

Date: 9 December 2019
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PLANNING COMMITTEE

18 DECEMBER 2019

A meeting of the Planning Committee will be held at **7.00 pm on Wednesday, 18 December 2019** in the Council Chamber, Council Offices, Cecil Street, Margate, Kent.

Membership:

Councillor Tomlinson (Chairman); Councillors: Coleman-Cooke (Vice-Chairman), Albon, J Bayford, Currie, Dennis, Duckworth, Garner, Hart, Keen, Scott, Scobie, Taylor and Wright

A G E N D A

Item
No

Subject

1. **APOLOGIES FOR ABSENCE**
2. **DECLARATIONS OF INTEREST** (Pages 3 - 4)
To receive any declarations of interest. Members are advised to consider the advice contained within the Declaration of Interest advice attached to this Agenda. If a Member declares an interest, they should complete the [Declaration of Interest Form](#)
3. **MINUTES OF PREVIOUS MEETING** (Pages 5 - 20)
To approve the Minutes of the Planning Committee meeting held on 20 November 2019, copy attached.
4. **F/TH/19/0925 - LAND ADJACENT FORMER PRIMROSE COTTAGE, WAYBOROUGH HILL, MINSTER** (Pages 21 - 38)
5. **SCHEDULE OF PLANNING APPLICATIONS** (Pages 39 - 42)
To consider the report of the Director of Community Services, copy attached for Members of the Committee.

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

Item
No

Subject

For Approval

- 5a **A01 - F/TH/19/0215 - LAND SOUTH OF LAUNDRY ROAD, MINSTER, RAMSGATE** (Pages 43 - 64)
- 5b **A02 - FH/TH/19/1385 - 160 BEACON ROAD, BROADSTAIRS** (Pages 65 - 70)

For Refusal

- 5c **R03 - F/TH/19/1327 - UNIT 4 PRINCES ROAD, RAMSGATE** (Pages 71 - 76)
- 5d **R04 - F/TH/19/1005 - THE WAVES HOTEL AT 2 HENGIST ROAD, BIRCHINGTON** (Pages 77 - 84)

For Deferral

- 5e **D05 - F/TH/19/0874 - ST HELENS POPLAR ROAD, BROADSTAIRS** (Pages 85 - 92)
- 5f **D06 - OL/TH/19/0126 - 145 MONKTON ROAD, MINSTER** (Pages 93 - 106)
- 5g **D07 - F/TH/19/1054 - ST NICHOLAS COURT FARM COURT ROAD, ST NICHOLAS AT WADE** (Pages 107 - 118)



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THANET DISTRICT COUNCIL DECLARATIONS OF INTEREST

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.
4. **Complete the declaration of interest form and submit it to Democratic Services.**

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.
4. **Complete the declaration of interest form and submit it to Democratic Services.**

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 Committee Services Manager well in advance of the meeting.

Public Document Pack Agenda Item 3

Planning Committee

Minutes of the meeting held on 20 November 2019 at 7.00 pm in Council Chamber, Council Offices, Cecil Street, Margate, Kent.

Present: Councillor Michael Tomlinson (Chairman); Councillors Coleman-Cooke, Albon, J Bayford, Duckworth, Hart, Keen, Stevens and Taylor

In

Attendance: Councillors Garner Paul Moore, Bailey, Rawf and Towing

510. APOLOGIES FOR ABSENCE

Apologies were received from Councillors Hopkinson, Dennis and Huxley.

511. DECLARATIONS OF INTEREST

There were no declarations of interest.

512. MINUTES OF PREVIOUS MEETING

Councillor Coleman-Cooke proposed, Councillor Albon seconded and Members AGREED that the minutes of the Planning Committee held on 16 October 2019 be approved and signed by the Chairman.

513. SITE VISITS

514. FH/TH/19/0879 - 19 NOTTINGHAM ROAD, BIRCHINGTON

PROPOSAL: Part retrospective application for the erection of a gable roof extension and side extension with flat roof dormer to rear following demolition of existing garage

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 proposed development shall be carried out in accordance with the submitted application as amended by the revised drawings numbered 19-002/004 Rev C and 19-002/005 Rev B and dated 17 September 2019.

GROUND;

To secure the proper development of the area.

2 The external materials and external finishes of the side extension hereby approved shall be off-white coloured render and the cladding to the dormer extension shall be grey

Cedral weatherboarding, as confirmed by the Agent in correspondence received 19 September 2019.

GROUND:

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

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

515. SCHEDULE OF PLANNING APPLICATIONS

516. A01 - F/TH/19/1061 - 4 GUY CLOSE, BROADSTAIRS

PROPOSAL: Alterations to roof to include increase in roof height, the installation of 3 no. rooflights to front and erection of dormer window to rear with balcony and privacy screens together with the erection of a front gable projection above existing garage

Speaking in favour was Mr Miles.

Speaking raising points of concern was Mr Handy.

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 02, Rev C received 25/10/2019 and cladding details labelled, 'Cedral Click' received 20/09/2019.

GROUND;

To secure the proper development of the area.

3 The privacy screens provided to both flanks of the rear of the balcony hereby approved shall be provided and maintained with obscured glass to a minimum level of obscurity to conform to Pilkington Glass level 4 or equivalent and shall be installed prior to first use of the development hereby permitted, and shall be permanently retained thereafter.

GROUND:

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

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

517. R02 - F/TH/19/1198 - FLAMINGO ARCADE, 17 MARINE TERRACE, MARGATE

PROPOSAL: Variation of condition 2 of planning permission reference F/TH/17/1066 for the change of use of the existing first floor to amusement centre (Sui Generis) with associated first floor rear extension and the provision of an ancillary café (A3) and the refurbishment of the first floor front balcony to allow replacement of windows and doors to front and side elevations with aluminium sash windows and doors

Speaking in favour of the application was Mr Brown.

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

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

‘That the application be REFUSED for the following reasons:

1 The proposed aluminium windows and doors to the front and part of the eastern side elevation, by virtue of their material, finish and appearance, would introduce an inappropriate and non-traditional modern material to the upper floors of this highly prominent building in the Margate Seafront Conservation Area, which would diminish the character and significance of the application property and the quality of the previously approved scheme, resulting in severe harm to the character and appearance of the application property and the wider Conservation Area. The proposed development would therefore be contrary to Policy D1 of the Thanet Local Plan and paragraphs 127, 130, 192 and 196 of the National Planning Policy Framework.

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

518. R03 - FH/TH/19/0812 - 26 NORTH FORELAND ROAD, BROADSTAIRS

PROPOSAL: Retrospective application for the erection of a single storey garage with pitched roof and gable ends, together with formation of a vehicular access and erection of 1.8m high fencing to front elevation.

Speaking in favour of the application was Ms Elliott.

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

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

‘That the application be REFUSED for the following reasons:

1 The proposed garage, by virtue of its scale and prominent siting to the front of the property, forms a dominant and incongruous element within an area characterised by large plots with open frontages, detrimental to the pattern of surrounding development and the character of the area, contrary to Policy D1 and D7 of the Thanet Local Plan and paragraphs 127 and 130 of the National Planning Policy Framework.

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

(a) **D04 - F/TH/19/0813 - Land Formerly Used As Club Union, Convalescent Home Reading Street, Broadstairs**

PROPOSAL: Erection of 24no. dwellings with associated vehicular access from Reading Street and Convent Road, pedestrian access from Astor Road, parking and landscaping

Speaking in favour of the application was Ms Coles.

Speaking raising points of concern was Mrs Matterface.

Speaking raising points of concern was Mrs McLaren.

Speaking raising points of concern was Mr Jaffa.

Speaking as ward councillor was Councillor Moore.

Speaking as ward councillor was Councillor Rawf.

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

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

‘That the application be DEFERRED AND DELEGATED to officers for approval subject to the submission of an acceptable signed unilateral undertaking and the following conditions:

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

GROUND:

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

- 2 The proposed development shall be carried out in accordance with the submitted application as amended by the revised drawings numbered 101 P7, 102 P4, 103 P5, 104 P4, 105 P4, 106 P4, 108 P3, 133 P1, and 134 P1, received 5th November 2019; 107 P2 and 121 P4, received 19th September 2019; 120 P3, received 27th June 2019; 122 P3, 125 P3, 128 P3 (plot 14 only), and 130 P2, received 25th June 2019; 123 P2, 127 P2, 129 P2, 131 P1, and 132 P1, received 20th June 2019; 124 P1, 126 P2, 14-019-010 Rev F, and 14-019-014 Rev H, received 12th June 2019.

GROUND:

To secure the proper development of the area.

- 3 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the LPA. The remediation strategy shall be implemented as approved.

GROUND:

To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution from previously unidentified

contamination sources at the development site in line with paragraph 170 of the National Planning Policy Framework.

- 4 No infiltration of surface water drainage into the ground is permitted other than with the written consent of the LPA. The development shall be carried out in accordance with the approved details.

GROUND:

To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants in line with paragraph 170 of the NPPF.

- 5 Development shall not begin in any phase until a detailed sustainable surface water drainage scheme for the site has been submitted to (and approved in writing by) the local planning authority. The detailed drainage scheme shall be based upon the FRA undertaken by Herrington Consulting Ltd, Dated June 2109, and 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 increase to flood risk on or off-site.

The drainage scheme shall also demonstrate (with reference to published guidance):

- o that silt and pollutants resulting from the site use can be adequately managed to ensure there is no pollution risk to receiving waters.
- o appropriate operational, maintenance and access requirements for each drainage feature or SuDS component are adequately considered, including any proposed arrangements for future adoption by any public body or statutory undertaker.

The drainage scheme shall be implemented in accordance with the approved details.

GROUND:

To ensure the development is served by satisfactory arrangements for the disposal of surface water and to ensure that the development does not exacerbate the risk of on/off site flooding. These details and accompanying calculations are required prior to the commencement of the development as they form an intrinsic part of the proposal, the approval of which cannot be disaggregated from the carrying out of the rest of the development.

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

GROUND:

To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants in line with paragraph 170 of the NPPF.

- 7 No development 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.

- 8 No building on any phase (or within an agreed implementation schedule) of the development hereby permitted shall be occupied until a Verification Report, pertaining to the surface water drainage system and prepared by a suitably competent person, has been submitted to and approved by the Local Planning Authority. The Report shall demonstrate the suitable modelled operation of the drainage system where the system constructed is different to that approved. The Report shall contain information and evidence (including photographs) of details and locations of inlets, outlets and control structures; landscape plans; full as built drawings; information pertinent to the installation of those items identified on the critical drainage assets drawing; and, the submission of an operation and maintenance manual for the sustainable drainage scheme as constructed.

GROUND:

To ensure that flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems, and to ensure that the development as constructed is compliant with and subsequently maintained pursuant to the requirements of paragraph 165 of the National Planning Policy Framework.

- 9 No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of:
 - (i) archaeological field evaluation works in accordance with a specification and written timetable which has first been submitted to and approved in writing by the Local Planning Authority; and
 - (ii) following on from the evaluation, any safeguarding measures to ensure preservation in situ of important archaeological remains and/or further archaeological investigation and recording in accordance with a specification and timetable which has been submitted to and approved in writing by the Local Planning Authority.

GROUND:

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

- 10 No development shall take place until suitably qualified and experienced person has carried out a full investigation and assessment to determine the stability of the land and determine whether the development of the site can be carried out without causing instability of adjoining land or structures, and a written report of the findings/assessment including any recommendations has been submitted to and approved in writing by the Local Planning Authority.

The development shall be carried out in full accordance with any such recommendations set out within the aforementioned report, that have been approved in writing by the Local Planning Authority.

GROUND:

To ensure that the site can be developed without compromising the stability of adjoining land or buildings.

- 11 If the demolition of Building 1 (as labelled in Updating Bat Emergence and Dawn Re-entry Surveys prepared by LaDellWood and dated August 2019) hereby approved does not commence within 2 years from the date of the reported bat surveys (August 2019), further bat surveys shall be commissioned to:

- i) establish if there have been any changes in the presence and/or abundance of bats and their roosts, and
- ii) identify any likely new ecological impacts that might arise from any changes.

Where the survey results indicate that changes have occurred that will result in ecological impacts not previously addressed in the approved scheme, new ecological measures, and a timetable for their implementation, shall be submitted to and approved in writing by the Local Planning Authority prior to the demolition of Building 1. Works shall then be carried out in accordance with the amended and approved ecological measures and timetable.

GROUND:

In the interests of biodiversity and the protection of wildlife, in accordance with the NPPF.

- 12 No development shall take place (including any ground works, site or vegetation clearance), until a method statement for the protection of reptiles during construction works, including vegetation clearance and removal of refuse piles, has been submitted to and approved in writing by the local planning authority. The content of the method statement shall include the:

- a) Purpose and objectives for the proposed works;
- b) Working method, including timings, necessary to achieve stated objectives;
- c) Extent and location of proposed works shown on appropriate scale plans;
- d) Persons responsible for implementing works, including times during construction when specialist ecologists need to be present on site to undertake / oversee works.

The works shall be carried out in accordance with the approved details.

GROUND:

In the interests of biodiversity and protected species, in accordance with the NPPF.

- 13 Prior to the first occupation of the development hereby permitted, a "lighting design strategy for biodiversity" for the site shall be 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;
- b) Show how and where external lighting will be installed in accordance with 'Guidance Note 8 Bats and Artificial Lighting' (Bat Conservation Trust and Institute of Lighting Professionals).

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy and shall be maintained thereafter in accordance with the strategy.

GROUND:

In the interests of biodiversity, in accordance with the NPPF.

- 14 Prior to the commencement of development hereby permitted, a plan showing the location of Electric Vehicle Charging points at a ratio of 1 charging point per dwelling with dedicated parking, and 1 charging point per 10 spaces for unallocated parking, 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 air quality, in accordance with the NPPF.

- 15 Prior to the commencement of development hereby permitted, a Construction Management Plan to include the following:

- i) Routing of HGV's to and from site
- ii) Access points for construction-related vehicles
- iii) Parking and turning facilities for HGV's and site personnel vehicles
- iv) Wheel washing facilities
- v) Temporary traffic management
- vi) Hours of construction working
- vii) dust control measures,
- viii) measures to control noise affecting nearby residents
- ix) pollution incident control and site contact details in case of complaints
- x) wheel cleaning/chassis cleaning facilities

shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved plan.

GROUND:

In the interests of highway safety and neighbouring amenity during construction of the development hereby approved.

- 16 Prior to the first occupation of any dwelling within the development hereby approved, the provision and maintenance of the visibility splays shown on drawings numbers 14-019-014 Rev. H and 14-019-010 Rev. F, with no obstructions over 1 metre above carriageway level within the driver splays and 0.6 metres above footway level within the pedestrian splays, shall be provided and thereafter maintained.

GROUND:

In the interests of highways safety.

- 17 Prior to the first occupation of any dwelling within the development hereby approved to which they relate, the provision and permanent retention of the vehicle parking spaces and turning facilities shall be provided as shown on the submitted plans.

GROUND:

In the interests of highways safety.

- 18 Prior to first occupation of any dwelling served by the vehicular access from Reading Street, the vehicular access from Reading Street and associated highway alterations, including closure of the existing access and provision of parking restrictions, as shown on drawing number 14-019-014 Rev H (unless otherwise agreed with the Local Planning Authority and Highways Authority) shall be completed and operational.

GROUND:

In the interests of highways safety.

- 19 Prior to first occupation of any dwelling served by the vehicular access from Reading Street, the pedestrian dropped kerbs and tactile paving in Reading Street as shown on drawing number 14-019-014 Rev H (unless otherwise agreed with the Local Planning Authority and Highways Authority) shall be completed and operational.

GROUND:

In the interests of highways safety.

- 20 Prior to first occupation of any dwelling served by the vehicular access from Convent Road, the Convent Road access and associated highway alterations as shown on drawing number 14-019-010 Rev. F (unless otherwise agreed with the Local Planning Authority and Highways Authority) shall be completed and operational.

GROUND:

In the interests of highways safety.

- 21 Prior to first occupation of any dwelling served by the vehicular access from Convent Road, the pedestrian dropped kerbs and tactile paving in Convent Road as shown on drawing number 14-019-010 Rev. F (unless otherwise agreed with the Local Planning Authority and Highways Authority) shall be completed and operational.

GROUND:

In the interests of highways safety.

- 22 No development shall take place until details of improvements to the Reading Street/Elmwood Avenue junction to improve street geometry and visibility have been submitted to and approved in writing by the Local Planning Authority. This shall form part of a S.278 highway agreement between the applicant/developer and the highway authority. The agreed works shall be completed and operational prior to the first occupation of any dwelling in the approved development served by the vehicular access from Reading Street.

GROUND:

In the interests of highway safety and to mitigate additional trips generated from the Reading Street access through the junction of Reading Street and Elmwood Avenue.

- 23 Prior to the first occupation of the development hereby permitted, details of an acoustic fence, including height, design and location, to be erected along the side boundary of no. 34 Convent Road, shall be submitted to and approved in writing by the Local Planning Authority. The acoustic fence shall be erected prior to the first occupation of the development accessed from Convent Road, and shall thereafter be maintained.

GROUND:

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

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

- species, size and location of new trees, shrubs, hedges and grassed areas to be planted, as identified on the approved plan numbered 101 P7,
- the treatment proposed for all hard surfaced areas beyond the limits of the highway, which shall be permeable, and include a bound surface for the first 5m of each access from the edge of the highway,
- details of the proposed open space as identified on plan numbered 134 P1, which shall include the re-located bench, and other associated paraphernalia as currently provided,
- walls, fences, other means of enclosure proposed,
- ecological enhancements as recommended within sections 4.3, 4.9, and 4.10 of the Updating Ecological Appraisal (Issue 1 by Labell Wood) dated June 2019,
- details of the boundary treatment to be provided along the southern boundary of the site, adjacent to the Grade II Listed buildings

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

- 25 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

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

GROUND:

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

- 27 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.

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

GROUND:

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

- 29 All new window and door openings shall be set in a reveal not less than 100mm

GROUND:

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

- 30 The rooflights hereby approved shall be 'conservation style' rooflights, set flush with the roof plane.

GROUND:

To safeguard the special character and appearance of the area on the boundary of a Conservation Area in accordance with the NPPF.

- 31 No further alterations to the building, or the erection of garden buildings, whether approved by Classes A, B, C or E 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 to units 15, 16 and 17, without the prior permission in writing of the Local Planning Authority.

GROUND:

To safeguard the living conditions of neighbouring occupiers, in accordance with Policy D1 of the Thanet Local Plan.

- 32 Prior to the first occupation of units 3, 4, 5, 6, 7, 11 and 12, an obscure glazed privacy screen (level 4) of no less than 1.8m in height shall be erected along both sides of the first floor rear balcony. The privacy screens shall thereafter be maintained.

GROUND:

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

- 33 The development as approved shall provide at least 10% of all units to be built in compliance with building regulation part M4(2); and 5% of the affordable units to be built as wheelchair accessible homes (compliance with building regulations part M4(3)), with details of the location of the units to be submitted to and approved in writing by the Local Planning Authority.

GROUND:

To meet a range of community needs, in accordance with Policy H8 of the Thanet Local Plan.

- 34 Prior to the commencement of the affordable housing units as identified on the submitted plan numbered 102 P4, an affordable housing scheme, which shall include details of the tenure of the affordable housing, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved affordable housing scheme.

GROUND:

To address affordable housing need, in accordance with Policy H14 of the Thanet Local Plan.

- 35 Prior to the first occupation of the self-contained flats, the doorstep play space associated with each flat shall be provided. For information purposes, the doorstep play space to be provided for plot 21 at ground floor level shall be immediately to the rear of the property, and not as annotated on the approved site plan.

GROUND:

To provide secure doorstep play space in accordance with Policy SR5 of the Thanet Local Plan.

- 36 Prior to the first occupation of unit 15, the first floor rear windows serving an ensuite bathroom and bedroom one as shown on plan numbered 133 P1 received 5th November 2019 shall be fitted with obscure glazing to Pilkington Level 4 or equivalent and thereafter be maintained.

Ground:

To protect the living conditions of neighbouring occupiers, in accordance with Thanet Local Plan Policy D1”

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

Then, it was proposed by the Chairman and seconded by Councillor Stevens:

“That the application be refused as the development by virtue for the location, design and scale of the development, would result in a poor quality development unrelated and not sympathetic to local character and distinctiveness of surrounding development, contrary to Thanet Local Plan

Policy D1 and paragraphs 127, 130 and 192 of the National Planning Policy Framework, pending confirmation that the Secretary of State will not call the application in.”

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

519. D05 - F/TH/19/1004 - LAND ADJACENT 18 TO 20 THE RETREAT, RAMSGATE

PROPOSAL: Erection of 1No. detached chalet bungalow

It was proposed by the Vice Chairman, seconded by Councillor Hart and RESOLVED:

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

‘That the application be DEFERRED AND DELEGATED to officers for approval subject to the submission of an acceptable signed unilateral undertaking and the following conditions:

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

GROUND;

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

2 The proposed development shall be carried out in accordance with the submitted application as amended by the revised drawings numbered 2019/8/1 and 2019/8/2A received 21 October 2019.

