that every case is treated on its own merits.

Conclusion

In determining the previous application, Members raised strong concerns about the depth and scale, of the building which would result in a cramped, incongruous and obtrusive within the streetscene and when viewed from the public footpath, out of keeping with the character and appearance of the Area of High Townscape Value resulting in significant harm to the amenity of the area. The design and style of the building has completely altered from this refused scheme and to try and address the previous reason for refusal.

The application seeks to replace an existing dwelling with two dwellings; the built form will increase to the current situation. In this case the site is considered sustainable in its location, which is flanked on three sides by existing residential development, the previous refusal is therefore considered acceptable.

The design of the replacement pair of semi-detached dwellings draws reference from the design of dwellings in the locality, whilst maintaining the variety of design and appearance within the street scene. The building will sit comfortably in its setting, not appearing obtrusive in size and would be in keeping with the scale and form of development in the street scene. Therefore the proposal will not result in harm to the special interest of the AHTV or character and appearance of the area.

All matters of planning importance may be addressed via condition and the proposed development would go towards meeting the shortfall of housing within the District. It is therefore recommended to Members that this application is approved, subject to safeguarding conditions.

Case Officer

Gill Richardson

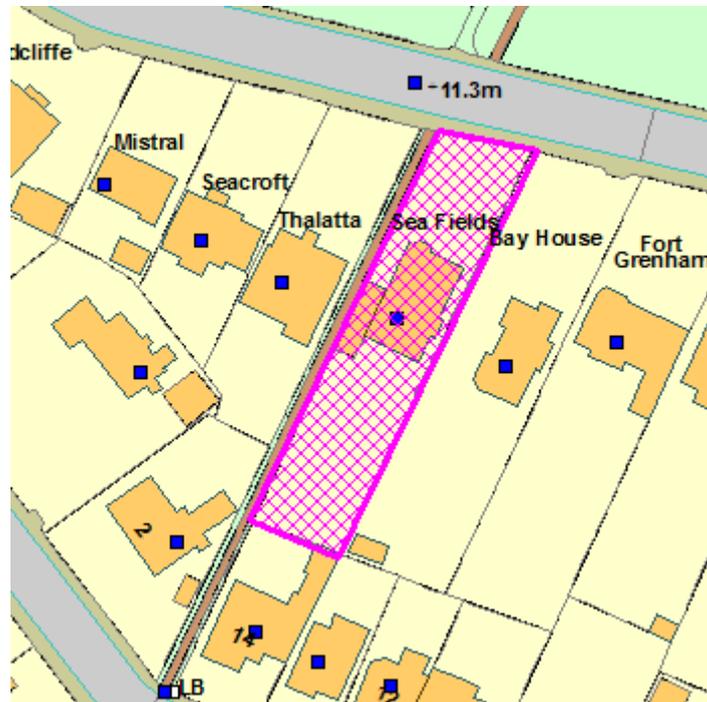
TITLE:

F/TH/18/0176

Project

Seafields Cliff Road BIRCHINGTON Kent CT7 9LS

Scale:



A02

F/TH/18/0410

PROPOSAL: Erection of single storey amenity building including community cafe, kitchen and toilets

LOCATION: Ellington Park Grounds Ellington Park Ramsgate Kent

WARD: Central Harbour

AGENT: Mr Gareth Leggeat

APPLICANT: Mr Grant Burton

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 development hereby approved shall be carried out in accordance with the submitted drawings numbered 23302A_110 Rev A received 20 March 2018, 23302A_100 Rev D,, 23302A_010 Rev C and 23302A_011 Rev C received 27 March 2018.

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 samples of all materials to be used for the external surfaces of the building 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 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.

5 Prior to the installation or erection of any external lighting for the development hereby approved, full details of the external lighting, hereby approved including their fittings, illumination levels and spread of light shall be submitted to, and approved in writing by, the Local Planning Authority. The lighting installation shall then be carried out in accordance with the approved details.

GROUND:

In the interests of nature conservation in accordance with Policy D1 of the Thanet Local Plan and the advice contained within the National Planning Policy Framework.

6 There shall be no frying of food conducted at the premises hereby approved at any time.

GROUND:

To safeguard the residential amenities currently enjoyed by the occupiers of nearby 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 is located within the grounds of Ellington Park, close to the northern boundary of the park and Park Road. The site is predominantly hard surfaced with tarmac paths to the east, west and south. There are a number of individual structures that already exist within the park, including the Pavilion, the bandstand, and a number of storage units.

RELEVANT PLANNING HISTORY

NM/TH/14/0638 - Application for non material amendment to planning permission F/TH/13/0287 to allow siting of 2No. Containers. Granted 10 October 2014.

F/TH/13/0287 - Temporary siting of a container unit for community and retail use. Granted 18 July 2013.

F/TH/12/0552 - Erection of single storey building following demolition of existing. Granted 06 September 2012.

F/TH/07/0921 - Erection of a single storey extension. Granted 18 September 2007.

F/TH/92/0241 - Erection of single storey side and rear extensions to bowls pavilion. Granted 20 May 1992.

F/TH/90/1190 - Erection of public conveniences. Granted 20 December 1990.

PROPOSED DEVELOPMENT

The proposed development is the erection of a single amenity building, including community cafe, kitchen and toilets. The proposed amenity building would have a flat roof design and is split into three sections with a large central cafe and meeting space, and two smaller wings to the east and west providing a kitchen and toilets.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan Saved Policies

CF1 - Community Facilities

D1 - Design Principles

SR10 - Public Open Space

NOTIFICATIONS

Letters were sent to neighbouring property occupiers and a site notice was posted close to the site. One letter of objection has been received raising the following concerns:

- Disturbance of wildlife
- Design is not sympathetic to the surrounding area

- The park needs toilets open 24/7
- No plan for the building if the business doesn't succeed
- Negative impact upon nearby businesses
- The building would obstruct the footpath and cause the removal of existing seating
- The park was given to the town as a place for recreation not for business
- Should be located by the lodge
- Money should be spent on repairs to the existing grounds

Ramsgate Town Council - Supports this application considering it to be much needed and will add to the amenity of the park.

Ramsgate Heritage and Design Forum - No objection - The RHDF fully supports this application - a very good addition to the park.

CONSULTATIONS

Environment Agency - We have assessed this application as having a low environmental risk. We therefore have no comments to make.

TDC Environmental Health - Given distance to dwellings, EH would recommend restricting hours open to the public so not open late into the evening and a requirement re kitchen extraction if cooking hot food.

The use hereby permitted shall only be carried out between the hours of [08:00 to 21:00 hrs Monday to Sunday.

KCC Biodiversity - We have reviewed the ecological information submitted in support of this planning application and advise that sufficient information has been provided to satisfy us that the proposed development has limited potential to impact protected/notable species or habitats. No further ecological information is required prior to determination of the planning application.

Breeding Birds

The submit report has detailed that there are some features within the site which may be utilised by breeding birds and therefore we recommend that the following informative is included:

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.

Bats

Due to an increase in lighting the proposed development has potential to impact foraging/commuting/roosting bats within the park and surrounding area. No information has been provided on the opening hours of the proposed café therefore we are unable to assess what lighting (if any) will be required.

The submitted report has made recommendations for the lighting design to minimise impacts on bats - therefore if lighting is required we advise that lighting is designed to implement these recommendations. We highlight that lighting must only be installed and used where it is required - we advise that when the building is not in use the lighting must be switched off or limited to security lighting.

We suggest that the following condition is included if planning permission is granted:

Prior to works commencing a light plan must be submitted demonstrating that there will be minimal impact on foraging/commuting and roosting bats.

Enhancements

The application provides opportunities to incorporate features into the design which are beneficial to wildlife and this is in accordance with Paragraph 118 of the NPPF "opportunities to incorporate biodiversity in and around developments should be encouraged".

We recommend that a number of the enhancements recommended within the submitted report for the whole of the wider Ellington Park Site must be implemented if planning permission is granted.

Southern Water - Southern Water requires a formal application for a connection to the public foul sewer 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:

A formal application for connection to the public sewerage system is required in order to service this development, please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire S021 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk. Please read our New Connections Services Charging Arrangements documents which has now been published and is available to read on our website via the following link <https://beta.southernwater.co.uk/infrastructure-charges>

The Council's Building Control officers or technical staff should be asked to comment on the adequacy of soakaways to dispose of surface water from the proposed development.

The applicant should be advised that a wastewater grease trap should be provided on the kitchen waste pipe or drain installed and maintained by the owner or operator of the premises.

TDC Open Spaces Manager - No objection.

KCC Sustainable Urban Drainage Officer - No comment.

COMMENTS

This application is brought before members as the application has been made by Thanet District Council.

Principle

The site lies within Ellington Park which is defined on the Proposals Map as Public Open Space under saved policy SR10 of the Thanet Local Plan. Within this location, development is normally restricted; however, development may be permitted if one of four circumstances are met. In this instance, it is considered that one of the criteria is met, which states that "The proposal requires only the development of a small part of an area of public open space for the purpose of improving the public sports and recreational facilities and the proposed development does not conflict with other development plan policies".

This application proposes to construct an amenity building that would provide a community cafe, meeting space and public toilets on an area of hard standing to the north of the park. This proposal is part of the Council's Heritage Lottery application and forms part of a wider scheme of regeneration in the park. Currently there are limited public facilities within the park and therefore this proposal is considered to improve the recreational facilities within Ellington Park.

The building would be constructed on an area of the open space which is currently hard surfaced and whilst it would result in the loss of a small area of open space, this development would not cause a significant loss or reduction of opportunities for the wider public to use the space. It is therefore considered that the development complies with Policy SR10 of the Local Plan and subject to the assessment of all other material considerations, the principle of development is considered acceptable.

Character and Appearance

The central section of the proposed building would be constructed from knapped flint and facing brick, with the two wings constructed from facing brickwork with white rendered arches. All windows and doors would be constructed from powder coated aluminium and a matching aluminium fascia would extend across the building.

Whilst the proposed building would reduce some of the available public open space within Ellington Park, it is considered to be of a good design, using high quality materials that create visual interest and relate well to the existing structures within Ellington Park. It is therefore considered that there would be no significantly detrimental impact upon the character and appearance of the area, in line with policy D1 of the Thanet Local Plan.

Living Conditions

The Council's Environmental Health department has been consulted as part of this application and has raised no objection subject to conditions restricting the opening hours to 08:00 - 2100 Monday to Sunday. No extraction is proposed for the cafe as there will be limited hot food cooking and a condition has been recommended preventing frying of food so that there will be no detrimental impact upon the nearby residential property occupiers living conditions through odour nuisance. If extraction was required a separate application for planning permission would be required.

The closest residential property to the site is number 55 Park Road which is located 68m to the north across Park Road. Due to this large separation distance and the single storey design of the building it is considered that there will be no significant loss of light, sense of enclosure or overlooking to the neighbouring residential properties, in line with policy D1 of the Thanet Local Plan and the National Planning Policy Framework.

Transportation

There is no vehicular access to the site, and the unit will only be accessible by pedestrians and cyclists using the park. Kent Highways have raised no objections to the proposed scheme, and it is considered that the impact on highway safety is acceptable.

Biodiversity

The KCC Biodiversity Officer has been consulted during the application process and has stated that the development has limited potential to impact upon protected species. Details of any external lighting have been requested to ensure that there is no significant impact upon any bats that may be in the area. Subject to the imposition of this condition no objection has been raised to the application.

A site visit was conducted with the Council's Arboricultural Officer to assess the impact of the development upon the trees within the park. Two trees are located within close proximity to, and partially overhang the site. On the western side of the proposed building one Horse Chestnut tree is located within the existing semi-circle of grass. This tree is a poor specimen and whilst it does have some amenity value, it is not suitable for a Tree Preservation Order (TPO) due to the existing defects. At the rear of the site one Holm Oak tree would overhang the proposed building. The trunk of this tree is located approximately 9m away from the rear of the proposed building and some small branches could be crown raised without significantly harming its health or amenity value to create space for the proposed amenity building. The Council's Arboricultural Officer has raised no objection to the proposed works and given the above it is considered that there will be no significant impact upon the trees within the area.

Other Matters

The proposed toilets are considered to increase the accessibility and usability of Ellington Park and whilst extended opening hours would increase these benefits 24 hour access would come with the increased risk of anti-social behaviour and crime. The toilets are likely to be open in line with the cafe opening hours which have been conditioned, however it is not considered reasonable to condition the opening hours of the toilets.

Concern has been raised regarding access along the path at the northern side of the park due to the erection of the proposed building. There is a separation distance of 7m between the front elevation of the building and the existing wall and railings around the raised section of the park, it is therefore considered that sufficient space will be maintained to allow members of the public to move across this section of the park.

Concern has been raised regarding the impact of the cafe upon nearby business and what will happen with the building if the proposed business does not succeed. Competition between businesses and the viability of a business are not material planning considerations.

Conclusion

Whilst the proposed development would result in a loss of a small area of public open space, most of the site is already hard surfaced and the proposed outbuilding is considered to improve the facilities within the park and provide wider benefits to the local community. The proposed building would improve the recreational facilities within Ellington park and it is considered that there are no conflicts with the other development plan policies and would be in broad accordance with the principles in the National Planning Policy Framework, therefore it is recommended that members approve this application.

Case Officer

Duncan Fitt

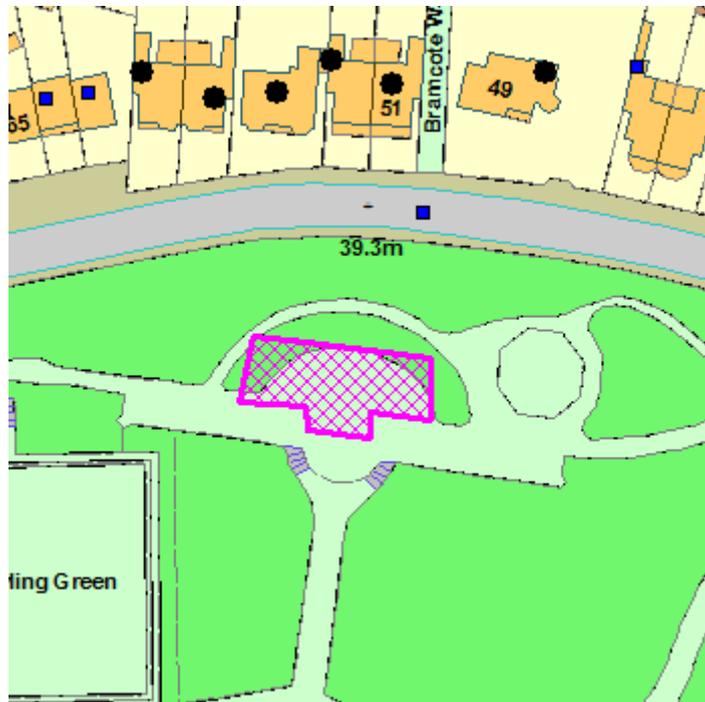
TITLE:

F/TH/18/0410

Project

Ellington Park Grounds Ellington Park Ramsgate Kent

Scale:



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A03

OL/TH/17/1795

PROPOSAL: Outline application for the erection of 2No detached two storey houses including access

LOCATION: Land West Of Hazeldene Ramsgate Road Sarre Birchington Kent

WARD: Thanet Villages

AGENT: Ms Caroline McDade

APPLICANT: Church Commissioners for England

RECOMMENDATION: Approve

Subject to the following conditions:

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

GROUND:

As no such details have been submitted.

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

GROUND:

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

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

GROUND:

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

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

GROUND:

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

5 The development hereby approved shall be carried out in accordance with the plan numbered 01 Rev B received by the Local Planning Authority on 2nd March 2018.

GROUND:

In the interests of highway safety.

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 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.

8 Prior to the commencement of the development hereby approved, the applicant, or their agents or successors in title, shall secure the implementation of a watching brief to be undertaken by an archaeologist approved by the Local Planning Authority so that the excavation is observed and items of interest and finds are recorded. The watching brief shall be in accordance with a written programme and specification, 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.

9 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.

10 Details pursuant to condition 1 above shall include full details of the means of foul and surface water disposal, including details of the implementation, management and maintenance of any proposed Sustainable urban Drainage Systems. 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.

11 Details pursuant of condition 1 above shall include 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 (which shall be of a native species)
- the treatment proposed for all hard surfaced areas beyond the limits of the highway
- walls, fences, other means of enclosure proposed (to include 13cm x 13cm gaps within fences where possible to enable movement of species)
- Location of bat boxes

GROUND:

In the interests of the visual amenities of the area and to adequately integrate the development into the environment and enhance biodiversity in accordance with Policies D1 and D2 of the Thanet Local Plan and the National Planning Policy Framework.

12 Prior to the commencement of any site clearance, the reptile mitigation as detailed within the reptile survey report, Colmer Ecology; December 2017 shall be implemented and the long term conservation and continued ecological functionality of the species maintained.

GROUND:

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

13 Prior to the installation of any external lighting a "lighting design strategy for biodiversity" for the site boundaries has been submitted to and approved in writing by the local planning authority. The lighting strategy shall:

- a) Identify those areas/features on site that are particularly sensitive for badgers and 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;
- b) Show how and where external lighting will be installed so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory.
- c) Details of the types of lighting to be used including their fittings, illumination levels and spread of light

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.

GROUND:

In order to limit the impact upon protected species that may be present, in accordance with the National Planning Policy Framework.

INFORMATIVES

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

The exact position of the public water main must be determined on site by the applicant before the layout of the proposed development is finalised. No development or new tree planting should be located within 3 metres either side of the centreline of the public sewer. No new soakaways should be located within 5 metres of a public sewer. The 150mm diameter sewer requires a clearance of 3 metres either side of the sewer to protect it from construction works and allow for future access for maintenance.

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 scrubs are likely to contain nesting birds between 1st March and 31st August inclusive. Trees and scrubs 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.

In order to ensure suitable habitat is retained within the whole site we recommend that house sparrow terrace and other bird boxes are included within the proposed development site (as detailed within the preliminary ecological appraisal) and some areas of scrub are left to develop within the reptile mitigation area.

SITE, LOCATION AND DESCRIPTION

The application site is currently in use as a paddock, accessed from Ramsgate Road, and there are no built structures existing on the land. Whilst the site is bounded by other residential properties, the site lies outside the village confines of Sarre and is considered to lie within the countryside for planning purposes.

The site is identified within the Thanet Local Plan as an important gap in the built area of Sarre village which contributes to the character and amenity of the village and as a result is not considered suitable for development under Saved Policy R2. The site is also covered by the Former Wantsum North Shore Character Area under Saved Thanet Local Plan Policy CC2.

The site is screened by mature trees and planting and as such is largely obscured from views from Ramsgate Road and Canterbury Road.

RELEVANT PLANNING HISTORY

There is no site history relevant to the determination of the application.

PROPOSED DEVELOPMENT

The application seeks outline consent for the erection of 2no. two storey detached dwellings with access from Ramsgate Road. All matters, except access are reserved for future consideration. Members are, therefore, considering the principle of the erection of 2no. dwellings on the application site together with the acceptability of the access to serve the proposed development. All other matters comprising appearance, landscaping, layout and scale would be the subject of a reserved matters application.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan (2006) Saved Policies

- Policy CC1 - Development in the Countryside
- Policy CC2 - The Central Chalk Plateau Landscape Character Area
- Policy D1 - Design
- Policy D2 - Landscaping
- Policy H1 - Residential Development Sites
- Policy H4 - Windfall Sites
- Policy R1 - General Levels of Development
- Policy R2 - Village Gap
- Policy SR5 - Doorstep Playspace
- Policy SR11 - Private Open Space
- Policy TR12 - Cycle Parking
- Policy TR16 - Car Parking Provision

NOTIFICATIONS

Neighbour notification letters were sent to properties directly surrounding the site and a site notice was posted at the site. One representation has been received in response:

St Nicholas-at-Wade with Sarre Parish Council - 'Councillors had no objections to the application, however, they would point out the importance of providing suitable provision for waste bin collections.'

CONSULTATIONS

Environment Agency - No comment as it falls outside remit as a statutory planning consultee.

Southern Water - Make the following comments: A formal application for a connection to the public sewerage system is required. The exact position of the combined sewer must be determined on site by the applicant before the layout of the proposed development is finalised. It might be possible to divert the public sewer, so long as this would result in no unacceptable loss of hydraulic capacity, and the work was carried out at the developer's expense to the satisfaction of Southern Water under the relevant statutory provisions. Should the applicant wish to divert apparatus: The 150mm diameter sewer requires a clearance of 3 metres either side of the sewer to protect it from construction works and allow for future access for maintenance. No development or new tree planting should be located within 3 metres either side of the centreline of the public sewer. No new soakaways should be located within 5 metres of a public sewer. All other existing infrastructure should be protected during the course of construction works. Alternatively, the applicant may wish to amend the site layout, or combine a diversion with amendment of the site layout. If the applicant would prefer to advance these options, the items above also apply. Should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and potential means of access before any further works commence on site. Details of measures to be taken to protect drainage apparatus must be submitted to the Local Authority prior to commencement of development. Initial investigations indicate that there are no public surface water sewers in the area to serve this development. Alternative means of draining surface water from this development are required. This should not involve disposal to a public foul sewer. Construction of the development shall not commence until details of the proposed means of foul and surface water sewerage disposal have been submitted to and approved in writing by the Local Planning Authority in consultation with Southern Water.

Kent County Council Highways -

Comments in relation to the amended plans:

The applicant has adjusted the positioning of the proposed access accordingly to allow the required visibility splay. Consequently we would have no objection to the principle of two new dwellings on this site and I trust now that other matters can be resolved at the reserved matters stage.

Comments in relation to the original plans:

1. Access - The submitted Transport Note references 'Vehicle Crossing: - Guidance and Self Assessment' as a source for allowing a 2 metre setback or x-distance at the crossover. This document is a guide for householders when assessing the suitability of a new driveway and is not synonymous with the guidance laid out in Kent Design, which we adhere to for planning purposes. In this instance, we would require a 2.4 metre setback or x-distance at the proposed crossover. It is noted however, that the plans indicate the relocation of the existing access to a position where the centre line is approximately 6 metres from the western boundary of the site, which should offer the required visibility splay of 2.4 metres x 43 metres x 43 metres. The dropped kerbs will need to be relocated accordingly. I would welcome a revised plan confirming the above details, along with the specification of the intended surface treatment at the access, which would need to consist of a bound material for a distance of at least 5 metres from the edge of the carriageway.

2. Layout - Recognising that this is a reserved matter, nevertheless I am generally satisfied with the layout on the indicative sketch, though I would suggest that a minimum 6 metre gap is left behind the parking spaces for Unit 2 to facilitate easier turning in and out. An additional unallocated space for visitors would also be advisable.

Informatives recommended relating to highway approvals, consents, licences and rights.

Kent County Council Biodiversity - A preliminary ecological appraisal and reptile survey have been submitted with the application and concluded the following:

- o Low population of common lizards and slow worms within the site
- o Suitable habitat for breeding birds
- o Likely to be used by foraging bats
- o Potential for bats to be roosting within trees

We advise that sufficient survey effort has been carried out to provide TDC with a good understanding of the ecological interest of the proposed development site.

Reptiles: A low population of slow worm and common lizard has been recorded within the site - only half of the site is proposed to be developed and the submitted ecological report has detailed that the northern half of the site will be used as a receptor site and provided details of the translocation methodology. A condition requiring the implementation of the reptile mitigation is recommended. There is a need to ensure that the reptile receptor site is managed appropriately in perpetuity. A condition requiring the submission of an ecological management plan is recommended.

Bats: The report has detailed that the trees have low potential to be used by roosting bats but we suggest that the suitability of the trees for roosting bats was under estimated within the report. This is because the trees are covered in dense ivy and we highlight that it is possible that suitable bat roosting features are hidden or bats may roost within the ivy. However as the planning statement has confirmed that none of the trees will be removed to facilitate the proposed development we are satisfied that an updated bat survey is not required. It is possible that bats forage and commute within the site - particularly along the site boundaries. We advise that any lighting scheme for the proposed development is designed to avoid directly shining on the boundaries - we recommend that this is incorporated in to a lighting condition.

Breeding birds: There is suitable habitat within the site to be used by breeding birds and all nesting birds and their young are protected under the Wildlife and Countryside Act 1981 (as amended) and we suggest an informative is included if planning permission is granted. In order to ensure suitable habitat is retained within the whole site we recommend that house sparrow terrace and other bird boxes are included within the proposed development site (as detailed within the preliminary ecological appraisal) and some areas of scrub are left to develop within the reptile mitigation area.

Enhancements: The application provides opportunities to incorporate features into the design which are beneficial to wildlife and this is in accordance with Paragraph 118 of the NPPF 'opportunities to incorporate biodiversity in and around developments should be encouraged.'

We recommend the following enhancements are included:

- o 13cmx13cm gaps in the fences to enable movement of species through the gardens
- o Integrated bat boxes within the building
- o Native species within any landscaping in the garden

TDC Strategic Planning - This site is located in a small village, with very limited services. As part of the draft Local Plan process, the Sustainability Appraisal looked at a range of options for delivering housing supply.

The findings of the initial SA assessment (which guided the selection of development sites in the draft Local Plan), or urban fringe areas, of larger villages with a good range of services. On this basis, the draft Local Plan has not allocated any sites in Sarre or Acol for new housing development. The draft Local Plan seeks to meet the full housing land supply for the district without including allocations in locations that have been assessed as being less sustainable.

I note the agent's comments in relation to support for local services. However, the potential benefits of two dwellings in Sarre to the support of local services in the area (including St Nicholas) are likely to be at best marginal. In fact, the very limited range of services in Sarre is likely to mean that residents would be dependent on the use of the car to meet a range of daily service requirements.

I also note the comments relating to the 5-year housing land supply. There is not currently an identifiable 5-year housing land supply. However, in view of the points mentioned above, this is not a suitable location in which to provide new housing. Furthermore, this proposal would make no meaningful (even modest) contribution to the housing land supply position.

This approach is consistent with the advice in the NPPF (paras 14 and 55).

TDC Environmental Health - Considered the issues of air quality, noise and contaminated land and have no comments on the proposal.

COMMENTS

The application has been brought before members as a departure to Saved Policies H1 and R2 of the Thanet Local Plan as the site is located within the open countryside, inside a village gap.

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.

The site constitutes non previously developed land, which is currently in use as a paddock and which lies outside any defined settlement. The proposal is, therefore, contrary to the aims of Saved Policy H1 of the Thanet Local Plan which 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. However this policy no longer accords with the requirements of the National Planning Policy Framework, as the Council no longer has a 5 year supply for housing, and as such this policy has little weight at this time. Saved Policy R1 of the Thanet Local Plan also limits development at rural settlements to minor development within the confines and under Saved Policy R2 of the Thanet Local Plan the site is considered to be an important gap in the built area of the village which contributes to the character and amenity of the village and as such will not be considered suitable for development. However, this is again outweighed by the need for housing within the District.

Saved Policy CC1 of the Thanet Local Pan states that new development will not be permitted unless there is a need for the development that overrides the need to protect the countryside. There is a current need for housing within Thanet, which is being reviewed through the Local Plan process. On this basis the NPPF states in Paragraph 49 that housing applications 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 determining whether housing on the site would be acceptable, the need for housing in the district will therefore need to be balanced against other issues such as the impact on the countryside, sustainability of the site, character and appearance of the proposed development and highway safety.

In this case, whilst the site lies beyond the village confines, it is bounded by residential development on both sides, fronting Ramsgate Road. Whilst it is acknowledged that there are very limited services within walking distance of the site, the village is served by bus stops, located adjacent to the site and also fronting Canterbury Road and there are a range of goods and services available within the closest village, namely St Nicholas at Wade.

Whilst only providing an additional two houses, the proposal would have a modest economic benefit and would result in an additional two families residing in a small village, supporting the local community facility and vibrancy of the village community. In terms of the environmental impacts of the scheme, the proposal seeks to retain the trees which bound the site, providing natural screening, and due to the location of the site, which is bound to

both sides by existing residential development, no long views of the countryside would be lost.

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 countryside, and character and appearance of the area, the impact on the living conditions of neighbouring property occupiers and highway safety.

Impact on Countryside

The site falls outside of the village confines and within a Landscape Character Area. Saved Policies CC1 and CC2 of the Thanet Local Plan look to protect the open landscape, and the wide, long views of the Former Wantsum Channel Area and Pegwell Bay.

The site lies outside of the urban confines, within the Former Wantsum North Shore Landscape Character Area and is identified within the Thanet Local Plan as an important gap in the built area of Sarre village which contributes to the character and amenity of the village and as a result is not considered suitable for development.

Paragraph 55 of the NPPF promotes sustainable development in rural areas stating that housing should be located where it will enhance or maintain the vitality of rural communities and new isolated homes within the countryside should be avoided. The site is bounded by residential properties and as such the proposed development would not result in isolated dwellings within the countryside. The proposed housing development would be well located within the village and the community facility would be accessible by foot.

The application site is private land in use as a paddock, and therefore given that it does not provide any active recreational opportunities, development of the space is permitted via Saved Policy SR11 of the Thanet Local Plan unless the site has intrinsically beneficial qualities and makes a contribution to the character of the area either by itself or by virtue of the longer distance views it affords. Paragraph 17 of the NPPF protects and recognises the intrinsic character and beauty of the countryside and supports thriving communities within it.

The site is screened by a variety of trees and hedges and as such long views within the Landscape Character Area are not appreciated from within the site. This natural screening represents an important and valuable break in the built environment of the village. Whilst the positioning of the proposed access may necessitate some minor works to the tree closest to the access, the application seeks the retention of the existing trees. It is considered that should the existing trees be retained, there would be only partial views possible of the proposed development from the access along Ramsgate Road and from longer views the site would still be appreciated as a 'gap' in development.

Whilst the existing trees bounding the site have not been subject to a full inspection, it is considered appropriate to serve a Group Tree Preservation Order Notice on the group of trees to the south and east of the site to protect the visual appearance of the site and the amenity value it has. The Order has been served and will be confirmed after the lapse of 28 days, following appropriate consultation. If on further inspection, some of the trees were found to be diseased/damaged then the order would require their replacement.

It is considered, on balance that the retention of the existing trees to the front and side boundaries would reduce the visual impact of the proposed development and on the whole the site would continue to be viewed as a 'gap' in development from public vantage points.

Based on the limited views of the site and the density and indicative scale of development proposed, it is considered that there would be minimal harm to the countryside, including the Landscape Character Area.

Character and Appearance

The NPPF states that planning decisions should aim to ensure that developments will function well and add to the overall quality of an 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. Thanet Local Plan Policy D1 states that any new development proposal will only be permitted if it respects or enhances the character or appearance of the surrounding area, particularly in terms of scale, massing, rhythm and use of materials.

Whilst the scale and appearance of the proposed dwellings is not being considered at this stage, the indicative site layout plan and elevation plan shows that the proposed dwellings would be two storey, with front building lines and plot sizes broadly in keeping with adjacent residential development and of a scale which would not be incongruous in this location.

For these reasons it is considered that the proposed development would have an acceptable impact upon the character and appearance of the surrounding area. The full impact would be assessed at reserved matters stage.

Living Conditions

This is an outline application, with the appearance, scale and landscaping reserved. As such precise details have not been provided to enable a full assessment to be made in terms of the impact that the proposed development would have upon neighbouring property occupiers.

An indicative layout plan has been provided and given the quantum of development proposed there is sufficient flexibility to ensure that neighbouring residential amenity can be safeguarded.

The Environmental Health Officer has considered the issues of air quality, noise and contaminated land and raises no concerns.

In terms of future occupier amenity, it is considered, having regards to the indicative layout and scale of the proposed dwellings that a good standard of accommodation could be afforded to future occupiers, with sufficient space available for the provision of safe doorstep play space in accordance with Saved Thanet Local Plan Policy SR5, outdoor clothes drying and refuse storage. However, this would need to be fully assessed at reserved matters stage.

On the basis of the indicative layout plan submitted, the impact upon neighbouring and future living conditions would be acceptable.

Transportation

The application seeks to agree the principle of 2 dwellings on the site with all matters except access reserved for future consideration. The scheme proposes one vehicular access from Ramsgate Road to the south west corner of the site. Kent County Council Highways were consulted on the application and consider that the amended positioning of the proposed vehicular access would allow for the required visibility splay of 2.4 metres x 43 metres x 43 metres . The access would also be constructed of a bound material for at least the first 5m from the edge of the carriageway.

It is therefore considered that the proposed access would not cause harm to highway safety or amenity.

Consideration of car parking and cycle parking provision for the proposed dwellings would be fully assessed at the reserved matters stage, but there is considered to be adequate space within the two proposed plots to accommodate the required car parking and cycle storage provision. The impact upon highway safety is considered to be acceptable.

Archaeology

Although the site is not identified as an area of Archaeological importance, Thanet District as a whole is rich in archaeological potential. As the site comprises non previously developed land, it is considered appropriate, to condition that the development is subject to an archaeological watching brief. Subject to this safeguarding condition the impact upon archaeology is considered to be acceptable.

Ecology

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.

A preliminary ecological appraisal and reptile survey have been submitted with the planning application. The Kent County Council Biodiversity Officer considers that the survey effort that has been carried out provides a good understanding of the ecological interest of the proposed development site.

A number of reasonable and necessary conditions are recommended to ensure that any ecological harm from the development is mitigated. Subject to these conditions the impact upon ecology is considered to be acceptable.

Drainage

Full drainage details have not been provided at this outline stage and a number of conditions and recommendations have been proposed by Southern Water following consultation. These conditions and informatives are considered appropriate and necessary.

Conclusion

Whilst the site lies outside the village confines, within the countryside and comprises an important village gap, 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 2 dwellings would make an extremely limited contribution to the District's housing supply. The development would support the economic dimension of sustainable development with employment provided through construction, and the social dimension of sustainable development through the addition of two family homes in a small village which would support community vibrancy and the local community facility.

In terms of the environmental dimension, whilst the proposal would result in residential development within the countryside, sited on an important village gap, having regards to the density proposed and the retention and long term protection of the trees fronting Ramsgate Road and along the south east corner of the site it is considered that the proposal would result in very little change in respect of the way in which the site is appreciated in longer views along Ramsgate Road and as such the development is considered to have very limited environmental impact. Furthermore, given that the village gap policy is not intended to progress into the new local plan, and given the limited visual impact on the surrounding countryside, it is considered that the need for the development would outweigh the harm to the countryside in accordance with Saved Policy CC1 of the Thanet Local Plan.

The application site could comfortably accommodate 2 dwellings without adverse impact to the character and appearance of the area or neighbouring residential amenity.

Therefore when considering the framework as a whole, the proposal constitutes sustainable development, as the development would result in modest economic and social benefits with very limited environmental impact.

It is therefore recommended that members approve the application as an acceptable departure to Saved Policies H1 and R2 of the Thanet Local Plan.

Case Officer

Helen Johnson

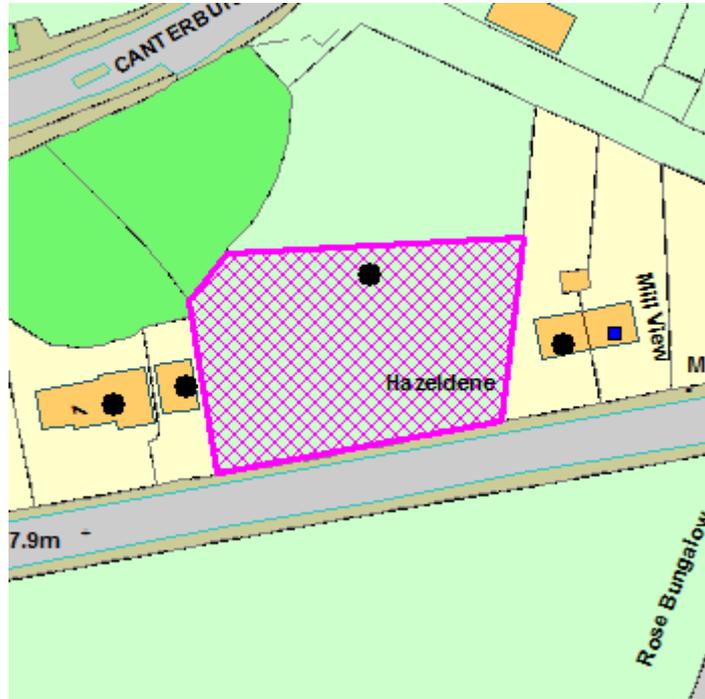
TITLE:

OL/TH/17/1795

Project

Land West Of Hazeldene Ramsgate Road Sarre Birchington Kent

Scale:



In order to prevent an increased risk of pollution to the water environment in accordance with the NPPF.

5 Prior to the first occupation of the development, the area shown on the deposited plan for the parking and manoeuvring of vehicles shall be operational prior to any part of the development hereby approved being brought into use, unless otherwise agreed in writing by the Local Planning Authority. The area agreed shall thereafter be maintained for that purpose.

GROUND:

To minimise the potential for on-street parking and thereby safeguard the interest of safety and convenience of road users.

6 Prior to the first occupation of the development hereby permitted any access gate(s), bollard, chain or other means of obstruction shall be hung to open inwards, set back, and thereafter retained a minimum distance of 5 metres from the near channel edge of the adjacent carriageway.

GROUND:

In the interests of highway safety.

7 Prior to the first occupation of the dwelling hereby permitted pedestrian visibility splays of 2 metres by 2 metres 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 interests of the safety of persons using the access and users of the highway.

8 No further alterations to the roof of the dwelling, approved by Class B of Part One of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 (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:

In order that the Local Planning Authority may retain control over the development in the interests of the residential amenities of the locality in accordance with the NPPF.

9 The boundary walls and fences shall be erected, as shown on drawing numbered 11 Revision A (received 05/04/18) in accordance with the approved details prior to the occupation of the dwelling.

GROUND:

In the interests of the residential amenities in accordance with the NPPF.

INFORMATIVES

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

SITE, LOCATION AND DESCRIPTION

The application site is located on the western side of Freemans Road, Minster. The application site access is located to the south of number 10 Freeman's Road and extends back into a rectangular shaped parcel of land bordering on dwellings which front Freeman's Road, Augustine Road, Prospect Road and Monkton Road.

Freeman's Road predominantly comprises a mix of detached and semi-detached bungalow and two storey houses fronting the road.

RELEVANT PLANNING HISTORY

F/TH/16/0842 Erection of a single storey dwelling with associated access onto Freemans Road and parking. Refused - Allowed on appeal

The reason for refusal was:

The proposed development, by virtue of its location to the rear of No. 10 Freemans Road, would appear unrelated to the surrounding built form, out of keeping with neighbouring residential buildings and spaces, which would fail to respect the prevailing character and appearance of development within the street scene. The proposal is therefore contrary to policy D1 of the Thanet Local Plan, and paragraphs 17, 58, 61 and 64 of the National Planning Policy Framework.

The Planning Inspector allowed the appeal. The Inspector stated:

"Whilst an unusual location for development given the lack of other development of this type within rear gardens in the immediate vicinity, it would have little effect on the character and appearance of the street scene.