GROUND;

To secure the proper development of the area.

3 No development shall take place until a method statement for the removal of vegetation to include a pre-works ecological walkover survey, a habitat manipulation exercise, appropriate timings of works, and protocol if protected species are encountered, has been submitted to, and approved in writing by, the Local Planning Authority. The vegetation clearance shall be carried out in accordance with the approved methodology and actions.

GROUND;

To avoid harm to protected species, in accordance with the National Planning Policy Framework.

4 Prior to 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.

GROUND;

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

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

- o species, size and location of new trees, shrubs, hedges and grassed areas to be planted.

- o the treatment proposed for all hard surfaced areas beyond the limits of the highway.

- o walls, fences, other means of enclosure proposed.

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

GROUND;

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

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

GROUND;

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

7 No further development within the curtilage of the dwellinghouses hereby approved whether approved by Class A of Part 1, Schedule 2 and Class A of Part 2, Schedule 2 of 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 the interests of visual amenity and to safeguard the amenities currently enjoyed by the occupiers of adjacent residential properties in accordance with Policy D1 of the Thanet Local Plan”

520. D06 - F/TH/19/0738 - 58 NORTHDOWN ROAD, BROADSTAIRS

PROPOSAL: Variation of condition 2 attached to planning permission F/TH/18/0335 for the erection of 1no. 4-bed two storey dwelling together with cycle store to rear to allow for enlargement of dormer window with Juliet balcony and insertion of second floor window to rear elevation together with internal alterations

It was proposed by the Vice Chairman, seconded by Councillor Hart and
RESOLVED:

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

‘That the application be DEFERRED AND DELEGATED to officers for approval subject to the submission of an acceptable signed unilateral undertaking and 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 02r3 received on 4th September 2019 and numbered 03r3 received 19th November 2019.

GROUND;

To secure the proper development of the area.

3 No development 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.

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

GROUND;

In the interest of highway safety.

5 Prior to 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 samples.

GROUND;

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

6 The first floor window in the south elevation of the dwelling hereby approved shall be provided and maintained with obscure glass and non opening below 1.7m 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.

7 The area shown on the approved drawings for application F/TH/18/0335 for vehicle parking and manoeuvring 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 vehicles 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.”

Meeting concluded : 9.45pm

Planning Application F/TH/19/0925 - Land Adjacent Former Primrose Cottage Wayborough Hill Minster RAMSGATE Kent

Planning Committee – 18 December 2019

Report Author Rosemary Bullivant, *Planning Officer*

Status *For Decision*

Classification: Unrestricted

Previously Considered by **Planning Committee 18th September 2019**

Ward: *Thanet Villages*

Executive Summary:

This report concerns an application submitted under reference F/TH/19/0925 for the erection of a two storey 3-bed dwelling with associated parking following demolition of existing stables that was brought to Planning Committee on 18th September 2019, with a resolution agreed by members to Defer and Delegate the application for approval following receipt of a signed Unilateral Undertaking securing the SPA contribution.

The application is reported back to members as a discrepancy has been identified between the plans for approval, with the block plan showing development outside of the red line boundary shown on the site plan.

The applicant has amended the block plan as shown on the 'Revised Block Plan' received 05 December 2019, which now shows the gravel access road outside of the red line omitted. All development is now shown within the red line as originally submitted.

There are no other changes to the proposed development previously considered by members (see report within Annex 1) .

A signed unilateral undertaking securing the SPA contribution has now been submitted.

Recommendation:

Members approve the application under reference F/TH/19/0925, subject to safeguarding conditions and an informative linking the decision to the signed unilateral undertaking, with an agreement to the amendment of approved plan condition 2, which shall read the following:

'The development hereby approved shall be carried out in accordance with the submitted drawings numbered 18.1227.MB.PL001, and un-numbered drawings labelled proposed dwelling at Wayborough Hill, Minster showing proposed rear and side elevations with ground floor and first floor plans, and front and side elevations

with roof plan, received 4 July 2019 and Revised Block Plan received 5 December 2019.'

CORPORATE IMPLICATIONS	
Financial and Value for Money	No implications.
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.</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>
Corporate	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.
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>In the opinion of the author of this report the Public Sector equality duty is not engaged or affected by this decision.</p>

1.0 Background

- 1.1 Members considered this application under planning reference F/TH/19/0925 for the erection of a two storey 3-bed dwelling with associated parking following demolition of existing stables.
- 1.2 The application was brought to Planning Committee on 18.09.2019 and Members made a decision to Defer and Delegate for decision once a signed Unilateral Undertaking for contributions has been received.

2.0 Analysis

- 2.1 The proposal relates to the plan condition attached to F/TH/19/0925 for the erection of a two storey 3-bed dwelling with associated parking following demolition of existing stables that was brought to Planning Committee on 18.09.2019 and recommended by Members to Defer and Delegate for decision once the Council received a signed Unilateral Undertaking for contributions.
- 2.2 Following receipt of the Unilateral Undertaking a discrepancy has been found regarding the red line shown on the site plan and the ownership of access shown on the Land Registry Title. This in turn has resulted in the identification of an error between submitted plans. The un-numbered drawing labelled 'proposed dwelling at Wayborough Hill, Minster, showing the proposed block plan' shows a gravel access road leading off the existing access but this access sits outside the red line identified on the Site Plan.
- 2.3 The applicant has amended the block/site plan to omit the gravel access and the existing access is shown to provide access to the site. All development is now shown within the red line.
- 2.4 Members approved the recommended conditions attached to the planning application and Condition 2 refers specifically to the approved drawings. As a result Condition 2 cannot be amended and issued without further agreement from Members. Condition 2 therefore needs to be amended to include the revised block plan received 5 December 2019.
- 2.5 No further amendments or alterations have been made to the proposal, other than the removal of the gravel access, and the application is identical to that previously reported to the Planning Committee. The changes to the block plan reduces the extent of works and therefore there is no requirement for additional public consultation as the proposal has not been significantly amended.
- 2.6 It is recommended that Members agree the amendment to the wording of Condition 2 to change from:

'The development hereby approved shall be carried out in accordance with the submitted drawings numbered 18.1227.MB.PL001, and un-numbered drawings labelled proposed dwelling at Wayborough Hill, Minster showing proposed block plan, rear and side elevations with ground floor and first floor plans, and front and side elevations with roof plan, received 4 July 2019.'

To read:

'The development hereby approved shall be carried out in accordance with the submitted drawings numbered 18.1227.MB.PL001, and un-numbered drawings labelled proposed dwelling at Wayborough Hill, Minster showing proposed rear and side elevations with ground floor and first floor plans, and front and side elevations with roof plan, received 4 July 2019 and Revised Block Plan received 5 December 2019.'

3.0 Options

3.1 Members approve the application in accordance with the officer recommendation.

3.2 Members propose an alternative motion.

4.0 Recommendations

4.1 Officers recommend Members of the Planning Committee to agree option 3.1.

Contact Officer:	Rosemary Bullivant, Planning Officer
Reporting to:	Emma Fibbens, Principal Planning Officer

Background Papers

Annex 1	Committee Report F/TH/19/0925
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D08 **F/TH/19/0925**

PROPOSAL: Erection of a two storey 3-bed dwelling with associated parking following demolition of existing stables

LOCATION: Land Adjacent Former Primrose Cottage Wayborough Hill Minster RAMSGATE Kent

WARD: Thanet Villages

AGENT: Mrs Jane Scott

APPLICANT: Mr P Warman

RECOMMENDATION: Defer & Delegate

Defer & Delegate for Approval subject to the submission of an acceptable signed unilateral undertaking and 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 18.1227.MB.PL001, and un-numbered drawings, labelled proposed dwelling at Wayborough Hill, Minster, showing proposed block plan, rear and side elevations with, ground floor and first floor plans, and front and side, elevations with roof plan, received 4 July 2019.

GROUND;

To secure the proper development of the area.

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

GROUND;

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

4 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;

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In the interests of highway safety.

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

- o species, size and location of new trees, shrubs, hedges and grassed areas to be planted.

- o the treatment proposed for all hard surfaced areas beyond the limits of the highway.

- o walls, fences, other means of enclosure proposed.

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

GROUND;

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

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

GROUND;

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

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

GROUND;

To ensure that features of archaeological interest are properly examined and recorded.

INFORMATIVES

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

The applicant is advised to consult the Environment Agency directly regarding the use of a cess pit. The owner of the premises will need to empty and maintain the cess pit to ensure its long term effectiveness.

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A formal application for connection to the water supply is required in order to service this development. Please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire S021 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk.

SITE, LOCATION AND DESCRIPTION

The site is located outside of the urban confines, and consists of a parcel of land comprising a stable and horse paddock. The site sits back from Wayborough Hill and is screened by mature trees and hedges. Access to the site is from Wayborough Hill. To the south of the site is land formerly known as Primrose Cottage on which there appears to be a storage building alongside the boundary. To the west of the site is a further piece of land which appears mainly laid to grass and surrounded by mature trees but this is not shown to be in the same ownership of the application. To the west of the site is open agricultural land.

PROPOSED DEVELOPMENT

The proposed development seeks planning permission to erect a two storey, 3 bedrooled, dwelling following demolition of the existing stables. The footprint of the proposed dwelling would be larger than the previously approved stable conversion. The ridge height of the dwelling would be approximately 6.5 metres and includes a projection to the front, creating an 'L' shaped footprint with the addition of 3 dormer extensions within the roof to provide first floor accommodation. A parking and turning area would be provided to the front of the dwelling with a new gravel drive located alongside the existing gravel access drive that is currently a shared access. The existing access onto Wayborough Hill would remain unaltered.

PLANNING HISTORY

F/TH/18/0672 - Change of use from a stable to a dwelling. Granted 19.10.2018

DEVELOPMENT PLAN POLICIES

Thanet Local Plan Policy (2006) Saved Policies

CC1 - Development in the Countryside (urban and rural confines)

CC2 - Landscape Character Areas

D1 - Design Principles

D2 - Landscaping

H1- Housing

H4 - Windfall Sites

SR5 - Play space

TR12 - Cycling

TR16 - Car Parking Provision

Draft Local Plan

QD03 - Living Conditions

QD04 - Technical Standards

NOTIFICATIONS

Neighbouring residents have been notified, a site notice displayed and an advert placed in the Thanet Extra. One representation has been received raising the following concerns:

I oppose this application as there are many bat's around this area trees and a huge amount of wildlife. I think this will put all of this precious nature at danger.

Minster Parish Council - No objection.

CONSULTEES

Southern Water - The applicant is advised to consult the Environment Agency directly regarding the use of a cess pit. The owner of the premises will need to empty and maintain the cess pit to ensure its long term effectiveness.

The planning application form makes reference to drainage using Sustainable Urban Drainage Systems (SUDS).

Under current legislation and guidance SUDS rely upon facilities which are not adopted by sewerage undertakers. Therefore, the applicant will need to ensure that arrangements exist for the long term maintenance of the SUDS facilities. It is critical that the effectiveness of these systems is maintained in perpetuity. Good management will avoid flooding from the proposed surface water system, which may result in the inundation of the foul sewerage system.

Thus, where a SUDS scheme is to be implemented, the drainage details submitted to the Local Planning Authority should:

- Specify the responsibilities of each party for the implementation for the SUDS scheme
- Specify a timetable for implementation
- Provide a management and maintenance plan for the lifetime for the development.

This should include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme through its lifetime.

Due to changes in legislation that came into force on 1st October 2011 regarding the future ownership of sewers it is possible that a sewer now deemed to be public could be crossing the above property. Therefore, 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.

For further advice the applicant is advised to contact Southern Water, Sparrowgrove House Sparrowgrove, Otterbourne, Hampshire S021 2SW (Tel: 0330 3030119), www.southernwater.co.uk or by email at developerservices@southernwater.co.uk.

COMMENTS

This application is brought before the Planning Committee as the proposal represents a departure from Policy H1 of the Thanet Local Plan, as the site is located in the countryside.

The main issues raised by this proposal are the effect of the proposal upon the character and appearance of the surrounding area, the impact upon the living conditions of the occupiers of nearby residential properties and whether there is a need for the development that overrides the need to protect the countryside.

Principle of Development

The site lies within an area designated as countryside as defined by the Thanet Local Plan and is therefore contrary to Policy H1 of the Thanet Local Plan, which requires that new residential development should be on previously developed land within the urban confines.

However currently the Council does not have a 5 year supply of deliverable housing sites as required by paragraph 11 of the NPPF. For residential development, this means that proposals for housing should be considered in the context of the National Planning Policy Framework's presumption in favour of sustainable development (paragraph 11). This is because local policies (including defined development boundaries) relating to the supply of housing are no longer considered up to date (paragraph 11). Paragraph 11 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.

Policy CC1 of the Thanet Local Plan states that within the countryside, new development will not be permitted unless there is a need for the development that overrides the need to protect the countryside. There is a need for housing within Thanet, however, the need for housing has to be balanced against the impact on the countryside and the sustainability of the site.

Policy CC2 relates to the Landscape Character Area and this site lies within The Former Wantsum North Shore Area where the policy states development will only be permitted that would not damage the setting of the Wantsum Channel and long views of Pegwell Bay, the Wantsum Channel, the adjacent marshes and the sea.

Paragraph 79 of the National Planning Policy Framework states decisions should avoid the development of isolated homes in the countryside unless the development would re-use redundant or disused buildings and enhance its immediate setting.

The site is previously developed land, with the principle of a dwelling having previously been approved in this location through the extant consent for the conversion of the stables. ASs such, it is not considered that the proposed dwelling would appear isolated, and a dwelling in this location has previously been determined as sustainable development. Given this

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fallback position, the principle of development is considered to be acceptable subject to the impact upon the countryside and Landscape Character Area being acceptable.

Character and Appearance

The site is a parcel of land comprising a stable and horse paddock. The site sits back from Wayborough Hill and is screened by mature trees and hedges. Access to the site is from Wayborough Hill.

It is proposed to erect a 2-storey dwelling, incorporating rooms within the roof space, following demolition of the existing stable building. The proposed dwelling would be located in the same location as the stable block albeit with a larger footprint. The footprint of the building would extend forwards a further 2 metres from the existing front elevation (towards the access road), and includes a 4.6 metre by 11 metre extension at the northern end, creating an 'L' shaped footprint. A one metre deep, pitched roof, porch would be added to the front elevation with the pitched roof matching the pitches of the dormer extensions and the end projection would be finished with a barn hip roof.

The southern elevation of the proposed dwelling would remain parallel to the rear boundary and include two dormer extensions within the roof. The ridge height of the proposed dwelling would finish at approximately 6.5 metres, which is higher than the existing stable block, but would be at the same height as the dwelling recently approved in the neighbouring site to the north.

Concern is therefore raised with the enlarged size of the dwelling in comparison to the previously approved application, and the potential harm to visual amenity as a result of this enlargement.

The site is fairly well screened from Wayborough Hill and Laundry Road to the west and Way Hill to the east due to the presence of mature trees surrounding the site. It is noted the trees to the east and west of the site and along the boundary within the adjacent site of Dellside to the north and within the land of Primrose Cottage to the south, are protected by a Tree Preservation Order (TH/TPO/6(1991)). Further trees and bushes are present alongside Wayborough Hill and directly to the front of the site but these are not specifically covered by a tree preservation order.

Glimpses of the existing stable block can be seen through existing access and gaps in vegetation from Wayborough Hill but the site is otherwise fairly well screened from Wayborough Hill and wider views. The dwelling now proposed, being taller and wider with a large expanse of roof may be more visible from wider views than the previously approved single storey stable conversion, however, any views of the proposed dwelling that would be glimpsed would be seen in the context of the existing cluster of buildings.

With regards to Thanet Local Plan Policy CC2, the District Landscape Assessment Survey informing the policy recognises the very open landscape comprising few features, the openness of this landscape providing wide and long views of the former Wantsum Channel area and Pegwell Bay. In this instance the site is located in an area comprising a cluster of buildings bounded by mature trees and soft landscaping. With regards to this policy the

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proposed development would not in itself intrude into the open landscape and is considered to have no greater material impact on the open character of the area, which Policy CC2 aims to protect, than the existing stable and nearby development. The proposed development therefore accords with this countryside policy.

The previously approved scheme, whilst including contemporary glazing along its front elevation, retained the character and appearance of a low level rural building such as outbuildings and stables. The proposed dwelling by contrast would have a row of 7 rooflights within the front roofslope to provide light to the hall and landing with a dormer window providing light and ventilation to a bedroom. Further dormer windows and two rooflights are shown within the rear roofslope, providing light to bedrooms and en-suite WC/shower rooms. The additional window openings at first floor level, together with associated light emitting from the property would draw attention to this additional built form, however, it is noted that the materials proposed for the external surfaces of the dwelling are timber cladding and slate for the roof, and these are considered to be traditional materials in keeping with development in this rural location.

The proposed dwelling would add larger built form within this countryside location but its visual impact would be limited due to the proposed use of sympathetic natural materials of timber and slate and the existing trees and hedges within and surrounding the site, creating screening of the proposed development. As many of the mature trees screening the site are protected by a Tree Preservation Order any future removal of trees in this location would require consent and any trees removed would require replacement planting. As such the site can be assured the benefit of substantial natural screening into the future.

Given the discrete location of the proposed dwelling together with the traditional materials proposed, it is considered that there would be minimal visual harm to the surrounding countryside. On this basis the need for the proposed development is considered to outweigh the harm to the countryside, and provide a sustainable form of development in keeping with the character and appearance of the area. The proposed development is therefore considered to comply with Policies CC1 and CC2 of the Thanet Local Plan, and paragraphs 79 and 127 of the NPPF.

Living Conditions

With regards to living conditions for future occupiers Policy QD03 of the Council's Draft Local Plan to 2031 requires new development to be of appropriate size and layout with sufficient usable space to facilitate comfortable living conditions and meet the standards set out in policy QD04. The internal space standards referred to in policy QD04 are the National Described Space Standards (March 2015) recognises the Council's belief that everyone has the right to a high standard of residential accommodation with sufficient space to meet their own needs. The draft policy is in line with the aims of paragraph 127 of the National Planning Policy Framework which requires a high standard of amenity for existing and future users. The room sizes within the proposed development would meet the National Described Space Standards.

The dwelling would be located some distance from neighbouring residential occupiers and would have little impact on neighbouring residential amenity. The primary windows are

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located to the front and rear elevations and would not result in overlooking or loss of privacy directly facing neighbouring properties.

The extant and current proposals would provide living accommodation within the site with the relationship to the adjacent sites remaining essentially the same. The proposed dwelling would be sited some distance from other dwellings and would therefore not have a detrimental impact upon neighbouring residential occupiers through noise disturbance, overlooking or loss of privacy. With regards to amenity for future occupiers the site has ample space for clothes drying, refuse storage and storage facilities.

The proposal is for a three bedroomed dwelling and as such would be required to provide safe doorstep play space for young children to meet the aims of Local Plan Policy SR5. The site would be able to comfortably provide safe play space to meet the aims of this policy.

It is therefore considered that the living conditions for future occupiers and neighbouring residential occupiers accord with the aims of Thanet Local Plan Policy D1, Draft Local Plan policies QD03 and QD04 and paragraph 127 of the NPPF.

Planning Obligations

Natural England has previously advised that the level of population increase predicted in Thanet should be considered likely to have a significant effect on the interest features for which the Thanet Coast and Sandwich Bay Special Protection Area (SPA) and RAMSAR have been identified. Thanet District Council produced the 'The Strategic Access Management and Monitoring Plan (SAMM)' to deal with these matters, 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. To enable the Council to be satisfied that proposed residential development will avoid a likely significant effect on the designated sites (due to an increase in recreation) a financial contribution is required for all housing developments to contribute to the district wide mitigation strategy. This mitigation has meant that the Council accords with the Habitat Regulations and an appropriate assessment has been undertaken.

The agent has confirmed the applicant's willingness to sign up to the Unilateral Undertaking which provides the required financial contribution for the residential unit to mitigate the additional recreational pressure on the SPA area, and therefore subject to the submission of a signed unilateral agreement, the impact upon the SPA is considered to be acceptable.

Highway Safety

The site has an existing access which is shared with the neighbouring site. It is proposed to provide a parking and turning area to the front of the dwelling with a new gravel drive located alongside the existing gravel access drive. The existing access onto Wayborough Hill would remain unaltered.

Wayborough Hill is no longer a through road since being closed off at its northern end. The road serves a fairly low number of dwellings and other uses, including the site and its recent

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horse stabling activity, and the addition of one dwelling would be unlikely to cause significant harm to the highway network through additional vehicular movements. The site is large enough to provide off street parking and there would be room within the site for the safe storage of bicycles. The impact upon highway safety is therefore considered to be acceptable and in accordance with Policies TR12 and TR16 of the Thanet Local Plan, and the NPPF.

Archaeology

The KCC Heritage Map shows a number of areas of archaeological interest close to the site. The Kent Archaeological Officer has not commented on the current proposal but given the similarities between the two schemes his comments on the previous scheme are still relevant. He commented that the proposed development would be partially built on the footprint of the former stable building together with a new access to the building and notes that there may already be some disturbance to archaeology from the present building. He raises concerns that it is possible that important archaeology will be affected by development groundworks and has recommended a condition to ensure that an appropriate programme of archaeological works is secured to mitigate this impact.

The Archaeological Officer recommends that Historic England be consulted with respect to potential effects of the development on the setting of the Scheduled Monument. The application site contains a stable block with nearby built form and the application site is heavily screened by mature trees from the site containing the Scheduled Monument. The edge of the field containing the Scheduled Monument is approximately 60 metres away from the front edge of the proposed dwelling and further physically separated by the presence of Wayborough Hill running north-south across the entrance to the site. The impact of the proposed dwelling on the setting of the Scheduled Monument is therefore not considered to be significantly different to the existing built form within the site and it was therefore not considered necessary to consult Historic England in this instance.

Other Matters

Way House and Wayborough House and the attached garden wall are Grade II Listed. The stable building is located a considerable distance from the heritage assets and the site is screened by large mature trees and hedges. To the west of the site lies an area defined as 'Ancient Monuments' but this area is located on the far side of Wayborough Hill away from the application site and is not considered to be harmful to the nearby heritage assets.

A representation has been received regarding potential danger to bats and wildlife in the area. As this is a rural location it is likely that there is a fair amount of wildlife present but the stable block to be demolished is in a sound condition and having been recently used for the stabling of horses it is unlikely that bats would be present within this structure. Furthermore, all bat species are protected and, under paragraph 99 of Government Circular (ODPM 06/2005) Biodiversity and Geological Conservation - Statutory Obligations & Their Impact Within the Planning System.

Conclusion

Agenda Item 4

Annex 1

The NPPF states that in the absence of a 5 year housing land supply, that permission should be granted, unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. It is considered that given the discrete location of the development, the existing screening around the site, the presence of extant consent for a dwelling in this location (which is considered to be a sustainable location in relation to Minster village and services), that the social and economic benefits of providing one dwelling would, on balance, outweigh the visual harm to the countryside and surrounding environment in this instance. There are considered to be no concerns in relation to neighbour amenity or highway safety, and the design is considered to be suited to the rural setting of the site. As such the proposed development is considered to comply with Policy CC1 of the Thanet Local Plan and the NPPF.

It is therefore recommended that members defer the application for approval as an acceptable departure to Policy H1 of the Thanet Local Plan, subject to safeguarding conditions and the submission of a signed legal agreement.

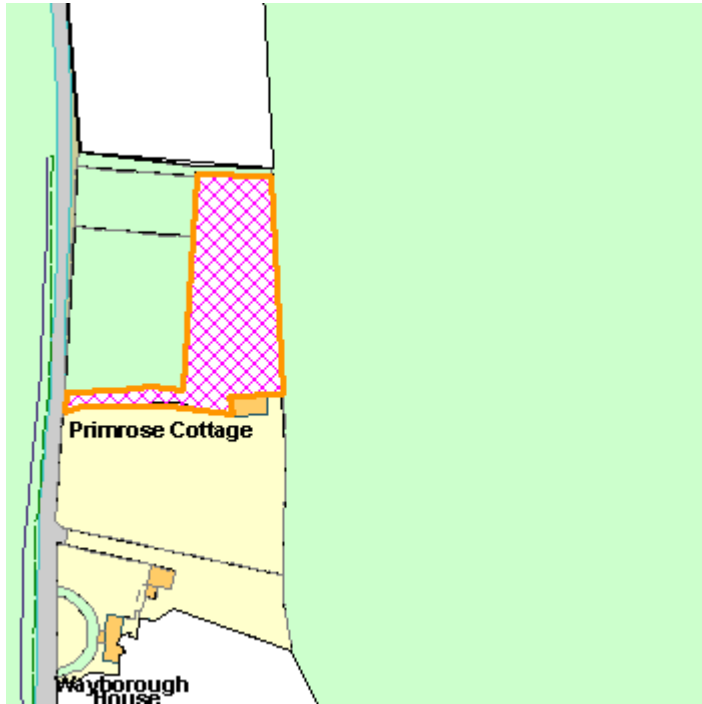
Case Officer
Rosemary Bullivant

Agenda Item 4

Annex 1

TITLE: F/TH/19/0925

Project Land Adjacent Former Primrose Cottage Wayborough Hill Minster
RAMSGATE Kent



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THANET DISTRICT COUNCIL

PLANNING COMMITTEE

18 DECEMBER 2019

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:9TH DECEMBER 2019

THANET DISTRICT COUNCIL

REPORT OF THE DIRECTOR OF CORPORATE RESOURCES

PART A

TO: THE PLANNING COMMITTEE

DATE: 18 December 2019

Application Number	Address and Details	Recommendation
A01 F/TH/19/0215	<p>Land South Of Laundry Road Minster RAMSGATE Kent</p> <p>Erection of a coffee shop with drive-through (use class A1/A3) with associated parking, servicing and landscaping.</p> <p>Ward: Thanet Villages</p>	Approve
A02 FH/TH/19/1385	<p>160 Beacon Road BROADSTAIRS Kent CT10 3EJ</p> <p>Erection of a single storey rear extension following demolition of existing conservatory</p> <p>Ward: Beacon Road</p>	Approve

THANET DISTRICT COUNCIL

REPORT OF THE DIRECTOR OF CORPORATE RESOURCES

PART B

TO: THE PLANNING COMMITTEE

DATE: 18 December 2019

Application Number	Address and Details	Recommendation
R03 F/TH/19/1327	<p>Unit 4 Princes Road RAMSGATE Kent CT11 7SA</p> <p>Change of use from industrial unit (use class B1) to veterinary surgery (use class D1) together with alterations to roof, fenestration and associated parking</p> <p>Ward: Central Harbour</p>	Refuse Permission
R04 F/TH/19/1005	<p>The Waves Hotel At 2 Hengist Road BIRCHINGTON Kent CT7 9QP</p> <p>Erection of first floor extension to facilitate additional hotel accommodation</p> <p>Ward: Birchington North</p>	Refuse Permission

THANET DISTRICT COUNCIL

REPORT OF THE DIRECTOR OF CORPORATE RESOURCES

PART C

TO: THE PLANNING COMMITTEE

DATE: 18 December 2019

Application Number	Address and Details	Recommendation
D05 F/TH/19/0874	<p>St Helens Poplar Road BROADSTAIRS Kent CT10 2SJ</p> <p>Change of use from store room to studio flat</p> <p>Ward: St Peters</p>	Defer & Delegate
D06 OL/TH/19/0126	<p>145 Monkton Road Minster RAMSGATE Kent CT12 4JB</p> <p>Outline application for the erection of 1no. detached 3-bed dwelling including access, appearance, layout and scale</p> <p>Ward: Thanet Villages</p>	Defer & Delegate
D07 F/TH/19/1054	<p>St Nicholas Court Farm Court Road St Nicholas At Wade BIRCHINGTON Kent</p> <p>Erection 2No. 3 bed dwellings following removal of existing sheds, workshop/garage and summer house</p> <p>Ward: Thanet Villages</p>	Defer & Delegate

A01 **F/TH/19/0215**

PROPOSAL: Erection of a coffee shop with drive-through (use class A1/A3) with associated parking, servicing and landscaping.

LOCATION: Land South Of Laundry Road Minster RAMSGATE Kent

WARD: Thanet Villages

AGENT: Mr David Harvey

APPLICANT: Mr Garry Gatt

RECOMMENDATION: Approve

Subject to the following conditions:

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

GROUND:

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

2 The proposed development shall be carried out in accordance with the submitted application as amended by the revised plan numbered 3812/P002a, received 14th May 2019; revised plan numbered 3812/P200 Rev A, received 29 November 2019; additional plan numbered 3670-08, received 18 November 2019; and plan numbered 3812/P100, received 21 February 2019.

GROUND:

To secure the proper development of the area.

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

(i) archaeological field evaluation works in accordance with a specification and written timetable which has first been submitted to and approved in writing by the Local Planning Authority;

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

GROUND:

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

4 No development shall take place until details of foundations designs and any other proposals involving below ground excavation have been submitted to and approved by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

GROUND:

To ensure that due regard is had to the preservation in situ of important archaeological remains.

5 If, during development, significant contamination is suspected or found to be present at the site, then works shall cease, and this contamination shall be fully assessed and an appropriate remediation scheme agreed with the Local Planning Authority. The approved works shall be implemented within a timetable agreed by the Local Planning Authority and shall be of such a nature as to render harmless the identified contamination given the proposed end use of the site and surrounding environment, including controlled waters. Prior to first occupation/use and following completion of approved measures, a verification report shall be submitted to the Local Planning Authority for approval.

GROUND:

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

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

GROUND:

To ensure that the development does not contribute to, unacceptable levels of water pollution caused by mobilised materials in line with paragraph 170 of the National Planning Policy Framework.

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

GROUND:

To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants in line with paragraph 170 of the National Planning Policy Framework.

8 There shall be no servicing of the building, no goods shall be loaded or deposited and no delivery vehicles shall arrive, depart, be loaded or unloaded, within the application

site before 07:00 or after 19:00; hours Mondays to Fridays: before 08:00 or after 18:00 hours on Saturdays or at any time on Sundays or Bank Holidays.

GROUND:

In the interests of neighbouring amenity, in accordance with Policy D1 of the Thanet Local Plan and the NPPF.

9 The use of the premises hereby approved shall not be used other than between the hours of 05:00 and 23:00 on any given day.

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.

10 Prior to the first use of the development hereby permitted, electric vehicle charging points shall be installed within the carpark at a ratio of one charging point per ten parking spaces. Prior to the installation of the charging points details of their location and design shall be submitted to and approved in writing by the Local Planning Authority. The approved electric vehicle charging points shall thereafter be maintained.

GROUND:

To reduce harm to the environment in accordance with paragraph 110 of the NPPF.

11 Prior to the first use of the coffee shop hereby permitted, the noise level of the Order Point speaker/s at 0.5 metres shall be limited to no more than 82 dB L_{Amax}. This shall be commissioned by a suitably qualified acoustic consultant, with a report submitted to and approved in writing by the Local Planning Authority, which details how this noise level has been met, and which includes a management method for ongoing maintenance of this noise level limit. The Order Point speaker facility shall be operated and maintained in accordance with the management and maintenance report.

GROUND:

In the interests of neighbouring amenity, in accordance with Policy D1 of the Thanet Local Plan and the NPPF.

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

- o species, size and location of new trees, shrubs, hedges and grassed areas to be planted.
- o the treatment proposed for all hard surfaced areas beyond the limits of the highway. This shall include block paved parking spaces and footways, as agreed by the agent in correspondence received 19th June 2019.
- 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.

13 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.

GROUND:

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

14 Prior to the commencement of development hereby permitted (including vegetation clearance), a detailed precautionary mitigation strategy for Hedgehogs and Badgers shall be submitted to, and approved in writing by, the Local Planning Authority. The strategy shall include (but is not limited to) the following:

- A pre-checks methodology, including timings and the responsible person to check for Hedgehogs and evidence of Badgers;
- A methodology to clear vegetation;
- Timing of the proposed strategy with development works.

Development shall be carried out in accordance with the mitigation strategy as approved.

GROUND:

To protect and enhance biodiversity, in accordance with paragraph 174 of the NPPF.

15 Prior to the commencement of any development on site details to include the following shall be submitted to and approved by the Local Planning Authority and should be carried out in accordance with the approved details.

- (a) Routing of construction and delivery vehicles to / from site
- (b) Parking and turning areas for construction and delivery vehicles and site personnel
- (c) Timing of deliveries
- (d) Provision of wheel washing facilities
- (e) Temporary traffic management / signage
- (f) Measures to control noise affecting nearby residents
- (g) Dust control measures

GROUND:

In the interests of highway safety and neighbouring amenity, in accordance with Policy D1 of the Thanet Local Plan and the National Planning Policy Framework.

16 The construction of the development hereby permitted shall incorporate measures to prevent the discharge of surface water onto the highway.

GROUND:

In the interests of highway safety.

17 The area shown on the approved plan numbered 3812/P002a for vehicle parking and manoeuvring areas, shall be kept available for such use at all times and such land and access thereto shall be provided prior to the first use of the development hereby permitted.

GROUND:

Development without adequate provision for the parking or turning of vehicles 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.

18 Prior to the first use of the development hereby approved visibility splays of 43m x 2.4m x 43m shall be provided to the access on to Laundry Road as shown on the approved plan no with no obstructions over 0.6m above carriageway level within the splays, which shall thereafter be maintained.

GROUND:

In the interest of highway safety.

19 Prior to the first use of the development hereby permitted, pedestrian visibility splays of 1 metre by 15 metres behind the footway on both sides of the vehicular access, with no obstructions over 0.6m above footway level, shall be provided and thereafter maintained.

GROUND:

In the interest of highway safety.

20 Prior to the first use of the development hereby permitted, the vehicular access and associated works, as shown on plan numbered 3812/P002a, shall be completed.

GROUND:

In the interests of highway safety.

21 Prior to the first use of the development hereby permitted, the widening of Laundry Road at the junction with Tothill Street, as shown on plan numbered 3670-08, shall be completed.

GROUND:

In the interests of highway safety.

22 Prior to the first use of the development hereby permitted, secure and covered cycle parking facilities shall be provided within the site at a ratio of 1 cycle parking space per 15 coffee shop seats (as a minimum). Details of the cycle parking shall be submitted to, and approved in writing by, the Local Planning Authority. The cycle parking spaces shall be installed in accordance with the approved details and thereafter maintained.

GROUND:

In the interests of sustainable forms of transport, in accordance with the NPPF.

23 Prior to the first use of the development hereby permitted, a solid timber fence, which shall be at a height that exceeds the height of the drive through speaker by 0.5m, shall be erected along the southern boundary of the site as shown on the approved plan numbered 3812/P002a, and thereafter maintained.

GROUND:

In the interests of neighbouring amenity, in accordance with Policy D1 of the Thanet Local Plan and the NPPF.

24 Prior to 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 samples.

GROUND:

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

25 Prior to the commencement of development hereby permitted, an emissions mitigation assessment, in accordance with Thanet District Council's Air Quality Technical Planning Guidance, shall be submitted to and approved in writing by the Local Planning Authority. The emissions mitigation assessment shall include a damage cost assessment that uses the DEFRA emissions factor toolkit and should include details of mitigation to be included in the development which will reduce the emissions from the development during construction and when in operation. All works, which form part of the approved scheme, shall be completed before any part of the development is occupied and shall thereafter be maintained in accordance with the approved details.

GROUND:

To protect air quality, in accordance with the National Planning Policy Framework

26 The development hereby permitted shall be constructed at the level as shown on the approved plan numbered 3812/P200 Rev A.

GROUND:

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

INFORMATIVES

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

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 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

Piling can result in risks to groundwater quality by mobilising contamination or creating turbidity when boring through different bedrock layers and creating preferential pathways. Thus it should be demonstrated that any proposed piling will not result in contamination of groundwater. If Piling is proposed, a Piling Risk Assessment must be submitted, written in accordance with EA guidance document "Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention. National Groundwater & Contaminated Land Centre report NC/99/73".

SITE, LOCATION AND DESCRIPTION

The site is located on the northern edge of Minster Village, adjacent to the existing roadside services. To the west of the site is the Premier Inn; north and north-west of the site are McDonalds, the petrol station and coach parking; to the east of the site is amenity land similar to the application site, with agricultural land beyond; and the south of the site are residential properties. The site itself is an area of undeveloped open scrubland. A footpath lies adjacent to the northern boundary of the site, along with a 3.5m deep area of hedging, which is not included within the application site but is to remain. To the southern boundary of the site a minimum 2m high, 13m deep, landscaped bund is present between the site and existing residential properties. The bund is also present along the boundary to the west of the site on the adjacent land, marking the edge of the original roadside services allocation.

RELEVANT PLANNING HISTORY

R/TH/02/1074 -Creation of HGV parking area in connection with roadside services area, being details (in part) pursuant to outline planning consent ref no OL/TH/02/0375. Granted - 19/02/2004

R/TH/02/1073 - Erection of roadside services comprising refuelling area, car wash, shop and access roads being details (in part) pursuant to outline planning consent reference number OL/TH/02/0375. Granted - 25/05/2005

OL/TH/02/0375 - Variation of condition 2 of planning permission reference TH/99/0295 for outline permission for the erection of petrol filling station, motorist restaurant and lodge, cafe and provision of lorry, coach and car parking, picnic area, woodland and landscaping, to extend the time period for the submission of reserved matters to the 30/05/2003. Granted - 10/07/2002

OL/TH/99/0295 - Variation of condition 2 of planning reference 92/0953 to extend the time period for the submission of reserved matters to 30th May 2002. Granted - 27/05/1999

OL/TH/92/0953 - Erection of petrol filling station, motorist restaurant and lodge, cafe and provision of lorry, coach and car parking, picnic area, woodland and landscaping - Granted

PROPOSED DEVELOPMENT

The proposal is for the erection of a single storey retail/cafe unit with associated parking. The retail/cafe unit is setback from the road by 20m. The building has a maximum roof height of 5.3m and is approximately 16m long by 11m wide. The car park is located in the eastern half of the site and contains 31 no. parking spaces. A drive through is proposed with the access road running along the southern and western boundary of the site.

The building would be constructed using vertical black timber cladding, horizontal natural timber cladding, dark grey aluminium windows and doors, and grey painted steel roof. The carpark will consist of tarmac roads and permeable block paved parking spaces, with some modest landscaping. A 2m high solid timber fence is proposed to the southern boundary.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan 2006

CC1 - Development in the Countryside
CC2 - Landscape Character Area
TC1 - New Retail Development
HE11 - Archaeological Assessment
TR12 - Cycling
TR16 - Car Parking Provision
D1 - Design Principles
D2 - Landscaping
EP13 - Groundwater Protection Zones
SR11 - Private Open Space
EP5 - Local Air Quality Monitoring

NOTIFICATIONS

Neighbouring occupiers have been notified and a site notice posted. Two letters of objection have been received raising the following concerns:

- Noise and disturbance from drive-through speaker,
- Loss of privacy,
- Impact on highway - safety and increased congestion,
- Lack of visibility along Laundry Rd, require double yellow lines.

Minster Parish Council - No objection in principal to the application, but have the following concerns:

- The traffic information in the transport study is out of date, it is based on a survey dated May 2016. This should have current relevant data.
- The junction with Laundry Road into Tothill Street is already a problem junction with heavy traffic regularly backing up past McDonalds and it is difficult to pull out from. Can improvements be made to the junction to improve traffic by way of a developer contribution to Kent Highways.
- Concerns were raised regarding litter. Litter bins should be provided around the site and also a condition that Costa Coffee provide a litter picker the same as McDonalds to litter pick a certain distance outside the curtilage of their site to pick any litter relating to their business.

CONSULTATIONS

KCC Highways and Transportation - (*final comment*) I refer to the above and confirm the proposals are now acceptable. The vast majority of trips to/from the site will be pass-by and/or diverted trips, and the number of new trips generated on the wider highway network is therefore unlikely to be significant or have a severe impact. The increase in turning movements at the Laundry Road/Tothill Street junction has been assessed and is acceptable with some widening of the Laundry Road arm to provide additional queuing capacity. These works will be carried out by the developer through a s.278 agreement with the highway authority. The proposed site access is acceptable and provides suitable visibility. The amount of car parking proposed is acceptable and cycle parking can be secured by condition. I therefore now have no objections in respect of highway matters subject to safeguarding conditions.

(*initial comment*) I refer to the above planning application and concur with the submitted Transport Statement that the proposals can provide an acceptable level of car parking and queuing capacity within the site. It is also accepted that the vast majority of trips to/from the site will be pass-by and/or diverted trips, and the number of new trips generated on the wider highway network is therefore unlikely to be significant. However, I would add the following:

1. Whilst 90% of trips will already be on the wider highway network, most of the trips to/from the site will be through the Tothill Street/Laundry Road junction, the site access/Laundry Road junction and the Tothill Street arm of the Tothill Street roundabout. Most of these will therefore be additional trips through these points and bearing in mind the identified 150-160 two-way trip generation during peak hours, the impact at these junctions needs to be

assessed. The applicant is advised to discuss and agree the parameters of these assessments with the highway authority prior to their implementation.

2. The proposed western boundary treatment is unclear but may obstruct the visibility for pedestrians crossing west to east at the site access. A splay of 1 metre x 15 metres is required to drivers exiting the drive-thru lane with no obstructions over 0.6 metres above footway level, and this should be shown on the plans. I wish to place a holding objection until the above matters have been satisfactorily resolved. I would add that the proposal to provide parking restrictions in Laundry Road to protect the site access is noted, however such restrictions are now already in place.