The proposed dwelling would be visible from a number of surrounding dwellings. However, it is single storey in height and, as such, its visibility would be limited and it would be viewed in the context of surrounding houses and gardens. Whilst there would be some loss of landscaping to make way for the proposed development, significant space would remain for landscaping that would reflect the character of the surroundings, comprising residential gardens. "

PROPOSED DEVELOPMENT

Full planning permission is sought for the erection of a detached three bedroom bungalow and detached pitched roof single garage. The bungalow would have a hipped roof with two gable projections in the north elevation. The submitted plans show two parking spaces and an amenity space to the side and rear of the dwelling. The dwellings would be finished in brick work (yellow facing brick) and naturally finished wood cladding and slate roofing tile with red contrast concrete hip and ridge tiles.

The proposed dwelling is similar to the previous dwelling allowed on appeal (see planning history), however the kitchen has been increased in depth to the south by 1.1m, front bedroom increased in size by approximately 1.8m, additional window provided to the main bedroom facing the drive, together with the addition of a detached single garage.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan Saved Policies

H1 - Housing

D1 - Design

D2 - Landscaping

TR12 - Cycle Parking

TR16 - Parking Provision

SR5 - Play Provision

NOTIFICATIONS

Two third party representations have been received, the concerns can be summarised as follows:

- Loss of privacy due to increased size of window and the dwelling getting closer to the southern boundary

CONSULTATIONS

No comments received.

COMMENTS

The application is referred to the Planning Committee as a departure from policy H1.

Principle

Policy H1 of the Thanet Local Plan only makes for provision of new residential development on previously developed land. Emerging policy H01 of the draft preferred options document states that the Council will grant permission for new housing development on residential gardens where it is judged not to be harmful to the character and amenity of the area.

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 Minster and is located close to the facilities and public transport links. Furthermore there is an extant consent for a bungalow on this site. On this basis there is no objection to the principle of development.

Character and Appearance

The application site where the proposed dwelling will be sited is a rectangular plot, surrounded by residential properties on all boundaries. The proposed dwelling is set in a fairly centrally position on the plot. In addition the site is well screened due to its location, behind existing dwellings. It is therefore considered that the proposed dwelling and garage would have little direct impact on the street scene and would not result in a harmful form of development. This was the conclusion the Planning Inspector came to when considering a dwelling in this position.

Living Conditions

In terms of the impact of the development on living conditions of neighbours, windows are proposed on all elevations of the bungalow. The site is surrounded on all four sides by residential properties the distance of the proposed bungalow to the site boundaries varies ranging from 3.3m to 7m. The proposed garage is (at its closets) to a neighbours boundary 0.4m.

The boundary treatment to properties in Freemans Road comprises an existing closeboarded fence; there are some properties which have outbuildings within their curtilage. The fencing varies in height and therefore screens the site to different levels. The existing outbuildings also effectively screen the site.

Number 52 Augustine Road, has been previously extended (planning reference F/TH/01/0513), this included conversion of the roof space and side extension. The side extension is approximately 7.5m from the boundary (window serves a bedroom) and approximately 10.5m from the main part of the proposed bungalow. The window within the roof serves a bedroom. The boundary treatment consists of a closeboarded fence with trellis above. I am satisfied that the erection of a 2m close boarded fence would limit direct overlooking between ground floor rooms and between gardens. A degree of overlooking will occur from the first floor window within the roof of number 52, however this is not considered to result in material harm or additional harm previously accepted.

Properties which front Prospect and Monkton Roads have substantially long gardens given this and the fact that the proposal is single storey, no material harm is envisaged.

I am of the opinion that given that a single storey dwelling is proposed, issues relating to overlooking or overshadowing can be safeguarded by the erection of appropriate boundary treatment.

The access to the property, would just serve one property, noise and disturbances through vehicular movements to the two properties that flank the site are not considered to result in material harm.

As a result of the above considerations and notwithstanding the representations submitted expressing concerns with the application, it is deemed that the impact of the proposal on neighbours is acceptable.

Transportation

The proposal is for one additional dwelling; a private driveway is shown leading to the proposal, having a width of 3.7m. Three off street parking spaces are provided for the proposed three bedroom bungalow. It is noted that the space shown between the dwelling and garage would not in reality work as a parking space, as it has limited width, there is adequate space within the site to achieve the required two spaces. It is considered that the proposal has sufficient off-street parking for the proposal. On this basis it is considered that there are no outstanding highway issues.

Conclusion

This is an application for a bungalow following the approval of an earlier appeal to allow a bungalow. Changes are proposed to the footprint of the bungalow, fenestration and inclusion of a detached garage. It is considered that the proposal accords with the overarching aims of national and local policy and would not have a detrimental impact on the amenities of the locality. The proposal is therefore acceptable and accords with Local Plan policies. It is therefore recommended that this application be approved subject to conditions.

Case Officer

Gill Richardson

TITLE: F/TH/18/0317

Project Land Rear Of 10 Freemans Road RAMSGATE Kent

Scale:



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A05

F/TH/18/0347

PROPOSAL: Change of use of ground floor from retail (Use Class A1) to

1No 1 bedroom flat together with alterations to fenestration, replacement roof tiles and hung tiles

LOCATION:

12 St Johns Crescent Ramsgate Kent CT12 6FF

WARD:

Newington

AGENT:

Mr Philip Graham

APPLICANT:

Thanet District Council

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, drawing numbered 03 dated 12th March 2018.

GROUND:

To secure the proper development of the area.

SITE, LOCATION AND DESCRIPTION

The application site is located on the eastern side of St. Johns Crescent, facing onto the green area in the centre of the southern part of Princess Margaret Avenue on the Newington Estate in Ramsgate. The property is flanked to either side by residential properties. The building is two storey constructed with brick and tile hanging between the ground shop front and first floor windows. The pitched roof runs parallel to the highway. When a site visited was conducted the property was vacant and in a poor state of repair.

RELEVANT PLANNING HISTORY

F/TH/04/1486 Installation of external security roller shutters to front windows and door.
Granted 03/02/05

F/TH/99/0186 Change of use of grocery shop to a snack bar with seating area. Granted 21/04/99

PROPOSED DEVELOPMENT

Planning consent is sought to convert the existing shop to a 1 bedroom flat and repairs and refurbishment of the exterior of the building. The external refurbishment includes replacement of windows and doors with upvc windows and composite metal doors, recovering of the roof, replacement tile hanging to match the original building and provision of porch canopy and entrance door to the side elevation.

The upper flat will be refurbished as part of the development, and the internal layout will alter in terms of room's sizes.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan saved policies (2006)

D1- Design

H1 - Housing

TR12 - Cycle Parking

TR16 - Parking Provision

SR5 - Play Provision

NOTIFICATIONS

No third party representations received to date.

CONSULTATIONS

No consultations received.

COMMENTS

The application is referred to the Planning Committee as it is submitted by Thanet District Council.

The main considerations in the determination of this planning application are the acceptability or otherwise of the principle of development in planning policy terms, the impact that the proposed development will have on the character and appearance of the area and the effect of the proposed use on existing residential amenity and privacy. The effect of the proposed development on the local highway network is also a material planning consideration in this case.

Principle

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that, if regard is to be had to the development plan for the purposes of any determination to be made under

the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.

Whether or not the proposed development is acceptable in principle turns mainly on the issue of compliance with planning policy. There is no saved policy with the Local Plan that would preclude the change of use to residential. The establishment of residential use in the building at ground floor is acceptable. Furthermore, as well as bringing the currently vacant building back into beneficial use, the consequence of the proposed use would create an additional residential unit within the area. Whilst it is appreciated that the proposal would result in a loss of a retail outlet, it is noted that there is a small parade of shops created during the recent re-development works through Newington estate, including the removal of the original roundabout.

Subject to the proposals being satisfactory in terms of the other key determining factors identified above and the proposals reflecting favourably in terms of the planning policies that affect these key issues there is no objection in principle to the proposed development.

Character and Appearance

The proposed refurbishment of the external appearance of the building will contribute positively to the character and appearance of the area. The prevention of further deterioration and the maintenance of the appearance of the building would be continued if it is put to a useful purpose that justifies ongoing maintenance. The use of the building for housing will fulfil that purpose maintaining the character and appearance of this prominent building to the benefit of the wider area. Consequently the proposed development is compliant with the aspects of Local Development Plan policy D1.

Living Conditions

The Council's 'Conversion to Flats Guidelines' recommend a one bedroomed flat should have an overall floor area of at least 40m² for it to be considered convertible to a separate unit of accommodation. In this instance the floor plans submitted show both floors as having an approximate floor area of 47m² each which is comfortably above the minimum size. The room sizes exceed the minimum room sizes in the Council's Conversion to Flats Guidelines, providing a kitchen, living room for each flat and a good sized bedroom. All rooms have the benefit of natural light and ventilation.

Only the lower ground flat would have direct access to the rear garden but it is noted that, the first floor flat would previously not have had access to this area. Furthermore there is no requirement under policy SR5 to provide a doorstep play space for a one bed flat. The proposed flat has a refuse storage space identified within the rear garden.

Existing residential development lies overwhelmingly to the south and east of the application site and this combines with the general arrangement and layout of the building to make the impact of the re use of the building minimal in terms of the impact on privacy of the gardens of properties on Weybourn Drive. This is considered acceptable and is no different to the relationship of other properties within these roads. The proposed porch canopy will not result in harm to residential occupiers. In terms of the impact on general amenity are concerned,

the positive impacts outlined in respect of the improvements to the character and appearance of the area are also reflected in the improvement to the amenity of the locality generally in as much as the bringing back into use of the currently vacant building will ensure that amenity standards can be maintained in the long term.

The living conditions for future occupiers accords with the aims of Thanet Local Plan policy D1 and the NPPF.

Transportation

Policy TR16 requires satisfactory provision for the parking of vehicles. No parking is proposed with this application. The site is located within easy reach of public transport routes and close to local shops as such the site is considered to be in a sustainable location. There is space within the rear garden and under the stairs for the safe storage of bicycles to support the aims of Thanet Local Plan policy TR12.

The proposal is not considered detrimental to highway safety and accords with the aims of Thanet Local Plan Policy TR16.

Conclusion

The proposed development would not result in any significant harm to the character and appearance of the area, and the impact upon the living conditions of neighbouring residential occupiers and highway safety is in line with the NPPF and Local Plan Policy D1.

Case Officer

Gill Richardson

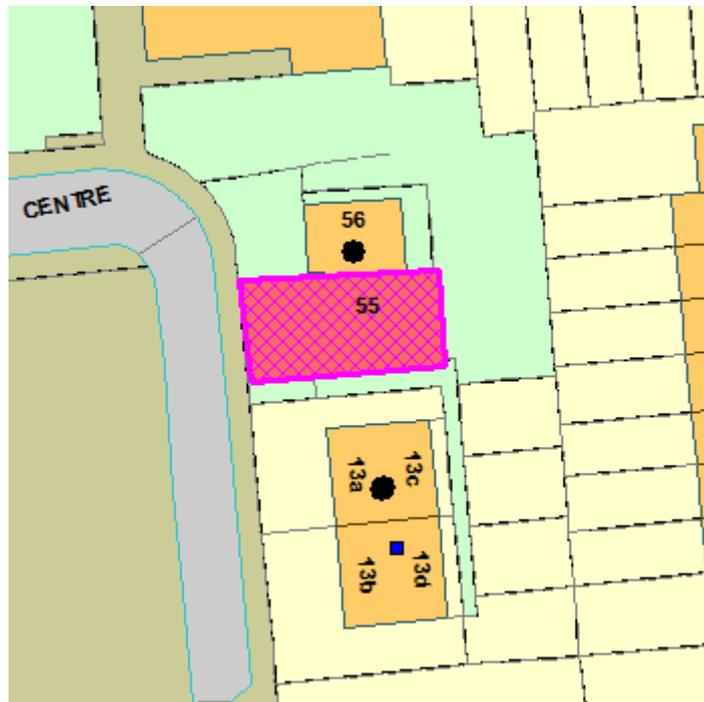
TITLE:

F/TH/18/0347

Project

12 St Johns Crescent Ramsgate Kent CT12 6FF

Scale:



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UPDATE ON APPEAL DECISIONS

Planning Committee – 16 May 2018

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

Portfolio Holder ***Cllr Jason Savage, Planning (Development Control)***

Classification: Unrestricted

Executive Summary:

This report advises Members on the planning appeals that were decided during the period from April 2017 to March 2018 (inclusive), including the decision of each appeal.

Recommendation:

Members note the report.

CORPORATE IMPLICATIONS

Financial and Value for Money	<p>Appeals are generally dealt with by Planning Officers and the cost absorbed within the cost of the service. In the case of Public Inquiries and occasionally hearings legal assistance will be necessary and this incurs additional costs. Furthermore, the Council can be liable to claims for costs at appeal. The advice from Government within the National Planning Practice Guidance sets out the circumstances in which costs may be awarded against either party in planning appeals. Costs may be awarded where a party has behaved unreasonably; and the unreasonable behaviour has directly caused another party to incur unnecessary or wasted expense in the appeal process. Costs may be awarded following an application by the appellant or unilaterally by the Inspector. An authority is considered to have behaved unreasonably if it does not produce evidence to substantiate each reason for refusal.</p> <p>The advice outlines is that if officers' professional or technical advice is not followed, authorities will need to show reasonable planning grounds for taking a contrary decision and produce relevant evidence on appeal to support the decision in all respects. If they fail to do so, costs may be awarded against the authority.</p> <p>There are no funds allocated for any potential fines meaning cost awards will result in spend that is outside of the budgetary framework.</p>
Legal	None

Corporate	The Corporate target for appeals is for <u>no more than</u> 30% to be allowed. The current position for the period referred to in this report is 33% of appeals have been allowed and as such we have fallen short of the target.
Equalities Act 2010 & Public Sector Equality Duty	<p>Members are reminded of the requirement, under the Public Sector Equality Duty (section 149 of the Equality Act 2010) to have due regard to the aims of the Duty at the time the decision is taken. The aims of the Duty are: (i) eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act, (ii) advance equality of opportunity between people who share a protected characteristic and people who do not share it, and (iii) foster good relations between people who share a protected characteristic and people who do not share it.</p> <p>Protected characteristics: age, gender, disability, race, sexual orientation, gender reassignment, religion or belief and pregnancy & maternity. Only aim (i) of the Duty applies to Marriage & civil partnership.</p> <p>the opinion of the author of this report the Public Sector equality duty is not engaged or affected by this report.</p>

1.0 Introduction and Background

- 1.1 Applicants for planning permission have the right of appeal if the council refuses planning permission or when the council has failed to decide an application within the statutory time period which, in most cases, is 8 weeks or in the case of major applications 13 weeks.

2.0 The Current Situation

- 2.1 Annex 1 to this report lists each of the applications that were decided at appeal between the months of April 2017 and March 2018 (inclusive). The annex identifies the site, proposal as well as the outcome of the appeal (ALC – Allowed subject to conditions, DIS – Appeal dismissed, NPW – not proceeded with) and who took the decision to refuse the application (DPO – Delegated to planning officers, CTE – Planning Committee).
- 2.2 The number of appeals decided over the period was **46**.
- 2.3 The Council has been successful in defending 67% of appeals for the period.
- 2.4 The figure for the appeals that were allowed was 33% which falls short of the 30% target that we aim to achieve.

3.0 Cost awards

- 3.1 Two cost appeals by applicant in the same period were successful against the Council's refusal of planning permission. These were from the refusal of a proposal to change the use of a property into a House in Multiple Occupation at 14 Wyndham Avenue Margate, and from the refusal of the proposal to erect 36 dwellings at the land adjacent to 66 Monkton Road Minster. The final settlement for these cost appeals were £6297 and £7355.06. Both costs appeal decisions are found at Annex 2 and 3.

Agenda Item 5

Contact Officer:	Iain Livingstone, Planning Applications Manager
Reporting to:	Bob Porter, Head of Housing and Planning

Annex List

Annex 1	Appeals Decided between 1 April 2017 and 31 March 2018
Annex 2	Successful Cost Appeal Decision for 66 Monkton Road, Minster.
Annex 3	Successful Cost Appeal Decision for 14 Wyndham Avenue, Margate

Corporate Consultation

Finance	Matthew Sanham, Corporate Finance Manager, 02/05/2018
Legal	Tim Howes, Director of Corporate Governance, 01/05/2018

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REFVAL	ADDRESS	PROPOSAL	Appeal Decision	Decision	DECTYPE	Determination Date
OL/TH/16/0654	66 Monkton RoadMinsterRAMSGATEKentCT12 4EE	Outline application with some matters reserved including access, for the	3/4/2017	ALC	CTE	16/8/2016
F/TH/16/1001	Land Adjacent 7Southwood GardensRAMSGATEKent	Erection of two storey dwelling, following demolition of existing side exte	26/4/2017	DIS		14/9/2016
F/TH/16/1120	Land Between 89 And 91Gladstone RoadBROADSTAIRSKent	Erection of 1No. bungalow	26/4/2017	DIS	DPO	18/11/2016
F/TH/16/1474	Rose Inn13 Albion StreetBROADSTAIRSKentCT10 1LU	Variation of condition 2 of F/TH/13/0989 (Change of use to restaurant at	26/4/2017	ALC	DPO	16/12/2016
F/TH/16/0367	Land Rear Of 17Sea RoadWestgate On SeaKent	Erection of 1no. detached two storey dwelling	26/4/2017	DIS	CTE	7/5/2016
FH/TH/16/1106	82 Westgate Bay AvenueWestgate On SeaKentCT8 8NY	Retrospective application for installation of UPVC windows.	2/5/2017	DIS	DPO	15/11/2016
F/TH/16/0842	Land Rear Of 10Freemans RoadRAMSGATEKent	Erection of a single storey dwelling with associated access onto Freemans	22/5/2017	ALC	DPO	12/8/2016
F/TH/16/1105	Land Rear Of 24Devon GardensBIRCHINGTONKent	Erection of bungalow together with access onto Dorset Gardens	23/5/2017	ALC	DPO	5/10/2016
F/TH/16/1232	MizuriNorman RoadBROADSTAIRSKentCT10 3BZ	Erection of two storey dwelling	24/5/2017	ALC	CTE	2/11/2016
FH/TH/16/1342	224 High StreetMARGATEKentCT9 1LG	Erection of a first floor extension	21/6/2017	DIS	DPO	6/12/2016
L/TH/16/0976	East Northdown HouseEast NorthdownMargateKentCT9 3TS	Application for listed building consent for replacement of ground floor sic	27/6/2017	DIS	DPO	7/9/2016
F/TH/16/1595	11 Westonville AvenueMARGATEKentCT9 5DY	Erection of garage with flat above following demolition of existing garage	3/7/2017	DIS	DPO	25/1/2017
F/TH/16/1749	22 Grosvenor RoadBROADSTAIRSKentCT10 2BT	Change of use from office to a two storey dwelling, including a two storey	6/7/2017	DIS	DPO	16/2/2017
F/TH/15/0459	Manston Airport Cargo Centre & Responding Vehicle Point, S	Change of use from airport use to storage and distribution use	13/7/2017	DIS		5/8/2015
F/TH/15/0458	Building 4, Manston Airport, Spitfire Way, Manston, Ramsga	Change of use from airport use to general industrial use	13/7/2017	DIS		5/8/2015
F/TH/15/0457	Building 870, Manston Airport, Manston, Ramsgate, CT12 5B	Change of use from airport use to general industrial use together with fo	13/7/2017	DIS	CTE	3/8/2015
F/TH/15/0460	Building South Of Terminal (Hanger 1), Manston Airport, Mai	Change of use from airport use to general industrial for a temporary peric	13/7/2017	DIS		5/8/2015
F/TH/16/1517	Barn OwlsPreston RoadRAMSGATEKentCT12 5AS	Change of use of existing agricultural barn into 1No. 4 bedroom residenti	31/7/2017	DIS	DPO	3/1/2017
L/TH/16/1668	Cliff HouseRose HillRAMSGATEKentCT11 9HX	Application for Listed Building Consent for the erection of first floor exter	16/8/2017	ALC	DPO	31/1/2017
FH/TH/16/1667	Cliff HouseRose HillRAMSGATEKentCT11 9HX	Erection of first floor extension.	16/8/2017	ALC	DPO	31/1/2017
F/TH/16/0924	Land Formerly Used As Club Union Convalescent HomeReadi	Erection of 30 dwellings together with associated access and landscaping	22/8/2017	DIS	CTE	20/10/2016
FH/TH/17/0025	15 Warre AvenueRAMSGATEKentCT11 0HD	Erection of a first floor pitched roof rear extension with balconies at first	25/8/2017	DIS	DPO	14/3/2017
F/TH/16/1571	Garage Block34 - 36 St Peters RoadBROADSTAIRSKent	Erection of four storey building comprising 7no. 2 bed flats with associate	9/10/2017	ALC	DPO	12/1/2017
F/TH/16/1471	17 Parsonage FieldsMonktonRAMSGATEKentCT12 4JL	Erection of a linked-detached chalet style bungalow following demolition	11/10/2017	ALC		12/1/2017
FH/TH/17/0413	9 Rutland AvenueMARGATEKentCT9 3AX	Erection of first floor side extension	27/10/2017	DIS	DPO	2/6/2017
A/TH/17/0056	89 Ramsgate RoadMARGATEKentCT9 5SA	Erection and display of 2no. non-illuminated advertisement boards to sid	7/11/2017	DIS	DPO	12/4/2017
F/TH/16/1507	Land Adjacent 47St Peters RoadBROADSTAIRSKent	Erection of a 3 bed dwelling.	15/11/2017	DIS	DPO	30/1/2017
F/TH/17/0139	Land Rear Of 10Cornford RoadBIRCHINGTONKent	Erection of a detached 2-storey dwelling	16/11/2017	DIS	CTE	29/3/2017
FH/TH/17/0052	25 Canterbury Road EastRAMSGATEKentCT11 0JX	Erection of single storey detached outbuilding to front of property	24/11/2017	DIS	DPO	9/3/2017
OL/TH/16/1473	Land South OfBriary CloseMARGATEKent	Application for outline planning permission for the erection of up to 24nc	14/12/2017	ALC	DPO	20/1/2017

A/TH/17/0928	5 High StreetRAMSGATEKentCT11 9AB	Erection and display of 1no. internally illuminated fascia sign, 1no. intern;	21/12/2017	NPW	DPO	31/8/2017
FH/TH/17/0208	48 St Benets RoadWestgate On SeaKentCT8 8DZ	Erection of single storey rear extension, together with installation of dorm	22/12/2017	DIS	DPO	4/5/2017
FH/TH/17/0799	Sunnyside CottageDevonshire TerraceBROADSTAIRSKentCT1	Erection of 1.7m wall to front following demolition of existing gate and p	22/12/2017	ALC	DPO	28/7/2017
F/TH/17/0595	Land To The Rear Of 19 And 20Dane Hill RowMARGATEKent	Erection of 2No 3 Bedroom semi-detached houses fronting Booth Place	12/1/2018	DIS	DPO	19/6/2017
FH/TH/17/0807	4 Bowes AvenueMARGATEKentCT9 5EP	Retrospective application for the erection of 1.8m fence to the front bou	12/1/2018	DIS	DPO	13/9/2017
F/TH/17/0814	Devonhurst Hotel13 Eastern EsplanadeBROADSTAIRSKentCT	Erection of balconies to front second floor bedrooms and replacement of	15/1/2018	DIS	DPO	15/8/2017
F/TH/17/0044	Land Adjacent 38Poets CornerMARGATEKent	Erection of a 2-bed detached bungalow	15/1/2018	DIS	DPO	10/3/2017
F/TH/17/1060	28 - 30 Fort HillMARGATEKentCT9 1HD	Alterations to roof to provide roof terraces comprising steel and glazed b	15/1/2018	DIS	DPO	13/9/2017
FH/TH/17/0873	30 Vale SquareRAMSGATEKentCT11 9DB	Erection of second storey extension to rear together with alterations to r	16/1/2018	NPW	DPO	9/8/2017
OL/TH/17/0195	Land Adjacent 12 To 14Fort RoadMARGATEKentCT9 1HF	Outline application with some matters reserved for the erection of 3No. t	16/1/2018	ALC	CTE	5/4/2017
OL/TH/16/0394	Former British Gas SiteNorthdown RoadBROADSTAIRSKentC	Outline application with some matters reserved (layout, appearance, lanc	17/1/2018	DIS	DPO	11/7/2016
F/TH/16/1771	58 Park RoadRAMSGATEKentCT11 9TJ	Variation of condition 1 attached to planning permission F/TH/16/0568 fo	18/1/2018	ALC	DPO	28/2/2017
F/TH/17/1168	62 Albion StreetBROADSTAIRSKentCT10 1NF	Retrospective application for the partial demolition of the rear boundary	31/1/2018	DIS	DPO	10/10/2017
F/TH/16/1414	24 Harbour StreetRAMSGATEKentCT11 8HA	Retrospective change of use of part of ground floor from retail (Use Class	6/2/2018	ALC	CTE	2/12/2016
FH/TH/17/1052	13 Carlton AvenueBROADSTAIRSKentCT10 1AB	Erection of single storey front extension together with alterations to roof	6/2/2018	DIS	DPO	11/9/2017
F/TH/16/1271	Former St Mary Magdalene ChurchWoodchurch RoadBIRCHI	Erection of 2No. two storey dwellings with access and parking	22/3/2018	DIS	CTE	9/11/2016
F/TH/17/0355	Land To The Rear Of Lynton Court MansionsEastern Esplanac	Erection of a 5 storey building containing 5No. self contained flats with as	26/3/2018	DIS	DPO	29/5/2017

Costs Decision

Site visit made on 13 March 2017

by David Reed BSc DipTP DMS MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 3 April 2017

Costs application in relation to Appeal Ref: APP/Z2260/W/16/3164748 66 Monkton Road, Minster, Ramsgate CT12 4EE

- The application is made under the Town and Country Planning Act 1990, sections 78, 322 and Schedule 6, and the Local Government Act 1972, section 250(5).
 - The application is made by Crabtree & Crabtree (Minster) Ltd for a full award of costs against Thanet District Council.
 - The appeal was against the refusal of planning permission for the change of use of land and erection of 36 dwellings with construction of new access from Monkton Road, associated new internal access roads, drainage and landscaping.
-

Decision

1. The application for an award of costs is allowed in the terms set out below.

Reasons

2. Planning Practice Guidance advises that, irrespective of the outcome of the appeal, costs may only be awarded against a party who has behaved unreasonably and thereby caused the party applying for costs to incur unnecessary or wasted expense in the appeal process.
3. In this case, the appellant argues that the Council acted unreasonably in refusing the application contrary to the advice of its planning officers. This led to an unnecessary appeal, wasting both time and expense in order to obtain planning permission which should have been granted by the Council.
4. The Council, acting in its role as local planning authority, is not bound to accept the advice of its officers providing there are reasonable grounds for taking a contrary decision and evidence is produced to substantiate each reason for refusal on appeal. The application was refused for two reasons.
5. The first was that the loss of this open countryside site would be detrimental to the rural character of the area and reduce the gap between the villages of Minster and Monkton. However, no detailed evidence was submitted to support this assertion or dispute the appellant's landscape appraisal report. The site is visually very well contained and does not contribute to the open countryside gap between the two villages.
6. The second reason was that the proposal would result in significant harm to the character and setting of the Grade II listed building Eden Hall. However, the initial report to Committee indicated that the Council's Conservation Officer had no objection to the proposal, observing that the development could be designed in a manner that would not affect the setting of the listed building and that this could be dealt with at reserved matters stage. The subsequent

objection of the Conservation Officer includes little new information to justify a different view and therefore does not comprise persuasive evidence.

7. In summary, neither of the Council's reasons for refusal were supported by clear or substantive evidence at appeal. Importantly, in the absence of a five year supply of deliverable housing sites, the policy test in paragraph 14 of the National Planning Policy Framework is that permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. The need for additional housing in Thanet is not in dispute and the two adverse impacts of the proposal identified by the Council fell so far short of this policy test that to pursue them at appeal was unreasonable.
8. The Council therefore behaved unreasonably in refusing the application without adequate reasons that could be substantiated at appeal. By delaying a development which should clearly be permitted the Council have acted unreasonably and caused the appellant unnecessary and wasted expense in needing to pursue an appeal.
9. I therefore find that unreasonable behaviour resulting in unnecessary or wasted expense, as described in Planning Practice Guidance, has been demonstrated and that a full award of costs is justified.

Costs Order

10. In exercise of the powers under section 250(5) of the Local Government Act 1972 and Schedule 6 of the Town and Country Planning Act 1990 as amended, and all other enabling powers in that behalf, IT IS HEREBY ORDERED that Thanet District Council shall pay to Crabtree & Crabtree (Minster) Ltd, the costs of the appeal proceedings described in the heading of this decision.
11. The applicant is now invited to submit to Thanet District Council, to whom a copy of this decision has been sent, details of those costs with a view to reaching agreement as to the amount.

David Reed

INSPECTOR



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John Elvidge
John Elvidge Planning Consultancy
The Old Stable Block
King George VI Memorial Park
Montefiore Avenue
Ramsgate
Kent CT11 8BD

Your Ref:

Our Ref:

(1) APP/Z2260/W/16/3142509

(2) APP/Z2260/C/16/3142650

Date: 19 July 2017

Dear Sir

**LOCAL GOVERNMENT ACT 1972 - SECTION 250(5)
TOWN AND COUNTRY PLANNING ACT 1990 – SECTIONS 78, 174 AND 322
LAND AT 14 WYNDHAM AVENUE, MARGATE
APPEALS BY MR OLEKSIY GORDIYCHUK
APPLICATION FOR COSTS**

1. I am directed by the Secretary of State for Communities and Local Government to refer to the Planning Inspector's decision dated 24 October 2016 regarding the above appeals. They were against Thanet District Council's decisions in respect of:

(1) the refusal, dated 22 October 2015, of planning permission (retrospective – ref: F/TH/15/0600) for change of use and conversion of dwelling into a house of multiple occupation (C4)

(2) the issue of an enforcement notice dated 15 January 2016 alleging a breach of planning control by, without planning permission, the material change of use of the dwelling house to a house in multiple occupation

concerning land described above.

2. With apology for delay¹ this letter deals with the appellant's application for a full award of costs against the Council as made in written correspondence dated 13 April 2016 and 12 April 2017. The Council replied on 4 April 2017. The parties' costs submissions, which have been cross-copied, have been carefully considered.

Summary of the decision

3. The costs application succeeds and a full award of costs is being made. The formal decision and costs order are set out in paragraphs 15 and 16 below.

¹ The Inspectorate's procedural letter of 29 March 2017 explained the circumstances in which the Secretary of State had decided to deal with the costs application following the issue of the Planning Inspector's decision on the appeal.



Basis for determining the costs application

4. In planning and enforcement notice appeals the parties are normally expected to meet their own expenses irrespective of the outcome. Costs are awarded only on the grounds of "unreasonable" behaviour resulting in unnecessary or wasted expense.

5. Section 322 of the Town and Country Planning Act 1990 enables the Secretary of State to award appeal costs against any party in proceedings which do not give rise to a local inquiry where it is found that one of the parties to the appeal(s) has behaved unreasonably and the expense incurred by any of the other parties is wasted as a result.

6. The application for costs has been considered in the light of current Government guidance on awards of appeal costs (as published on the Gov.uk website under "Appeals"), the Planning Inspector's decision on the appeals, the appeal papers, the written costs correspondence and all the relevant circumstances.

Reasons for decision

7. All the available evidence has been carefully considered. Particular regard has been paid to paragraphs 049 of the costs policy guidance. The decisive issue is whether or not the Council acted unreasonably, causing the appellant to incur unnecessary appeal expense, by (1) failing to produce evidence on appeal to substantiate their reasons for refusing planning permission and whether or not the Council made vague or generalised assertions about the impact of the proposal unsupported by any objective analysis; and (2) considering it expedient to issue the enforcement notice.

8. It is noted that the planning application was presented to the Planning Committee with a recommendation for approval (subject to conditions). The Council's appeal statement records that the Planning Officer considered that the development would not result in an intensification or concentration (HMO use) detrimental to the amenity and character of the neighbourhood or harm to highway safety and the scheme would provide an adequate standard of accommodation for future occupiers. However, Committee Members did not accept the officer's recommendation to grant planning permission. The Committee considered that the location and intensified use of the building resulted in noise, disturbance and visual impact detrimental to the character and amenity of the locality, and that the number of occupants and lack of off-street parking provision had increased the demand for on-street parking to the inconvenience of local residents and causing harm to the residential amenity of the area.

9. In support of the costs application the appellant contended that there was no evidence that the use of the property as a HMO had resulted in any degree of noise, disturbance and visual impact to the detriment to the character and amenity of the locality. And the grounds of appeal mentioned that no complaints had been received since 1st October 2014 and that letters in support of the development had been submitted by occupiers of one of the immediately adjacent properties. The appellant also pointed out that the historic use of the property was, for many years, in an intensive form of residential accommodation as five flats (each occupied at one time or another by two persons producing a theoretical capacity of ten persons – just one less than the current occupancy). And, in the event of noise and disturbance issues the appellant pointed out that the Planning Officer's report stated that, as with any other property, this could be dealt with under environmental health legislation via noise complaints procedures. As regards the second reason for refusal Planning Officers had concluded that there was no evidence to support a highway ground. Kent Highway Services had stated that, bearing in mind the existing parking situation, any increase in demand for on-street parking was unlikely to create highway issues. The appellant also stated that, notwithstanding the absence of any evidence of highway related harm, he had undertaken a survey to establish whether the roads in the local area were at capacity such that there were

no available parking spaces – the survey results showed that at no time was the area at capacity.

10. In granting planning permission on appeal the Planning Inspector concluded that the development did not adversely affect the living conditions of adjacent residents and did not conflict with Policies H11 and D1 in the Thanet Local Plan 2006. In terms of parking he also concluded that the development did not have a material effect on the living conditions of residents. He observed that the development was in a highly sustainable location and did not exacerbate parking pressures to any appreciable degree.

Conclusions

11. Committee Members are not bound to accept the recommendations of their professional officers but if their advice is not followed a local planning authority will need to show reasonable planning grounds for taking a contrary decision and provide relevant evidence on appeal to support the decision in all respects.

12. Having considered the available information the Secretary of State concludes that the Council have failed to show, with reference to cogent evidence, that they had reasonable grounds for taking a contrary decision to the professional officers and in deciding to refuse planning permission for the stated reasons. The Council have not countered the evidence put forward in support of the appeal other than in terms of expressing generalised assertions about the impact of the proposed development. In short, the Council have not provided realistic and specific evidence to show clearly why the development could not be permitted. It follows that it should also not have been necessary for the Council to issue the related enforcement notice.

13. In the circumstances described the Secretary of State concludes that, within the scope of the costs policy guidance, the Council acted unreasonably with the result that the appellant incurred unnecessary expense in submitting and pursuing the planning appeal and related enforcement notice appeal. A full award of costs is therefore considered justified in the particular circumstances.

14. For the avoidance of doubt, the Secretary of State does not decide the amount of costs payable. This is for the parties' agreement or via an application for a detailed assessment in the Senior Courts Costs Office.

FORMAL DECISION

15. For these reasons, it is concluded that a full award of costs against the Council, on grounds of "unreasonable" behaviour resulting in unnecessary or wasted expense, is justified in the particular circumstances.

COSTS ORDER

16. Accordingly, the Secretary of State for Communities and Local Government in exercise of his powers under section 250(5) of the Local Government Act 1972, and sections 78, 174 and 322 of the Town and Country Planning Act 1990, and all other powers enabling him in that behalf, **HEREBY ORDERS** that Thanet District Council shall pay to Mr Oleksiy Gordiychuk his costs of the appeal proceedings before the Secretary of State; such costs to be assessed in the Senior Courts Costs Office if not agreed. The proceedings concerned the appeals more particularly described in paragraph 1 above.

Agenda Item 5

17. You are now invited, on behalf of the appellant, to submit to Helen Johnson (Neighbourhood Planning Officer) at Thanet District Council details of those costs with a view to reaching agreement on the amount. A copy of this decision letter has been sent to her.

Yours faithfully

John Gardner

JOHN GARDNER
Authorised by the Secretary of State
to sign in that behalf

Planning Application OL/TH/16/1416 – Land Adjoining 1 Chilton Lane and Canterbury Road East, Ramsgate

Planning Committee – 16 May 2018

Report Author **Emma Fibbens, Principal Planning Officer**

Portfolio Holder **Cllr Jason Savage, Planning (Development Control)**

Status **For Decision**

Classification: **Unrestricted**

Previously Considered by **Planning Committee 19th July 2017**

Ward: **Cliffsend and Pegwell**

Executive Summary:

This report concerns the planning application for the erection of 14no. detached dwellings on land adjoining 1 Chilton Lane and Canterbury Road East, Ramsgate, under reference OL/TH/16/1416. The application was considered by the Planning Committee on 19th July 2017 where Members resolved to approve the application subject to the receipt of an acceptable Section 106 agreement securing 30% of dwellings on site to be affordable units, and financial contributions as set out within the Heads of Terms.

A request has been submitted by the developer to omit the provision of on-site affordable housing, and instead to provide a financial contribution towards affordable housing in the form of £166,288. The planning application is therefore reported back to Members for approval of a financial contribution towards affordable housing rather than on-site provision of affordable housing. The affordable housing contribution would be provided alongside all other financial contributions as previously agreed by members at the 19th July 2017 planning committee.

Recommendation:

Members approve the planning application subject to submission and approval of a legal agreement securing the financial contributions as stated, with on-site affordable housing omitted from the scheme.