KCC Archeological Officer - The area is rich in archaeological remains, particularly of prehistoric and Romano-British as has been seen from investigations at the services, the Premier Inn and the East Kent Access Road. The application is accompanied by a desk based archaeological study that was written by Archaeology South East and which provides a good account of the archaeology found on the adjacent sites. In particular it highlights the finding on the hotel site to the east, part of a curved ditch that may be from a Bronze Age ring ditch or given a slightly later C14 dating obtained, a Middle Bronze Age enclosure. Aerial photography dated to 1980 suggests a more oval enclosure rather than a ring ditch and this would extend into properties to the south. Other remains known to cross the site include ditches of Iron Age and Roman date. Areas of later prehistoric settlement were found on the adjacent site but mostly concentrated away from the present site.

Given the above I recommend that in any forthcoming consent provision is made for an archaeological evaluation to be followed by appropriate mitigation works. Mitigation could include excavation or adjustment of foundations or landscaping to avoid features of particular significance that may be identified.

KCC Biodiversity Officer - We have reviewed the ecological information submitted in support of this planning application and advise that sufficient information has been provided.

Protected Species

The proposed landscape plans show that development will take place up to boundaries of the site and the ecology report notes that some of the boundary vegetation (scrub) is suitable habitat for Hedgehogs. Hedgehogs are a species of principal importance for the conservation of biodiversity, under Section 41 (England) of the NERC Act 2006. To ensure that any potentially present Hedgehogs are not harmed during development works, we advise that a precautionary mitigation strategy is provided, which will include pre-works checks. The strategy should also include checks for evidence of badger setts (which may have colonised in the intervening period), as recommended in the ecology report. We are satisfied that any impact on protected/notable species can be avoided through the production and implementation of a precautionary mitigation strategy, which we advise is secured via an attached condition, should planning permission be granted. We recommend the following wording: "Prior to the commencement of development works (including vegetation clearance), a detailed precautionary mitigation strategy for Hedgehogs and Badgers will be submitted to, and approved by, the local planning authority. It must include (but is not limited to) the following: o A pre-checks methodology, including timings and the

responsible person to check for Hedgehogs and evidence of Badgers; o A methodology to clear vegetation; o Timing of the proposed strategy with development works. The works must be implemented as detailed within the approved strategy."

Breeding Bird Informative

Habitats are present on and around the site that provide opportunities for breeding birds. Any work to vegetation that may provide suitable nesting habitats should be carried out outside of the bird breeding season (March to August) to avoid destroying or damaging bird nests in use or being built. If vegetation needs to be removed during the breeding season, mitigation measures need to be implemented during construction in order to protect breeding birds. This includes examination by an experienced ecologist prior to starting work and if any nesting birds are found, development must cease until after the juveniles have fledged. We suggest the following informative is included with any planning consent: "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 present on the application site and are to be assumed to contain nesting birds between 1st March and 31st August, unless a recent survey has been undertaken by a competent ecologist and has shown that nesting birds are not present."

Designated Sites

The applicant site is within the zone of influence (7.2km) of the Thanet Coast and Sandwich Bay Special Protection Area (SPA) and Wetland of International Importance under the Ramsar Convention (Ramsar Site). However, as the application is for the development of a 'coffee shop with drive-through', we advise that there is unlikely to be any adverse impacts to the designated site. Ecological Enhancements In alignment with paragraph 175 of the National Planning Policy Framework 2019, the implementation of enhancements for biodiversity should be encouraged. Examples include the installation of bird/bat nest boxes and the planting of native species. To ensure that ecological enhancements are incorporated in to the development, we advise that an associated condition is attached to planning permission, if granted. Suggested wording: "Prior to the completion of the development hereby approved, details of how the development will enhance biodiversity will be submitted to, and approved by, the local planning authority. The approved details will be implemented and thereafter retained."

Southern Water - Our initial investigations indicate that Southern Water can provide foul sewage disposal to service the proposed development. Southern Water requires a formal application for a connection to the public sewer to be made by the applicant or developer. We request that should this application receive planning approval, an informative is attached to the consent.

Environment Agency - We have reviewed the information submitted and due to the scale, nature and setting of this proposal and the supporting information submitted, we do not object to the proposal in principle providing the following conditions are placed on any permitted development.

TDC Environmental Health - (*final comment*) I have reviewed the attached documents and am pleased to see that close boarded fencing will be erected along the boundary with noise sensitive properties which will offer a reduction in noise levels.

The report submitted is comprehensive and the suggested condition for the noise limit on the order point has been considered. My concern is that the noise limit will be open to interpretation and we would be relying on the limit being changed if practicable. I would therefore suggest that the condition be adapted to read:

Prior to the facility being brought into use the noise level of the Order Point speaker/s at 0.5 metres shall be limited to no more than 82 dB LAmax. This shall be commissioned by a suitably qualified acoustic consultant and a report issued indicating this has been met, including an accepted management method for ongoing maintenance of this limit, to the local authority for approval.

This would further protect the noise sensitive properties which back on to the location of the order point.

(*initial comment*) I have been asked to comment on the above planning application on behalf of Environmental Health. The application is for Erection of a coffee shop with drive-through (A3/A5) with associated parking, servicing and landscaping.

I have reviewed the application and note that an acoustic report has been prepared by Sharpes Redmore dated 8th February. This report has been undertaken using correct methodology, assessment and guidelines. The calculations are accepted for plant noise however no background measurement was undertaken at nearby residential which is likely to be lower than measured and although this achieves guideline levels this does not necessarily mean that the noise from drive thru activities (i.e ordering and use of intercom) or deliveries will not annoy or cause a nuisance to neighbours given the proximity and hours proposed.

Therefore concerns remain and I would request that an acoustic barrier is erected and maintained along the southern boundary.

I would also suggest restricting the time of any deliveries and would suggest the following condition:

- There shall be no servicing of the building, no goods shall be loaded or deposited and no delivery vehicles shall arrive, depart, be loaded or unloaded, within the application site before 07:00 or after 19:00; hours Mondays to Fridays: before 08:00 or after 18:00 hours on Saturdays or at any time on Sundays or Bank Holidays.

As the site is a major development and as such has the potential to impact on the air quality of the nearby UAQMA I would also request the following conditions to be added to any consent:

- 10% of parking spaces (ie. developments with >10 spaces) to be provided with Electric Vehicle charge points which may be phased with 5% initial provision and the remainder at an agreed trigger level

Prior to the commencement of the development hereby permitted, an emissions mitigation assessment in accordance with Thanet District Council's Air Quality Technical Planning Guidance shall be submitted and approved in writing by the Local Planning Authority. The emissions mitigation assessment shall include a damage cost assessment that uses the DEFRA emissions factor toolkit and should include details of mitigation to be included in the development which will reduce the emissions from the development during construction and when in operation. All works, which form part of the approved scheme, shall be completed before any part of the development is occupied and shall thereafter be maintained in accordance with the approved details.

COMMENTS

The application is brought before members as a departure to Policy TC1 of the Thanet Local Plan.

Principle

- History

The site originally fell within the area allocated for roadside services within Thanet Local Plan Policy TR7; however, in June 2009 the policy was not 'saved' by the Secretary of State and has therefore expired. As such no weight can be applied to this policy.

Whilst no weight can be applied to the policy, outline planning permission has previously been granted for the development of the application site for roadside services, in the form identified within the planning history section of this report. Whilst this consent is no longer extant, part of the overall site (which excludes the application site) has been developed for the roadside services, including the petrol station and shop, lorry parking, hotel and McDonalds. The application site, along with the adjoining area of land to the east, never formed part of a reserved matters application, and have therefore remained vacant; however, the intent to originally include these areas of land within the roadside services provision is still evident through the presence of an existing landscaped bund and buffer area along the southern and eastern boundaries of the application site and adjoining land, which was a requirement of the original outline consent.

- Proposed retail/cafe unit

The site is located outside of the urban and rural confines, and as such the proposed development would be considered under Policy CC1 of the Thanet Local Plan, which states that 'new development will not be permitted unless there is a need for the development that overrides the need to protect the countryside'.

Policy TR7 of the Thanet Local Plan has not been saved as the roadside services as provided are considered to be adequate to fulfil the roadside services requirement in the area. Policy TR7 can therefore not be relied upon to justify a need for the proposed development in relation to the roadside services, as additional facilities are not considered to be necessary.

The proposed retail/cafe use is defined within the NPPF as a town centre use. Paragraph 86 of the NPPF, and Policy TC1 of the Thanet Local Plan, require that a sequential test is applied to planning applications for new town centre uses, which are not in an existing centre; with the sequentially preferable location being within the town centre, then the edge of town centre. Whilst there is a requirement for a sequential test to be submitted with this new retail application, given the modest size of the unit proposed, it is likely that a vacant unit exists within one of the existing town centres that could accommodate this development, and as such the proposed development would not accord with Policy TC1 of the Thanet Local Plan. Whilst contrary to this policy in the Thanet Local Plan, the proposal is not considered to be contrary to the NPPF, as paragraph 25 states that a sequential approach should not be applied to small scale rural development, which the proposal would be given its edge of village location.

Paragraph 28 of the NPPF supports economic growth in rural areas, including "*the sustainable growthof all types of business and enterprise in rural areas...through well designed new buildings; and through promoting the development of agricultural and land-based rural businesses*". The proposed development would incorporate the growth of a new business in the rural area. The proposed development would provide the equivalent of 11 no. full time jobs, and the retail/cafe use will provide a local shop/meeting space that could help to enhance the sustainability of the village and its existing and future community, as supported by paragraph 92 of the NPPF. As such the proposed development would provide economic and social benefits.

Whilst there is not a need for additional roadside services, and whilst the proposal is contrary to Policy TC1 of the Thanet Local Plan, which requires need retail development to be located within existing town centres, the proposed development will provide economic and social benefits for the village, which is supported by the NPPF.

The benefits provided by the development provide some justification towards the need, and therefore the principle of development could be considered acceptable as a departure to Policy TC1 of the Thanet Local Plan if the social and economic benefits of the proposal outweigh the environmental harm to the countryside, and subject to all other material considerations such as impact upon highway safety and neighbouring living conditions being considered acceptable.

Character and Appearance

- Impact upon Countryside

The application site is non-previously developed land, however, whilst it is located outside of the village confines, it is not currently agricultural land. The land was originally allocated as part of the Minster Services development, and through the original application, mitigation works in the form of a landscaped bund surrounding the site to the east and south was approved, and subsequently implemented. The application site, nor the adjacent land to the east, has ever been developed, and there are no extant consents covering the site; however, the bund remains in situ, creating a physical barrier between the application site and the surrounding agricultural land.

The site lies within the Manston Chalk Plateau Landscape Character Area. The area is characterised by elevated, flat landform with gently rolling undulations; predominantly regular, medium to large scale arable and horticultural fields on ALC Grade 1 and 2 soils with little defining features, which create a very open landscape; tree belts and linear woodland with localised areas of paddocks and pasture; settlement comprises low density, 1-2 storey detached properties including the small village of Manston and buildings along minor roads; a variety of building materials including traditional flint, plus red brick, render and timber cladding.

A landscape and visual appraisal has been submitted with the application. The appraisal comments on the visibility of the site from the surrounding area. To the north of the site the landscape rises up and is partially open in nature. Views of the site are possible from short sections of the A299 to the north, however beyond this is the private former Manston Airport site and no public access currently exists. Therefore northern views of the site are limited to very small areas predominantly associated with the A299 corridor. The existing Minster Co-op service station and McDonalds developments also provide partial screening of the site from locations to the north and north west.

The site is screened along the eastern boundary by the existing earth embankment and vegetation, which the appraisal suggests prevents views of the site and its interior from all locations to the east.

To the south the site is screened by the existing earth embankment and vegetation, which prevent views of the site and its interior from all locations to the south; although it is possible that some upper windows from a small number of residential properties to the south may gain a fragmented and partial glimpsed views of the site and its interior.

To the west the site shares an open boundary with the adjacent Premier Inn site and views of the site are possible from the car park and east facing windows of the building. The Premier Inn building and associated site vegetation provides heavy screening of the site and prevent views extending further west, except for a small viewing corridor created by the junction of Laundry Road and Tothill Street. The Prospect Inn site provides further extensive screening that prevents views extending any further west.

Overall, when considering the location of the site, the appraisal concludes that it has a very small, tight and contained visual envelope that does not extend more than 500m to the north and west. There are no views of the site to the east, and views to the south would occur only from a very small number of second storey windows of residential properties immediately adjoining the site boundary.

The proposal is for the erection of a single storey building with a mono pitched roof, measuring 5.3m to the highest point of the roof, and 4.5m to the lowest point. A section has been produced to show the relationship between the proposed building and surrounding development, and between the proposed development and surrounding land levels. Land levels in the area are highest at the airport and the adjoining A299. Levels drop moving south into Minster. As such, the application site is at a significantly lower level than the A299, with the submitted section plan showing the application site falling at least 2m below the level of the petrol station Co-op building. The section taken through Laundry Road shows

that the proposed building would fall below the ridge height of the closest section of the Premier Inn by at least 3.5m.

The landscape assessment advises that the potential for the development to impact upon views is restricted to locations immediately adjacent to the north and west of the site, and predominantly from either public highways or adjacent car park areas associated with adjacent commercial and retail development.

Views to the east and south are prevented by the existing perimeter bund and associated scrub / tree planting; and overall the site and proposed development is considered to have a very small and contained visual envelope. As a result, the assessment advises that the proposal would affect only a very small number of individuals on a local scale, and at locations associated with existing low visual amenity levels, being predominantly functional, transport and retail areas.

The assessment concludes that the proposed development is highly characteristic and appropriate for its setting. Whilst the site is currently undeveloped it is clearly visually contained and visually part of the wider existing Minster Services Complex. The character of this location is already significantly informed by the existing Premier Inn, McDonalds and Co-op Service Stations building and associated surrounding areas. Where views of the new development would be seen, these occur in locations where either, the existing extensive developments of the Co-op service station, McDonalds and Premier Inn sites are clearly visible and already large and prominent features of the views, or from locations with low existing visual amenity value due to the proximity to the A299 and the associated fast moving traffic. As such the inclusion of this fairly modest sized building is considered to have no impact or effect upon the existing character of this site and little influence upon the wider landscape character. Overall the visual landscape is assessed to have a Low susceptibility to the proposed development.

Paragraph 17 of the NPPF requires that when determining planning applications consideration is given to protecting 'the intrinsic character and beauty of the countryside'. In this case the site is not open agricultural land but land formerly allocated for a commercial use. The Landscape and Visual Appraisal concludes that the visual impact upon the countryside and surrounding character of the area would be limited and this is agreed by officers. The impact upon the countryside and landscape character area is therefore considered to be acceptable, and in accordance with Policies CC1 and CC2 of the Thanet Local Plan, and the NPPF.

- *Design, scale, layout and materials*

The building is single storey, with the ridge height falling below the height of the adjacent premier inn hotel. The design has a mono-pitch roof, which will appear in keeping with the style of buildings in the surrounding area. Rather than using a standard unit type for the Costa retail unit, the proposed building has a unique design to reflect its rural location. Whilst the roof form is typical for this type of unit, its solid clad design, and more specifically its use of black and natural timber cladding materials, is considered to be sympathetic to its village edge location, with features that are characteristic of a rural building.

The building is setback on the site, with parking to the front and side and the drive through to the rear. This is in keeping with the surrounding pattern of development, in particular the premier inn building, which is similarly located.

With regards to landscaping, the bund will remain to the southern boundary and the far eastern boundary. Within the site itself there would appear to be limited potential for soft landscaping, with only a slim soft landscaped border achieved in the areas adjoining the northern, western and southern boundaries of the site. Improvements to these spaces may be possible through the later submission of a landscaping plan, although an increase in the soft landscaping provision is unlikely. Outside of the application site boundary to the north, adjacent to Laundry Road, a soft landscaped verge exists, which is maintained by KCC and is to remain. This verge contains some hedging, which will help to soften the views into the site, as can be seen with the Premier Inn site.

The majority of the site is hard surfaced for either access provision, off-street parking, or pedestrian links. The applicant has agreed to the use of varied hard surfacing materials within the site, with tarmac allocated for the access areas, and permeable block paving proposed for the parking spaces and pedestrian links. Given the restricted size of the site, the retention of the landscaped bunds and landscaped verge, and the use of permeable block paving within the site, the landscaping strategy is considered to be acceptable and in keeping with the area.

Living Conditions

The site is located adjacent to an existing serving area, with existing commercial development to the west and north, and amenity land to the east. To the south of the site are residential properties, and therefore consideration needs to be given to the impact upon the amenity of these neighbouring occupiers.

The southern boundary of the applicant site is located 30m from the rear elevation of the nearest neighbouring dwelling in Southall Close. The proposed building is at least 40m from the nearest neighbouring dwelling. The building is single storey so there will be no issues regarding loss of light, outlook or privacy to neighbouring occupiers.

Concern is raised, however, with the potential impact on residents from noise and disturbance associated with the proposed use. A noise assessment has been submitted with the application, which considers the impact from fixed mechanical plant, car-parking, and noise from the use of the drive-thru facility. The report concluded that the noise levels identified are likely to be predominantly less than the pre-existing background noise levels, and therefore the proposed development would not cause significant adverse noise impact on neighbouring occupiers.

Environmental Health has been consulted and upon assessing the report concerns were raised regarding the lack of specific information regarding the order point speaker system. Concerns have been received from neighbouring occupiers regarding this issue, with some residents advising that they are currently able to hear the order point speaker at McDonalds, which is located a further 70m at least from the proposed speaker system when viewed in relation to the neighbouring occupiers.

A further technical note has been submitted by the applicant. The technical note contains a survey of similar order points in order to assess the potential impact. The technical note concludes that the inclusion of a close boarded fence to the southern boundary of the application site will reduce the noise level within the residential garden areas to at least 5 db below the background noise level. An amended plan has been submitted showing the provision of a new solid fence along the southern boundary, at a height that exceeds the height of the order point speaker by 0.5m. This provision, in conjunction with the existing bund, is considered to reduce any potential noise to an acceptable level.

In addition, the technical note advises that a restriction is placed on the order point speaker to ensure that the noise level is set, with the level to reduce during the hours of 23:00 and 07:00. A courtesy sign to remind drivers to give consideration to neighbouring occupiers is also recommended.

Subject to safeguarding conditions to restrict the noise level of the order point speak system, the impact upon the neighbouring occupiers is considered to be acceptable and in accordance with Policy D1 of the Thanet Local Plan and the NPPF, which requires that a high standard of amenity for neighbouring occupiers is maintained.

Transportation

The proposal requires the provision of a new access onto Laundry Road from the application site, and provides 31no. off-street parking spaces to serve the new coffee shop use. Concerns have been raised by residents and the parish council regarding the impact upon highway safety.

The application has been submitted with an accompanying transport statement. KCC Highways and Transportation were consulted and advised that the level of parking provision was acceptable, but they had concerns that the Tothill Street/Laundry Road junction had not been assessed in relation to the additional 150-160 trips expected to be generated during peak hours from the proposed use. They also felt that a lack of information had been submitted on the achievable visibility from the site access.

An additional plan has been submitted proving that pedestrian visibility splays of 1m x 15m can be achieved at the site access, which KCC are satisfied with subject to a safeguarding condition.

A junction capacity assessment has also been submitted, along with a plan showing improvements to the Tothill Street/Laundry Road junction, consisting of the widening of the Laundry Road arm in order to provide additional queuing capacity. KCC has advised that these mitigation works are considered necessary given the increase in turning movements at the junction.

KCC have advised that they have no objections in principle to the development as the vast majority of trips to/from the site will be pass-by and/or diverted trips, and therefore the number of new trips generated on the wider highway network is unlikely to be significant, or have a severe impact upon highway safety.

Cycle parking provision will be provided in the form of one space per 15 seats, and electric vehicle charging points will be provided in the form of one charging point per two spaces.

Overall, subject to safeguarding conditions requiring the off-site highway works to Tothill St/Laundry Rd junction to be carried out, along with the necessary on site highway works and visibility, the impact upon highway safety is considered to be acceptable and in accordance with the NPPF.

Ecology

An ecological assessment has been submitted with the application. KCC Biodiversity have commented and advise that sufficient information has been submitted. The ecology report notes that some of the boundary vegetation is suitable habitats for hedgehogs, and as such KCC advise that a precautionary mitigation strategy should be requested via condition, along with details of ecological enhancements to be provided within the site. Subject to these safeguarding conditions the impact upon biodiversity is considered to be acceptable, and in accordance with the NPPF.

Archaeology

The area is rich in archaeological remains, particularly of prehistoric and Romano-British as has been seen from investigations at the services, the Premier Inn and the East Kent Access Road.

An Archaeological desk based assessment has been submitted with the application. The KCC Archaeology Officer has been consulted, and advises that the archaeological study, written by Archaeology South East, provides a good account of the archaeology found on the adjacent sites. In particular it highlights the finding on the hotel site to the east, part of a curved ditch that may be from a Bronze Age ring ditch or given a slightly later C14 dating obtained, a Middle Bronze Age enclosure. Aerial photography dated to 1980 suggests a more oval enclosure rather than a ring ditch, and this would extend into properties to the south. Other remains known to cross the site include ditches of Iron Age and Roman date. Areas of later prehistoric settlement were found on the adjacent site but mostly concentrated away from the present site.

Given the presence of archaeological remains on adjacent/nearby sites, KCC's Archaeological Officer recommends that in any forthcoming consent, provision is made for an archaeological evaluation, to be followed by appropriate mitigation works. Mitigation could include excavation or adjustment of foundations or landscaping to avoid features of particular significance that may be identified.

Subject to this safeguarding condition, the impact upon archaeology is considered to be acceptable and in accordance with the NPPF.

Drainage

A foul and service water drainage strategy has been submitted with the application. Southern Water has advised that they can provide foul sewerage disposal to service the development, along with a water supply, and therefore subject to safeguarding conditions the impact upon the public water supply is considered to be acceptable. No other concerns have been raised by consultees in relation to the submitted application with respect of drainage provision.

Conclusion

There is no evidential 'need' for additional facilities within the roadside services in planning policy terms, which has led to the allocation policy for this site expiring, and it is likely that there would be a sequentially preferable location for the retail unit within an existing town centre. However, there would be economic and social benefits for the village through the provision of a facility that provides job provision, a meeting place for the community, and an additional local service that helps to support the sustainability of the village. When considering the visual impact, the site is located within an area that has historically been granted planning permission for roadside services development, and has since been removed from agricultural use and enclosed by a landscaped bund, reducing any impact upon the open countryside. The proposed development is modest in size, and setback on the site, in keeping with the surrounding pattern of development. The site lies adjacent to existing commercial development forming part of the roadside services, and will therefore appear in keeping with the character and appearance of the area. The impact upon neighbouring living conditions has been assessed, and mitigation put in place to limit any impact upon amenity to an acceptable level. Subject to off-site improvements to improve the junction on Tothill Street and Laundry Rd, along with the necessary parking provision and visibility splays, the impact upon highway safety is considered to be acceptable.

On balance, whilst there is not a retail need for the development in this location enshrined in policy, there will be very limited impact upon the countryside; and this limited environmental harm needs to be weighed against the economic and social benefits of the coffee shop use on the edge of a village, where it is sustainably located to serve the community. In this instance the economic and social benefits are considered to warrant a need for the development that outweighs the impact to the countryside, and on this basis the proposal is considered to accord with Policy CC1 of the Thanet Local Plan, and provide a sustainable form of development in line with the NPPF. The proposal is therefore considered to form an acceptable departure to Thanet Local Plan Policy TC1, and it is therefore recommended that members approve the application.

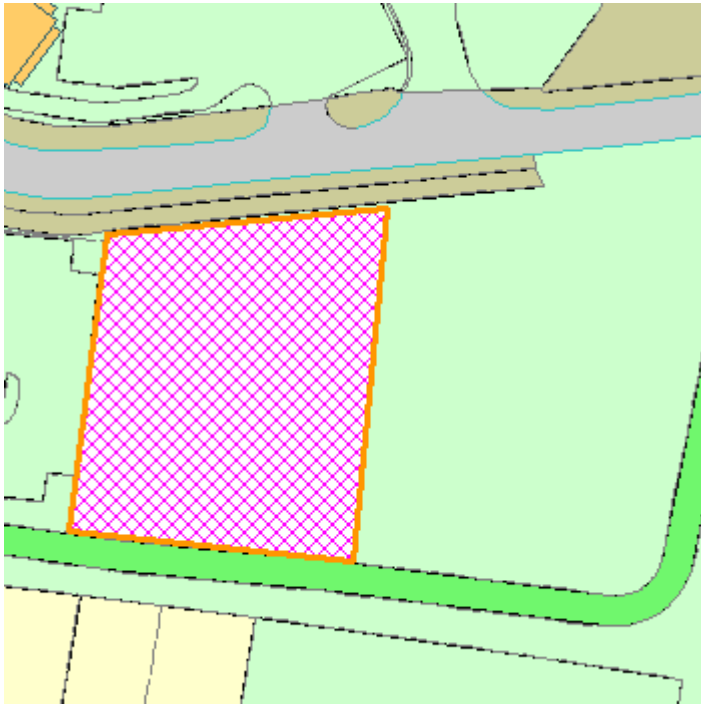
Case Officer

Emma Fibbens

TITLE: F/TH/19/0215

Project Land South Of Laundry Road Minster RAMSGATE Kent

Scale:



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A02

FH/TH/19/1385

PROPOSAL: Erection of a single storey rear extension following demolition of existing conservatory

LOCATION: 160 Beacon Road BROADSTAIRS Kent CT10 3EJ

WARD: Beacon Road

AGENT: No agent

APPLICANT: Mrs Pamela Hughes

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 BR 190807 ISS-1 received 14/10/2019.

GROUND:

To secure the proper development of the area.

3 The external materials and external finishes to be used in the rear extension 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

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

Beacon Road is a busy through road connecting Broadstairs and parts of Margate. It is a long road made up of residential properties, a school, shops and businesses.

The application site sits on the northern part of the street at the intersection between Beacon Road and Balliol Road. It lies adjacent to the western boundary of the Reading Street Conservation Area, but does not sit within it. It also sits in proximity to nearby listed buildings to the east.

Number 160 Beacon Road is a single storey detached brick dwelling with a pitched roof finished with interlocking concrete tiles. To the front it has a bay window supported by a half hexagonal brick wall. To the southern flank a canopy structure has been erected between the side wall of the host dwelling and the neighbouring boundary. Behind this a pitched roof garage sits to the rear and is visible from the street. A single storey uPVC lean to conservatory sits across the southern part of the rear and finishes at the front of the existing garage.

RELEVANT PLANNING HISTORY

PN01/TH/18/0635 - Erection of single storey rear extension to extend 5m in depth, 2.4m to eaves and overall height of 3m. This was a notification of an intention to erect an extension under the Town and Country Planning (General Permitted Development) (England) Order 2015. The Council's prior approval was not required at that time. Determined 4th June 2019

PROPOSED DEVELOPMENT

This application seeks planning permission for the erection of a single storey rear extension following the demolition of an existing conservatory. The development would measure 4.5m in length, 4.4m in width and stand at 2.3m to the eaves.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan 2006

D1 - Design Principles
SR5 - Play Space
TR12 - Cycling
TR16 - Car Parking Provision

NOTIFICATIONS

Letters were sent to adjoining occupiers and a site notice posted close to the site. No representations have been received.

Broadstairs and St Peters Town Council: No comment.

CONSULTATIONS

None received.

COMMENTS

This application is brought to Planning Committee as the applicant is related to an employee of the Council.

Principle

The site lies within an established residential area within the defined settlement of Broadstairs. There is no in principle objection to extending a domestic property. The main considerations are the impact on the character and appearance of the area and the living conditions of neighbouring occupiers.

Character and Appearance

Paragraph 127 of the National Planning Policy Framework (NPPF) states decisions should ensure that developments will function well and add to the overall quality of the area, are visually attractive as a result of good architecture, layout and appropriate and effective landscaping, sympathetic to local character and history, establish or maintain a strong sense of place, and optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development and create places that are safe, inclusive and accessible. Saved policy D1 of the Local Plan outlines that the design of all new proposals must respect or enhance the character and appearance of the area, particularly in scale, massing, rhythm and use of materials.

Views into the rear of the site are possible from the north of Beacon Road travelling South, and from Balliol Road. The site sits on a corner between the two roads and adjacent to No. 17 Balliol Road, which fronts Beacon Road and is set back around 13m. This creates a large gap between built development across the two sites, giving views into the application site.

The proposed extension would be set in from the north boundary by 7m. It would extend 0.5m more than the existing conservatory and would have a pitched roof with the ridge set down and the line of the eaves following those of the host dwelling. The development would be more visible than the existing conservatory, by virtue of its height, however given its subservient nature and the set back from the boundary the works are considered to be acceptable. Views from the south are limited. It is considered however that to ensure a consistent visual appearance that a condition be imposed on the application to require the use of matching materials and subject to such a condition, the works are considered to comply with the aims of saved policy D1 of the Thanet Local Plan and the NPPF.

Living Conditions

Paragraph 117 of the NPPF states that planning decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Saved policy D1 of the Thanet

Local Plan outlines that new development should be compatible with neighbouring buildings and spaces, should not lead to unacceptable loss of amenity through overlooking, noise or vibration, light pollution, overshadowing, loss of natural light, or sense of enclosure, and should incorporate measures to prevent crime and disorder. Given the nature of the development, there is not considered to be any harm to the amenity or living conditions of neighbouring occupiers, other than visual harm.

To the northern boundary with No. 17 Balliol Road development would be set in by 7m therefore avoiding any overbearing or overshadowing in this location. New openings are proposed that would look into an existing high level boundary treatment and there is not considered to be any harm to the living conditions of neighbouring occupiers.

To the rear development would extend 0.5m further than the existing conservatory. It would be 1.9m wider than the existing built form and proposes a large opening. Given its location and the existing development on the site, the extension as proposed is not considered to materially alter the relationship with neighbouring occupiers to the rear.

To the southern boundary with No. 158 Beacon Road, development would not move any closer to the neighbouring boundary than the existing conservatory. The pitched roof would hip away from the neighbouring garden and the new windows proposed would be high level. No. 158 is a two storey dwelling set some distance forward of the application site. The proposed extension would sit towards the rear of the neighbouring garden and is therefore not considered to result in any harm.

Therefore the proposal is considered to be acceptable in terms of its impact on the amenity of neighbouring occupiers in accordance with the aims of saved policy D1 of the Thanet Local Plan and the NPPF.

Trees

The area for the proposed extension would be in close proximity to a small fir tree. No works are proposed to remove this tree, which has some visibility from Beacon Road. The tree is not protected and the works are not considered to materially affect it.

Conclusion

Subject to a condition securing the use of matching materials, the proposed extension is considered to have been sensitively designed to marry with the host dwelling and avoid any impact on the character and appearance of the area. It has been set in from the most prominent boundary and designed to appear subservient. It is not considered to result in any new harm to the living conditions of neighbouring occupiers and it is therefore recommended that Members approve the application.

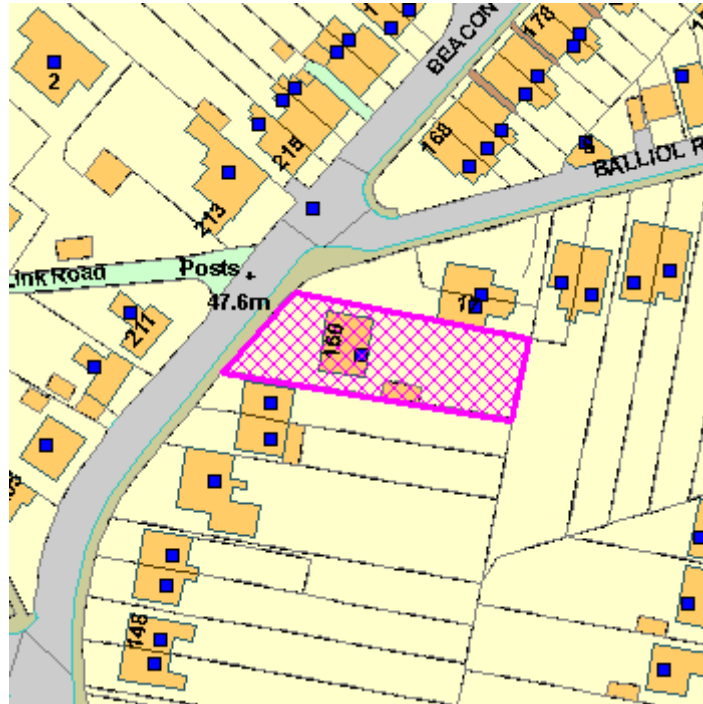
Case Officer

Vicky Kendell

TITLE: FH/TH/19/1385

Project 160 Beacon Road BROADSTAIRS Kent CT10 3EJ

Scale:



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R03

F/TH/19/1327

PROPOSAL: Change of use from industrial unit (use class B1) to veterinary surgery (use class D1) together with alterations to roof, fenestration and associated parking

LOCATION: Unit 4 Princes Road RAMSGATE Kent CT11 7SA

WARD: Central Harbour

AGENT: Mrs Lizzie Tattersall

APPLICANT: Mr Darren Oxley

RECOMMENDATION: Refuse Permission

For the following reasons:

1 The site is located on the Princes Road Industrial Estate, Ramsgate. Policy EC12 of the Thanet Local Plan (June 2006) only permits employment uses falling within Use Classes B1, B2 and B8 on this Industrial Estate. The proposed use as a veterinary surgery does not fall within the permitted use classes for the Princes Road Industrial Estate and as such the proposal is contrary to the aims of policy EC12 of the Thanet Local Plan (June 2006).

SITE, LOCATION AND DESCRIPTION

The site is located on the north western side of Princes Road close to the junction with Margate Road. The north western side of Princes Road comprises an existing industrial estate and residential development is located on the south eastern side of the road. The site currently comprises a number of metal clad buildings with pitched and flat roofs arranged in a 'U' shape with vehicular accesses to Princes Road in the centre and on the southern corner of the site. The property is currently in use as an industrial unit falling within the B1 and B8 use classes.

RELEVANT PLANNING HISTORY

There is no relevant planning history for the site.

PROPOSED DEVELOPMENT

The proposed development is the change of use from industrial unit (use class B1) to veterinary surgery (use class D1) together with alterations to roof, fenestration and associated parking. To facilitate the proposed change of the existing flat roof container and building on the north eastern boundary of the site would be removed. Cladding would be applied to front and part of the site elevations and a number of doors and windows would be installed around the property.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan 2006 saved Policies

D1 - Design

EC12 - Retention of Employment Sites

EP13 - Groundwater Protection Zone

TR16 - Car Parking Provision

NOTIFICATIONS

Letters were sent to neighbouring property occupiers and a site notice was posted close to the site. 16 letters of support have been received raising the following points:

- Improve the appearance of the area
- Keep an existing business in Ramsgate
- More jobs
- Good location

Ramsgate Town Council - Wholeheartedly supports this application.

Ramsgate Heritage and Design Forum - Fully supports this application.

CONSULTATIONS

Contaminated Land Officer - Given the former/current industrial use of the area, a watching brief condition would be required to safeguard the development should planning permission be granted.

Environment Agency - Based on the submitted information we consider that planning permission could be granted for the proposed development if safeguarding conditions are included. Without these conditions, the proposed development poses an unacceptable risk to the environment and we would object to the application.

KCC Highways and Transportation - I refer to the above planning application and confirm I have no objection in respect of highway matters. Staff parking is available on street in the vicinity of the site, leaving the 10 spaces shown within the site for customers. Parking restrictions are also in place on the highway as necessary to prevent unacceptable parking.

COMMENTS

This application is brought before members at the request of Cllr Peter Campbell and Cllr Rebecca Wing to consider the impact of the proposed development on the employment site.

Principle

The proposed development is located within the urban confines of Ramsgate on a site allocated for the retention of uses falling within classes B1 (light industrial), B2 (general industrial) and B8 (storage and distribution) under saved policy EC12 of the Thanet Local Plan. Government guidance is that local planning authorities should seek to ensure that there is a range of premises available to meet the needs of local businesses. Development plans should contain positive policies to provide for the needs of small businesses, with a variety of sites to meet differing needs. The Council considers that it is essential to retain employment premises in order to conserve stock for future use. Sites have been assessed for their compatibility with the plan's employment land strategy and this site is considered to contribute positively and should therefore be retained and protected for these purposes.

The need for industrial units including the allocation of this site has been carried forward in the draft local plan under policy E01 which has recently undergone examination and the weight that can be attributed to its policies is increasing. This plan identifies a number of industrial estates around that where more flexible approaches to the types of development can be considered.

A letter has been provided as part of the design and access statement providing some details of the marketing of the property. This letter states that tenants haven't been for the site due to the location of the site close to residential properties and the creation of the Manston Business Park. No further details of how the property has been marketed have been provided with the application. This letter is therefore given limited weight in the determination of this application.

Whilst there are currently some uses within the allocated site that fall outside of the B1, B2 and B8 use classes, the saved and draft policies seek to retain the remaining space for these uses as a need for spaces falling within these use classes has been identified as part of the local plan process. The presence of existing uses falling outside of the allocated use classes on the site should therefore be given limited weight.

Given the continued identified need for the retention of industrial units falling within classes B1, B2 and B8 and that the proposed development would result in the loss of land allocated for these uses, this proposal is considered to be contrary to saved policy EC12 of the Thanet Local plan and policy E01 of the draft Thanet Local Plan and therefore the principle of development is not considered to be acceptable.

Character and Appearance

The existing property on the site is comprised of a number of different units constructed from light green metal cladding. This application would remove the container and smaller units on the north eastern boundary of the site and replace the existing cladding with red metal trapezoid cladding to the front and part of the side elevations. This would give a uniform height to the remaining buildings across the site by creating a parapet. The cladding would create a flat roof appearance to the building and a number of new doors and windows would be introduced to the front and side elevations of the building. There are a variety of different buildings visible within the area and therefore the change in the design and colour of the

building is not considered to result in any significant harm to the character and appearance of the area, in line with policy D1 of the Thanet Local Plan and the National Planning Policy Framework.

Living Conditions

The closest residential properties to the site are located on the south eastern side of Princes Road with a separation distance of 13m.

The alteration to the design and cladding on the building would increase the height of the section closest to Princes Road by 1.2m. New doors and windows would be installed in the front and side elevations at ground floor level and sunpipes would be installed in the pitched roof at the rear of the property.

Given the limited scale of the changes to the elevations and design of the building and the existing industrial use of the site, the proposed development is not considered to result in any significant overlooking, loss of light, sense of enclosure or noise and disturbance to the neighbouring residential properties, in line with policy D1 of the Thanet Local Plan and the National Planning Policy Framework.

Transportation

The site is located close to regular bus routes on Margate Road and a short walk from Ramsgate train station. The central entrance to the site would be widened by removing the angled sections of wall and ten parking spaces are proposed on the site. Five spaces would be accessed through the central entrance and a further five on the south western boundary of the site accessed through the existing entrance in the southern corner of the site. Cycle storage would also be provided to the front of the building. Parking along Princes Road is limited, however some on street parking is available in the neighbouring residential roads. The site is considered to be in a sustainable location and the KCC Highways Officer has raised no objection subject to the provision of the proposed parking and turning areas and cycle storage. Given the arrangement of the proposed arrangement of the and the existing use, this development is not considered to result in any significant increase in demand for parking or harm to highway safety to warrant refusal of the application.

Conclusion

The proposed development would be located on a site allocated for the retention of employment uses falling within Use Classes B1, B2 and B8. The proposed development does not fall within the allocated used classes for the site. Whilst the proposed development is considered to bring some benefits to the area, the existing and draft local plan have identified a continued need for the retention of sites falling within these use classes. The proposed development is therefore contrary to saved policy EC12 of the Thanet Local Plan and the principle of development on the site is considered unacceptable. It is therefore recommended that members refuse this application.

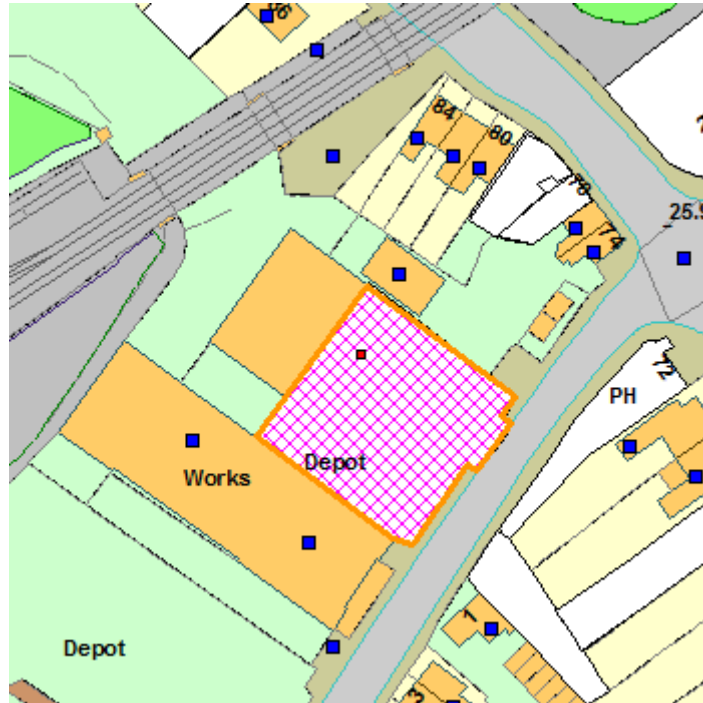
Case Officer

Duncan Fitt

TITLE: F/TH/19/1327

Project Unit 4 Princes Road RAMSGATE Kent CT11 7SA

Scale:



R04	F/TH/19/1005
PROPOSAL:	Erection of first floor extension to facilitate additional hotel accommodation
LOCATION:	The Waves Hotel At 2 Hengist Road BIRCHINGTON Kent CT7 9QP
WARD:	Birchington North
AGENT:	No agent
APPLICANT:	Mr Steve Hayden
RECOMMENDATION:	Refuse Permission

For the following reasons:

1 The proposed development, by virtue of its design and positioning of the first floor flat roof extension in relation to the main building, would result in a prominent, incongruous and discordant extension that would detract from the existing form of this seafront building. The proposal would therefore be contrary to the aims of saved policy D1 of the Thanet Local Plan and paragraphs 127 and 130 of the National Planning Policy Framework.