CORPORATE IMPLICATIONS

Financial and Value for Money	The Planning Committee is not bound to follow the advice of Officers. However, should Members decide not to accept the advice of Officers it should be mindful of the potential cost implications in doing so.
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Agenda Item 6

	<p>The advice from Government within the National Planning Practice Guidance sets out the circumstances in which costs may be awarded against either party in planning appeals. Costs may be awarded where a party has behaved unreasonably; and the unreasonable behaviour has directly caused another party to incur unnecessary or wasted expense in the appeal process. Costs may be awarded following an application by the appellants or unilaterally by the Inspector. An authority is considered to have behaved unreasonably if it does not produce evidence to substantiate each reason for refusal.</p> <p>The advice outlined is that if officers' professional or technical advice is not followed, authorities will need to show reasonable planning grounds for taking a contrary decision and produce relevant evidence on appeal to support the decision in all respects. If they fail to do so, costs may be awarded against the authority. There are no funds allocated for any potential fines meaning cost awards will result in spend that is outside of the budgetary framework.</p>
<p>Legal</p>	<p>The Planning Committee is not bound to follow the advice of Officers. However, if officers' professional or technical advice is not followed, authorities will need to show reasonable planning grounds for taking a contrary decision and produce relevant evidence on appeal to support the decision in all respects. If they fail to do so, costs may be awarded against the authority.</p> <p>The reasons for any decision must be formally recorded in the minutes and a copy placed on file.</p> <p>If Members decide not to accept the advice of Officers it should be mindful of the potential for legal challenge and associated cost implications.</p> <p>The advice from Government within the National Planning Practice Guidance sets out the circumstances in which costs may be awarded against either party in planning appeals. Costs may be awarded where a party has behaved unreasonably; and the unreasonable behaviour has directly caused another party to incur unnecessary or wasted expense in the appeal process. Costs may be awarded following an application by the appellants or unilaterally by the Inspector. An authority is considered to have behaved unreasonably if it does not produce evidence to substantiate each reason for refusal.</p>
<p>Corporate</p>	<p>The delivery of new housing through the Local Plan and planning applications supports the Council's priorities of supporting neighbourhoods ensuring local residents have access to good quality housing, and promoting inward investment through setting planning strategies and policies that support growth of the economy.</p>
<p>Equalities Act 2010 & Public Sector Equality Duty</p>	<p>Members are reminded of the requirement, under the Public Sector Equality Duty (section 149 of the Equality Act 2010) to have due regard to the aims of the Duty at the time the decision is taken. The aims of the Duty are: (i) eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act, (ii) advance equality of opportunity between people who share a protected characteristic and</p>

	<p>people who do not share it, and (iii) foster good relations between people who share a protected characteristic and people who do not share it.</p> <p>Protected characteristics: age, gender, disability, race, sexual orientation, gender reassignment, religion or belief and pregnancy & maternity. Only aim (i) of the Duty applies to Marriage & civil partnership.</p> <p>the opinion of the author of this report the Public Sector equality duty is not engaged or affected by this decision.</p>
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1.0 Introduction

- 1.1 The report taken to Members on the 19th July 2017 (Annex 1) proposed the provision of 4no. affordable housing units within the 14no. house development (reference OL/TH/16/1416). Affordable housing was required on the basis that the site exceeds 0.5 hectares in size, and therefore the provision of affordable housing is required as stated within Policy H14 of the Thanet Local Plan. The affordable housing provision agreed by members was in the form of 2no. 4-bed units and 2no. 5-bed units.
- 1.2 Subsequent to this resolution, no draft agreement has been received, and in November 2017 the applicant submitted a viability assessment for the proposed development. The applicant now proposes a financial contribution of £166,288 towards affordable housing (along with all other financial contributions as previously agreed), on grounds that the development would not be viable with 30% on-site provision of affordable housing. This report is to analyse the findings of the report, and to offer a recommendation to the Planning Committee about whether to approve the revised application.

2.0 Viability in Planning Applications for Housing

- 2.1 The National Planning Policy Framework (NPPF) outlines a core planning principle that “in decision-taking local planning authorities should encourage the effective use of land by re-using land that has been previously developed (brownfield land)”. Specifically the National Planning Practice Guidance (NPPG), which underpins the NPPF, states that “to incentivise the bringing back into use of brownfield sites, local planning authorities should take a flexible approach in seeking levels of planning obligations and other contributions to ensure that the combined total impact does not make a site unviable”.
- 2.2 Decisions on planning applications must be underpinned by an understanding of viability, ensuring realistic decisions are made to support development and promote economic growth. Assessing viability requires a realistic understanding of the costs and the value of development in the local area and an understanding of the operation of the market, and should be based on current costs and values. The NPPG states that where viability of a scheme is in question, “local planning authorities should look to be flexible in applying policy requirements wherever possible”.
- 2.3 A site is viable if the value generated by its development, the Gross Development Value (GDV), exceeds the costs of developing it and also provides sufficient incentive for the land to come forward and the development to be undertaken. The accepted

methodology for assessing this is the residual land value method. This calculates the estimated GDV from the development, subtracts the development cost (including the developer's profit at an agreed level) and compares this residual land value against the existing use value of the land. The uplift from the current value of the land to the residual land value should provide a competitive return to induce a landowner to sell the site for development or develop the site.

3.0 Key considerations

- 3.1 The relevant Local Plan Policies for considering planning obligations are Policy CF2 (Developer Contributions) and H14 (Affordable Housing). Policy CF2 states that where a proposed development would directly result in the need to provide new or upgraded community facilities (including transport infrastructure, educational or recreational facilities or affordable housing), the Council will negotiate with the applicant for a contribution towards the cost of such provision, and a planning obligation to secure the contribution will normally be sought. Policy H14 states that for development of the scale proposed, the Council will negotiate with the developer for the inclusion of an element of affordable housing on-site. In exceptional circumstances the Council will consider a commuted sum in lieu of direct provision where this will facilitate provision of affordable housing contributing to the objective of the housing strategy.
- 3.2 A viability assessment has been submitted by the appellant conducted by a chartered surveyor. The assessment takes into account local market evidence of sales values, up to date development costs, and registered housing provider responses in relation to on-site provision. The affordable housing financial contribution being offered is a result of removing the Benchmark Land Value from the Residual Land Value. The summary of the findings of this report are included at Annex 2. This assessment has been independently assessed by the Council's appointed viability consultant, who has provided comments to the Council (Annex 4).

Benchmark Land Value

- 3.3 The site comprises agricultural land of 0.81 hectares. The value of the land has been taken as approximately £160,000, which reflects an uplift from agricultural value based on the Council's Economic Viability Assessment of Development in Thanet report. The Council's viability consultants have advised that this existing use value is considered to be reasonable for a site of this nature. This figure has been stated within the viability tables as the Benchmark Land Value.

Findings from assessment

- 3.4 The Gross Development Value of the private market housing has been set between £3,030-£3,076 per sqm, which is based upon average sale prices in the area for 4-bed and 5-bed units. The Council's Viability Consultants have carried out their own desktop research of property values in the area, and consider that the proposed sales prices provided are reasonable.
- 3.5 An assumption of £150,000 for a 4-bed property and £157,000 for a 5-bed property have been given for the affordable units as shared ownership units. The Council's Viability Consultants have queried these values, with the expectation of much higher

values. In any event, the applicant has provided evidence of communication received from 4no. affordable housing providers, all of whom have advised that they have no interest in taking on the affordable units either due to the large size of the units (4-bed and 5-bed) or the number, which fall significantly below their thresholds of 10-20 units on a site.

A Total Gross Development Value of £6,150,000 is therefore indicated for the development on the basis of 100% private market housing being provided.

Cost assumptions

- 3.6 The cost assumptions for the development include construction costs (houses, infrastructure), other costs (site clearance, contingency allowance), finance costs (rate of borrowing for build out programme) etc. These assumptions have been queried by the Council's Viability Consultants, specifically the contingency cost, for which 10% has been stated rather than a general assumption of 3-5%; legal fees, for which costs of £2,250 per unit have been indicated, rather than an expected cost of £750 per unit; and agent's and marketing fee, for which 3% of GDV has been applied rather than an expected 1.5% plus marketing costs. In response to this the applicant has provided evidence of the costings to address the legal and agent/marketing fee queries. With regards to the contingency, the applicant has advised that the excessive contingency level was to counterbalance the build cost quotes they had received, which totalled the build costs of the development above that identified within the viability assessment. For transparency reasons the applicant has been advised to update the build costs figures within the viability assessment (see Annex 6), thus allowing the contingency level to be reduced to a more reasonable level of 5%. Based upon the updated figures and evidence submitted, the projected costs of developing the site of £5,823,712 are not now considered to be unreasonable for the purposes of assessing viability on this particular site, as confirmed by the Council's Viability Consultants.

Developer Profit

- 3.7 A developer profit allowance of 17.5% of GDV of the market housing and 6% on the affordable housing has been assumed within the viability report, with a total profit of £1,076,250. This is within the range of 15%-20% profit that is considered to be reasonable to enable the development to be delivered, as agreed by the Council's Viability Consultants.

Planning Obligations

- 3.8 Financial contributions towards primary and secondary school provision, library provision, play equipment at Nethercourt play area, and a SPA contribution are all proposed in full in the form of £117,849, in accordance with the details contained within the Heads of Terms section of the previous committee report contained within Annex 1.
- 3.9 The Residual Land Value (Gross Development Value minus total cost of developing the site, as updated with corrected build cost figures and contingency) is £326,288, on the basis of 100% market housing, which is above the Benchmark Land value (see paragraph 3.3) by £166,288. Notwithstanding the evidence produced that an

on-site provider for affordable units on this site cannot be found, the figures produced through the viability report show that the site would be unlikely to support a reduction in GDV that would result from the provision of 4 affordable units, as the reduction would compromise the deliverability of the scheme from an insufficient incentive for the land to come forward for development. Therefore for both viability and practical reasons, the provision of on-site affordable housing is not considered achievable. Instead the applicant has agreed to the provision of a financial contribution towards affordable housing in the sum of £166,288, which is the difference between the residual land value and the benchmark land value.

3.10 The Council's Viability Consultants have advised that they consider this to be an acceptable position, and suggest that the Council consider accepting this revised affordable housing offer. The Council's Housing Strategy and Projects Team Officer has commented that the commuted sum will be invested into the section 106 development programme to enable the delivery of affordable units across Thanet.

3.11 Therefore in conclusion, subject to a financial contribution of £166,288 towards affordable housing, along with all other financial contributions and the safeguarding conditions as outlined within the original planning committee report at Anne A, it is recommended that planning permission be granted in this specific instance.

4.0 Options

4.1 Members confirm that planning permission be deferred to officers for approval subject to securing a legal agreement for the provision of financial contributions as set out in the report and conditions outlined at Annex 1, including the provision of an affordable housing financial contribution in lieu of on-site affordable housing provision, as outlined in this report.

4.2 Members propose an alternative motion.

5.0 Recommendations

5.1 Officers recommend Members of the Planning Committee agree option 4.1.

Contact Officer:	<i>Emma Fibbens, Principal Planning Officer</i>
Reporting to:	<i>Iain Livingstone, Planning Applications Manager</i>

Annex List

<i>Annex 1</i>	<i>Planning Committee Schedule item 19th July 2017</i>
<i>Annex 2</i>	<i>Applicant's Viability Appraisal</i>
<i>Annex 3</i>	<i>Viability Tables</i>
<i>Annex 4</i>	<i>Council's Independent Review</i>
<i>Annex 5</i>	<i>Applicant's Rebuttal of the Review</i>
<i>Annex 6</i>	<i>Updated Viability Tables</i>

Corporate Consultation

Finance	Matthew Sanham, 3/05/18
Legal	Tim Howes, 4/05/18

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D04

OL/TH/16/1416

PROPOSAL: Outline application for erection of 14No. detached dwellings including access, layout and scale

LOCATION: Land Adjoining 1 Chilton Lane And Canterbury Road East
RAMSGATE Kent

WARD: Cliffsend And Pegwell

AGENT: Michael Collins

APPLICANT: Mr Rob Smith

RECOMMENDATION: Defer & Delegate

Subject to the following conditions:

1 Approval of the details of the layout, scale and appearance of any buildings to be erected, 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).

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

- i) Details of construction access point to the site
- ii) Parking and turning for delivery and site personnel vehicles
- iii) Wheel washing facilities
- iv) Any temporary traffic management required during construction (details of this should be agreed beforehand with the Streetworks Team)

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

GROUND:

In the interests of highway safety.

6 No development shall take place until the highway alterations shown on plan numbered 8250Z/02 Rev A, which include the provision of parking controls outside of the site, either side of the new access, have been completed.

GROUND:

In the interests of highway safety.

7 The areas shown on the approved plans for vehicle parking and turning shall be provided prior to the first occupation of the development hereby permitted, and thereafter maintained.

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.

8 Prior to the first occupation of the development hereby permitted, visibility splays of 120 metres x 2.4 metres x 120 metres shall be provided at the access, with no obstructions over 1 metre above carriageway level within the splays.

GROUND:

In the interests of highway safety.

9 Prior to the first occupation of the development hereby permitted, visibility splays of 0.5 metres x 18 metres into the site on both sides of the access, with no obstructions over 0.6m above footway level, shall be provided and thereafter maintained.

GROUND:

In the interests of highway safety.

10 No development hereby permitted shall commence until a detailed sustainable surface water drainage scheme for the site has been submitted to (and approved in writing

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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 within the curtilage of the site without an increase to the flood risk on or off-site. The drainage scheme shall also demonstrate that silt and pollutants resulting from the site use can be adequately managed to ensure there is no pollution risk to receiving waters.

GROUND:

To ensure that the principles of sustainable drainage are incorporated into this proposal without increasing the on and off-site flood risk, in accordance with the NPPF.

11 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 the ongoing efficiency of the surface water drainage system and to clarify the responsibilities for the post-construction care of the approved system, in accordance with the NPPF.

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

GROUND:

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

13 Details to be submitted in pursuant of condition 1 above for landscaping shall show:

- the use of a bound surface material for the first 5 metres of the access from the edge of the highway;
- a lighting design strategy for biodiversity, which shows how and where external lighting will be installed, and areas/features on site that are particularly sensitive for badgers and bats;
- details of how the development will enhance the quality and quantity of biodiversity on site;
- ecological enhancement measures to be provided on site, i.e. bat/bird boxes;
- the provision of mature tree planting within the site;
- retention of the tree planting to the northern boundary of the site.

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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, and the NPPF.

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

GROUND:

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

15 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.

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

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- (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.

17 The proposed development shall be carried out in accordance with the submitted application as amended by the revised drawings numbered 15128-05-C and 15128-06-B, received 27th June 2017, and the additional parking controls plan numbered 8250Z/02 Rev A, received 28th February 2017.

GROUND:

To secure the proper development of the area.

INFORMATIVES

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

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

A formal application for connection to the public sewerage system is required in order to service this development. 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 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/>

SITE, LOCATION AND DESCRIPTION

The site is located in the countryside, on the edge of the urban area of Ramsgate. There is existing residential development to the north and east of the site, which consists predominantly of large detached 2-storey dwellings, set within substantial plots. Directly opposite the site is a car garage, and adjacent to the northern boundary of the site is a bus stop and a pedestrian crossing, with a roundabout present to either end of the site on Canterbury Road East. To the south of the site are allotments.

The site itself consists of a large area of open space, which has previously been used as agricultural land, but is now unused and slightly overgrown. Trees exist along the northern boundary of the site, and an existing gate is located halfway along the site to provide access to the site; however, this would not appear to be a formal vehicular access to the site as the gate is adjacent to the pedestrian crossing.

RELEVANT PLANNING HISTORY

There is no relevant planning history for this site.

PROPOSED DEVELOPMENT

The application is in outline form, and is for the erection of 14no. dwellings, with consideration of access, layout and scale. The dwellings are all 2-storey in height and detached, and consist of 11no. 5-bedroom units and 3no. 4-bedroom units. The site is accessed using a single access onto Canterbury Road East, with an internal access road extending the width of the site. Each property is provided with a minimum of 2no. parking spaces, double garage and garden.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan 2006

H1 - Residential Development Sites
H4 - Windfall Sites
H14 - Affordable Housing
HE12 - Archaeological Assessment
TR12 - Cycling
TR16 - Car Parking Provision
D1 - Design Principles
D2 - Landscaping
SR5 - Playspace
CC1 - Development in Countryside
CC2 - Landscape Character Areas
EP13 - Groundwater Protection Zones
SR11 - Private Open Space
CF2 - Financial Contributions

NOTIFICATIONS

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

- Inadequate access,
- Inadequate parking provision,
- Increase in traffic,
- Increase in pollution,
- Out of keeping with area, density too high,
- Road is dangerous, and a reduced speed limit and double yellow lines should be introduced,
- Loss of privacy and outlook,
- Loss of gap separating Cliffsend and Pegwell.

Ramsgate Town Council - Fully support this application.

CONSULTATIONS

KCC Highways and Transportation - (*final comment*) I refer to the additional drawing number 8250Z/02 Rev A. submitted for the above and confirm I now have no objections in respect of highway matters. The proposal for 14 dwellings will not generate a significant increase in traffic on the highway network, with only around 7-8 additional vehicle movements in the network peak hours. The proposed access has suitable visibility and this can be maintained by the introduction of additional parking restrictions on the south side of Canterbury Road East as shown on the plans. The internal site road is to remain private but provides suitable access and turning for a refuse vehicle, and adequate car parking is provided within the site to ensure there is no unacceptable parking on the highway. The works to provide both the site access in the highway and the additional parking restrictions can be carried out by the developer through a legal agreement with the highway authority. No objections subject to safeguarding conditions.

(*initial comment*) I refer to the above planning application and would comment as follows:

1. The crash data submitted is not up to date and does not give details of the individual crashes. Such information should therefore be provided.
2. The site is within a 40 mph zone and therefore visibility splays of 120 metres x 2.4 metres x 120 metres are required at the access unless measured speeds indicate otherwise. These splays should be shown on the plans and be within land under the control of the applicant and/or the highway authority. The splay to the west can be measured to the centre line of the carriageway rather than the nearside edge as the existing traffic island will prevent overtaking on this approach.
3. There is existing on-street parking in Canterbury Road East along the site frontage which will obstruct the above visibility splays and this will therefore need to be prevented. Parking restrictions will therefore be required along this side of Canterbury Road as necessary to ensure the splays are clear, and these restrictions should be shown on the plans. The applicant will need to fund the implementation of these restrictions.
4. I am not aware of any previous discussions with the highway authority regarding a left-in/left-out only access arrangement, as suggested in the Transport Statement. This would

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not be necessary in capacity terms bearing in mind the small number of likely vehicle movements, and in any case is likely to be readily ignored due to the significant width of Canterbury Road East at the access point. A conventional major/minor junction arrangement would therefore be acceptable.

5. The application form indicates that a new public road is to be provided within the site, which presumably means the internal road is intended to be adopted by the highway authority. As layout is not a reserved matter suitable plans should be submitted to demonstrate that the proposed adoptable road is in accordance with Kent Design. These plans should show carriageways; footways; service margins; turning heads; speed restraint measures; dimensions; visibility splays/envelopes, and extent of the proposed adoption. Vehicle swept paths for an 11.2 metre refuse vehicle should also be provided to demonstrate that such a vehicle can negotiate the access junction and internal adoptable road and turning facilities in a suitable manner.

6. A pedestrian access point to/from the eastern part of the site is noted on the plan and should be provided. However, no footway is actually shown on the plans and further details should therefore be provided.

I wish to place a holding objection until the above matters have been satisfactorily resolved.

I would also comment that the amount of private car parking shown is acceptable and although garages are not counted as providing car parking under current guidance, each plot has sufficient driveway parking. However, three visitor spaces are required and these should be provided in lay-by format within the adoptable highway and distributed evenly throughout the site.

KCC Biodiversity - We are satisfied with the submitted reptile survey report, and as no reptiles were recorded, no further information will need to be submitted. As this was our only previous concern, we are satisfied that sufficient ecological information has been provided.

KCC Archaeology -I have read the study and examined the application. The site lies in a very high area of archaeological potential as set out in the study. Development here could affect important multi-period archaeological remains but in particular remains of prehistoric date relating to the important archaeology found on the Harbour Approach Road and the known crop mark complexes on Chalk Hill.

I note the site observation that the area has been buried under a layer of fill creating an embankment on the southern edge, this probably being spoil from the Nethercourt Estate development. Archaeology could therefore be effectively well preserved but sealed at an unknown depth.

I am unclear as to the exact nature of ground modification and ground works involved in the proposals and that would be a matter to consider when more details come forward. Given the present high archaeological potential but the unknown nature of the potential impact I would advise that provision is made in any permission granted for archaeological evaluation to be followed by appropriate mitigation of the impacts of development through either investigation or preservation.

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KCC SUDs - As Lead Local Flood Authority, Kent County Council are now able to remove its outstanding objection to this development.

The submitted drainage adequately strategy addresses all of our previously raised concerns, and demonstrates that the scheme proposed will work with the specific conditions encountered at the site. We welcome the intended use of individual plot soakaways, with separate soakaway systems for the driveways and highways. We would recommend that the Environment Agency are contacted prior to the submission of the detailed design to ensure that they are content with principle of the soakaways at the depths and locations proposed.

Environment Agency - We have assessed this application as having a low environmental risk. We therefore have no comments to make.

Southern Water - Our initial investigations indicate that there are no dedicated public surface water sewers in the area to serve this development. Alternative means of draining surface water from this development area required. Safeguarding condition requiring drainage details recommended.

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 upon your consultations with the EA to ensure the protection of the public water supply source.

KCC Accommodation - 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. This is in the form of £4535.00 per unit to primary education (Phase 1 new Ramsgate Primary Free School), £2,359.80 per unit to secondary education (Royal Harbour Secondary School Phase 2 works), and £48.02 per unit for libraries, towards the additional bookstock required to mitigate the impact of the additional borrowers generated from this development.

COMMENTS

The application is brought before Planning Committee as a departure to Local Plan Policy H1.

Principle

The site is non previously developed land outside of the urban confines. Policy CC1 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'.

Your proposal is for residential development. There is a current need for housing within Thanet. The NPPF states in para 49 that housing application should be considered in the context of the presumption in favour of sustainable development.

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The site is located on the edge of Ramsgate, close to Pegwell. It is within walking distance of a primary school and park, and also from shops and services both within Pegwell and St.Lawrence High Street. The site is also on a bus route. The site is therefore considered to be sustainably located.

Within the emerging draft Local Plan, the application site is allocated for residential development for a notional 27no. units. Whilst the application site would be a departure to current Local Plan Policy H1, the direction of travel of the new Policy document to allocate the site for housing development has some weight in decision-making to support a proposal for housing development on the site.

The development of this site for housing could therefore be accepted in principle as a departure to Policy H1 subject to the detailed consideration of all other material considerations including the impact upon the countryside and the character and appearance of the area, and the impact upon highway safety being acceptable.

Character and Appearance

The site is located within the countryside, and is an area of open grassland, with existing trees along the boundaries. The site is located between two roundabouts, and to the rear of the site is an existing allotment. It is not considered that the open space significantly contributes to the character and appearance of the area, and the proposed development would not appear isolated given the presence of existing residential development opposite and adjacent to the site. The site does not offer recreational opportunities, and given the presence of open space to the western and southern boundaries of this site, it is not considered that this site alone has intrinsically beneficial qualities that would prevent the release of this land to alternative uses.

The surrounding area is pre-dominantly characterised by large detached dwellings set within substantial plots. The proposal is for 14no.detached dwellings, with large driveways and deep gardens of approximately 20m. A single access into the site is provided, leading to an access road that extends the width of the site. The majority of the dwellings are setback from Canterbury Road East by approximately 40m, with large areas of landscaping to the front of the site. This is characteristic of the layout of dwellings on the opposite side of the road, close to the roundabout, where large areas of landscaping are also visible between the dwellings and the highway. Given the type of dwellings, the spacious layout, and the extensive landscaping provided to the front of the site, it is considered that the proposed development would appear in keeping with the pattern of surrounding development.

The application is in outline form only, with access, layout and scale for consideration. The central access point and general layout is acceptable. Only 3no. dwellings of those proposed are located adjacent to the front boundary of the site. Two of these have a 3m gap to the boundary and one has a 8m gap to the boundary. The dwellings with a 3m gap would appear more dominant from the street, given their forward location, however, all dwellings proposed are 2-storey in height, and the two closest to the boundary have a reduced eaves level, with dormer windows, so it is mainly the roof that would be visible above the boundary wall. Given the general spaciousness across the site, the 2-storey nature of the development, and the particular design of the closest dwellings to the road, it is not

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considered that the proposed development would significantly impact upon the character and appearance of the area, but instead would appear well integrated with existing surrounding development, and provide a good quality low density scheme (18 dwellings per hectare) that adequately portrays the transition between the urban area and the countryside.

Details of the appearance and landscaping, including materials, are to be submitted as part of a future reserved matters application.

The impact upon the character and appearance of the area is therefore considered to be acceptable, and in accordance with the NPPF and Policies CC1, SR11 and D1 of the Thanet Local Plan.

Living Conditions

The site adjoins only two neighbouring properties, both of which are to the east of the site, fronting Chilton Lane, and the roundabout between Chilton Lane and Canterbury Road East. The proposed development will be a minimum of 17m from the eastern boundary of the site, and 2m from the southern boundary of the site; and 27.5m from no. 1 Chilton Lane and 35.5m from no. 3 Chilton Lane. It is therefore considered that there will be no significant loss of light, outlook, or privacy from these neighbouring properties. Furthermore, the appearance of the dwellings is not being considered at this stage, and therefore the location of windows and their relationship with neighbouring properties will be assessed during the reserved matters application.

Neighbouring properties can be seen opposite the site, but these are a minimum distance of 35m from the proposed development, and will therefore not be affected.

Within the development itself, the relationship between dwellings with regards to light, outlook and privacy is considered to be acceptable due to their siting, and each of the proposed dwellings is provided with doorstep play space, in accordance with Policy SR5 of the Thanet Local Plan.

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

Transportation

The site is provided with a single access into the site, which will be located between the bus stop and the pedestrian crossing.

The application has been submitted with an access plan and a traffic statement. KCC Highways and Transportation have been consulted and raised initial concerns with the proposed scheme. Their recommendation was for the submission of up to date crash data; 120m x 2.4m x 120m visibility splays at the access to the site (due to the location of the site within a 40 mph zone); provision of parking restrictions either side of the access to ensure the visibility splays remain clear; vehicle tracking plans to show turning for refuse and emergency vehicles within the site; the removal of a left-in/left-out only access, and the provision of a footpath link between the proposed development and the public highway at the eastern side of the site.

A revised traffic statement and amended plan was submitted, and KCC have advised that they now have no objections, as they do not consider that the proposal for 14 dwellings will generate a significant increase in traffic on the highway network, given that there will only be around 7-8 additional vehicle movements in the network peak hours. The proposed access has suitable visibility, which can be maintained by the introduction of additional parking restrictions on the south side of Canterbury Road East, and the private internal access road provides suitable access and turning for refuse and emergency vehicles. Adequate car parking is also provided within the site to ensure there is no unacceptable parking on the highway, with a minimum of 2no. parking spaces and a double garage per property.

Overall, the impact upon highway safety is considered to be acceptable.

Size and Type of Housing

Policy H8 of the Thanet Local Plan requiring that 'on sites where 10 or more residential units are proposed, the council will require a mix of dwelling sizes and types to meet a range of community needs'. In addition, paragraph 50 of the NPPF advises that local planning authorities 'deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities'. Current evidence from the Strategic Housing Market Assessment (SHMA) suggests that there is a shortage of larger homes of three bedrooms and more, and therefore the Council will support proposals that incorporate a higher proportion of houses.

The proposal is for the erection of 11no. 5-bedroom units and 3no. 4-bedroom units. Whilst it would have been preferable to have seen a greater mix of unit sizes that incorporated some 3-bed units, there is a need for large family dwellings within the district. The site is restricted in its limited depth, and is in an area that is characterised by large plots containing large detached dwellings. Only 14no. dwellings are proposed, and therefore the limited mix of unit sizes would not significantly impact the surrounding area. In this instance, the size and type of units is considered to be acceptable.

Affordable Housing

Policy H14 requires that for development that exceeds 14 units, or for sites over 0.5 hectares, 30% affordable housing should be provided. The applicant has proposed 30% affordable housing, which equates to four of the fourteen units proposed. Of these four units, 2no. will be 4-bedroom units and 2no. will be 5-bedroom units. The Council's Strategic Housing Officer has been consulted and has advised that they are happy with the number and breakdown of the affordable units proposed, and recommend that given the size of the units, all of them should be provided as shared ownership. Subject to the submission of a legal agreement securing the provision of 30% housing, the affordable housing provision is considered to be acceptable and in accordance with Policy H14 of the Thanet Local Plan.

Impact on Trees

There are numerous trees both within and outside of the site, along the northern boundary. The proposal is to remove only 2no. trees, in order to achieve the required 120m x 2.4m x

120m visibility splays from the proposed access. All other trees are to remain, with minimal tree works to be carried out, including thinning and pruning, details of which are to be submitted as part of the landscaping reserved matters.

The impact upon the trees is therefore considered to be acceptable.

Drainage

Southern Water have advised that their initial investigations indicate there are no dedicated public surface water sewers in the area to serve this development, and therefore alternative means of draining surface water from this development area required.

Additional drainage details have been submitted, which show that permeable paving will be used, and a soakaway will be provided with each property. KCC SUDs have advised that the submitted drainage details demonstrate that the scheme proposed will work with the specific conditions encountered at the site, and they welcome the intended use of individual plot soakaways, with separate soakaway systems for the driveways and highways.

Subject to safeguarding conditions, the drainage strategy as proposed is considered to be acceptable.

Biodiversity

An ecological scoping survey was submitted with the application. The recommendations contained within the report were that a reptile survey be carried out, given that suitable habitats for reptiles were identified both on the site, and on the adjacent allotments to the south of the site.

A reptile survey has been submitted, which concluded that no reptiles were present on site. KCC Biodiversity have advised that they are satisfied with the submitted reptile survey report, and as no reptiles were recorded, no further information will need to be submitted, and they are satisfied that sufficient ecological information has been provided.

Archaeology

An Archaeological Desk Based Assessment has been submitted with the application. KCC have advised that the site lies in a very high area of archaeological potential as set out in the study, and therefore development here could affect important multi-period archaeological remains but in particular remains of prehistoric date relating to the important archaeology found on the Harbour Approach Road and the known crop mark complexes on Chalk Hill.

KCC note from the site observation contained within the study that the area has been buried under a layer of fill creating an embankment on the southern edge, this probably being spoil from the Nethercourt Estate development. Archaeology could therefore be effectively well preserved but sealed at an unknown depth.

KCC is unclear as to the exact nature of ground modification and ground works involved in the proposals and that would be a matter to consider when more details come forward.

Given the present high archaeological potential but the unknown nature of the potential impact, KCC advise that provision is made in any permission granted for archaeological evaluation to be followed by appropriate mitigation of the impacts of development through either investigation or preservation.

The impact upon archaeology is therefore considered to be acceptable subject to a safeguarding condition requiring archaeological field evaluation works.

Financial Contributions

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

KCC have been consulted and have advised that there would be a requirement for a financial contribution of £63,490.00 towards phase 1 of the new Ramsgate Primary Free School; a financial contribution of £33,037.20 towards Royal Harbour Secondary School phase 2 works; and a financial contribution of £672.28 towards book stock at the local library.

Policy SR5 of the Thanet Local Plan also requires a contribution to be made towards the upgrading of play equipment at the nearest local play area. The Open Spaces Manager has advised that there are two play areas within walking distance of the site, Nethercourt Park and Courtstairs Park, and both are in need of upgraded play equipment. A financial contribution of £12,250 is required by the proposed development towards upgraded play equipment, to offset the additional demand created by the proposed development.

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

Habitat Regulations

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

The tariff for this contribution is provided in the SAMM report. For this development the contribution required is in the form of £600 per unit. The applicant has agreed to this contribution, which will be secured through a legal agreement.

Heads of Terms

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

- 30% affordable housing (shared ownership),
- £63,490.00 towards primary school provision in the form of phase 1 of the new Ramsgate Primary Free School,
- £33,037.20 towards secondary school provision in the form of Royal Harbour Secondary School phase 2 works,
- £672.28 towards library provision in Ramsgate,
- £12,250 towards play equipment at either Courtstairs or Nethercourt play area (Open Spaces Manager to confirm project details)
- £8,400 towards the Special Protection Area.

Conclusion

The site falls outside of the urban confines on non-previously developed land, and is therefore contrary to Policy H1 of the Thanet Local Plan that requires new housing development to be on previously developed land within the urban confines. However, the site is sustainably located, within walking distance of primary schools and facilities and services within St.Lawrence High Street, there is a local need for housing, and the site is allocated for housing development within the Emerging Draft Local Plan. The site is also surrounded by open space to the west and south of the site, and therefore the retention of this open space is not essential given that the site does not offer recreational opportunities, and it does not offer intrinsically beneficial qualities. The proposed development is for 14no. large 2-storey detached units, with extensive landscaping, which is considered to be in keeping with the surrounding pattern of development, and the character and appearance of the area. There will be no significant impact upon either neighbouring living conditions or highway safety, and 30% affordable housing is proposed along with all financial contributions. It is therefore considered that the benefits of the scheme outweigh the concerns regarding its countryside location, and comply with the requirements of the NPPF. As such it is recommended that members defer and delegate the application for approval as an acceptable departure to Thanet Local Plan Policy H1, subject to the receipt of a legal agreement securing the planning obligations contained within the Heads of Terms.

Case Officer

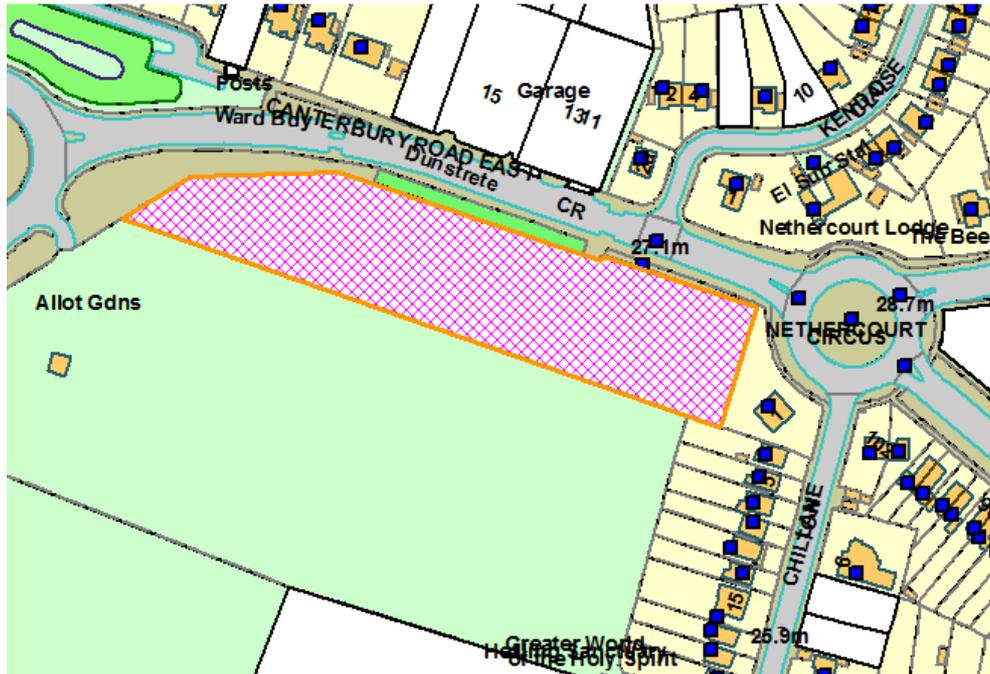
Emma Fibbens

Agenda Item 6 Annex 1

TITLE: OL/TH/16/1416

Project Land Adjoining 1 Chilton Lane And Canterbury Road East RAMSGATE Kent

Scale:



**Agenda Item 6
Annex 2**

VIABILITY ASSESSMENT

**LAND SOUTH OF CANTERBURY
ROAD EAST, RAMSGATE**

NOVEMBER 2017

JJA Planning

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2. INDICATIVE COST REPORT
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4. EXTRACT FROM COMMITTEE REPORT
5. VIABILITY TABLES (TWO SCENARIOS)
6. INTEREST FROM REGISTERED PROVIDERS
7. RESIDENTIAL ALLOCATION; EXTRACT FROM EMERGING LOCAL PLAN

1. INTRODUCTION

- 1.1 This Assessment considers the viability of the proposed residential development of land south of Canterbury Road East, Ramsgate. The site is the subject of a planning application that the Council has resolved to grant subject, amongst other matters, to agreement on the level of contributions towards education, library, play equipment, habitat regulations and an affordable housing component within the scheme.
- 1.2 The scheme is in outline only. There is an indicative site layout plan (at 1:250 scale) and illustrative sections showing the general idea for the arrangement of development on this 0.81ha site (see **Annex 1**). At the request of the LPA, Town Council, local residents and consultees, the plans involve a “*good quality low density scheme (18 dwellings per hectare)*”¹. The layout has been further restricted by the limitation on access arrangements, with the highway authority allowing for only one access from Canterbury Road East. The highway access therefore occupies a considerable proportion of the site. The resulting density of the scheme is considerably lower than the 30-50 dwelling per hectare schemes considered by the Council’s own Viability Assessment exercise².
- 1.3 The indicative scheme has been reviewed and has informed the content of a realistic proposal taking account of likely market demand factors. That has in turn informed the Indicative Cost Report for its construction (see **Annex 2**). The scheme has been assessed through a residual valuation to assist in the determination as to the extent of affordable housing and other s106 obligations that might be able to be provided as part of the development. The valuation has adopted a conventional approach and draws upon the guidance contained in the National Planning Policy Framework (March 2012), National Planning Policy Guidance - Viability (March 2014), Economic Viability Assessment of Development in Thanet (June 2012) and London Borough Development Viability Protocol (November 2016).

¹ Page 11, Committee Report to OL/TH/16/1416

² Paragraph 2.10.2, Economic Viability Assessment of Development in Thanet (June 2012)

2. VALUATION

- 2.1 The gross development value (i.e. sale proceeds) of the scheme has taken account of the site's specific location. In residential terms, this might be seen as being constrained by the site's location adjacent to the main A-road (A299/A255) serving Ramsgate from the west, but the scheme's low density allows it to create its own countryside edge setting and thus identity in the market for more aspirational larger, i.e. four and five bed, units.
- 2.2 Likely sale prices have then been assessed taking account of local market evidence, i.e. up to date transactions from comparable new build properties within a reasonable distance from the site. The relevant locations include Hawthorn Grange (new build), London Road, Minster Road, Lorne Road, Millfield Road, St Mildred's Avenue and Winsterstoke Crescent. The average sale price as recorded were: four bed - £376,899 and five bed - £425,383.
- 2.3 We have inflated these prices to reflect overall price increases over the last year or so and increased them to the values used in the appraisal to reflect the quality of the overall development that is expected to be secured here.
- 2.4 We have then corroborated likely sale prices (as at 2017) with advice from a local agent. This has confirmed that we have adopted a realistic assessment of potential sale prices. For example, we have assessed four bed homes of circa 130m² (1,400 sq.ft) (GIA), as selling for an average of £400,000. For five bed homes of circa 149m² (1,600 sq.ft) (GIA) we have adopted £450,000 (agent indicating £440,000).
- 2.5 The development value of the affordable element is recommended to be derived from offers made by Registered Providers (RPs), as recommended by the London Borough Development Viability Protocol (November 2016). The applicant approached all of the Council's preferred registered providers, together with West Kent Housing Association.
- 2.6 All of these registered providers have declined the opportunity, citing the grounds of scale, size or typology of the units³. The correspondence is provided at **Annex 6**. This lack of interest indicates there are very limited prospects of a sale value for the affordable units. Therefore, a nil value could reasonably be applied. However for the

³ Two registered providers failed to respond (Optivo and Southern Housing Group). Given the number of approaches made to these registered providers (by email and telephone), it is considered that their failure to respond is an indication of lack of interest.

purposes of this assessment, the Council's own figures have been applied. The Economic Viability Assessment of Development in Thanet (June 2012) identifies a value of £145,000 for four bed properties in shared ownership⁴. The figures in Table 3 of the Council's Assessment have been extrapolated to identify a value of £152,000 for five bed properties in shared ownership. These values have then been inflated to reflect overall price increases since 2012.