SITE, LOCATION AND DESCRIPTION

The application relates to The Waves, cafe and B & B Hotel which is positioned fronting Hengist Road in Birchington with a vehicular access (to the east of the Minnis Public House) leading down to a public car park. The subject property itself is detached and has domestic origins, but has been subject to numerous extensions mainly since the change of use to a hotel. The property comprises of two distinct areas; a traditional pitched roof with tiles roof over what would have been the original dwelling and then a two storey turret and flat roof extensions. The property has grey render to its external walls.

The area is predominantly residential in character although there is The Minnis Public House to the west of the site.

RELEVANT PLANNING HISTORY

F/TH/19/0078 Erection of a ground floor side extension to provide lift, ground floor side extension for stairwell, together with first floor extensions to restaurant and accommodation areas and alterations to fenestration. Refused

F/TH/17/1689 Retrospective application for the change of use from hotel (Use Class C1) to hotel (Use Class C1) and cafe (Use Class A3). Granted 16/02/18

F/TH/17/1578 Erection of single storey rear extension. Granted 12/12/17

F/TH/17/1289 Erection of first floor infill extension together with single storey rear extension. Refused 20/10/17

F/TH/17/0199 Change of use of land for the siting of tables and chairs. Granted 02/05/17

F/TH/15/0428 Change of use of dwelling to hotel, together with retrospective application for the retention of roof and the erection of 2no. Dormers in the east elevation. Granted 24/09/15

F/TH/08/0858 Erection of a detached bungalow and two storey glazed turret (amendment to previously approved planning permission ref F/TH/07/0027) Refused 05/09/08

F/TH/07/0027 Erection of a detached bungalow and two-storey glazed turret. Granted 28/02/07

PROPOSED DEVELOPMENT

Full planning consent is sought for the erection of a first floor part flat roof and part false pitched roof extension to facilitate additional hotel accommodation and provision of a balcony area off two of the rooms fronting the seafront. Part of the proposed extension would be over the current flat roof balcony area. Elements of the extension - side elevation (fronting Hengist Road and the front elevation fronting The Parade would have floor to ceiling glazing. Three bedrooms are currently provided in the roof space and this would increase to seven.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan (2006 Saved Policies)

D1 - Design Principles
D2 - Landscaping
TR12 - Cycling
TR16 - Car Parking Provision
T1 - Tourist Facilities
CF2 - Development Contributions

NOTIFICATIONS

Letters were sent to adjoining occupiers and a site notice posted close to the site. two representations were received in relation to the original plans. The concerns can be summarised as follows:

- Close to adjoining properties
- Conflict with local plan
- Development too high
- General dislike of proposal
- Inadequate parking provision
- Increase in traffic
- Information missing from plans

- Loss of privacy
- Noise nuisance
- Not enough information given on application
- Over development - eleven bedroom hotel is too big for the site
- Residential amenity
- Poor design - incongruous bulk and height for a prominent plot. It does not bring together previous extensions
- Increase in noise- particular from the roof terrace
- No means of covered entry/exit to the roof terrace just a hatch
- Overlooking to neighbours garden
- Increase in parking
- Existing building is an important non-designated heritage asset

One further representation was received following the receipt of amended plans. The concerns can be summarised as follows:

- Close to adjoining properties
- Development too high
- General dislike of proposal
- Increase in traffic
- Inadequate parking provision
- Information missing from plans
- Noise nuisance
- Not enough information given on application
- Over development
- Residential amenity
- Poor design
- Concern about cooking odours and waste storage
- Concern about parking

Birchington Town Council: Object due to over development of the site and that objections have been received from residents.

CONSULTATIONS

Environmental Health:

(Final comments): The flue is only shown on the ground floor this needs to be indicated on the roof plan. Confirmation is also required that the flue will terminate vertically with the accelerator cone fitted to the vertical termination point.

There were previous odour complaints at this site and therefore I want to ensure that the flue is fitted in line with the previous consent (TH/17/1689).

(Initial comments) - There is no mention of the extraction system for the restaurant and the plans do not show the siting of a flue, this needs to be shown. Would request a condition that the balcony roof area is not accessed or used by the public for hotel guests. This condition was agreed on the previous planning application.

Natural England: On the basis of the appropriate financial contributions being secured to the relevant scheme. NE concurs with your authority's conclusion that this is suitable mitigation, as such the proposed developments will not have an adverse effect on the integrity of Thanet Coast and sandwich Bay SPA and Ramsar site.

COMMENTS

This application is referred to the Planning Committee at the request of Councillor Coleman-Cooke on the basis that the proposal will have benefits to tourism which will far outweigh any over development objections.

The main considerations in assessing the submitted scheme are the principle of development, the impact upon the character and appearance of the area, the impact upon living conditions of neighbouring property occupiers and the impact upon highway safety.

Principle

In line with Section 38(6) of the Planning and Compulsory Purchase Act 2014, planning decisions must be taken in accordance with the 'development plan' unless material considerations indicate otherwise. The requirements of the National Planning Policy Framework (NPPF) are a significant material consideration in this regard.

The NPPF includes within its definition of main town centre uses: restaurants, bars and pubs, hotels. It is acknowledged that this is not a town centre location, however the principle of this type of accommodation has already been established.

Policy T1 of the Thanet Local Plan states that 'planning permission will be granted for development which would extend or upgrade the range of tourist facilities, increase the attraction of tourists to the area or extend the season'. The proposed development would therefore comply with Policy T1.

The application site is located within the town of Birchington, with the site boundary to Hengist Road, The Parade and access to a public car park to the rear of The Minnis. The main house is currently being used, in part for hotel accommodation and café. This application seeks planning consent to extend the building to add to facilities at the premises.

There is no policy objection in principle to extend this building, however, the detail falls to be assessed.

Character and Appearance

Paragraph 127 of the NPPF states decisions should ensure that developments will function well and add to the overall quality of the area, are visually attractive as a result of good architecture, layout and appropriate and effective landscaping, sympathetic to local character and history, establish a strong sense of place and optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development and create place that are safe, inclusive and accessible. Saved policy D1 of the Local Plan outlines that

the design of all new proposals must respect or enhance the character and appearance of the area, particularly in scale, massing, rhythm and use of materials.

The building is located on a prominent corner site adjacent to the seafront, separated by a wide green swathe, road and on street parking spaces. To the north-west of the site is The Minnis Bar and Restaurant, which recently had permission for extensions approved under planning reference number; F/TH/16/0353. This was for the erection of single storey ground floor front extension, single storey ground floor extension to side, a first floor terrace and extension over part of front flat extension and installation of external fire escape. Prior to the extension of this property it is noted that it had a half hip roof over the main building and a large single storey flat roof extension to the front. This had a flat roof area at first floor but kept the extension subservient to the building to which it was being attached.

Since the submission of this application the plans have been amended following officers strong design concerns about the scheme. This amended scheme is now presented to Members.

The existing appearance of the building is formed by the original property which has been subsequently extended a number of times. The resulting building comprises a traditional element of the building (pitched roof -gable to The Parade) with domestic style and height roof and a hexagonal two storey feature tower to The Parade, these two elements are separated by a single storey flat roof area which is enclosed by balustrading and external staircase. In terms of the amended design, the revised Design and Access Statement states that the revised design seeks to bring together the previous additions within the proposed development to pull together and create a further destination location to improve the growing tourist trade. It further states "The design accents the seaside theme with the front facing structural elements and the extensive use of glass to reflect the open sea views while protecting and respecting the neighbours privacy from being overlooked."

Concern is raised in regard to the first floor extension which is very prominent within the street scene as the site has a front to Hengist Road, The Parade and the access road to a public car park. The extensions proposed will therefore be publicly visible three sides. The first floor extension would be positioned between a more traditional element of the building with domestic style and height roof and a hexagonal two storey feature tower. The proposed first floor flat roof extension would sit below the ridge of the original building. The proposed false pitched roof extension would be at the same height. It is acknowledged that the applicant has tried to make the height of the flat roof extension subservient to the original dwelling. However this block adds to the mass of the building. Furthermore the resulting roof form would lead to an impression of multiple roof heights and forms to the front and sides of the building. Visually this would appear as an incoherent and discordant arrangement and would not assimilate the different elements of the building together.

The applicant has now incorporated floor to ceiling glazing elements to link the elements. This would sit above the gutter line of the tower giving an uncomfortable relationship. In addition where floor to ceiling glazing is not used (side which runs along the access to the public car park) incorporates fenestration that does not replicate any existing openings. Openings at first floor level currently have a more vertical emphasis. It is considered that the extension proposed will not provide an acceptable link between the architectural elements.

Officers consider that the spacing between the different design elements should be retained rather than filling the breaks in the built form.

Whilst this is obviously an extension to the building, the proposed erection of a first floor extension would form a discordant, clumsy and uncomfortable feature to the original and proposed elements and the resulting buildings overall appearance. I consider that the extension represents an insensitive addition to the building. The extension is prominent in views of the building from the public carpark and three roads surrounding the site, as such, the extension has a material impact on the visual amenities of the area.

Whilst it is acknowledged that the application has been amended to try and address officers strong design concerns initially expressed, the revised scheme is still considered to result in unacceptable harm to the character and appearance of the area.

It is also noted that the plans do not indicate the means of enclosure to the first floor balconies on the front elevation, so this cannot be fully assessed.

The proposal is therefore considered to be unacceptable in terms of the character and appearance of the area, in accordance with Policy D1 of the Thanet Local Plan and the National Planning Policy Framework.

Living Conditions

Paragraph 117 of the NPPF states that planning decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.

The built development is located a sufficient distance away from residential occupiers not to result in harm resulting from over-looking over private areas, over-shadowing and loss of light. Windows are also positioned in a manner that would not result in overlooking.

Environmental Health require the flue to terminate in line with the planning permission previously granted- F/TH/17/1689. The flue is only shown on the floor plans not the elevations. It is however considered that a condition can be appended to state notwithstanding the details shown on the plans full details shall be provided to comply with the requirements of the Environmental Health team.

The impact upon the neighbouring and future occupiers of the development is therefore considered to be acceptable and in accordance with Policy D1 of the Thanet Local Plan and the NPPF.

Transportation

The proposal will increase the ability of the commercial enterprise to cater for additional covers/people. Limited off street parking is available within the site. There is however, a public car park to the south west of the application site, which patrons would be able to utilise. On this basis it is considered that the highway impacts of this development are acceptable.

The impact upon highway safety is therefore considered to be acceptable.

Conclusion

The proposed first floor extension is considered to result in a prominent, incongruous and uncomfortable extension that would detract and be intrusive form of development which would fail to relate, and be harmful to, the design and form of the existing seafront building and the surrounding built environment. As such, the proposed development would conflict with Policy D1 of the Thanet Local Plan that requires new development to respect or enhance the character and appearance of the area. The proposal would also be contrary to the aims of paragraphs 127 and 130 of the National Planning Policy Framework which seeks to secure high quality design and requires development to be sympathetic to local character. It is not considered that the visual harm would be outweighed by the benefits to tourism and the local economy from the expansion of the hotel facilities from this individual premise. It is therefore recommended that Members refuse the application.

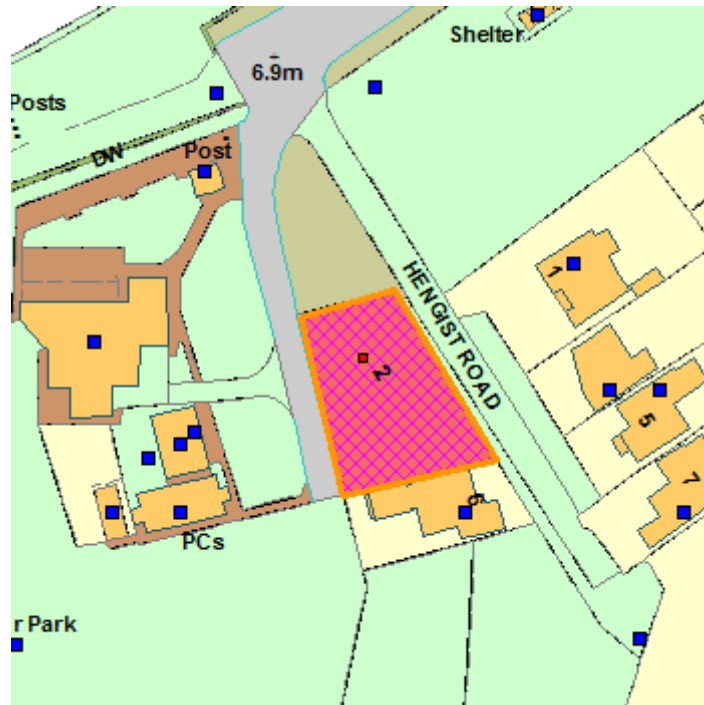
Case Officer

Gill Richardson

TITLE: F/TH/19/1005

Project The Waves Hotel At 2 Hengist Road BIRCHINGTON Kent CT7 9QP

Scale:



OL/TH/92/0485 - Renewal of outline consent for the erection of 30 flats and provision of associated parking facilities

TH/87/0096 - Outline application for the erection of flats.

TH/83/0605 - Erection of 30 flats and provision of associated parking facilities and access road.

PROPOSED DEVELOPMENT

The proposed development is the change of use of the storeroom to a studio flat. The existing internal door at the rear of the storeroom would be removed and a new access would be created from the communal corridor at the front of the property. Two windows with light wells would be installed in the front elevation and one window in the southern side elevation. A small vent would be installed be required in the side elevation for a new boiler and the existing access to the rear for the cleaners cupboard and meters would be retained.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan 2006 (Saved Policies)

D1 - Design Principles

D2 - Landscaping

H1 - Residential Development Sites

H4 - Windfall Sites

TR12 - Cycling

TR16 - Car parking provision

NOTIFICATIONS

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

- Loss of the hedge
- Parking in front of the window
- Wooden floors used in flat above creating noise and disturbance
- Noise and disturbance from construction
- Impact upon the character and appearance of the area
- Loss of the storage space
- Location of the flue
- Access to the gas metres and cleaners cupboard
- Car parking

Broadstairs and St Peter's Town Council - No objection with the following concerns: Location of the flue and is the store room suitable for conversion to habitable accommodation.

CONSULTATIONS

None received.

COMMENTS

This application is brought before members at the request of Cllr Jason Savage to allow Members to consider the impact of the development upon the character and appearance of the area and the impact upon parking.

Principle

The application site is located within a residential area of Broadstairs and comprises a storeroom for an existing block of flats. The site forms previously developed land and therefore the principle of the change of use to a single dwelling is considered acceptable subject to all other material considerations.

Character and Appearance

Paragraph 127 of the National Planning Policy Framework NPPF states decisions should ensure that developments will function well and add to the overall quality of the area, are visually attractive as a result of good architecture, layout and appropriate and effective landscaping, sympathetic to local character and history, establish or maintain a strong sense of place, and optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development and create places that are safe, inclusive and accessible. Saved policy D1 of the Local Plan outlines that the design of all new proposals must respect or enhance the character and appearance of the area, particularly in scale, massing, rhythm and use of materials.

Two windows would be installed in the front elevation of the building and one window in the southern side elevation close to the front elevation to facilitate the change of use of the storeroom. The flat would be accessed by a new door created within the existing communal entrance.

The windows within the front elevation would follow the patterns and design of the windows in the floors above. The window in the side elevation would be located close to the ground level and the front elevation of the building. Whilst this window would not follow the pattern of windows in this elevation, due to its low level it is not considered to be a prominent or highly incongruous feature that would warrant refusal of the application.

The existing hedge at the front of the property would be removed to allow for the installation of the windows and light wells. Whilst the loss of the hedge is regrettable this could be removed at any time without the need for a formal grant of planning permission and is not considered to result in significant harm to the character and appearance of the area.

Concern has been raised regarding the impact of a new flue in the side elevation of the property to serve the boiler for the new flat. There are a number of vents, satellite dishes and other ancillary development on this side elevation. Given the existing features on this side elevation the installation of a flue is not considered to create a highly prominent or visible feature.

It is therefore considered that the proposed development would have no significant impact upon the character and appearance of the area, in line with policy D1 of the Thanet Local Plan and the National Planning Policy Framework.

Living Conditions

Paragraph 117 of the NPPF states that planning decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Saved policy D1 of the Thanet Local Plan outlines that new development should be compatible with neighbouring buildings and spaces, should not lead to unacceptable loss of amenity through overlooking, noise or vibration, light pollution, overshadowing, loss of natural light, or sense of enclosure, and should incorporate measures to prevent crime and disorder. Given the nature of the development, there is not considered to be any harm to the amenity or living conditions of neighbouring occupiers, other than visual harm.

The proposed development makes no changes to the external scale of the building. The proposed windows are located in the ground floor and would face across the existing parking areas. One door is proposed in the existing internal corridor to access the flat. Due to the location and limited extent of the external alterations they are not considered to result in any significant overlooking, loss of light or sense of enclosure to the neighbouring properties.

The proposed studio flat would exceed the space required by the Council's Flat Conversion Guidelines and the three proposed windows would provide light and ventilation to the dwelling. The future occupiers would benefit from the existing amenity space at the rear of the property. It is therefore considered that the proposed dwelling would provide an acceptable standard of accommodation for the future occupiers.

Concern has been raised regarding the potential for noise and disturbance from the flat above due to the flooring that has been installed. The proposed flat would need to be insulated in accordance with building regulations and the planning system cannot control flooring that is installed within properties. It is therefore considered that the potential for noise and disturbance from the flat above is not significantly harmful enough to warrant refusal of the application.

Noise and disturbance from construction is considered to be temporary in nature and covered by other legislation that falls outside of the planning process.

The proposed development is therefore considered to have no significant impact upon the living conditions of the neighbouring property occupiers and would provide an acceptable standard of accommodation for the future occupiers. The proposed development would therefore comply with policy D1 of the Thanet Local Plan and the National Planning Policy Framework.

Transportation

The site is located within a sustainable location close to the facilities in St Peter's and regular bus routes on Albion Road. The applicant has provided confirmation that they currently own

one of the existing spaces within the development and this would be made available for use by the occupiers of the proposed flat. The proposed development is therefore not considered to result in any significant increase in demand for parking or harm to highway safety.

Financial Contributions

Natural England has previously advised that the level of population increase predicted in Thanet should be considered likely to have a significant effect on the interest features for which the Thanet Coast and Sandwich Bay Special Protection Area (SPA) and RAMSAR have been identified.

Thanet District Council produced the 'The Strategic Access Management and Monitoring Plan (SAMM)' to deal with these matters, 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. To enable the Council to be satisfied that proposed residential development will avoid a likely significant effect on the designated sites (due to an increase in recreation) a financial contribution is required for all housing developments to contribute to the district wide mitigation strategy. This mitigation has meant that the Council accords with the Habitat Regulations.

The applicant has agreed to submit a unilateral undertaking securing the required financial contribution to mitigate the additional recreational pressure on the SPA area. Therefore subject to the submission of a completed and signed unilateral agreement, the impact upon the SPA is considered to be acceptable.

Other Matters

Access to the metres and cleaners cupboard would be maintained through the existing door at the rear of the building.

Concern has been raised regarding the loss of the existing storeroom. From the information submitted with the application the storeroom is in private ownership and there is no requirement through the planning process for this to be made available for use by other residents. Whilst the loss of a storage area would be regrettable, any rights of access to this area would be a civil matter.

Conclusion

The Council cannot currently demonstrate a five year housing land supply. In the absence of a five year housing land supply paragraph 11 of the Framework is triggered and there is a presumption in favour of sustainable development. This requires planning permission to be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the Framework as a whole.

Whilst the provision of one studio flat is considered to be a modest contribution to the districts housing supply it would still represent an additional dwelling in a sustainable location. The development is not considered to result in any significant harm to the character and appearance of the area or the living conditions of the neighbouring property occupiers

and would provide an acceptable standard of accommodation for the future occupiers. Therefore any adverse impacts of the development are not considered to significantly and demonstrably outweigh the benefits of the proposed development when assessed against the Thanet Local Plan and the National Planning Policy Framework.

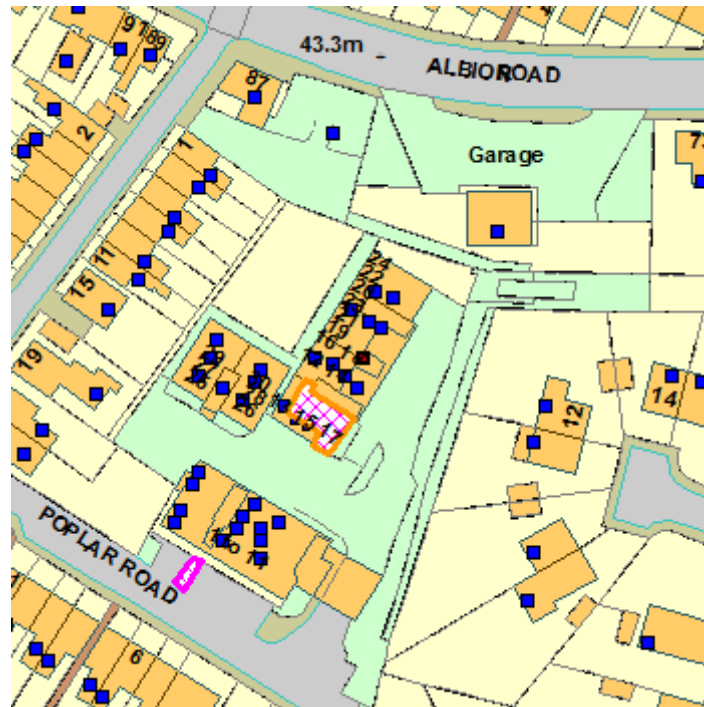
Case Officer

Duncan Fitt

TITLE: F/TH/19/0874

Project St Helens Poplar Road BROADSTAIRS Kent CT10 2SJ

Scale:



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5 The development hereby permitted shall be carried out in accordance with the following approved plans: Drwg No 145 001, 145 002, 145 003, 145 004A (in part) and 145 005A received 28/02/19 .

GROUND:

To secure the proper development of the area.

6 Prior to 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 samples.

GROUND:

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

7 Prior to the first occupation of the dwelling hereby permitted, the first floor windows in the side elevations shall be fitted with obscure glass and made non opening (except for a top light no lower than 1.7m above finished floor level) and shall be retained as such at all times thereafter.

GROUND:

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

8 Prior to the first occupation of the dwelling hereby permitted, the area shown on the approved plan for the parking and manoeuvring of vehicles shall be laid out and made available for that purpose and shall be retained as such at all times thereafter.

GROUND:

In the interests of highway safety.

9 The area shown on the approved plan numbered 145 003 for vehicle parking and manoeuvring 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 vehicles is likely to lead to parking inconvenient to other road users and detrimental to the amenity and in pursuance of policy D1 of the Thanet Local Plan.

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

GROUND:

To ensure 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.

11 Prior to occupation of the development hereby permitted an ecological enhancement plan, shall be submitted for approval in writing by the Local Planning Authority, detailing what ecological enhancements will be incorporated into the site. The plans must be incorporated into the site as detailed in the approved plan.

GROUND:

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

SITE, LOCATION AND DESCRIPTION

The application site fronts the north side of Monkton Road between the villages of Monkton to the west and Minster to the east. The site is located within the countryside as identified within the adopted Local Plan.

The site lies adjacent to a terrace of four, two storey dwellings to the east. To the west is a vehicular access leading to parking to the terrace properties and to farm/industrial buildings to the rear. In addition there is a small group of dwellings on the opposite side of the road.

RELEVANT PLANNING HISTORY**No 145 Monkton Road:**

F/TH/12/0037 Erection of a two storey side and rear extension. Granted 08/03/12

F/TH/11/0317 Erection of a two storey side extension. Withdrawn 21/10/11

PROPOSED DEVELOPMENT

Outline planning consent is sought for the erection of a detached three bed dwelling. It is in outline form, with matters of access, appearance, layout and scale to be considered as part of the application.

In terms of the design of the proposed dwelling it has a hipped roof with feature gable and projecting ground floor window to the street frontage. The main entrance to the dwelling has a canopy over. In terms of materials face bricks and tile hanging are proposed for the external walls and clay tiles for the roof (specific details have not been given), darkwood grain/black aluminium is proposed for the windows, aluminium doors and herringbone Marshalls tegula block paving for the hardstanding.

There is a hardstanding to the rear of the dwelling, which can accommodate at least 1 no. vehicle. Private amenity space would also be provided to the rear to serve the proposed dwelling. Full details of the boundary treatment have not been included within the submission.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan (2006 Saved Policies)

- H1 - Residential Development Sites
- H4 - Windfall Sites
- CC1 - Development in the Countryside
- CC2 - Landscape Character Areas
- D1 - Design Principles
- D2 - Landscaping
- SR5 - Play Space
- TR12 - Cycling
- TR16 - Car Parking Provision

NOTIFICATIONS

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

Two representations were received. The concerns can be summarised as follows:

- * Already a parking issues to the rear parking area
- * Driveway is in a poor condition, additional traffic movements will exacerbate this
- * Visibility exiting the drive onto Monkton Road is not ideal
- * Not safe for pedestrians coming into the farmhouse if there is more vehicular use
- * Impact upon Hoo Farmhouse, which is a listed building
- * Access is not owned by the applicant

Minster Parish Council: Only one parking space is provided, it is considered that two parking spaces should be provided. The access via the road is privately owned land.

CONSULTATIONS

Conservation Officer: The application site is within a small settlement within the confines of Minster village in a rural area and is characterised by ribbon development along the northern side of Monkton Road. The site is opposite Hoo Farmhouse which, with its boundary wall, is grade II listed. The Farmhouse is accessed from a drive on the Monkton Road abutting the site. There is variety in the age and form of existing dwellings. The majority of dwellings including the Hoo Farmhouse and a terraced houses face and front the Monkton Road giving a strong linear pattern of development on the northern side of the road. There are some farm buildings and workshops to the rear of the terraced houses. However, the workshops do not reflect the predominant character and appearance of this area.

The rural character of the area is emphasised by the agricultural land on both the northern and the southern side beyond the buildings, glimpsed views out into the countryside between the dwellings along Monkton Road and views of the Hoo Farmhouse. Hoo Farmhouse, the boundary wall and its complex of farm buildings form part of that rural character. It is accessed from a drive between the boundary wall and the proposal site. The open garden between Hoo Farmhouse frontage and Monkton Road is predominantly an open landscaped area and together with the undeveloped land at the proposal site makes the listed building and the wall readily visible from Monkton Road. Whatever the historical setting of Hoo Farmhouse may have been and although there are some dwellings in the vicinity, because of the extent of these open areas and the surrounding countryside, it appears as relatively isolated. In my view, this setting makes a valuable contribution to the significance of the listed building and wall.

The proposal would comprise the erection of a two-storey dwelling on an open piece of land opposite to the east of Hoo Farmhouse and west side of the nearby terraced houses. There is an access drive to the Farmhouse and the other properties between the boundary wall to the east of the Farmhouse and the proposal site. But due to the height of the wall it would only partially screen the proposed dwelling from the Farmhouse. I note the submitted drawings show trees on the east side of the Farmhouse along the boundary wall, however I did not see any trees when I visited the site. The proposed dwelling would be seen in views from Hoo Farmhouse, over the wall, along the access drive, from Monkton Road near the junction with the access drive and from neighbouring properties and gardens.

The proposal would introduce new built form to the proposal site and hard surface areas for parking into undeveloped space that, by its contribution to wider views of the Farmhouse, the boundary wall and its associated barns along Monkton Road, at present, positively contributes to the setting of the heritage assets. The proposal would therefore erode the present open character of the site. Furthermore, the proposed dwelling, the adjacent terraced houses, the listed Farmhouse and boundary wall would be seen together in views from the Monkton Road and the rear of the development fronting the northern side of the road. Consequently, the relatively separation of the Farmhouse and its historic boundary wall would be appreciably eroded by the siting of the dwelling. As such, the proposal would detract from the setting of the heritage assets. This will be exacerbated by the design and materials of the proposed dwelling which will be out of character and appearance with the listed building, adjacent terraced houses and other buildings within its close proximity.

I accept that the dwelling would resemble the design and materials to a dwelling recently granted permission within the locality. But the separation of this dwelling by other dwellings in between makes less impact on the setting of the listed building and this does not in my view outweigh the harm that would be caused to the setting of heritage assets by the loss of open land and its replacement by built development on the site. The applicant also fails to note on the Design and Access Statement that the proposal site lies within the setting of a heritage asset and assess the impact of the proposed development to the setting. The NPPF states that local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting.

While, in the parlance of the NPPF, that harm would be less than substantial; the desirability of avoiding any harm requires special regard, or special attention, by dint of the statutory

provisions of the Act. Moreover, that there would be some harm caused to the settings of heritage assets, in the absence of clear and convincing justification, renders the proposal contrary to the NPPF. Even if the proposed development would provide some public benefits in the form of additional dwelling and make a contribution to the housing supply shortfall within the district, while considerable, are in my view not sufficient to outweigh the less than substantial harm that would be caused to the significance of the setting of the designated heritage assets affected.

Southern Water: Recommend an informative relating to connection to the public foul sewer

Natural England: On the basis of the appropriate financial contributions being secured to the relevant scheme. Natural England concurs with your authority's conclusion that this is suitable mitigation, as such the proposed developments will not have an adverse effect on the integrity of Thanet Coast and Sandwich Bay Special Protection Area and Ramsar site.

KCC Ecological Advice: No ecological information has been submitted with this application. As a result of reviewing the data we have available to us (including aerial photos and biological records) and the information submitted with the planning application, we advise that the proposed development has limited potential to result in ecological impacts and as such we are satisfied that there is no requirement for an ecological survey to be carried out.

We have taken this view because the aerial photos indicate that the site has limited connectivity to the surrounding area and the photos within the Design and Access statement indicate that the site is managed regularly as the vegetation within the site is very short - limiting the present for protected/notable species to have established within the site.

Designated Sites

The development includes proposals for new dwellings within the zone of influence (7.2km) of the Thanet Coast and Sandwich Bay Special Protection Area (SPA) and Wetland of International Importance under the Ramsar Convention (Ramsar Site). Therefore, Thanet District Council will need to ensure that the proposals fully adhere to the agreed approach within the Strategic Access Management and Monitoring Strategy (SAMM) to mitigate for additional recreational impacts on the designated sites and to ensure that adequate means are in place to secure the mitigation before first occupation.

A recent decision from the Court of Justice of the European Union has detailed that mitigation measures cannot be taken into account when carrying out a screening assessment to decide whether a full 'appropriate assessment' is needed under the Habitats Directive. Therefore, we advise that due to the need for the application to contribute to the SAMM there is a need for an appropriate assessment to be carried out as part of this application.

Ecological Enhancements

One of the principles of the National Planning Policy Framework is that "opportunities to incorporate biodiversity in and around developments should be encouraged". We advise that

if planning permission is granted a condition requiring details of ecological enhancements to be incorporated in to the site must be included.

COMMENTS

This application is referred to the Planning Committee at the request of Cllr Bill Hayton due to concerns that the development would be out of keeping in the area and represent an over-development.

The main considerations in assessing the submitted scheme are the principle of development, the impact upon the character and appearance of the area, the impact upon living conditions of neighbouring property occupiers and the impact upon highway safety.

Principle

In line with Section 38(6) of the Planning and Compulsory Purchase Act 2014, planning decisions must be taken in accordance with the 'development plan' unless material considerations indicate otherwise. The requirements of the National Planning Policy Framework (NPPF) are a significant material consideration in this regard.

The application site fronts the north side of Monkton Road between the villages of Monkton to the west and Minster to the east. There is a shared access to the wider site to the western side of the site. The site is between no. 145 Monkton Road and Hoo Farm.

The site is not considered to be previously developed land.

Policy CC2 of the Thanet Local Plan 2006 - Landscape Character Area applies to the site. The site forms part of the Wantsum North Shore Landscape Character Area, where "development will only be permitted that would not damage the setting of the Wantsum channel, and long views of Pegwell Bay, the Wantsum channel, the adjacent marshes and the sea..." It is not considered that the application conflicts with this policy.

Policy CC1 of the Thanet Local Plan 2006 applies to the site and it is outside of the urban confines of Minster and Monkton, the nearest adjacent villages. The policy considers that "new development will not be permitted unless there is a need for the development that overrides the need to protect the countryside."

The application site lies well outside the built up village confines of both Monkton and Minster as defined by the Thanet Local Plan 2006 and consequently in the countryside for planning policy purposes. As such Policy CCI applies, which restricts new housing 'unless there is a need for the development that overrides the need to protect the countryside'. In addition, Policy H1 precludes housing outside built up confines. At the current time the Council cannot demonstrate a five year supply of deliverable housing sites and consequently policies for the supply of housing can not be considered up to date. In these circumstances Policies CCI and H1 can only be afforded limited weight in this application.

The villages of Monkton and Minster both offer a good range of services and facilities. Monkton has a village hall, church, primary school and recreation ground whilst Minster has

an even wider range of facilities with some shops, post office, primary school and a railway station. The application site is within 2 km of most of these facilities and not far from the built-up confines of either village; it is not therefore an isolated location.

There is no footway alongside Monkton Road linking the appeal site to Minster, the closest village, but the footway starts about 400m away, the road is relatively wide and straight with good visibility and there is some street lighting at night. Whilst the lack of a footway would be a deterrent, occasional walking to and from the new house remains likely. In addition, the site is served by limited bus services which stop about 100 m away and the road forms part of a recognised national cycle route. Taking these factors together, even without a footway the site is in a relatively sustainable location and future occupiers would not be wholly reliant on the private car.

The proposal would consolidate the existing group of residential properties adjacent to the site which lies in the countryside between the two villages. It would incrementally extend the ribbon development on the northern side of the road. However, the new house would be seen in the context of a terrace of dwellings just to the east. The houses and units behind would share the existing access drive leading to the parking spaces and garages serving all properties to the rear. The houses would therefore be seen together as a single, integrated scheme.

Character and Appearance

Paragraph 127 of the NPPF states decisions should ensure that developments will function well and add to the overall quality of the area, are visually attractive as a result of good architecture, layout and appropriate and effective landscaping, sympathetic to local character and history, establish a strong sense of place and optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development and create places that are safe, inclusive and accessible. Saved policy D1 of the Local Plan outlines that the design of all new proposals must respect or enhance the character and appearance of the area, particularly in scale, massing, rhythm and use of materials.

There is a scatter of other residential development along the road which runs about 1 km through the countryside between the two villages. The site is adjacent to a small group of properties along this part of Monkton Road. It is considered that this group add significantly to the rural character of the road which helps describe the agricultural past of the area and adds visual interest. The group conveys a character of small separate farming community and contains Hoo Farmhouse, Hoo Farm and a number of smaller properties, which would have presumably been farm labourers houses.

Together with having regard for the special character of the area as countryside, the site lies within the Former Wantsum North Shore Landscape Character Area. The Local Plan states that the built elements within this area "provide important visual evidence of the growth of human settlement, agriculture and commerce in the area", whilst the "openness of the landscape provides wide and long views of the former Wantsum Channel area and Pegwell Bay".

The proposed dwelling is set back from the road, a similar distance to that of the adjoining terrace; although they have a greater front garden area. The proposed dwelling has a slightly larger footprint than the terrace, but is similar to that approved under planning reference F/TH/16/0788, which was allowed following an appeal (adjacent to no. 151 Monkton Road). The proposed dwelling has also been shown to have the same ridge height as the terrace. Aspects of the terraces design have been integrated into the design of the proposed dwellings; a feature window at ground floor and fenestration have a strong vertical emphasis. I consider that these design aspects will assimilate the scheme to the terrace, without harming the character of the area.

In terms of materials face bricks and tile hanging are proposed for the external walls and clay tiles for the roof (specific details have not been given), darkwood grain/black aluminium is proposed for the windows, aluminium doors and herringbone Marshalls tegula block paving for the hardstanding. These materials are generally considered to be appropriate for this location and precise details of the materials can be secured by condition.

Impact on listed buildings

Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that when considering whether to grant planning permission for development which affects a listed building or its setting to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possess.

The Framework defines Listed Buildings as a designated heritage asset and defines the setting of a heritage asset as 'the surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve.

Paragraph 193 of the Framework advises that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance and any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

Paragraph 196 advises that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

The National Planning Practice Guidance also advises that a thorough assessment of the impact on the setting needs to take into account, and be proportionate to the significance of the heritage asset under consideration and the degree to which the proposed changes enhance or detract from that significance and the ability to appreciate it. Whilst setting is often expressed by reference to visual considerations it can include other factors such as the historic relationship between places.

The proposal would introduce built form adjacent Hoo Farmhouse and the Conservation Officer has commented that the proposal would harm the setting of the property which they considered to be isolated, given the current relationship with the terrace and the listed building. The Conservation Officer also considers the proposal would erode the present open character of the site and the development would be seen with the listed building and terrace. Furthermore the proposed materials are considered to be out of character and appearance with the listed building.

The site is close to Hoo Farmhouse, which is Grade II listed. In addition the wall and gates to the front of the property are separately listed; Grade II. The setting of a heritage asset is not a fixed concept; it is concerned with the way the heritage asset is experienced. The listed building is viewed within the context of the residential form along Monkton Road. There are existing two storey dwellings to the road frontage. As such the setting of the asset when experienced from Monkton Road is of a semi-rural nature. Hoo Farmhouse has a well defined curtilage, enclosed by a wall. It is considered that this enclosure visual separates the two development and the setting is retained. The proposed dwelling would be located in a pattern that continues development along Monkton Road and seen in this context. It is considered that the listed building would remain the dominant feature of the street scene. The area to the side would retain a significant level of openness around the listed building and would preserve the semi-rural setting of the listed building.

Having considered the location and scale of the development, together with its relationship with this listed building, I am satisfied that no harm would be caused to its significance, including its setting.

Other listed buildings; Hoo Corner Farm, within the wider vicinity are considered to be of sufficient distance from the application site so as not to be affected by the proposed development

Living Conditions

Paragraph 117 of the NPPF states that planning decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.

The proposed dwelling rear elevation would face into a complex of farm buildings, these are not dwellings and therefore, the relationship is considered to be acceptable.

To the west of the application is Hoo Farmhouse, the proposed dwelling has ground and first floor windows in the side elevation, I consider that existing boundary treatment will mean that no material overlooking will occur. The first floor window in that flank elevation serves an en suite, a non-habitable room, this could be conditioned to be fitted with obscure glazing in perpetuity. I therefore consider this relationship to be acceptable.

In terms of the impact on the living conditions of the occupants of the donor dwelling; 145 Monkton Road, the plans show windows to the ground and first floor, these are either non-habitable rooms or a secondary window serving dining/living room. Number 145 has three windows within its side elevation; at ground floor a window to the entrance lobby, mid height

window to staircase/landing and a loft level window, which is a secondary window to a bedroom/loft space/storage area . Given the uses of the rooms served by these windows or the secondary nature of the windows I do not consider that there would be a material loss of light or outlook. For the above reasons I consider that this relationship is acceptable.

Local Plan policy SR5 requires new dwellings with two bedrooms or more to provide safe doorstep play space for young children. The private garden would provide a safe play space and space for clothes drying, refuse and cycle storage .

In summary the impact upon the neighbouring and future occupiers of the development is therefore considered to be acceptable and in accordance with Policy D1 of the Thanet Local Plan and the NPPF.

Transportation

The existing donor dwelling benefits from an area to its rear for the parking of vehicles. No alterations to the existing vehicular access is proposed as part of this application. It is noted from the site visit that visibility is poor at the vehicular access to the site, although this is currently used by 145 and 139 Monkton Road and the increase in use of the access to serve one dwelling would not create significant harm to the road network.

The proposed dwelling is afforded one parking space to the rear of the dwelling. Having regard to the parking standards it is confirmed the guideline is for two parking spaces. This part of Monkton Road is relatively free from parked vehicles and is not subject to parking restrictions. However due to the set back nature of the site in comparison to the terrace and their curtilage a parked car could be accommodated to the front of the site.

The impact upon highway safety is therefore considered on balance to be acceptable.

Contributions

Natural England has previously advised that the level of population increase predicted in Thanet should be considered likely to have a significant effect on the interest features for which the Thanet Coast and Sandwich Bay Special Protection Area (SPA) and RAMSAR have been identified.

Thanet District Council produced the 'The Strategic Access Management and Monitoring Plan (SAMM)' to deal with these matters, 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. To enable the Council to be satisfied that proposed residential development will avoid a likely significant effect on the designated sites (due to an increase in recreation) a financial contribution is required for all housing developments to contribute to the district wide mitigation strategy. This mitigation has meant that the Council accords with the Habitat Regulations.

This application includes a draft Unilateral Undertaking which provides the required financial contribution for the 3 bed residential unit to mitigate the additional recreational pressure on

the SPA area. The required sum of money is £424. The agreement requires some amendments to be made and the agent is working to progress this matter.

Conclusion

The proposal is for a dwelling and represents a departure from the development plan as it is outside the urban confines. Given the need for housing in Thanet and the lack of a demonstrable 5 year supply of housing the proposal is considered against the criteria of sustainable development within the NPPF with regard to other material planning considerations.