- 2.7 A Gross Development Value of £5.064m for a scheme comprising 9 five bedroom and 1 four bedroom private units and 2 five bedroom and 2 four bedroom affordable units is therefore derived.

⁴ Figure 3, Page 20, Economic Viability Assessment of Development in Thanet (June 2012)

3. THE APPRAISAL

- 3.1 The Valuation Appraisal is provided at **Annex 3**, together with Explanatory Notes that have informed it. The Appraisal has adopted reasonable and realistic assumptions.
- 3.2 Whilst our analysis results in a gross development value of around £5.064m, after building and all other costs, the valuation generates a negative land value (see Table 1 at **Annex 5**). Thus the residual land value is far below that which would be anticipated. The NPPF instructs the costs of planning requirements to allow for competitive returns to a willing landowner and willing developer to enable development to be deliverable. At such a value there would be little incentive for the landowner to sell.
- 3.3 An alternative, wholly private scheme, has also been assessed (Table 1a at **Annex 5**). The residual land valuation generates a modest value for site purchase of just over £180,000.
- 3.4 Whilst agricultural land will not normally have a value greater than a few thousand pounds per hectare, owners (and others with interests in its disposal) will not part with their interests without an incentive. In addition, this is not a situation where the landowner(s) might consider disposing to gain only 'hope value' for residential development. Here, a resolution to grant planning permission has already been made and the site is allocated for residential development for no. 27 units in the emerging Local Plan (see **Annex 7** - Site Ref: S415). The Committee Report to the planning application confirms that weight should be given to this emerging allocation⁵ (see **Annex 4**).
- 3.5 Indeed the Council's Viability Assessment concludes that greenfield land values at 2012 may be up to £100,000 - £400,000 per hectare:

“if the case arises in Thanet District that true Greenfield land comes forward for residential development (either through site allocations policy or other means) there is normally an associated uplift in value. While land value expectations and payments in those cases are likely to be very much lower than with many previously developed sites, there may well still be varying degrees of incentive required –

⁵ “the direction of travel of the new Policy document to allocate the site for housing development has some weight in decision-making to support a proposal for housing development on the site” (page 10, Committee Report to OL/TH/16/1416).

taking comparative land value situations up to perhaps £100,000-£400,000 per hectare” (paragraph 3.3.3, Economic Viability Assessment of Development in Thanet).

- 3.6 In the circumstances a requirement for the landowner to bear the costs or deficit arising from any affordable housing provision and/or social infrastructure contributions and compliance with environmental policies cannot be justified.

4 OBLIGATIONS TO BE OFFERED

- 4.1. A nominal value does not mean that the proposal is undeliverable, since with improvements to the economy, increasing demand for residential accommodation and resulting house price growth in this location, coupled with building cost inflation potentially being more limited, there becomes a prospect where a development, notwithstanding the low residual site value, should become an attractive and realistic opportunity.
- 4.2. However, the appraisal has shown that there is no realistic opportunity, at the present time, to provide affordable housing on site, or a contribution in lieu, in addition to s106 contributions relating to education, library, play equipment, comply with habitat regulations, not only because of the low residential value, but since such provision itself would reduce the gross development value of the scheme. This is particularly relevant as affordable providers would not be eligible for grant (since this would be a 's106 scheme').
- 4.3. A flexible and negotiated approach to policy application is needed to ensure the continued supply of residential land, consistent with Policy H14, the NPPG⁶ and the Council's Viability Assessment⁷.
- 4.4. Indeed, national guidance directs that affordable housing contributions

“should not be sought without regard to individual scheme viability. The financial viability of the individual scheme should be carefully considered in line with the principles in this guidance”⁸.

- 4.5. Furthermore, the scale of the development, 14 units, falls below the Council's policy threshold for affordable housing delivery of 15 units + (Policy H14) in recognition of the viability constraints on smaller scale developments. It is the spaciousness of the development, as requested by the LPA, Town Council, local residents and consultees which triggers Policy H14, with the site being over 0.5ha.

⁶ Paragraph: 019 Reference ID: 10-019-20140306, NPPG

⁷ Paragraph 6.1.5, Economic Viability Assessment of Development in Thanet (June 2012)

⁸ Paragraph: 019 Reference ID: 10-019-20140306, NPPG

4.6. Policy H14 recognises that a commuted sum in lieu of direct provision will be acceptable in some circumstances, and the level of contribution is a “*matter of negotiation between the development and the District Council... [with]...negotiations will be based on the individual circumstances of the case, the character of the area and local needs*” (Policy H14).

4.7. Indeed, there have been difficulties in incentivising Registered Providers to purchase the five bedroom and four bedroom units, with all providers declining the site (see correspondence at **Annex 6**), consistent with the Case Officer’s advice:

”previously housing associations have not been keen to take on 5-bedroom units. Given the size of the units.... an off-site contribution may be the best option”⁹.

4.8. However, the assessment of a wholly private scheme at **Annex 5** (Table 1a) demonstrates that a requirement for the landowner to bear the costs of an affordable housing contribution cannot be justified. A total financial contribution of **£117,849** (across environmental, education, play and affordable housing) can be offered by the applicant.

⁹ Email dated 29th June 2017 Emma Fibbens to Michael Collins.

Agenda Item 6
Annex 2

Annex 1

Notes

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Any discrepancies must be reported for
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27/2/16
Drawn: MC

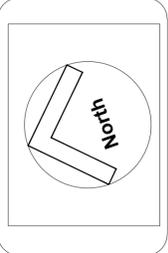
Project Details

Project: **Proposed Residential Development**
Project Address: **Land South of Canterbury Road East, Ramsgate**
Client: **The Foreland Partnership**
Drawing Title: **Site Layout**

Revisions

Initial Issue	Date
A	Sept 2015
B	Dec 2016
C	June 2017
D	
E	
F	

North



Canterbury Rd





15128-06-B

Notes
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Date: 12/02/2016
Drawn: MC

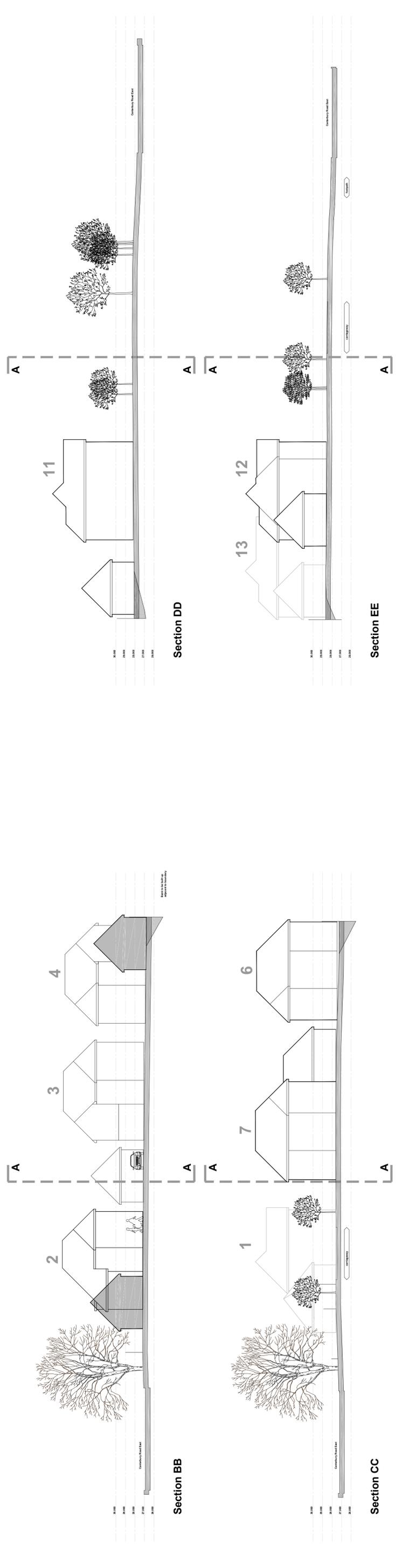
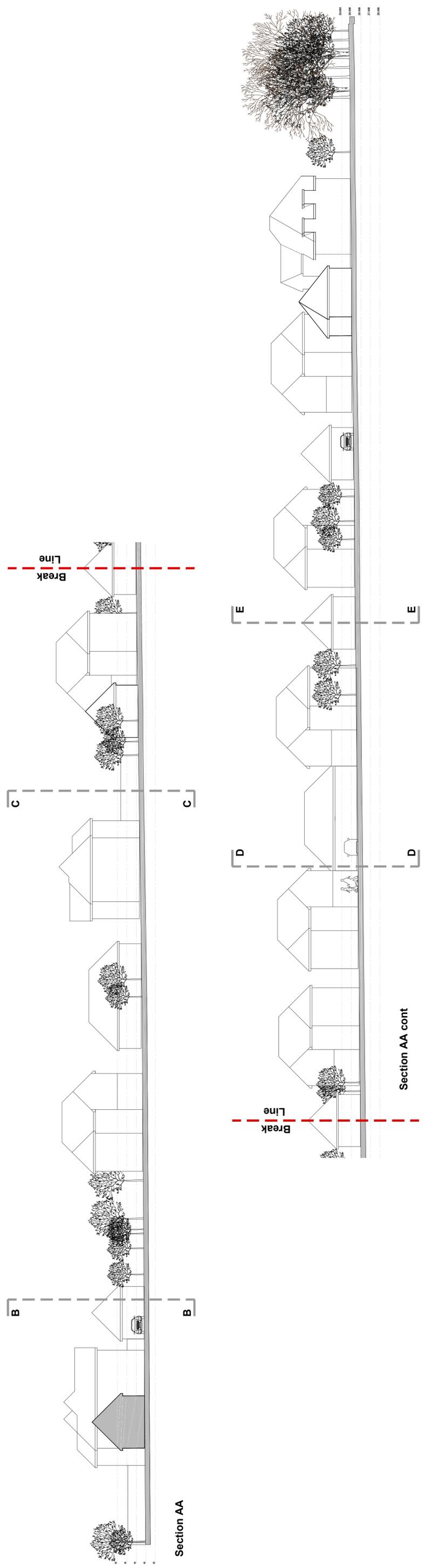
Project Details
Project: Proposed Residential Development
Project Address: Land South of Canterbury Road East, Ramsgate
Client: The Foreland Partnership
Drawing Title: Site Sections

Sept 2016
June 2017

Revisions
A. Initial Issue.
B. Alterations to plots 1, 2 and 14 to LA request
C.
D.
E.
F.

North

Canterbury Rd



Agenda Item 6
Annex 2

Annex 2

Agenda Item 6

Annex 2

Indicative Cost Report

These costs are based on the development illustrated in drawings 15128-05-C and 15128-06-B.

The following specification has been applied:

Quantity	Bedrooms	Floorspace/unit (sq.ft)	Storeys	Garage
11	5	1600	2	Yes
3	4	1400	2	Yes

Costs assume the works will be competitively tendered as a single contract on current costs at today's date. No allowance has been included for any phasing of works. These costs are corroborated by the two quotes from Kent County Surfacing Ltd and Coombs Canterbury Ltd, attached.

Item	Cost	Notes
Demolition/site clearance/site preparation		
- Site clearance (including tree removal)	£45,000	
- Site Preparation (incl. build up of southern boundary to eliminate bank)	£35,000	
TOTAL SITE CLEARANCE	£80,000	
Base build costs		1
Houses	£2,953,800	
Garages	£224,000	
TOTAL BASE BUILD COSTS	£3,177,800	
Known abnormal costs		2
- Traffic Regulation Orders	£4,000	
- Piling	£90,000	
- Adoption of onsite road	£10,000	
TOTAL KNOWN ABNORMAL COSTS	£104,000	
On site infrastructure and utilities		3
- Roadways and utility trenches	£132,020	
- Footpaths	£37,000	
- Street Lighting	£30,000	
- Street signage	£3,000	
- Surface Water sewer works	£51,000	
- Foul water sewer works	£25,000	
- Soft landscaping to communal areas	£15,000	
- Perimeter boundary fencing	£30,000	
TOTAL ON-SITE INFRASTRUCTURE AND UTILITIES	£323,020	
Offsite infrastructure		4
- Highway works to Canterbury Road West	£30,000	
TOTAL OFFSITE INFRASTRUCTURE	£30,000	
Contingencies	£371,482	5
Finance Costs	£258,705	6
Design fees and professional fees	£222,889	7
Sales and Legal Costs		
- Marketing and sales fees	£133,500	8
- Legal costs	£21,000	9
TOTAL SALES AND LEGAL COSTS	£154,500	

Notes

(1) A figure of £135/sq.ft for the dwellings (21,880sq.ft x £135) and £40/sq.ft for the garages (5,600 sq. ft x £40) has been applied. This includes additional costs relating to laying driveways, Statutory Authority incoming Mains, individual house boundary fencing, individual house branch SW + FW Drainage and individual house Services/Entries.

(2) Known abnormal costs include traffic regulation orders (to include parking restrictions either side of the access road on Canterbury Road East), piling for some properties (assumption of 15% over standard foundation cost applied), and costs related to the adoption of the internal road. Known abnormal costs may increase, generally being 15-20% of base build costs.

(3) All figures are based on Kent County Surfacing Ltd quote (see attached) and applicant's informed estimate.

(4) Limited to off site road works, as quoted by Kent County Surfacing Ltd (see attached). All surface water connection costs, foul water connection costs and statutory authority incoming mains costs are included in base build costs and on site infrastructure and utility costs.

(5) 10% of the build costs has been applied as a contingency. With the contingency, the indicative costs remain 10% below the quote provided by Coombs Canterbury Ltd (£4.4m - £4.6m).

(6) Finance calculated on the basis of 75% borrowings for build costs and planning policy costs at 6% for 18 months (development programme) on the basis all planning policy costs are payable prior to occupation.

(7) Design and professional fees calculated at 6% of build costs. This is consistent with the general application of 6-8% of base costs and other works.

(8) In accordance with the Council's Viability Assessment, 3% of the Gross Development Value of the private units has been assumed for Marketing and Sales Fees. No charge has been estimated for the affordable units. Hence an uplift in costs is applied in Table 1a to reflect the increased number of private units.

(9) £1,500 per unit has been applied, lower than the Council's assumptions in their Viability Assessment of £600/unit (legal fees on sale), 0.75% of land value (legal fees on purchase of land) and Stamp Duty Land Tax: between 0% and 5% depending on RLV.

Agenda Item 6

Annex 2

From: M Jennings [mailto:mjennings@coombs-canterbury.co.uk]
Sent: 11 October 2017 14:38
To: rsmith@forelandpartnership.co.uk
Cc: D Tomlinson <dtomlinson@coombs-canterbury.co.uk>
Subject: Budget Proposal - Canterbury Road East
Importance: High

Dear Robert,

Hope you are well.

Apologies for the slightly delayed response to your enquiry for the above project.

Via our David Tomlinson, you have requested a 'budget' cost for this 14no unit development - Our opinion of a budget cost to build the 14no Units, with an approx. floor area of 153m² each, would be in the order of **£4.4m – 4.6m** (Exc VAT).

This equates to (exc VAT):

- £314k – £330k per unit
- £2050 - £2150/m²

This may be slightly higher than anticipated, but the scheme does have one or two abnormal's i.e. 14no Car Ports; All Fully Detached Units and some Architectural features e.g Chimneys/Curtain Walling.

Of course with some further advice on the standard of fit out (i.e. Kitchens etc) this may impact the costs either way.

This is obviously based on a limited knowledge of the site and would specifically assume the following – we would of course hope to tender more formally in due course:

- Based on 'Historic' Benchmarking data
- We assume a max 2Q 2018 Commencement
- Substructures are based on traditional strip footings up to max 1.5m Deep
- Excludes site abnormal's i.e. Geotechnical; Archaeological requirements; Ecological Mitigations; Utility Reinforcements, Diversions or Requisitions; Contamination or pumped drainage
- Based on a D & B Contract – includes a Stage 4/5 Design fee 'allowance' (We have assumed you would hand this over as stage 3 design)
- All Planning Application and survey Fees are excluded
- Excludes any Code requirements or NHBC insurance costs or Conveyancing fees
- Excludes 106 Agreement Costs
- Any Party wall or other legal fees are excluded

We trust that the above is of interest and we look forward to hearing from you regarding a future opportunity to formally tender for the scheme.

Kind Regards

Mark Jennings ICIOB
Chief Estimator

Agenda Item 6

Annex 2

Telephone: 01227 457641

Direct Dial: 01227 473672

Website: www.coombs-canterbury.co.uk

Twitter: [@CCL_Canterbury](https://twitter.com/CCL_Canterbury)

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Registered Office: Coombs (Canterbury) Limited, Rodney House, 10/16 Wincheap, Canterbury, Kent CT1 3BE. Company Registration No. 2040829

Before you print think about the ENVIRONMENT



Kent County Surfacing Ltd

Date: 14.10.17

ESTIMATE

Estimate Number: 929

Customer:
 Robert Smith
 The Foreland Partnership
 The Pavilion, Fox's Marina,
 Ipswich IP2 8NJ

For: Canterbury Road East, Ramsgate

Estimate budget prices for roadway

DESCRIPTION	QTY	UNIT	RATE	AMOUNT
A To install roadway only, approximately 824m2. Have not allowed for any capping material on any contaminated muckaway. Also have not allowed for site strip, only to dig off 450 from datum.				£107,448.86
B Drainage to road surface water only N/E 1 meter				£51,000.00
C HB2 kerbs to roadway				£8,896.00
D To install footway to both sides of roadway				£36,756.62
E To excavate trench for utilities and lay soft sand over utilities and back fill with sub-base to roadway only, not to dwellings				£15,674.64
F Off site road works, no drawings so allow				£30,000.00
TOTAL				

page 1 of 2

I hope this is of interest to you and I look forward to hearing from you in the near future.

7 Mariners View Sandown Road Deal Kent CT14 6LP
kentcountysurfacing@outlook.com



Kent County Surfacing Ltd

Date: 14.10.17

ESTIMATE

Estimate Number: 929

Customer:
 The Foreland Partnership
 The Pavilion
 Fox's Marina
 Ipswich IP2 8NJ

For: Canterbury Road East, Ramsgate

Estimate budget prices for roadway

DESCRIPTION	QTY	UNIT	RATE	AMOUNT
G Street lights allow				£30,000.00
H Sewer connections, no information, allow				£25,000.00
TOTAL				£304,776.12

page 2 of 2

I hope this is of interest to you and I look forward to hearing from you in the near future.

7 Mariners View Sandown Road Deal Kent CT14 6LP
kentcountysurfacing@outlook.com

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Annex 2

Annex 3

Agenda Item 6

Annex 2

Valuation Appraisal

These values are based on the development illustrated in drawings 15128-05-C and 15128-06-B.

The following specification has been applied:

Quantity	Bedrooms	Floorspace/unit (sq.ft)	Storeys	Garage
11	5	1600	2	Yes
3	4	1400	2	Yes

Comparable, Up to Date Transactions and Market Evidence

Likely sale values have been estimated by reference to up to date transactions and market evidence relating to comparable properties (including new build) within a reasonable distance from the site.

5 Bedroom Properties

Address	Bedrooms	Date of Sale	Transaction Value	Source
14 Minster Road	5	05-07-17	£422,000	Rightmove
2 Lorne Road	5	22-06-17	£340,800	Rightmove
6 Millfield Road	5	09-03-17	£382,000	Rightmove
5 St Mildred's Avenue	5	22-02-17	£480,000	Rightmove
4 Winstersstoke Crescent	5	04-03-16	£427,500	Rightmove
8 Winstersstoke Crescent	5	14-12-15	£500,000	Rightmove

Average Unit Value = **£425,383**

This compares to market advice from LSL New Homes confirming market value of £440,000 for the 5 bedroom properties on site (dated 13th October 2017) (see enclosed).

A handful of outliers were identified such as 3 Ellington Road (£655,000), 28 Elms Avenue (£620,000) and The Orchard (£735,000) which were not comparable to the assessed properties. Both the Ellington Road and Elms Avenue properties housed additional accommodation within their grounds and The Orchard benefits from sea views.

A value of **£450,000** has been applied in this Viability Assessment for the 5 bedroom properties.

4 Bedroom Properties

Address	No. of Beds	Date of Sale	Transaction Value	Source
91a London Road	4	19/07/17	£317,500	Rightmove
73 London Road	4	23/06/17	£399,995	Rightmove
1 Hawthorn Grange	4	2017	£389,000	Reserved (see enclosed)
3 Hawthorn Grange	4	2017	£389,000	Reserved (see enclosed)
4 Hawthorn Grange	4	2017	£389,000	Reserved (see enclosed)

Average Unit Value = **£376,899**

This compares to market advice from LSL New Homes confirming market value of **£400,000** for the 4 bedroom properties on site (dated 13th October 2017) (see enclosed).

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Annex 2

Hawthorn Grange, referenced above, is a comparable new build development on the outskirts of Ramsgate. It is a 14 unit high quality development, with four bedroom detached properties of 1,380 sq.ft. As set out above, the proposal involves four bedroom detached properties of 1,400 sq.ft. The Hawthorn Grange development is close to completion, and therefore reserve prices are only available at present. Details relating to the Hawthorn Grange development are enclosed.

A value of **£400,000** has been applied in this Viability Assessment for the 5 bedroom properties.

Affordable Sales

The Council's preferred registered social housing providers have been approached regarding this opportunity together with West Kent Housing Association. All of the registered providers approached have declined the site on scale, size or typology grounds. Evidence relating to this is provided at Annex 6. Due to the lack of interest from registered providers, figures from Table 3 of the Council's Economic Viability Assessment of Development in Thanet (June 2012) have been applied. This Assessment identifies a value of £145,000 for four bed properties in shared ownership. The figures in Table 3 of the Council's Assessment have been extrapolated to identify a value of £152,000 for five bed properties in shared ownership. These values have then been inflated to reflect overall price increases since 2012, **£150,000** four bedroom and **£157,000** five bedroom.

Agenda Item 6 Annex 2

From: Kim-Louise Abbott [mailto:Kim-Louise.Abbott@lslnewhomes.co.uk]
Sent: 13 October 2017 12:56
To: Rob Smith <rsmith@forelandpartnership.co.uk>
Subject: RE: LAND SOUTH OF CANTERBURY ROAD EAST RAMSGATE

Hi Rob,

Further to our previous emails with regard to Canterbury Road.

I have spoken to both Branch Manager and Valuation Manager at Ramsgate with regard to the market trend at the moment in Ramsgate. Generally the market has slowed down and enquiry levels have fallen slightly, having said that properties are still selling if priced correctly. We are looking at the second hand market for price reductions on stock that came to the market a few months ago at around the £10,000 to £20,000 mark to get the properties sold.

Ramsgate market over the last 12 months has attracted many buyers from London due to the value of the properties and location. The London market as you are probably aware has slowed down and we are anticipating this will have a knock on effect on the market in Ramsgate. Having said that we are acting as referral agents for several large developers in the Kent area and the interest/Sales levels are still good. Help to Buy still seems very popular and being widely used by them.

With regard to your question about prices for the properties, depending on how the market continues over the next few months I would suggest an asking price of £440,000 for the 5 beds if you were coming to market now and £400,000 for the smaller 4 beds. This give you £275 sqft for the larger and £266 sqft for the smaller units.

I hope the above information is of some help, should you require anything further, please do not hesitate to contact me.

Kind regards

Kim

Kim-Louise Abbott
Business Development Manager
LSL Land and New Homes /South East Region
2nd Floor, 18 High Street, Tunbridge Wells,

Agenda Item 6 Annex 2

Kent. TN1 1UX
Mobile 07969458991
Office 01634 726150
kim-louise.abbott@lslnewhomes.co.uk

From: Kim-Louise Abbott
Sent: 11 October 2017 17:11
To: 'Rob Smith'
Subject: RE: LAND SOUTH OF CANTERBURY ROAD EAST RAMSGATE

Hi Rob,

Thank you for your email.

I will look at this tomorrow and come back to you.

Kind regards

Kim

Kim-Louise Abbott
Business Development Manager
LSL Land and New Homes /South East Region
2nd Floor, 18 High Street, Tunbridge Wells,
Kent. TN1 1UX
Mobile 07969458991
Office 01634 726150
kim-louise.abbott@lslnewhomes.co.uk

From: Rob Smith [<mailto:rsmith@forelandpartnership.co.uk>]
Sent: 10 October 2017 18:09
To: Kim-Louise Abbott
Subject: RE: LAND SOUTH OF CANTERBURY ROAD EAST RAMSGATE

Dear Kim

Thank you for your email. At the present time we are discussing with the local Authority the terms of the social housing and until that is resolved we will not proceed with the construction. To assist us with our discussions with The Council it would be incredibly helpful if you could provide up to date realistic figures of the anticipated sales prices for the properties. These figures should be what you think will be realistically achievable in today's market and aiming to have all properties under offer within 6 months of completion.

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If these figures could be back by the end of the week that would again be incredibly helpful.

Thank you in anticipation.

Robert Smith
The Foreland Partnership

07774 492940

From: Kim-Louise Abbott [<mailto:Kim-Louise.Abbott@lslnewhomes.co.uk>]
Sent: 26 September 2017 12:33
To: rsmith@forelandpartnership.co.uk
Subject: FW: LAND SOUTH OF CANTERBURY ROAD EAST RAMSGATE

Hi Robert,

Further to previous email with regard to Canterbury Road, I was wondering whether we could meet on site to discuss further?

I notice also you have granted permission in Yorkletts? Can I help with any pricing there?

Kind regards

Kim

Kim-Louise Abbott
Business Development Manager
LSL Land and New Homes /South East Region
2nd Floor, 18 High Street, Tunbridge Wells,
Kent. TN1 1UX
Mobile 07969458991
Office 01634 726150
kim-louise.abbott@lslnewhomes.co.uk

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Land & New Homes is a trading style for members of the LSL Property Services Group Estate Agency Division, one of the leading residential property services groups in the UK.

Registered Office address: Newcastle House, Albany Court, Newcastle Business Park, Newcastle Upon Tyne, NE4 7YB

Registered Number: 05114014. VAT number: GB842795983



HAWTHORN GRANGE
RAMSGATE KENT CT12 5AE



Hawthorn Grange stands on the borders of Ramsgate and Broadstairs, two most attractive Isle of Thanet coastal towns on the East Kent coast. Strategically located, there are excellent connections by road and rail, being approximately 17 miles from Canterbury 70 miles from central London via the A299 (Thanet Way)M2 and 20 miles from Dover. The High Speed rail service from Ramsgate to London St. Pancras takes just 75 minutes.





At **Hawthorn Grange**, GuildCrest Homes have created a small private development of 14 semi and detached, 3 & 4 bedroom houses built to a high specification and set in landscaped gardens.

This appealing location lies opposite open farmland, within walking distance of the extensive Westwood Cross Shopping Centre and has easy access to all the Thanet towns. The area offers a choice of shopping and leisure facilities including award winning sandy beaches and a great selection of schools, both primary and secondary (including Grammar), in the public and private sector.



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Number 5, 8 and 14 Hawthorn Grange



Ground Floor

Kitchen/Dining Area

8834mm x 3009mm (28'9" x 9'8")

Lounge

5589mm x 3794mm (18'3" x 12'4")

Utility

2506mm x 2095mm (8'2" x 6'8")

First Floor

Master Bedroom

3794mm x 3484mm (12'4" x 11'4")

Bedroom 2

3430mm x 2595mm (11'2" x 8'5")

Bedroom 3

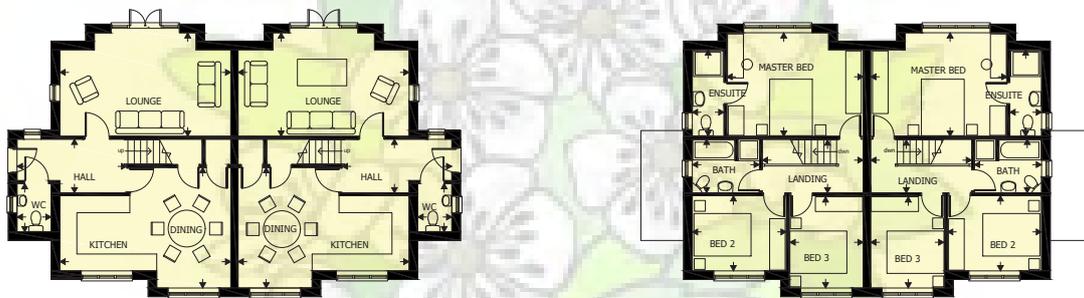
3239mm x 3009mm (10'6" x 9'8")

Bedroom 4

3417mm x 3009mm (11'2" x 9'8")



Number 3 and 4 Hawthorn Grange



Ground Floor

Kitchen/Dining Area

6015mm x 4169mm max (19'7" x 13'6")

Lounge

6015mm x 3675mm (19'7" x 12'0")

First Floor

Master Bedroom

3675mm x 4785mm (19'7" x 15'6")

Bedroom 2

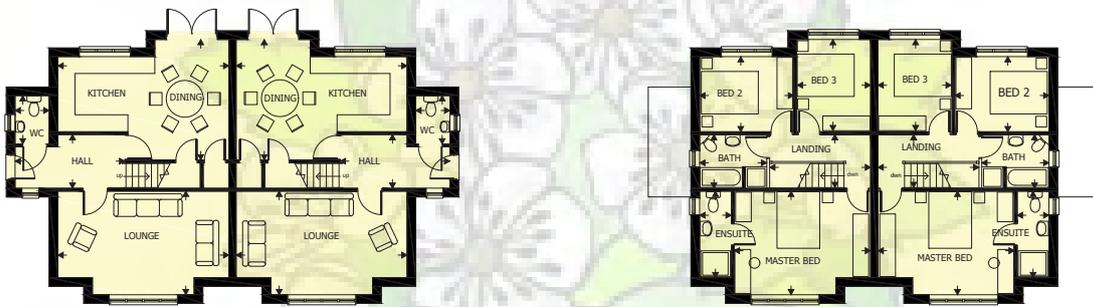
2669mm x 3313mm (8'7" x 10'8")

Bedroom 3

2600mm x 3269mm (8'5" x 10'7")



Number 1 and 2 Hawthorn Grange



Ground Floor

Kitchen/Dining Area
6015mm x 4169mm max (19'7" x 13'6")

Lounge
6015mm x 3675mm (19'7" x 12'0")

First Floor

Master Bedroom
3675mm x 4785mm (12'0" x 15'6")

Bedroom 2
2669mm x 3316mm (8'7" x 10'8")

Bedroom 3
2600mm x 3269mm (8'5" x 10'7")



Number 7 and 13 Hawthorn Grange



Ground Floor

Kitchen/Dining Area
8834mm x 3009mm (28'9" x 9'8")

Lounge
5589mm x 3794mm (18'3" x 12'4")

Utility
2506mm x 2095mm (8'2" x 6'8")

First Floor

Master Bedroom
3794mm x 3484mm (12'4" x 11'4")

Bedroom 2
3430mm x 2595mm (11'2" x 8'5")

Bedroom 3
3239mm x 3009mm (10'6" x 9'8")

Bedroom 4
3417mm x 3009mm (11'2" x 9'8")



Number 6 Hawthorn Grange



Ground Floor

Kitchen/Dining Area

7390mm x 3984mm (24'2" x 13'0")

Lounge

7390mm x 3964mm (24'2" x 13'0")

Utility

2400mm x 2014mm (7'8" x 6'6")

First Floor

Master Bedroom

3984mm x 3355mm (13'0" x 11'0")

Bedroom 2

3964mm x 3355mm (13'0" x 11'0")

Bedroom 3

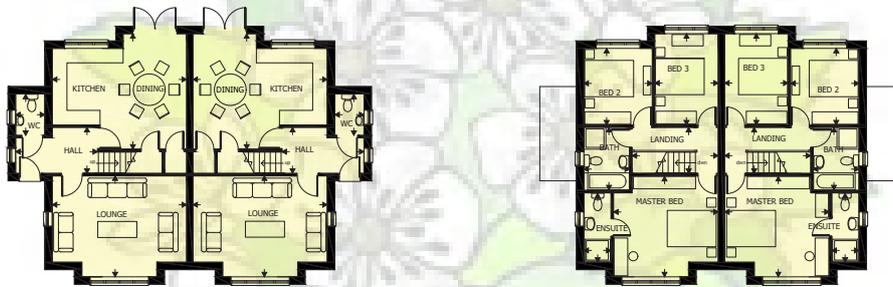
3964mm x 3768mm (13'0" x 12'3")

Bedroom 4

3984mm x 2400mm (13'0" x 7'8")



Number 9 and 10 Hawthorn Grange



Ground Floor

Kitchen/Dining Area
6015mm x 4169mm max (19'7" x 13'6")

Lounge
6015mm x 3675mm (19'7" x 12'0")

First Floor

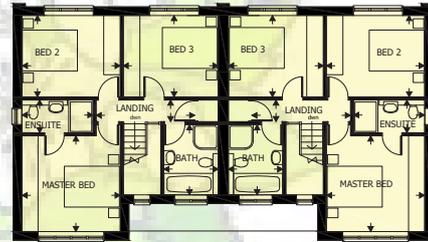
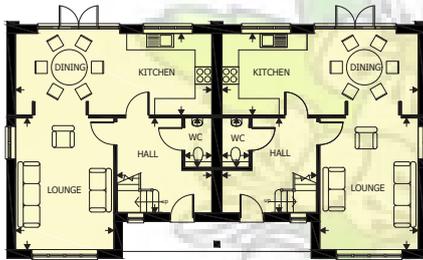
Master Bedroom
3675mm x 4785mm (12'0" x 15'6")

Bedroom 2
2669mm x 3313mm (8'7" x 10'8")

Bedroom 3
2600mm x 3269mm (8'5" x 10'7")



Number 11 and 12 Hawthorn Grange



Ground Floor

Kitchen/Dining Area
7215mm x 3009mm (23'6" x 9'9")

Lounge
4849mm x 3794mm (15'9" x 12'4")

First Floor

Master Bedroom
3794mm x 3535mm (12'4" x 11'6")

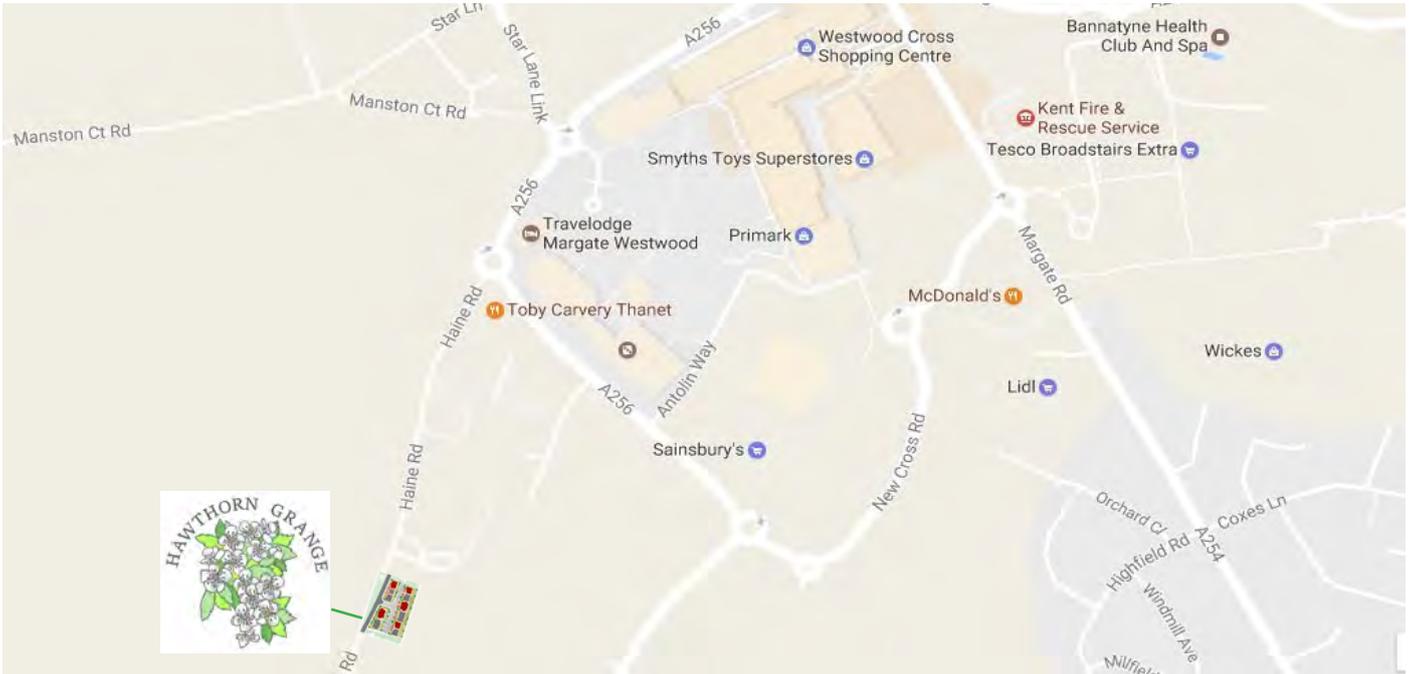
Bedroom 2
3689mm x 3009mm (12'1" x 9'9")

Bedroom 3
3437mm x 3009mm (11'2" x 9'9")

HAWTHORN GRANGE

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RAMSGATE KENT
CT12 5AE



GuildCrest Homes UK Ltd
Residential Developments



Thanet Office:
tel: (01843) 823200 email: minster@colebrooksturrock.com



colebrooksturrock.com



Hawthorn Grange Price List

(Plot 1) 11 Hawthorn Grange	3 bed semi (1,080sf)	From £289,000
(Plot 2) 12 Hawthorn Grange	3 bed semi (1,080sf)	From £289,000
(Plot 3) 13 Hawthorn Grange	3 bed semi (1,080sf)	From £289,000
(Plot 4) 14 Hawthorn Grange	3 bed semi (1,080sf)	From £289,000
(Plot 5) 2 Hawthorn Grange	4 bed detached & Garage (1,380sf)	From £389,000
(Plot 6) 1 Hawthorn Grange	4 bed detached & Garage (1560sf)	Reserved
(Plot 7) 3 Hawthorn Grange	4 bed detached (1,380sf)	Reserved
(Plot 8) 4 Hawthorn Grange	4 bed detached (1,380sf)	Reserved
(Plot 9) 5 Hawthorn Grange	3 bed semi (1,080sf)	From £289,000
(Plot 10) 6 Hawthorn Grange	3 bed semi (1,080sf)	From £289,000
(Plot 11), 7 Hawthorn Grange	3 bed semi (1,100sf)	From £289,000
(Plot 12) 8 Hawthorn Grange	3 bed semi (1,100sf)	From £289,000
(Plot 13) 9 Hawthorn Grange	4 bed detached (1,380sf)	From £389,000
(Plot 14) 10 Hawthorn Grange	4 bed detached (1,380sf)	From £389,000

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D04

OL/TH/16/1416

PROPOSAL: Outline application for erection of 14No. detached dwellings including access, layout and scale

LOCATION: Land Adjoining 1 Chilton Lane And Canterbury Road East
RAMSGATE Kent

WARD: Cliffsend And Pegwell

AGENT: Michael Collins

APPLICANT: Mr Rob Smith

RECOMMENDATION: Defer & Delegate

Subject to the following conditions:

1 Approval of the details of the layout, scale and appearance of any buildings to be erected, 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).

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The site is located on the edge of Ramsgate, close to Pegwell. It is within walking distance of a primary school and park, and also from shops and services both within Pegwell and St. Lawrence High Street. The site is also on a bus route. The site is therefore considered to be sustainably located.

Within the emerging draft Local Plan, the application site is allocated for residential development for a notional 27no. units. Whilst the application site would be a departure to current Local Plan Policy H1, the direction of travel of the new Policy document to allocate the site for housing development has some weight in decision-making to support a proposal for housing development on the site.

The development of this site for housing could therefore be accepted in principle as a departure to Policy H1 subject to the detailed consideration of all other material considerations including the impact upon the countryside and the character and appearance of the area, and the impact upon highway safety being acceptable.

Character and Appearance

The site is located within the countryside, and is an area of open grassland, with existing trees along the boundaries. The site is located between two roundabouts, and to the rear of the site is an existing allotment. It is not considered that the open space significantly contributes to the character and appearance of the area, and the proposed development would not appear isolated given the presence of existing residential development opposite and adjacent to the site. The site does not offer recreational opportunities, and given the presence of open space to the western and southern boundaries of this site, it is not considered that this site alone has intrinsically beneficial qualities that would prevent the release of this land to alternative uses.

The surrounding area is pre-dominantly characterised by large detached dwellings set within substantial plots. The proposal is for 14no. detached dwellings, with large driveways and deep gardens of approximately 20m. A single access into the site is provided, leading to an access road that extends the width of the site. The majority of the dwellings are setback from Canterbury Road East by approximately 40m, with large areas of landscaping to the front of the site. This is characteristic of the layout of dwellings on the opposite side of the road, close to the roundabout, where large areas of landscaping are also visible between the dwellings and the highway. Given the type of dwellings, the spacious layout, and the extensive landscaping provided to the front of the site, it is considered that the proposed development would appear in keeping with the pattern of surrounding development.

The application is in outline form only, with access, layout and scale for consideration. The central access point and general layout is acceptable. Only 3no. dwellings of those proposed are located adjacent to the front boundary of the site. Two of these have a 3m gap to the boundary and one has a 8m gap to the boundary. The dwellings with a 3m gap would appear more dominant from the street, given their forward location, however, all dwellings proposed are 2-storey in height, and the two closest to the boundary have a reduced eaves level, with dormer windows, so it is mainly the roof that would be visible above the boundary wall. Given the general spaciousness across the site, the 2-storey nature of the development, and the particular design of the closest dwellings to the road, it is not

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Heads of Terms

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

- 30% affordable housing (shared ownership),
- £63,490.00 towards primary school provision in the form of phase 1 of the new Ramsgate Primary Free School,
- £33,037.20 towards secondary school provision in the form of Royal Harbour Secondary School phase 2 works,
- £672.28 towards library provision in Ramsgate,
- £12,250 towards play equipment at either Courtstairs or Nethercourt play area (Open Spaces Manager to confirm project details)
- £8,400 towards the Special Protection Area.

Conclusion

The site falls outside of the urban confines on non-previously developed land, and is therefore contrary to Policy H1 of the Thanet Local Plan that requires new housing development to be on previously developed land within the urban confines. However, the site is sustainably located, within walking distance of primary schools and facilities and services within St.Lawrence High Street, there is a local need for housing, and the site is allocated for housing development within the Emerging Draft Local Plan. The site is also surrounded by open space to the west and south of the site, and therefore the retention of this open space is not essential given that the site does not offer recreational opportunities, and it does not offer intrinsically beneficial qualities. The proposed development is for 14no. large 2-storey detached units, with extensive landscaping, which is considered to be in keeping with the surrounding pattern of development, and the character and appearance of the area. There will be no significant impact upon either neighbouring living conditions or highway safety, and 30% affordable housing is proposed along with all financial contributions. It is therefore considered that the benefits of the scheme outweigh the concerns regarding its countryside location, and comply with the requirements of the NPPF. As such it is recommended that members defer and delegate the application for approval as an acceptable departure to Thanet Local Plan Policy H1, subject to the receipt of a legal agreement securing the planning obligations contained within the Heads of Terms.

Case Officer

Emma Fibbens

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Table 1: Viability Table

Scheme: 10 Private Residential Units & 4 Affordable Housing Units (30%)

Input	Value / Cost	Notes
Gross Development Value		
- 9 x 5-bed dwellings	£4,050,000	1
- 1 x 4-bed dwellings	£400,000	2
- Affordable - 2 x 5-bed & 2 x 4-bed dwellings	£614,000	3
- Any other sales	£0	4
Total Gross Development Value	£5,064,000	
Build Costs		
- Site clearance & preparation	£80,000	5
- Base build costs	£3,177,800	6
- Known abnormal costs	£104,000	7
- On site infrastructure and utilities	£323,020	8
- Offsite infrastructure	£30,000	9
- Contingencies	£371,482	10
Total Build Costs	£4,086,301	11
Planning Policy Costs		
- Primary School Contribution	£63,490	12
- Secondary School Contribution	£33,037	13
- Library Contribution	£672	14
- Play Equipment	£12,250	15
- Habitat Regulations	£8,400	16
- CIL	£0	17
Total Planning Policy Costs	£117,849	
Finance Costs	£258,705	18
Professional & Project Management Costs	£222,889	19
Sales & Legal Costs	£154,500	20
Total Development Costs	£4,840,245	
Developer's Profit	£815,590	21
Total Costs	£5,655,835	
Residual Land Value	-£591,835	

* All values rounded to nearest pound.

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Notes

(1) Based on individual property value of £450,000. See Valuation Appraisal.

(2) Based on individual property value of £400,000. See Valuation Appraisal.

(3) Due to the lack of interest from registered providers, figures from Table 3 of the Council's Economic Viability Assessment of Development in Thanet (June 2012) have been applied. This Assessment identifies a value of £145,000 for four bed properties in shared ownership. The figures in Table 3 of the Council's Assessment have been extrapolated to identify a value of £152,000 for five bed properties in shared ownership. These values have then been inflated to reflect overall price increases since 2012 (£150,000 four bed and £157,000 five bed).

(4) No additional sales arising from the development, with no garages sold individually.

(5) Based on estimate from Kent County Surfacing, see Indicative Cost Report.

(6-10) See Indicative Cost Report. Costs are comparable to the BCIS Index of £1,630/sq.m for developments of this scale (Index 172 3Q 2017).

(11) The estimated total build cost is 10% - 15% lower than the quote provided by Coombs (Canterbury) Ltd (£4.4m - £4.6m). See Indicative Cost Report.

(12-16) Costs as set out in Committee Report for application. See Annex 4 to Viability Assessment.

(17) There is no adopted CIL charging schedule in Thanet.

(18-20) See Indicative Cost Report.

(21) Whilst the Council's own Viability Assessment accepts a 20% return on the Gross Development Value of private units and 6% on Gross Development Value of affordable units, a 17.5% return on the private units and 6% return on the affordable units has been applied.

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Table 1a: Viability Table

Scheme: All Private Residential Units

Input	Value / Cost	Notes
Gross Development Value		
- 11 x 5-bed dwellings	£4,950,000	1
- 3 x 4-bed dwellings	£1,200,000	2
- No affordable provision	£0	3
- Any other sales	£0	4
Total Gross Development Value	£6,150,000	
Build Costs		
- Site clearance & preparation	£80,000	5
- Base build costs	£3,177,800	6
- Known abnormal costs	£104,000	7
- On site infrastructure and utilities	£323,020	8
- Offsite infrastructure	£30,000	9
- Contingencies	£371,482	10
Total Build Costs	£4,086,301	11
Planning Policy Costs		
- Primary School Contribution	£63,490	12
- Secondary School Contribution	£33,037	13
- Library Contribution	£672	14
- Play Equipment	£12,250	15
- Habitat Regulations	£8,400	16
- CIL	£0	17
Total Planning Policy Costs	£117,849	
Finance Costs	£258,705	18
Professional & Project Management Costs	£222,889	19
Sales & Legal Costs	£205,500	20
Total Development Costs	£4,891,245	
Developer's Profit	£1,076,250	21
Total Costs	£5,967,495	
Residual Land Value	£182,505	
Benchmark Land Value	£160,000	22

* All values rounded to nearest pound.

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Notes

- (1) Based on individual property value of £450,000. See Valuation Appraisal.
- (2) Based on individual property value of £400,000. See Valuation Appraisal.
- (3) No affordable provision, therefore no sales values.
- (4) No additional sales arising from the development, with no garages sold individually.
- (5) Based on estimate from Kent County Surfacing
- (6-10) See Indicative Cost Report. Costs are comparable to the BCIS Index of £1,630/sq.m for developments of this scale (Index 172 3Q 2017).
- (11) The estimated total build cost is 10% - 15% lower than the quote provided by Coombs (Canterbury) Ltd (£4.4m - £4.6m). See Indicative Cost Report.
- (12-16) Costs as set out in Committee Report for application. See Annex 4 to Viability Assessment.
- (17) There is no adopted CIL charging schedule in Thanet.
- (18-20) See Indicative Cost Report. Marketing and sales costs increased to reflect entire private unit scheme (i.e. 3% of gross development value plus £1,500 per unit for legals)
- (21) Whilst the Council's own Viability Assessment accepts a 20% return on the Gross Development Value of private units, a 17.5% return on the private units has been applied.
- (22) As the site benefits from both a residential allocation (emerging) and resolution to grant planning permission for residential development a land value of £200,000/ha has been applied. This is in the lower end of the scale considered by the Council's own Viability Assessment of between £100,000 - £400,000/ha (paragraph 3.3.3).

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Land South of Canterbury Road, Ramsgate

Interest from Registered Providers

All of the Council's preferred registered providers, together with West Kent Housing Association, have been approached to deliver the affordable element of this scheme.

The opportunity has been declined by all of the registered providers approached, citing grounds of scale, size or typology of the units. Three registered providers failed to respond (Optivo, Town & Country Housing Group and Southern Housing Group). Given the number of approaches made to these registered providers (by email and telephone), it is considered that their failure to respond is an indication of their lack of interest.

No.	Registered Provider	Reason(s)
1	Moat	<p><u>Scale & Size</u></p> <p><i>“Unable to accept schemes of less than 10 homes... [and] my sales team would be unsupportive of 4 and 5 bedroomed houses for this tenure [shared ownership]”</i></p>
2	Orbit	<p><u>Scale</u></p> <p><i>“The numbers of units here fall short of our threshold for the area (20 units plus)”</i></p>
3	Housing and Care 21	<p><u>Typology</u></p> <p><i>“The housing typology of your proposal is not suitable to us”</i></p>
4	West Kent Housing Association (additional RP identified by applicant)	<p><u>Scale</u></p> <p><i>“4 properties is too small a scheme for us to consider”</i></p>



Thanet Registered Providers

1 message

Ashley Stacey <Ashley.Stacey@thanet.gov.uk>
To: "joanna.jones@jjaplanning.com" <joanna.jones@jjaplanning.com>
Cc: Victoria May <Victoria.May@thanet.gov.uk>

26 September 2017 at 09:59

Good Morning

I have attached our registered providers as requested.

Kind Regards

Ashley

Ashley Stacey
Housing Strategy and Projects
Thanet District Council
PO Box 9
Cecil Street
Margate
Kent
CT9 1XZ

ashley.stacey@thanet.gov.uk

01843 577280

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 **Preferred Partners 2017.docx**
17K

Amicus-Horizon – now Optivo

Optivo
Building 1060
Cornforth Drive
Kent Science Park
Sittingbourne
ME9 8PX
Neill Tickle Neill.Tickle@AmicusHorizon.org.uk
01795 434470
07738 988955
Ashton Freeman Ashton.Freeman@AmicusHorizon.org.uk
01795 434462
07872 548681

Moat

Mariner House
Galleon Boulevard
Crossways
Dartford, Kent. DA2 6QE

Russell Drury - Business Development Manager
0845 359 6432 - 07711 438 560 www.moat.co.uk
Russell.drury@moat.co.uk

Orbit Homes

Orbit Homes Sales & Marketing Team
2nd Floor
Horizon House
Eclipse Park
Sittingbourne Road
Maidstone
ME14 3EN
01622 633241
shina.olalekan@orbit.org.uk – Development Manager

Southern Housing Group

Fleet House
59 - 61 Clerkenwell Road
London
EC1M 5LA

0845 6120 021

Development
1 Eurogate, Eurogate Business Park
Ashford, Kent TN24 8XW
Direct Line 01233 895636

Town & Country Housing Group

Monson House
Monson Way
Tunbridge Wells
Kent TN1 1LQ - 0845 873 1 321

New Business Manager - Stephen Gates
Town & Country Housing Group
Unit 4B
Denne Hill Business Centre
Denne Hill Farm
Womenswold
Canterbury
Kent CT4 6HD

Tel: 01227 833438 or 01892 501745
Email: Stephen.gates@tchg.org.uk
Fax: 01227 833437

Extra Care Housing Provider
Housing and Care 21

Peter Smith
Property Development Manager
Housing and Care 21
Mob: 07545 208747

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From: Russell Drury [mailto:Russell.Drury@moat.co.uk]
Sent: 03 October 2017 09:32
To: 'rsmith@forelandpartnership.co.uk' <rsmith@forelandpartnership.co.uk>
Subject: Canterbury Road East, Ramsgate

Hi Robert,

Please accept this e-mail as confirmation that the S106 element of this scheme is not of interest to Moat.

Moat has ambitious growth targets and is committed to delivering 700+ homes a year and to achieve this we are unable to accept schemes of less than 10 homes.

The 100% shared ownership tenure would be acceptable but even if I was permitted to deliver a scheme of this size I know my sales team would be unsupportive of 4 and 5 bedroomed houses for this tenure.

Should the scheme change and the numbers increase Moat would consider making an offer for the S106 element and an additional number to get the affordable number up to 10 units.

If you are unable to find another provider I trust this e-mail if of use in your discussions with Thanet D.C.

Kind regards

Russell Drury | Business Development Manager | Moat | 0845 359 6432 | 07711 438 560
www.moat.co.uk

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account

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Visit our website at www.moat.co.uk

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-----Original Message-----

From: Shina Olalekan [mailto:Shina.Olalekan@orbit.org.uk]
Sent: 09 October 2017 12:33
To: 'Rob Smith' <rsmith@forelandpartnership.co.uk>
Subject: RE: Shared Ownership Properties - Ramsgate

Dear Rob

Many thanks for this, unfortunately the numbers of units here fall short of our threshold for the area (20 units plus), As a result we would not be expressing an interest on this occasion

Kind regards

Shina

Shina Olalekan
Deputy Head Of Development
Orbit Homes - Development
T:01622633282
M:07899061085
E:Shina.Olalekan@orbit.org.uk
W:<http://www.orbit.org.uk>

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Agenda Item 6

Annex 2

-----Original Message-----

From: Rob Smith [mailto:rsmith@forelandpartnership.co.uk]

Sent: 09 October 2017 10:27

To: Shina Olalekan

Subject: Shared Ownership Properties - Ramsgate

This banner indicates that this email is from an external source and therefore special care should be taken with links and attachments which may be included.

Dear Shina

Thanet district council have passed us your contact details as one of their preferred social housing partners.

We are currently in the process of finalising planning permission for 14 detached 4/5 bed houses in Ramsgate. Four of these units, 2 x 5 bed and 2 x 4 bed are to be allocated for social housing on a shared ownership basis.

The purpose of this email is to establish whether you would be interested in acquiring these properties.

I would be very grateful if you could respond to this email as soon as possible and thank you in advance for your help.

Yours sincerely

Robert Smith

The Foreland Partnership

07774 492940

Agenda Item 6

Annex 2

From: Peter Smith [mailto:peter.smith@housingandcare21.co.uk]
Sent: 09 October 2017 12:17
To: Rob Smith <rsmith@forelandpartnership.co.uk>
Subject: RE: Shared Ownership Properties - Ramsgate

Hello Rob,

Thanks for getting in touch. We focus exclusively on Retirement and Extra Care housing typically in courts of at least 30 apartments. The housing typology of your proposal is not suitable to us therefore we are not interested in bidding.

Kind regards,

Peter

Peter Smith

Property Development Manager

Housing and Care 21

Mob: 07545 208747

Please note that I am a mobile worker and therefore mobile phone or e mail is the most efficient way of contacting me. Post marked for my attention can be sent to Housing and Care 21, 10th Floor, Tricorn House, 51-[53 Hagley Road, Birmingham, B16 8TP](#)

Website: www.housingandcare21.co.uk

Follow us: Facebook | Twitter (@HousingCare21) | LinkedIn

-----Original Message-----

From: Rob Smith [mailto:rsmith@forelandpartnership.co.uk]

Sent: Monday, October 9, 2017 10:57 AM

To: Peter Smith

Subject: Shared Ownership Properties - Ramsgate

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Annex 2

Dear Peter

Further to our telephone conversation this morning. We are currently in the process of finalising planning permission for 14 detached 4/5 bed houses in Ramsgate. Four of these units, 2 x 5 bed and 2 x 4 bed are to be allocated for social housing on a shared ownership basis.

The purpose of this email is to establish whether you would be interested in acquiring these properties.

I would be very grateful if you could respond to this email as soon as possible and thank you in advance for your help.

Yours sincerely

Robert Smith

The Foreland Partnership

07774 492940

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Agenda Item 6

Annex 2

-----Original Message-----

From: Kitty Mortimer [mailto:kitty.mortimer@wkha.org.uk]
Sent: 11 October 2017 18:11
To: 'rsmith@forelandpartnership.co.uk' <rsmith@forelandpartnership.co.uk>
Subject: FW: Shared Owned Properties - Ramsgate

Dear Rob

Thank you for your email.

West Kent are seeking new opportunities throughout the county however, 4 properties is too small a scheme for us to consider. However, we would be very happy to discuss other sites with yourself which would ideally be 20 units or larger.

Please feel free to give me a call if you would like to discuss further.

Kind regards

Kitty Mortimer
Development Manager
DD 01732 749987 (ext 587)
Mobile 07545 278724

West Kent Housing Association
101 London Road, Sevenoaks, Kent TN13 1AX www.westkent.org

-----Original Message-----

From: Rob Smith [mailto:rsmith@forelandpartnership.co.uk]
Sent: 09 October 2017 10:49
To: customer service shared inbox <CustomerServices@wkha.org.uk>
Subject: Shared Owned Properties - Ramsgate

Dear Sir

We are currently in the process of finalising planning permission for 14 detached 4/5 bed houses in Ramsgate. Four of these units, 2 x 5 bed and 2 x 4 bed are to be allocated for social housing on a shared ownership basis.

The purpose of this email is to establish whether you would be interested in acquiring these properties.

I would be very grateful if you could respond to this email as soon as possible and thank you in advance for your help.

Yours faithfully

Robert Smith

The Foreland Partnership

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Annex 2

07774 492940

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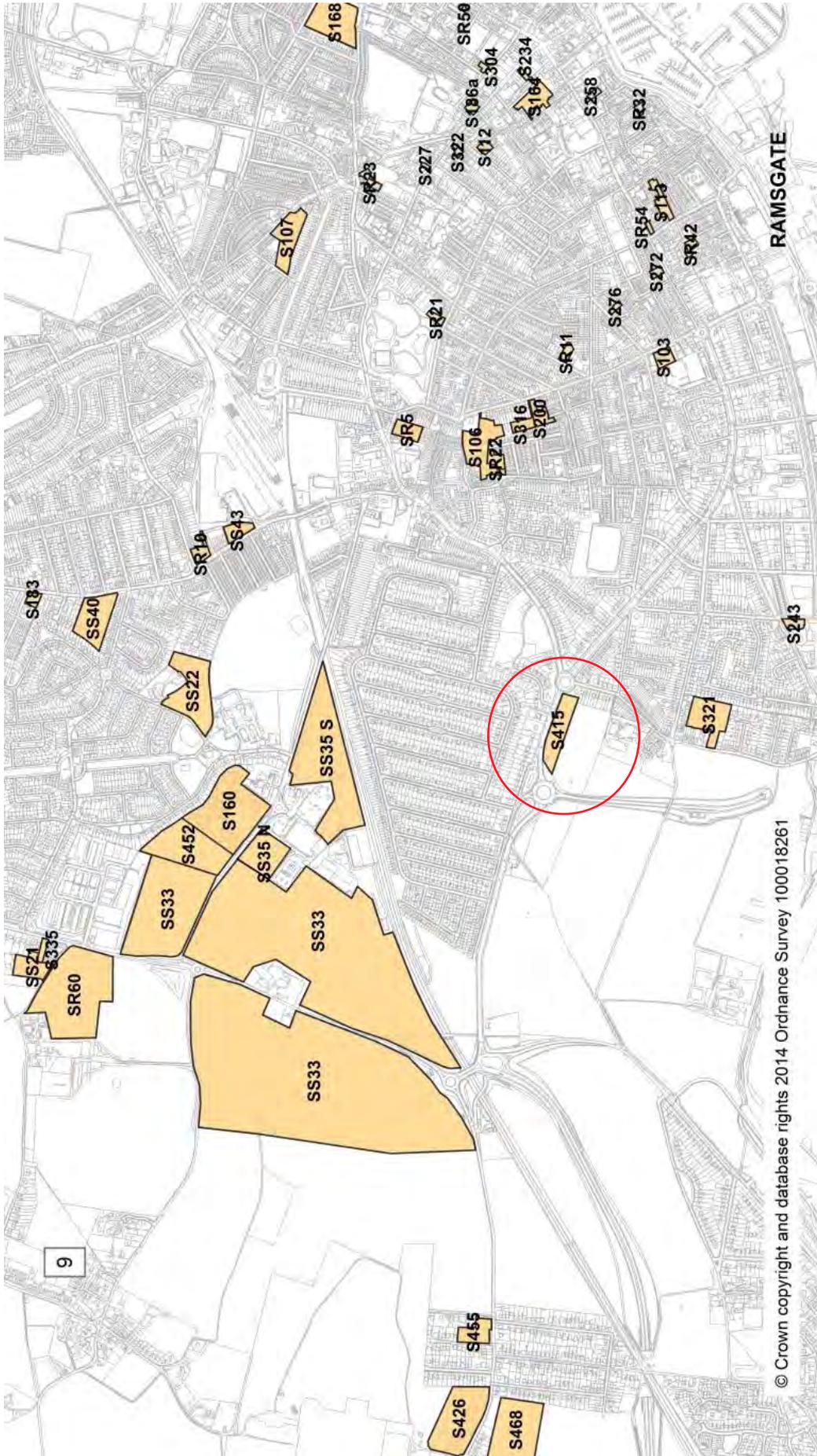
Annex 7

Proposed Revisions to Draft Local Plan (Preferred Options)

1. Preferred Options Revisions

Amendments to Appendix B of the Preferred Options Draft Local Plan

SITE ADDRESS	NOTIONAL DWELLING CAPACITY			NOTIONAL DELIVERY PERIOD			2019-20	2020-21	2021-22	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31	SITE REFERENCE /S
	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31				
STRATEGIC SITES																			
Westwood				0	0	50	100	150	110	110	110	110	110	120	120	120	120	120	S511, S553, S447
Birchington				0	0	50	100	100	70	70	70	70	70	80	80	80	80	80	S515, S498, S499,
Westgate				0	0	50	100	100	70	70	70	70	70	80	80	80	80	80	ST1, ST2
Manston Green				0	50	50	60	60	60	60	60	60	60	55	55	55	50	50	SS33
Land at Manston Court Road/Haine Road				0	0	0	30	60	60	60	60	60	60	60	60	60	60	60	
Former airport site				0	0	160	160	160	179	179	179	179	179	179	241	241	241	242	
SUB TOTAL	0	50	360	550	630	530	549	549	549	549	574	636	636	631	636	631	632	632	
OTHER HOUSING SITES OUTSIDE URBAN AREA																			
South of canterbury Rd, Ramsgate				0	0	0	0	0	10	17	0	0	0	0	0	0	0	0	S415
Land fronting Park lane, Birchington				0	0	40	50	0	0	0	0	0	0	0	0	0	0	0	ST3
Land south east of Brooke Avenue, Westbrook				0	0	14	20	0	0	0	0	0	0	0	0	0	0	0	S505
Land at Haine Rd & Spratling St, Ramsgate				0	0	0	0	0	13	15	15	15	15	12	0	0	0	0	SR60
Land off Nash/Manston Rds, Margate				0	0	30	60	60	20	20	20	20	20	0	0	0	0	0	S540
Land west of Old Haine Road, Ramsgate				0	0	20	40	40	30	30	30	30	30	0	0	0	0	0	S535 & S549
Land at Manston Road/Shottendane Road				0	0	0	0	40	40	40	40	40	50	0	0	0	0	0	
SUB TOTAL	0	0	104	170	140	113	105	105	122	105	105	105	115	12	0	0	0	0	
MIXED USE SITES																			
Queen Arms Yard, Margate				0	0	0	24	0	0	0	0	0	0	0	0	0	0	0	S189
Cottage Car Park, New Street, Margate				0	0	0	0	0	0	0	0	0	0	15	17	0	0	0	S411
Margate Town Centre, (south of New Street, Margate)				0	0	0	0	0	0	0	0	0	0	5	10	12	0	0	S412
SUB TOTAL	0	0	0	24	0	20	27	12	0	0									
OTHER HOUSING URBAN AREA SITES																			
Adjacent to 9 Minnis Road, Birchington				0	0	0	0	0	0	0	0	0	0	5	6	0	0	0	S019
End of Seafield Road				0	16	0	0	0	0	0	0	0	0	0	0	0	0	0	S106
Adjacent to 8 Chapel Place, Ramsgate				0	0	0	0	0	0	0	0	0	0	6	0	0	0	0	S112
Adjacent to 21 Royal Road & 9 Townley Street				0	0	0	0	0	0	0	0	0	0	9	9	0	0	0	S113
land adj. Westwood Centre - 1000 dwellings				0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	S141
ro 7_10 Marine Gdns - 5 Dwellings				0	0	0	0	0	0	0	0	0	0	6	0	0	0	0	S158



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Annex 3

Table 1: Viability Table

Scheme: 10 Private Residential Units & 4 Affordable Housing Units (30%)

Input	Value / Cost	Notes
Gross Development Value		
- 9 x 5-bed dwellings	£4,050,000	1
- 1 x 4-bed dwellings	£400,000	2
- Affordable - 2 x 5-bed & 2 x 4-bed dwellings	£614,000	3
- Any other sales	£0	4
Total Gross Development Value	£5,064,000	
Build Costs		
- Site clearance & preparation	£80,000	5
- Base build costs	£3,177,800	6
- Known abnormal costs	£104,000	7
- On site infrastructure and utilities	£323,020	8
- Offsite infrastructure	£30,000	9
- Contingencies	£371,482	10
Total Build Costs	£4,086,301	11
Planning Policy Costs		
- Primary School Contribution	£63,490	12
- Secondary School Contribution	£33,037	13
- Library Contribution	£672	14
- Play Equipment	£12,250	15
- Habitat Regulations	£8,400	16
- CIL	£0	17
Total Planning Policy Costs	£117,849	
Finance Costs	£258,705	18
Professional & Project Management Costs	£222,889	19
Sales & Legal Costs	£154,500	20
Total Development Costs	£4,840,245	
Developer's Profit	£815,590	21
Total Costs	£5,655,835	
Residual Land Value	-£591,835	

* All values rounded to nearest pound.

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Annex 3

Notes

(1) Based on individual property value of £450,000. See Valuation Appraisal.

(2) Based on individual property value of £400,000. See Valuation Appraisal.

(3) Due to the lack of interest from registered providers, figures from Table 3 of the Council's Economic Viability Assessment of Development in Thanet (June 2012) have been applied. This Assessment identifies a value of £145,000 for four bed properties in shared ownership. The figures in Table 3 of the Council's Assessment have been extrapolated to identify a value of £152,000 for five bed properties in shared ownership. These values have then been inflated to reflect overall price increases since 2012 (£150,000 four bed and £157,000 five bed).

(4) No additional sales arising from the development, with no garages sold individually.

(5) Based on estimate from Kent County Surfacing, see Indicative Cost Report.

(6-10) See Indicative Cost Report. Costs are comparable to the BCIS Index of £1,630/sq.m for developments of this scale (Index 172 3Q 2017).

(11) The estimated total build cost is 10% - 15% lower than the quote provided by Coombs (Canterbury) Ltd (£4.4m - £4.6m). See Indicative Cost Report.

(12-16) Costs as set out in Committee Report for application. See Annex 4 to Viability Assessment.

(17) There is no adopted CIL charging schedule in Thanet.

(18-20) See Indicative Cost Report.

(21) Whilst the Council's own Viability Assessment accepts a 20% return on the Gross Development Value of private units and 6% on Gross Development Value of affordable units, a 17.5% return on the private units and 6% return on the affordable units has been applied.

**For: Thanet District Council
Review of Applicant Submitted
Viability Position**

**Land South of Canterbury
Road, Ramsgate**

January 2018
(DSP17442H)

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1. Notes and Limitations

- 1.1.1 The following does not provide formal valuation advice. This review and its findings are intended purely for the purposes of providing Thanet District Council (TDC) with an independent check of, and opinion on, the planning applicant's viability information and stated position in this case.
- 1.1.2 This document has been prepared for this specific reason and should not be used for any other purpose without the prior written authority of Dixon Searle Partnership (DSP); we accept no responsibility or liability for the consequences of this document being used for a purpose other than for which it was commissioned. To the extent that the document is based on information supplied by others, Dixon Searle Partnership accepts no liability for any loss or damage suffered by the client.
- 1.1.3 We have undertaken this as a desk-top exercise as is appropriate for this stage and level of review. For general familiarisation we have considered the site context from the information supplied by the Council and using available web-based material.
- 1.1.4 So far as we have been able to see, the information supplied to DSP to inform and support this review process has not been supplied by the prospective / current planning applicant on a confidential basis. However, potentially some of the information provided may be regarded as commercially sensitive. Therefore, we suggest that the Council and prospective / current or subsequent planning applicant may wish to consider this aspect together. DSP confirms that we are content for our review information, as contained within this report, to be used as may be considered appropriate by the Council (we assume with the applicant's agreement if necessary).

2. Introduction

2.1.1 Dixon Searle Partnership (DSP) has been commissioned by Thanet District Council (TDC) to carry out an independent review of the viability evidence supplied to the Council on behalf of the applicant by JJA Planning. This is in relation to the proposed development at land to the south of Canterbury Road, Ramsgate.

2.1.2 The planning application (reference OL/TH/16/1416) to which this review relates, seeks outline permission for the erection of 14 detached dwellings including access, layout and scale. We note that the Council has resolved to grant permission and depart from Thanet Local Plan Policy H1 '*subject to the receipt of a legal agreement securing the planning obligations contained within the Heads of Terms*', The Heads of Terms are as follows:

- *30% affordable housing (shared ownership),*
- *£63,490.00 towards primary school provision in the form of phase 1 of the new Ramsgate Primary Free School,*
- *£33,037.20 towards secondary school provision in the form of Royal Harbour Secondary School phase 2 works,*
- *£672.28 towards library provision in Ramsgate,*
- *£12,250 towards play equipment at either Courtstairs or Nethercourt play area (Open Spaces Manager to confirm project details)*
- *£8,400 towards the Special Protection Area*

2.1.3 It appears that the viability information has been submitted as it appears that the applicant is of the view that the scheme cannot now support the obligations set out above.

2.1.4 According to the planning application, the site is stated to extend to 0.81 hectares and is located south of Canterbury Road East and west of Chilton Road. The site is currently greenfield, low grade agricultural land.

2.1.5 The Council's adopted affordable housing (AH) policy (H14) states that

'WHERE DEVELOPMENT IS PROPOSED WHICH, IN ITS COMPLETED FORM, WOULD AMOUNT TO FIFTEEN OR MORE RESIDENTIAL UNITS, OR WILL/MIGHT REASONABLY FORM PART OF AN ONGOING/FUTURE DEVELOPMENT, CUMULATIVELY TOTALLING FIFTEEN OR MORE SUCH UNITS, THE DISTRICT COUNCIL WILL NEGOTIATE WITH THE DEVELOPER FOR THE INCLUSION OF AN ELEMENT OF AFFORDABLE HOUSING. SUCH NEGOTIATIONS WILL ALSO BE APPLIED TO ANY SITE OF 0.5 HECTARE OR MORE IRRESPECTIVE OF THE NUMBER OF DWELLINGS PROPOSED'.

- 2.1.6 The Policy also states that the affordable housing provision should be proportionate to the size and type of dwellings across the entire site.
- 2.1.7 In this case the policy applies due to the size of the site being above the 0.5ha threshold. As such the development would need to provide 4.2 affordable dwellings (in this case shared ownership according to the Council's Heads of Terms).
- 2.1.8 Development contributions policy (CF2) requires a contribution where a proposed development would directly result in the need to provide new or upgraded community facilities (including transport, education and recreation). The priority for contributions is set out in the Council's Supplementary Planning Document – Planning Obligations and Developer Contributions.
- 2.1.9 The viability information provided for review consists of the following:
- Viability Assessment report.
 - Illustrative site layout & sections
 - Indicative cost report
 - Valuation appraisal with explanatory notes
 - Extract from committee report
 - Viability tables (two scenarios)
 - Interest from Registered Providers
 - Residential Allocation; extract from emerging local plan
- 2.1.10 DSP has also had sight of the Council's online planning file with particular reference to the Design and Access Statement and planning application.

- 2.1.11 Development viability is a measure that may be defined as *‘the ability of a development project to meet its costs including the cost of planning obligations, while ensuring an appropriate site value for the landowner and a market risk adjusted return to the developer in delivering that project’*¹. Under normal circumstances where a viability appraisal is provided, if the residual land value (RLV) created by a scheme proposal exceeds the market value or existing or alternative use value then we usually have a positive viability scenario – i.e. the scheme is much more likely to proceed (on the basis that a reasonable developer profit margin is also reached). It is equally valid to consider viability by reference to the output developer return or profit (in which case land value becomes a fixed component of the appraisal). Finally, a third method is to fix the land value and the development profit. The output of any development appraisal then becomes a surplus or deficit that can be considered the maximum likely level of affordable housing or other s106 requirements supportable by the scheme.
- 2.1.12 In this case the development appraisal has been run in a way which produces a residual land value having fixed the level of developer’s profit. The RLV is then compared to the benchmark land value in order to determine the level of overall planning obligations that can be accommodated.
- 2.1.13 The submitted 14-unit development appraisal (100% market housing) generates a RLV of £182,505 including contributions towards schools, libraries, and habitat regulations but without any affordable housing – set against a benchmark land value of £160,000. The policy compliant appraisal returns a RLV of -£591,835 on the same basis. In both cases a profit of 17.5% of GDV (market) and 6% (affordable housing) is assumed.
- 2.1.14 This review does not seek to pre-determine any Council positions, but merely sets out our opinion on the submitted viability assumptions and outcomes to inform the Council’s discussions with the applicant and its decision making; it deals only with viability matters, in accordance with our instructions. That being said, we note that the application is in outline only and the Council may wish to consider, as a general principle, whether the viability of the scheme should actually be reviewed at this stage. There is Appeal precedent to suggest that as the scheme design has not been finalised at this stage, the viability exercise may be premature. The Inspector in the particular case in question [Appeal Ref: APP/D0840/Q/13/2206580] stated:

¹ Financial Viability in planning – RICS Guidance note (August 2012)

'Irrespective of the detailed appraisals of viability based on the illustrative scheme accompanying the outline permission, and the suggested levels of developer profit that might derive from its implementation, the fact remains that there is no extant detailed scheme on which to base any meaningful judgement. The planning permission effectively provides a blank sheet for a prospective developer to come along with a proposal for ten market and four affordable dwelling units; there is no tie to the illustrative scheme which accompanied the approved application. The details of an alternative scheme could vary markedly from that assessed and therefore could have considerably differing outcomes in terms of the realistic viability of development.

Assessment has taken place on the false premise that viability should be based on what was solely an illustrative scheme and is, in my view, premature in advance of a detailed scheme coming forward...Therefore, regardless of the detailed debate between the appellants and the Council regarding matters such as land value, build costs and levels of developer profit, I consider it is not possible in the circumstances to conclude that a scheme for the provision of 14 dwellings, four of which should be affordable, would necessarily be unviable. As such, and notwithstanding the acknowledged national need to boost housing delivery, for the reasons given above I am not persuaded that the present obligation in relation to affordable housing would result in the development of the site, in the terms of the outline planning permission, being unviable'.

- 2.1.15 Thanet District Council requires our opinion as to whether the viability figures and position put forward by the applicant are reasonable. We have therefore considered the information submitted. Following our review of the key assumptions areas, this report provides our views.
- 2.1.16 We have based our review on the submitted development appraisal and cost plans and the premise that the viability of the scheme should be considered based on the assumption of current costs and values. We then discuss any variation in terms of any deficit (or surplus) created from that base position by altering appraisal assumptions (where there is disagreement, if any) utilising the applicant's appraisal as a base where considered necessary.
- 2.1.17 This assessment has been carried out by Rob Searle of DSP, who has significant experience in assessing the viability of schemes and assessing the scope for Local

Authority planning obligation requirements. This expertise includes viability-related work carried out for many Local Authorities nationwide over the last 15 years or so.

2.1.18 The purpose of this report is to provide our overview comments regarding this individual scheme, on behalf of the Council - taking into account the details as presented. It will then be for the Council to consider this information in the context of the wider planning objectives in accordance with its policy positions and strategies.

2.1.19 In carrying out this type of review a key theme for us is to identify whether, in our opinion, any key revenue assumptions have been under-assessed (e.g. sales value estimates) or any key cost estimates (e.g. build costs, fees, etc.) over-assessed – since both of these effects can reduce the stated viability outcome.

3 Review of Submitted Viability Assumptions

- 3.1.1 The following commentary reviews the applicant's submitted viability appraisal assumptions as set out in the submitted development appraisal and cost plan extracts.
- 3.1.2 Primarily the review process considers the fact that the collective impact of the various elements of the cost and value assumptions is of greatest importance, rather than necessarily the individual detailed inputs in isolation. We have considered those figures (the appraisal assumptions) provided, as below. In the background to this we have reviewed the impact of trial changes to submitted assumptions by making alterations to the submitted appraisal where a difference of opinion occurs.
- 3.1.3 This type of audit / check is carried out so that we can give the Council a feel for whether the indicated profit positions are approximately as expected – i.e. informed by a reasonable set of assumptions and appraisal approach.
- 3.1.4 Should there be changes to the scheme proposals this would obviously impact on the appraisal outputs.

Benchmark Land Value

- 3.1.5 In all appraisals of this type, the base value (value of the site or premises – e.g. assessed in existing use or as market value) is one of the key ingredients of scheme viability. A view needs to be taken on land value so that it is sufficient to secure the release of the site for the scheme (sale by the landowner(s) but is not assumed at such a level that restricts the financial capacity of the scheme to deliver suitable profits (for risk reward), cover all development costs (including any abnormals) and provide for planning obligations as a part of creating sustainable development. This can be a difficult balance to reach, both in terms of developers' dealings with landowners, and Councils' assessments of what a scheme has the capacity to bear.
- 3.1.6 The RICS Guidance 'Financial Viability in Planning'² states that:

² RICS Professional Guidance – Financial Viability in Planning (August 2012)

'A viability appraisal is taken at a point in time, taking account of costs and values at that date. A site may be purchased some time before a viability assessment takes place and circumstances might change.'

This is part of the developer's risk. Land values can go up or down between the date of purchase and a viability assessment taking place; in a rising market developers benefit, in a falling market they may lose out.'

A developer may make unreasonable/overoptimistic assumptions regarding the type and density of development or the extent of planning obligations, which means that it has overpaid for the site'.

'Site Value' is defined in the same Guidance as the following: 'Site Value should equate to the market value subject to the following assumption: that the value has regard to development plan policies and all other material planning considerations and disregards that which is contrary to the development plan'. It goes on to say 'It is for the practitioner to consider the relevance or otherwise of the actual purchase price, and whether any weight should be attached to it, having regard to the date of assessment and the Site Value definition as set out in this guidance. Where historic costs (for example remediation works) are stated it is important that these are not reflected in the Site Value (i.e. double counted)'.

3.1.7 However, recent research by the RICS^[3] indicates that the market value approach is not being applied correctly and that *'if market value is based on comparable evidence without proper adjustment to reflect policy compliant planning obligations, this introduces a circularity, which encourages developers to overpay for site and try to recover some or all of this overpayment via reductions in planning obligations'.*

3.1.8 The Mayor of London's Affordable Housing & Viability SPG states the following:

'The process for establishing an appropriate benchmark land value for a viability assessment is key, because this indicates the threshold for determining whether a

[3] RICS Financial Viability Appraisal in Planning Decisions: Theory and Practice. April 2015

scheme is viable or not. A development is typically deemed to be viable if the residual land value is equal to or higher than the benchmark land value, as this is the level at which it is considered that the landowner has received a 'competitive return' and will release the land for development.

The NPPF's benchmark for viability appraisal is that it should "take account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable"

The NPPG is clear that "in all cases, land or site value should: reflect policy requirements and planning obligations and, where applicable, any Community Infrastructure Levy charge"

This is a key requirement because if it is assumed that the granting of planning permission will increase the value of the site, but the costs of meeting planning requirements are not factored in, the site value will be over inflated.

It is for this reason that the Mayor does not consider it appropriate within a development appraisal to apply a fixed land value as an input which is based on price paid for land or a purely aspirational sum sought by a landowner. Land transactions reflect the specific circumstances of the developer whereas planning viability appraisals are typically undertaken on a standardised basis. Reliance on land transactions for sites that are not genuinely comparable or that are based on assumptions of low affordable housing delivery, excess densities or predicted value growth, may lead to inflated site values. This undermines the implementation of Development Plan policies and the ability of planning authorities to deliver sustainable development.

The 'Existing Use Value plus' (EUV+) approach to determining the benchmark land value is based on the current use value of a site plus an appropriate site premium. The principle of this approach is that a landowner should receive at least the value of the land in its 'pre-permission' use, which would normally be lost when bringing forward land for development. A premium is added to provide the landowner with an additional incentive to release the site, having regard to site circumstances.

The benefit of this approach is that it clearly identifies the uplift in value arising from the grant of planning permission because it enables comparison with the value of the site without planning permission.

The NPPG confirms that comparing the current use value of a site with the residual land value generated by the proposed development is an appropriate way to determine whether or not a 'competitive return' is achieved for the land owner.

When determining the EUV+ benchmark:

- The existing use value (EUV) is independent of the proposed scheme. The EUV should be fully justified based on the income generating capacity of the existing use with reference to comparable evidence on rents, which exclude any hope value associated with development on the site or alternative uses. This evidence should relate to sites and buildings of a similar condition and quality or otherwise be appropriately adjusted. Where an existing use and its value to a landowner is due to be retained in a development (and not lost as is usually the case), a lower benchmark would be expected.*
- Premiums above EUV should be justified, reflecting the circumstances of the site and landowner. For a site which does not meet the requirements of the landowner or creates ongoing liabilities/ costs, a lower premium would be expected compared with a site occupied by profit-making businesses that require relocation. The premium could be 20% to 30%, but this must reflect site specific circumstances and may be considerably lower.*
- As set out in NPPG, in all cases land or site value should reflect Development Plan Policies, planning obligations and CIL. When determining a level of premium that would be sufficient to incentivise release of a site for development and ensure that a landowner receives a 'competitive return', this should take into account the overarching aim of delivering sustainable, policy compliant development and that an uplift in land value is dependent on the grant of full planning consent.*
- If there is an extant permission on the site, this 'alternative use' can be taken into account when determining the benchmark land value. However, there is no requirement for a 'premium' above this figure. It is for the applicant to weigh*

up the different options and risk profiles of the potential policy compliant schemes for a site and decide which one to pursue.

- 3.1.9 The SPG goes on to state that *'If an applicant seeks to use an 'alternative use value' (AUV) approach it must fully reflect policy requirements. In addition, the approach should only be used if the alternative use would fully comply with development plan policies and it can be demonstrated that the alternative use could be implemented on the site in question and there is market demand for that use. Where all these conditions are met and the AUV is being used, there is no requirement for an additional 'plus' element. It is for the applicant to weigh up the different options and risk profiles of the potential schemes for a site and decide which one to pursue. Generally, the Mayor will only accept the use of AUV where there is an existing implementable permission for that use'.*
- 3.1.10 Through recent Appeals we are beginning to see a shift towards the 'EUV plus' approach; consistent with the Mayor of London's SPG approach.
- 3.1.11 In reality, there may not be one easy 'correct' answer as to how to reach a benchmark land value and as with much of the viability process it is normally useful to consider various approaches where that is possible.
- 3.1.12 In this case the site value used within the development appraisal is £160,000 reflecting an uplift from agricultural value based on the Council's Economic Viability Assessment of Development in Thanet report. Notwithstanding the general point that strategic viability assessments for Local Plan or other policy setting requirements should not be relied upon for site specific viability analysis, in this case we are of the opinion that a value of £200,000/ha is probably not unreasonable for a site of this nature based on our experience.

Gross Development Value (GDV) – Open Market Housing

- 3.1.13 The VA states that the following:

'The gross development value (i.e. sale proceeds) of the scheme has taken account of the site's specific location. In residential terms, this might be seen as being constrained by the site's location adjacent to the main A-road (A299/A255) serving Ramsgate from the west, but the scheme's low density allows it to create its own

countryside edge setting and thus identity in the market for more aspirational larger, i.e. four and five-bed, units.

Likely sale prices have then been assessed taking account of local market evidence, i.e. up to date transactions from comparable new build properties within a reasonable distance from the site. The relevant locations include Hawthorn Grange (new build), London Road, Minster Road, Lorne Road, Millfield Road, St Mildred's Avenue and Winsterstoke Crescent. The average sale price as recorded were: four-bed - £376,899 and five-bed - £425,383.

We have inflated these prices to reflect overall price increases over the last year or so and increased them to the values used in the appraisal to reflect the quality of the overall development that is expected to be secured here.

We have then corroborated likely sale prices (as at 2017) with advice from a local agent. This has confirmed that we have adopted a realistic assessment of potential sale prices. For example, we have assessed four bed homes of circa 130m² (1,400 sq. ft) (GIA), as selling for an average of £400,000. For five bed homes of circa 149m² (1,600 sq. ft) (GIA) we have adopted £450,000 (agent indicating £440,000)'.

3.1.14 Two development appraisals have been carried out. The first includes a policy compliant level of affordable housing; the second assumes an all market housing scenario. In each case the value of the 5-bed market units is given as £450,000 and the 4-beds as £400,000. Based on floor areas of 1,600 sq.ft. and 1,400 sq.ft. (149m² and 130m²) this leads to average sales values of £3,020/m² and £3,076/m² or an average of £3,048/m².

3.1.15 To assess whether these assumed sales values are reasonable, we have carried out our own desktop research of property values using property search engines Zoopla, RightMove as well as the Land Registry to review local market indications for properties (both re-sale and new build as available) considering current / recent asking prices and where available sold prices in the locality.

3.1.16 In our view the proposed sales prices for the subject properties are probably not unreasonable.

3.1.17 It is worth noting that any improvement in the sales value assumptions (compared with a level set at the point of the appraisal) would most likely be reflected in an improvement in scheme viability. Whilst the opposite could also occur (the sales values could fall relative to the assumptions made), that is the developer's (applicant's) risk and such factors need to be kept in mind in making an overall assessment of the applicant's position.

Gross Development Value (GDV) – Affordable Housing

3.1.18 The draft Heads of Terms included within case officer's report appended to the VR suggests that in this case the Council expects 30% affordable housing to be provided on site but in the form of shared ownership properties.

3.1.19 The VR states that the applicant has approached the Council's Registered Providers (RPs) in order to secure potential offers for affordable housing on the site. According to the VR, all of the RPs declined to submit offers and evidence of this has been provided within the VR.

3.1.20 In light of the lack of any offers from locally active RPs, the VR adopts values for shared ownership properties used within the Council's Economic Viability Assessment (June 2012). These have then been updated to bring the figures up to date leading to an assumption of £150,000 for a 4-bed property and £157,000 for a 5-bed property.

3.1.21 Typically, in our experience, a Local Authority would not accept such large properties as shared ownership as they tend to be unaffordable for potential purchasers. It would be more normal for modest sized properties to be offered for shared ownership. Given the outline nature of this scheme, a change to the design of the affordable housing units on the site to make them smaller and therefore less costly to build and sell may be an option that the Council wish to consider.

3.1.22 Looking at this purely from a viability perspective based on the scheme as presented however, it is very difficult to comment on the validity of the assumptions used for the shared ownership properties. In our experience, shared ownership properties typically achieve between 60% - 80% of market value – this would suggest minimum values between £240,000 - £270,000 depending on the number of beds. We have carried out a calculation on the potential revenue that could be generated from the shared ownership properties using the Homes & Communities Agency Development Appraisal Toolkit (HCA DAT) that includes specific functionality for calculating

affordable housing revenue. The result of this calculation corroborates our general rule of thumb above. On the basis of 40% share and 2.75% rent on the unsold equity the DAT returns values of £263,000 and £295,000 for the 4 and 5-bed units respectively. Reducing the initial share to a minimum level of 25% and reducing the rent payable on the unsold equity to 2.5% leads to values of £217,000 and £244,000 respectively. In either case, these values are significantly in excess of those assumed within the VR.

Development Timings & Finance Costs

- 3.1.23 An explanation of the finance costs is not provided in the VR although the notes accompanying the viability appraisals states: *'Finance calculated on the basis of 75% borrowings for build costs and planning policy costs at 6% for 18 months (development programme) on the basis all planning policy costs are payable prior to occupation'*.
- 3.1.24 No discounted cashflow is included with the development appraisals (they have been completed on the basis of a balance sheet type appraisal). We have therefore completed an appraisal utilising the same assumptions as set out in the VR using Argus Developer software in order to verify the finance costs and development timings.
- 3.1.25 An interest rate of 6% appears reasonable as an all-in finance cost and an overall development programme of 18 months (including lead-in, construction and sales) also appears to be reasonable in our view. However, when running the development appraisal using Argus Developer, an overall finance cost of approximately £105,000 is indicated – significantly below that assumed within the submitted development appraisals. This figure varies depending on the other assumptions utilised (including on affordable housing revenue and build costs).

Cost Assumptions - Build Costs, Professional Fees & Contingencies

- 3.1.26 The base build costs are stated to be based on *'A figure of £135/sq. ft for the dwellings (21,880sq. ft x £135) and £40/sq. ft for the garages (5,600 sq. ft x £40) ...this includes additional costs relating to laying driveways, Statutory Authority Incoming Mains, individual house boundary fencing, individual house branch SW + FW Drainage and individual house Services/Entries'*.
- 3.1.27 Known abnormal costs have also been applied including: *'traffic regulation orders (to include parking restrictions either side of the access road on Canterbury Road East), piling for some properties (assumption of 15% over standard foundation cost applied),*

and costs related to the adoption of the internal road. Known abnormal costs may increase, generally being 15-20% of base build costs’.

3.1.28 Finally, further costs in relation to on-site infrastructure and utilities have been included based on a quote provided by Kent County Surfacing Ltd and the applicant’s informed estimate.

3.1.29 This leads to a total cost before contingencies and fees of £3,714,819 or £1,830/m².

3.1.30 To ascertain whether these assumed base build costs are reasonable we have reviewed BCIS data for new-build development for ‘Estate Housing – Detached’, rebased using a Thanet location factor. This leads to a benchmark rate of £1,729/m² (new build) prior to any external works allowances, contingencies and fees. Overall therefore we are of the opinion that the build cost allowances are within reasonable parameters.

3.1.31 A contingency allowance of 10% has been included within the development appraisal. In our view this is significantly higher than typical allowances for contingencies for new build schemes, particularly on greenfield sites. Typically, we would expect a contingency allowance of between 2-5% for sites of this nature. For the purposes of this review we have therefore reduced the contingency allowance to 3% of total build costs.

3.1.32 In addition to the base costs, the development appraisal has allowed for professional fees equating to approximately 6% of the total build cost. These assumptions are within reasonable parameters in our view.

Cost Assumptions – Agent’s, Marketing & Legal Fees

3.1.33 Sales agent’s and marketing fees are included at 3% of gross development value and legal fees at £1,500 per unit. The fees appear excessive in our view and compared to other schemes reviewed both locally and nationwide. We would expect legal fees to be no more than £750 per unit. Agent’s fees would be expected at no more than 1% – 1.5% of market GDV with marketing costs at say £10,000. We have therefore altered those assumptions when carrying out sensitivity testing as part of this review.

Cost Assumptions – Section 106 Payments / Planning Obligations

3.1.34 Planning obligations have been included as per the committee report submitted for the application. The Council would need to be clear on the planning obligations requirements and whether those were required to mitigate the impact of the development and are compliant with CIL Regulation 122 being (a) necessary to make the development acceptable in planning terms; (b) directly related to the development; and (c) fairly and reasonably related in scale and kind to the development. We would assume, if any and regardless of the viability exercise, that without meeting those requirements the scheme would not be acceptable in planning terms – particularly in relation to SPA mitigation? Equally, of course from the Council's perspective it must ensure that in requesting any contributions it does not fall foul of the pooling restrictions by entering into 5 or more s106 obligations for the same type of infrastructure (backdated to April 2010).

Developer's risk reward – profit

3.1.35 A profit allowance of 17.5% of GDV on the market housing and 6% on the affordable housing has been assumed within the development appraisals. Profit requirements vary from site to site and from one developer to another. However, in the recent period we have seen a range of profit scenarios within and outside what we would regard as the normal starting point assumptions of say 15% cost to 20% GDV.

3.1.36 Lower profit requirements or expectations are now beginning to be seen quite frequently in our experience. However, there are no "rules" about what can be considered acceptable, and appeal case examples as well as our own significant experience of recent site-specific schemes suggest varying views.

3.1.37 The RICS Guidance states that: *'When a developer's return is adopted as the benchmark variable, a scheme should be considered viable, as long as the cost implications of planning obligations are not set at a level at which the developer's return (after allowing for all development costs including site value) falls below that which is acceptable in the market for the risk in undertaking the development scheme. If the cost implications of the obligations erode a developer's return below an acceptable market level for the scheme being assessed, the extent of those obligations will be deemed to make a development unviable as the developer would not proceed on that basis'.*

3.1.38 It goes on to state: *'The benchmark return, which is reflected in a developer's profit allowance, should be at a level reflective of the market at the time of the assessment being undertaken. It will include the risks attached to the specific scheme. This will include both property-specific risk, i.e. the direct development risks within the scheme being considered, and also broader market risk issues, such as the strength of the economy and occupational demand, the level of rents and capital values, the level of interest rates and availability of finance. The level of profit required will vary from scheme to scheme, given different risk profiles as well as the stage in the economic cycle. For example, a small scheme constructed over a shorter timeframe may be considered relatively less risky and therefore attract a lower profit margin, given the exit position is more certain, than a large redevelopment spanning a number of years where the outturn is considerably more uncertain. A development project will only be considered economically viable if a market risk adjusted return is met or exceeds a benchmark risk-adjusted market return'.*

3.1.39 At this stage we would consider the assumptions to be reasonable.

4 Summary & Overview of Findings

- 4.1.1 Following our review of the submitted information it is our view that a number of the assumptions used in the viability submission and associated appraisals appear to be reasonable based on our understanding of the scheme. There are however aspects where a difference of opinion exists relating mainly to the value of the affordable housing, interest costs, contingency allowances and marketing and legal costs.
- 4.1.2 The policy compliant development appraisal submitted for review produces a residual land value of -£591,835 or £182,505 where a 100% market scheme is assumed. In both cases on the basis of a fixed 17.5% profit on market housing and 6% profit on affordable housing (where applicable).
- 4.1.3 As part of our audit style approach, we have run a version of the applicant's appraisal utilising Argus Developer software to explore the extent to which a more positive viability outcome should be possible. These adjustments include altering the affordable housing revenue, reducing the contingency allowance and reducing the marketing and legal costs on sale. The interest costs are calculated automatically by the software based on an 18-month development programmes as set out in the VR.
- 4.1.4 We have run two versions of the policy compliant appraisal. The first is on the assumption, that the shared ownership property disposal is based on the sale of a 40% initial share with 2.75% rent payable on the remaining equity. The second assumes a more affordable 25% initial share and 2.5% rent payable on the remaining equity.
- 4.1.5 The result of the first appraisal (v1) leads to a positive residual land value of £305,000. In the second appraisal this reduces to £143,000; in both cases affordable housing and other planning obligations are included in full.
- 4.1.6 The result of our review and the sensitivity testing carried out on the development appraisals as submitted leads to the conclusion that evidence has not been provided that would support a requirement to waive the affordable housing or other planning obligations in this case. In our view this outline application scheme has the potential to comply fully with the Council's policy requirements.

- 4.1.7 We have noted (as have the authors of the VR) in this report that there may be practical (rather than wholly viability based) issues in terms of getting a Registered Provider on board to take 4/5 bed shared ownership properties. The Council's housing officer may of course have a view on this.
- 4.1.8 We have also noted that as an outline application, irrespective of viability, the Council may wish to consider, as a general principle, whether the viability of the scheme should actually be reviewed at this stage. There is Appeal precedent to suggest that as the scheme design has not been finalised at this stage, the viability exercise may be premature.
- 4.1.9 We need to be clear that the above is based on current day costs and values assumptions as described within our review based on the current scheme as submitted. A different scheme may of course be more or less viable – we are only able to review the information provided – this is particularly relevant here in terms of design of affordable housing units.
- 4.1.10 DSP will be happy to advise further as required.

Review report ends

Review completed January 2018

Carried out by: Rob Searle BSc (Hons) MSc CIHM

Reviewed by: Richard Dixon BSc (Hons) MRICS

Appendix I – DSP Appraisal Summaries

Land South of Canterbury Road
DSP Version of Applicant Development Appraisal

Ramsgate
Shared Ownership - 40% Share / 2.75% Rent

**Land South of Canterbury Road
DSP Version of Applicant Development Appraisal**

Summary Appraisal for Phase 1

Currency in £

REVENUE

Sales Valuation	Units	m ²	Rate m ²	Unit Price	Gross Sales
4-bed house - Market	1	130.00	3,076.92	400,000	400,000
5-bed house - Market	9	1,341.00	3,020.13	450,000	4,050,000
4-bed house - SO	2	260.00	2,023.08	263,000	526,000
5-bed house - SO	<u>2</u>	<u>298.00</u>	1,979.87	295,000	<u>590,000</u>
Totals	14	2,029.00			5,566,000

NET REALISATION

5,566,000

OUTLAY

ACQUISITION COSTS

Residualised Price		304,135			
				304,135	
Stamp Duty			4,707		
Agent Fee	1.50%		4,562		
Legal Fee	0.50%		1,521		
				10,789	

CONSTRUCTION COSTS

Construction	m ²	Rate m ²	Cost	
4-bed house - Market	130.00 m ²	1,566.19 pm ²	203,605	
5-bed house - Market	1,341.00 m ²	1,566.19 pm ²	2,100,261	
4-bed house - SO	260.00 m ²	1,566.19 pm ²	407,209	
5-bed house - SO	<u>298.00 m²</u>	1,566.19 pm ²	<u>466,725</u>	
Totals	2,029.00 m²		3,177,800	3,177,800

Contingency	3.00%	111,445	
Site Clearance		45,000	
Site Prep		35,000	
Traffic Regulation Orders		4,000	
Piling		90,000	
Adoption of onsite road		10,000	
Roadways & utility trenches		132,020	

This appraisal report does not constitute a formal valuation.

**Land South of Canterbury Road
DSP Version of Applicant Development Appraisal**

Footpaths			37,000	
Street lighting			30,000	
Street signage			3,000	
Surface water sewer works			51,000	
Foul water sewer works			25,000	
Soft landscaping to communal areas			15,000	
Perimeter boundary fencing			30,000	
Highway works to Canterbury Road We			30,000	
Primary school contribution			63,490	
Secondary school contribution			33,037	
Library contribution			672	
Play equipment			12,250	
Habitat regs			8,400	
				766,314
PROFESSIONAL FEES				
Professional Fees		6.00%	222,889	
				222,889
MARKETING & LETTING				
Marketing			10,000	
				10,000
DISPOSAL FEES				
Sales Agent Fee			1.50%	66,750
Sales Legal Fee	14.00 un		750.00 /un	10,500
				77,250
MISCELLANEOUS FEES				
Market Profit			17.50%	778,750
AH Profit			6.00%	66,960
				845,710
FINANCE				
Debit Rate 6.000%, Credit Rate 0.000% (Nominal)				
Land			27,731	
Construction			118,917	
Other			4,465	
Total Finance Cost				151,113
TOTAL COSTS				5,566,000

This appraisal report does not constitute a formal valuation.

Land South of Canterbury Road
DSP Version of Applicant Development Appraisal
PROFIT

0

Performance Measures

This appraisal report does not constitute a formal valuation.

Land South of Canterbury Road
DSP Version of Applicant Development Appraisal

Ramsgate
Shared Ownership = 25% share / 2.5% rent

**Land South of Canterbury Road
DSP Version of Applicant Development Appraisal**

Summary Appraisal for Phase 1

Currency in £

REVENUE

Sales Valuation	Units	m ²	Rate m ²	Unit Price	Gross Sales
4-bed house - Market	1	130.00	3,076.92	400,000	400,000
5-bed house - Market	9	1,341.00	3,020.13	450,000	4,050,000
4-bed house - SO	2	260.00	1,669.23	217,000	434,000
5-bed house - SO	<u>2</u>	<u>298.00</u>	1,637.58	244,000	<u>488,000</u>
Totals	14	2,029.00			5,372,000

NET REALISATION

5,372,000

OUTLAY

ACQUISITION COSTS

Residualised Price		143,065		143,065
Stamp Duty			400	
Agent Fee	1.50%	2,146		
Legal Fee	0.50%	715		
				3,261

CONSTRUCTION COSTS

Construction	m ²	Rate m ²	Cost	
4-bed house - Market	130.00 m ²	1,566.19 pm ²	203,605	
5-bed house - Market	1,341.00 m ²	1,566.19 pm ²	2,100,261	
4-bed house - SO	260.00 m ²	1,566.19 pm ²	407,209	
5-bed house - SO	<u>298.00 m²</u>	1,566.19 pm ²	<u>466,725</u>	
Totals	2,029.00 m²		3,177,800	3,177,800
Contingency		3.00%	111,445	
Site Clearance			45,000	
Site Prep			35,000	
Traffic Regulation Orders			4,000	
Piling			90,000	
Adoption of onsite road			10,000	
Roadways & utility trenches			132,020	

This appraisal report does not constitute a formal valuation.

**Land South of Canterbury Road
DSP Version of Applicant Development Appraisal**

Footpaths			37,000	
Street lighting			30,000	
Street signage			3,000	
Surface water sewer works			51,000	
Foul water sewer works			25,000	
Soft landscaping to communal areas			15,000	
Perimeter boundary fencing			30,000	
Highway works to Canterbury Road We			30,000	
Primary school contribution			63,490	
Secondary school contribution			33,037	
Library contribution			672	
Play equipment			12,250	
Habitat regs			8,400	
				766,314
PROFESSIONAL FEES				
Professional Fees		6.00%	222,889	
				222,889
MARKETING & LETTING				
Marketing			10,000	
				10,000
DISPOSAL FEES				
Sales Agent Fee			1.50%	66,750
Sales Legal Fee	14.00 un		750.00 /un	10,500
				77,250
MISCELLANEOUS FEES				
Market Profit			17.50%	778,750
AH Profit			6.00%	55,320
				834,070
FINANCE				
Debit Rate 6.000%, Credit Rate 0.000% (Nominal)				
Land				12,885
Construction				119,887
Other				4,580
Total Finance Cost				137,352
TOTAL COSTS				5,372,000

This appraisal report does not constitute a formal valuation.

Land South of Canterbury Road
DSP Version of Applicant Development Appraisal
PROFIT

0

Performance Measures

This appraisal report does not constitute a formal valuation.

Agenda Item 6

Annex 5

REBUTTAL TO DSP REVIEW

(JANUARY 2018)

**LAND SOUTH OF
CANTERBURY ROAD EAST,
RAMSGATE**

FEBRUARY 2018

JJA Planning

CONTENTS

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3. NEXT STEPS	7

ANNEX

1. Legal Fees Correspondence (Ellisons 6 February 2018)

1. INTRODUCTION

- 1.1 This Rebuttal responds to the assertions made in Dixon Searle Partnership's ('DSP') 'Review of Applicant Submitted Viability Position' relating to valuation matters affecting the viability of this development scheme. These are:
- a) the application of hypothetical gross development value scenarios for affordable housing
 - b) the finance considerations for the development of the site
 - c) the appropriate level of allowance for contingencies and garages in build costs
 - d) agents, marketing and legal fees for this development
- 1.2 This Rebuttal only deals with these specific issues on which we consider it helpful to provide a response at this stage. We do not repeat evidence provided in the Viability Statement. Where a matter is not dealt with in this Rebuttal, it does not mean that points are necessarily accepted and such matters may be addressed as necessary at a later stage.
- 1.3 Overall, the majority of valuation assumptions are agreed between DSP and JJA. These include:
- a) benchmark land value,
 - b) open market gross development value,
 - c) interest rate on finance,
 - d) development programme,
 - e) base build costs,
 - f) professional fees,
 - g) developer's profit,
 - h) applicable s106 contributions, and
 - i) shared ownership format of affordable housing.
- 1.4 DSP conclude that the scheme's residual land value is below benchmark land value in their sensitivity scenario. The scheme is therefore recognised to be 'at the margins' even with the assertions made by DSP. These four issues therefore have a fundamental effect on whether a scheme here will be viable.

- 1.5 The Rebuttal firstly provides a response to these four issues and then sets out the clarifications sought from the Council and their advisors in order to facilitate agreement between the parties.

2. VALUATION MATTERS

Hypothetical Affordable Housing Gross Development Value

- 2.1 The gross development value of affordable housing on site, in the form of shared ownership units, fundamentally affects the viability of this small-scale development.
- 2.2 The DSP Review confirms that valuing affordable housing “*is very difficult to comment on*” (paragraph 3.1.22) and asserts a valuation of between £217,000 - £295,000 per unit for four policy-compliant shared ownership units. These valuations vary greatly and significantly exceed the Council’s own valuations of £150,000 - £157,000¹ (inflated to reflect overall price increases since 2012).
- 2.3 The DSP Review does not provide “*formal valuation advice*” (paragraph 1.1.1) and therefore clarification is sought from the Council as to their position on the affordable housing value, and should their position reflect DSP’s values, the Council’s justification for departing significantly from their own figures.
- 2.4 Most importantly, all of these valuations are based on a hypothetical situation, with no evidence that these sales values can be achieved for this small-scale development scheme. This approach is contrary to the development plan; the Council’s own Policy H14 states that “*negotiations [on affordable housing] will be based on the individual circumstances of the case, the character of the area and local needs*” and guidance; “*Affordable housing values should reflect discussions with and offers made by RPs*” (paragraph 4.1, London Borough Development Viability Protocol, November 2016).
- 2.5 In reality, due to the size of the site none of the Council’s preferred Registered Social Providers have an interest in purchasing either the units or the land. The DSP Review agrees that there are practical limitations to delivering affordable housing on this site:
- “a Local Authority would not accept such large properties as shared ownership as they tend to be unaffordable for potential purchasers”* (paragraph 3.1.21), and
- “there are practical issues in terms of getting a Registered Provider on board to take 4/5 bed shared ownership properties”* (paragraph 4.1.7)
- 2.6 While the practical limitation identified by the DSP Review is the scale of the unit (four/five bedrooms), the evidence from the Council’s preferred Registered Providers demonstrates the

¹ Figure 3, Page 20, Economic Viability Assessment of Development in Thanet (June 2012).

practical limitation to be the number of units (i.e. four units). Therefore amending the scale of the units, as suggested by DSP, to say three bedrooms will not overcome the proven practical limitations.

- 2.7 There is therefore a real risk that a planning obligation requiring on-site affordable housing would fail to be deliverable. Such an obligation would not meet the requirement to be “*fairly and reasonably related in scale and kind to the development*” (paragraph 204, NPPF).
- 2.8 Clarification is therefore sought from the Council as to their position on the affordable housing value, and should their position reflect DSP’s values, the Council’s justification for departing significantly from their own figures and how such values can be justified given the evidence that no registered providers will purchase either the units or the land.

Finance Considerations

- 2.9 It is unclear how the DSP Review calculates £105,000 finance costs given the development programme and interest rates are agreed. This level of finance cost indicates a more limited amount of borrowing of c. £1.75m for a shorter period, 12 months. The scheme’s build costs alone are £4m, a high proportion of which will be borrowed, and the development programme is 18 months. In addition there would be other bank charges such as facilitation fees, set up costs etc.
- 2.10 In light of the above, we request that DSP clarify how £105,000 of finance costs is generated and indicate their estimated finance costs arising from the JJA valuation appraisals, given the affordable housing assertions influence the finance costs.

Allowance for Contingencies / Garages

- 2.11 The DSP Review applies a 3% contingency (£111,455) on the basis that this is a greenfield site. A 10% contingency seems appropriate for a site of this scale which is not being delivered by a volume housebuilder. Moreover, the DSP Review fails to account for the build costs attributed to the individual garages for each unit. The DSP Review only assesses the residential floorspace (21,800 sq.ft / 2,205 sq.m) and not the garages (5,600 sq.ft / 520 sq.m) (see Note 1, to Indicative Cost Report at Annex 2 to Viability Appraisal), generating an additional £224,000 of build costs.

Agents, Marketing and Legal Fees

- 2.12 The DSP Review identifies legal fees amounting to £750/unit (£10,500). Further evidence from the applicant's solicitors is provided at **Annex 1**, confirming these fees to be £2,250/unit (£31,500), resulting in higher legal fees than envisage by both DSP and the Valuation Appraisal.
- 2.13 The DSP estimates marketing and sales fees at £76,750 (£10,000 + £66,750), which is considerably lower than the Council's £133,500 (3% of the Gross Development Value of the market units in an on site affordable delivered scheme). As with assertions above where DSP hold a fundamentally different view to the Council's own work, which forms background evidence to the prescribed level of affordable housing being sought.

3. WAY FORWARD

- 3.1 This Rebuttal responds to the assertions made in Dixon Searle Partnership's ('DSP') 'Review of Applicant Submitted Viability Position' relating to valuation matters affecting the viability of this development scheme. A number of clarifications are sought from the Council and their advisors in order to facilitate agreement between the parties.
- 3.2 Importantly, the DSP Review '*does not provide formal valuation advice*' (paragraph 1.1.1) and '*it will then be for the Council to consider this information in the context of the wider planning objectives in accordance with its policy positions and strategies*' (paragraph 2.1.18).
- 3.3 The identified clarifications are therefore largely sought from Council, with some technical clarifications from DSP as appropriate:
- a) The Council's instruction letter to DSP and the '*information supplied by the Council*' (paragraph 1.13, DSP Review).
 - b) The Council's position on the affordable housing value, and should their position reflect DSP's values, the Council's justification for departing significantly from their own figures and how such values can be justified given the evidence that no registered providers will purchase either the units or the land.
 - c) How £105,000 of finance costs is generated and the estimated finance costs arising from the JJA valuation appraisals.
 - d) The Council's position on contingency fees.
 - e) An update to the DSP Review to account for the build costs for the garages.
 - f) The Council's position on legal, marketing and sales costs, and should their position reflect DSP's values, the Council's justification for departing significantly from their own figures and the evidence provided at Annex 1.
- 3.4 The fundamental hurdle to the viability of the development is incentivising Registered Providers to purchase the five bedroom and four bedroom units, with all providers declining the site.
- 3.5 These individual circumstances have been set out in the evidence supporting this Rebuttal and the Viability Assessment. In accordance with the Council's policy H14, these negotiations on affordable housing provision should be based on these individual circumstances.

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Annex 5

Annex 1

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Annex 5

From: Guy Longhurst <Guy.Longhurst@ellisonssolicitors.com>

Date: 6 February 2018 at 16:12:45 GMT

To: Rob Smith <rsmith@forelandpartnership.co.uk>

Subject: RE: Canterbury Road. Ramsgate

Dear Rob,

Further to our telephone conversation earlier today, I have reviewed the file and the estimate for our fees should include the following:-

Plot sales £2250 x 14 =	£31,500
Development Site set up (including management company)	£3,000
S106 agreement	£2,750
S104 agreement	£2,000
S38 and s278 agreement	£2500
UKPN easements	£2,500
Gas easements	£2,500
Total:	£46,750

You should also budget a further £15k for the fees of the various councils and utility companies.

Other costs may include:-

Highways departments fees for supervision/inspection of the adoptable highway;

Ditto for the utility companies;

NHBC or other Bonds for the highways and utility agreements.

All of the above will be plus vat and minor disbursements.

You will also have the legal costs and disbursements in connection with completion of the purchase, to include SDLT and Land Registry fees.

There may be further costs, but the above is a summary of those we would expect to incur upon a site of this size. Please call if you have any queries.

Kind regards.

Guy

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Guy Longhurst
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Table 1: Viability Table

Scheme: All Private Residential Units

Input	Value / Cost	Notes
Gross Development Value		
- 11 x 5-bed dwellings	£4,950,000	1
- 3 x 4-bed dwellings	£1,200,000	2
Total Gross Development Value	£6,150,000	
Build Costs		
- Site clearance & preparation	£80,000	3
- Base build costs	£3,270,920	4
- Known abnormal costs	£104,000	5
- On site infrastructure and utilities	£323,020	6
- Offsite infrastructure	£30,000	7
- Contingencies	£190,397	8
Total Build Costs	£3,998,336	9
Planning Policy Costs		
- Primary School Contribution	£63,490	10
- Secondary School Contribution	£33,037	11
- Library Contribution	£672	12
- Play Equipment	£12,250	13
- Habitat Regulations	£8,400	14
- CIL	£0	15
Total Planning Policy Costs	£117,849	
Finance Costs	£175,000	16
Professional & Project Management Costs	£230,276	17
Sales & Legal Costs	£226,000	18
Total Development Costs	£4,747,462	
Developer's Profit	£1,076,250	19
Total Costs	£5,823,712	
Residual Land Value	£326,288	
Benchmark Land Value	£160,000	20

* All values rounded to nearest pound.

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Notes

(1) Agreed by DSP (paragraphs 3.1.14 - 3.1.16, Review January 2018). Based on individual property value of £450,000. See Valuation Appraisal.

(2) Agreed by DSP (paragraphs 3.1.14 - 3.1.16, Review January 2018). Based on individual property value of £400,000. See Valuation Appraisal.

(3) Based on estimate from Kent County Surfacing (see Indicative Cost Report).

(4-8) See Indicative Cost Report.

(8) Agreed by DSP (email dated 19 February 2018). 5% of build costs applied as contingency.

(9) The estimated total build cost, with contingency applied, remains 10% lower than the average of the three quotes obtained (£4.44m). These quotes are provided by Coombs (Canterbury) Ltd (£4.4m - £4.6m), Honour Construction (£4.601m) and WW Martin (£4.32m).

(10-14) Agreed by DSP (paragraph 2.1.2, Review January 2018). Costs as set out in Committee Report for application. See Annex 4 to Viability Assessment.

(15) Agreed by DSP (Review January 2018). There is no adopted CIL charging schedule in Thanet.

(16) Agreed by DSP (email dated 19 February 2018). £175,000. It is noted that this figure is on the basis of marginally lower costs.

(17) Agreed by DSP (paragraph 3.1.32, Review January 2018). Design and professional fees calculated at 6% of build costs. This is consistent with the general application of 6-8% of base costs and other works.

(18) Agreed by DSP (email dated 19 February 2018). Agents Fees = 1.5% of GDV, Marketing Costs = £10,000 and legal fees = £2,250 per unit.

(19) Agreed by DSP (paragraph 3.1.39, Review January 2018). Whilst the Council's own Viability Assessment accepts a 20% return on the Gross Development Value of private units, a 17.5% return on the private units has been applied.

(20) Agreed by DSP (paragraph 3.1.12, Review January 2018). As the site benefits from both a residential allocation (emerging) and resolution to grant planning permission for residential development a land value of £200,000/ha has been applied. This is in the lower end of the scale considered by the Council's own Viability Assessment of between £100,000 - £400,000/ha (paragraph 3.3.3).

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Valuation Appraisal

These values are based on the development illustrated in drawings 15128-05-C and 15128-06-B.

The following specification has been applied:

Quantity	Bedrooms	Floorspace/unit (sq.ft)	Storeys	Garage
11	5	1600	2	Yes
3	4	1400	2	Yes

Comparable, Up to Date Transactions and Market Evidence

Likely sale values have been estimated by reference to up to date transactions and market evidence relating to comparable properties (including new build) within a reasonable distance from the site.

5 Bedroom Properties

Address	Bedrooms	Date of Sale	Transaction Value	Source
14 Minster Road	5	05-07-17	£422,000	Rightmove
2 Lorne Road	5	22-06-17	£340,800	Rightmove
6 Millfield Road	5	09-03-17	£382,000	Rightmove
5 St Mildred's Ave	5	22-02-17	£480,000	Rightmove
4 Winsterstoke Cr	5	04-03-16	£427,500	Rightmove
8 Winterstoke Cre	5	14-12-15	£500,000	Rightmove

Average Unit Value = **£425,383**

This compares to market advice from LSL New Homes confirming market value of £440,000 for the 5 bedroom properties on site (dated 13th October 2017) (see enclosed).

A handful of outliers were identified such as 3 Ellington Road (£655,000), 28 Elms Avenue (£620,000) and The Orchard (£735,000) which were not comparable to the assessed properties. Both the Ellington Road and Elms Avenue properties housed additional accommodation within their grounds and The Orchard benefits from sea views.

A value of **£450,000** has been applied in this Viability Assessment for the 5 bedroom properties.

4 Bedroom Properties

Address	No. of Beds	Date of Sale	Transaction Value	Source
91a London Road	4	19/07/17	£317,500	Rightmove
73 London Road	4	23/06/17	£399,995	Rightmove
1 Hawthorn Grang	4	2017	£389,000	Reserved (see enclosed)
3 Hawthorn Grang	4	2017	£389,000	Reserved (see enclosed)
4 Hawthorn Grang	4	2017	£389,000	Reserved (see enclosed)

Average Unit Value = **£376,899**

This compares to market advice from LSL New Homes confirming market value of **£400,000** for the 4 bedroom properties on site (dated 13th October 2017) (see enclosed).

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Hawthorn Grange, referenced above, is a comparable new build development on the outskirts of Ramsgate. It is a 14 unit high quality development, with four bedroom detached properties of 1,380 sq.ft. As set out above, the proposal involves four bedroom detached properties of 1,400 sq.ft. The Hawthorn Grange development is close to completion, and therefore reserve prices are only available at present. Details relating to the Hawthorn Grange development are enclosed.

A value of **£400,000** has been applied in this Viability Assessment for the 5 bedroom properties.

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Indicative Cost Report

These costs are based on the development illustrated in drawings 15128-05-C and 15128-06-B.

The following specification has been applied:

Quantity	Bedrooms	Floorspace/unit (sq.ft)	Storeys	Garage
11	5	1600	2	Yes
3	4	1400	2	Yes

Costs assume the works will be competitively tendered as a single contract on current costs at today's date. No allowance has been included for any phasing of works. These costs are corroborated by the two quotes from Kent County Surfacing Ltd and Coombs Canterbury Ltd, attached.

Item	Cost	Notes
Demolition/site clearance/site preparation		
- Site clearance (including tree removal)	£45,000	
- Site Preparation (incl. build up of southern boundary to eliminate bank)	£35,000	
TOTAL SITE CLEARANCE	£80,000	
Base build costs		1
Houses	£3,041,320	
Garages	£229,600	
TOTAL BASE BUILD COSTS	£3,270,920	
Known abnormal costs		2
- Traffic Regulation Orders	£4,000	
- Piling	£90,000	
- Adoption of onsite road	£10,000	
TOTAL KNOWN ABNORMAL COSTS	£104,000	
On site infrastructure and utilities		3
- Roadways and utility trenches	£132,020	
- Footpaths	£37,000	
- Street Lighting	£30,000	
- Street signage	£3,000	
- Surface Water sewer works	£51,000	
- Foul water sewer works	£25,000	
- Soft landscaping to communal areas	£15,000	
- Perimeter boundary fencing	£30,000	
TOTAL ON-SITE INFRASTRUCTURE AND UTILITIES	£323,020	
Offsite infrastructure		4
- Highway works to Canterbury Road West	£30,000	
TOTAL OFFSITE INFRASTRUCTURE	£30,000	

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Notes

(1) A figure of £139/sq.ft for the dwellings (21,880sq.ft x £139) and £41/sq.ft for the garages (5,600 sq.ft x £41) has been applied. This includes additional costs relating to laying driveways, Statutory Authority incoming Mains, individual house boundary fencing, individual house branch SW + FW Drainage and individual house Services/Entries.

(2) Known abnormal costs include traffic regulation orders (to include parking restrictions either side of the access road on Canterbury Road East), piling for some properties (assumption of 15% over standard foundation cost applied), and costs related to the adoption of the internal road. Known abnormal costs may increase, generally being 15-20% of base build costs.

(3) All figures are based on Kent County Surfacing Ltd quote (see attached) and applicant's informed estimate.

(4) Limited to off site road works, as quoted by Kent County Surfacing Ltd (see attached). All surface water connection costs, foul water connection costs and statutory authority incoming mains costs are included in base build costs and on site infrastructure and utility costs.

**Planning Application OL/TH/16/0376 – Land Rear of 2-28
Kingston Avenue, Margate**

Planning Committee – 16th May 2018

Report Author **Emma Fibbens, Principal Planning Officer**

Portfolio Holder **Cllr Jason Savage, Planning (Development Control)**

Status **For Decision**

Classification: Unrestricted

Previously Considered by **Planning Committee 17th May 2017**

Ward: **Garlinge**

Executive Summary:

This report concerns the planning application for the erection of 43no. dwellings comprising of 8no. 2-bed flats, 7no. 2-bed dwellings, 25no. 3-bed dwellings and 3no. 4-bed dwellings, on land rear of 2 to 28 Kingston Avenue, Margate, under reference OL/TH/16/0376. The application was considered by the Planning Committee on 17th May 2017 where Members resolved to approve the application subject to the receipt of an acceptable Section 106 agreement securing 20% of dwellings on site to be affordable units, and financial contributions as set out within the Heads of Terms.

A request has been submitted by the developer to reduce the provision of on-site affordable housing to 9%, in the form of 4no. 2-bed flats. In addition to this, the site has recently been cleared and the ecological mitigation works completed; so on the basis of the submission of additional information regarding the ecological work, an update to the safeguarding conditions is required. The planning application is therefore reported back to Members for approval of the reduced on-site affordable housing provision, along with an update to safeguarding conditions. The affordable housing provision would be provided alongside all other financial contributions as previously agreed by members at the 17th May 2017 planning committee.

Recommendation:

Members approve the planning application subject to submission and approval of a legal agreement securing the financial contributions as stated, along with the reduced level of affordable housing provision.

CORPORATE IMPLICATIONS	
Financial and Value for Money	<p>The Planning Committee is not bound to follow the advice of Officers. However, should Members decide not to accept the advice of Officers it should be mindful of the potential cost implications in doing so.</p> <p>The advice from Government within the National Planning Practice Guidance sets out the circumstances in which costs may be awarded against either party in planning appeals. Costs may be awarded where a party has behaved unreasonably; and the unreasonable behaviour has directly caused another party to incur unnecessary or wasted expense in the appeal process. Costs may be awarded following an application by the appellant or unilaterally by the Inspector. An authority is considered to have behaved unreasonably if it does not produce evidence to substantiate each reason for refusal.</p> <p>The advice outlined is that if officers' professional or technical advice is not followed, authorities will need to show reasonable planning grounds for taking a contrary decision and produce relevant evidence on appeal to support the decision in all respects. If they fail to do so, costs may be awarded against the authority. There are no funds allocated for any potential fines meaning cost awards will result in spend that is outside of the budgetary framework.</p>
Legal	<p>The Planning Committee is not bound to follow the advice of Officers. However, if officers' professional or technical advice is not followed, authorities will need to show reasonable planning grounds for taking a contrary decision and produce relevant evidence on appeal to support the decision in all respects. If they fail to do so, costs may be awarded against the authority.</p> <p>The reasons for any decision must be formally recorded in the minutes and a copy placed on file.</p> <p>If Members decide not to accept the advice of Officers it should be mindful of the potential for legal challenge and associated cost implications.</p> <p>The advice from Government within the National Planning Practice Guidance sets out the circumstances in which costs may be awarded against either party in planning appeals. Costs may be awarded where a party has behaved unreasonably; and the unreasonable behaviour has directly caused another party to incur unnecessary or wasted expense in the appeal process. Costs may be awarded following an application by the appellant or unilaterally by the Inspector. An authority is considered to have behaved unreasonably if it does not produce evidence to substantiate each reason for refusal.</p>
Corporate	<p>The delivery of new housing through the Local Plan and planning applications supports the Council's priorities of supporting neighbourhoods ensuring local residents have access to good quality housing, and promoting inward investment through setting planning strategies and policies that support growth of the economy.</p>
Equalities Act 2010 & Public	<p>Members are reminded of the requirement, under the Public Sector Equality Duty (section 149 of the Equality Act 2010) to have due regard to</p>

Sector Equality Duty	<p>the aims of the Duty at the time the decision is taken. The aims of the Duty are: (i) eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act, (ii) advance equality of opportunity between people who share a protected characteristic and people who do not share it, and (iii) foster good relations between people who share a protected characteristic and people who do not share it.</p> <p>Protected characteristics: age, gender, disability, race, sexual orientation, gender reassignment, religion or belief and pregnancy & maternity. Only aim (i) of the Duty applies to Marriage & civil partnership.</p> <p>the opinion of the author of this report the Public Sector equality duty is not engaged or affected by this decision.</p>
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1.0 Introduction

- 1.1 The report taken to Members on the 17th May 2017 proposed the provision of 9no. affordable housing units (20%) within the 43no. dwelling development (reference OL/TH/16/1416). The provision of affordable housing is required as stated within Policy H14 of the Thanet Local Plan. The affordable housing provision agreed by members was in the form of 2no. 2-bed flats, 2no. 2-bed houses, and 5no. 3-bed houses.

- 1.2 Subsequent to this resolution, no draft agreement has been received, and in April 2018 the applicant submitted a viability assessment for the proposed development. The applicant proposes a reduction from 20% affordable housing to 9% affordable housing (along with all other financial contributions as previously agreed as a minimum), on grounds that the development would not be viable with 20% on-site provision of affordable housing. This report is to analyse the findings of the report, and to offer a recommendation to the Planning Committee about whether to approve the revised application.

2.0 Viability in Planning Applications for Housing

- 2.1 The National Planning Policy Framework (NPPF) outlines a core planning principle that “in decision-taking local planning authorities should encourage the effective use of land by re-using land that has been previously developed (brownfield land)”. Specifically the National Planning Practice Guidance (NPPG), which underpins the NPPF, states that “to incentivise the bringing back into use of brownfield sites, local planning authorities should take a flexible approach in seeking levels of planning obligations and other contributions to ensure that the combined total impact does not make a site unviable”.

- 2.2 Decisions on planning applications must be underpinned by an understanding of viability, ensuring realistic decisions are made to support development and promote economic growth. Assessing viability requires a realistic understanding of the costs and the value of development in the local area and an understanding of the operation of the market, and should be based on current costs and values. The NPPG states that where viability of a scheme is in question, “local planning authorities should look to be flexible in applying policy requirements wherever possible”.

- 2.3 A site is viable if the value generated by its development, the Gross Development Value (GDV), exceeds the costs of developing it and also provides sufficient incentive for the land to come forward and the development to be undertaken. The accepted methodology for assessing this is the residual land value method. This calculates the estimated GDV from the development, subtracts the development cost (including the developer's profit at an agreed level) and compares this residual land value against the existing use value of the land. The uplift from the current value of the land to the residual land value should provide a competitive return to induce a landowner to sell the site for development or develop the site.

3.0 Key considerations

- 3.1 The relevant Local Plan Policies for considering planning obligations are Policy CF2 (Developer Contributions) and H14 (Affordable Housing). Policy CF2 states that where a proposed development would directly result in the need to provide new or upgraded community facilities (including transport infrastructure, educational or recreational facilities or affordable housing), the Council will negotiate with the applicant for a contribution towards the cost of such provision, and a planning obligation to secure the contribution will normally be sought. Policy H14 states that for development of the scale proposed, the Council will negotiate with the developer for the inclusion of an element of affordable housing on-site. In exceptional circumstances the Council will consider a commuted sum in lieu of direct provision where this will facilitate provision of affordable housing contributing to the objective of the housing strategy.
- 3.2 A viability assessment has been submitted by the appellant conducted by a chartered surveyor. The assessment takes into account local market evidence of sales values, up to date development costs, and realistic affordable housing values. The reduced affordable housing provision now being offered is a result of a revised viability assessment with updated figures being submitted, within which the development costs exceed the figures contained within the original March 2017 viability report, and the affordable housing values are reduced to a more realistic level to suit the site specific land value. The summary of the findings of this report are included at Annex 2. This revised assessment has been reviewed by the planning department (as it was previously) with input received from the housing team, in order to determine whether the updated figures as shown are reasonable.

Existing Use Land Value

- 3.3 The site comprises scrubland of 1.17 hectares. The value of the land has been taken as approximately £16,800. This value does not reflect any uplift relating to the allocation of the site for housing, or a resolution to grant planning permission, and is the same as the existing use land value contained within the previous viability assessment of March 2017. This existing use value is considered to be reasonable for a site of this nature.

Findings from assessment

- 3.4 The Gross Development Value of the private market dwellings falls between a range of £175,000 for 2-bed flats to £325,000 for 4-bed detached houses, which is based upon average sale prices in the area for the equivalent unit size. These values have

been provided by a local Estate Agents, during April 2018, and to the best of their intentions are considered to be an accurate reflection of property prices within the immediate area. The planning department have carried out their own desktop research of property values in the area, and consider that the proposed sales prices provided are reasonable.

- 3.5 An assumption of £105,000 for a 2-bed flat has been given for the affordable units as shared ownership units, on the basis of their reduced value at 60% of the development value as open market units. This compares to the assumption of £132,000 per 2-bed affordable flat as identified within the March 2017 viability report. The reason for this discrepancy is that the original values for the affordable units were based on them being worth 80% of the development value, but in this location registered housing providers are only willing to offer 60% of the development value for the affordable units. The inaccuracy of this figure was not known at the time of the original recommendation taken to planning committee. Following a resolution to grant planning permission at planning committee the applicant has contacted active Registered Housing Providers in the area, none of which were prepared to purchase the units from the developer. In addition, the Council's Housing Department have assessed the figures and agree that the delivery of 9no. Affordable units on the site is not viable. The revised figures now used in this reduced affordable housing offer are considered to be reasonable for this site to enable the delivery of affordable units, however, the correction of these figures has led to a reduction in the amount of affordable housing that can be provided from 9no. units (20% provision) to 4no. Units (9% provision). It is understood from the developer that agreement has been given by a Registered Housing Provider to purchase the affordable units on the basis of these revised figures and the reduced number of units to be provided.

A Total Gross Development Value of £10,260,000 is therefore indicated for the development on the basis of 91% private market housing and 9% affordable housing being provided.

Cost assumptions

- 3.6 The cost assumptions for the development include construction costs (houses, infrastructure), other costs (site clearance, contingency allowance), finance costs (rate of borrowing for build out programme) etc. The costs have increased since the March 2017 viability report. The applicant has advised that build costs have increased per square metre from £1,165 in October 2016 to £1,322 in March 2018, with the figures based on those published by the RICS Building Cost Information Service, a national recognised standard. Evidence of these figures is contained within Appendix A of the applicant's viability report. The applicant has also advised that both ecology and archaeology costs have increased from those originally indicated, with the ecology works actually having taken place on site alongside the site clearance, and the archaeology costs based upon advice received from Thanet Archaeology.

Based upon the updated figures and evidence submitted, the projected costs of developing the site of £10,105,764 are not considered to be unreasonable for the purposes of assessing viability on this particular site.

Developer Profit

- 3.7 A developer profit allowance of 15% of GDV has been assumed within the viability report, with a total profit of £1,539,000. This is within the range of 15%-20% profit that is considered to be reasonable to enable the development to be delivered, as agreed on similar projects by the Council's Viability Consultants.

Planning Obligations

- 3.8 Financial contributions towards primary school provision, library provision, play equipment, and a SPA contribution are all proposed in full, in accordance with the Heads of Terms previously proposed within the May 2017 committee report. The secondary education contribution has changed from that previously proposed, increasing from £87,312.60 to £113,271 due to a revised request by KCC being received for an increase in contributions due to increased local build costs. The total financial contributions proposed is therefore £295,419, in accordance with both the details contained within the Heads of Terms section of the previous committee report contained within Annex 1, and the revised KCC secondary education request.
- 3.9 The previous judgement by the Council was that the provision of 20% on-site affordable housing, with a resulting Residual Land Value of £256,570, would be acceptable, as it would result in a reasonable uplift in the value of the land to entice the landowner to sell, enabling the delivery of an allocated housing site within the Council's Draft Local Plan. The revised viability assessment calculates a residual land value of £99,236, following the provision of 9% affordable housing on site and all financial contributions. The future development of the site on the basis of this amount has been agreed by the applicant, on the basis that the site now forms part of an asset disposal process. It is considered that the resulting residual land value is reasonable in view of the evidence received, and as such it would also appear reasonable to expect no more than 9% affordable housing to be provided on this basis. The affordable housing provision is in the form of 4no. 2-bed flats, which the Housing Strategy Officer considers to be acceptable given that the highest housing need currently on the Council's register is for one and two bedroom units.
- 3.10 Safeguarding conditions are proposed as highlighted within the planning committee report dated May 2017, contained within Annex 1 of this report. The conditions require updating in relation to condition 18, which required the submission of a reptile mitigation strategy, as this has since been submitted and approved by KCC Biodiversity. The clearance of the site has since taken place, and a letter has been received from Bramley Associates (ecological consultants and surveyors) dated 24th April 2018 (Annex 4) confirming that the clearance of the site was carried out in accordance with the approved mitigation strategy. It is therefore proposed that condition 18 is removed and replaced with an informative requiring the ongoing management of the site to prevent reptile habitats establishing.
- 3.11 Therefore in conclusion, subject to the provision of 9% on-site affordable housing, along with all other financial contributions (including the increased secondary education contribution), and the safeguarding conditions as outlined within the original planning committee report at Annex 1 (excluding condition 18), it is recommended that planning permission be granted in this specific instance.

4.0 Options

4.1 Members confirm that planning permission be deferred to officers for approval subject to securing a legal agreement for the affordable housing and the provision of financial contributions as set out in the report and conditions outlined at Annex 1, including the provision of a reduced level of affordable housing to 9%, an increased secondary education contribution, and the removal of safeguarding condition 18, as outlined in this report.

4.2 Members propose an alternative motion.

5.0 Recommendations

5.1 Officers recommend Members of the Planning Committee agree option 4.1.

Contact Officer:	<i>Emma Fibbens, Principal Planning Officer</i>
Reporting to:	<i>Iain Livingstone, Planning Applications Manager</i>

Annex List

<i>Annex 1</i>	<i>Planning Committee Schedule item 19th July 2017</i>
<i>Annex 2</i>	<i>Applicant's Viability Assessment</i>
<i>Annex 3</i>	<i>Applicants Summary letter</i>
<i>Annex 4</i>	<i>Bramley Associates letter</i>

Corporate Consultation

Finance	Matthew Sanham, 3/05/18
Legal	Tim Howes, 4/05/18

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D09

OL/TH/16/0376

MAJOR

PROPOSAL: Outline application for the erection of 43No. dwellings comprising of 8No. 2-bed flats, 7No. 2-bed dwellings, 25No. 3-bed dwellings and 3No. 4-bed dwellings, including access and scale

LOCATION: Land Rear Of 2 To 28 Kingston Avenue MARGATE Kent

WARD: Garlinge

AGENT: Mr Matthew Beasley

APPLICANT: Mr & Mrs Bill & Ann Brazil

RECOMMENDATION: Defer & Delegate

Subject to the following conditions:

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

GROUND:

As no such details have been submitted.

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

GROUND:

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

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

GROUND:

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

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

GROUND:

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

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5 Details to be submitted pursuant of condition 1 above for the matter of layout shall include:

- i. archaeological field evaluation works in accordance with a specification and written timetable to be agreed with KCC Archaeology,,
- ii. 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.

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.

6 Details to be submitted in pursuant of condition 1 above shall include:

- species, size and location of new trees, shrubs, hedges and grassed areas to be planted. This should include mature tree planting within the site and hedgerow planting along the boundaries of the site and to some internal plot boundaries,
- details of how the development will enhance biodiversity, for example, the provision of bat/bird boxes, habitat piles and native planting,
- the treatment proposed for all hard surfaced areas beyond the limits of the highway, which shall be a permeable surface and not include any form of tarmac,
- walls, fences, other means of enclosure proposed.

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

7 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 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

8 Prior to the first occupation of the development hereby permitted, the access shown on the approved plan shall be completed, and thereafter maintained.

GROUND:

In the interests of highway safety.

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9 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:

- i) Routing of HGV'S to/from the main road network
- ii) Timing of HGV movements (these are likely to be restricted to outside school drop-off and pick-up times)
- iii) Parking and turning areas for construction-related traffic including site personnel
- iv) Wheel washing facilities

GROUND:

In the interests of highway safety.

10 Prior to the first occupation of each dwelling, the following works shall be completed between the dwelling and the adopted highway:

- (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.

11 Visibility splays of 25 metres x 2.4 metres x 25 metres at the junction of the internal roads, with no obstructions over 1 metre above carriageway level within the splays, shall be provided and thereafter maintained in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

GROUND:

In the interests of highway safety.

12 Forward visibility envelopes of 18m shall be provided adjacent to plots 2 and 36, with no obstructions over 1 metre above carriageway level within the envelopes, in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

GROUND:

In the interests of highway safety.

13 Prior to the first occupation of the development hereby permitted, 1 metre x 1 metre pedestrian visibility splays shall be provided behind the footway on both sides of each private access, with no obstructions over 0.6m above footway level. The visibility splays shall thereafter be maintained.

GROUND:

In the interests of highway safety.

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14 The details to be submitted in pursuant of Condition 1 above for layout shall show curtilage parking spaces 5m long x 2.5m wide, increasing to 2.7m where bounded by obstructions on one side or increasing to 2.9m where bounded by obstructions on both sides.

GROUND:

In the interests of highway safety.

15 Prior to the commencement of development hereby permitted, a detailed sustainable surface water drainage scheme for the site has been submitted to (and approved in writing by) the local planning authority. The detailed drainage scheme shall demonstrate that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100yr storm) can be accommodated within the site boundary and disposed of via infiltration. The drainage scheme shall also demonstrate that silt and pollutants resulting from the site use can be adequately managed to ensure there is no pollution risk to receiving waters.

GROUND:

To ensure that the principles of sustainable drainage are incorporated into this proposal, to ensure ongoing efficiency of the drainage provisions, to protect vulnerable groundwater resources and ensure compliance with the National Planning Policy Framework.

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

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

GROUND:

To ensure that the principles of sustainable drainage are incorporated into this proposal, to ensure ongoing efficiency of the drainage provisions, to protect vulnerable groundwater resources and ensure compliance with the National Planning Policy Framework.

17 No infiltration of surface water drainage into the ground is 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. The development shall be carried out in accordance with the approval details.

GROUND:

To ensure that the principles of sustainable drainage are incorporated into this proposal, to ensure ongoing efficiency of the drainage provisions, to protect vulnerable groundwater resources and ensure compliance with the National Planning Policy Framework.

SITE, LOCATION AND DESCRIPTION

The site is located just outside of the urban confines and is non-previously developed land on the edge of Garlinge. The land is not in agricultural use, but is just overgrown scrubland. To the west, south and east of the site is agricultural land and to the north of the site is residential development. The site is accessed from Brooke Avenue, and Kingston Avenue is parallel to the site. The adjacent residential area is characterised by 2-storey semi-detached and terraced dwellings, with at least 10m deep rear gardens and front gardens that are approximately 7m deep. A public right of way extends along the south western boundary of the site, connecting the site with Garlinge High Street.

RELEVANT PLANNING HISTORY

OL/TH/01/0752 - Outline application for residential development - Refused 23/10/01

PROPOSED DEVELOPMENT

The application is in outline form, with permission being sought for the number and size of units proposed, along with their scale and the access to the site. An illustrative layout plan has been submitted, which shows in detail how the units could be accommodated on the site. Layout was originally applied for as part of this application, but following receipt of the archaeology comment, which requires some evaluation trenching to be carried out prior to the layout of the development being confirmed, layout has since been removed as a matter to be approved through this application.

The original application submitted was for the erection of 48no. units, however, amended plans have since been submitted that now show the erection of 43no. residential units, including 35no. dwellings and 8no. self-contained flats. The units range in size between 2-bed flats to 4-bed dwellings, and the properties are all detached or semi-detached, other than the flats, which are contained within two large blocks that appear as terraces.

Access is from Brooke Avenue to the north of the site, and the development is laid out as two cul-de-sacs. Each dwelling is provided with a rear garden and 2no. off-street parking spaces. The flats are provided with a communal garden and 8no. off-street parking spaces. Nine visitor parking spaces are also provided within the overall development.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan Policy (2006) Saved Policies

- D1 - Design principles
- D2 - Landscaping

EP5 - Air quality
H1 - Housing provision
H4 - Windfall sites
H8 - Size and type of housing
H14 - Affordable housing provision
CF2 - Development contributions
SR5 - Doorstep and local play space
TR12 - Cycling
TR16 - Car parking provision

NOTIFICATIONS

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

- Not a brown field site,
- Putting a strain on already overcrowded schools, doctors etc.
- Safety and vandalism,
- Overlooking,
- Loss of habitat,
- Development too high,
- Inadequate access,
- Increase in traffic,
- More open space on development needed,
- Over-development,
- Noise nuisance,
- Out of keeping with character of area,
- Increase of pollution,
- Strain on existing community facilities.

CONSULTATIONS

KCC Highways and Transportation - (amended comment) I refer to the amended drawing number 16.859.MB.PL01 Rev. G submitted for the above.

Whilst the visibility envelopes and junction splays shown are still not correct they can be resolved by condition.

The site is located close to regular and frequent bus services, and to local facilities such as schools, doctors' surgery, shops, etc. The number of vehicle movements likely to be generated in the peak hours (around 25) and the number of different routes available that vehicles are likely to use travelling to/from the site indicates there is unlikely to be a severe impact on the highway network that would warrant a recommendation for refusal on highway grounds.

The proposals include connections to the existing footway network in Brooke Avenue, allowing pedestrian access to bus stops, services and amenities in Garlinge and beyond.

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Adequate vehicle parking is now provided and construction matters can be dealt with through a Construction Management Plan.

I therefore now have no objections in respect of highway matters subject to the following being secured by condition:

(Original comment) - I refer to the above planning application and note that access and layout are for approval at this stage.

If the streets within the site are intended to be adopted by the highway authority, the following matters need to be satisfactorily resolved:

1. Speed restraint measures are required at maximum 60 metre spacing. An additional measure is therefore required in the street serving plots 1-29.
2. Vehicle swept paths should be submitted to demonstrate that the proposed streets and turning heads can accommodate an 11.2 metre refuse vehicle. The turning heads currently shown in particular appear too small.
3. Forward visibility envelopes of 18 metres are required around the bends adjacent to plots 2, 30-33, with no obstructions over 1 metre above carriageway level. These envelopes should be included within the highway to be adopted.
4. Visibility splays of 2.4 metres x 25 metres are required at the junction of the street serving plots 30-48 with the street serving plots 1-29, with no obstructions over 1 metre above carriageway level. These splays should be included within the highway to be adopted.
5. Footways should be a minimum width of 1.5 metres.
6. The footways at the site entrance should connect to the existing footways in Brooke Avenue.
7. Driver visibility splays of 18 metres x 2 metres x 18 metres are required at private accesses/driveways, with no obstructions over 1 metre above carriageway level. These splays do not need to be included in the adoptable highway and could be secured by condition, however the provision of these splays does not currently appear possible for plots 2, 37 and 38.
8. Pedestrian visibility splays of 1 metre x 1 metre are required behind the footway on each side of each private access/driveway, with no obstructions over 0.6 metres above footway level. These splays could be secured by condition.
9. Additional unallocated parking is required for plots with tandem parking and for visitors. A total of 10 additional spaces are required and these should be distributed throughout the site but with particular focus on the areas with tandem parking. The spaces should be provided in lay-by format with the proposed footway diverted behind.
10. All parking spaces should be a minimum of 5 metres long x 2.5 metres wide, increased to 2.7 metres where bounded on one side by a fence/wall/landscaping or 2.9 metres where bounded by such obstructions on both sides. Where a parking space/driveway also serves as the pedestrian route to/from the front door of a dwelling, it should be widened to 3.2 metres. Spaces in front of garages should be a minimum of 5.5 metres long.
11. It should be noted that garages are not counted as providing vehicle parking spaces but can

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be assumed to provide the necessary secure, covered cycle parking for the relevant dwellings. Car ports are acceptable as parking spaces but permitted rights to enclose them/add doors will need to be removed as part of any planning consent given.

12. Secure, covered cycle parking should be provided at a minimum of 1 space per bedroom for dwellings and 1 space per flat.

KCC SUDs - Kent County Council as Lead Local Flood Authority have no objection to the proposals of the revised flood risk assessment and are satisfied that the development can accommodate sufficient provision for surface water drainage. Ground Investigations will be required to validate the assumptions of the report during any detailed design work.

Southern Water - Following initial investigations, Southern Water 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 para 109 of the NPPF. Section 98 of the Water Industry Act 1991 provides a legal mechanism through which the appropriate infrastructure can be requested by the developer to accommodate the above mentioned project.

Our initial investigations indicate that there are no public surface water sewers in the area to serve this development. Alternative means of draining surface water from this development are required. This should not involve disposal to a public foul sewer.

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.

No objections subject to safeguarding conditions.

Environment Agency - We had no comments to make on this planning application as it falls outside our remit as a statutory planning consultee.

KCC Development Contributions - The County Council has assessed the implications of this proposal in terms of the delivery of its community services and is of the opinion that it will have an additional impact on the delivery of its services, which will require mitigation either through the direct provision of infrastructure or the payment of an appropriate financial contribution.

Primary School Provision

The attached Education statistics (Appendix 1) identify that there is a deficit in Primary provision locally. The above development will add to that deficit. KCC, as the Local Education Authority, has to ensure provision of sufficient pupil spaces at an appropriate time and location to meet its statutory obligation under the Education Act 1996 and as the Strategic Commissioner of Education provision in the County under the Education Act 2011.

In accordance with the Planning Legislation, new development is to be sustainable and mitigate its impact upon local facilities. KCC have, in accordance with KCC policy, identified

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that even after further expansion of existing Primary Schools they will be at capacity and unable to be extended further, thus new provision is required locally to accommodate the further pupils arising.

The proposal gives rise to 12 additional primary school pupils during occupation of this development. This need, cumulatively with other new developments in the vicinity, can only be met through the enhancement of St Gregory's RC School, as the forecast primary pupil product in the locality results in the maximum capacity of local primary schools being exceeded.

A contribution of £3324.00 per 'applicable' house (x35) and £831.00 per 'applicable' flat (x8) is required towards the enhancement of St Gregory's RC Primary School.

The Applicant is not being asked to contribute to that part of any project which addresses existing need, but a proportionate contribution to the provision of additional capacity to meet the needs arising from the occupants of the new development.

Secondary school provision

The proposal gives rise to additional secondary school pupils during occupation of this development. This need, cumulatively with other new developments in the vicinity, can only be met through the extension of existing Secondary School accommodation within the locality. The contributions from this development will be allocated towards the construction costs of Phase 1 expansion of Ursuline College Secondary School.

Therefore the County Council requests a contribution of £2,359.80 per 'applicable' house (x35) and £589.95 per 'applicable' flat towards Phase 1 Ursuline College Secondary School expansion costs.

Libraries

This new development will generate new borrowers for the Library service. KCC are the statutory library authority. The library authority's statutory duty in the Public Libraries and Museums Act 1964 is to provide 'a comprehensive and efficient service'. The Local Government Act 1972 also requires KCC to take proper care of its libraries and archives.

Bookstock in Thanet at 953 items per 1000 population is below the County average of 1134 and both the England and total UK figures of 1389 and 1492 respectively.

To mitigate the impact of this development, the County Council will need to provide additional library books to meet the additional demand to borrow library books which will be generated by the people residing in these Dwellings.

The County Council therefore requests £48.02 per household to address the direct impact of this development, and the additional stock will be made available locally as and when the monies are received.

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

- Thanet Coast & Sandwich Bay Special Protection Area (SPA) and Ramsar site², part of which is also designated as the Tankerton Slopes and Swalecliffe Special Area of Conservation (SAC)

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

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

Appropriate financial contributions should be made to:

- the Thanet Coast and Sandwich Bay SPA SAMM Plan being developed in conjunction with Thanet District Council.
- This strategic mitigation will need to be in place before the dwellings are occupied.

With regard to the Thames, Medway and Swale Estuaries, as detailed in Natural England's letter of the 6 January 2015, we confirmed that a suite of strategic measures similar to those set out in the Thames, Medway and Swale Estuaries SAMM Strategy will provide appropriate mitigation. However, we consider it is up to the local authorities to ensure that appropriate measures are in place to allow the strategic mitigation to be delivered. This would include consideration of the appropriate tariff. Natural England will of course to continue to offer advice through the North Kent Environmental Planning Group and the Thanet Coast local authorities on the strategic mitigation.

KCC Biodiversity - We have reviewed the ecological information which has been submitted with the planning application and we advise that additional surveys are required prior to determination of the planning application.

The proposed development site is an area of scrub/grassland and the ecological scoping survey has detailed that the proposed development site has the potential for breeding birds, reptiles and foraging/commuting bats to be present within the proposed development site. The ecological scoping survey has recommended that a reptile survey is required but we also advise that there is a need for a breeding bird survey to be carried out as the proposed development site will result in a complete loss of the scrub / grassland habitat.

The presence of protected species is capable of being a material consideration and we advise that the recommended specific species surveys and details of any mitigation required are submitted to the LPA for comment prior to determination of the planning application.

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Archaeological Officer - The application site lies within an area of considerable archaeological interest with evidence of extensive ancient landscapes revealed through aerial photography as cropmarks in much of the surrounding agricultural fields.

Of immediate relevance to the proposed residential development site is the presence of a sizeable rectangular enclosure part of which lies over the eastern area of the application site. Within the enclosure lies a circular feature which could be indication of a Bronze Age barrow (burial mound) or possibly a round house (although with a diameter of c.15m the latter interpretation seems less likely). A larger circular feature has also been recorded in the field to the east of the enclosure. The date and function of the enclosure complex which is over 200m in length and 80m wide is not known as no archaeological fieldwork has been undertaken in this area to date. Significant archaeological remains, and in particular the remains of the enclosure complex, activities associated with it and the possible burial mound could very possibly be affected by the groundworks for the proposed residential development.

Previously we had recommended that evaluation trenching would be needed prior to determination of a planning application at this site. However on reviewing the present condition of the site it is very clear that over the last thirty or so years it has become heavily overgrown and this would make evaluation at this stage difficult to achieve without significant clearance work. Further the ongoing overgrowth of the site would be likely to have an effect on the archaeology itself. It is my view therefore that the archaeological potential of this development and its impact can be best addressed through the imposition of a planning condition that secures evaluation once the site is cleared of vegetation but preferably in advance of a detailed submission so that mitigation including potentially preservation of archaeology can be achieved in the detailed design.

Open Space Officer - The nearest play area to Brooke Avenue is Garlinge Recreation Ground, and there is a need for new equipment here.

COMMENTS

This application is brought before members as a departure to Thanet Local Plan Policy H1 and has been called in by Cllrs Curran and Dennis for consideration of whether the application constitutes overdevelopment of the area.

Principle

The application site is located outside of the urban confines on non-previously developed land. Policy H1 of the Thanet Local Plan requires that residential development on non-allocated sites will be permitted only on previously developed land within existing built-up confines unless specifically permitted by other local plan policies, however this policy no longer accords with the requirements of the National Planning Policy Framework, as the Council no longer has a 5 year supply of housing, and as such this policy has little weight at this time.

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

countryside. There is a current need for housing within Thanet, which is being reviewed through the Local Plan process. The NPPF states in para 49 that housing applications should be considered in the context of the presumption in favour of sustainable development.

The site is on the edge of the urban boundary, falling adjacent to the Garlinge area. A local amenities map has been submitted by the agent in support of the application, which shows that the site is within 300m of 4 bus stops, and within 500m of shops and a public house (Garlinge High Steet), a primary school and a recreation area, including an equipped play area. A public right of way extends along the south western boundary of the site and would connect the residential development with Garlinge High Street. It is therefore acknowledged that the site is sustainably located with regards to its walking distance from facilities and services, and public transport.

Within the Emerging Draft Local Plan, the application site is allocated for residential development for a notional 34no. units. Whilst the application site would be a departure to current Local Plan Policy H1, the direction of travel of the new Policy document to allocate the site for housing development has some weight in decision-making to support a proposal for housing development on the site.

In determining whether housing on the site would be acceptable in principle as a departure to Policy H1, the need for housing in the district will therefore need to be balanced against other issues such as the impact on the countryside, sustainability of the site, character and appearance of the proposed development, and highway safety.

Character and Appearance

The application site adjoins an existing residential area, with Brooke Avenue leading directly into the site. Whilst the site would be viewed as a natural expansion to the residential development within Brooke Avenue, consideration needs to be given to the visual impact upon the countryside in accordance with Policy CC1 of the Thanet Local Plan. The site is quite small in size, only 1.17 hectares, and is located a significant distance from both Garlinge High Street to the west of the site, and Shottendane Road to the south of the site. Any long distance views of the proposed development will be against the backdrop of existing residential development within both Brooke Avenue and Kingston Avenue, and will be beyond the large areas of countryside that will remain between the proposed development and the surrounding roads to the west and south. The application site is an overgrown area of land that provides no agricultural benefit, and the site is not considered to offer intrinsically beneficial qualities, recreational space, or visual relief. The principle of developing this site is therefore not considered to be visually harmful to either the countryside or the character of the area, in accordance with Policies CC1 and SR12 of the Thanet Local Plan.

The proposed development will be accessed from a single access point to the north of the site, onto Brooke Avenue. The single access point has resulted in two cul-de-sacs being formed within the development, one above the other. The majority of the development consists of semi-detached dwellings, in keeping with the pattern of surrounding development. Some detached dwellings are also proposed to the south of the site, which allow for a more spacious setting within the far corner of the site, which is surrounded on

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both sides by countryside. The flat development, which consists of 8no. units, is split into two blocks that have the appearance of 4no. terraced units. This is again in keeping with the surrounding area where terraced development is characteristic.

The application site is allocated within the Draft Local Plan for 34no. dwellings, yet the proposal is for 43no. units, an increase of 9no. units. This has resulted in a density of 37 dwellings per hectare. Whilst this density is slightly higher than what we would expect to see on a site located within the countryside, this is not a village location, and therefore a slightly higher density would be acceptable if it were in keeping with the pattern of surrounding development. The illustrative layout plan submitted allows for buildings of a similar type, plot depth, and setback as surrounding development, and therefore whilst the number of units proposed exceeds the notional housing figure contained within the Draft Local Plan, the impact would not be significantly detrimental to the character and appearance of the area.

Scale is a matter for consideration. The proposal is for a 2-storey pitched roof development, with units that measure approximately 5.8m to eaves level and 8.8m to ridge height. All of the units are of a similar form, with only slight variations in the roof style, or where different building types are proposed, such as detached, link detached, semi-detached, and the flat blocks. This can be seen within the submitted section plans through the site. The scale is considered to be in keeping with the character and appearance of the surrounding area.

Landscaping is a reserved matters, yet the illustrative layout plan suggests that tree planting may be achievable around the boundary of the site, as well as within some amenity areas within the development, which would help to soften the appearance of the development, especially given its location as a transition site between the urban area and open countryside. The provision of trees is therefore a requirement for the landscaping reserved matters.

The scale and illustrative layout plan of the proposed development is considered to be acceptable and in keeping with the character and appearance of the area, in accordance with Policy D1 of the Thanet Local Plan.

Living Conditions

The neighbouring dwellings closest to the application site are on Kingston Avenue. The neighbouring properties back onto the application site, with the closest neighbouring property a minimum of 9m from the proposed development. The impact upon light and outlook is therefore considered to be acceptable.

In terms of overlooking, there is a minimum distance of at least 17m between the proposed unit 3 and the neighbouring properties to the rear. Whilst this is slightly less than what we would consider to be acceptable, layout and appearance are reserved matters and this is a detached dwelling so there is the opportunity for the design of the dwelling to accommodate no clear glazed first floor windows to the rear, and instead accommodate oriel windows to the side. This is also the same for units 9, 10 and 11, which although semi-detached, also have the same opportunity for oriel windows, where windows could face the road, or for the dwellings to be moved towards the road. All of the other proposed dwellings have a

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minimum distance of 20m to the nearest neighbouring dwellings, which is considered acceptable. The impact upon neighbouring privacy is therefore considered to be acceptable.

Within the proposed site there is a distance of at least 28m between the rear elevation of dwellings, and as such there is no mutual overlooking within the proposed scheme.

Each dwelling is provided with its own garden, and a large communal garden area, with the potential for refuse storage and cycle storage, is provided for the self-contained flats. The proposal therefore complies with Policy SR5 of the Thanet Local Plan, which requires that doorstep play space is provided for each family unit.

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

Transportation

The application is seeking approval for the access to the site, along with the number of dwellings proposed and the parking layout.

The proposal is for 43no. units, all of which will be accessed from Brooke Avenue. Each of the dwellings are provided with 2no. off-street parking spaces and the flats are provided with 8no. off-street parking spaces, along with space for a cycle storage area. Ten visitor parking spaces are provided within the development, and there is also considered to be capacity on surrounding streets for on-street parking.

KCC Highways and Transportation have been consulted and have advised that the site is located close to regular and frequent bus services, and to local facilities such as schools, doctors' surgery, shops, etc. The number of vehicle movements likely to be generated in the peak hours (around 25) and the number of different routes available that vehicles are likely to use travelling to/from the site indicates there is unlikely to be a severe impact on the highway network that would warrant a recommendation for refusal on highway grounds.

The applicant is keen for the roads within the development to be adopted by the highway authority, and as a result KCC have requested additional information to prove that the roads can be laid out to an adoptable standard, including adequate visibility on corners, turning provision, footpath widths, and adequate parking provision. Amended plans have been submitted for further comments from KCC, who advise they have no concerns other than the visibility envelopes and junction splays, which are still shown incorrectly, but which can be resolved by condition, or through the layout reserved matters application.

The proposals include connections to the existing footway network in Brooke Avenue, allowing pedestrian access to bus stops, services and amenities in Garlinge and beyond, and adequate vehicle parking is now provided within the site. KCC Highways and Transportation therefore raise no objections to the proposed development subject to safeguarding conditions.

It is therefore considered that given the acceptability of the access design and parking provision on site, the impact upon highway safety is acceptable.

Size and Type of Housing

The proposal is for the erection of 8no. 2-bed flats, 7no. 2-bed dwellings, 25no. 3-bed dwellings, and 3no. 4-bed dwellings. Policy H8 of the Thanet Local Plan requires that on sites where 10 or more residential units are proposed, the council will require a mix of dwelling sizes and types to be provided to meet a range of community needs. 15% lifetime homes is also required.

The most up to date information on housing need, for both market and affordable houses, can be found within Policy SP18 of the Draft Thanet Local Plan. The Strategic Housing Market Assessment (SHMA) shows that the greatest need is for 3-bed houses and 2-bed houses. The proposed development is considered to address the proportional need identified within the SHMA, and as such the proposed development is considered to comply with adopted Policy H8 and draft Policy SP18.

Ecology

An Ecological Scoping Survey has been submitted with the application, which advises that the site has excellent potential as a bird nesting and foraging habitat, and good potential for reptiles and both slow-worm and viviparous lizard. The site is not considered to hold dormice, water vole or great crested newts, and no signs of badgers were found during the scoping visit. The site does have potential as a bat foraging area, and it is recommended that hedgelines are maintained around the site within the development proposals to provide corridor habitats for this group and other species.

The report recommended a presence/absence survey for reptiles be carried out. A reptile report has been submitted, which advises that Slow-worms and Viviparous Lizards were recorded on site, but no other reptiles were seen.

Drainage

A flood risk assessment has been submitted in support of the application, which states that the intention would be to use shallow soakaways for the disposal of surface water runoff. KCC SUDs have commented and advised that they have no objections to the flood risk assessment, and they are satisfied that the development can accommodate sufficient provision for surface water drainage. Safeguarding conditions are recommended for further ground investigation following the grant of any planning permission, in order to validate the assumptions of the report.

Southern Water have commented that they cannot accommodate the needs of this application without the development providing additional local infrastructure, which the developer would be required to provide.

Southern Water can provide a water supply to the site, however Southern Water will require a formal application for connection and on-site mains to be submitted by the developer.

The impact upon flooding and the proposed form of drainage is therefore considered to be acceptable and in accordance with the NPPF.

Play Area

Policy SR5 of the Thanet Local Plan requires that for development of between 11 and 49 units, an off-site financial contribution towards the nearest equipped play area is required to be used for new or replacement equipment to serve the development. The Open Spaces Officer has advised that the nearest equipped play area to the proposed development is Garlinge Recreation Ground, and there is a need for new equipment at this location. A contribution of £37,625 is therefore required towards the play equipment at Garlinge Recreation Ground, which the applicant has agreed to, and will form part of the legal agreement to be submitted with the application.

Archaeology

The KCC Archaeology Officer has commented that the application site lies within an area of considerable archaeological interest with evidence of extensive ancient landscapes revealed through aerial photography as cropmarks in much of the surrounding agricultural fields.

Of immediate relevance to the proposed residential development site is the presence of a sizeable rectangular enclosure part of which lies over the eastern area of the application site. Within the enclosure lies a circular feature which could be indication of a Bronze Age barrow (burial mound) or possibly a round house (although with a diameter of c.15m the latter interpretation seems less likely). A larger circular feature has also been recorded in the field to the east of the enclosure. The date and function of the enclosure complex which is over 200m in length and 80m wide is not known as no archaeological fieldwork has been undertaken in this area to date. Significant archaeological remains, and in particular the remains of the enclosure complex, activities associated with it and the possible burial mound could very possibly be affected by the groundworks for the proposed residential development.

KCC have advised that given the current condition of the site, which is heavily overgrown, evaluation of the site would be difficult without significant clearance works, and therefore the archaeological potential of this development and its impact can be best addressed through the imposition of a planning condition that secures evaluation once the site is cleared of vegetation. This would be achievable prior to the submission of the reserved matters for layout, which could result in some minor alterations to the layout to preserve archaeology where possible, however, KCC have advised that the outcome of the evaluation trenching should not fundamentally affect the delivery of the proposed development. The impact upon archaeology is therefore considered to be acceptable.

Planning Obligations

- Financial Contributions

Policy CF2 of the Thanet Local Plan requires that where a proposed development would directly result in the need to provide new or upgraded community facilities (including transport infrastructure, educational, or recreational facilities or affordable housing) the Local

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Planning Authority will negotiate with the applicant for a contribution towards the cost of such provision, which is fairly related in scale and in kind to the proposed development.

KCC have been consulted and have advised that there is a need for financial contributions towards primary and secondary schools, and libraries. The primary contribution is in the form of £122,988 to be used towards the St.Gregory's RC School enhancement and the secondary contribution is in the form of £87,312.60 to be used towards the Phase 1 expansion of Ursuline College Secondary School. A library contribution of £2,304.76 is also required towards additional book stock required to mitigate the impact of the additional borrowers generated from this development.

As stated above, the contribution of £37,625 is also required towards the play equipment at Garlinge Recreation Ground, under Policy SR5 of the Thanet Local Plan.

A viability appraisal has been submitted as part of the planning application. The appraisal initially advised that the site was unviable to develop if requiring the payment of the requested financial contributions. Following a number of meetings between the agent and planning officers, and numerous reviews of the viability appraisal and the figures it contained, the latest viability appraisal now proposes that all financial contributions will be met. The proposed development therefore provides the necessary community facilities required to mitigate against the impact of the development, and as such the proposal complies with Policy CF2 of the Thanet Local Plan.

- Affordable Housing

Policy H14 of the Thanet Local Plan states that where development is proposed, which in its completed form, would amount to fifteen or more residential units, the district council will negotiate with the developer for the inclusion of an element of affordable. The willingness of the developer to provide an element of affordable housing will be a material consideration in considering the application. The scale of affordable housing which is reasonable and appropriate on any particular site will be a matter for negotiation between the developer and the district council, however, an element of 30% will represent the starting point, and negotiations will be based on the individual circumstances of the case.

A viability appraisal has been submitted with the application, which originally showed that no affordable housing provision was achievable. The planning department assessed the viability appraisal, and following a number of requests by the LA to review the viability appraisal and its figures, it was determined that the provision of some affordable housing on the site would be viable.

Four scenarios were used to determine what affordable housing level would be achievable. All were based on 15% developer profit, which is the lower end of what is accepted as reasonable developer profit. The scenarios assessed included the following:

- no affordable housing, full financial contributions,
- 10% affordable housing, full financial contributions,
- 20% affordable housing, full financial contributions,
- 30% affordable housing, full financial contributions.

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The estimated existing use value of the site is £16,800.00, which is based on the site being an overgrown area of land, which is not in agricultural use. The 30% affordable housing and full financial contribution scenario has resulted in a Residual Land Value (RLV) of £101,940.00, once all development costs are removed from the Gross Development Value of the development. Whilst this would result in an uplift from the estimated land value of £16,800.00, the applicant has commented that they do not consider this RLV to be a fair market value for the site, when compared to other development sites across the country, and this value would not be enough to entice them to sell the land and release it for development. It is accepted that at this value there would be little room for manoeuvre should unexpected risks associated with the development of the site be discovered. Paragraph 205 of the NPPF states that where obligations are sought LPAs should take account of changes in market conditions over time and, wherever appropriate, be sufficiently flexible to prevent planned development being stalled. This site forms part of the Council's allocated housing stock within the draft local plan, and therefore delivery of these sites is supported. The applicant has advised that they have a developer on board, who would be able to commence works within 8-12 weeks from the final decision date, with delivery of phase 1 perceivable within 12 months from the commencement of works date. The delivery of housing on the site is therefore achievable subject to an agreement on the RLV that both the applicant and LA consider to be reasonable.

The applicant has not agreed to 30% affordable housing provision, but has agreed to 20% affordable housing provision, along with full financial contributions. Affordable housing at a level of 20% would result in a RSL of £256,570.00. The applicant has confirmed that they would be willing to release the land for development at this value.

The 20% affordable housing would be almost entirely proportionate to the size of units proposed, and would consist of 2no. 2-bed flats, 2no. 2-bed houses, and 5no. 3-bed houses. Of these nine affordable units, 7no. would be affordable/social rent and 2no. would be shared ownership. The breakdown and split of the units would comply with the most up to date need as identified within the Strategic Housing Market Assessment.

Whilst the proposal would not provide for 30% affordable housing, the proposal does allow for 20% affordable housing along with all financial contributions, and would allow for the delivery of a housing site that is allocated within the Council's Draft Local Plan. Given that national guidance recommends that LAs are flexible when it comes to negotiation on planning obligations, where a full viability justification has been made, and given that Policy H14 of the Thanet Local Plan allows for negotiation on the level of affordable housing provision to take place, it is considered that in this instance, the level of affordable housing provided, which is only 4no. units short of the recommended number, is 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 £5,430 for the 2-bed flats and houses, £12,000 for the 3-bed dwellings, and £1,800 for the 4-bed dwellings. 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:

- 20% affordable housing,
- £122,988 towards primary school provision at St.Gregory's RC School,
- £87,312.60 towards secondary school provision at Ursuline College Secondary School,
- £2,304.76 towards library provision in Broadstairs,
- £37,625 towards play equipment at Garlinge Recreation Ground,
- £19,230 towards the Special Protection Area.

Conclusion

The application site is located outside of the urban confines, and is non-previously developed land, and is therefore contrary to Policy H1 of the Thanet Local Plan. However, the site is allocated for housing within the Draft Local Plan and would address a local need for housing. The site provides for an extension of an existing residential area, with an existing access road that would lead directly into the site; and the density and design of the proposed development is considered to be in keeping with the surrounding pattern of development, without causing significant visual harm to the countryside. The impact upon highway safety is considered to be acceptable, and subject to careful consideration of the fenestration through the appearance reserved matters, the impact upon neighbouring living conditions is also considered to be acceptable. There are no principle objections to drainage, archaeology or ecology, and all financial contributions are to be secured through the submission of a unilateral agreement. Whilst only 20% affordable housing on site is proposed, it is considered that when taking account of viability of the scheme and the benefits of the scheme, namely the deliverability of 43.no dwellings in a sustainable location with all other financial contributions provided the lack of these 4no. affordable housing units does not outweigh the benefits of the development in this instance. The proposed development is therefore considered to be an acceptable departure to Policy H1 of the Thanet Local Plan, and to comply with the requirements of the NPPF. It is therefore recommended that members defer and delegate the application for approval, subject to the submission of a legal agreement securing the agreed Heads of Terms.

Case Officer

Emma Fibbens

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TITLE:

OL/TH/16/0376

Project

Land Rear Of 2 To 28 Kingston Avenue MARGATE Kent



Viability Study

Prepared on behalf of

Mr & Mrs Brazil

in connection with

Brooke Avenue
Margate
Kent



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SECTION NR. 1
REPORT

1.01 Purpose of Report

This report has been prepared to provide the Client with the anticipated construction and sales cost of the proposed development at Brooke Avenue, Margate. This report is based on 4nr flats being Affordable Housing.

1.02 Status of Report

This is a Stage 1 Order of Cost Estimate Report. The RIBA Plan of Works 2013 refers to Stage 1 as "Preparation and Brief"

1.03 Anticipated Viability Summary

We anticipate the Gross Development Value (GDV) to be **£10,260,000**

Taking into account the Purchaser's costs, we anticipate the Net Development Value (NDV) to be **£10,205,000**

We anticipate the Development Costs (DC) to be **£10,105,764**

Based on the above values we anticipated the Residual Land Value to be **£99,236**

A summary of the costs are included with this report.

1.04 Changes Since Last Estimate

The following changes have been made since Rev. G

- GDV Values have been updated in accordance with Miles & Barr Valuation dated 17/04/18

1.05 Basis of Cost

Due to the stage of design, we have currently calculated the construction costs by applying the BCIS "median" rates

1.06 Risk

The basis of risk has been assessed as follows:

- "Design Development Risk" is included within the rates
- "Construction Contingency" is included within the rates
- "Design Employer Change Risk" has been excluded
- "Employer Other Risk Estimate" has been excluded

1.07 Assumptions Made

The following assumptions have been made:

- 4nr affordable flats only
- An allowance of £30k has been included for costs associated with archaeology
- Trees around perimeter of site to be retained where possible
- Low level wire fencing to perimeter of site boundary required
- Percentages for fees, marketing, acquisition costs etc assumed. See Summary for percentages included
- Sales Valuations are in accordance with Urban Surveying & Design recommendations

1.08 Exclusions

The following exclusions are made:

- Inflation on construction costs
- Substation
- Abnormal ground conditions
- Any works required by Highways
- Major service diversions
- Loose fittings and equipment
- Ground remediation works
- VAT
- Show apartments and marketing costs

1.09 Information Used in the Preparation of this Report

The following Consultants have provided information as follows:

Urban Surveying & Design

16.859.MB.PL01 Rev. B - Proposed Site Plan

Miles & Barr

Sales Valuation

BCIS

£/m2 Study (03-Mar-2018)

1.10 Definitions

Overheads & Profit – Overheads & Profit is the money the Contractor makes after accounting for all costs and expenses. The profit percentage a contractor might apply to their tender price will vary according to risk, workload and economic climate. This cost also includes the company overheads such as administration staff, their office and other company overheads

Main Contractor Design Fees - Includes for fees related to items of the design that are not yet complete and will need to be completed on appointment of the Main Contractor

Preliminaries – Main Contractor’s Preliminaries are the costs required by the Main Contractor to run the construction project. This cost will include any staff and management costs, provision of any facilities such as welfare facilities, offices, stores, etc, temporary water and electric supplies, small plant and tools, scaffolding and the like

Design Development Risk - This is a contingency used pre construction for unknowns during the early design stages. As the design progresses and the brief becomes clear, this allowance reduces

Construction Contingency - This is a client contingency which is set aside for unknowns during construction works

Employer Change Risk - This is a contingency to cover a potential change in the Client's brief during the design stages

Employer Other Risk - This is a contingency to cover any other items not included in the above definitions

Inflation - This is a percentage uplift to cover the inflationary increase of construction materials and rates from the date they are priced to the date the works start on site. The percentage uplift is in accordance with the guidelines obtained from the Building Cost Information Services (BCIS)

Professional Fees - This sum includes for fees paid by the Client to its Consultants which may include Project Manager, Quantity Surveyor, Architect, Structural Engineer, Services Engineer etc.

Other Fees - Other fees include for other items paid for by the Client such as surveys

Statutory Fees - This sum includes for fees paid for by the Client for Planning, Building Control, Highways etc.

Client FF&E - This allowance is for loose fixtures, fittings and equipment which are to be purchased directly by the Client and do not form part of the contract works with the Contractor. This can include, desks, tables, chairs, computers, telephones and the like

SECTION NR. 2
COST ESTIMATE

Section 2A - Viability Assessment

Ref	Description	Quant	Unit	Total	Cost/m2	£/sqft
				Gross Internal Floor Area (m2)	3,468	37,329
	Development Value (DV)					
	Sales Valuation					
	<u>Affordable Housing Units (60% of DV)</u>					
	2 bed flat with parking	4	Nr	420,000	121	11
	<u>Private Units</u>					
	2 bed flat with parking	4	Nr	700,000	202	19
	2 bed semi-detached house with parking	6	Nr	1,290,000	12	1
	2 bed detached house with parking	1	Nr	245,000	71	7
	3 bed semi-detached with parking	17	Nr	4,420,000	1,275	118
	3 bed detached with garage	1	Nr	285,000	82	8
	3 bed semi-detached with garage	7	Nr	1,925,000	555	52
	4 bed detached house with double garage	3	Nr	975,000	281	26
A	Gross Development Value (GDV)			10,260,000	2,599	242
	Purchaser's Costs					
	Stamp duty	4.00%		40,000	12	1
	Agent Fee	1.00%		10,000	3	-
	Legal Fee	0.50%		5,000	1	-
B	Purchaser's Costs			55,000	16	1
C	Net Development Value (NDV) (A-B)			10,205,000	2,583	241
	Development Costs (DC)					
	Construction Costs (as Construction Summary)			6,632,161	1,912	178
	Fees					
	Professional Fees	8.00%		530,573	153	14
	Other Fees (Surveys)			30,000	9	1
	Statutory Fees (Planning & Building Control)			45,000	13	1
	Contributions					
	Primary Education; Flats (£831 x 8)			6,648	2	-
	Primary Education; Houses (£3,324 x 35)			116,340	34	3
	Secondary Education			113,271	33	3
	Libraries			2,305	1	-
	Play			37,625	11	1
	SPA Contributions (£408 per unit)			17,544	5	-
	Marketing & Sales					
	Marketing	1.00%		102,600	30	3
	Sales Agent Fee	1.00%		102,600	30	3
	Sales Legal Fee	0.50%		51,300	15	1
	Finance					
	Interest on borrowing	10%		778,797	225	21
	Developer's Profit					
	Profit based on 15% of Private GDV	15.0%		1,476,000	426	40
	Profit based on 15% of Affordable GDV	15.0%		63,000	18	2
D	Development Costs (DC)			10,105,764	2,917	271
	RESIDUAL LAND VALUE (C-D)			99,236		

Section 2B - Construction Summary

Ref	Description	Quant	Unit	Total	Cost/m2	£/sqft
				Gross Internal Floor Area (m2)	3,468	37,329
	Construction Costs					
	Demolition and Alteration			126,786	37	3
	Building Works			4,787,966	1,381	128
	Site Works			1,057,956	305	28
				5,972,708	1,722	160
	Main Contractors Overheads & Profit	10.00%		597,271	172	16
	Main Contractor Preliminaries			Incl	Incl	Incl
	Building Warranties			62,182	18	2
	Main Contractors Design Fees and Other Costs			Incl	Incl	Incl
	Sub Total			6,632,161	1,912	178
	Risk Allowances					
	Design Development Risk			Incl	Incl	Incl
	Construction Contingency			Incl	Incl	Incl
	Employer Change Risk			Excl	Excl	Excl
	Employer Other Risk			Excl	Excl	Excl
	Sub Total			£ 6,632,161	£ 1,912	£ 178
	Inflation Allowance					
	Tender Inflation Risk			Excl	Excl	Excl
A	Anticipated Contract Sum			£ 6,632,161	£ 1,912	£ 178
	VAT (Current Rate) On Construction Cost			Excl	Excl	Excl
B	Total Construction Cost			£ 6,632,161	£ 1,912	£ 178

Section 2.01 - Demolitions & Alterations

Ref	Description	Quant	Unit	Rate	Total
A	<p><u>Site Clearance</u></p> <p>Clear site vegetation; including removal of trees and stumps</p>	11,526	m2	11	126,786
Total Demolitions & Alterations To Summary					126,786

Ref	Description	Quant	Unit	Rate	Total
	<u>Affordable Housing (BCIS lower quartile)</u>				
A	4No. 2 bed, 4 person flats	280	m2	1,532	428,960
	<u>Private Housing (BCIS median quartile)</u>				
B	7No. 2 bed, 3 person dwelling	490	m2	1,322	647,780
C	4No. 2 bed, 4 person flats	280	m2	1,532	428,960
D	25No. 3 bed, 4 person dwelling	2100	m2	1,322	2,776,200
E	3No. 4 bed, 6 person dwelling	318	m2	1,322	420,396
F	Car ports (to Units 2, 12, 13, 40, 41, 42 & 43)	123	m2	280	34,440
G	Garages (to Units 37, 38, 39)	109	m2	470	51,230
Total Building Works To Summary					4,787,966

Ref	Description	Quant	Unit	Rate	Total
	<u>External Works: including sub-bases</u>				
A	Vehicular roads; tarmac; (highway standard - 4.8m wide)	1848	m2	186	343,728
B	Parking spaces; brick paviours	1275	m2	84	107,100
C	Pedestrian paths; brick paviours or similar	93	m2	78	7,254
D	Pedestrian paths; tarmac	776	m2	50	38,800
E	Maintenance strip	253.9	m2	50	12,695
F	Topsoil and turfing	5052	m2	22	111,144
G	Garden fence	1157	m	34	39,338
H	Garden gates	32	Nr	168	5,376
J	Secure play space gates	2	Nr	392	784
K	Picket fencing to gardens	139	m	34	4,726
L	Perimeter fence; low level wire fence	252	m	22	5,544
M	Locked gates for maintenance strip	3	Nr	896	2,688
N	Trees; small	50	Nr	224	11,200
P	Trees; large	24	Nr	560	13,440
Q	Shrubs etc.	123.1	m	6	738
R	Perimeter planting	468	m	56	26,208
S	Works to site entrance	1	lt	2,240	2,240
T	Traffic calming arrangement; TBC	1	lt	560	560
U	Signage	1	lt	1,680	1,680
V	Costs associated with archaeology	1	lt	33,600	33,600
Total Carried Forward					768,843

Ref	Description	Quant	Unit	Total	Cost/m2	
		Total Brought Forward				768,843
	<u>Foul and Surface Water Drainage</u>					
A	Below ground drainage; to buildings (£1,248 per unit)	3577	m2	17	60,809	
B	Below ground drainage; to hardstandings and adopted highway (approximately 12nr soakaways, gulleys etc)	3904	m2	18	70,272	
C	Mains sewer connections	43	Nr	448	19,264	
	<u>External Services</u>					
D	Gas installations	43	Nr	336	14,448	
E	Electrical installations	43	Nr	1,232	52,976	
F	Water installations	43	Nr	1,008	43,344	
G	External lighting to highway	1	lt	22,400	22,400	
H	Hydrants	1	lt	5,600	5,600	
	Total Site Works To Summary					1,057,956

APPENDIX A
BCIS DATA

£/m² study

Description: Rate per m² gross internal floor area for the building Cost including prelims.

Last updated: 03-Mar-2018 12:20

> Rebased to Thanet (112; sample 15)

Maximum age of results: Default period

Building function (Maximum age of projects)	£/m ² gross internal floor area						Sample
	Mean	Lowest	Lower quartiles	Median	Upper quartiles	Highest	
New build							
810. Housing, mixed developments (15)	1,390	666	1,206	1,354	1,539	3,179	1199
810.1 Estate housing							
Generally (15)	1,362	665	1,164	1,327	1,502	4,516	1821
Single storey (15)	1,522	774	1,299	1,466	1,728	4,516	301
2-storey (15)	1,327	665	1,153	1,300	1,453	2,650	1381
3-storey (15)	1,340	862	1,097	1,276	1,497	2,790	136
4-storey or above (20)	2,762	1,439	-	2,521	-	4,327	3
810.11 Estate housing detached (15)	1,718	1,040	1,287	1,561	1,799	4,516	22
810.12 Estate housing semi detached							
Generally (15)	1,359	684	1,172	1,330	1,502	2,537	420
Single storey (15)	1,548	956	1,334	1,517	1,727	2,537	75
2-storey (15)	1,322	684	1,164	1,301	1,453	2,326	325
3-storey (15)	1,241	926	1,033	1,180	1,342	1,999	20
810.13 Estate housing terraced							
Generally (15)	1,382	665	1,160	1,329	1,537	4,327	395
Single storey (15)	1,514	1,004	1,269	1,430	1,779	2,269	49
2-storey (15)	1,357	665	1,155	1,319	1,509	2,650	286
3-storey (15)	1,345	877	1,094	1,267	1,448	2,790	59
4-storey or above (5)	4,327	-	-	-	-	-	1
816. Flats (apartments)							
Generally (15)	1,617	795	1,356	1,546	1,820	5,483	962
1-2 storey (15)	1,532	938	1,315	1,475	1,691	2,878	235
3-5 storey (15)	1,596	795	1,351	1,540	1,817	3,205	642
6+ storey (15)	2,019	1,189	1,630	1,941	2,148	5,483	81

APPENDIX B
MILES & BARR SALES VALUATION

Mr Scott Rigden
Urban Surveying & Design
The Old Bakery, 22 Church Street,
St. Peters,
Broadstairs,
Kent
CT10 2TT

17th April 2018

Dear Scott,

Re: Brooke Avenue, Margate, Kent

Further to our recent meeting and request for a revised appraisal of the above site I now have pleasure in confirming our figures. I, Joe Bull, our Branch Manager in Cliftonville and his Valuation Team were all involved with the pricing of the units. To give you some background to us we opened our first office in 1999, we now employ 225 people across our sales, lettings, financial departments. We have 12 sales offices & 3 lettings hubs from Faversham to Folkestone, we completed on over 2200 transactions in 2017 and have been I'm proud to say the leading independent Estate Agents in the South East of Kent for well over 15 years. I personally have worked in the industry for over 26 years and have been involved with many developer clients with land buying, consultancy and the marketing of new homes during this period. I believe it is important to state that when we appraise any site we take into consideration the following;

- 1) Location, and the surrounding areas within a half mile radius
- 2) Present market conditions. Stock v Demand. House Price inflation
- 3) Buyer Profiles
- 4) Marketing Strategy

Location:

The development of 43 units at Brooke Avenue, has been part of the Thanet Council Local Plan for many years, we believe this satisfies the market at exactly the right level for housing that is affordable, from first time buyers to families looking for larger houses. The land is situated next to a 1930's housing development, this provides reasonable sized semi-detached housing but is quite dated. The new development will stand out from properties in the near vicinity and will be attractive for both private purchase as well as investors and will be an extremely desirable location.

Brooke Avenue is situated off the A28 which is 5 minutes' drive from the centre of Margate, and the Station, and 10 minutes' drives from the A299 and M2 which leads directly to the M25 and London. Margate station forms part of the high-speed rail link which takes commuters into St Pancras Station, London in 88 minutes and is fast becoming a popular destination for commuters wishing to take advantage of the significantly cheaper housing prices than those in many of the established commuter towns slightly closer to London.



This, along with the 'Arts and Crafts' movement, led by the Turner Contemporary Gallery, and the regeneration of the tourist attractions has made Margate now also referred to as 'Shoreditch by the Sea' and the surrounding areas a very desirable location to live

Present Market Conditions:

We have experienced in the last 2/3 years very strong demand along our South-East coastline with over a million completions across the UK in 2015, 2016 and most likely we will see similar numbers in 2017. With the governments new homes target of 1 million homes to be built by the end of 2020 they are currently behind schedule. With an increasing population, not enough stock and not enough new homes being built I do believe it is a fair comment that unless the property market gets flooded with stock in the next 2/3 years market conditions are likely to remain the same. Post Brexit house price inflation has been more measured with an average price increase in the region of 3 – 4%, compared with recent increases of 25-30% since 2012/2013, with Economists predicting similar annual house price growth over the next 2/3 years we don't anticipate any major price fluctuations over the next 36 months.

Buyer Profile:

Since we opened our Cliftonville Office in January 2000 we have worked with a multitude of buyer clients and given the location, design and views that the development affords we believe that the major interest will come from the following profiles

Weekend / holiday homes, over 50% of our buyers in Margate have been coming in via our marketing and London office connections with clients looking to downsize, out of town retirees & with the HS1 rail services into London St Pancras (83 minutes) we can see the development being very attractive with Professionals who would be willing to make the daily commute due to affordability and the opportunity of owning a brand new home in an up and coming area and finally investors who still find the returns and capital gains attractive.

Marketing:

We believe that the marketing needs to reach three main audiences, Specific targeted buyers local and national, quite simply the more people who we can connect with through our marketing the more enquiries we will generate (more viewings if a marketing suite open) which will evolve into more offers. We have over 100 years marketing experience within our team many years of experience selling iconic land mark developments through this time such as The Horse bridge in Whitstable in 2002/2003 a mixed use development, St Andrews Place Broadstairs which was a 3-block apartment scheme sold in 2005/6, Seascape in Sandgate a development of high end apartments in 2014 and most recently in Broadstairs a scheme of converted apartments and an old school in 2016 and 2017. We are currently working with Kentish Projects @ Fisherman's Beach in Hythe a mix of 43 high end beach front villas, town houses and apartments of which we secured 60% of the sales off plan. Subject to your needs we are confident that we will be able to provide you with innovative, contemporary forward-thinking marketing solutions. I have included below a marketing strategy which I believe would be valuable in securing early reservation off plan if required.

Off Plan Sales Release – dates to be agreed.

A discreet invitation only service to existing members of the Miles & Barr data base via email with a brochure, CGI's, floor plans, a full legal pack and draft service charge schedule and a select number of apartments (units to be identified and agreed) plus price list showing a discount / incentive to gain their early commitment if applicable

Marketing Suite Launch – dates to be agreed

A local launch for the development, with a fully equipped sales suite on site preferably, with brochures, a full advertising and PR campaign across all media platforms to be agreed and a dedicated team to handle all leads and enquiries.

head office | milesandbarr.co.uk

miles&barr Innovation House, Innovation Way
Discovery Park, Sandwich, Kent CT13 9FF

tel: 01304 617 441 email: accounts@milesandbarr.co.uk

Miles & Barr Ltd, Innovation House, Innovation Way,
Discovery Park, Sandwich, Kent, CT13 9FF
Incorporated in England No. 4991085





Grand Opening – dates to be agreed

A full public launch for the opening of the site to incorporate revised marketing materials and advertising. Show home opens.

Pricing

Below we have summarised the recommend sales values of each type of house on the proposed Brooke Avenue Development.

4	£175,000	£420,000	2 Bed Flats with Parking (Affordable Housing Units – 60% of DV)
3	£325,000	£975,000	4 Bed Detached with Double Garage
7	£275,000	£1,925,000	3 Bed Semi-Detached with Double Garage
17	£260,000	£4,420,000	3 Bed Semi-Detached
6	£215,000	£1,290,000	2 Bed Semi-Detached & Terraced
4	£175,000	£700,000	2 Bed Flats with Parking
1	£245,000	£245,000	2 Bed Detached with Parking
1	£285,000	£285,000	3 Bed Detached with Garage
GDV		£10,260,000	

PLEASE NOTE: This letter offers market advice only and does not represent a formal valuation and should not be relied upon for any part of its content to a third party.

Thank you once again for your time and the opportunity to look at the development on your behalf. We believe that this scheme will prove to be very popular and would relish the opportunity of working with you moving forward in 2018 and beyond. Please do not hesitate in contacting me if you have any further questions or require any further information after reading through the document. I look forward to speaking with you soon.

Yours sincerely,

Stuart Barr MARLA MNAEA

Director Land & New Homes
Miles & Barr
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Mrs E Fibbens

Senior Planning Officer
Thanet District Council
Cecil Street,
Margate,
Kent.
CT10 1XZ

18th April 2018

Dear Mrs Fibbens,

REF: OL/TH/16/0376 Land R/O Kingston Avenue Margate, Viability Study

Further to our extensive discussions regarding the viability assessment associated with the development of the site for 43 residential units.

I have attached for your consideration revision H of the Viability Study, which incorporates revised affordable numbers as agreed between Ted Riddick of Landspeed and Ashley Stacey of TDC via email communications and revised BCIS figures – updated 3rd March 2018.

The delay associated with presenting revised viability proposals was due to TDC establishing the market need for small volume affordable housing allocations within medium sized sites. Our own enquiries established that potential partnering Housing Associations were not interested in small volume allocations – 20% of total development units, resulting in a S106 Agreement prescribing 8 units as unachievable.

To demonstrate the affordable allocation barriers we encountered, TDC Housing (Ashley Stacey) held a forum with HA managers; resulting in agreement that no Housing Associations would partner with, or purchase affordable allocations of low volume from medium sized sites.

Landspeed are a company that purchase small volume affordable housing; and are willing to purchase four units from the developer at 60% of open market value – 20% less than originally calculated.

Since the issue of Viability Study rev G build costs have significantly risen from £1,165 per square meter in October 2016 - £1,322 in March 2018; this equates to a rise of 12.8% in 18 months. Figures are published by the RICS Building Cost Information Service which is a national recognised standard.

Additional CIL contributions were requested by the Local Authority for five units in the sum of £8,058.00, equating to a further gross CIL payment of £40,290.00. Given the rise in construction costs of 12.8%.

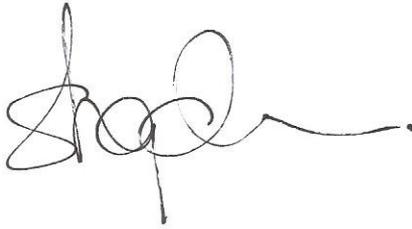
As a comparison the GDV based upon 4nr affordable units at 60% OMV each gives a rise of 9.1% - (Feb 2017 GDV £9,327,000 v April 2017 GDV £10,260,000). The result is construction costs are increasing 3.7% above property inflation having a negative effect on residual land values and affordable housing provision.

In conclusion Viability Study rev H proposes a scenario of 4nr affordable flat units to be purchased by Landspeed at 60% OMV with no further CIL contributions.

All other CIL contribution shall remain as stated with the rev G document.

Should you require any further information please contact my office.

Yours Sincerely,



Scott Rigden *MRICS*
For and on behalf of
Urban Surveying and Design Ltd

Cc:
File



Bramley Associates
ecological consultants & surveyors

Pretoria Road
Canterbury
Kent CT1 1QL

BramleyAssociates@btopenworld.com

www.bramleyassociates.co.uk

24th April 2018

Land Rear of 2 to 28, Kingston Avenue, Garlinge, Margate, Kent

Dear Peter Rocke and Scott Rigden,

This is an official Ecological Sign Off for the recent clearance of vegetation to soil level of land rear of 2 to 28 Kingstone Avenue in Garlinge, near Margate, Kent; a land area that has current Planning Permission for 43 dwellings (OL/TH/16/0376).

These clearance works followed the general guidelines set out in the relevant Reptile survey & mitigation strategy (Bramley Associates, 2017)

Ecological works in 2018 started with a site scope by two ecologists from Bramley Associates on the 27th March to ascertain the current status of the site. Vegetation clearance works were considered to be appropriate at that visit and the Phase 1 strimming of the site under direct ecological guidance within an Ecological Clerk of Work (ECoW) remit started on the 29th of March. This phase, which was not undertaken during some periods of the School Holiday to reduce auditory impact on neighbours, was overseen by qualified ecologists for 6 days until the 10th of April and vegetation height was reduced to approximately 30cms.

The following phase that reduced vegetation to soil level was overseen on the 17th and 18th of April and the site is now deemed suitable and cleared for housing development. As according to Planning Permission hedgelines of native species have been maintained around the vast majority of the site, except for the planned road access area.

As there is a risk that reptiles may colonise the cleared site area, we do advise that the site is kept clear of vegetation until development works begin and any further hedge works, such as hedge shaping, should be undertaken outside of the bird nesting season (i.e. works can be undertaken between the period October to end of February).

We wish you both the very best with this project. It has been a pleasure to work with you and your positive response to our ecological guidance on site.

Regards

Jon Bramley BSc, MPhil, CIEEM

Reference - Bramley Associates. 2017 Land Rear of 2 to 28, Kingston Avenue, Margate, Kent. Reptile survey & mitigation strategy. Bramley Associates, Pretoria Road, Canterbury, Kent CT1 1QL

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THANET DISTRICT COUNCIL DECLARATION OF INTEREST FORM

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

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

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

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

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

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

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

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

An associated person is defined as:

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

An Authority Function is defined as: -

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

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

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

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

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

Gifts, Benefits and Hospitality

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

What if I am unsure?

If you are in any doubt, Members are strongly advised to seek advice from the Monitoring Officer or the Democratic Services and Scrutiny Manager well in advance of the meeting.

DECLARATION OF DISCLOSABLE PECUNIARY INTERESTS, SIGNIFICANT INTERESTS AND GIFTS, BENEFITS AND HOSPITALITY

MEETING.....

DATE..... AGENDA ITEM

DISCRETIONARY PECUNIARY INTEREST

SIGNIFICANT INTEREST

GIFTS, BENEFITS AND HOSPITALITY

THE NATURE OF THE INTEREST, GIFT, BENEFITS OR HOSPITALITY:

.....
.....
.....

NAME (PRINT):

SIGNATURE:

Please detach and hand this form to the Democratic Services Officer when you are asked to declare any interests.