The NPPF 2018 has at its heart the presumption in favour of sustainable development as set out in section 2 of the NPPF 2018. Achieving sustainable development involves the pursuit of economic, environmental and social objectives. The relationship of this scheme to the objectives is summarised below and a balancing exercise has to be undertaken to weigh the benefits of the scheme against its disadvantages:

In terms of the economic dimension of sustainable development the provision of a dwelling and would give rise to employment during the construction phase of the development, and is likely to result in an increase in the use of local services and facilities, both of which will be of benefit, albeit modest, to the local economy.

In terms of the social dimension of sustainable development paragraph 59 of the NPPF 2018 refers to 'the Government's objective of significantly boosting the supply of homes'. The NPPF points out that 'small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly' and that 'development in one village may support services in a village nearby'

The scheme brings forward modest benefits with an additional market dwelling, a small contribution to market housing in the area, it is likely to support shops and services in Minster and further afield and it would allow increased social interaction between residents existing and new, and employment personnel albeit in a modest way. The scheme is considered to be well designed and safe as sought by paragraph 8.b) of the NPPF.

There is a good level of local services and facilities available in Minster, which can be reached on foot and by cycle. The site is considered to be in a sustainable location.

In terms of the environmental dimension of sustainable development the environmental issues are assessed in earlier sections of this report but to summarise, the proposal does not result in the loss of agricultural land, it is considered to make effective use of land. There would be some harm to the setting of the listed building (Hoo Farmhouse and its listed wall), however, the harm is considered less than substantial.

Overall it is considered that, any harm is outweighed by the public benefits of the scheme as set out above. The development a dwelling, in a sustainable location is considered to satisfy economic, social and environmental objectives as required by the NPPF and the development can constitute sustainable development. The adverse effects of the proposed

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development on this site in the countryside and listed buildings are not considered to significantly and demonstrably outweigh the benefits.

It is therefore recommended that Members defer and delegate the application subject to an appropriate Unilateral Undertaking being entered into and safeguarding conditions.

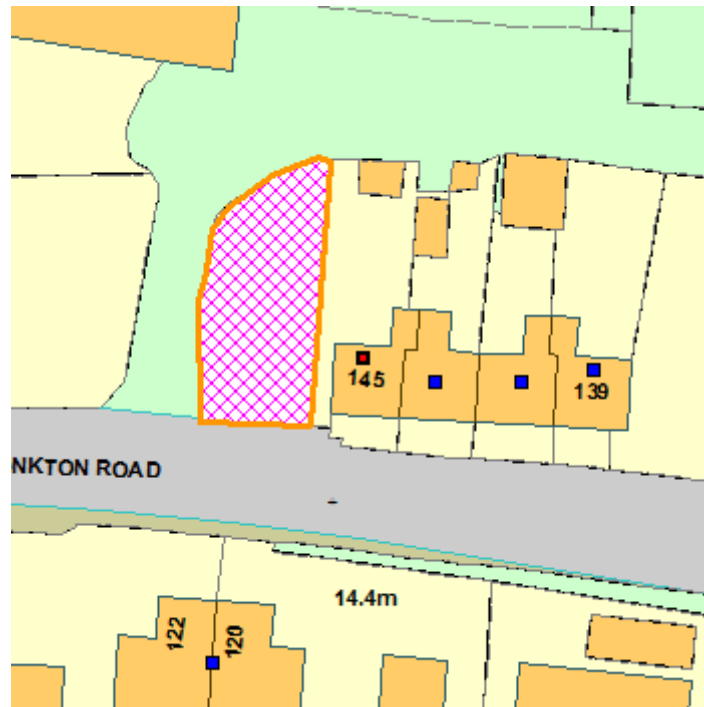
Case Officer

Gill Richardson

TITLE: OL/TH/19/0126

Project 145 Monkton Road Minster RAMSGATE Kent CT12 4JB

Scale:



D07	F/TH/19/1054
PROPOSAL:	Erection 2No. 3 bed dwellings following removal of existing sheds, workshop/garage and summer house
LOCATION:	St Nicholas Court Farm Court Road St Nicholas At Wade BIRCHINGTON Kent
WARD:	Thanet Villages
AGENT:	Mrs Jane Scott
APPLICANT:	St Nicholas Court Farm Ltd
RECOMMENDATION:	Defer & Delegate

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 219/25-03, 219/2504, 219/25-05, 219/25/06, 219/25-07 and 219/27-08,

GROUND:

To secure the proper development of the area.

3 Prior to the construction of the external surfaces of the development hereby approved details 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

4 The occupation of the dwelling shall be limited to a person solely or mainly working, or last working, at St. Nicholas Court Farms Ltd, or a widow or widower of such a person, and to any resident dependants.

GROUND:

The site is not in an area intended for residential development, the close proximity to the agricultural holding would likely lead to material harm from noise and disturbance from

agricultural activity if the occupiers of the dwellings approved were independent from the agricultural holding.

5 No development approved by this planning permission shall commence until a strategy to deal with the potential risks associated with any contamination of the site has been submitted to, and approved in writing by, the Local Planning Authority.

This strategy will include the following components:

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, and potentially unacceptable risks arising from contamination at the site.
2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying and requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the written consent of the Local Planning Authority. The scheme shall be implemented as approved.

GROUND:

To ensure that the development does not contribute to, is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution in line with paragraph 170 of the National Planning Policy Framework.

6 Prior to any part of the development being occupied a verification report demonstrating the completion works set out in the approved remediation strategy 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.

GROUND:

To ensure that the site does not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with paragraph 170 of the NPPF.

7 If, during development, significant contamination is suspected or found to be present at the site, then works shall cease, and this contamination shall be fully assessed and an appropriate remediation scheme agreed with the Local Planning Authority. The approved works shall be implemented within a timetable agreed by the Local Planning Authority and shall be of such a nature as to render harmless the identified contamination given the proposed end use of the site and surrounding environment, including controlled waters. Prior to first occupation/use and following completion of approved measures, a verification report shall be submitted to the Local Planning Authority for approval.

GROUND:

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

8 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 information is submitted to demonstrate 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.

9 Piling or any other foundation designs using penetrative methods shall not be permitted other than with the written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated by a piling risk assessment that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

GROUND:

To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants in line with paragraph 170 NPPF.

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

- o species, size and location of new trees, shrubs, hedges and grassed areas to be planted.

- o the treatment proposed for all hard surfaced areas beyond the limits of the highway.

- o walls, fences, other means of enclosure proposed.

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

GROUND:

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

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

GROUND:

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

INFORMATIVES

Piling can result in risks to groundwater quality by mobilising contamination when boring through different bedrock layers and creating preferential pathways. This it should be demonstrated that nay proposed piling will not result in contamination of groundwater. If piling is proposed, a Piling Risk Assessment must be submitted, written in accordance with our guidance document "Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention. National Groundwater _ Contaminated Land Centre report NC/99/73

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

One of the principles of the National Planning Policy Framework is that developments should "identify and pursue opportunities for securing measurable net gains for biodiversity." As detailed within the submitted report we advise that at least two bird boxes are incorporated into the site – due to the size of the proposed development we are satisfied that the proposal is sufficient.

SITE, LOCATION AND DESCRIPTION

The application site is located off Court Road, St Nicholas at Wade. It forms part of the larger St Nicholas Court Farm complex. More specifically the site is located to the south of two existing farm cottages known as "Northbourne Cottage" and "Barham Cottage". At the time

of a site inspection it is confirmed that the site was formed partially by the side garden of “Barham Cottage” (it currently has some existing outbuildings in situ) and also by a severed parcel of land (by a closeboarded fence) which was not manicured but forming part of a wider tree screen to the main access into the farm.

RELEVANT PLANNING HISTORY

No specific relevant history for this site.

The two adjacent properties were approved planning permission under planning reference number CH/7/55/110, these were specifically for agricultural cottages (granted in July 1955)

PROPOSED DEVELOPMENT

Full planning consent is sought for the erection of a pair of semi detached agricultural workers dwellings. The dwellings would be located to the southern side of “Barham Cottage”. The proposed dwellings would be positioned within the plot so that they are in-line with the existing dwellinghouses. Off street parking spaces are shown for each property to the site frontage. The proposed dwellings would be two storey with a hipped roof over and incorporating a shared two storey gable to the front with the main pedestrian access to the property to the side of this.

Each dwelling would provide an open plan kitchen/dining/lounge area, study and W.C. at ground floor and at first floor a master bedroom with en-suite and two further bedrooms together with a family bathroom

The proposed materials include natural slate to the roofs, black stained weatherboarding to the front gable and brick to the remaining elevations.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan (2006 Saved Policies)

- H1 - Residential Development Sites
- H4 - Windfall Sites
- CC1 - Development in the Countryside
- CC2 - Landscape Character Areas
- H16 - New Agricultural Dwellings
- D1 - Design Principles
- D2 - Landscaping
- SR5 - Play Space
- TR12 - Cycling
- TR16 - Car Parking Provision

NOTIFICATIONS

Letters were sent to adjoining occupiers, a site notice posted close to the site. No third party representations have been received.

CONSULTATIONS

Environment Agency: Conditions are recommended to make the proposal acceptable in terms of the environment, these conditions relate to contamination and groundwater.

Southern Water: The exact position of the public water main must be determined on site by the applicant. The applicant has not stated details of the proposed means of disposal of surface water from the site- there are no public surface water sewers in the area to serve the development. Alternative means of draining surface water from this development are required

KCC Ecological Advice Service: I

Final comments - The submitted information demonstrates that the proposed development has a minimal potential to impact protected species- this is because the buildings have negligible potential for roosting bats and the vegetation within the site is regularly managed and sub optimal for reptiles.

The report highlighted that foraging/commuting bats may be present within the site therefore we recommend that any lighting proposed is designed to be sensitive for bats. We advise that we do not require a specific bat lighting condition.

There is a potential for breeding birds and an informative should be attached to any consent granted.

Initial comments - No ecological information has been submitted with this application. As a result of reviewing the data we have available to us and the information submitted we advise that further information is required with regards to the potential for ecological impacts to arise as a result of the proposed development.

COMMENTS

This application is referred to the Planning Committee as the proposal represents a departure from the Local Plan by virtue of it being located outside of the village confines on non-previously developed land, which is contrary to Policy H1 of the Thanet Local Plan.

The main considerations in assessing the submitted scheme are the principle of development, the impact upon the character and appearance of the area, the impact upon living conditions of neighbouring property occupiers and the impact upon highway safety.

Principle

In line with Section 38(6) of the Planning and Compulsory Purchase Act 2014, planning decisions must be taken in accordance with the 'development plan' unless material considerations indicate otherwise. The requirements of the National Planning Policy Framework (NPPF) are a significant material consideration in this regard.

The application site lies outside of the village confines and is located on non-previously developed land and is therefore contrary to Policy H1 of the Thanet Local Plan, which

requires that new residential development is on previously developed land within the urban confines. The Council cannot currently demonstrate a 5 year supply of deliverable housing sites as required by paragraph 67 of the National Planning Policy Framework (NPPF). Planning applications should therefore be considered with a presumption in favour of sustainable development and the provisions of the NPPF with specific reference to Section 2 and paragraph 11(d).

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

The proposed dwellings are proposed to be occupied by rural workers, the NPPF makes a presumption in favour of sustainable development and has placed a strong emphasis in respect of supporting economic growth in rural areas.

The NPPF, specifically paragraph 78 states that 'housing should be located where it will enhance or maintain the vitality of rural communities'. Paragraph 79 of the NPPF states that new isolated homes in the countryside should be avoided unless there are special circumstances such as the essential need for a rural worker to live permanently at or near their place of work in the countryside. Policy H16 of the Local Plan is consistent with this, setting out in the open countryside development will be strictly limited unless it can be demonstrated that there is a genuine security concern which necessitates the provision or a new viable agricultural unit requires on site accommodation for operational purposes.

In terms of Local Plan policy, H16 (new agricultural dwellings) states:

The provision of new agricultural dwellings in the District will only be permitted where it is demonstrated that:

- There is a genuine security concern which necessitates that provision

Or

- A new viable agricultural unit requires on-site accommodation for operational purposes

And where the proposal is acceptable in terms of access, design and location.

Where planning permission for a new dwelling is granted on the basis of agricultural requirements, a condition or legal agreement will be required to restrict occupation of the dwelling to agricultural workers and their dependents, or persons last employed in agriculture.

In this instance, it is not considered that the Local Plan policy is relevant in the determination of this application; a security concern has not been identified within the application documentation and this proposal does not concern a new viable agricultural unit; it is an established concern. On this basis the proposal is determined on the basis of two dwellings outside of the settlement confines.

Impact on countryside and Landscape Character Area

Policy CC1 of the Thanet Local Plan states that new development within the countryside will not be permitted unless there is a need for the development that overrides the need to protect the countryside. There is a current need for housing within Thanet, and this needs to be balanced against the visual impact of the development upon the countryside. The site also lies within the Wantsum North Shore Landscape Character Area (Policy CC2). It's landscape features are described as very open with few features and the former shoreline is more distinct in some places than in others with the variation in the contour pattern.

The application site partially comprises residential garden land and partially undeveloped vacant land. Tree screening is present along the southern side boundary of the site; and the site is fairly enclosed within the wider context of the site. It is not visible from the entrance into the farm complex, nor is it visible from the main road - Court Road to the north east of the site, due to screening by established vegetation. It is appreciated that the trees are not protected by any Tree Preservation Orders or by virtue of being located within a Conservation Area, and as such they could be removed at any time.

Due to the sites location it would be seen in conjunction with existing dwellings, together with the wider farm complex and its associated buildings, and therefore whilst the site is a distance of approximately 0.5km from the edge of the defined settlement of St. Nicholas at Wade, the proposed dwellings will not appear isolated or unrelated to surrounding development. In addition, if the dwellings are occupied by farmworkers as intended by the applicant, then this arrangement would contribute to the sustainability benefits of the scheme.

Whilst the proposed development would be a clear departure to Policy H1 due to the dwellings countryside location, the provision of two additional dwellings will provide a modest contribution to the district's housing supply, and given the location of the proposed dwellings in relation to surrounding development, the proposed dwellings would not appear significantly harmful to the character and appearance of the site and surrounding area. Accordingly the proposal would comply with the aims of saved Policies CC1 and CC2 of the Thanet Local Plan 2006 (the Local Plan).

Character and Appearance

Paragraph 127 of the NPPF states decisions should ensure that developments will function well and add to the overall quality of the area, are visually attractive as a result of good architecture, layout and appropriate and effective landscaping, sympathetic to local character and history, establish a strong sense of place and optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development and create place that are safe, inclusive and accessible. Saved policy D1 of the Local Plan outlines that the design of all new proposals must respect or enhance the character and appearance of the area, particularly in scale, massing, rhythm and use of materials.

The dwellings proposed are two storey and detached with 3 bedrooms, to incorporate a farm worker and his family.

The proposed dwellings are set in their respective plots (comparable to Northbourne and Barham Cottage). The proposed dwellings are not a design replication of the relatively simply designed adjoining 1950's cottages and this is not considered necessary in design terms. The appearance of the proposed dwellings will compliment the adjoining properties, with rhythmic fenestration (which is evident in the existing cottages) whilst introducing a gable feature shared between the two dwellings to add interest to the front elevation.

The position of the new dwellings close to the existing farmyard and the design of the property are sympathetic to the character and appearance of the locality. Whilst the proposal is located within the countryside it would be seen in the context of the adjoining dwellings and adjacent the retained tree screen, it is considered that this site could accommodate the dwellings without adversely affecting the locality.

Precise details of material have not be given as part of the application; however these can be safeguarded by condition.

Living Conditions

Paragraph 117 of the NPPF states that planning decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.

The site is located within an established agricultural holding and would be some distance from the nearest residential property outside of such. The dwellings to the north would be located a sufficient distance away to ensure no harmful residential amenity impacts would occur.

Whilst there may be concerns that the occupiers of the proposed dwellings would have disturbances resulting from large agricultural vehicles moving around their site at potentially all hours of the day. The applicant has confirmed that the units would be occupied by farm workers rather than by occupants not associated with the holding. On this basis dwellings would be acceptable, however if they were to be occupied independently from the agricultural holding it would be likely to cause harm to the living conditions of the occupants therein. It is therefore considered that a condition should be attached to link the occupancy of the dwellings to the agricultural holding.

Local Plan policy SR5 requires new dwellings with two bedrooms or more to provide safe doorstep play space for young children. The private gardens would provide a safe play space and space for clothes drying, refuse storage and storage facilities.

In terms of the living conditions of the future occupiers of the proposed dwellings, the Council's Draft Local Plan to 2031 has now been submitted and Policy QD03 requires new development to be of an appropriate size and layout with sufficient usable space to facilitate comfortable living conditions and meet the standards set out in Policy QD04, which are the National Described Space Standards (March 2015). Policy D1 of the Thanet Local Plan requires development to provide a high quality layout and paragraph 127 of the National Planning Policy Framework requires development to provide a high standard of amenity for existing and future users, with all windows serving primary habitable rooms required to

provide an acceptable level of outlook, natural light and ventilation for the rooms. The proposed dwellings meet all of this criteria in terms of the overall floor space and window provision to habitable rooms.

The impact upon the neighbouring and future occupiers of the development is therefore considered to be acceptable and in accordance with Policy D1 of the Thanet Local Plan and the NPPF.

Transportation

It is proposed that the dwelling would utilise the existing access off Court Road.

The submitted plans indicate that each of the proposed dwellings would have a parking/manoeuvring area located to the front of each dwelling. Given the size of the site, it is considered that this is acceptable. Officers are therefore satisfied that there could be sufficient parking provision at the site.

The impact upon highway safety is therefore considered to be acceptable.

With regard to the transport sustainability of the site workers occupying these dwellings would be able to walk to their place of employment. Furthermore the site is approximately 0.5km from the defined village, which has a Post Office, primary school and two public houses, and therefore whilst there is no defined footpath, future occupants could walk or cycle to the village along Court Road, which appears to have limited traffic movements. Given the relationship between the proposed dwelling and the farm complex, and the intention for farmworkers to occupy the units; and given the relatively short distance to the centre of St.Nicholas where there are facilities and services to serve the development, the proposal is considered to be generally sustainable in its location.

Ecology and Trees

A Preliminary Ecological Appraisal was submitted with the application this demonstrates that the proposed development would have minimal potential impact to protected species. There are existing trees on site, these are not protected by a Tree Preservation Order. From a site visit it was clear that these well self seeded and of varying quality. Some of the established shrubs and trees may need to be removed but it is not considered that they are appropriate for protecting.

Contributions

Natural England has previously advised that the level of population increase predicted in Thanet should be considered likely to have a significant effect on the interest features for which the Thanet Coast and Sandwich Bay Special Protection Area (SPA) and RAMSAR have been identified.

Thanet District Council produced the 'The Strategic Access Management and Monitoring Plan (SAMM)' to deal with these matters, 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. To enable the Council to be satisfied that proposed residential development will avoid a likely significant effect on the designated sites (due to an increase in recreation) a financial contribution is required for all housing developments to contribute to the district wide mitigation strategy. This mitigation has meant that the Council accords with the Habitat Regulations.

This application includes a draft Unilateral Undertaking which is intended to secure the required financial contribution for the 2no. 3 bed residential units to mitigate the additional recreational pressure on the SPA area.

Conclusion

The proposal is contrary to Policy H1 of the Thanet Local Plan, as it would involve the development of land outside of the village confines. Policy H1 has limited weight, and therefore consideration needs to be given as to whether the proposed development would constitute sustainable development.

The two residential dwellings proposed, whilst intended to be occupied by farmworkers, cannot be classified as agricultural dwellings as they do not meet the tests of Policy H16 of the Thanet Local Plan. In terms of judging the application as to whether it represents sustainable development, it is considered that the proposal would provide economic benefits both in terms of creating jobs during construction and supporting villages services, but also by providing two dwellings that are intended to be occupied by workers of the adjoining farm on the edge of the village. In terms of social benefit it would clearly provide a family home for workers to live on and there would be benefits to the commercial enterprise, along with a modest contribution to the Councils housing supply. In terms of the environmental harm it is considered to be relatively limited due to the enclosed nature of the site, the presence of trees to the boundary, and the location of the site within the existing farm complex where the proposed dwellings are seen in relation to the adjacent residential properties.

Given the location of the two dwellings, within an existing farm complex, it is considered that there is the potential for the occupants to be affected by activities associated within the farm, including heavy machinery/plant being moved around outside of normal working hours. Such activity could cause harm to the occupants of the proposed dwellings if they were not associated with the holding, it is therefore considered reasonable to attach an occupancy condition. The proposed dwellings are each afforded curtilage parking, which is considered to be acceptable. The proposal in all other respects is considered to be acceptable.

In summary it is considered that the economic and social benefits of the scheme outweigh any environmental harm resulting from the development.

It is therefore recommended that Members defer and delegate the application to officers for approval subject to safeguarding conditions and the submission of a signed legal agreement securing the required mitigation to the SPA.

Case Officer

Gill Richardson

TITLE: F/TH/19/1054

Project St Nicholas Court Farm Court Road St Nicholas At Wade BIRCHINGTON
Kent

Scale:

