

Date: 27 July 2020  
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## **PLANNING COMMITTEE**

**5 AUGUST 2020**

A meeting of the Planning Committee will be held at **2.00 pm on Wednesday, 5 August 2020** Online: <https://www.youtube.com/watch?v=N7RLjcnHki4>.

### **Membership:**

Councillor Tomlinson (Chairman); Councillors: Coleman-Cooke (Vice-Chairman), Albon, J Bayford, Currie, Dennis, Duckworth, Garner, Hart, Keen, Moore, Scott, 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 MEETINGS**

3a **MINUTES OF EXTRAORDINARY PLANNING COMMITTEE MEETING ON 1 JULY 2020** (Pages 5 - 16)

To approve the minutes of the Extraordinary Planning Committee meeting held on 1 July 2020, copy attached.

3b **MINUTES OF PLANNING COMMITTEE MEETING ON 15 JULY 2020** (Pages 17 - 30)

To approve the minutes of the Planning Committee meeting held on 15 July 2020, copy attached.

4. **SCHEDULE OF PLANNING APPLICATIONS** (Pages 31 - 34)

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

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

**For Approval**

- 4a **A01 - R/TH/19/1780 - LAND NORTH OF COTTINGTON ROAD AND EAST OF LAVENDER LANE, RAMSGATE** (Pages 35 - 56)
- 4b **A02 - FH/TH/20/0740 - 17 HARBOUR STREET, RAMSGATE** (Pages 57 - 62)

**For Deferral**

- 4c **D03 - F/TH/19/0663 - ST PETERS PRESBYTERY, 117 CANTERBURY ROAD, WESTGATE ON SEA** (Pages 63 - 100)
5. **PLANNING APPLICATION OL/TH/16/1765 – LAND ADJACENT TO SALMESTONE GRANGE NASH ROAD, MARGATE** (Pages 101 - 246)



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

## **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 3a

## Planning Committee

**Minutes of the meeting held on 1 July 2020 at 2.00 pm in Online Only.**

**Present:** Councillor Michael Tomlinson (Chairman); Councillors Coleman-Cooke, J Bayford, Currie, Dennis, Garner, Hart, Keen, Moore, Rusiecki, Scott and Wright

### **596. APOLOGIES FOR ABSENCE**

Apologies were received from Councillors Albon, Duckworth and Taylor for whom Councillor Rusiecki was present.

### **597. DECLARATIONS OF INTEREST**

There were no declarations of interest.

### **598. SCHEDULE OF PLANNING APPLICATIONS**

### **599. A01 - F/TH/18/1109 - 14 SUFFOLK AVENUE, WESTGATE ON SEA**

PROPOSAL: Change of use from light industrial (use class B2) to residential (use class C3) with erection of 12No. 2 bedroom dwellings, 8no. 2 bedroom maisonettes, and 3No. 1 bedroom dwellings, with associated parking and landscaping, following demolition of existing office building, showroom buildings and manufacturing/storage buildings

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

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

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

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

#### **GROUND;**

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

2 The proposed development shall be carried out in accordance with the submitted application as amended by the revised drawing numbered 16/19/12 Rev C, received 25th February 2020; the additional plan numbered C10902 Rev B, received 24th February 2020; revised drawings numbered 16/19/09 Rev D and 16/19/02 Rev F, received 2nd January 2020; revised drawings numbered 16/19/03 Rev C, 16/19/06 Rev C, 16/19/07 Rev E, 16/19/08 Rev D, 16/19/10 Rev C, 16/19/11 Rev B, and 16/19/13 Rev B, received 22nd February 2019.

#### **GROUND;**

To secure the proper development of the area.

3 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 any 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, or 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.

4 Prior to any part of the permitted development being occupied a verification report demonstrating the completion of 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 National Planning Policy Framework.

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 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.

7 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, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants in line with paragraph 109 of the National Planning Policy Framework.

8 No development shall take place (excluding demolition) until details of the means of foul drainage 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.

9 No development (excluding demolition) shall take place until a detailed sustainable surface water drainage scheme for the site has been submitted to (and approved in writing by) the local planning authority. The detailed drainage scheme shall demonstrate that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100 year storm) can be accommodated 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):

- that silt and pollutants resulting from the site use can be adequately managed to ensure there is no pollution risk to receiving waters.

- 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, in accordance with the NPPF

10 No building on any phase (or within an agreed implementation schedule) of the development hereby permitted shall be occupied until a Verification Report, pertaining to the surface water drainage system 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 the development is served by satisfactory arrangements for the disposal of surface water and to ensure that the development does not exacerbate the risk of on/off site flooding, in accordance with the NPPF

11 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.

12 The area shown on the approved plan numbered 16/19/11 Rev B 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.

13 Prior to the first use of the site the vehicle loading/unloading and turning facilities shown on the submitted plan numbers 16/19/11 Rev B shall be provided and permanently retained.

**GROUND;**

In the interests of highway safety.

14 Prior to the first occupation of each unit, cycle parking for that unit shall be provided and made available for use. This shall be at a ratio of one per maisonette and one per bedroom for each dwelling. Details of the location and design of the cycle parking shall be submitted to and approved in writing by the Local Planning Authority prior to installation, which shall be in accordance with the approved details.

**GROUND;**

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

15 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.
- the treatment proposed for all hard surfaced areas beyond the limits of the highway.
- walls, fences, other means of enclosure proposed, which shall include a new side boundary treatment adjacent to the rear garden of no. 12 Suffolk Avenue, to a minimum height of 2m.

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

**GROUND;**

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

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

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

**GROUND;**

In the interests of highway safety.

18 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

19 Prior to the first occupation of the development hereby permitted, details of the refuse storage location shall be submitted to and approved in writing by the Local Planning Authority. The refuse storage shall be in accordance with the approved details and thereafter maintained.

**GROUND;**

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

20 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order), no windows or other openings shall be inserted in the northern rear elevation of units 9-11 (adjacent to no.12 Suffolk Avenue) of the development hereby approved without the prior written permission of the Local Planning Authority.

**GROUND;**

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

21 The first floor side facing windows serving bedroom 2 of units 1-8 of the development hereby permitted shall be obscure glazed and non-opening below a cill height of 1.7m when measured from the internal floor level. The obscured glass shall be of a minimum level of obscurity to conform to Pilkington Glass level 4 or equivalent, and shall be installed prior to first occupation of units 1-8, and 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.

22 Prior to the first occupation of the development hereby permitted, electric vehicle charging points shall be provided within the site in the form of one active space per ten unallocated spaces, and one active space per allocated space. Details of the location and design of the electric vehicle charging points shall be submitted to and approved in writing by the Local Planning Authority prior to installation, with the development carried out in accordance with the approved details.

**GROUND;**

To reduce the impact upon air quality, in accordance with the NPPF.

23 At least 10% of the development shall be built in compliance with building regulation part M4(2).

**GROUND;**

To meet a range of community needs, in accordance with the NPPF and Policy QD05 of the Draft Local Plan.

24 No development shall take place (excluding demolition) until a specification outlining the measures to be taken to demonstrate compliance with the submitted sustainability statement received 5th November 2019, which requires the development to achieve zero carbon in the form of a Home Quality Mark 5\* rating or equivalent, has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the agreed specification, with the identified measures in place and made operational prior to the first occupation of the development.

**GROUND;**

To achieve sustainable design in accordance with Policy QD01 of the Draft Thanet Local Plan, and for the development to provide sufficient benefits from environmentally high quality homes that would outweigh a lack of financial contribution towards local infrastructure provision, to accord with Policy SP41 of the Draft Thanet Local Plan.

25 Prior to the commencement of works hereby permitted (including demolition and site clearance), an Arboricultural Method Statement shall be submitted to, and approved in writing by, the Local Planning Authority. The method statement shall include tree protection fencing locations; a schedule of any tree works required to existing trees; details of the works to be carried out within the root protection areas; and a scheme for auditing tree protection and subsequent reporting of this to the Local Planning Authority. The development shall be carried out in accordance with the approved details and methodology.

**GROUND;**

To Protect existing trees and to adequately integrate the development into the environment, in accordance with Thanet Local Plan Policies D1 and D2.”

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

**600. A02 - F/TH/19/1740 - 51 - 59 NORFOLK ROAD, MARGATE**

PROPOSAL: Change of use and conversion of upper floors to 14 self contained flats with access from ground floor and erection of first and second floor rear extensions, enlargement of front dormer window, alterations to fenestration and removal of existing fire escapes together with associated parking and bin stores.

A statement from Mr Brown, in favour of the application was read out by an officer.

A statement from Mr Ward, raising points of concern was read out by an officer.

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

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

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

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

**GROUND;**

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

2 The proposed development shall be carried out in accordance with the submitted application as amended by the revised drawings numbered 009 Rev B received 27 May 2020, 013 Rev E, 015 Rev E, received 28 May 2020, 010 Rev E, 011 Rev E, 014 Rev G, received 15 June 2020.

**GROUND;**

To secure the proper development of the area.

3 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.

4 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.

5 Prior to the installation of any external windows and doors, joinery details at a scale of 1:5 of the windows and doors to include sections through glazing bars, frames and mouldings shall be submitted to and approved in writing by the Local Planning Authority. Such details as

are approved shall be carried out concurrently with the development and fully implemented prior to the first occupation of any part of the approved development.

**GROUND;**

To secure a satisfactory external treatment and to safeguard the special character and appearance of the designated heritage asset in accordance with advice contained within the National Planning Policy Framework.

6 Prior to the first occupation of the development hereby permitted, details of the refuse storage shall be submitted to and approved in writing by the Local Planning Authority. The refuse storage shall be in accordance with the approved details and thereafter maintained.

**GROUND;**

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

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

**GROUND;**

In the interests of highway safety.

8 Prior to the first use of the development, the area shown on approved plan numbered 009 Rev B received 27 May 2020 for the parking and manouvering of vehicles shall be operational. The area approved shall thereafter be maintained for that purpose.

**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.

9 Prior to the first use of the development, the secure cycle parking facilities, as shown on approved drawing no. shall be provided and thereafter maintained.

**GROUND;**

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

10 The proposed first, second and third floor windows in the southern side elevation serving bathrooms for units 6, 12 and 14 shall be obscure glazed and fixed shut to a height of 1.7m above the internal floor level.

**GROUND;**

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

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

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

“That officers prepare a report with potential reasons for refusal and providing additional information about whether the buildings can be converted into family housing, and then reported to members at a future meeting for a final decision on the application.”

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

**601. R03 - OL/TH/20/0466 - LAND NORTH WEST OF DOWN BARTON ROAD, BIRCHINGTON**

PROPOSAL: Outline application for the erection of a single storey detached dwelling with all matters reserved

A statement from Mr Brown, in favour of the application was read out by an officer.

A statement from Mr Syme, raising points of concern was read out by an officer.

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

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

‘That the application be REFUSED for the following reasons:

1 The site lies outside of the village settlement boundary, and as such represents an unsustainable form of development within the countryside for which there is no overriding need, contrary to Policies H1 and CC1 of the Thanet Local Plan, Policies H01, SP01 and SP24 of the Draft Thanet Local Plan, and paragraphs 7 and 8 of the National Planning Policy Framework.

2 The proposed dwelling, by virtue of its prominent location, would appear visually divorced and isolated, impacting upon long distance views, and detracting from the open and undeveloped rural character of the area, severely detrimental to the appearance of the Landscape Character Area, whilst failing to protect the intrinsic character and beauty of the countryside, contrary to Thanet Local Plan Policies CC1, CC2 and D1, Draft Thanet Local Plan Policies SR24, SR26, and QD02, and paragraphs 127 and 170 of the National Planning Policy Framework.

3 The proposed development will result in additional pressure on the Thanet Coast and Sandwich Bay Special Protection Area (SPA), and Sandwich Bay and Hacklinge Marshes Site of Special Scientific Interest (SSSI), and in the absence of an acceptable form of mitigation to relieve the pressure, the proposed development would be contrary to paragraph 177 of the National Planning Policy Framework.”

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

**602. D04 - F/TH/20/0451 - STABLES, LAND NORTH WEST OF DOWN, BARTON ROAD, BIRCHINGTON**

PROPOSAL: Change of use from existing stable to single dwelling and the insertion of new windows and roof light

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

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

‘Defer and delegate the application to officers for approval subject to the receipt of a satisfactory legal agreement within six months of the date of this resolution securing the required planning contribution and the following safeguarding 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 MW/20/3/1, MW/20/3/2 and MW/20/3/3

**GROUND;**

To secure the proper development of the area.

3 No further alterations to the building, or the erection of garden buildings, or erection of boundary or internal fences or means of enclosure, whether permitted by Classes A, B, C, D, or E of Part One or Class A of Part Two of Schedule 2 to the Town & Country Planning (General Permitted Development) Order 1995 or not, shall be carried out without the prior permission in writing of the District Planning Authority.

**GROUND:**

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

4 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.

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 and to adequately integrate the development into the environment in accordance with Policies D1 and D2 of the Thanet Local Plan.”

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

Meeting concluded : 4.05pm



# Public Document Pack Agenda Item 3b

## Planning Committee

**Minutes of the meeting held on 17 June 2020 at 2.00 pm in Online.**

**Present:** Councillor Michael Tomlinson (Chairman); Councillors Coleman-Cooke, Albon, J Bayford, Currie, Duckworth, Garner, Hart, Keen, Moore, Scott and Wright

**585. APOLOGIES FOR ABSENCE**

Apologies were received from Councillor Taylor and Councillor Dennis, for whom Councillor Rusiecki was present.

**586. DECLARATIONS OF INTEREST**

There were no declarations of interest.

**587. MINUTES OF PREVIOUS MEETINGS**

**588. MINUTES OF PLANNING COMMITTEE HELD ON 20 MAY 2020**

Councillor Hart proposed, Councillor Rusiecki seconded and Members AGREED that the minutes of the Planning Committee held on 20 May 2020 be approved and signed by the Chairman.

**589. MINUTES OF THE EXTRAORDINARY PLANNING COMMITTEE MEETING HELD ON 3 JUNE 2020**

Councillor Hart proposed, Councillor Rusiecki seconded and Members AGREED that the minutes of the Extraordinary Planning Committee held on 3 June 2020 be approved and signed by the Chairman.

**590. SCHEDULE OF PLANNING APPLICATIONS**

**591. A01 - A/TH/19/1138 - THE DAVID COPPERFIELD, WESTWOOD ROAD, BROADSTAIRS**

PROPOSAL: Erection and display of 1no. internally illuminated 6.5m high totem sign

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

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

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

1 Any advertisements displayed, and any site used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Local Planning Authority.

**GROUND;**

In pursuance with Schedule 1, Regulation 2(1) of the Town and Country Planning (Control of Advertisement) Regulations 2007.

2 Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.

**GROUND;**

In pursuance with Schedule 1, Regulation 2(1) of the Town and Country Planning (Control of Advertisement) Regulations 2007.

3 Where an advertisement is required under these Regulations to be removed, the removal shall be carried out to the reasonable satisfaction of the Local Planning Authority.

**GROUND;**

In pursuance with Schedule 1, Regulation 2(1) of the Town and Country Planning (Control of Advertisement) Regulations 2007.

4 No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

**GROUND;**

In pursuance with Schedule 1, Regulation 2(1) of the Town and Country Planning (Control of Advertisement) Regulations 2007.

5 No advertisement shall be sited or displayed so as to obscure or hinder the ready interpretation of, any road traffic sign, railway signal or aid to navigation by water or air, or so as otherwise to render hazardous the use of any highway, railway, waterway (including any coastal waters) or aerodrome (civil or military).

**GROUND;**

In pursuance with Schedule 1, Regulation 2(1) of the Town and Country Planning (Control of Advertisement) Regulations 2007.

6 The proposed development shall be carried out in accordance with the submitted application as amended by the revised drawings numbered 7762-SA-8046-P022 H received 04 March 2020 and the submitted signage details entitled 'Drive Totem 1 : 6.5 meter' received 20 August 2020.

**GROUND;**

To secure the proper development of the area.

7 The intensity of the illumination of the advertisement hereby approved by this consent shall at no time exceed 400cd/sq.m as annotated on the approved plan numbered 7762-SA-8046-P022 H received 04 March 2020.

**GROUND;**

In the interest of the visual amenity of the area in accordance with Policies D1 and D5 of the Thanet local Plan."

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

**592. A02 - A/TH/19/1139 - THE DAVID COPPERFIELD WESTWOOD ROAD, BROADSTAIRS**

PROPOSAL: Erection and display of 5no. internally illuminated fascia signs

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

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

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

1 Any advertisements displayed, and any site used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Local Planning Authority.

**GROUND;**

In pursuance with Schedule 1, Regulation 2(1) of the Town and Country Planning (Control of Advertisement) Regulations 2007.

2 Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.

**GROUND;**

In pursuance with Schedule 1, Regulation 2(1) of the Town and Country Planning (Control of Advertisement) Regulations 2007.

3 Where an advertisement is required under these Regulations to be removed, the removal shall be carried out to the reasonable satisfaction of the Local Planning Authority.

**GROUND;**

In pursuance with Schedule 1, Regulation 2(1) of the Town and Country Planning (Control of Advertisement) Regulations 2007.

4 No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

**GROUND;**

In pursuance with Schedule 1, Regulation 2(1) of the Town and Country Planning (Control of Advertisement) Regulations 2007.

5 No advertisement shall be sited or displayed so as to obscure or hinder the ready interpretation of, any road traffic sign, railway signal or aid to navigation by water or air, or so as otherwise to render hazardous the use of any highway, railway, waterway (including any coastal waters) or aerodrome (civil or military).

**GROUND;**

In pursuance with Schedule 1, Regulation 2(1) of the Town and Country Planning (Control of Advertisement) Regulations 2007.

6 The proposed development shall be carried out in accordance with the submitted application as amended by the revised drawings numbered 7762-SA-8046-P009 F and 7762-SA-8046-P027 F received 04 March 2020 and the submitted signage details entitled 'McDonalds 800mm Alfresco Roof Letters', 'McDonalds 1400mm Alfresco Roof Arch' and 'McDonalds 900mm Alfresco Roof Arch' (however not including the proposed level illumination annotated) received 20 August 2019.

**GROUND;**

To secure the proper development of the area.

7 The intensity of the illumination of the advertisement hereby approved by this consent shall at no time exceed 400 cd/sq.m as annotated on the approved plans numbered 7762-SA-8046-P009 F and 7762-SA-8046-P027 F received 04 March 2020.

**GROUND;**

In the interest of the visual amenity of the area in accordance with Policies D1 and D5 of the Thanet local Plan.”

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

**593. A03 - A/TH/19/1140 - THE DAVID COPPERFIELD, WESTWOOD ROAD, BROADSTAIRS**

PROPOSAL: Erection and display of 3no. internally illuminated menu signs, 1no. internally illuminated information sign, 1no. non illuminated banner sign and 8No. non illuminated information signs

It was proposed by Councillor Rusiecki, seconded by Councillor Albon and RESOLVED:

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

1 Any advertisements displayed, and any site used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Local Planning Authority.

**GROUND;**

In pursuance with Schedule 1, Regulation 2(1) of the Town and Country Planning (Control of Advertisement) Regulations 2007.

2 Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.

**GROUND;**

In pursuance with Schedule 1, Regulation 2(1) of the Town and Country Planning (Control of Advertisement) Regulations 2007.

3 No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

**GROUND;**

In pursuance with Schedule 1, Regulation 2(1) of the Town and Country Planning (Control of Advertisement) Regulations 2007.

4 No advertisement shall be sited or displayed so as to obscure or hinder the ready interpretation of, any road traffic sign, railway signal or aid to navigation by water or air, or so as otherwise to render hazardous the use of any highway, railway, waterway (including any coastal waters) or aerodrome (civil or military).

**GROUND;**

In pursuance with Schedule 1, Regulation 2(1) of the Town and Country Planning (Control of Advertisement) Regulations 2007.

5 The proposed development shall be carried out in accordance with the submitted application as amended by the revised drawing numbered 7762-SA-8046-P008 J received 04 March 2020 and the submitted signage details entitled 'Double Digital Menu Board', 'Single Digital Menus Board', 'Dot Signage Litter Sign', 'Dot Signage Noise Sign', 'Dot Signage Pedestrian Crossing', 'Dot Signage Give Way', 'Caution Look Right', 'Caution Look Both Ways', 'Erdds Banner Unit' received 20 August 2020.

**GROUND;**

To secure the proper development of the area.

6 The intensity of the illumination of the advertisement hereby approved by this consent shall at no time exceed 400 cd/sq.m as annotated on the approved plan numbered 7762-SA-8046-P008 J received 04 March 2020.

**GROUND;**

In the interest of the visual amenity of the area in accordance with Policies D1 and D5 of the Thanet local Plan.”

**594. A04 F/TH/20/0384 - LAND REAR OF PINKS CORNER LODGE, BRAMWELL COURT, MINSTER**

PROPOSAL: Erection of 2no. 3-bed two storey dwellings together with double garage, cycle, bin store and associated parking

It was proposed by Councillor Rusiecki, seconded by Councillor Albon and  
RESOLVED:

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

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 324-002 Rev A and 324-003 received March 2020.

**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 windows identified as high level windows on drawing number 324-003 shall be provided and maintained with a cill height of not less than 1.73 metres above the finished internal floor level.

**GROUND;**

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

5 The area shown on the approved plan numbered 324-002 Rev A 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.

6 Prior to the first occupation of the dwelling hereby approved, visibility sight lines as shown on drawing number 324-002 Rev A, shall be provided and thereafter maintained with no obstruction above 1m in height.

**GROUND:**

In the interests of highway safety. Notes:

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 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.”

**595. D05 - F/TH/19/1025 - THE ORB INN, 243 RAMSGATE ROAD, MARGATE**

PROPOSAL: Erection of 10No 2 bed flats, 2No 3 bed maisonettes and 2No 1 bed flats with associated access, parking and landscaping following demolition of existing building

A statement from Mr Blythin in favour of the application was read out by an officer.

A statement from Mr Thompson raising points of concern was read out by an officer.

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

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

‘Defer and Delegate for approval subject to the satisfactory completion of Section 106 agreement within 6 months securing the required planning obligations as set out in the Heads of Terms 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 (P)002 rev D, (P)003 rev C, (P)004 rev C, (P)005 rev F, (P)006 rev E, received 5th March 2020; amended plan numbered (P)007 rev B, received 7th February 2020; and amended plans numbered (P)007 rev C and (P)1002 rev B, received 3rd December 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 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.

4 No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of building recording in accordance with

a written specification and timetable which has been submitted to and approved by the Local Planning Authority.

**GROUND:**

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

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 principles contained within the Surface/ Foul Water Strategy report by Abstract Consulting (September 2019) 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):

- that silt and pollutants resulting from the site use can be adequately managed to ensure there is no pollution risk to receiving waters.
- 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 that flood risks from development to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development as constructed is compliant with the National Planning Policy Framework.

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

**GROUND:**

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

7 No development shall take place until details of the means of foul drainage 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 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.

9 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 NPPF.

10 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.

11 Prior to the first use of the site hereby permitted the vehicular access approved and associated vehicle crossing point onto the highway, as shown on the approved plan numbered (P)1001 should be complete.

**GROUND:**

In the interests of highway safety.

12 Prior to the first occupation of the development hereby approved, the redundant vehicle crossing to shall be removed and the footway reinstated in accordance with the specifications set out in the Kent Design Guide.

**GROUND:**

In the interests of highway safety.

13 Prior to the first occupation of the development hereby approved, visibility splays shall be provided to the access on to Ramsgate Road as shown on the approved plan no.(P)1001, with no obstructions over 0.6m above carriageway level within the splays. The visibility splays shall thereafter be maintained.

**GROUND:**

In the interest of highway safety.

14 Prior to the first use of the site the vehicle loading/unloading and turning facilities shown on the submitted plan numbers (P)002 rev D shall be provided and permanently retained.

**GROUND:**

In the interests of highway safety.

15 Prior to the first occupation of the development, the secure cycle parking facilities, as shown on approved drawing no. (P)004 rev C shall be provided and thereafter maintained.

**GROUND:**

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

16 The area shown on the approved plan numbered (P)002 rev D 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.

17 Prior to the first occupation of the development hereby permitted, electric vehicle charging shall be provided within the site in the form of one per ten unallocated spaces, and one per allocated space. Details of the location and design details of the active electric vehicle charging points shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and thereafter maintained.

**GROUND:**

To reduce the impact upon air quality, in accordance with the NPPF.

18 At least 10% of the development shall be built in compliance with building regulation part M4(2).

**GROUND:**

To meet a range of community needs, in accordance with the NPPF and Policy QD05 of the Draft Local Plan.

19 The refuse storage facilities as specified upon the approved drawing numbered (P)004 rev C shall be provided prior to the first occupation of the development hereby approved and shall be kept available for that use at all times.

**GROUND:**

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

20 All new window and door openings shall be set within a reveal of not less than 100mm

**GROUND:**

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

21 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

22 The panels to be used in the front bay projections and side elevation of the refuse store shall be reclaimed flints from the existing building.

**GROUND:**

In the interests of design and the historic character of the site, in accordance with Policy D1 of the Thanet Local Plan and the NPPF.

23 The first floor southern side elevation windows serving flat 6 and the landing area, and the second floor side elevation dormer windows of the development hereby permitted, shall be provided and maintained with obscured glass to a minimum level of obscurity to conform to Pilkington Glass level 4 or equivalent, and fixed shut below an internal floor height of 1.7m. The obscure glazing shall be installed prior to first occupation of the development hereby permitted and 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.

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

**GROUND:**

To ensure that light pollution is minimised in the interest of the visual and residential amenities of the area, in accordance with Policy D1 of the Thanet Local Plan.

25 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:**

To protect existing trees and to adequately integrate the development into the environment, in accordance with Thanet Local Plan Policies D1 and D2.

26 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.
- the treatment proposed for all hard surfaced areas beyond the limits of the highway.
- walls, fences, other means of enclosure proposed.
- ecological enhancements within the site,
- details of the refuse and cycle stores, including elevations and materials,

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.

27 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

28 Prior to the first occupation of the development hereby permitted, a 1.8m high fence shall be erected along the southern side boundary of the site, as shown on plan numbered (P)004 rev C. The fence shall thereafter be maintained.

**GROUND:**

In the interests of neighbouring privacy, in accordance with Policy D1 of the Thanet Local Plan.

29 The front boundary wall shall be retained, with the new wall to be erected in the location of the redundant access point to match the design, height and materials of the existing wall, as agreed in correspondence from the agent received 8th June 2020.

**GROUND:**

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

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

Meeting concluded : 3.15pm

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**THANET DISTRICT COUNCIL**

**PLANNING COMMITTEE**

**5 August 2020**

**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
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 and via the Council's website)

- (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: 27 July 2020

## THANET DISTRICT COUNCIL

### REPORT OF THE DEPUTY CHIEF EXECUTIVE

#### PART A

**TO: THE PLANNING COMMITTEE**

**DATE: 5 August 2020**

<b>Application Number</b>	<b>Address and Details</b>	<b>Recommendation</b>
A01 R/TH/19/1780	<b>Land North Of Cottington Road And East Of Lavender Lane RAMSGATE Kent</b>	Approve
MAJOR	<p>Application for the reserved matters pursuant to outline permission OL/TH/17/0151 'Outline application for the erection of up to 41 no. dwellings including access' for appearance, landscaping, layout and scale</p> <p>Ward: Cliffsend And Pegwell</p>	
A02 FH/TH/20/0740	<b>17 Harbour Street RAMSGATE Kent CT11 8HA</b>	Approve
	<p>Erection of dormer window to rear to facilitate new bathroom in loft</p> <p>Ward: Central Harbour</p>	



## THANET DISTRICT COUNCIL

### REPORT OF THE DEPUTY CHIEF EXECUTIVE

#### PART B

**TO: THE PLANNING COMMITTEE**

**DATE: 5 August 2020**

<b>Application Number</b>	<b>Address and Details</b>	<b>Recommendation</b>
D03 F/TH/19/0663	<b>St Peters Presbytery 117 Canterbury Road Westgate On Sea Kent CT8 8NW</b>	Defer & Delegate
MAJOR	<p>Erection of a four storey building for a mixed use development comprising 751 sq m of commercial office use on the ground floor (use class B1) together with 2No one-bedroom, 8No two-bedroom and 4No three-bedroom apartments on first, second and third floors (use class C3) with associated parking, access and landscaping following demolition of existing building.</p> <p>Ward: Westgate-on-Sea</p>	

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**A01**

**R/TH/19/1780**

PROPOSAL: Application for the reserved matters pursuant to outline permission OL/TH/17/0151 'Outline application for the erection of up to 41no. dwellings including access' for appearance, landscaping, layout and scale

LOCATION: Land North Of Cottington Road And East Of Lavender Lane RAMSGATE Kent

WARD: Cliffsend And Pegwell

AGENT: Mr Tracey Kisbee

APPLICANT: Orbit Homes (2020) Ltd

RECOMMENDATION: Approve

Subject to the following conditions:

1 The proposed development shall be carried out in accordance with the following plans:

Highway plans and details received 18 June 2018, and numbered:

- 1322-82-FAH-00-ZZ-DR-C-0013 rev P7
- 1322-82-FAH-00-ZZ-DR-C-0015 rev P6
- 1322-82-FAH-00-ZZ-DR-C-0115 rev P1
- Construction Management Plan (with Appendix 02 rev 1 Traffic Management Plan and Appendix 03 rev 2 Site Logistics Plan)
- 1322-82-FAH-00-ZZ-DR-C-0001 rev P8

Street lighting plan received 22 July 2020, and numbered:

- 132282-1001 rev C Street Lighting Layout
- 14125 Lighting Design Strategy for Biodiversity

Electric vehicle charging plan received 22 July 2020, and numbered:

- 19-0741-77 P3 Electric Vehicle Charging Plan

Amended site, landscaping and affordable housing plans received 18 June 2020, and numbered:

- 19-0741-71 P3, 19-0741-72 P8, 19-0741-73 P3, 19-0741-74 P2, 19-0741-75 P2, 19-0741-76 P2

Amended elevation and floor plans received 18 June 2020, and numbered:

- 19-0741-150 P1, 19-0741-151 P1, 19-0741-300 P2, 19-0741-301 P2, 19-0741-302 P2, 19-0741-303 P2, 19-0741-304 P2, 19-0741-305 P2, 19-0741-306 P1, 19-0741-307 P1, 19-0741-310 P2, 19-0741-311 P2, 19-0741-312 P2, 19-0741-313 P2, 19-0741-314 P2, 19-0741-315 P2, 19-0741-316 P2, 19-0741-317 P3, 19-0741-318 P2, 19-0741-319 P2, 19-0741-320 P2, 19-0741-321 P2, 19-0741-322 P2, 19-0741-324 P2, 19-0741-325 P2, 19-0741-326 P2, 19-0741-327 P2, 19-0741-328 P2, 19-0741-329 P2, 19-0741-330 P2, 19-0741-331 P2, 19-0741-332, 19-0741-333, 19-0741-335 P3, 19-0741-336 P2, 19-0741-337 P3, 19-0741-338 P2, 19-0741-340 P3, 19-0741-341 P2, 19-0741-342 P2, 19-0741-343 P2, 19-0741-344 P1, 19-0741-345 P1, 19-0741-346 P1, 19-0741-347 P1

Site section plans received 18 June 2020, and numbered:

- 19-0741-90 C Site Sections 1 of 2
- 19-0741-91 C Site Sections 2 of 2
- 1322-82-FAH-00-ZZ-DR-C-0005 rev P5

### **GROUND:**

To secure the proper development of the area.

2 Prior to the first occupation of the development hereby permitted, the biodiversity enhancements as identified on plan numbered 19/0741-74 Rev P2 shall be provided, and thereafter maintained.

### **GROUND:**

In the interests of biodiversity, in accordance with Policies QD02 and SP30 of the Thanet Local Plan, and the advice as contained within the NPPF.

3 Prior to the first occupation of the development hereby permitted, a detailed landscaping plan shall be submitted to, and approved in writing by, the Local Planning Authority. The landscaping plan shall include:

- the landscaping buffer (min 5m depth) to the southern boundary of the site, which should contain both deciduous and evergreen native trees and hedgerow;
- hedgerows and scattered trees along the northern, eastern and western boundaries of the site,
- a 2m high boundary treatment along the eastern and western boundaries of the site, in locations where a boundary of this height does not currently exist,
- landscaping to be provided within the attenuation ponds to achieve a multi-functional design,
- block paving to all parking spaces and permeable paving to parking courts.

### **GROUND:**

In the interests of the visual amenities of the area and to adequately integrate the development into the environment in accordance with Policies QD02 and GI04 of the Thanet Local Plan

4 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 and to adequately integrate the development into the environment in accordance with Policies QD02 and GI04 of the Thanet Local Plan

5 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 amenity areas shall be managed in accordance with the approved landscape management plan in perpetuity.

**GROUND:**

In the interests of the visual amenities of the area and to adequately integrate the development into the environment in accordance with Policies QD02 and GI04 of the Thanet Local Plan

6 The electric vehicle charging points as shown on the approved plan numbered 19-0741-77 Rev P3 shall be provided prior to the first occupation of the development hereby permitted and thereafter maintained; with details of the design to be submitted to, and approved in writing by, the Local Planning Authority, and thereafter implemented.

**GROUND:**

To protect air quality, in accordance with Policy SP14 of the Thanet Local Plan and the advice as contained within the NPPF

7 Prior to the first occupation of the development hereby permitted, details of the cycle parking, which shall be in the form of one space per affordable rented flat, and one space per bedroom within each affordable rent house, shall be submitted to and approved in writing by the Local Planning Authority. The details shall be implemented as approved.

**GROUND:**

To promote cycling as an alternative form of transport, in accordance with Policy TP03 and SP43 of the Thanet Local Plan

8 The development hereby permitted shall be constructed to a high standard of energy efficiency to the equivalent of Level 4 of the Code for Sustainable Homes.

**GROUND:**

All new buildings and conversions of existing buildings must be designed to reduce emissions of greenhouse gases and have resilience to function in a changing climate, in accordance with Policy QD01 of the Thanet Local Plan.

9 Prior the construction of the external surfaces of the development hereby approved, samples of the materials to be used, which shall include red brick, black cladding, slate, clay tiles and render, shall be submitted to, and approved in writing by, the Local Planning Authority. Development shall be carried out in accordance with the approved samples, unless otherwise agreed in writing by the Local Planning Authority.

**GROUND:**

In the interests of visual amenity in accordance with Policy QD02 of the Thanet Local Plan

10 All new window and door openings shall be set within a reveal of not less than 75mm.

**GROUND:**

In the interests of visual amenity in accordance with Policy QD02 of the Thanet Local Plan

11 Prior to the installation of the attenuation drainage basin, details of the preventative measures intended to be used to avoid a breeding ground for mosquitos shall be submitted to, and approved in writing by, the Local Planning Authority. The design of the drainage basin shall incorporate the approved preventative measures.

**GROUND:**

In the interests of human health, in accordance with the strategic objectives of the Thanet Local Plan.

12 The development hereby permitted shall be constructed in order to meet the required technical standard for water efficiency of 110litres/person/day, thereby Part G2 Part 36 (2b) of Schedule 1 Regulation 36 to the Building Regulations 2010, as amended, applies.

**GROUND:**

Thanet is within a water stress area as identified by the Environment Agency, and therefore new developments will be expected to meet the water efficiency optional requirement of 110litre.

### SITE, LOCATION AND DESCRIPTION

The site consists of 1.47 hectares located within the southern half of Cliffsend Village, on an area of land currently in agricultural use. The site is to the north of Cottington Road, with existing residential development to west and east of the site, and agricultural land to the north and south of the site. Residential development to either side of the site is predominantly detached, and either single storey or 2-storey in height.

### RELEVANT PLANNING HISTORY

OL/TH/17/0151 - Outline application for the erection of up to 41no. dwellings including access with all other matters reserved - GRANTED - 17th August 2018

### PROPOSED DEVELOPMENT

The application is in reserved matters form, with the principle of development and the proposed access to the development having previously been approved. This application is for the consideration of the appearance, scale, layout, and landscaping only.

The proposal is for the erection of 41no. units, including flats, terraced, semi-detached, and detached units. The units are served by a single access point onto Cottington Road. The units are 2-storey in height, and provide a range of unit sizes, including 2no. 1-bed flats, 12no. 2-bed, 25no. 3-bed, and 2no. 4-bed units.

In terms of design, the units are of a traditional design with pitched roofs, and are to be constructed using brickwork, weatherboarding, render, clay tiles and slate, along with UPVC windows, and composite doors.

### DEVELOPMENT PLAN POLICIES

#### **Thanet Local Plan 2020**

SP01 - Spatial Strategy - Housing  
SP24 - Development in the Countryside  
SP26 - Landscape Character Areas  
SP29 - Strategic Access Management and Monitoring Plan (SAMP)  
SP30 - Biodiversity and Geodiversity Assets  
SP35 - Quality Development  
H01 - Housing Development  
QD01 - Sustainable Design  
QD02 - General Design Principles  
QD03 - Living Conditions  
QD04 - Technical Standards  
QD05 - Accessible and Adaptable Accommodation  
CC02 - Flood Risk  
GI04 - Amenity Space  
TP02 - Walking  
TP03 - Cycling  
TP06 - Car Parking

### NOTIFICATIONS

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

- Terraced properties and higher density development are out of keeping with the area,
- 100% affordable units will be out of character,
- Loss of agricultural land,
- St. Augustine's Cross should be protected,
- Lack of infrastructure and facilities within the village to support the housing,
- Highway impact from increased traffic,
- Impact on privacy to properties in Beech Grove, should be a minimum of 21m away,

- Impact on property values,
- Reduction in the off-site contributions to mitigate the impact of the development,
- Affordable homes should be exclusively for Cliffsend residents,
- No details provided on mitigation strategy for mosquitos, electric vehicle charging points per dwelling, road widening,
- Incorrect information within statement relating to village facilities,
- Poor quality design,
- Light and noise pollution,
- Noise resulting from construction work.

### CONSULTATIONS

#### **KCC Highways** - *(final comment)*

I refer to the amended plans submitted for the above on 9th, 14th, 15th and 22nd July and confirm the proposals are now acceptable. The site layout provides suitable access and sufficient parking to ensure that unacceptable on-street parking on the highway is unlikely to occur. The streets coloured pink on the plans are intended to be offered for adoption by the Highway Authority. The amended Construction Management Plan is also acceptable. Access arrangements from Cottington Road and the associated highway improvements were approved in the outline application, and will be implemented by the developer through a s.278 agreement with the Highway Authority (it should be noted that the widening shown on the latest plans is likely to need amending but this can be resolved through the s.278 process). I therefore now have no objections in respect of highway matters.

I also note that cycle parking details are yet to be resolved.

#### *(Interim comment)*

I refer to the amended plans received for the above on 29th April and would comment as follows:

1. 18 metre forward visibility envelopes are required around the bends adjacent to plots 10 and 17 as previously requested. These should be included in the adoptable areas shown.
2. A 1 metre-wide adoptable service margin is required on the northern side of the road opposite plots 9/10 and 17/41, and between plots 24/25.
3. The 18 metre x 2 metre x 18 metre driver splays shown at the shared private parking courts are incorrect - the 2 metres 'x' distance should be measured from the edge of carriageway. The same splays are required at all private accesses. Pedestrian visibility splays of 1 metre x 1 metre are also required behind the footway on each side of each private access with no obstructions over 0.6 metres above footway level. These all appear achievable and can therefore be confirmed with suitable notes on the site plan rather than each splay being individually shown.
4. There does not appear to have been any consultation by the applicant with the refuse collection authority in relation to the potential need for a larger vehicle to be accommodated, and this may have a bearing on the road layout.
5. The information previously requested on gradients does not appear to have been submitted.
6. Whilst the total number of parking spaces proposed is in accordance with Kent Design Interim Guidance Note 3 for a village/rural situation, the following matters need resolving in



order to prevent unacceptable parking on the adoptable highway:

The parking for plots 3-6, 9, 10, 17, 32-34, 37, 39, 40 and 41 is too remote from the dwellings it serves;

Plots 8, 30 and 31 should each have two independently accessible spaces. Some tandem parking arrangements may be acceptable if an additional 1 unallocated space is provided per two dwellings;

The limited distribution of visitor parking means there is a lack of such parking for plots 22/23 and 28-31.

The parking arrangements for plots 34 and 37 require drivers to reverse unacceptably excessive distances.

7. As previously advised condition 24 requires the provision of 1 electric vehicle charging point for each property with dedicated parking. The proposals include only a suitable consumer unit and ducting to allow future provision of a charging point.

8. I note the reluctance to show cycle storage, however such storage is shown on the highway adoption plan. Clarification is therefore required on the applicant's proposals in this regard. The revised Construction Traffic Management and Logistics plans are acceptable subject to the caveat that HGV's should use the route to/from the west whenever possible. A requirement should also be added that, before and after construction of the development, highway condition surveys for highway access routes should be undertaken and a commitment provided to fund the repair of any damage caused by vehicles related to the development. This should also be added to the CMP submitted under R/TH/19/1781.

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

With regard to street lighting, the details for the existing and proposed highways can be resolved through the s.38/s.278 highway adoption process. However, I note the specific condition requiring a lighting design strategy for biodiversity and it is not clear if this can be accommodated within the highway lighting requirements. The following comments from our Street Lighting Team are therefore included to enable the applicant to consider these requirements against the strategy for biodiversity:

The documents provided are not reflective of KCC approved equipment as we do not have any aluminium columns on our approved list. I also note there is a 'street lighting feeder pillar' showing which suggest the lighting is all fed via private cable network. I would expect either direct UK Power Networks or IDNO (Independent Distribution Network Operator) connection.

PCN should only be used where a DNO / IDNO connection is not feasible. There is also spec in the notes for purple ducting which I am not familiar with as this is neither KCC PCN or UKPN ducting specification.

The lighting levels are too high for the specified design class if the SP ratio is applied to the calculations, which it should be as a high CRI light source is being utilised.

I am not happy with the proposed lighting at the junctions as neither junction arrangement tie in with the existing lighting or constitute a system of lighting as far as I can make out from the information provided. Lighting either needs to be provided as a continuation of the existing lighting scheme along the frontage of the development(S) as indicated in the email previously sent to the highways consultant (provided there is adequate footway area for it), or confined within the S38 internal areas. The junctions should be sufficiently illuminated via the internal lighting anyway as there are no lighting columns along this stretch of the road.

*(Initial comment)*

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

1. The widening of Cottington Road at the site access, as agreed through the outline permission, does not appear to have been accounted for in the site plan submitted. This would potentially impact on the proposed site layout and should therefore be shown and dimensioned on the plans.
2. The extent of adoption could include the road serving plots 11-16 which could be laid out as a lane with passing places, in accordance with Kent Design. This would remove the need for refuse vehicles to turn round in two separate culs-de-sac. 18-metre forward visibility would be required around the bends into the lane and the initial sections would need to be wider to accommodate two cars passing and a refuse vehicle turning. A passing place would also be required midway along the lane.
3. There is a lack of speed restraint in the streets serving plots 1-10 and 23-4, where measures should be provided at maximum 60 metre spacing. If the layout cannot be significantly altered from that shown, I suggest raised tables are provided mid-way along these streets. There is no need for ramps up to the turning heads as currently shown.
4. The adoptable footway should continue around the radius outside plots 9 and 41. A 1 metre-wide grass-only service margin (or paved where necessary) should be provided around the rest of the turning heads.
5. The adoptable footway should continue between plots 10-27, plots 26-25, and plots 18-20.  
A 1 metre-wide, grass-only service margin should be provided along the road edge between plots 24 and 25.
6. The accesses to plots 1 and 28 are too close to the junction with Cottington Road, and should be a minimum of 10 metres from the junction.
7. One cul-de-sac should have priority over the other at the point where they split, to provide clarity for drivers as to who should give way. I suggest priority is given to the eastern cul-de-sac.
8. The width of the culs-de-sac could be reduced to 4.8 metres subject to vehicle tracking.
9. Indicative gradients of carriageway, footways and private drives/parking spaces should also be provided.
10. Driver visibility splays of 18 metres x 2 metres x 18 metres are required at each private access off the adoptable roads, with no obstructions over 1 metre above carriageway level. Pedestrian visibility splays of 1 metre x 1 metre are required behind the footway on each side of each private access with no obstructions over 0.6 metres above footway level. These all appear achievable and can therefore be confirmed with suitable notes on the site plan rather than each splay being individually shown.
11. Vehicle swept paths should be submitted to demonstrate that a large refuse vehicle can suitably negotiate the site access to/from Cottington Road and the internal access road. We require checking for an 11.4 metre refuse vehicle, however the applicant should consult with the refuse collection authority as they may require access for a larger vehicle. Based on the swept paths currently shown, it appears the arms of the turning heads will need extending.
12. Swept paths should also be submitted to show that two cars can pass each other at the Cottington Road access .
13. Whilst the total number of parking spaces proposed is in accordance with Kent Design Interim Guidance Note 3 for a village/rural situation, the following matters need resolving in order to prevent unacceptable parking on the adoptable highway:  
The parking for plots 1, 3-7, 9, 10, 17, 32-34, 37, 39 and 40 is too remote from the dwellings it serves;  
Plots 8, 10, 11, 13-17, 24-27, 30, 31 and 36 should each have two independently

accessible spaces. Some tandem parking arrangements may be acceptable if an additional 1 unallocated space is provided per two dwellings;

The limited distribution of visitor parking means there is a lack of such parking for plots 1/2, 20-26 and 28-36.

The parking arrangements for plots 5, 34, 37, 40 and the visitor spaces adjacent to plot 2 require drivers to reverse unacceptably excessive distances.

Parking spaces should be a minimum of 5 metres long x 2.5 metres wide, increased to 2.7 metres where bounded by walls/fences/landscaping on one side, 2.9 metres where bounded by such obstructions on both sides, and 3.2 metres where the space also serves as the pedestrian route to/from a front door. A note should be added to the site plan confirming these dimensions are to be provided.

14. Condition 24 requires the provision of 1 electric vehicle charging point for each property with dedicated parking. The proposals include only a suitable consumer unit and ducting to allow future provision of a charging point.

15. Secure, covered cycle parking should be provided at a minimum of 1 space per bedroom.

16. Bearing in mind the lighting strategy indicated, the applicant is strongly advised to discuss

street lighting requirements for the adoptable streets with our Street Lighting Team.

17. The Construction Management Plan is noted however, we would wish to see as many HGV's as possible routed to/from the west rather than through the village, although it is accepted that there is a height restriction at the railway bridge in Cottington Road. The CMP is therefore not agreed at this time and the applicant is advised to contact Paul Valek in our Network Operations Team to arrange a meeting in order to discuss and agree the details of the CMP.

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

### **KCC Biodiversity - (final comment)**

We advise that sufficient information has been provided to determine the planning application.

When we previously commented we highlighted that the submitted Updated Preliminary Ecological Appraisal and Precautionary Mitigation Strategy (ecus; December 2019) had made a number of recommendations to enhance the site for biodiversity but they had not been reflected on the site plan.

An updated biodiversity enhancement plan and site plan have been submitted and they have confirmed the following:

- o Native species planting proposed within the site
- o 5 Integrated bat boxes
- o 10 integrated/tree bird boxes
- o 5 log piles
- o hedgehog holes in all fences.

We are satisfied that the enhancements detailed within Updated Preliminary Ecological Appraisal and Precautionary Mitigation Strategy will be incorporated in to the site.

We advise that we will provide more detailed comments on the Updated Preliminary Ecological Appraisal and Precautionary Mitigation Strategy when we comment on the discharge of condition 8 of planning application OL/TH/17/0151

*(Initial comment)*

We advise that additional information is required prior to the determination of this reserve matters application.

An Updated Preliminary Ecological Appraisal and Precautionary Mitigation Strategy (ecus; December 2019) has been submitted with the planning application and it has made a number of recommendations to enhance the site for biodiversity.

We advise that the landscaping plan is updated to reflect the recommendations of the Updated Preliminary Ecological Appraisal and Precautionary Mitigation Strategy.

We advise that we will provide more detailed comments on the Updated Preliminary Ecological Appraisal and Precautionary Mitigation Strategy when we comment on the discharge of condition 8 of planning application OL/TH/17/0151

**Historic England** - On the basis of the information available to date, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.

**KCC Archaeology** - I can confirm that I have no objection to the amendments. For information archaeological excavation works are presently under way on this site and the proposed layout is being taken account of in discussions with the contractors regarding the scope of works. My previous advice with respect to the archaeological condition and the agreed Written Scheme of Investigation remains relevant.

**KCC SUDs** - Thank you for the clarification with respect to the Drainage Strategy submitted. Our previous response referred to a later appendix which reflects the drainage strategy submitted at outline. We provided an updated response as follows:

The current application is supported by a Drainage Strategy report prepared by Fairhurst Consulting Engineers (December 2019). The Drainage Strategy Sheets 1 through 4 (Drawing 132282-FAH-00-ZZ-DR-C-0007, 0008, 0009, 0010 Rev P3) which covers both applications 19/1780 and 19/1781, are generally consistent with the outline drainage strategy prepared by R J Fillingham Associates submitted in July 2017 for the outline application. The drainage strategy drawing relies upon limited extents of permeable paving, with attenuation and controlled discharge to a public sewer at a rate of 7.4 l/s.

Kent County Council as Lead Local Flood Authority have the following comments:

a) The Drainage Construction Details (Drawing 132282-FAH-00-ZZ-DR-C-0115 Rev P1) indicates the inclusion of a liner. The soakage results returned infiltration rates of the order of 10-6 m/s which though poor may provide for some loss to the ground and may be workable

with permeable pavement. We would therefore strongly recommend that a membrane is not included within the drainage design, unless other reasons are provided for the inclusion.

b) The proposed landscaping plan prepared by OSG Architecture (Drawing 19/0741-84, December 2019) prepared for the south side of Cottington Road does not include the surface water drainage features. It indicates that parking areas will be block paved but does not include permeable pavement as a surface Finish.

c) The Drainage Strategy Appendix A.2 includes Microdrainage calculations for the proposed drainage design for the entire of the drainage system which serves both proposed developments within applications 19/1780 and 19/1781. These calculations are consistent with KCC policy. A flood volume is shown to occur at one of the last manholes on the drainage system for the 1 in 100 year plus 40% climate change event.

From a surface water drainage perspective there is sufficient space provided within the layout as proposed to manage surface water generated by the development, though there are matters which will need to be confirmed at detailed design and with further submissions for discharge of the surface water drainage condition required under the outline approval.

We would recommend that full consideration is given to the landscaping of the basins and promotion of multi-functional design. We would reiterate our previous comments that the attenuation ponds proposed do not promote a multi-functional feature as required within the NPPF. We would recommend that information is sought to the landscaping proposed within the attenuation ponds to provide amenity, landscape and biodiversity benefits.

We have no objection to the approval of the layout as proposed in relation to requirements for surface water management but would recommend that further information is sought in relation to landscape matters. It is our expectation that others matters discussed above are addressed prior to submission of information to discharge Condition 10.

This response has been provided using the best knowledge and information submitted as part of the planning application at the time of responding and is reliant on the accuracy of that information.

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

**Southern Water** - No objections. Comments in our response dated 27/02/2017 remain unchanged and valid).

**NHS Clinical Commissioning Group** - I note the original S106 from planning number 17/0151 is still valid for this development and therefore there are no additional comments from Health for this.

**Kent Police** - We have reviewed this Reserved Matters application in regard to Crime Prevention Through Environmental Design (CPTED) and in accordance with the National Planning Policy Framework (NPPF). Unfortunately we were not informed or consulted before this. Whilst some areas of the design are appropriate to help design out crime, there are

some significant concerns. Applicants/agents should consult us as local Designing out Crime Officers to address CPTED. We use details of the site, relevant crime levels/type and intelligence information to help design out the opportunity for Crime, Fear of Crime, Anti-Social Behavior (ASB), Nuisance and Conflict. It is a significant concern that there are no references to designing out crime or crime prevention within the DAS (Design and Access Statement). This is of concern as Orbit Homes would be expected to apply for and attain Secured by Design accreditation to help ensure the security of their tenants. As yet, no application of consultation has been made.

Secured by Design (SBD) [www.securedbydesign.com](http://www.securedbydesign.com) is the UK Police flagship initiative combining differing levels of security. To meet SBD physical security requirements, SBD require doorsets and windows to be PAS 24: 2016 certified by an approved independent third-party certification body e.g. (UKAS) in the name of the final manufacturer/fabricator. This requirement exceeds the requirements of Building Reg. ADQ that only requires products to be tested to PAS 24:2012. Products that are independently certificated to recognised security standards have been responsible for consistently high reductions in crime as verified by numerous independent academic research studies.

If this application is to be approved we strongly request a Condition/Informative be included to address the points below and show a clear audit trail for Design for Crime Prevention and Community Safety to meet our and Local Authority statutory duties under Section 17 of the Crime and Disorder Act 1998.

Having reviewed the application on-line the following issues need to be addressed including:

1. The layout is permeable onto neighbouring areas and this could be a concern for crime and ASB unless suitable boundary treatments are included. The development must ensure that the routes through the site have appropriate vehicle mitigation to avoid Anti-Social cycling, quad or motorbike opportunity must be incorporated. This can also help reduce opportunity for damage to the landscape and ecology.
2. The plans to open the safer, cul-de-sac design to the north of the site is a concern that should be addressed as soon as possible.
3. Unit house type A has no side elevation windows that could provide opportunity for natural surveillance.
4. Perimeter, boundary and divisional treatments to be 1.8m high with lockable gates as far forward to the building line as possible to minimise the opportunity for crime.
5. Corner Properties and ground floor bedroom windows (house type A) that can be reached by passers-by require defensible space.
6. Parking is a significant concern and could help enable crime with the lack of natural surveillance from the residences the parking spaces serve. Parking courts should be avoided and only when absolutely necessary should be sited in small groups, close and adjacent to homes, be within view of active rooms with excellent surveillance opportunity, lit and clearly allocated to individual properties. For 'active' we mean "rooms in building elevations from which there is direct and regular visual connection between the room and the street or parking court. Such visual connection can be expected from rooms such as kitchens and living rooms, but not from more private rooms, such as bedrooms and bathrooms." Rear parking courtyards are discouraged as they introduce access to the

vulnerable rear elevations of dwellings where the majority of burglary is perpetrated. When they are unlit and open (ungated) they can increase the fear of crime and provide areas of concealment which can encourage vehicle crime, ASB and nuisance.

7. There are plans for electric charging points, their siting needs to be considered to provide safe, lit and secure spaces.

8. The lighting plan should be approved by a Member of the ILP or the Society of Light and Lighting. Where developments lack appropriate lighting, homeowners install security lighting that can detrimentally affect a lighting plan and cause light pollution.

9. All external doorsets to be PAS 24: 2016 certified. All windows on the ground floor and any that are potentially vulnerable to climbing must also meet PAS 24: 2016 certified.

10. If approved, site security is required for the construction phase. There is a duty for the principle contractor “to take reasonable steps to prevent access by unauthorised persons to the construction suite” under the Construction (Design and Management) Regulations 2007. The site security should incorporate plant, machinery, supplies, tools and other vehicles and be site specific to geography and site requirements.

If the points above are not addressed, they can affect the development, the area and local policing. Current levels of reported crime have been taken into account.

**TDC Strategic Housing** - I have spoken with Orbit Housing about this scheme, and Strategic Housing supports the delivery of affordable housing on this site.

**TDC Environmental Health** - I have reviewed the Environmental Noise Assessment; and am satisfied that providing the mitigation measures set out in Table 6.2 are applied to the dwellings they will be adequately safeguarded against environmental noise.

I have also reviewed the proposed site plan ref 19-0741-77 showing Electric Vehicle Charging point provision which satisfies the OL condition in this regard.

**TDC Conservation Officer** - I have no objections to the work proposed due to the existing built form of the area as well as physical distance away from the heritage asset.

### COMMENTS

The application has been called in by Cllr Brenda Rogers, to enable Members to consider the issues of overlooking, affordable housing and the impact upon the surrounding area.

### **Character and Appearance**

#### *Layout*

The proposed layout includes a central access point onto Cottington Road (as previously approved), which extends into a link road around the site. All development has road frontage, and corner plots are provided with dual frontages to the access road. A range of units types have been used across the site. Whilst semi-detached and detached units are more characteristic of the area, there is also some evidence of terraced dwellings in nearby Earlsmead Crescent, and therefore such unit types are not completely out of keeping with the area. The proposed terraces are in small groups of 3no. units, with one 4-bed terraced

block also proposed, and this limited number of units within the blocks has limited the visual impact. The use of terraces has meant that large spaces between the units has been achieved, creating a spacious form of development, in keeping with the rural character of the village.

A pair of semi-detached units, set behind communal open space, have been used as the focal point for views through from the access. The location of the open space again provides the appearance of a spacious soft landscaped development. The two units either side of the access point have been amended so that they address the access. The unit types have been mixed throughout the development so that there is no concentration of a particular unit type within any area. All open space is overlooked, providing for natural surveillance.

In terms of parking, detached and semi-detached units tend to have parking provision within their curtilage. For the terraced units there is a mix, with some parking being visible to the fronts of the building, and other parking being located within a parking court area, along with the visitor parking. Amended plans have been sought to limit the parking court provision, which can detract from visual amenities. The proposal now provides for only two parking court areas, one to the west and one to the east. Both parking courts are discreetly located, with the potential to be screened by soft landscaping.

Kent Police have raised concerns with the layout, and provided advice on improving natural surveillance, removing parking courts, and providing boundary treatment. Through the amendments the number of parking courts have been reduced along with rear access paths to gardens. More curtilage parking is achieved allowing residents to see their vehicles from their houses, and more windows have been added to side elevations to allow for natural passive surveillance. The agent has further advised that they have agreed to up the security level of all windows and doors to PAS 2016 rather than PAS 2012, which is the current building regs level, and that they have lodged their Secured by Design application with the Police.

Overall the layout is considered to be in keeping with the surrounding pattern of development, whilst achieving a safe and spacious form of development that is characteristic of its rural setting. The proposed layout is therefore considered to be acceptable, and in accordance with Policy QD02 of the Thanet Local Plan, and paragraph 127 of the NPPF.

### *Scale*

The units are all 2-storey in height, as required through condition 22 of the outline consent. Two-storey development is characteristic of and in keeping with the surrounding area, and is therefore considered to be acceptable.

### *Appearance*

The proposal consists of a more traditional pitched roof form of development. A simple design approach has been used with limited detailing within the elevation, although features such as bay windows and porches have been used to achieve variety in the building form and add interest. At least 5no. building types have been used within the development, and within these there are slight variations to the fenestration and materials. There is a mix in



both gabled fronted unit types and those with hipped roofs. Given the simplicity of the design it is quite important that the casement windows are set within a reveal, with 75mm having been agreed by the agent. The application doesn't have a road frontage onto Cottington Road, and is therefore quite self isolated, meaning that the development is not tied into conforming with the design of surrounding development. In terms of materials, the intention is to use brickwork, render weatherboarding, clay tiles and slate, along with UPVC windows, and composite doors. White weatherboarding was originally proposed, but concern was raised that this would appear out of keeping with its countryside location, and could stand out in long views towards the site across the open countryside opposite. The weatherboarding colour has therefore been amended to black. Similarly the light coloured yellow brick has been omitted leaving just the two differing red bricks.

Overall, the variation in unit types and materials has resulted in a good quality development that is well suited to its village location, in accordance with Policy QD02 of the Thanet Local Plan, and paragraph 127 of the NPPF.

### *Landscaping*

A visual impact assessment was submitted with the outline application, with the recommendations of the report, (which took into account the recommendations of the Historic Landscape Assessment) being the provision of a landscaped frontage to the southern boundary on Cottington Road, with the development set back from the road. The landscaped frontage was required to include native trees, consisting of a mix of deciduous and evergreen, and a hedgerow within an area of 5m to 6m in depth, which will complement the trees and hedgerows along the eastern boundary and along the Cottington Road to the east. A basic landscaping plan has been submitted with the application, which shows a 5m to 6m depth landscaping strip to the front of the site, as required by condition 26 of the outline consent. The annotations show some tree planting within this space, although specific detail on the number and species of the trees have not been fully provided. As such, whilst the plan is acceptable for the purposes of the layout, a condition requiring full details of this planted area is required, along with a condition enforcing its provision and a landscape management condition.

For the northern boundary, and short sections of the western and eastern boundaries, the visual impact assessment originally submitted recommended hedgerows and scattered trees, with species chosen to complement those within the rest of the landscape. The landscape plan shows the provision of native hedge planting and tree planting along this boundary, in accordance with this requirement, and is therefore again considered to be acceptable in terms of a planting strategy, but with full details of the planting to be submitted via condition.

Policy GI04 of the Thanet Local Plan requires that new residential development make provision for appropriate amenity green space, which for this development equates to 600sqm. An equipped play area is not required on this site as the number of units fall below the threshold to require this within the 2006 Local Plan Policy (used in the determination of the outline application). The submitted plans show the provision of a large open space to the centre/south of the site measuring 345sqm, along with additional casual open space to the north of the site measuring 695sqm. This equates to 1,040sqm, which exceeds the minimum

requirement statement within Policy GI04 of the Thanet Local Plan, and is therefore acceptable.

In terms of hard surfacing, tarmac has been used for all access roads and visitor parking areas, which is unfortunate given the village location of the site; however, block paving has been used for the communal parking areas and all driveways, which will break up the extent of hard surfacing and limited its visual impact.

### *Impact upon the Designated Heritage Asset*

Condition 21 of the outline consent required that an updated Historic Landscape Assessment be submitted with the reserved matters application, which took into account the impact of the proposed development upon the Grade II Listed St. Augustine's Cross. An updated Historic Landscape Assessment has been submitted, which states that whilst the top of the built form will be perceptible within the landscape from the cross, this would not affect the significance of the asset, or the ability to appreciate that significance. Measures such as the introduction of the landscape buffer at the western edge of the site will reduce the visibility of the development from within the immediate surroundings and wider setting of the asset. As such the assessment concludes that there is expected to be no harm to the significance of the Grade II Listed St. Augustine's Cross.

The Conservation Officer and Historic England both raise no objections to the proposed development, and therefore the impact upon the Grade II Listed St. Augustine's Cross is considered to be acceptable, and in accordance with Policy HE03 of the Thanet Local Plan.

### **Living Conditions**

#### *Neighbouring occupiers*

Given the distance to neighbouring properties from the proposed development, the impact upon light and outlook is considered to be acceptable, with the main issue being that of overlooking. Concerns have been raised regarding the impact upon neighbouring privacy, given the distance and relationship proposed. Amended plans have since been submitted to address this, with the proposed dwellings moved further from the neighbouring occupiers.

To the west of the site the closest relationship is between plots 8-10, and no.5 Lavender Lane. No. 5 appears to have a side garden that contains a swimming pool. There are no existing trees along the side boundary, although there appears to be a strip of land between the application site and no.5, which offers some soft landscaping that could provide some screening. Whilst the proposed development will clearly result in some overlooking when compared to the current situation, there is a distance of 32m between the rear elevation of the proposed dwellings and the side elevation of no.5, which will substantially limit the extent of overlooking of the neighbouring property. Whilst the neighbouring garden lies adjacent to the garden area of the proposed dwellings, there is a distance of at least 20m between the rear elevation of the proposed dwellings and the boundary of the neighbouring garden (bearing in mind the strip of land in between). For these reasons the impact upon the

privacy of no.5 Lavender Lane is not considered to be significant enough to warrant the refusal of the application on this ground.

To the east of the site there is a consistent distance of approximately 30m between the proposed rear elevation of the proposed dwellings and the rear elevations of the nearest neighbouring properties in Beech Grove. The only properties which may be affected to a greater extent are no. 19 Beech Grove, and the property to the rear of plots 28-32, which accesses onto Cottington Road. When considering no. 19, the neighbouring property is orientated so that there is no direct overlooking between the properties, and there is a distance of 25m between the rear elevation of the proposed dwellings and the closest corner of no.19, with a distance of approximately 30m to the centre of their garden. There is some existing tree screening to the rear boundary, and the possibility for new hedge screening along with the boundary within the application site. A condition will also be applied requiring the provision of 2m high fencing to the rear boundary of the proposed dwellings where the existing boundary treatment height falls below this height. For the neighbouring property fronting Cottington Rd there is a distance of at least 23m between the rear corner of the proposed dwelling and the rear elevation of the neighbouring property. In addition there is thicker tree screening along this particular part of the boundary, which will reduce the perception of overlooking.

On balance, whilst the proposed development will increase overlooking to the existing neighbouring properties in Beech Grove, given the distance, the presence of existing tree screening, and safeguarding conditions that would provide for increased landscaping and boundary treatment along this boundary, the impact upon neighbouring privacy is not considered to be significantly adverse.

Concern has been raised by neighbouring occupiers regarding construction noise, but this would be temporary and is therefore not a ground to refuse the application.

In terms of other noise and disturbance, the residential use of the development is compatible with the adjacent residential use. The only potential noise impact would be from vehicle movements within the site; however, the access road is far enough from neighbours to limit this impact, and the turning court areas are modest in size, and wouldn't cause significant harm.

Light pollution has been raised by neighbouring residents as a potential concern. A lighting strategy has been submitted with the application which considers lighting within the access road. Along the boundary KCC Biodiversity have previously raised concerns with the impact that strong lighting could have on biodiversity, and have advised that a lighting strategy be submitted via a condition on the outline consent for light sensitive areas. The lighting strategy submitted with this application has identified the light sensitive areas as being along the boundaries, and therefore further details will be submitted, which is likely to show reduced lighting levels in these areas, thereby causing limited harm to neighbouring occupiers.

Overall the impact to neighbouring residents is considered to be acceptable, and in accordance with Policy QD03 of the Thanet Local Plan, and paragraph 127 of the NPPF.

## *Future occupiers*

When considering the future occupiers of the development, all of the units meet the nationally described space standards, as required under Policy QD04 of the Thanet Local Plan. Each property is provided with doorstep playspace in accordance with Policy GI04 of the Thanet Local Plan.

A noise assessment has been carried out to determine noise control measures to protect occupants against noise ingress from the local environment. These have been measured from the railway, A256, and Cottington Road. The road traffic along Richborough Way was found to be the dominant noise source, with some additional noise contribution from Cottington Rd and the railway; however, an acceptable acoustic environment is still expected within habitable spaces, and the prediction of noise levels within the rear garden areas are in line with current guidance. As such the impact upon the amenity of future occupants is considered to be acceptable and in accordance with Policy QD03 of the Thanet Local Plan, and paragraph 127 of the NPPF.

## **Transportation**

The vehicular access point into the site, along with the highway impact resulting from the additional 41no. units, was assessed through the outline application, with the impact considered to be acceptable, subject to safeguarding conditions and highway improvement works including the widening of Cottington Road, provision of footpath and passing places, and the creation of a safe access into the development site.

This application considers the highway impact from the proposed layout. Amendments have been sought by KCC to achieve speed restraints in the street; the provision of an acceptable adoptable footpath and service margins; the provision of visibility splays of 18m x 2m x 18m to each private access; the provision of vehicle swept paths proving that refuse vehicles can enter and leave the site in a forward gear; increased parking provision of an appropriate size; electric vehicle charging points for each dwelling; and covered cycle parking provision. Details of the lighting strategy for the adoptable roads were also requested bearing in mind the biodiversity comments made within the outline application, where concerns were raised with the potential impact on biodiversity from proposed lighting within sensitive areas.

Amended plans and additional details have since been submitted. KCC Highways has advised that the site layout as amended provides suitable access and sufficient parking to ensure that unacceptable on-street parking on the highway is unlikely to occur. The adoptable highway plan, lighting strategy and amended construction management plan have also been agreed.

The amended plans show the provision of 2no. off-street parking spaces per dwellinghouse, one off-street parking space per flat, and 15no. visitor parking spaces. All of the parking spaces associated with the dwellings will be provided with an electric vehicle charging point, and one of the visitor parking spaces will also be able to serve an electric vehicle. Cycle parking provision is yet to be provided, but this can easily be accommodated within the garden area of each unit.

Following these amendments, and on the basis that highway improvements will be made through a s.278 agreement (as agreed through the outline consent and as highlighted above), the impact upon highway safety is considered to be acceptable, and in accordance with the NPPF.

### **Affordable Housing**

Through the outline application, 30% affordable housing on site was secured. The site has since been purchased by Orbit Housing Provider, who intend to provide the whole site as affordable housing, including 22% rented and 78% shared ownership.

Condition 23 of the outline consent required that details of the location and size of the affordable units be submitted as part of the reserved matters application. A plan has been submitted identifying the location of the rented units. They are pepper potted across the site with 4no. terraced units to the west, 3no. terraced units to the east, and 2no. semi-detached units to the south. The Strategic Housing Officer has no concerns with the location of these units.

Concerns have been raised by residents regarding the use of the whole site for affordable units. Whilst valid concerns can be raised if the number of affordable units do not meet the minimum requirement stated within Local Plan Policy, there are no planning grounds upon which to object to an increased number of affordable units as no maximum limit is set within the policy. The provision of additional affordable units upon a site would normally be encouraged in areas where there would be no significant impact upon the community mix as there is a local need within the district for affordable units. The Council's Housing, Homelessness, and Rough Sleeper Strategy was adopted this month, with information on the current affordable housing need. The strategy advises that as of 30 September 2019, there were 2,354 households on the housing register, and of these, 309 households have an urgent or serious housing need. The number of rented units upon the site only exceed the expected number of rented units through the outline consent by 5no. units, and it is not considered that this increase will detrimentally impact upon the community. Given the lack of policy objection, and the urgent housing need for these affordable units within the district, the affordable provision proposed is considered to be acceptable.

Concern has been raised by neighbouring residents as to the occupation criteria of these affordable units, and query whether the units will be exclusively for Cliffsend residents. Within the S.106 agreement linked to the outline consent there is a requirement that the Council be afforded 100% nomination rights for the units in accordance with the current allocation policy. Whilst this doesn't guarantee that all future occupants will be area linked, there is scope for consideration to be given to the area links.

### **Size and Type of Housing**

The proposal includes a range of unit types, including flats, terraced units, semi-detached and detached units; and a range of unit sizes, including 2no. 1-bed flats, 12no. 2-bed, 25no. 3-bed, and 2no. 4-bed units. Policy SP22 of the Thanet Local Plan requires new development to provide an appropriate mix of market and affordable housing types and sizes that has regard to the Strategic Housing Market Assessment 2016. The mix of unit sizes

proposed is more typical of the market need than the affordable need, with the largest number of units 3-bed and not 1-bed, the greatest affordable need. However, a higher density development of 1-bed flats would not be characteristic of this rural edged site, and therefore some flexibility is required when balancing the need for the unit sizes with the visual impact. It is intended that 78% of the units would be shared ownership, and therefore it is likely that a higher number of larger units will be needed on the site than that suggested through the policy for affordable units. On balance, the size and type of units proposed is considered to be acceptable given the wide range proposed and the character of the surrounding area.

Policy QD05 of the Thanet Local Plan requires that there is accessibility provision within new developments, with 10% of new build development expected to be built in compliance with building regulation part M4(2) accessible and adaptable dwellings, and 5% of affordable housing units expected to be built in compliance with building regulations part M4(3) wheelchair user dwellings. The agent has confirmed that 15% of the units would be constructed in compliance with M4(2), and one unit will be constructed as a wheelchair user dwelling, which equates to 5% of the affordable units approved through the outline application. The proposal therefore complies with Policy QD05 of the Thanet Local Plan.

### **Drainage**

Southern Water and the Environment Agency have raised no objections. KCC SUDs has advised that from a surface water drainage perspective they are of the view that there is sufficient space provided within the layout to manage the surface water generated by the development, and that they will comment on the design at the detailed design stage via the condition submission linked to the outline consent.

KCC has recommended that full consideration be given to the landscaping of the basins and the promotion of multi-functional design, and suggest that information is sought on the landscaping proposed within the attenuation ponds in order to achieve amenity, landscape and biodiversity benefits. Further details of the attenuation ponds are therefore sought through the detailed landscaping condition. Subject to this condition, and the details to be considered via the outline conditions, the impact upon flood risk is considered to be acceptable and in accordance with Policy CC02 of the Thanet Local Plan.

### **Biodiversity**

An Updated Preliminary Ecological Appraisal and Precautionary Mitigation Strategy (December 2019) has been submitted with this application, which has made a number of recommendations to enhance the site for biodiversity. These include the planting of native species, the provision of eight bat boxes, to be incorporated into the building design, a minimum of ten bird boxes of different designs to be incorporated into the landscape plan, and hedgehog holes within garden fences. KCC Biodiversity were consulted, who advised that the landscaping plan be updated to reflect the recommendations of the Updated Preliminary Ecological Appraisal and Precautionary Mitigation Strategy.

An updated biodiversity enhancement plan and site plan have been submitted, which provides new native species planting within the site, 5no. integrated bat boxes, 10no.

integrated/tree bird boxes, 5no. log piles, and hedgehog holes in all fences. KCC Biodiversity have advised that they are satisfied that the enhancements detailed within the Updated Preliminary Ecological Appraisal and Precautionary Mitigation Strategy will be incorporated into the site, and therefore raise no objections.

The impact upon biodiversity is therefore considered to be acceptable, and in accordance with Policy SP30 of the Thanet Local Plan.

### **Other Issues**

Issues have been raised in relation to the density of development proposed, the loss of agricultural land, the lack of infrastructure and facilities within the village to support the housing, and the highway impact from increased traffic, however these issues were all covered through the outline application. The impact upon house values has also been raised but this is not a planning issue.

It is noted that within the design and access statement the applicants intention to reduce the previously agreed off-site financial contributions are stated, however this is not a matter for this reserved matters application. If reductions were to be agreed, this would be dealt with separately through a variation of the legal agreement, and would be brought before members for consideration on the basis that members agreed the current financial commitments.

### **Conclusion**

The proposed layout of the development is considered to be in keeping with the surrounding pattern of development, and the proposed scale and appearance of the development is considered to be in keeping with the rural character and appearance of the surrounding area. The general landscaping proposal is considered acceptable, although further details of this will be required at condition stage.

Whilst the proposal includes the provision of 100% affordable housing, this is considered to be a positive element that provides significant social benefits, and for which there is no policy concern.

The proposed development is considered to be an adequate distance from existing neighbouring occupiers, and existing and proposed landscaping will help to provide screening for both visual and amenity purposes.

The impact upon highway safety is considered acceptable, with adequate off-street parking provision; and the impact upon biodiversity and flood risk raise no concerns.

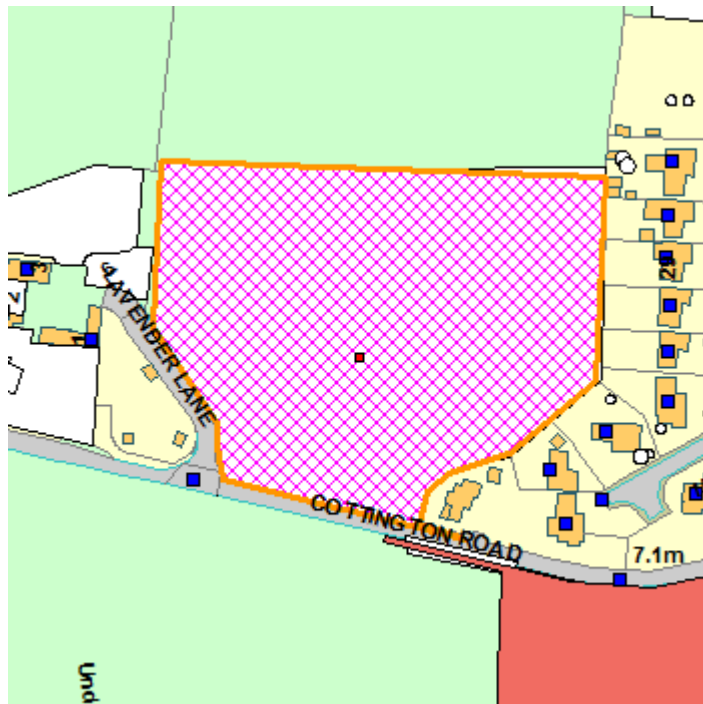
Overall the proposal is considered to be in accordance with the Thanet Local Plan, specifically Policies QD02 and QD03, along with the NPPF, and it is therefore recommended that members approve the application.

### **Case Officer**

Emma Fibbens

TITLE: R/TH/19/1780

Project Land North Of Cottington Road And East Of Lavender Lane RAMSGATE  
Kent





**A02**

**FH/TH/20/0740**

PROPOSAL: Erection of dormer window to rear to facilitate new bathroom in loft

LOCATION: 17 Harbour Street RAMSGATE Kent CT11 8HA

WARD: Central Harbour

AGENT: Mr Mohamed Abdulla

APPLICANT: Mr Raza Rahman

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 approved drawings numbered A1/102.

**GROUND;**

To secure the proper development of the area.

3 The external materials and external finishes to be used in the dormer window 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 Policies QD02 and HE03 of the Thanet Local Plan

**SITE, LOCATION AND DESCRIPTION**

17 Harbour Street, Ramsgate is a 3 and a half storey (fronting Harbour Street) and appearance of 4 and a half storey at the rear, mid terrace property set under a pitched roof set behind a parapet. The existing property has an existing flat roof dormer window within the rear roof. At ground floor there is a commercial use; Ramsgate Tandoori

The application property is sited in a row of buildings that have commercial uses at ground floor and residential above. The heights and design of these buildings vary between two storey and 3 and a half storey. There is a formal access to the rear which provides access to the rear of the property, this also provides access to Charlotte Court Gardens.

The application site is located within the Ramsgate Conservation Area.

### RELEVANT PLANNING HISTORY

F/TH/95/0760 Installation of new shop front. Granted 30/11/1995

### PROPOSED DEVELOPMENT

The application is for the erection of a flat roof dormer window to rear to facilitate a new bathroom in the loft. The loft space already provides habitable accommodation. The proposed dormer window measures approximately 1.3m x 1.5m.

The submitted Design and Access Statement details that the materials to be used in the construction of the dormer window is timber with external slate finish to the dormer cheeks and fibre coated flat roof.

### DEVELOPMENT PLAN POLICIES

#### **Thanet Local Plan**

SP35 - Quality Development

SP36 - Conservation and Enhancement of Thanet's Historic Environment

QD02 - General Design Principles

QD03 - Living Conditions

TP06 - Car Parking

HE03 - Heritage Assets

### NOTIFICATIONS

Letters were sent to neighbouring property occupiers and a site notice was posted near the site. No letters of objection have been received.

### CONSULTATIONS

**Conservation Officer** - No objection

### COMMENTS

This application is brought to the Planning Committee, as the application has been submitted by a Councillor.

The main consideration with regard to this application is the consideration of the impact of the proposed development on the character and appearance of the Conservation Area, the residential amenity of neighbouring property occupiers, and highway safety.

### **Character and Appearance**

The development is located within a Conservation Area, and therefore the Local Planning Authority must have regard to Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 which requires special attention to be paid to the desirability of preserving or enhancing the character and appearance of the area.

The National Planning Policy Framework (NPPF) also states 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. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. The NPPF goes on to state that where a development proposal would 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.

Policy SP36 - Conservation and Enhancement of Thanet's Historic Environment seeks to amongst other things protect the historic environment from inappropriate development, support development that is of high quality design and supports sustainable development.

Policy HE03 Heritage Assets states that proposals that affect both designated and non-designated heritage assets, will be assessed by reference to the scale of harm, both direct and indirect, or loss and the significance of the heritage asset in accordance with the criteria in the National Planning Policy Framework.

Policy SP35 relates to the quality of development and states that new development will be required to be of high quality and inclusive design. Policy QD01 relates to sustainable design and sets out that all new buildings and conversions of existing buildings must be designed to reduce emissions of greenhouse gasses and have resilience to function in a changing climate. Policy QD02 is a general design policy and sets out that the primary planning aim in all new development is to promote or reinforce the local character of the area and provide high quality and inclusive design and be sustainable in all other respects. External spaces, landscape, public realm, and boundary treatments must be designed as an integral part of new development proposals and coordinated with adjacent sites and phases.

The application property lies between two existing three and a half and two storey buildings. The proposed dormer window would be located in the rear roof slope, and would be of the same size and style of the existing rear dormer window in-situ. The proposed development is therefore a comparable scale to the existing.

The design of the proposed development is considered to be high quality and reflects the existing design and form of the building. The proposal adds balance to the existing rear dormer. It is appreciated that the dormer is not set down from the ridge of the building at this

point, due to the roof configuration, however, to make the dormer smaller would create an imbalance between the dormers which in my view would create more visual harm.

In terms of the visibility of the dormer window, this would be visible from Charlotte Court Gardens. The existing dormer window can be seen from within these gardens, although partially obscured by the parapet wall. When approaching the site from the north, the dormer would not be fully apparent due to the existing building form.

The proposed material finish, will match the existing; fibre coated flat roof and slate finish to the dormer window cheeks with a timber painted window, the materials are considered appropriate materials for a Conservation Area.

Furthermore the Conservation Officer has confirmed that there are no objections to the proposal.

The proposed development is therefore considered to positively respond to, and integrate well with the form, scale, design and pattern of development of the existing building and surrounding area. The proposed development will therefore be acceptable in terms of the special character and appearance of the Conservation Area, in accordance with Policies SP35, SP36, QD01, QD02 and HE03 of the Thanet Local Plan and the National Planning Policy Framework.

### **Living Conditions**

The proposed development would be within the footprint of the existing building.

The additional rear dormer window would not result in any loss of privacy or overlooking as they would have the same orientation as existing windows and would serve a non-habitable room; bathroom.

Whilst the development would result in a degree of change there would be no adverse impact on neighbouring properties.

The proposed development is therefore considered to be acceptable in terms of the living conditions of adjacent neighbouring properties, in accordance with Policy QD03 of the Thanet Local Plan and the National Planning Policy Framework.

### **Highways**

The proposed enlarged residential accommodation is not considered likely to generate any increase in the demand for parking associated with this site.

The site is located in Ramsgate Town Centre which provides a range of amenities and good public transport links, including multi bus stops in close proximity to the site. The site is therefore considered to be sustainably located, and given the nature of the proposed development it is unlikely to result in an increase in the demand for parking, it is not considered that the proposal will result in significant material harm to the local highway

network or highway safety, in accordance with Policy TP06 of the Thanet Local Plan and the NPPF.

### **Conclusion**

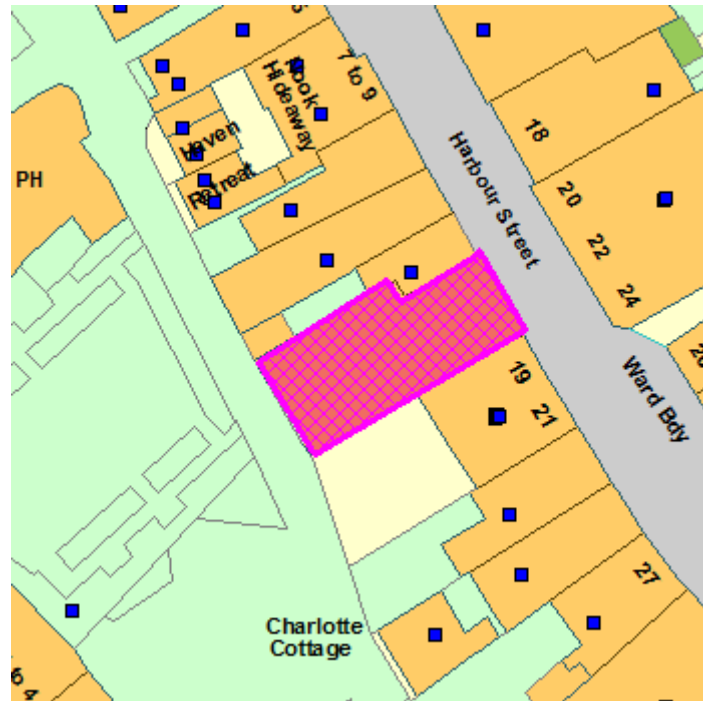
The proposed development is considered to positively respond to, and integrate well with the surrounding built development and will therefore be compatible with the special character and appearance of the Conservation Area. The development is not considered to result in harm to residential amenity, nor highway amenity and highway safety. It is therefore recommended to Members that this application be approved, subject to safeguarding conditions.

### **Case Officer**

Gill Richardson

TITLE: FH/TH/20/0740

Project 17 Harbour Street RAMSGATE Kent CT11 8HA



**D03**

**F/TH/19/0663**

**PROPOSAL:** Erection of a four storey building for a mixed use development comprising 751 sq m of commercial office use on the ground floor (use class B1) together with 2No one-bedroom, 8No two-bedroom and 4No three-bedroom apartments on first, second and third floors (use class C3) with associated parking, access and landscaping following demolition of existing building.

**LOCATION:**

St Peters Presbytery 117 Canterbury Road Westgate On Sea  
Kent CT8 8NW

**WARD:** Westgate-on-Sea

**AGENT:** Hume Planning Consultancy Ltd

**APPLICANT:** Kentish Projects

**RECOMMENDATION:** Defer & Delegate

Defer and Delegate for approval subject to the satisfactory completion of unilateral undertaking within 6 months securing the required planning obligations as set out in the Heads of Terms 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 22 Rev A, 23 Rev B, 28 Rev B and 29 received 17 April 2020, and 21 Rev E, 31, replacement tree planting plan 001 Rev A, tree protection plan 001 Rev A received 16 July 2020.

**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 a programme of archaeological work in accordance with a written specification and timetable which has been submitted to and approved by the Local Planning Authority.

**GROUND;**

To ensure that features of archaeological interest are properly examined and recorded in accordance with Policy HE01 of the Thanet Local Plan and the advice contained within the National Planning Policy Framework.

4 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 QD03 of the Thanet Local Plan and the National Planning Policy Framework.

5 No development shall take place until a detailed sustainable surface water drainage scheme for the site has been submitted to (and approved in writing by) the local planning authority. The detailed drainage scheme shall demonstrate that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100 year storm) can be accommodated and disposed of within the curtilage of the site without increase to flood risk on or off-site. The drainage scheme shall also demonstrate that silt and pollutants resulting from the site use and construction can be adequately managed to ensure there is no pollution risk to receiving waters.

**GROUND;**

To ensure the development is served by satisfactory arrangements for the disposal of surface water and to ensure that the development does not exacerbate the risk of on/off site flooding, in accordance with Policy CC02 of the Thanet Local Plan and advice contained within the NPPF

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

**GROUND;**



To ensure the development is served by satisfactory arrangements for the disposal of surface water and to ensure that the development does not exacerbate the risk of on/off site flooding, in accordance with Policy CC02 of the Thanet Local Plan and advice contained within the NPPF.

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

**GROUND;**

To ensure that light pollution is minimised in the interest of the visual and residential amenities of the area, in accordance with Policy SE08 of the Thanet Local Plan.

8 Prior to the first occupation of the development hereby permitted details of the cycle parking, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with such details as are agreed and thereafter maintained.

**GROUND;**

To promote cycling as an alternative form of transport, in accordance with Policy TP03 and SP43 of the Thanet Local Plan

9 Prior to the first use of the development, the area shown on approved plan numbered 21 Rev E received 17 July 2020 for the parking and manoeuvring of vehicles shall be operational. The area approved shall thereafter be maintained for that purpose.

**GROUND;**

To provide satisfactory off street parking for vehicles in accordance with Policy TP06 of the Thanet Local Plan and the advice contained within the NPPF

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

**GROUND;**

In the interests of highway safety.

11 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.  
the treatment proposed for all hard surfaced areas beyond the limits of the highway.  
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 in accordance with Policies QD02 and SP30 of the Thanet Local Plan, and the advice as contained within the NPPF.

12 Prior to the installation of any external windows and doors, joinery details at a scale of 1:5 of the windows and doors to include sections through glazing bars, frame and mouldings shall be submitted to and approved in writing by the Local Planning Authority. Such details as are approved shall be carried out concurrently with the development and fully implemented prior to the first occupation of any part of the approved development.

**GROUND;**

To secure a satisfactory external treatment and to safeguard the special character and appearance of the designated heritage asset in accordance with Policy QD02 of the Thanet Local Plan and advice contained within the National Planning Policy Framework.

13 All new window and door openings shall be set within a reveal of not less than 100mm.

**GROUND;**

In the interests of visual amenity in accordance with Policy QD02 of the Thanet Local Plan

14 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 as a Conservation Area in accordance with Policy HE02 of the Thanet Local Plan, and advice as contained within the National Planning Policy Framework.

15 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;**

To safeguard the special character and appearance of the area as a Conservation Area in accordance with Policy HE02 of the Thanet Local Plan and the advice as contained within the NPPF.

16 Prior to the first occupation or use of the building hereby permitted, details of the refuse storage shall be submitted to and approved in writing by the Local Planning Authority. The refuse storage shall be in accordance with the approved details and thereafter maintained.

**GROUND;**

To safeguard the residential amenities currently enjoyed by the occupiers of nearby residential properties in accordance with Policy QD02 and QD03 of the Thanet Local Plan.

17 The proposed B1 use hereby approved shall not be used other than between the hours of Monday to Friday 0800 to 2000.

**GROUND;**

To safeguard the residential amenities currently enjoyed by the occupiers of nearby residential properties in accordance with Policy QD03 of the Thanet Local Plan.

18 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 Policy SE03 of the Thanet Local Plan and the advice contained within the National Planning Policy Framework.

19 The rating level of noise emitted from the proposed plant and equipment to be installed on the site shall be at least 5dB below the background noise level (LA90,T) at the nearest residential facade. All measurements shall be defined and derived in accordance with BS4142 2014.

**GROUND;**

In the interests of the residential amenities of the occupiers of surrounding dwellings in accordance with Policy QD03 of the Thanet Local Plan and the advice contained within the NPPF.

20 Prior to the commencement of the development hereby approved, details of the construction of the ceilings and floors that separate the first and second floors shall be submitted to and approved by the Local Planning Authority. The ceilings and floors shall resist the transmission of airborne sound such that the weighted standardised difference (DnT, W + Ctr) shall not be less than 50 decibels. The weighted standardised difference (DnT, W) a spectrum adaption term, Ctr, is quoted according to BS EN ISO 16283-1:2014 Acoustics. Field measurement of sound insulation in buildings and of building elements. Airborne sound insulation. The work shall then be carried out in accordance with the approved details prior to occupation of the premises and be retained thereafter.

**GROUND;**

In the interests of amenity for future occupiers in accordance with Policy QD03 of the Thanet Local Plan and the advice contained within the NPPF

21 Prior to the commencement of the development hereby approved, details of the construction of the ceilings and floors that separate the residential and commercial units shall be submitted to and approved by the Local Planning Authority. The ceilings and floors

shall resist the transmission of airborne sound such that the weighted standardised difference (DnT, W + Ctr) shall not be less than 53 decibels. The weighted standardised difference (DnT, W) a spectrum adaption term, Ctr, is quoted according to BS EN ISO 16283-1:2014 Acoustics. Field measurement of sound insulation in buildings and of building elements. Airborne sound insulation. The work shall then be carried out in accordance with the approved details prior to occupation of the premises and be retained thereafter.

**GROUND;**

In the interests of amenity for future occupiers in accordance with Policy QD03 of the Thanet Local Plan and the advice contained within the NPPF

22 Prior to the removal of any trees in connection with the development hereby approved on site, a precautionary method statement shall be submitted to and approved by the Local Planning Authority, detailing how the trees will be removed to minimise the impact on roosting bats. The method statement must be implemented as approved.

**GROUND;**

In order to safeguard protected species that may be present, in accordance with Policy SP30 of the Thanet Local Plan and advice as contained within the NPPF.

23 Prior to the first occupation of the development hereby approved, an ecological enhancement plan shall be submitted to and approved 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 the visual amenities of the area and to make a positive contribution to biodiversity, in accordance with Policies QD02 and SP30 of the Thanet Local Plan, and the advice as contained within the NPPF.

24 Prior to the first use of the building hereby permitted, the vehicular access approved and associated vehicle crossing point onto the highway, as shown on the approved plan numbered 21 Rev E received 17 July 2020 should be complete.

**GROUND;**

In the interests of highway safety, in accordance with the advice contained within the NPPF.

25 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 2012 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;**

To protect existing trees and to adequately integrate the development into the environment, in accordance with Thanet Local Plan Policy QD02.

26 All excavations within the existing spread of the trees to be retained shall be carried out manually; using only hand held tools and any roots exposed thereby shall be bridged over in the construction of the foundations.

**GROUND;**

To Protect existing trees and to adequately integrate the development into the environment, in accordance with Thanet Local Plan Policy QD02.

27 Prior to the first occupation of the development hereby approved, details of the design of the electric vehicle charging points, to be located as shown on the approved plan numbered 21 Rev E received 17 July 2020, shall be submitted to, and approved in writing by, the Local Planning Authority, and thereafter implemented and maintained as approved.

**GROUND;**

To protect air quality, in accordance with Policy SP14 of the Thanet Local Plan and the advice as contained within the NPPF.

28 The first and second floor windows serving the kitchen and living room for units 1 and 6 in the eastern side elevation of the building hereby approved shall be non-opening below 1.73m above the finished internal floor level, and 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 the first occupation of the development hereby permitted and permanently retained thereafter.

**GROUND;**

To safeguard the residential amenities currently enjoyed by the occupiers of nearby residential properties in accordance with Policy QD03 of the Thanet Local Plan.

29 The ground floor of the development hereby approved shall be used as an commercial office (B1a) and for no other purpose including any other purpose in Class B1; of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

**GROUND;**

To secure the proper development of the area as an acceptable departure from Policy E05 and E06 of the Thanet Local Plan.

30 The development hereby permitted shall be constructed in order to meet the required technical standard for water efficiency of 110litres/person/day, thereby Part G2 Part 36 (2b) of Schedule 1 of regulation 36 to the Building Regulations 2010, as amended, applies.

### **GROUND;**

Thanet is within a water stress area as identified by the Environment Agency, and therefore new developments will be expected to meet the water efficiency optional requirement of 110litre /person/day, in accordance with Policy QD04 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

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

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](http://www.southernwater.co.uk).

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

### **SITE, LOCATION AND DESCRIPTION**

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

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

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

## RELEVANT PLANNING HISTORY

F/TH/18/0005 - Change of use of church and dwelling to Offices (Use Class B1) together with cladding to front elevation and alterations to fenestration. Granted 21 June 2018

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

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

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

## PROPOSED DEVELOPMENT

The proposed development is the erection of a four storey building for a mixed use development comprising 751 sq m of commercial office use on the ground floor (use class B1) together with 2No one-bedroom, 8No two-bedroom and 4No three-bedroom apartments on first, second and third floors (use class C3) with associated parking, access and landscaping following demolition of existing building.

The application is supported by a Design and Access Statement. This states that the proposed offices would be used by an estate agent as their head office providing around 65 jobs. The head office is currently located outside of the district. The new office would be operated in a similar way to the existing office and would not be open for members of the public to visit.

The application has been amended from the initial proposal following concerns that were raised by Officers regarding the design of the proposed building, its impact upon the character and appearance of the Westgate Conservation Area and the adjacent listed building, and the living conditions of the adjacent residential property occupiers.

## DEVELOPMENT PLAN POLICIES

### **Local Plan Policies**

SP14 - General Housing Policy

SP22 - Type and Size of Dwellings

SP28 Protection of International and European Designated Sites

SP29 - Strategic Access Management and Monitoring Plan (SAMM)

SP30 - Biodiversity and Geodiversity Assets

SP35 - Quality Development

SP37 - Climate Change

SP43 - Safe and Sustainable Travel

CC02 - Surface Water Management

H01 - Housing Development

HE01 - Archaeology

HE02 - Development in Conservation Areas  
HE03 - Heritage Assets  
QD01 - Sustainable Design  
QD02 - General design Principles  
QD03 - Living Conditions  
QD04 - Technical Standards  
QD05 - Accessible and Adaptable Accommodation  
SE04 - Groundwater Protection  
SE08 - Light Pollution  
TP02 - Walking  
TP03 - Cycling  
TP06 - Car Parking

### NOTIFICATIONS

Letters were sent to neighbouring property occupiers, a site notice was posted close to the site and an advert was posted in the local paper. Eleven letters of objection were received raising the following concerns:

- Affect local ecology
- Development too high
- General dislike of proposal
- Increase of pollution
- Loss of trees
- Close to adjoining properties
- Inadequate access
- Inadequate parking provision
- Inadequate public transport provisions
- Increase in traffic
- Loss of light
- Loss of parking
- Loss of privacy
- More open space needed on development
- Noise nuisance
- Out of keeping with character of area
- Strain on existing community facilities
- Traffic or Highways
- Loss of existing building
- Scale and design of the proposed building
- Proximity to neighbouring properties
- Lack of waste and recycling provision
- Lack of space for cycling
- Lack of renewable energy systems e.g. solar panels
- Lack of electrical vehicle charging points
- All of the site is not within the applicants ownership



A petition containing 19 signatures objecting to the application has also been submitted.

One letter of objection was received following the submission of the amended plans raising concern regarding the scale of the development, loss of light and outlook and highways concerns.

**CPRE Kent** - Thanet CPRE have concluded that:

The development would not be consistent with Policy D1 - Design Principles insofar that the proposed new development would not provide high quality and inclusive design, sustainability, layout and materials,

The proposed development would not respect or enhance the surrounding area or establish or maintain a strong sense of place, using the spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit.

The development would not protect existing trees and landscaping during construction or provide the enhancement of the site in its setting in a conservation area.

The current development proposal would not preserve or enhance the Westgate Conservation Area,

Would not function well and would detract from the overall quality of the area, not just for the short term but over the lifetime of the development;

Would not be visually attractive as a result of poor architecture, scrambled layout and inappropriate effects on landscaping and protected trees;

Would be unsympathetic to local character and history, including the surrounding built environment and landscape setting,

Would not encourage innovation or change or optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space)

Would not and support local facilities and safety and operation of the local transport networks

Moreover it is considered that over development of the site by the proposed development would overload the adjacent traffic signal junction and endanger road users in the vicinity and people working in or living at the development;

CPRE Kent considers that this application must be rejected until and unless a Traffic Impact Appraisal is carried out to assess the whole effect of this proposed development on the traffic signal junction itself to enable an informed decision to be made on the potential impact of this major development on the junction.

For all the above reasons we submit that this Application should be refused

**Margate Civic Society** - Margate Civic Society wishes to object to this Proposal.

The design and massing of the Proposal does not respect the Conservation Area and the quality of the buildings within it - rather, the Proposal is led purely by a commercial desire to maximise the profit potential from the site. A four-storey flat-roofed structure shows a remarkable lack of empathy for the immediate surroundings.

To combine a commercial element employing 65 people with a residential element supporting 21 flats on such a restricted site and in this particular position is quite remarkable. The anticipated daily vehicular movements into and out of the site at such an incredibly vulnerable point on the A28 and directly adjacent to an extremely busy crossroads are quite unthinkable. Indeed, the site being so closely situated to the crossroads and on a dual carriageway, how is it to be explained that access into the site from Birchington and exit from the site towards Margate can be achieved in any remotely safe manner? MCS finds itself in conflict with Kent Highways' comments and can only express its opinion on the experience of actually living and travelling locally and its committee members' familiarity with the issues that do arise on a daily basis at this particular location.

We do agree, however, with Kent Highways' comments relating to waste collection but cannot understand quite how a 13 metre waste vehicle is expected to enter and leave the site in a forward gear and that this movement would be facilitated by the removal of just one parking space. This seems quite impossible and, indeed, when one examines the parking layout within the site, the inner parking spaces within the two rows to the West and East elevations appear utterly impossible to access with any degree of ease at all. 65 people arriving for work and with clients coming and going daily combined with the vehicular movements that will be created within the site by the occupants of the 21 residential units and associated delivery vehicles would appear to be an extremely challenging prospect - not to mention the potential for conflict relating to space allocation or the build up waiting to access or exit the site.

We also note that Question 23 on the application form relates to pre-application advice. Whilst confirmation that it has taken place has been provided, the section relating to the details of that advice has been left blank by the applicant so that any observations about the application from third parties such as ourselves are therefore not fully informed - surely an important issue when we are trying to assess the application and a procedurally unfair defect so that the Proposal should be rejected on this ground alone apart from all the substantive objections lodged?

MCS is also aware that a similar proposal was made by Sainsburys to develop a site abutting the A28 a little further along towards Birchington that would also have generated substantial traffic movements into and out of the site was refused on Highway grounds. We see this present St Peter's Presbytery proposal as having exactly the same adverse implications so that it too should be refused.

**Westgate Conservation Area Advisory Group** - Further comments received

The site is in the Westgate-on-Sea Conservation Area South. Of the two adjacent buildings, one is a Grade 2 listed building (Doon House/Summerlands), the other was originally the lodge house to an early Westgate building, built in the 1870's by the owners of the Westgate-on-Sea estate. The Character Area 3 Appraisal document (page 25) says of the lodge "Former lodge. A good building worth of note". Therefore, any development needs to be mindful/sympathetic of the contribution the lodge makes to the area and the importance of the neighbouring Grade 2 listed Doon House. There are three other Grade 2 listed buildings within walking distance of the proposed build, the Tower House/St Augustine's, Quested's and Hatton House/Ursuline School.. The proposed building would not only dominate the whole site but also be unsympathetic to the historic buildings surrounding it.

The over-massing of the site has a detrimental effect on Mountbatten Court, the building directly behind the proposed design, which would be overshadowed and hemmed in.

Page 30 of the Character Area 3 Appraisal documentations states "Canterbury Road street scene with wide verges and predominance of mature trees soften the impact of this busy thoroughfare". Retention of the existing trees should be an important feature of the proposed plan. The current design is too overbearing to allow retention of the mature trees on the site.

The CAAG is also concerned about the amount of traffic that the development will generate. Although we are mindful the entrance has been used for many years, we feel this proposal will greatly increase the daily ingress and egress of traffic from the site. The proposal is for residential and commercial use and may mean that somewhere in the region of 60/70 cars will be entering and exiting the site at the busiest times of the day. The crossroads is a busy junction and there is no turn towards Margate from the proposed site, unless the two carriageways of the dual carriageway are crossed, for the right turn. This could lead to lengthy delays for traffic leaving the site and for traffic travelling towards Birchington from Margate.

Planning permission was not granted on a proposed Sainsbury's development a little up the Canterbury Road towards Birchington, because of substantial traffic movements in and out of the site.

We believe that because of the reasons given above, this planning permission should not be granted.

*Initial comments received 20th June 2019*

The development would not be consistent with Policy D1- Design Principles insofar that the proposed new development would not provide high quality and inclusive design, sustainability, layout and materials,

The proposed development would not respect or enhance the surrounding area or establish or maintain a strong sense of place, using the, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit

The development would not protect existing trees and landscaping during construction or provide the enhancement of the site in its setting in a conservation area.

The current development proposal would not preserve or enhance the Westgate Conservation Area,

Would not function well and would detract from the overall quality of the area, not just for the short term but over the lifetime of the development;

Would not be visually attractive as a result of poor architecture, scrambled layout and inappropriate effects on landscaping and protected trees;

Would be unsympathetic to local character and history, including the surrounding built environment and landscape setting,

Would not encourage innovation or change or optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space)

Would not and support local facilities and safety and operation of the local transport networks;

For all the above reasons we submit that this application should be refused.

### **Westgate Town Council** - Further comments received 14 May 2020

Objection - the following material planning considerations are sited:

Highway safety - clarification is needed in relation to the queries raised and further information requested by KCC Highways on 31st May 2019.

Impact on the overall Conservation Area which includes a number of grade 2 listed buildings- a report should be provided by a qualified Conservation Officer, including the design and materials proposed.

Loss of seven trees, some of which are very large and established and will survive for many years to come, mainly to make way for car parking. The Town Council requests that the planning department consider some of the higher value trees that are proposed for felling for TPOs. A full tree officer report on those proposed to be felled would be necessary to ascertain their value with regards to gaining a TPO status. The previous tree survey was carried out 3 years ago and is out of date. The trees at the back of the current development can be seen from and give visual amenity to Minster Road, as well as the enormous overall benefits of well established trees in the town.

Over massing of the site (which is the root cause of the destruction of the trees)

Possible loss of privacy to Forest House (neighbour) and Mount Batton Court

Security concerns from Kent Police

Positive comments: Development of this site is a good use of brownfield land and, although not strictly a planning matter, the employment potential of the Miles and Barr head offices on

the ground floor is a boost for the community and economy. Although it is important that a conservation officer reports on the area, design and materials, it is recognised that the design is an improvement on the previous application. The felling of some trees to accommodate development is occasionally unavoidable, such as T16, but it is felt that a compromise could be reached to reduce the numbers proposed to preserve the valuable benefits to the environment and the conservation area.

*Initial comments received 14 June 2019*

Objects with the following comments:

Conservation Area

Major impact on the Conservation Area

Support comments from CAAG that the design is not in sympathy with the surrounding area

The buildings are a different design to the neighbouring properties

The height of the flat roof which appears to be out of character and imposing on the neighbouring property.

There is no Conservation Area report for this application

Trees and Ecology

There should be an up to date report from Thanet District Council tree officer as it is not clear the minimum amount of trees being cut down.

Also a lack of a clear indication of which trees are proposed to be Cllt down.

We suggest that any TPO trees should be protected

It is possible that a Full Ecological Impact Assessment should be undertaken

There does not appear to be any provision for landscaping on the proposed plans

KCC and Highway concerns:

The Committee agrees to the concerns raised by Kent County Council Highways and the issue of the lack of a surface water drainage strategy.

There should be a clearly designated car park and cycling provision area and then the impact on trees on the site.

Concerns about access and egress to the site; in particular, road safety. Also, if the access was widened what is the effect on the trees'?

There should be details of electric charging points available for electric vehicles.

Overmassing:

The over massing of the site coupled with the reduction in the number of trees on the site is unacceptable.

Neighbouring property

Overshadowing/loss of outlook to the detriment of residential property neighbouring

### CONSULTATIONS

**TDC Conservation Officer** - St Peters Presbytery, located at 117 Canterbury Road Westgate, was previously authorised for change of use through a separate application by

committee (reference F/TH/18/0005) which adapted the building but retained its built form. This application proposes the demolition of the entity of the building and its reconstruction as both a commercial and residential function. The property next door to this site, Summerlands Lodge, is of Grade II listed status therefore any impact needs to be considered as part of this application. The site is also located in a prime frontage location within Westgate Conservation Area.

Whilst the Council does not have any saved local plan policies on heritage and conservation, its Draft Local Plan is nearing adoption and as such weight can be given to the policies contained within it. Draft policy HE02 of the Draft Thanet Local Plan 2018 sets out within Section 7 'The character, scale and plan form of the original building are respected and the development is subordinate to it and does not dominate principal elevations.' As well as Section 8 which states 'Appropriate materials and detailing are proposed and the development would not result in the loss of features that contribute to the character or appearance of the conservation area. New development which would detract from the immediate or wider landscape setting of any part of a conservation area will not be permitted.'

NPPF guidance section 192 states when determining applications, local planning authorities should take account of (paragraph c) the desirability of new development making a positive contribution to local character and distinctiveness. Additionally under the Listed Buildings and Conservation Areas Act 1990, Section 66 Paragraph 1 which states when considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

It was established quite early on during discussions regarding the application that the demolition of the existing church could be acceptable as what it currently offers, both to the community and through its aesthetic appearance, is of some reduced value. However it was also expressed that this site is a unique circumstance, and therefore an opportunity, to reflect the design or materiality of existing contemporary church in the newly proposed scheme.

The scale of the proposed scheme has a much larger massing when compared to that of the existing church. Although the church is still of a substantial size it is somewhat long and slender, with one section of taller scale and the rest set much lower, which flows with the site whereas the newly proposed footprint is wide as well as long, creating a singular bulk mass. This then makes mitigation measures needed to cohesively incorporate any new construction much harder as the impact will ultimately be harder to reduce and control.

It has been argued that the existing church is of an equal scale to the newly proposed scheme due to the tower and spire that exists on the current church, however this is not considered correct as the spire is thin, minimal and does not block views of the site, like that of the proposed would do. Reviewing the evolution of the design it appears the proposed has actually increased in height in more recent plans, which is not typical or encouraged. It is now also taller in ridge height than that of the neighbouring listed property, Summerlands Lodge, which creates a sense of competition between the two structures further enhancing

the scale and creating somewhat of a conflicting view. Typically developments neighbouring listed properties would look to be considerably lower than that of existing historic built form as not to unbalance or dominate the setting of the listed property of which is the resulting effect here. There is a strong risk with this application of it appearing overbearing as there is also another existing building adjacent to the rear of the site which has not been included as context with the proposed elevations of this scheme. This makes it difficult to further evaluate the impact in any greater detail than substantial.

Issues regarding design, and the creation of a form that was less intrusive to the site, were apparent when amendments were taking place on how to improve the proposed scheme. Through discussions with the agent suggested amendments have been made but unfortunately I do not believe that the harm caused by the scale and mass of the proposed building is reduced to an acceptable level of harm. The final design is largely improved of that of the original and will not cause extensive harm, in principle, through its aesthetic appearance as appropriate materials are being proposed. It also somewhat reflects more historic elements from the immediate environment including the proportionality from the neighbouring dwelling through the use of proportioned windows and a gabled roof structure. However I fear that a reduced approach, other than a gabled roofline and sash windows, little influence has been drawn from the surrounding historic environment and which creates a jarring relationship between the proposed and the existing built form of the area. It would appear that a somewhat relaxed approach has been taken to this important aspect of this application and it is apparent.

I can acknowledge that through discussion the proposed design of the scheme has evolved quite considerably through the process of submitting this application. However, I am still of the opinion that an opportunity has been missed for this site and the design of the proposed building could have been reflective of the building proposed for demolition, whilst meeting with a more contemporary requirement. Alterations have been suggested and implemented but unfortunately I do not believe this has been enough to address the main concerns for the proposed, with a scheme that ultimately appears minimal and somewhat uninspiring with no prevailing reflection of the sites history or the surrounding character and appearance of the conservation area.

The scale proposed for the scheme has actually increased since the original submission creating an overbearing and dominant stance to the street scene, whilst causing harm to the setting of the adjacent listed property. With this I do not believe the proposed to enhance the surrounding environment whilst appearing overdevelopment upon the site resulting in the application not meeting with the aforementioned local and national guidance and for these reasons I object to this application.

If this application was to be approved I would like to see more information regarding the materials of the proposed including the window sill, frames and recess details, as well as further information on doors, brickwork and banding. These should be reflective of the surrounding conservation area in an attempt to amalgamate the design into the existing environment.

**Environment Agency** - In this setting and taking previous uses into account we have no objection in principle to the above proposal subject to the conditions regarding any unsuspected contamination.

**TDC Environmental Health** - No further comments to add on the amended plans. The initial comments sent in June 2019 are still relevant though.

*Initial comments received 11 June 2019*

To safeguard surrounding properties in the demolition and construction phase I would request the submission of a Construction Environmental Management Plan prior to the commencement of development.

I have reviewed the submitted plan of the second and third floor and have concerns with the stacking of the flats to the rear of the left hand side of the building. The bedroom over a lounge and vice versa highlights concerns, therefore the applicant may want to consider altering the plan to stack the bedroom on top of bedroom. If the applicant decides to keep the plan as submitted then I would suggest a condition be added for increased soundproofing between the properties in question.

The commercial units on the ground floor will sit directly under residential units which opens the residential units up to noise transfer over and above that expected in a dwellinghouse. I would therefore suggest a condition be added for increased soundproofing between the ground and first floor.

I would also suggest conditioning the times to Monday to Friday 8am - 8pm.

The property is within the air quality management area (AQMA) and would require the following air quality mitigation:

All gas-fired boilers to meet a minimum standard of <40mgNO<sub>x</sub>/kWh

1 Electric Vehicle charging point per dwelling with dedicated parking or 1 charging point per 10 spaces (unallocated parking)

Commercial/Retail/Industrial:

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

I cannot see any information in relation to any plant being installed at the commercial premises. Whilst a condition may not be warranted, due to the close proximity to residential I would request that any plant (i.e air conditioning) installed be at least 5dB below background noise.

**KCC Archaeology** - Thanet is generally rich in archaeological remains and the application site lies in an area of high potential. The application site lies close to where prehistoric, Iron Age and Roman remains and finds have been recorded. The HER shows there have been Bronze Age burials (SMR No TR 36 NW 59) discovered west of the site in the 19th Century



and an Iron Age burial was found in the 1960s. Similar remains may survive on site that may be affected by development groundworks.

In view of the archaeological potential I recommend the following condition is placed on any consent securing the implementation of a programme of archaeological work.

### **KCC Biodiversity** - Further comments received 03 June 2020

Sufficient information has been provided to determine the application.

The ecological survey provides a good understanding of the ecological interest of the site and it has assessed that the site is used by at least 2 species of foraging bats and the site has suitable habitat for nesting birds.

The submitted report has provided an assessment of the trees on site and assessed that the trees on site have a negligible or low potential to be used on site. We have reviewed the tree plan and we understand that trees 19, 20 and 21 will be removed to facilitate the development - these trees have been assessed as having low potential to be used by roosting bats and therefore a precautionary mitigation must be implemented when the trees are removed.

We recommend that if planning permission is granted details of a precautionary method statement must be submitted to the LPA for written approval to detail how the trees will be removed to minimise the impact on roosting bats. The method statement must be implemented as approved.

### Ecological Enhancements

The submitted PEA has made a number of recommendations to enhance the site for biodiversity but no information has been provided confirming what enhancements will be incorporated into the site. Conditions should be imposed

### *Further Comments received 24 October 2019*

Additional information is required prior to determination of the planning application.

It's unclear within the submitted plan exactly what trees will be removed to facilitate the development.

### *Initial Comments received 19 June 2019*

Additional ecological information is required prior to determination of the planning application.

The submitted survey has detailed that there is a need for the following additional surveys to be carried out:

- additional tree climbing surveys

- Emergence surveys on the buildings
- Emergence surveys on the trees (depending on the results of the tree climbing surveys)

We advise that the recommended surveys are carried out prior to determination of the planning application.

From reviewing the submitted information, it appears the whole site has not been included within the Preliminary Ecological Appraisal (PEA). There is a woodland strip to the west of the site which was not included within the PEA and from reviewing the site plan it appears that the woodland strip will be cleared to create car parking. We recommend that the trees are retained within the proposed development as trees can enhance biodiversity by providing suitable foraging/resting habitat and providing connectivity to the wider area.

However if the trees are to be removed we advise that there is a need for the PEA to be updated to assess the ecological interest of the woodland strip.

The updated PEA, bat surveys and results of any recommended surveys must be submitted prior to determination of the planning application.

### Ecological Enhancements

The submitted PEA has made a number of recommendations to enhance the site for biodiversity. We advise that information is submitted by the applicant confirming what enhancements will be incorporated into 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 Plan (SAMMP) 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 Thanet Coast and Sandwich Bay SAMMP there is a need for an appropriate assessment to be carried out as part of this application.

**KCC Economic Development** - The County Council has assessed the implications of this proposal in terms of the delivery of its community services and is of the opinion that it will have an additional impact on the delivery of its services, which will require mitigation either through the direct provision of infrastructure or the payment of an appropriate financial contribution.

Contributions would be required to the following areas; Secondary Education, secondary school land, Community Learning, Youth Services, Library Bookstock, Social Care and waste services. A condition is also required to ensure provision of Broadband services. Subject to these contributions and conditions being secure no objection would be raised to the application.

### **KCC Flood and Water Management** - Further comments received 23 July 2019

We have no objection in principle to the proposed development, subject to the ground conditions being confirmed via site specific ground investigations. Infiltration testing should be undertaken at the proposed invert level of infiltration features (both for permeable paving and the soakaway).

Should your authority be minded to grant permission for the proposed development, we recommend the conditions are attached requesting detailed submission of the sustainable drainage system and a verification report has been submitted and approved.

Initial comments received 19 May 2019

No surface water drainage strategy has been provided for the proposed development. We would therefore recommend the application is not determined until a complete surface water drainage strategy has been provided for review.

### **KCC Highways** - Further comments received 11 May 2020

I confirm that provided the following requirements are secured by condition or planning obligation, then I would raise no objection on behalf of the local highway authority:-

- Submission of a construction management plan
- Completion and maintenance of the proposed access
- Use of a bound surface for the first 5m from the edge of the highway
- Provision and permanent retention of the vehicle parking spaces and/or garages shown on the submitted plans prior to the use of the site commencing.
- Provision and permanent retention of the vehicle loading/unloading and turning facilities shown on the submitted plans prior to the use of the site commencing.
- Provision and permanent retention of secure, covered cycle parking facilities prior to the use of the site commencing in accordance with details to be submitted to and approved by the Local Planning Authority.

Initial comments received 31 May 2019

In principle the highway authority (HA) is satisfied with the proposal for a new building containing offices and residential apartments in this location. The site is in a sustainable location with schools and bus services nearby, and is located less than 300 metres from Westgate Town Centre and train station.

In order that I may fully assess the highway implications I shall require further information in respect of the following:

- 1.) The site access onto the A28 is very narrow. Any development of the site should include a 4.8 metre wide access road to allow vehicles to enter and exit the site simultaneously without queuing on the public highway. Widening of the access may lead to the loss of one parking space within the site, which the HA believes is acceptable.
- 2.) Although cycle parking is referenced within the design and access (D&A) statement, no cycle parking facilities or cycle parking compound is shown on the submitted plans.
- 3.) No details appear to have been shown in regards to refuse collection arrangements. The introduction of 21 apartments will greatly increase the refuse waste produced on the site, and some form of bin store will likely be required. The site will need to be able to accommodate the largest refuse vehicle currently in use throughout the Thanet District which is a 13 metre long rigid vehicle. The applicants will need to provide tracked drawings to demonstrate that a 13 metre long vehicle can safely enter, turn and exit the site in a forward gear.
- 4.) No details have been submitted in regards to electric vehicle (EV) charging points. To encourage the use of EV vehicles, all parking spaces allocated to individual residents should be fitted with some form of EV charging point. In addition at least 10% of the commercial parking spaces should also have access to EV chargers.

### **Kent Police** - Further comments received 11 May 2020

Despite the reduced number of units and some layout changes we still have some security concerns that must be addressed to help avoid the development and area suffering potential crime, fear of crime, Anti-Social Behavior (ASB), nuisance and conflict.

Initial comments received 19 June 2019

Having reviewed the on line plans and documents and having no communication from the applicant/agent to date, there is a reference to "crime and disorder, and the fear of crime" on page 17 of the Design, Access, and Planning/Heritage Statement however, no detail and the following issues need to be addressed including:

1. The mixed use and residential element of the plan requires detail to demonstrate how the buildings are structured to ensure that the different uses do not cause conflict.
2. We have concerns about meeting the ownership, respect, territorial responsibility and community elements of the application. This is a mixed use site and when considering the potential number of residents and commercial staff that might be using the site during school holidays for example, there are likely to be issues with parking and use of open spaces that could lead to nuisance and conflict.
3. The southern boundary should be min of 1.8m high: there are ways to reinforce or add height to the existing boundary treatments without damaging or removing walls or trees. The low level brick wall between this site and The Countess Mountbatten Court does not afford the required security between the two developments. It is essential that this is addressed within the design of any new development to negate any reduction of security at the assisted retirement facility.

4. The parking provision, including that for residents, office staff, business visitors and residential visitors will need to be very well managed to ensure that conflict is avoided. The parking areas need to be arranged to ensure that the needs of family members moving in do not encroach onto the business element to avoid children "playing" in the parking areas.
5. We await a lighting plan.
6. A secure lobby "air lock" lobby area is required for access control and to provide a secure postal system or a "through the wall" design. Secure mail delivery is a concern as trade buttons and timed access systems are proven to allow certain crime to flourish.
7. It is important that if anyone gained unauthorised access, they could not reach all corridors via the staircases and lift.
8. The cycle store referred to in the Design, Access, and Planning/Heritage Statement is not shown on the plans. Its security, access control, size, lighting and design are crucial. It must not be part of any bin store (also not shown).
9. The commercial office element needs full access control to all external doors, ideally all but the main entrance will be alarmed to ensure they do not get propped open for convenience thus negating security.
10. Access Control - the main communal doors to the apartments need to meet current fire and security standards.
11. Doorsets to the apartments to meet PAS 24: 2016 certified (see SBD note below).
12. Windows to the ground floor and those potentially vulnerable to climbing need to meet PAS 24: 2016 certified (see SBD note below).

**Natural England** - With regard to European Sites, Natural England does not object to the granting of this permission subject to the advice given below.

Natural England advises that the specific measures previously identified and analysed by your Authority to prevent harmful effects on coastal European Sites from increased recreational pressure should be applied to this proposed development at appropriate assessment.

Your authority has measures in place to manage these potential impacts through the agreed strategic solution which we consider to be ecologically sound. Natural England is of the view that if these measures, including contributions to them, are implemented, they will be effective and reliable in preventing harmful effects on the European Site(s) for the duration of the proposed development.

Providing that the appropriate assessment concludes that these measures must be secured as planning conditions or obligations by your authority to ensure their strict implementation for the full duration of the development, and providing that there are no other adverse impacts identified by your authority's appropriate assessment, Natural England is satisfied that this appropriate assessment can ascertain that there will be no adverse effect on the integrity of the European Site in view of its conservation objectives.

**Southern Water** - Further comments received 24 June 2020

The comments in our response dated on 14/05/2020 remain unchanged and valid.

Comments received 14 May 2020

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.

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 adoptable 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 of the SUDS scheme  
Specify a timetable for implementation

Provide a management and maintenance plan for the lifetime of 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 throughout its lifetime.

The design of drainage should ensure that no groundwater or land drainage is to enter public sewers.

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

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

**TDC Arboricultural Officer** - I agree that all the trees specified by the consultant arboricultural report that should be retained, should be retained. However T24 Sycamore is clearly under stress and is losing bark on the trunk, I suggest this be pollarded and retained as standing dead timber for biodiversity

Regarding the trees specified for removal. I agree that understandably to achieve the build the following trees will need to be removed:-

T26 this is clearly within the curtilage of the proposed building

T27 this is clearly within the curtilage of the proposed building

T16 this is clearly within the curtilage of the proposed building. This could however be moved during the dormant season to a new position with trenching around the tree at an

90cm radius 80cm approx depth to retain maximum fibrous roots by example Ruskins tree movers.

T17 this appears outside the curtilage of the proposed building, I believe from the plans that the RPA would be fine . It's a beautiful, healthy tree with good shape and form. A degree of crown lifting may be acceptable to enable accessibility to areas.

T18 this is a beautiful tree of good shape and form, I suggest lifting the crown to 9m whilst retaining the main fork at 8m would enable access whilst retaining good shape and form to the tree.

T19 A tree of good shape and form . It does have some decay but has calloused well and appears to have plenty of healthy outer live wood and appears to have many years of healthy life ahead. I suggest a crown lift to 10m whilst retaining good shape and form

T20/T21/T22 These are majestic trees with good shape and form and health, absolutely should be retained

T18/T19/T20/T21/T22 appear to be specified areas for parking, the land is level and I suggest clever planning could achieve the parking spaces by using a raised porous system to minimise weight impact to the trees RPA's. The system should also be 60cm radius from the tree butts, leaving this areas bark mulched. These trees should be retained because they have high amenity value for the neighbours surrounding the site and pedestrians and drivers along the Minister Road

**TDC Housing** – Supportive comment provided on originally submitted application which included 30% affordable housing, prior to amendments.

**Thanet Clinical Care Commissioning Group** - Thanet CCG have reviewed the application and will not be making any request for financial contributions as a result.

### COMMENTS

The application is brought before members as a departure to Policy CM02 of the Thanet Local Plan.

### **Principle**

#### *Community Facility*

Policy CM02 of the new Thanet Local Plan states that proposal which would result in the loss of a community facility will not be permitted unless there is alternative local provision available, reasonable attempts have been made to secure an alternative community use and the site is not viable, or alternative provision of at least equivalent, or where possible, improved community benefit is provided in a convenient accessible location to serve the existing community. The loss of the community facility and the use of the property as a B1 office was considered as part of the 2018 application (Reference F/TH/18/0005) and was considered acceptable by members of the planning committee as a departure from policy CF1 (new and retention of community facilities policy). This application is an extant consent and therefore forms a material consideration with significant weight in the determination of this application.

The application states that the new development of B1 Office would create 30 new jobs in addition to the 35 existing jobs that would be moved into the district. It is considered that the adoption of the new plan and application of the new policy does not deviate from the principles members agreed previously, that the economic benefits of the provision of office would outweigh the loss of the facility, and whilst the proposed development is no longer a conversion, the benefits remain present as previously identified with an extant permission in place. The principle of the loss of the community facility and the provision B1 office use on the site is therefore considered on balance acceptable subject to all other material considerations.

### *Town Centre*

The glossary of National Planning Policy Framework (Appendix 2) includes all offices in its definition of main town centre uses. Paragraph 24 of the NPPF states that Local Planning Authorities should apply a sequential test to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up to date local plan. It goes on to state that Local Planning Authorities should require applications for main town centre uses to be located in town centres, then in edge of centre locations and only if suitable sites are not available should out of centre sites be considered. This is enshrined in Policy E05 of the Thanet Local Plan. The site is located within the built up confines but outside of the main town centres of Thanet - Margate, Broadstairs and Ramsgate. The site is, however, located within close proximity of Westgate, this is classed as a district centre within the Thanet Local Plan Policy E06. The application site is, therefore, considered to be an out of centre location. In consideration of previous application for the conversion of the church into a B1 office (Reference F/TH/18/0005), members considered that the economic benefits of the proposed use outweighed any potential impact on the district centre or main town centres of the district. This permission is still extant and it is considered that the proposed development provides similar economic benefits considered by the Council to be sufficient to outweigh any harm identified, therefore the principle of office use in this location is considered acceptable.

### *Residential Development*

Thanet Local Policy H01 states that permission for new housing development will be granted on non-allocated sites within the confines of the urban area and villages as shown on the policies map, subject to meeting other relevant Local Plan policies. The site is within existing built up confines of Westgate and comprises an existing church. Therefore the principle of residential development is acceptable subject to other material considerations such as the impact on the character and appearance of the area, impact on the Conservation Area, neighbouring and proposed living conditions and transportation.

### **Character and Appearance**

The site fronts a main road in Westgate leading to Margate and Birchington, and lies adjacent to existing residential development. A two storey dwelling is located to the north eastern of the site on the corner of Canterbury Road and Minster Road. To the west of the site is the grade II listed Summerlands Lodge, a large two storey building that is set back from the road and originally built for use as a school. At the rear of the site is Countess



Mountbatten Court a two storey residential building in use as retirement accommodation that is accessed by the same entrance as Summerland Lodge.

The site is located within the Westgate Conservation Area and therefore the Council must take into account Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, which requires that in relation to conservation areas, 'special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the area.' Within this area policy HE02 of the Thanet Local Plan also applies. This policy states that:

Within conservation areas, development proposals which preserve or enhance the character or appearance of the area, and accord with other relevant policies of this Plan, will be permitted, provided that proposals for new buildings:

- 1) Respond sympathetically to the historic settlement pattern, plot sizes and plot widths, open spaces, streetscape, trees and landscape features,
- 2) Respond sympathetically to their setting, context and the wider townscape, including views into and out of conservation areas
- 3) The proportions of features and design details should relate well to each other and to adjoining buildings,
- 4) Walls, gates and fences are, as far as possible, of a kind traditionally used in the locality,
- 5) Conserve or enhance the significance of all heritage assets, their setting and the wider townscape, including views into and out of conservation areas
- 6) Demonstrate a clear understanding of the significance of heritage assets and of their wider context

New development proposals which would detract from the immediate or wider landscape setting of any part of a conservation area will not be permitted.

Policy QD02 of the Thanet Local Plan provides general design principles for new development and states that the primary planning aim in all new development is to promote or reinforce the local character of the area and provide high quality and inclusive design and be sustainable in all other respects.

### *Loss of the Existing Building*

The application proposes the loss of the existing Church building, stating that the re-use of the building is not possible due to the cost of conversion being higher than expected, the layout not allowing for efficient operation and that the current building would be inefficient to heat and maintain compared to a modern building. No further information is provided to be able to ascribe weight to these statements, however the proposal to replace the existing building with new development will be assessed on its own merits.

The existing building on the site comprises three main parts. The largest section is the main church building located opposite the vehicular entrance to the site and towards the western boundary. This section of the building is two stories in height with a pitched roof and a gable end fronting the highway. This building extends towards the rear boundary of the site and has two small flat roof wings on each side. The building is constructed from brick with pebble dashed and glass panels to the front elevation. A brick bell tower is located to the east of the

main building and a single storey pitched roof bungalow extends further to the east. The building is set back from the highway behind 115 Canterbury Road but the main section is located forward of the front elevation of Summerlands Lodge. The Church appears to have been constructed in the 1960's and was last in use in 2014. The main church building shares some design elements with Westgate Library which is located on the eastern side of Minster Road, but due to the separation distance and the location of number 115 Canterbury Road located between these two buildings they are not viewed in the same context. The narrow design of the main church building and the setback from the highway is considered to give the property a unique appearance and to create a sense of space which makes a positive contribution to the conservation area. However due to the age, form and relationship of this building with the historic listed buildings that extend to the west of the site, the existing building is not considered to be a non-designated heritage asset, and therefore the loss of the building would not be unacceptable in principle, depending on whether the design of the proposed development preserves the character and appearance of the Conservation area in making a positive contribution to the area.

### *Proposed Development*

The proposed building has been significantly amended from the initial plan which proposed a flat roof building with four storeys across the full width of the building. The amended proposal is for the three and four storey building with a B1 office at ground floor and 2No one-bedroom, 8No two-bedroom and 4No three-bedroom flats on the first, second and third floors. The proposed building comprises a four storey central block, two three storey wings set back from the central section and a single storey flat roof rear projection. The building would have a pitched roof design with a central gable feature to the front elevation and pitched roof dormers to the front side and rear elevations. The building would be constructed from red multi stock bricks with dark brown brick banding to the ground floor front and rear elevations and pale yellow multi stock bricks with red brick detailing to the remaining sections and upper floors. The roof would be constructed from natural slate tiles. All doors and windows would be white painted timber or aluminium and all windows would be set within 100mm reveals. Full details of the materials and joinery would be requested by condition to confirm the quality and acceptability for the conservation area.

The amended pitched roof design incorporates a central gable giving the building a symmetrical appearance and the use of dormers to the upper floors is typical of the Westgate vernacular. A detailed materials plan has been submitted by the applicant's agent. The ground floor of the building would be constructed from brown and dark coloured arranged in projecting and non-projecting banding. The upper floors would be constructed from Ivahoe cream bricks with red brick banding. These red bricks would also be used for window arches and cills. These architectural features and variation in materials is considered to add interest to the elevations. Brick is one of the most dominant materials in the street scene and the overall amended design takes cues from the surrounding development without creating a pastiche development and is considered to have sufficient regard to the design and special interest of the area.

The building would be set back from the front boundary of the site with the proposed front elevation in a similar location to that of the existing church. This would give a setback of 23m and the proposed three storey wings would be set a further 10m back from the front

elevation. There would be a separation distance of 15m from the western side elevation to the eastern side elevation of Summerlands Lodge and 18m from the closest point to 115 Canterbury Road. The spacing and scale of buildings along Canterbury Road varies with Westgate Library set away from the highway behind a wide pavement and landscaped area. In contrast both 115 Canterbury Road and 6 St Mildreds Road are set close to the highway. No development is located on the northern side of Canterbury Road opposite the site as this area forms part of a playing field. Summerlands Lodge is a wide three storey building that fronts an open parking area and is set back from the front elevation of the main church building. Further to the west there is a separation distance of 11.5m from Summerlands Lodge to St Augustines which has a varying form with one, two, three and four storey elements. The chapel attached to this building represents a substantial projection beyond the building line towards the highway. Given this variation in spacing, scale and pattern of development the proposed building is not considered to be harmful to the special interest of the area and would therefore preserve the character of the conservation area.

### *Impact on the Neighbouring Listed Buildings*

Policy HE03 of the Thanet Local Plan states that proposals that affect both designated and non-designated heritage assets, will be assessed by reference to the scale of harm, both direct and indirect, or loss and the significance of the heritage asset in accordance with the criteria in the National Planning Policy Framework.

As outlined above the grade II listed Summerlands Lodge is located to the west of the site. This building has been empty for a substantial period of time and is in a poor condition both internally and externally with numerous windows missing around the property. Nevertheless this building has an impressive appearance although this is only fully appreciated from directly in front of the site due to the large setback, the trees on the front boundary and the high level side boundary walls that divide it from the neighbouring properties.

The amended plan has reduced the height and depth of the section of the building adjacent to the boundary with Summerlands Lodge to create a wing that is mirrored on the opposite side of the proposed building. The Conservation Officer has still raised concerns with the amended design and it is acknowledged that the proposed building is larger than the existing development on the site and would result in an altered relationship with the listed building. However the amended design with wings set back from the building frontage is not considered to be unduly dominant to the setting of the listed building, nor the building itself. The amended proposal is therefore not considered to substantially detract from the significance of the Grade II listed building adjacent.

### **Trees**

The initial plan proposed the removal of nine trees from the site, none of which are currently subject to a tree preservation order (TPO). An amended plan has been submitted during the application process retaining one additional tree and proposing the planting of ten new trees on the site. Seven of the trees that are proposed to be removed are located towards the rear of the site to the south and east of the church and bungalow and therefore have limited visibility from Canterbury Road and Minster Road. The amended plan retains T17 which is a large Holm Oak tree situated to the east of the church and on the corner of the existing car

park. One small pine tree located in front of the existing building and between the bungalow and the church would be removed. Whilst this tree is visible from the public realm, due to its limited size would not be suitable for a TPO. The Council's Arboricultural Officer has raised no objection to the loss of T16, T26 and T27. T18, T19, T20, T21 and T22 are large mature trees that appear to be in a healthy condition and the Council's Arboricultural Officer has raised concerns about the loss of these trees. These trees are located towards the rear of the site, behind the existing buildings and away from the boundaries with the highway. Their contribution to the character and appearance of the conservation area would be less than substantial therefore whilst the loss of mature trees is regrettable, given their location the scale of the harm must be weighed against the wider benefits of the scheme.

Bin and cycle storage is proposed around the site to serve both the commercial and residential uses. Full details of the proposed storage would be requested by condition to confirm its acceptability.

In light of the above it is considered that the loss of the existing church and the proposed building would result in some minor harm to the designated heritage assets, resulting from the increased scale of the development on the site altering the context within which development is viewed on this site in the locality. Whilst this harm is considered to be less than substantial it has significant weight in the determination of this application. The harm resulting from this change in context is considered to be minimised through the amended design of the proposed building which has regard to the surrounding Westgate Conservation Area and the retention of the trees on the front and side boundaries of the site.

### **Living Conditions**

The proposed building would have a maximum height of 13m with the two wings having a maximum height of 11m and the single storey rear projection measuring 3.7m high. At the closest point there would be a separation distance of 18m to 115 Canterbury Road, 12m from the single storey section and 15m from the three storey section to the boundary with Countess Mountbatten Court and 15m to Summerlands Lodge. Given the pitched roof, stepped design and these separation distances the proposed building is not considered to result in any significant loss of light or sense of enclosure to warrant refusal of this application.

The proposed windows in the first and second floor eastern side elevation serving the living rooms and kitchens for units 1 and 6 would be conditioned to be obscure glazed and fixed shut to a height of 1.7m to avoid direct overlooking of the most private amenity space directly to the south and east of 115 Canterbury Road. Due to the setback, separation distance and orientation of the other windows within the building they are not considered to result in any significant opportunity for overlooking towards this property. Given the separation distances and the protected trees to the west of the site the proposed building is not considered to result in significant overlooking to the neighbouring property at Summerlands Lodge. The development will include rear facing windows at first, second and third floor facing towards Countess Mountbatten Court. The closest windows in the proposed development are approximately 15 metres from the rear boundary of the site, with an additional 8 metres from the boundary to side facing windows, meaning a total distance of approximately 23 metres. Whilst the height of the upper floors means that some overlooking will occur, this distance in

combination with the trees at rear of the site which are being retained would mean that the development would not result in significant overlooking to impact on the living conditions of residents of Countess Mountbatten Court.

The existing church building is of a significant scale and would likely, when operating, have attracted a large number of movements to and from the site. A similar D1 use of the site could recommence at any time with few restrictions. A B1 office use is not considered to generate a significant level of noise and the planning committee previously found this use acceptable on the site. Residential dwellings are not considered to result in a significant level of noise and disturbance and whilst there may be noise and disturbance from the proposed parking spaces, this is not likely to be significantly worse than the existing lawful use of this parking area for a church. The applicant has confirmed that the opening hours of 0800 to 2000 Monday to Friday requested by the Environmental Health Officer and these would be conditioned. Given the proximity to Canterbury Road, which is a main through road, and the previous use of the site, it is not considered that there will be a significant impact upon the neighbouring residents from noise and disturbance. A construction management plan would be requested by condition to ensure that there is no significant noise and disturbance to the neighbouring property occupiers or disruption to highway safety during construction.

All of the proposed flats would exceed the nationally described space standards and all habitable rooms would receive natural light and ventilation. The Council's Environmental Health Officer raised some concerns regarding the potential for noise transfer from the office on the ground floor to the flats on the first floor and the arrangement of living rooms over bedrooms. A condition requiring the level of insulation between the floors and ceilings of each floor to mitigate any potential noise was requested and agreed by the applicant. Large areas of amenity space are provided to the rear and east of the site which is considered to be suitable for doorstep playspace and clothes drying. Subject to the required sound insulation condition the proposed dwellings are considered to provide an acceptable standard of accommodation for the future occupiers.

For developments exceeding 10no. units, a mix in the size and type of units is encouraged. The proposal includes the provision of 2no. 1-bed units, 8no. 2-bed units, and 4no. 3-bed units. Policy SP22 of the Thanet Local Plan identifies the greatest local need for market units are 2-bed units, and therefore given that a large number of 2-bed units have been proposed, alongside 1-bed and 3-bed units, it is considered that the proposal will address local need, and therefore complies with Policy SP22 of the Thanet Local Plan.

### **Transportation**

The site is located in a sustainable location with direct access to the A28 and bus stops located on this road outside the site. The town of Westgate and its train station are also located within a short walk of the site.

KCC Highways raised no objection in principle to the development of the site for residential and office use due to the location and the previous use of the site as a church which could have a significant number of vehicular movements.

An amended plan has been submitted during the application process widening the access of the site and demonstrating that a refuse lorry could enter and leave the site in a forward gear. A total of 47 parking spaces would be provided in the site, eight of which would be electric vehicle charging spaces. Cycle parking is shown on the proposed plan and full details of the cycle storage would be requested by condition to confirm its acceptability.

Whilst a number of objections have been received regarding highway safety, the proposal is achieving a safe access with adequate visibility splays, and adequate off-street parking provision to meet current standards. When compared to the previous use the traffic movements are not considered to be significantly different, and as such there is not considered to be a severe impact upon the highway network or highway safety. The proposal is therefore considered to be in accordance with Policy TP06 of the Thanet Local Plan, and paragraph 108 of the NPPF.

### **Financial Contributions and Heads of Terms**

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 submitted heads of terms confirming their agreement to pay the required contribution of £4660 towards the Strategic Access Management and Monitoring (SAMM) plan to offset the potential impact on protected birds at European designated sites from increased visitors from the district to these areas. This approach has been considered by the Council and Natural England as acceptable for new residential development, as necessary to deal with the potential effects of increased disturbance to both summer and winter birds, in accordance with the Habitats Regulations.

KCC Economic Development have been consulted as part of this application and have requested contributions towards Secondary Education, Community Learning, Youth Services, Library Bookstock, Social Care and waste services with a requirement to ensure provision of Broadband services are provided. All flats are applicable sizes and therefore secondary school contributions have been requested for all units.

A total of £18,116 is proposed towards a new secondary school, £5,288.92 towards new secondary school land, £229.88 towards additional equipment for Margate Adult Education Centre, £917 towards additional equipment for Margate Youth Centre, £776.30 towards

additional library bookstock, £2056.32 towards specialist care accommodation and £1298.08 towards waste services. The submitted heads of terms confirm that the applicant is willing to pay the required contributions and an informative could be added regarding the provision of broadband services.

Subject to the receipt of a S106 legal agreement an acceptable means of securing mitigation for the impact of the additional dwellings on the Special Protection Area and on Secondary Education, community learning, youth services, social care and waste services would be provided.

### **Archaeology**

The property is located in an area which is rich in archaeological findings. KCC Archaeology has advised that the site lies close to where prehistoric, Iron Age and Roman remains and finds have been recorded. The HER shows there have been Bronze Age burials (SMR No TR 36 NW 59) discovered west of the site in the 19th Century and an Iron Age burial was found in the 1960s. Similar remains may survive on site that may be affected by development groundworks. A safeguarding condition requiring a programme of archaeological works to be carried out is therefore recommended.

### **Ecology**

KCC Biodiversity have assessed the application and following the submission of additional ecological assessments have raised no objection to the proposal. Conditions have been requested requiring the submission of a precautionary method statement to ensure any disturbance to roosting bats is minimised and details of Ecological enhancements for the site and it is considered that these conditions are reasonable and appropriate to mitigate the impact of the development.

### **Flooding and Drainage**

A Flood and Drainage Strategy has been submitted for the site and KCC Flood and Water Management have been consulted during the application process. Subject to the provision of a detailed sustainable drainage system and verification report KCC have raised no objection to the proposal. Southern Water have requested details of the proposed foul drainage for the proposal. The applicant has indicated that the proposed development would be connected to the existing foul drainage in the area and a formal application would be required to Southern Water. It is therefore considered that a condition requesting this information is not required in this instance.

### **Other Matters**

Following the submission of the amended plan the number of dwellings proposed has been refused to 14. This is below the previous threshold of 15 units within Thanet Local Plan 2006 policy H14 when affordable housing is requested on site. As part of the transition arrangements with the adoption of the new Local Plan on 9th July 2020, any application received by the Council after the date of adoption above 10 units is required to provide 30% affordable housing on site, with those received prior to this date assessed under the

previous threshold. Therefore no affordable housing is proposed through this application within the proposed flat block.

Concern has been raised regarding the ownership of part of the site. The applicant has provided confirmation that they own the site outlined within the red line plan. Any disputes over ownership would be a civil matter and do not form a material planning consideration.

The management of the site and the building, along with security features such as entry controls and alarms cannot be controlled through the planning process. An informative would be attached to any grant of permission advising the applicant to contact Kent Police for further advice.

### **Conclusion**

The existing building is considered to make a positive contribution to the character and appearance of the conservation area. Great weight is given to the loss of the existing building, and this harm needs to be weighed against the benefits of the proposal.

The provision of 14no. dwellings on previously developed land within the urban confines would make a modest contribution to the District's housing supply as a windfall housing site in a sustainable location, supporting the economic and social dimensions of sustainable development, with employment provided through construction and on the ground floor of the proposed building. It is not considered that the proposed development would significantly impact upon neighbouring amenity due to the distance to the nearest residential properties and safeguarding conditions, and all requests for social contributions towards education, social and leisure have been agreed by the applicant, which attaches great weight in favour of the application due to these social and economic benefits.

In terms of the environmental dimension, the proposal would result in the loss of an existing building which has a positive contribution to the Conservation area. The proposed development will result in a form of development of a design, scale and siting that has sufficient regard to the local character and history of the site, including the use of features and materials that reflect the surrounding development and the retention of the protected trees across the site. The change in context resulting from the loss of the existing building and the new development on the site is considered to result in less than substantial harm to the designated heritage assets, however the amended design of the proposed building is considered to minimise this harm.

Kent Highways raise no objection in principle to the proposal, and the proposed access is considered to be both safe and suitable. It is also considered that, with safeguarding conditions, that there would be no adverse impact of the development on ecology, archaeology or drainage.

Therefore when considering the framework as a whole, the proposal constitutes sustainable development, as on balance, the harm is considered to be outweighed by the economic and social benefits from the proposed development. It is therefore recommended that members defer and delegate the application for approval, subject to safeguarding conditions and the submission of a signed legal agreement securing the heads of terms.

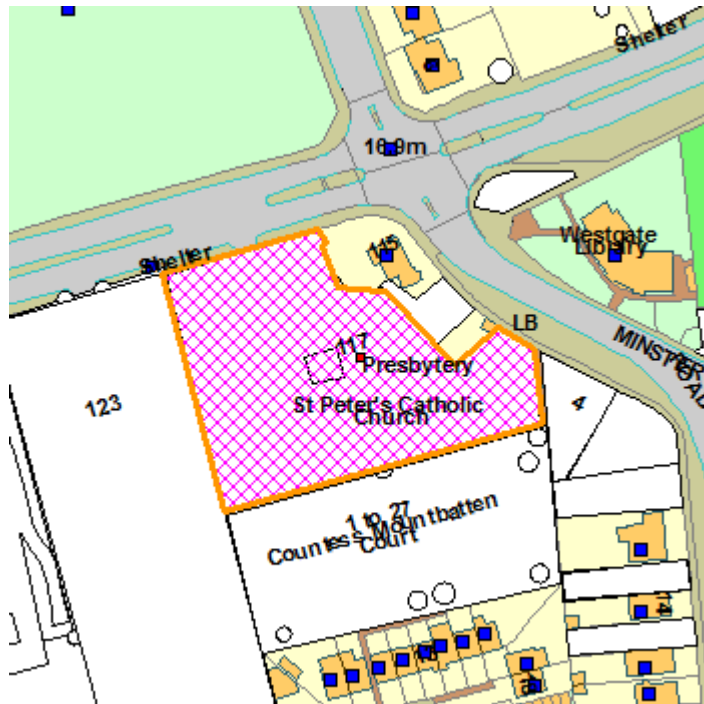


**Case Officer**

Duncan Fitt

TITLE: F/TH/19/0663

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





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## Planning Application OL/TH/16/1765 – Land Adjacent To Salmestone Grange Nash Road MARGATE Kent

**Planning Committee – 5th August 2020**

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

Status **For Decision**

Classification: **Unrestricted**

Previously Considered by **Planning Committee 16th August 2017**

Ward: **Salmestone**

### Executive Summary:

This report concerns the planning application for the residential development of up to 250 dwellings and alterations to the surrounding highway network, including details of access with all other matters reserved (Appearance, Landscaping, Layout, Scale) on land adjoining Salmestone Grange, Margate, under reference OL/TH/16/1765. The application was considered by the Planning Committee on 16th August 2017 where Members resolved to approve the application subject to the receipt of an acceptable Section 106 agreement securing 30% of dwellings on site to be affordable units, and financial contributions as set out within the Heads of Terms.

A request has been submitted by the developer to reduce the amount of affordable housing to 18% of dwellings on site to be affordable units, split 70% affordable rent and 30% shared ownership. The proposed heads of terms has also changed from those previously reported, with an appropriate assessment required under the Conservation of Species and Habitats Regulations 2017 and a significant period of time elapsing from the resolution to grant planning permission. The planning application is therefore reported back to Members for approval of the new heads of terms towards affordable housing and other planning obligations, and for resolution for approval of the outline planning application subject to receipt of a legal agreement securing the agreed obligations and safeguarding conditions.

### Recommendation:

Members confirm that the planning application be deferred to officers for approval subject to securing a legal agreement for the provision of 18% affordable housing on site (split 70% affordable rent and 30% shared ownership) and planning obligations as set out in this report, and safeguarding conditions outlined at Annex 1, updated to reflect the new Local Plan with the addition of two conditions requiring new development to meet the technical standards outlined in the new Local Plan:

- Details pursuant to condition 1 shall demonstrate compliance with the national described space standards as outlined in Policy QD04 of the Thanet Local Plan 2020.

- The development hereby permitted shall be constructed in order to meet the required technical standard for water efficiency of 110litres/person/day, thereby Part G2 Part 36 (2b) of Schedule 1 Regulation 36 to the Building Regulations 2010, as amended, applies.

## CORPORATE IMPLICATIONS

### Financial and Value for Money

The Planning Committee is not bound to follow the advice of Officers. However, should Members decide not to accept the advice of Officers it should be mindful of the potential cost implications in doing so.

The advice from Government within the National Planning Practice Guidance sets out the circumstances in which costs may be awarded against either party in planning appeals. Costs may be awarded where a party has behaved unreasonably; and the unreasonable behaviour has directly caused another party to incur unnecessary or wasted expense in the appeal process. Costs may be awarded following an application by the appellant or unilaterally by the Inspector. An authority is considered to have behaved unreasonably if it does not produce evidence to substantiate each reason for refusal.

The advice outlined is that if officers' professional or technical advice is not followed, authorities will need to show reasonable planning grounds for taking a contrary decision and produce relevant evidence on appeal to support the decision in all respects. If they fail to do so, costs may be awarded against the authority. There are no funds allocated for any potential fines meaning cost awards will result in spend that is outside of the budgetary framework.

### Legal

The Planning Committee is not bound to follow the advice of Officers. However, if officers' professional or technical advice is not followed, authorities will need to show reasonable planning grounds for taking a contrary decision and produce relevant evidence on appeal to support the decision in all respects. If they fail to do so, costs may be awarded against the authority.

The reasons for any decision must be formally recorded in the minutes and a copy placed on file.

If Members decide not to accept the advice of Officers it should be mindful of the potential for legal challenge and associated cost implications.

The advice from Government within the National Planning Practice Guidance sets out the circumstances in which costs may be awarded against either party in planning appeals. Costs may be awarded where a party has behaved unreasonably; and the unreasonable behaviour has directly caused another party to incur unnecessary or wasted expense in the appeal process. Costs may be awarded following an application by the appellant or unilaterally by the Inspector. An authority is considered to have behaved unreasonably if it does not produce evidence to substantiate each reason for refusal.

<b>Corporate</b>	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.
<b>Equalities Act 2010 &amp; Public Sector Equality Duty</b>	<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 &amp; maternity. Only aim (i) of the Duty applies to Marriage &amp; 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 Introduction

- 1.1 The report taken to Members on the 16th August 2017 (Annex 1) proposed the residential development of the land adjacent to Salmestone Grange for up to 250 dwelling with alterations to the highways network. Affordable housing was required on the basis that the site exceeds 0.5 hectares in size and the development exceeded 14 units, and therefore the provision of affordable housing was required as stated within Policy H14 of the 2006 Thanet Local Plan. The affordable housing provision agreed by members was in the form of 30% on-site units, with contributions agreed towards primary and secondary schools, youth services, library contribution and contribution towards the Strategic Access Management and Monitoring (SAMM) plan as a result of the housing development to mitigate the additional recreational pressure on the protected sites at the coast.
- 1.2 Subsequent to this resolution, in May 2018 the applicant submitted a viability assessment for the proposed development. Detailed discussion ensued over the preceding two years around the viability of the development with independent analysis of the submitted viability assessment, with the requirements to provide highways infrastructure through the site resulting in an additional assessment of costings of the road infrastructure (independently assessment by Kent County Council's highways consultants). The applicant now proposes 18% affordable housing on site, on grounds that the development would not be viable with 30% on-site provision of affordable housing. This report is to analyse the findings of the report, and to offer a recommendation to the Planning Committee about whether to approve the revised application.

## 2.0 Viability in Planning Applications for Housing

- 2.1 Decisions on planning applications must be underpinned by an understanding of viability, ensuring realistic decisions are made to support development and promote

economic growth. Paragraph 57 of the National Planning Policy Framework outlines that it is up to an applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage, and the weight to be given to a viability assessment is a matter for the decision maker having regard to all the circumstances in the case, including whether the plan and the viability evidence underpinning it is up to date, and any change in site circumstances since the plan was brought into force.

- 2.2 Assessing viability requires a realistic understanding of the costs and the value of development in the local area and an understanding of the operation of the market, and should be based on current costs and values. A site is viable if the value generated by its development, the Gross Development Value (GDV), exceeds the costs of developing it and also provides sufficient incentive for the land to come forward and the development to be undertaken. The accepted methodology for assessing this is the residual land value method. This calculates the estimated GDV from the development, subtracts the development cost (including the developer's profit at an agreed level) and compares this residual land value against a benchmark land value (BLV). The BLV is established on the basis of the existing use value of the land plus a premium for the landowner, with the premium required to provide a reasonable return to induce a landowner to sell the site for development or develop the site whilst reflecting the implications of site-specific infrastructure costs.

### **3.0 Key considerations**

- 3.1 Subsequent to the Planning Committee's resolution to grant the planning application, the new Thanet Local plan has been adopted on the 9th July 2020, which includes evidence on the plan's viability setting expectations on contributions and obligations on major housing sites in the district. With regards to this site, the Council used the same consultants who produced the full plan assessment, to ensure that the evidence behind the judgement on this individual site is consistent with the full plan viability work. As outlined above, viability discussions have lasted over the last 2 years, more recently focusing on specific cost of site-specific works for strategic road infrastructure which the site is required to provide under Policy SP47 as a key road scheme (the link between Manston Road and Nash Road). More information about the design and highways implications of this work is outlined in the previous Committee report at Annex 1.
- 3.2 The site was included as a draft Local Plan allocation at time of resolution to grant in August 2017 and subsequently this policy allocation has been adopted in the new Local Plan as Policy H03. The policy allocates the site for up to 250 new dwellings with an average density per hectare (net) of 35 dwellings, whilst requiring the provision of a local distributor link road between Nash Road and Manston Road, including a new roundabout junction at Manston Road to be included within a required masterplan. The wording of the previous draft allocation policy has not substantially altered from the wording of the now adopted policy, and full consideration of this policy is provided in the previous Committee report (Annex 1). Full weight should be applied to the new local plan in determination of this application and new policies which have full weight within the decision making process are considered at section 4.0.



- 3.3 The relevant Local Plan Policies for considering this site in terms of planning obligations are Policy SP41 (Community Infrastructure) and SP23 (Affordable Housing). Policy SP41 states that development will only be permitted when provision is made to ensure delivery of relevant and sufficient community and utility infrastructure. Where appropriate, development will be expected to contribute to the provision of new, improved, upgraded or replacement infrastructure and facilities. Policy SP23 states that for development of the scale proposed shall be required to provide 30% of the dwellings as affordable housing, with the requirements only reduced if meeting them would demonstrably make the proposed development unviable.
- 3.4 A viability assessment was submitted by the applicant conducted by a chartered surveyor in May 2018 taking into account the head of terms agreed at Planning Committee in August 2017. The assessment takes into account local market evidence of sales values and estimated development costs including site-specific road infrastructure. The summary of the findings of this report are included at Annex 2. This assessment has been independently assessed by the Council's appointed viability consultant, who has provided comments to the Council (Annex 3). Subsequent to this report, responses have been provided by both parties on the matters in dispute (discussed separately below).
- 3.5 Upon submission of the viability assessment, the applicant proposed 30% on site affordable housing but with the tenure type being 100% shared ownership, providing no affordable rent properties due to the stated viability implications. Shared Ownership is an affordable low cost home ownership product for those on median incomes, whereas "affordable rent" affordable housing provides accommodation for those on low incomes in need of housing, managed through housing associations at a rent of up to eighty percent (80%) of local market rent (capped at Local Housing allowance rate). Whilst there is an overall need for affordable housing in the district and to increase housing options for residents, affordable rent properties provide accommodation for those on the Council's housing register, with 100% nomination rights secured by the Council in Section 106 agreements on planning permissions. This type of affordable housing is the most needed in the district as demonstrated through the Strategic Housing Market Assessment which informs Policy SP23, stating the split of affordable housing to meet the needs of the district is 70% affordable rent and 30% shared ownership of any affordable housing provided on development sites. Therefore the viability scenario assessed and put forward by the applicant following negotiation considered the maximum amount of affordable housing that could be provided when applying the optimum split to provide 70% affordable rent, which is presented at Annex 6 as 18% of the total housing as affordable (45 units of 250 total).

### *Benchmark Land Value*

- 3.6 The site comprises agricultural land of 9.3 hectares. The market value of the land was initially submitted as approximately £180,000 per acre or £4.14million approx total, on the basis of the land being a draft allocated housing site. The Council's viability consultants advised that this figure over estimated the premium above existing use value (agricultural land value) and further explanation is provided at section 3.1.11-3.1.19 of Annex 3. The recommendation was that the value of £135,000 per acre (or £3.1million approx) for this site should be applied as the

benchmark land value which any residual land value is compared against. Whilst this value has been disputed by the applicant's viability consultant, for the purposes of the viability exercise this figure has been stated within the subsequent viability appraisal submitted for assessment.

### *Findings from assessments*

- 3.7 The Gross Development Value (GDV) of the private market housing has been set at £283 per sqft for market dwellings with affordable housing value set at 55% of market value for affordable rent properties and 70% for shared ownership properties. This has been set in the submitted appraisal (Annex 6) from February 2020 after negotiations between viability consultants through 2018 leading to an agreement in values in mid-2019. Changes in values subsequent to this agreement is addressed at point 3.12 of the report. As the application is at outline stage, the mix of dwellings has been set to accord with the mix of housing types stated in the Strategic Housing Market Assessment 2016 used to inform Local Plan Policy SP22. Overall the GDV in the submitted appraisal (Annex 6) is considered acceptable for the purposes of assessing viability of the scheme.

### *Cost assumptions*

- 3.8 The assumptions provided regarding Contingency, External Works, Professional Fees, Sales Rates and Marketing cost have been negotiated between the Council and agent, further to the receipt of the Council's independent report (Annex 3). The marketing costs have been reduced to 2% of GDV from 3% and professional fees for all costs reduced to 10% from 11.5% following discussion. Construction costs have been agreed at £128per sqft for houses and £152 per sq ft for flats and this has been set in the submitted appraisal (Annex 6) from February 2020 after negotiations between viability consultants through 2018 leading to an agreement in values in mid-2019. Changes in values subsequent to this agreement is addressed at point 3.12 of the report.

### *Infrastructure cost*

- 3.9 Initially the cost of the road infrastructure specifically required by Local Plan policy (main road to local distributor standard) and off-site routes required by Kent County Council Highways (new roundabout on Manston Road, highways works to Nash Road and a priority shift at Manston Road) was set at approx £1,065,195 however during discussions this increased to £5,130,890. This increase and total cost figure was queried by the Council and it was agreed that an additional independent assessment of costings of the road infrastructure should be carried out by Kent County Council's highways consultants. The information submitted by the applicant is at Annex 4 with the final view on highways cost from the independent consultants provided at Annex 5. The applicant has agreed that the cost of the abnormal highways works stated in the final report totalling approximately £3,820,469 and this figure has been included in the appraisal at Annex 6.

### *Developer Profit*

- 3.10 A developer profit allowance of 20% of GDV of the market housing and 6% on the

affordable housing has been assumed within the viability report, with a total profit of £1,076,250. This is within the range of 15%-20% profit that is considered to be reasonable to enable the development to be delivered under the NPPG, in the current economic circumstances.

### *Planning Obligations*

3.11 Financial contributions towards primary and secondary school provision, library provision, refurbishment of Quarterdeck Youth club, contribution towards bus stops, and a SAMM contribution were all proposed as outlined in the heads of terms section of the previous committee report contained within Annex 1. Subsequent to the resolution to grant, KCC agreed to reduce the secondary contribution to £589,950 and remove the request for primary education contribution on the basis that the highways improvements, when delivered, will allow the expansion of St Gregory's school. Prior to publishing this report, in June 2020 KCC have confirmed the acceptability of the following heads of terms within a Section 106 agreement required to be agreed and secured prior to determination:

- £589,950 towards Secondary school provision for the expansion of Ursuline College Westgate-on-Sea or the new Thanet Secondary school.
- £5156.77 towards portable equipment for new learners in Margate
- £14,860 towards the refurbishment of the Quarterdeck Youth Club in Margate.
- £12,003.95 towards library provision in Margate.
- £15,000 towards the provision of two bus stops and shelters within the proposed link road through the site.

In addition the off-site highways works identified previously in the Committee report at Annex 1 are also required to be secured by the legal agreement. In terms of the contribution towards the SAMM, previously £102,000 was agreed on the basis of £408 per dwelling. Subsequent to the resolution to grant, further work has refined the tariff for contributions towards the SAMM on the basis of the Local Plan provision of 17,140 houses and the current tariff when the dwelling type (2bed, 3bed, 4bed) is unknown is £350 per dwelling. Therefore the planning contribution required is £87,000 to mitigate the potential recreational pressure on the designated sites at Thanet Coast and Pegwell Bay. All of these planning contributions have been agreed by the applicant.

3.12 Once these planning contributions are included in the viability appraisal, submitted after negotiation on the basis of 18% of units being affordable housing (70% affordable rent and 30% shared ownership), the Residual Land Value (Gross Development Value minus total cost of developing the site, as updated) is £2,873,379, which is below the Benchmark Land value (see paragraph 3.3) by £227,621. Whilst there are minor discrepancies in the inputs into the model on Section 106 contribution (shown exceeding that required by approximately £15,000), the appraisal demonstrates that the site is on the edge of viability at the submitted affordable housing amount (18%). Since the appraisal on values and costs in 2018, it is not considered by officers that either property values or building costs have altered the dynamic of this viability appraisal to result in a substantively different outcome from the appraisal before members. Whilst the profit level (20% on GDV) is higher than that adopted on other appraisals in the district, it is important to consider the current uncertainty around the property and housebuilding market in response to the

COVID-19 pandemic as well as the requirement to bring significant strategic highways infrastructure with the site, requiring to bring forward wider highway benefits to support housing growth in the district. Therefore, it is considered reasonable to agree to a reduced affordable housing provision on site in this instance in accordance with Policy SP23 of the Thanet Local Plan, whilst still maximising the amount of affordable rent housing possible to provide housing for those most in need.

### **4.0 Material considerations since resolution to grant**

4.1 Subsequent to the resolution to grant permission, the new Local Plan has been adopted by Thanet District Council. Due to the length of time since the resolution to grant and the adoption of the new Local Plan, members should consider whether any material planning considerations have changed to alter the decision previously reached and the conditions attached to the approval. As outlined above in the report, no principle issues have changed following the determination in August 2017, with full weight now placed on the allocation of the site for housing and requirement for strategic highways routes to be safeguarded. The previous committee report considers all planning matters including, but not limited to, impact on neighbouring properties, highways safety, open space provision, ecology and biodiversity, flooding and drainage, air quality, heritage etc, with safeguarding conditions requiring further details at different stages of development (prior to reserved matters submission, accompanying reserved matters application, prior to development or occupation). The new Local Plan does add a requirement under policy QD04 for all new development expected to meet the new technical standards outlined in the policy, namely that new dwellings shall meet the internal space standards within the Nationally Described Space Standards and meet water efficiency standard of 110litres/person/day. Therefore it is recommended to members that all the identified planning conditions at Annex 1 should be applied (with updates to the policy references to reflect the new local plan) with the addition of the following two conditions:

- Details pursuant to condition 1 shall demonstrate compliance with the national described space standards as outlined in Policy QD04 of the Thanet Local Plan 2020.
- The development hereby permitted shall be constructed in order to meet the required technical standard for water efficiency of 110litres/person/day, thereby Part G2 Part 36 (2b) of Schedule 1 Regulation 36 to the Building Regulations 2010, as amended, applies.

4.2 Subsequent to the resolution to grant the application, case law has clarified the point at which an appropriate assessment must be carried out under the Conservation of Species and Habitats Regulations 2017 (prior to the agreement of means of mitigation to avoid significant impact on designated sites). The Council has completed an appropriate assessment (Annex 7) of the development on the basis that the SAMM contribution sufficiently mitigates to avoid an adverse impact on the European protected sites and Natural England have formally confirmed that they have no objection to the appropriate assessment. Therefore the development can be approved subject to securing the SAMMs contribution.

## 5.0 Options

5.1 Members confirm that the planning application be deferred to officers for approval subject to securing a legal agreement for the provision of 18% affordable housing on site (split 70% affordable rent and 30% shared ownership) and planning obligations as set out in this report, and safeguarding conditions outlined at Annex 1, updated to reflect the new Local Plan with the addition of two conditions requiring new development to meet the technical standards outlined in the new Local Plan:

- Details pursuant to condition 1 shall demonstrate compliance with the national described space standards as outlined in Policy QD04 of the Thanet Local Plan 2020.
- The development hereby permitted shall be constructed in order to meet the required technical standard for water efficiency of 110litres/person/day, thereby Part G2 Part 36 (2b) of Schedule 1 Regulation 36 to the Building Regulations 2010, as amended, applies.

5.2 Members propose an alternative motion.

## 6.0 Recommendations

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

Contact Officer:	<i>Iain Livingstone, Planning Applications Manager</i>
Reporting to:	<i>Bob Porter, Director of Housing and Planning</i>

## Annex List

<i>Annex 1</i>	<i>Planning Committee Report OL.TH.16.1765 - 16th August 2017</i>
<i>Annex 2</i>	<i>Applicant's Viability Appraisal Summary</i>
<i>Annex 3</i>	<i>TDC Viability Review Report</i>
<i>Annex 4</i>	<i>Applicant's QS review of Highway costs</i>
<i>Annex 5</i>	<i>Independent QS review of Highway costs</i>
<i>Annex 6</i>	<i>Viability Appraisal Final Version</i>
<i>Annex 7</i>	<i>TDC Appropriate Assessment</i>

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**D03**

**OL/TH/16/1765**

**PROPOSAL:** Outline application for residential development of up to 250 dwellings and alterations to the surrounding highway network,  
**LOCATION:** including details of Access with all other matters reserved (Appearance, Landscaping, Layout, Scale)

Land Adjacent To Salmestone Grange Nash Road MARGATE  
Kent

**WARD:** Salmestone

**AGENT:** Alister Hume

**APPLICANT:** Piper Developments Limited C/O Hume Planning Consultancy  
...

**RECOMMENDATION:** Defer & Delegate

Defer and delegate to the Direct of Community Services for approval subject to the receipt and approval of a legal agreement securing the required planning obligations and subject to the following conditions:

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

**GROUND:**

As no such details have been submitted.

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

**GROUND:**

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

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

**GROUND:**

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

## Agenda Item 5

### Annex 1

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

**GROUND:**

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

5 Prior to the first submission of any reserved matters, a scheme for the protection of the existing dwellings on Manston Road from road traffic noise, including an assessment of that impact, shall be submitted to, and approved in writing by, the Local Planning Authority. The scheme shall specifically be in reference to traffic noise from the new roundabout on Manston Road. Any agreed on-site mitigation should be incorporated into any relevant reserved matters submission.

**GROUND:**

In the interests of the protection of residential amenity in accordance with Thanet Local Plan Policy D1 and paragraph 17 of the National Planning Policy Framework.

6 Prior to the first submission of any reserved matters application, an Emissions Assessment shall be submitted to, and approved in writing by, the Local Planning Authority. The assessment shall be in accordance with the Thanet Air Quality Technical Planning Guidance and should consider, but not necessarily be limited to, the impacts of transport emissions on new and existing dwellings and also model the crematorium emissions. Any agreed on-site mitigation should be included in any relevant reserved matters submission.

**GROUND:**

In the interests of the protection of residential amenity in accordance with Thanet Local Plan Policy D1 and paragraph 17 of the National Planning Policy Framework.

7 Prior to the submission of any reserved matters, an updated ecological scoping survey, to include breeding bird survey shall be submitted to, and approved in writing by the Local Planning Authority. The survey(s) shall include detailed mitigation strategies if required and details of how the development will enhance biodiversity, and the agreed details should be included in any relevant reserved matters submission.

**GROUND:**

To protect and enhance biodiversity in accordance with guidance within the National Planning Policy Framework.

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

**GROUND:**

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



## Agenda Item 5

### Annex 1

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

#### GROUND:

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

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

#### GROUND:

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

11 Details pursuant of condition 1 above shall include an area of open space adjacent to Salmestone Grange in the same location and no smaller than that shown on the indicative layout plan no.P001B received 23 December 2016.

#### GROUND:

To safeguard the setting of Salmestone Grange as a Grade II\* Listed Building, and provide open space that offers recreational, community and amenity value in accordance with Policy SR11 of the Thanet Local Plan, and guidance within the National Planning Policy Framework.

12 The landscaping details pursuant of condition 1 shall include vegetation within the area of open space to screen the development in views from Salmestone Grange.

#### GROUND:

To preserve the setting and significance of Salmestone Grange as a Grade II\* Listed Building, in accordance with guidance within the National Planning Policy Framework.

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

#### GROUND:

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

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

**GROUND:**

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

15 Details pursuant to condition 1 shall include the final route, specification and geometry of the link road between Manston Road and Nash Road. The link road and associated footway/cycleways and bus stops and shelters (which shall be shown) should be provided to an acceptable local distributor standard in accordance with the most up-to-date revision of the Kent Design Guide.

**GROUND:**

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

16 Details pursuant to condition 1 shall include details of a new pedestrian access into St Gregory's through the development site.

**GROUND:** In the interests of highway safety and to facilitate the use of alternative means of transport, in accordance with Thanet Local Plan Policy TR12.

17 Details pursuant to condition 1 shall include internal road layouts, including provision of communal on street parking to accommodate likely demand from school pick up and drop off activity.

**GROUND:**

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

18 Details pursuant to condition 1 shall include a new access roundabout on Nash Road to the same specification as shown on plan 14-011-002B received 24th May 2017.

**GROUND:**

To mitigate the additional traffic flows created by the development to maintain the free flow of traffic, in accordance with guidance within the National Planning Policy Framework.

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

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

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

**GROUND:**

In the interests of highway safety

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

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

#### GROUND:

In the interests of highway safety

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

#### GROUND:

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

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

- o Closure and reconfiguration of the signalised junction at Hartsdown Road, Shottendane Road and Nash Road.
- o Reconfiguration of Manston Road/Shottendane Road junction.
- o Revised access arrangements at the St Gregory's school access on Manston Road.
- o The provision of an informal crossing point and cycle connections close to the new priority junction.

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

#### GROUND:

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

23 No development shall take place until a detailed sustainable surface water drainage scheme for the site based on the Flood Risk Assessment By Herrington Consulting Limited (dated December 2016) and sustainable drainage principles, to include, but not necessarily be limited to, the method of surface water disposal and a timetable for the implementation and a maintenance and management plan for the lifetime of the development, has been submitted to, and approved in writing by, the Local Planning Authority. The detailed drainage scheme shall demonstrate that the surface water generated by this development

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(for all rainfall durations and intensities up to and including the climate change adjusted critical 100 year storm) can be accommodated and disposed of through infiltration features located with the curtilage of the site alone.

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

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

The management and maintenance plan shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage system throughout its lifetime.

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

#### GROUND:

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

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

#### GROUND:

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

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

- a. the parking of vehicles of site operatives and visitors.
- b. construction vehicle loading/unloading, turning facilities and access routes/arrangements.
- c. loading and unloading of plant and materials.
- d. storage of plant and materials used in constructing the development.

- e. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate.
- f. wheel washing facilities and their use.
- g. measures to control the emission of dust and dirt during construction a scheme for recycling/disposing of waste resulting from construction works.
- h. a Construction Environment Management Plan, including details of operational construction time, enclosures for noise emitting equipment, dust and waste management policy and construction site noise management including siting of stationary noisy or vibrating plant equipment.

### GROUND:

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

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

### GROUND:

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

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

### GROUND:

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

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

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

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### GROUND:

In the interests of highway safety.

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

### GROUND:

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

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

### GROUND:

To ensure the provision of a mix of house sizes and types to meet a range of community needs, in accordance with Policy H8 of the Thanet Local Plan.

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

### GROUND:

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

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

### GROUND:

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

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

### GROUND:

In the interests of highway safety.

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

### GROUND:

In the interests of highway safety

### INFORMATIVES

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

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

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

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

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

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

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

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All existing infrastructure, including protective coatings and cathodic protection should be protected during the course of construction works. No excavation, mounding or tree planting should be carried out within 6m, 5m and 4m of existing 18 inch, 15 inch and 3 inch water distribution main respectively without written consent from Southern Water.

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

### SITE, LOCATION AND DESCRIPTION

The application site is located adjacent to the southern settlement boundary of the town of Margate. The site lies to the south of Margate town centre and the commercial centre of Westwood lies some 2km to the east.

The site, itself is irregular in shape and measures approximately 9.3 hectares. The site is currently in agricultural use and it appears that the land has historically been intensively cultivated and is open with narrow field margins and perimeter hedgerows and trees which are mostly off site landscaping. The site slopes towards its northern boundary and there is a difference in levels of some 5 metres across the site.

The site has two direct road frontages. The frontage to Nash Road is 175m in length and set behind a grass verge. The site is currently served by an agricultural access from Nash Road. To the north west of the site and bordering Nash Road and the adjoining school, lies the Grade II\* Salmestone Grange (which is now a tourist and wedding venue). The Grange is also a Scheduled Ancient Monument. The site has a frontage of 345m to Manston Road to the west. This frontage is set behind a brick wall and at this point the ground level is some 1.5m above the Manston Road frontage. Both Nash Road (to the north) and Manston Road (to the west) are each residential roads comprising post war semi detached houses and bungalows.

There is a 1980s development of houses in Sycamore Close beyond the south west boundary of the site. The application site is adjoined to the southern boundary by Thanet Crematorium and the Margate Cemetery which contains listed memorials, chapel buildings, gates and walls. The Council's refuse facility lies beyond this point further to the south. St Gregory's Primary School lies to the northwest boundary of the site and there are allotments to the south east.

### PLANNING HISTORY

OL/TH/99/0546 - Erection of 40 houses and associated access and landscaping. Application withdrawn.

OL/TH/94/0540 - Outline application for residential development and 8 acre public open space incorporating a woodland of remembrance. Refused September 1994.



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OL/TH/91/0596 - Outline application for residential development. Refused January 1992.

### PROPOSAL

The application is in outline form with access to be considered at this stage with all other matters (appearance, landscaping, layout and scale) reserved for future consideration. It is for the erection of up to 250 dwellings with two vehicular accesses - one from Manston Road (to the west of the site) and Nash Road to the north and a series of amendments to the surrounding highway network. The proposal also includes highway improvements which will be discussed in more detail in the highway section of the report below.

The applicants have also advised that they accept two parameters for the proposed development - the access points to the site from Manston Road and Nash Road and that the development will be two storey with development integrated into the roof slope in places throughout the development site.

Although the application is in outline form, an indicative masterplan has been demonstrated submitted to demonstrate how 250 units could be accommodated within the site. A Design and Access Statement has also been submitted. The proposal shows areas of landscaping throughout the site, an area of public open space to the north west corner of the site together with screening of existing boundaries to the site. The Design and Access statement sets out the details of the proposed development. It advises that the indicative housing mix will be consistent with the findings of the Council's Strategic Housing Market Assessment (SHMA) 2016. The overall density of the site excluding the public open space if all 250 dwellings were to be built would be 32 dwellings per hectare. The illustrative layout shows 450 parking spaces and 50 visitor parking spaces with additional layby provision and parking for the school.

The proposal includes a number of changes in the road network around the site which includes:

- \* Provision of new link road between Nash Road and Manston Road, with new roundabout on Manston Road for access into the site (and new service road for properties on Manston Road) and alteration to Nash Road to bring road directly through the site.
- \* Closure of Nash Road arm of Coffin House Corner, meaning Nash Road only links to Empire Terrace and not junction with Shottendane and Hartsdown Road, with changes to signalling.
- \* Change in road layout at Manston Road/Shottendane Road junction.

The application is supported by a Planning Statement (December 2016), Design and Access Statement (December 2016), Archaeological Desk Based Assessment (May 2014), Cultural Heritage Assessment (December 2016), Flood Risk Assessment (December 2016), Extended Phase 1 Habitat Survey (December 2016), Landscape Appraisal (May 2014), Utility Site Investigation Report (September 2016), Transport Assessment (October 2016) and a Highway Technical Note (May 2017).

Subsequent to the submission of the technical note showing the position of the new roundabout on Manston Road to serve the site, the applicant has confirmed that the point of access into the site will be in this location however that the exact position of the roundabout is reserved for further submission.

### RELEVANT PLANNING POLICIES

#### **Thanet Local Plan 2006 - Saved Policies**

H1 - Residential Development Sites  
H4 - Windfall Sites  
H14 - Affordable Housing Negotiations on Housing Sites  
TR12 - Cycling  
TR16 - Car Parking Provision  
D1 - Design Principles  
D2 - Landscaping  
HE11 - Archaeological Assessment  
HE12 - Archaeological Sites and Preservation  
SR4 - Provision of New Sports Facilities  
SR5 - Play Space  
SR6 - Amenity Areas  
CC1 - Development in the Countryside  
CC2 - Landscape Character Areas  
EP9 - Light Pollution  
EP13 - Ground Water Protection Zones  
CF2 - Development Contributions

For information, the site is allocated for residential development under Policy H02B of the Emerging Local Plan. This policy states that:

"Land fronting Nash Road and Manston Road, Margate is allocated for up to 250 new dwellings at a maximum density of 35 dwellings per hectare net.

Proposals will be judged and permitted only in accordance with a development brief and masterplan for the whole site, which will be informed by and address:

- 1) A Transport Assessment including assessment of impact on the local road network and demonstrating measures to promote multi-modal access, including footway and cycleway connections. (Development will be expected to accommodate land required as part of a suitable scheme to address traffic capacity issues at the Coffin House Corner junction, a strategic link road through the site through the site between Nash Road and Manston Road and the potential widening of Nash Road)
- 2) Pre-design archaeological assessment
- 3) The need to safeguard the setting of the listed building Salmestone Grange and the scheduled ancient monument;
- 4) The need to clearly demonstrate how the SPA mitigation strategy as set out in policy SP25 is being met and how it will ensure that development does not increase recreational pressure on designated sites

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- 5) A wintering and breeding bird survey to assess impact on bird populations within the district and the need to mitigate/compensate
- 6) The presence of the crematorium adjoining the site
- 7) Liaison with service providers to investigate the need to upgrade the capacity of any utility services and infrastructure including gas supply
- 8) A statement of social impacts arising from the development and how increase and demand on community facilities will be addressed
- 9) Appropriate arrangements for surface water management in line with Margate Surface Water management Plan

A minimum of 30% of all dwellings will be affordable homes in accordance with policy SP19. The design brief should feature and reflect investigation of the need to incorporate an element of housing to meet the needs of particular groups including specifically sheltered and extra care homes. The proportion of houses as opposed to flats should exceed that in policy SP18 as much as possible.

Disposition of development and landscaping will be expected to enable a soft edge between the site and open countryside and provide a green link between the cemetery and disused railway line to the east.

Phasing of development will be in accordance with policy Ho1 (1) (to be related to phasing of other sites impacting/dependent on road/junction improvements identified in the Transport Strategy)."

#### REPRESENTATIONS

Letters were sent to surrounding occupiers, site notices posted around the site and the application publicised in the local newspaper.

27 representations have been received objecting to the application (with some people writing more than one letter). Their comments are summarised below:

- \* Development would be out of character with the housing in the area in terms of scale and height of development.
- \* Impact on living conditions of residents from loss of light, overlooking, overbearing impacts, loss of view and noise and disturbance.
- \* Light pollution, noise and emissions effect on properties in Manston Road.
- \* Road layout change and new development would result in severe congestion to transport network.
- \* Inadequate parking for the new development.
- \* Insufficient transport information submitted for assessment, concern traffic baseline is unsound.
- \* Inadequate drainage and sewage system to serve development.
- \* Demand for additional community facilities from development not considered.
- \* No consideration of crime and safety.
- \* Impact on tranquility of crematorium and cemetery.
- \* Loss of countryside and wildlife habitats
- \* Concerns about surface water drainage.
- \* Development would devalue properties.

- \* No consultation with residents prior to application.
- \* Impact on Salmestone Grange as a listed building.
- \* Development could affect aquifer.
- \* Agreement of link road should be within outline not reserved matters
- \* Emergency services impacted by proposal
- \* Loss of agricultural land
- \* Potential loss of historic interest of the site.
- \* Impact of construction traffic on residents.
- \* Lack of public transport facilities in the area.

**Manston Parish Council** - "The density of planning is too high for this area and the already congested roads will make this a no go area. A further roundabout near the crematorium/tip will cause tailbacks to the Shottendane junction. Shottendane Road should be the main road and the idea of making Manston Road the major Road will cause gridlock at the museum junction. Object to this application."

**Margate Civic Society** - "Wishes to object to the above proposal in the strongest possible terms. Having studied the documentation associated with this application we feel the case for development on this scale totally unproven. We are in complete agreement with the opinions expressed by all objectors to date including that of Manston Parish Council. We agree that there are substantial shortfalls in the related infrastructural proposals relating predominantly to roads, schooling, shopping facilities, doctors' and dentists' surgeries together with the total lack of prior consultation with the local community in breach of current good practice guidelines.

We highlight in particular perceived serious shortcomings within the proposal relating to the closure of Nash Road and the re-routing of all traffic through the proposed new estate, culminating on a roundabout at the junction with Manston Road - a surefire recipe for traffic chaos, particularly at times when the tip is experiencing heavy use. One only has to be aware of the existing shortcomings at such times to see that these proposals, far from alleviating the problems, will, in fact, substantially add to them much to the detriment of all road users and to air quality specifically.

For these reasons it is the considered view of Margate Civic Society, and in support of the local population, that we urge refusal of this poorly thought through scheme."

**Campaign to Protect Rural England** - Objects to the proposed development for the following summarised reasons:

- \* Proposal does not adequately assess how noise and visual impact from the new roundabout can be mitigated for residents, with road safety concerns.
- \* Transport assessment does not consider all future Local Plan allocations, nor demonstrated that it is futureproof.
- \* Air quality assessment should be completed to demonstrate proposal affect AQ targets.
- \* Proposal must preserve setting of Listed Salmestone Grange and views across the agricultural landscape.

### CONSULTATIONS

**Kent County Council Highways and Transportation** - Have the following comments to make with respect to highway matters:

The following comments take into account information submitted within the original TA documents, along with recently submitted supplementary information set out within Technical Note 14-011 (TN008).

It is generally challenging to assess development proposals that are submitted ahead of the formal submission and examination of an emerging Local Plan (and its associated Transport Strategy and Infrastructure Delivery Plan). This is because the weight given to such documents is generally limited prior to formal examination. It is however evident that this site has a role to play in contributing towards potential highway infrastructure and mitigation, currently subject to consideration and further highway assessment as part of the emerging local plan.

Whilst these development proposals should stand on their own two feet (in terms of highway impact at the time of submission), a level of perspective is necessary to avoid material conflict with those emerging policies. The full theoretical benefits of reconfiguring the highway layout and links around the site, cannot be realised until such time that further development and associated infrastructure is potentially delivered through other development opportunities being considered within the emerging local plan.

As it currently stands, the site is not ideally located in relation to existing commercial bus services. Generally it is reasonable to seek to a maximum walking distance of 400 metres for all dwellings to bus stops (to encourage sustainable travel), however the distances in the case of this development are not considered to be unreasonable (particularly as there is currently limited scope to reasonably improve on this given the surrounding geometrical highway constraints). It is possible that future development and infrastructure improvements in the area could provide future scope to enhance bus access.

Whilst a specific contribution towards bus services is not considered appropriate at this stage, it would be necessary to secure a contribution towards the provision of a pair of bus stops and shelters within the new link road. A £15k contribution towards such works would be appropriate in this case, with flexibility for the developer to build these under agreement if appropriate.

When assessing development proposals, balanced consideration should not only take into account traffic impacts / gains in terms of highway capacity, but also any road safety benefits /issues that would be realised or exacerbated as a result of a highway reconfiguration and development impact. It is on this basis that I have considered these development proposals.

The highway environment around the site currently subject to regular congestion in the peak hours, which is exacerbated by both existing road geometry and the impacts born from pick up and drop off activity associated with the local school (school impacts predominately experienced in the AM peak). The existing road alignment at the Manston Road / Shottendane Road junction is poor and subject to restricted visibility. The junction of Empire

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Terrace is located within the signal controlled junction at Coffin House Corner, which is a far from optimal and the same junction currently has no controlled pedestrian facilities, which in turn acts as a barrier to walking to and from the school and existing residences in the area.

Consider that the development proposals respond to these issues in the following ways:

- o Provision of a new Link Road between Nash Road and Manston Road, providing an opportunity for traffic travelling to and from Shottendane Road and Manston Road to bypass the Coffin House Corner Junction completely when utilising Nash Road.
- o Provision of improved on street parking facilities and pedestrian access to the school, which can be designed in such a way that they reduce the obstruction to traffic flow in the morning peak hour in Manston Road and Shottendane Road, currently experienced within the current configuration. This also provides the scope to introduce additional waiting restrictions on these roads to assist in improving safety and reinforce more appropriate parking on surrounding highways.
- o Closure of the Nash Road arm of the Coffin House Corner Junction, which in turn provides safety benefits in terms of reduced conflict at Empire Terrace and improved pedestrian connectivity to the school and destinations to the east of Nash Road.
- o Providing the ability to optimise junction capacity and traffic flow at Shottendane Road /Manston Road and Coffin House Corner by providing improved visibility, along with revisions to signal phasing, which in turn reduces the amount of time lost between individual signal phases.

The new junction arrangement onto Manston Road is considered to be adequate to serve the new development, with a reasonable amount of residual capacity remaining in order to accommodate potential increases in traffic flow in the future. The flows used to appraise future year flows are acceptable. It is clear from the traffic modelling outputs that there will already be a significant increase in flows through the Coffin House Corner junction (when adding future year committed development flows to the baseline, including growth factors). Therefore as such in a 'do nothing' scenario the future environment on local junctions is likely to be one of significantly increased queuing and delay.

Whilst it is evident that the closure of Nash Road and provision of the new link road doesn't eliminate queues and delay at the junction, the performance of the network as a collective is shown to improve. Therefore the impacts of the development proposal are more than mitigated. This will mean that some of the queuing that currently reside on Nash Road will in part transfer to Manston Road /Shottendane Road, however this new infrastructure / access arrangement provides further flexibility in the future to provide complimentary improvements to local infrastructure.

Whilst the principle of the highway changes are accepted, there are some detailed matters to address as follows:-

Drawing 14-011-002 Rev C (Link Road Phase 2)

- o Review and implementation of revised speed limit on the approach to the site from the east. This part of Nash Road is currently derestricted and could lead to vehicles

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approaching the site at excessive speed, it would be appropriate to implement a 30mph limit and gateway treatment in advance of this to manage speeds.

- o The drawing shows a 2 metre footway on the southern side to the east, but a 3 metre wide cycleway to the west. I consider that a 3 metre wide off road cycleway should be provided to the east linking to the pedestrian bridge and an appropriate termination and crossing point provided at the crest of the hill.

- o An informal crossing point and cycle connections will be required close to the new priority junction with Nash Road.

Drawing 14-011-005 (Rev B) Nash Road Closure

- o There will be a requirement for waiting restrictions to be imposed at the turning head close to Empire Terrace to ensure that this is kept clear, with further restrictions required on Nash Road to ensure that there are adequate passing opportunities for approaching traffic.

- o The indicative phasing of the signals accepted, however it is possible that the general arrangement and phasing will need to be reviewed at the time of implementation, as such details of the final junction arrangement and phasing plan should be secured by condition.

- o 14-011-07 Rev C - (Manston Road / Shottendane Road Priority Shift) - This arrangement is now acceptable in principle, whilst the proximity of the school access is not ideal, I consider it to be a material improvement over the existing access arrangement, particularly when considered in tandem with the scope for separated pedestrian access within the development site.

- o I note that the realignment of the footpath to accommodate the new right turn lane into Shottendane Road will require the school to reconfigure their boundary fence to maintain visibility at the access, which in turn falls outside of the control of the applicant. The same applies to the reconfiguration of the school pedestrian access to be located via the new development. The applicant has indicated that the school are happy to implement these changes, however it is important that these are formally secured prior to the commencement of development.

\* The proposed waiting restrictions do not require 'at any time' restriction plates as shown.

I am confident that the above are achievable and as such they could potentially be addressed by condition. It is noted that a stage 1 safety audit has been completed for each material change to the highway and an acceptable designers response has been prepared.

Whilst I am satisfied that there is sufficient space on the site for an acceptable link road arrangement, it is disappointing that this is not outlined in detail at this stage. It is important that the road is sufficiently wide to accommodate all types of vehicles. As such the typical 7.3 metre wide road referred to is adequate for this purpose and could possibly be reduced in places where necessary to the design process. It will be necessary to ensure that the free flow of traffic is protected where possible, as such the road may require the provision of layby parking and crossing facilities in appropriate locations, to be informed by the overall masterplan.

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On balance, I consider that the development proposals are acceptable and provide the opportunity to better manage traffic flows in the locality. I recommend that the following matters are secured by appropriately worded conditions:

- o Submission of details and subsequent approval of revised access arrangements at the St Gregory's school access on Manston Road, to be implemented prior to the delivery of the junction scheme (outlined in 14-011-07 Rev C).
  - o Submission and subsequent approval of the final route, specification and geometry of the link road between Manston Road and Nash Road in accordance of details to be submitted by the LPA. The link road and associated footway / cycleways and bus stops and shelters should be provided to an acceptable local distributor standard in accordance with the most recent revision of the Kent Design Guide.
  - o Submission and subsequent approval of revised pedestrian access arrangements for St Gregory's school as outlined on the indicative masterplan.
  - o Submission and subsequent approval of a construction management plan outlining the details of how the construction of the development will be managed, including details of vehicle routing, construction vehicle loading/unloading and turning facilities, parking facilities for site personnel and visitors & provision of wheel washing facilities.
  - o Submission and subsequent approval of details relating to the provision of revised access arrangements at the St Gregory's school access on Manston Road, to be implemented prior to the delivery of the junction scheme outlined in 14-011-07 Rev C.
  - o Submission and subsequent approval of details relating to the proposed closure and reconfiguration of the signalised Junction of Hartsdown Road, Shottendane Road and Nash Road.
  - o Submission and subsequent approval of full details relating to the proposed reconfiguration of Manston Road / Shottendane Road.
  - o Submission and subsequent approval of details relating to waiting restrictions to be imposed on the surrounding highway network.
  - o Full details of internal road layouts, including provision of communal on street parking to accommodate likely demand from school pick up and drop off activity to be submitted by the Local Planning Authority.
  - o Provision and approval of a phasing plan, outlining at which point of the development each highway mitigation element will be provided.
- Standard Requirements for dwellings
- o Provision and permanent retention of the vehicle parking spaces should be accordance with adopted residential parking standards contained with Interim Guidance Note 3 - Residential Parking of the Kent Design Guide.
  - o Provision of measures to prevent the discharge of surface water onto the highway.
  - o Provision and permanent retention of secure, covered cycle parking facilities prior to the use of the site commencing in accordance with details to be submitted to and approved by the Local Planning Authority.
  - o Gradient of the access to be no steeper than 1 in 10 for the first 1.5 metres from the highway boundary and no steeper than 1 in 8 thereafter.
  - o Parking to be provide in accordance with Kent Design Guide - Interim Guidance Note 3 (Residential Parking)



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- o Use of a bound surface for the first 5 metres of the access from the edge of the highway
  - o The proposed roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, driveway gradients, car parking and street furniture to be laid out and constructed in accordance with details to be submitted to and approved by the Local Planning Authority.
- Completion of the following works between a dwelling and the adopted highway prior to first occupation of the dwellings:
- o Footways and/or footpaths, with the exception of the wearing course;
  - o Carriageways, with the exception of the wearing course but including a turning facility, highway drainage, visibility splays, street lighting, street nameplates and highway structures (if any).
  - o Provision and permanent retention of secure, covered cycle parking facilities prior to the use of the site commencing in accordance with details to be submitted to and approved by the Local Planning Authority

**Environment Agency** - Assessed this application as having a low environmental risk. No comments to make.

**Southern Water** - There is a public foul sewer and 18 inch, 15 inch and 3 inch water distribution main within the access of the site. The exact position of the public sewer and water main must be determined on site by the applicant before the layout of the proposed development is finalised, as there are constraints in relation to where development and landscaping can be placed in relation to sewers/mains.

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.

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

Should the Local Planning Authority be minded to approve the application, Southern Water would like a condition to secure a drainage strategy (including SUDs) together with a scheme for sewerage disposal imposed.

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 adoptable 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.

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

**Kent Police** - Unable to find any reference to crime prevention or CPTED in the Design and Access Statement (D&AS). To date we have had no communication from the applicant/agent and there are other issues that may need to be discussed and addressed including a formal application for BREEAM and Secured By Design (SBD) if appropriate.

Whilst I appreciate this is an outline planning application with indicative layout plans, I do have concerns regarding the layout of some of the pedestrian access paths indicated on the plan, located around the St Gregory's School boundary fence (south western and south eastern boundaries), particularly where the path runs behind the residential property rear gardens. I appreciate the need for the pedestrian access point into the school grounds, however the paths running behind the residential units shown above, which also connect to the open area leading out to Nash Road, may cause issues and opportunities for crime, anti-social behaviour, graffiti, drugs dealing and misuse, it is not ideal that children, pupils and other legitimate users are directed down narrow paths to the rear of properties. I recommend that serious consideration be given to removing these paths from the design plan, which would still allow access to the proposed pedestrian access gate via the formal pathways along the formal footpaths of the residential roads to be retained. Pedestrian access to the open area towards Nash Road could also be maintained by using the formal roadside paths in front of the residential units in this area.

Suggest an informative is added to any grant of consent to encourage the applicant/agent to contact the Crime Prevention Design Advisor.

**Natural England** - Designated nature conservation sites - no objection

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

\* The Thanet Coast & Sandwich Bay Special Protection Area (SPA) and Ramsar site<sup>2</sup>, part of which is also designated as the Tankerton Slopes and Swalecliffe Special Area of Conservation (SAC).

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

The proposals are not necessary for the management of the European site but; subject to appropriate financial contributions being made to strategic mitigation, the proposals are unlikely to have a significant effect on this site, and can therefore be screened out from any requirement for further assessment.

To address the in-combination impact of recreational pressure arising from the new housing an appropriate financial contribution should be made to the Thanet Coast and Sandwich Bay

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SPA SAMM Plan being developed in conjunction with Canterbury City Council. This strategic mitigation will need to be in place before the dwellings are occupied.

Natural England is satisfied that the proposed development being carried out in strict accordance with the details of the application, as submitted, will not damage or destroy the interest features for which the SSSI named above have been notified. We therefore advise your authority that this SSSI does not represent a constraint in determining this application.

**KCC Ecology** - We are satisfied with the conclusions of the Extended Phase 1 Habitat Survey and advise that sufficient information has been submitted to determine the planning application.

The submitted ecological information has detailed that due to the current intensive management of the site there is limited potential for protected/notable species to be impacted by the proposed development. However conditions can change over time and the ecological interest of the site can change over time and the report has recommended that breeding bird surveys are carried out in 2017. We advise that as the current cropping regime makes it largely unsuitable for breeding birds we are satisfied that the surveys are not required prior to determination but instead can be submitted, with details of any mitigation required, as part of the reserve matters application. If planning permission is granted we recommend the following condition wording (or similar)

Prior to the submission of the reserve matters application an updated ecological scoping survey and any recommend specific species surveys are carried out - the results of the surveys must inform a detailed mitigation strategies, if required. The results of the surveys and detailed mitigation strategy must be submitted to the LPA for approval.

**Lighting** - The submitted ecological report has made recommendations for a sensitive lighting scheme and we recommend that the lighting scheme submitted with the reserve matters application demonstrate that the recommendations are being implemented within the final scheme.

**Enhancements** - The submitted document has made recommendations for the final development to incorporate measures to benefit biodiversity in to the proposed development. We recommend if planning permission is granted the layout submitted as part of the reserve matters demonstrates that the recommended enhancements are being incorporated in to the site.

**Designated Sites** - Studies which have been carried out in Kent on the impacts of recreational activities on SPA and Ramsar sites indicate that recreational disturbance is a potential cause of the decline in bird numbers in the SPAs. The proposed development site is within 2km of the Thanet Coast and Sandwich Bay SPA and Ramsar and Thanet Coast SSSI. In order for the development to demonstrate that they will avoid a likely significant effect on the designated sites we recommend that that the development contributes to the TDC strategic recreational mitigation strategy.

**KCC Development Contributions** - KCC Contribution requirements:

Primary Education: £3324 per applicable house (x250), £831 per applicable flat; Total - £831,000, Project - Phase 1 of St Gregory's Primary School expansion.

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Secondary Education: £5091.61 per applicable house (x250), £1272.90 per applicable flat;  
Total - £1,323,826, Project - Phase1 of new secondary free school in Thanet.

#### Community Learning

£20.63 per dwelling, Total - £5156.77, Project - Towards portable equipment in Margate for new learners.

#### Youth Services

£59.44 per dwelling, Total - £14,860. Project - Towards the Quarterdeck Youth club in Margate refurbishment.

#### Libraries

£48.02 per dwelling, Total - £12,003.95. Project - Towards the additional bookstock required to mitigate the impact of the additional borrowers generated from this development.

#### Social Care

£67.94 per dwelling, Total - £16,985. Project - To develop and enhance the community hub space at the learning disability day service building in Margate.

3 Wheelchair Adaptable Homes delivered as part of the on-site affordable housing

Super Fast Fibre Optic Broadband secured via an informative.

**KCC Archaeology** - Site lies in an area of high archaeological potential and this has been confirmed by investigations in the form of two phases of evaluation and a geophysics survey. The site lies adjacent to the medieval Salmestone Grange a Scheduled Monument.

Advised that in terms of the buried archaeology of the site an Environmental Statement was not needed however we would expect a full consideration of the archaeological impacts and scheme for preservation in the forthcoming application and its heritage statement.

I note that the submission includes a 2014 Desk Based Assessment by SWAT Archaeology. That assessment is poor and does not include a proper consideration of the archaeology of the site, the potential of the site arising from the fieldwork and the potential impacts of development or proposals for mitigation. The Heritage Statement by CgMs provides a far better summary of the potential of the site for buried archaeological remains and has taken into account the previous findings which SWAT had not and also has taken account of discussions with myself regarding the preservation of archaeology in the northern corner. There is high potential for archaeology with known concentrations identified in the Oxford Archaeology 2005 evaluation. I agree that the remaining archaeological potential can be addressed through a condition on the planning consent that secures a programme of archaeological work which should mainly take the form of Strip, Map and Sample archaeological excavation across the site development phases. A condition to secure a programme of archaeological works should be added to any grant of planning consent.

**KCC Flood Authority** - No objection to the proposal from a surface water flood risk perspective .The submitted FRA includes source control features such as swales and permeable paving within the indicated layout and adequately demonstrates that the

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development can manage surface water within the site boundary. Recommend that additional ground investigation is undertaken during any detailed design work to confirm the infiltration rates within the Head Deposits where the depth to chalk exceeds the permeable paving depth. The detailed design of other features such as individual soakaways, trench soakaways and the swale under-drain should ensure that they penetrate into the more permeable chalk to ensure the features will perform as proposed. Please note that the statutory undertakers generally object to assets being placed beneath permeable pavements, therefore any detailed designs will need to consider the routing of underground services and adoptable drainage networks within service corridors throughout the development. Service corridors should also be incorporated into the permeable paving where plant crosses access roads to avoid impacts upon adoption of plant and highways (where applicable).

Recommend that a condition to secure a SUDs drainage plan is imposed on any grant of planning permission.

**Thanet District Council Environmental Health** - In accordance with the Air Quality Technical Guidance, the site will require an Emissions Mitigation Assessment, with screening for an air quality assessment to consider the impacts of transport emissions on new and existing dwellings and also model the crematorium emissions from the nearby by stack. This should be submitted prior to reserved matters so that identified mitigation measures can be secured as reserved matters.

Consider that conditions should also be imposed relating to potential and unexpected contamination, construction management and road traffic noise.

Note that the internal layouts of the premises are not included. I note that this will likely be dealt with under reserved matters. For the new proposed dwellings the developer should ensure that where possible rooms of the same use are placed next to each other in adjoining buildings (i.e. bedrooms adjacent to bedrooms in neighbouring terraced properties). When dealing with flats the developers should consider placing rooms of the same use above and below each other (i.e. bedrooms above and below bedrooms in adjoining flats).

**Thanet District Council Open Space Manager** - Play area cost for up to 250 houses that includes equipment, surfacing and fencing for all age groups is £110,000. They would need to provide 0.7 hectares of open space per 1,000 population.

**Thanet District Council Conservation Officer** - In addition to Salmestone Grange there are a number of other historic assets in proximity to the site, such as Shottendane House, which will need to be considered through a Heritage Assessment. Will comment in detail at the reserved matters stage.

**Thanet District Council Housing** - A requirement for 30% affordable units to be provided on site. Mix of 70% affordable rented and 30% shared ownership.

**Historic England** - No objection to the application on heritage grounds. Consider that the application meets the requirements of the NPPF, in particular paragraphs 8, 17, 132, 134

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and 139. The development is close to a scheduled monument and a number of listed buildings. Consider that the area adjacent to the south east of Salmestone Grange and the school, where evidence of archaeological remains associated with the grange were discovered and views of the countryside remain, should remain as open green space. An area has been left open on the illustrative master plan and the applicants have agreed that this could be made a fixed parameter of any future development via a condition of this application - an acceptable approach. While development in other parts of the proposed development area would cause some harm to the setting of the grange, archaeological remains and the cemetery, consider this harm will be moderate and could be weighed against the public benefits which would arise from the proposed development.

### COMMENTS

The application is reported to planning committee as a departure from Policy H1 in the current Local Plan as it located outside the urban confines and on non-previously developed land.

### **Principle**

Policy H1 of the Thanet Local Plan requires that residential development on non allocated sites will only be permitted within existing built up confines unless specifically permitted by other local plan policies. This policy no longer accords with the requirements of the National Planning Policy Framework (NPPF), as the Council cannot demonstrate a 5 year housing land supply, and as such this policy has little weight. Policy CC1 of the Thanet Local Plan states that new development will not be permitted unless there is a need for the development that overrides the need to protect the countryside. There is a current need for housing within Thanet which is being reviewed through the Local Plan process, and this site is allocated in the emerging local plan under Policy H02B for up to 250 dwellings.

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

Therefore in determining whether the development of the site is acceptable, the need for housing in the district and benefits of the proposal will therefore need to be balanced against other issues such as the impact on the countryside and character and appearance of the area, impact on the highway network, impact on the historical environment and all other material planning considerations.

### **Character and Appearance**

This is an outline application with only the principle of the development and access to be considered at this time with layout, scale, landscaping and appearance reserved for future consideration. The detailed considerations in relation to the character and appearance of the development would, therefore, be considered at reserved matters stage.

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An indicative plan and a Design and Access Statement have, however, been submitted to support the application and show how the 250 housing units can be accommodated on the site and sets out some parameters for the proposed development. The Design and Access Statement advises that the mix of the proposed 250 units would reflect that identified in the Council's Strategic Housing Market Assessment (SHMA) and sets the parameters of set access points from Nash Road and Manston Road and that the development would be two storeys in height (although accommodation could be accommodated within the roof in parts of the development).

It is noted that the indicative plan and the Design and Access Statement show and state that an area of public open space (1.1 hectares) would be provided and that there would be areas of landscaping throughout the site. This is welcomed in principle, but the landscaping of the site is a reserved matter and will be assessed at that time.

As set out above, the site is currently in agricultural use and in the countryside for planning purposes. It is, however, located adjacent to the southern settlement boundary of Margate and, given the clear need for additional residential accommodation; it is considered that this site would be a logical expansion of the surrounding residential area. It is considered that boundary treatments on the site can be enhanced to provide a buffer between the site and the adjoining countryside.

The proposed development of 250 residential units gives a density of approximately 32 dwellings per hectare (with the open space taken from the total site area). This is line with the details of emerging policy HO2B which states a maximum density of 35 dwellings per hectare and is comparable to the density of existing residential development in the surrounding area.

Policy CC2 (Landscape Character Areas) identifies the area as lying within the central chalk plateau of Thanet. The policy states that within this area care should be taken when developing sites to avoid skyline intrusion and the loss or interruption of long views of the coast and sea. Whilst the detailed design and layout is reserved for future consideration, it is noted that the applicants propose to limit the height of the proposed residential units to two storeys with some areas where there would be rooms within the roof and would be prepared to accept a condition to this effect. Whilst Manston Road consists of a mix of bungalows and 2 storey properties, two storey dwellings (including those with rooms within the roof) would limit skyline intrusion and would not be out of keeping with the general character of the surrounding residential development.

The indicative plan illustrating how the 250 residential units could be accommodated on the site shows houses fronting onto Nash Road, but with the rear gardens of dwellings fronting onto Manston Road and to the main spine road running through the site, as well as landscaping to the boundaries of the site and the area of open space to the north west corner of the site. Whilst it is disappointing that there is limited residential frontages onto Manston Road and the spine road, it is noted that these would be the higher status roads around and through the development and, as such, subject to higher speeds and potential noise and disturbance. It is acknowledged that this plan is, however, indicative and the details of the scheme would be considered in detail at the reserved matters stage.

The open space to serve the development is shown on the indicative plan adjacent to Salmestone Grange, and the impact on the heritage asset is considered in the 'Historic Environment' section of the report.

### **Living Conditions**

As set out above, as an outline application with only the principles and accesses to be considered at this time and only an indicative layout plan, the impact of the proposed development on the living conditions of neighbouring properties and the living conditions for future occupiers will be fully assessed within the reserved matters submission upon receipt of plans of the location and design of the new properties. However, it is considered that the quantum of development proposed provides sufficient flexibility to ensure that living conditions of neighbours can be safeguarded from loss of privacy and associated impacts and a good standard of accommodation for future occupiers of the development provided through an appropriate layout.

The proposal would agree the location of the access to the site, and this includes a new roundabout opposite residential properties on Manston Road. Concern has been raised in representations about the impact on residential properties on Manston Road from the position of the roundabout. Environmental Health has requested a condition requiring details of a noise mitigation scheme to be submitted prior to any development to ensure that the amenities of these properties are protected. From the arrangement submitted, the properties would be separated from the new roundabout by an access road to serve those dwellings, which would create a buffer of between 4-9metres to the front boundary to the new carriageway, with all front gardens of the residences between 6-9 metres. The applicant has submitted that other mitigation can be considered such as lowering the road channel depth and landscaping on the strip of highway land between the access road and roundabout. The applicant has also submitted that the exact location of the roundabout will be agreed at reserved matters stage, however it will be in a similar location but could be moved slightly east to provide additional landscaping mitigation between the access road and roundabout. Whilst the location of an access via a roundabout into the site would result in some noise and disturbance to properties, a condition requiring details of a noise mitigation scheme, informed by an assessment of the impact on the properties adjacent, to be submitted prior to any reserved matters (to allow for any mitigation to be designed into the scheme) is considered to adequately safeguard the living conditions of neighbouring occupiers.

Concerns have been raised regarding the potential for light pollution from the development. A condition will be imposed requiring details of the outdoor lighting from the development, which has been recommended by Environmental Health. In terms of potential glare from headlights at nighttime from the new road, the exact layout and landscaping of the area surrounding the roundabout will be considered at the reserved matters stage, and can be designed to minimise this impact, whilst the existing front boundary walls of residential properties on Manston Road will reduce the impact on ground floor windows. Overall it is considered that this would not result in substantial harm to existing occupiers' living conditions given these factors to warrant refusal of the application.



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All impacts on living conditions during construction will be temporary and managed through submission to the Local Authority within an environmental management plan. This will be agreed with Environmental health prior to development commencing.

### **Highways**

As set out above, this application seeks to agree the principle of up to 250 dwellings on the site (with all matters except access reserved for future consideration) together with works to the surrounding highway network.

The proposed highway works have been the subject of detailed discussion with both the Council and KCC as the Local Highway Authority and form part of the strategic highway infrastructure works for the district.

On site highway works include the provision of a link road between Manston and Nash Roads with a roundabout access proposed on to Manston Road to the west. It is intended that this roundabout would be the primary access to the development and also serve as strategic transport infrastructure, taking traffic from the reassigned Nash Road. The link road would provide an opportunity for traffic travelling to and from Shottendane Road and Manston Road to bypass the Coffin House Corner Junction completely when utilising Nash Road. The access to the site from the eastern end of the link road would take the form of a priority junction from Nash Road.

Works will be required to include the provision of improved on street parking facilities and pedestrian access through the site to the school. This also provides the scope to introduce additional waiting restrictions on these roads to assist in improving safety and reinforce more appropriate parking on surrounding highways, which currently has an impact on road safety and the free flow of traffic within the locality.

A package of off-site mitigation is also proposed as part of this application with the dual focus of mitigating the impact of the development whilst supporting the emerging transport strategy within the district. These include the closure of the Nash Road arm of the Coffin House Corner Junction, which in turn provides safety benefits in terms of reduced conflict at Empire Terrace and improved pedestrian connectivity to the school and destinations to the east of Nash Road. The change to the Shottendane Road/Manston Road junction facilitates improved visibility and increased junction capacity, along with revisions to signal phasing, which in turn reduces the amount of time lost between individual signal phases.

### *Highways Capacity*

Concerns have been raised that the new road arrangement including the roundabout on Manston Road and the new development would result in increase in congestion surrounding the site. KCC Highways have stated that the new road arrangement, with the closure of the Nash Road access to Coffin House Corner, will collectively improve the local network's capacity to handle vehicle movements, actually resulting in a net benefit to the network above the projections of movements if no development occurs on the site. The roundabout to be provided on Manston Road is anticipated to operate with significant residual capacity, meaning that it will allow for potential increases in traffic in future years. There is no

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empirical evidence to suggest that on balance the development would result in network capacity issues to cause severe congestion to warrant refusal of the application on this ground, and the road network development is part of the emerging Thanet Transport Strategy, which will not come forward without the associated housing development to enable this provision. The proposed works are therefore considered to mitigate the impact on the network from this development whilst contributing a key new piece of infrastructure towards the emerging Thanet Transport Strategy.

#### *Public Safety*

Concerns have also been raised about public safety from the development and how the access to the school has been affected. A stage one safety audit has been carried out and agreed by KCC (which covers each change to highway to ensure all accesses can be used safely, all visibility splays can be provided etc), whilst a significant number of conditions are required to provide safe routes for vehicles, pedestrian and cyclists, including revised access details at the St Gregory's school vehicular access on Manston Road, improved on street parking facilities and provision of informal crossing point at new priority junction with Nash Road. An informative would be placed on any permission for a review of the speed limit on the approach to the site from the east along Nash Road.

The work would also change the road layout at the junction between Shottendane Road and Manston Road, which will mean that Shottendane traffic will join Manston Road, rather than the opposite which is the current arrangement. The change will allow traffic flows from the revised Coffin House Corner to the new roundabout. This change results in material improvements in visibility when compared to the existing junction geometry.

#### *Other matters*

Objection to the approach of KCC Highways has been raised by the CPRE, on the grounds that the scope of the transport modelling should be broadened to include all the local plan allocations to take into account the wider highways implications. The application has the potential to indirectly affect other junctions from the changes to the network, however the application must be considered on its own merits as to whether it results in severe harm to the transport network. The evidence, agreed by KCC, is that on balance, local network performance will not worsen as a result of this development, and the development accords with the emerging Thanet Transport Strategy which will inform the Council's new Local Plan. The scope of the assessment is therefore considered appropriate for the consideration of this application, and KCC Highways have not raised an objection to the development in its revised form subject to condition requirements.

The proposed work to the network will need to be phased appropriately to minimise disruption to the network whilst ensuring that the new development is served by the new road network at the appropriate time. Therefore a phasing plan for the highways mitigation will be required prior to the submission of the first reserved matters application, as well as a construction highway management plan prior to any development to ensure appropriate management of the construction period including vehicle routing, unloading, parking and other related requirements are secured.

### *Bus Services*

The site is not ideally located in relation to existing commercial bus services. Generally it is reasonable to seek to a maximum walking distance of 400 metres for all dwellings to bus stops (to encourage sustainable travel), however the distances in the case of this development are not considered to be unreasonable (particularly as there is currently limited scope to reasonably improve on this given the surrounding geometrical highway constraints). It is possible that future development and infrastructure improvements in the area could provide future scope to enhance bus access. Whilst a specific contribution towards bus services is not considered appropriate at this stage, it would be necessary to secure a contribution towards the provision of a pair of bus stops and shelters within the new link road. A £15k contribution towards such works would be appropriate in this case, with flexibility for the developer to build these under agreement if appropriate.

Overall, KCC Highways has worked closely with the applicants in developing this package of highway works and support the scheme as submitted as it would provide the opportunity to manage new traffic flows in the area whilst alleviating congestion through the new layout. The applicants have advised that they intend to meet KCC Highways guidance in relation to car parking and cycle parking, and this will be submitted for assessment at reserved matters stage. It is considered that the proposed highway works, subject to the imposition of conditions, would mitigate the impact of the proposed development as well as contributing the better management of more general traffic flows within the area.

### **Biodiversity**

Local residents have raised concerns about the loss of wildlife from the site. The applicants have submitted an Extended Phase 1 Habitat Survey (April 2014 with an updated survey 2016) in support of the application which concluded:

- o No rare or uncommon habitats or plant species have been recorded.
- o None of the trees on site has the potential to be used by bats and the site has little potential for use by foraging or commuting bats - no further studies for bats required.
- o No suitable habitat for reptiles (including boundaries) - no further reptile studies required;
- o The site has poor sustainability to be used by wintering birds - no further surveys required
- o Recommendations have been given for the planting of native tree and shrub species where possible to create new habitats and pollen rich plants.

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

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Both Natural England and KCC Biodiversity have been consulted on the application. They raise no objection to the development in relation to its impact on the statutory designated nature conservation sites subject to the financial contribution to mitigate the effect of the development in 'The Strategic Access Management and Monitoring Plan (SAMM)'. The applicants have advised that they will accept this contribution.

In terms of protected species, KCC Biodiversity agree the conclusions of the extended Phase 1 habitat Survey, given the current intensive management of the site. They note, however that conditions, and therefore the ecological potential of a site, can change over time and recommend that an updated ecological scoping survey and any recommended specific species surveys are carried out prior to the submission of a reserved matters application. They also note that the submitted ecological report makes recommendations for a sensitive lighting scheme and they consider that a scheme should be submitted with the reserved matters application. They also draw attention to the NPPFs aim to seek measures to benefit biodiversity in and around new developments and advise that measures should be identified in the reserved matters application.

Given the above, it is considered that the development of the site, with appropriate safeguarding conditions, would not have an adverse effect on biodiversity and protected species.

### **Historic Environment**

Concerns have been raised by local residents in relation to the potential impact of the proposed development on Salmestone Grange which is a listed building (grade II\*) and the fact that the application site might be of historic interest as it would have been part of the pilgrims route to Canterbury Cathedral.

The NPPF (paragraph 132) advises that when considering an impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the assets conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Where a proposed development will lead to substantial harm or to the total loss of a designated heritage asset, Local Planning Authorities should refuse consent. Paragraph 134 goes on to advise that where a development 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.

Historic England state that they raise no objection to the application on heritage grounds and that the application meets the requirements of the NPPF. They consider that the area adjacent to the south east of Salmestone Grange and the school, where evidence of archaeological remains associated with the grange were discovered and views of the countryside remain, should remain as open green space. An area has been left open on the indicative layout plan and the applicants have agreed that this open space could be made a fixed parameter of any future development via a condition of this application. This is considered to be an acceptable approach. While development in other parts of the proposed

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development area would cause limited harm to the setting of the grange, archaeological remains and the cemetery, consider this harm will be moderate and could be weighed against the public benefits which would arise from the proposed development.

KCC Archaeology have also reviewed the submissions and their view aligns with that of Historic England in relation to the most sensitive area of the site being that identified as open space on the indicative plan, and they do not raise an objection to the development. They advise that a condition securing a programme of archaeological work is secured on any grant of planning consent.

The Council's Conservation Officer advises that he has no objection to the proposed development in principle, but would wish to make detailed comments on the scheme at the reserved matters stage.

It is considered that with appropriate safeguarding conditions in place, the development would result in less than substantial harm to the designated heritage assets in the vicinity, with the setting of the Grade II\* Listed Building preserved through the provision of a large area of open space on the site. The public benefits of the proposal, from the provision of strategic road infrastructure and the provision of 250 houses in an area with an identified need and emerging allocation, is considered to outweigh this moderate harm, and therefore the proposal is in accordance with paragraphs 131 and 134 of the NPPF.

#### **Flooding and Drainage**

When determining planning applications, Local Planning Authorities should ensure flood risk is not increased elsewhere and only consider development in areas at risk of flooding where, informed by a site specific flood risk assessment that within the site, the most vulnerable development is located in areas of the lowest flood risk and development is appropriately flood resilient and resistant and that any residual risk can be managed and which gives priority to the use of sustainable drainage systems.

The application site lies in flood zone 1 - low probability of flooding - as defined by the Environment Agency flood maps, however, given that its size exceeds a hectare a site specific flood risk assessment is required.

A detailed Flood Risk Assessment was submitted to support this application. It concludes that the site is not exposed to any significant risks of flooding, it will not increase flood risk elsewhere and by including appropriate mitigation measures, it will be possible to mitigate the risk of flooding further. It makes recommendations for flood resilient measures and a surface water management strategy for the development to be incorporated into the detailed design of the site.

The Environment Agency and KCC as the Lead Local Flood Authority have all reviewed the submitted information. The Environment Agency considered there to be a low environmental risk from the application and did not wish to comment, whilst both Southern Water and KCC were satisfied that the any issues of flooding and drainage could be dealt with via conditions on any grant of consent.

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No objection has been raised to the development by the drainage provider. Southern water have stated that additional infrastructure will be required to serve the development, and this will be secured through safeguarding conditions.

Given the above, subject to the imposition of conditions, it is not considered that the proposed development would have an adverse effect in terms of flooding or drainage.

#### **Air Quality**

The Council's Environmental Health Team have advised that a full air quality emissions Mitigation Assessment is required to consider the impacts of transport emissions on new and existing dwellings and also model the crematorium emissions from the nearby by stack.

It is considered appropriate to secure this assessment via a condition to be submitted prior to any reserved matters application as it will inform the development of the detailed design for the site. If the scheme is developed according to the findings and recommendations of the report, it is considered that the proposal would not have an adverse effect on air quality, and this approach is acceptable to the Council's Environmental Health team.

#### **Open Space/Play Area**

Policy SR5 of the Local Plan Relating to play space is also of relevance to this application. It states that new family dwellings will be expected to incorporate garden space in order to provide safe "doorstep" play area for young children. It goes on to advise that where development is proposed, which in its completed form would amount to fifty or more residential units, the District Council will require the development to incorporate local play area provision on the basis of 0.7 hectares per 1,000 population. Such provision will be expected to comprise approximately 36% equipped play area and approximately 64% casual/informal play space.

The applicants have indicated that they would provide a 1.1 hectare area of open space and the future management arrangements for this area. This provision would need to be secured within a S106 agreement or a unilateral undertaking. Policy HO2B does not specify a requirement for specific amount of open space to be provided, but does state that the disposition of development and landscaping will be expected to enable a soft edge between the site and open countryside and provide a green link between the cemetery and disused railway line to the east. The applicants have expressed a willingness to accept a condition that the large area of open space shall be taken forward into the detailed design as shown on the indicative plan, other areas of open space and developed areas will come forward at the detailed design stage.

Given the above it is considered that the proposed development would contain an appropriate level of open space and that a soft to the development can be provided to minimise its impact and to provide green links to the surrounding area.

### **Planning Obligations**

#### *Financial Contributions*

Policy CF2 of the Thanet Local Plan requires that where a proposed development would directly result in the need to provide new or upgraded community facilities (including transport infrastructure educational, recreational facilities or affordable housing) the Local Planning Authority will negotiate with the applicant for a contribution towards the cost of such provision, which is fairly related in scale and kind to the proposed development.

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

KCC have been consulted and have advised that there is a need for financial contributions towards primary and secondary schools, community learning, youth services and libraries. The primary contribution is in the form of £831,000 to be used towards phase 1 works at St Gregory's Roman Catholic School enhancement and the secondary contribution is in the form of £1,323,826 to be used towards the phase 1 of a new secondary free school in Thanet. The contribution for community learning is £5156.77 towards portable equipment for new learners in Margate, whilst the contribution for youth services of £14,860 towards the refurbishment of the Quateryard Youth Club, Margate. A library contribution of £12,003.95 is also required towards additional bookstock required to mitigate the impact of the additional borrowers generated from this development.

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

#### *Affordable Housing*

The proposal would provide 30% (70% affordable rent and 30% shared ownership) on site affordable housing units which complies with Policy H14 of the Thanet Local Plan. It is considered that the request meets the criteria for inclusion in a S106 agreement. The affordable units and their mix would be secured via the S106 agreement.

#### *Habitat Regulations*

Thanet District Council has produced the 'The Strategic Access Management and Monitoring Plan (SAMM)' which focuses on the impacts of recreational activities on the Thanet section of the Thanet Coast and Sandwich Bay Special Protection Area (SPA). The studies indicate that recreational disturbance is a potential cause of the decline in bird numbers in the SPA. The proposed development is 1km from the Thanet Coast and Sandwich Bay SPA, Ramsar and SSSI., To enable the Council to be satisfied that the proposed development will avoid a likely significant effect on the designated sites (due to an increase in recreation) a financial contribution is required to contribute to the district wide mitigation strategy. It is considered that the request meets the test for inclusion within a S106 agreement. The contribution required in this instance would be £408 per dwelling, totalling £102,000 for the 250 units.

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The applicants have agreed to pay this contribution and this would be secured through the S106 agreement to accompany any permission.

### *Bus Services/Bus Stops*

KCC Highways have advised that the site is currently ideally located in relation to commercial bus services. They advise that a contribution of £15,000 towards a pair of bus stops and shelters within the link road, with the flexibility for the developer to build these under agreement if appropriate. It is considered that this request meets the test for inclusion within a S106 agreement. The agreements have agreed to pay this contribution and it would be secured via the S106 agreement accompanying any grant of permission.

### **Heads of Terms**

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

- 30% affordable housing,
- the provision and future maintenance of an area of 1.1 hectares of open space;
- £ 831,000 towards primary school provision at St.Gregory's RC School
- £1,323,826 towards phase 1 of a free secondary school provision in Thanet,
- £5156.77 towards portable equipment for new learners in Margate
- £14,860 towards the refurbishment of the Quarterdeck Youth Club in Margate.
- £12,003.95 towards library provision in Margate,
- £102,000 towards the Special Protection Area,
- £15,000 towards the provision of two bus stops and shelters within the proposed link road through the site.
- Off-site highways works

### **Other Matters**

Concerns have been raised about the potential impact of the development on the cemetery.

Firstly whether the development would be located on land set aside for the expansion of the cemetery, secondly the impact of noise and disturbance from the development to its tranquil environment and disturbance during services and lastly in relation to its historic setting and location. Each of these points will be considered in turn below.

The application site is adjacent to the land shown for the expansion of the cemetery and it not, therefore, considered that the proposed development would prejudice the expansion of the cemetery.

Secondly, concerns were raised that residential development in the vicinity of the cemetery would result in noise and disturbance and would result in a loss of tranquillity to it. It is recognised that the development would bring residential development closer to the cemetery, but it is not considered that this would, in itself, be unacceptable. There are many locations where residential development is located close to cemetery/burial grounds and these do not appear to suffer unduly from noise and disturbance. Environmental Health have not identified this as an area of concern and it is considered that once the detailed



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layout of the site is submitted a better understanding of any potential impact could be understood at that stage.

The third concern in relation to the cemetery is that historically it enjoyed a countryside location and the proposed development would create a more urban setting. Whilst Historic England flagged this issue up, they did not consider it would be less than substantially harmful which would be outweighed by the public benefits from the development.

Objection has been raised that the development would result in the loss of property value to existing residential occupiers, however this is not a material planning consideration for the determination of this application and should not be taken into account.

As required under policy HO2B of the emerging plan, the applicants have submitted a Utility Site Investigation Report which has looked at existing connections for electricity, water, gas, telecoms, cable tv, communications, tunnels and pipelines and transport and goes on to explore the provision of new connections to serve the proposed development with a number of suppliers. This demonstrates the ability for adequate utilities to serve the proposed development site.

#### **Conclusion**

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

The provision of 250 dwellings would make a significant contribution to the District's housing supply, supporting economic and social dimensions of sustainable development, with employment provided through construction. All requests for social contributions towards education and social care have been agreed by the applicant, and 30% on-site affordable housing. This attaches significant weight in favour of the application due to these social and economic benefits.

In terms of the environmental dimension, the proposal would result in the loss of countryside, however would appear as a logical extension of Margate rather than an encroachment into the countryside. Whilst the loss of rural character around the Grade II\* Listed Salmestone Grange would affect the setting of the building, Historic England have not objected subject to provisions for open space adjacent to the boundary with the listed building in future submissions. Kent Highways raise no objection in principle to the proposal and consider that the proposal secures both on site and off site highway improvements which will mitigate the impact of the proposed development and also contribute to the effective management of the traffic flows in the surrounding area and the strategic transport infrastructure. Therefore overall limited environmental harm would result from the proposal.

It is considered that, with safeguarding conditions and appropriate contributions and items secured via a S106 legal agreement, that there would be no adverse impact of the

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development on ecology, archaeology, air quality, flooding or drainage. The reserved matters application(s) will consider detailed impact on living conditions of neighbouring occupiers, however the development of the site for the development submitted can be accommodated without resulting in a significant adverse impact to residential properties in the vicinity of the site.

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

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

#### **Case Officer**

Annabel Hemmings

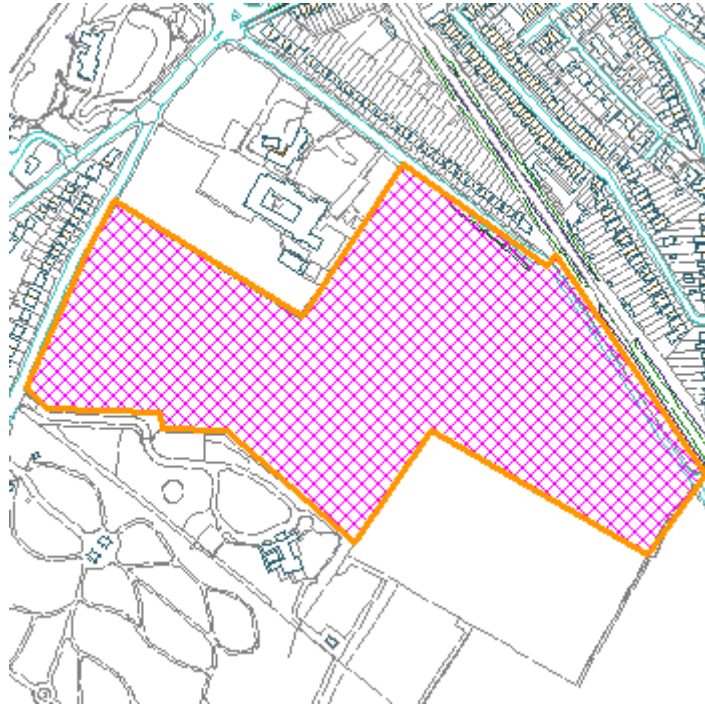
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## Annex 1

TITLE: OL/TH/16/1765

Project Land Adjacent To Salmestone Grange Nash Road MARGATE Kent

Scale:



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# Land Fronting Manston Road and Nash Road, Margate, Kent - Viability Report

**Prepared on behalf of Piper Developments Limited**

27<sup>th</sup> April 2018

Tim Mitford-Slade MLE MRICS

Director, BNP Paribas Real Estate t/a Strutt & Parker

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## 1. Executive Summary

- 1.1 I have been instructed by Piper Developments Limited ('Piper Developments') to carry out an independent financial appraisal of the proposed development scheme ('the Scheme') currently being considered for Land Fronting Manston Road and Nash Road, Margate, Kent ('the Property') in order to assess the viability implications of proposed planning obligations in respect of affordable housing and wider Section 106 costs. Full details relating to the Property can be found in the Design and Access Statement prepared by Hume Planning Consultancy Limited dated December 2016 attached at **Appendix A**.
- 1.2 This Viability Report accompanies and supports the planning application submitted to Thanet District Council under application reference OL/TH/16/1765 for *Outline application for residential development of up to 250 dwellings and alterations to the surrounding highway network, including details of access with all matters reserved (Appearance, Landscaping, Layout, Scale, Access)*. The address given under the application is *Land adjacent to Salmestone Grange, Nash Road, Margate, Kent*.
- 1.3 This Viability Report considers the planning application from two perspectives. The first is referred to as the **Policy Compliant Scheme** which allows for the full package of policy compliant contributions including 30% affordable housing and an allowance for Section 106 costs including primary and secondary education contributions totalling £2,303,847. The Scheme includes the provision of a new link road between Manston Road and Nash Road running directly through the Property along with a new roundabout for access into the site and a new service road for properties on Manston Road. The provision of this significant highway infrastructure along with wider site assembly costs and stagnation in house price growth in this part of Thanet puts significant pressure on the viability of the Scheme. The proposed highways infrastructure has significant wider benefits to the relief of traffic congestion in the locality and serves as a major benefit to Thanet over and above servicing the 250 dwellings proposed. Indeed, the highways improvements will be felt throughout this part of Thanet and the cost implications have a direct bearing on the viability of the Scheme. As such, there needs to be adjustments to the package of Section 106 contributions in order to offset this cost burden and this Viability Report considers a **Proposed Scheme** which looks at ways that the development can be brought forward in a deliverable manner whilst retaining an acceptable return to the landowner and an appropriate margin for a developer.
- 1.4 I have given due regard to the National Planning Policy Framework ("NPPF"), The Royal Institution of Chartered Surveyors Guidance Note 1<sup>st</sup> Edition *Financial Viability in Planning* and the "Harman" report being *Viability Testing Local Plans* produced by the Local Government Association, The Home

### Nash Road, Margate, Kent

Builders Federation and the NHBC chaired by Sir. John Harman June 2012. The guidance contained in these documents has assisted in formulating the opinions set out in this report.

- 1.5 This report concludes that the Property has a Viability Benchmark Sum ("VBS") of not less than £4.14 million equating to £180,000 per acre. This reflects the minimum price at which a landowner would sell an allocated development site on an unconditional basis without planning permission but with the clear prospects for short to medium term residential lead development as endorsed by an allocation of the Property for up to 250 dwellings under Policy H02B of the Thanet Preferred Options Local Plan.
- 1.6 With a VBS of £4.41 million it is necessary to run both the *Policy Compliant Scheme* appraisal and the *Proposed Scheme* appraisal to establish what surplus, or deficit, may be available for the provision of Section 106 contributions once an appropriate return is allowed for at 20% of private Gross Development Value ('GDV') and 6% on the sale of the affordable homes. These margins represent the minimum return for a housebuilder in order to deliver a viable development. Taking into account the GDV and total costs of the development it is clear that the *Policy Compliant Scheme* is unviable and yields a deficit of £4,189,516. As such, it is necessary to make adjustments to the wider package of affordable housing and Section 106 costs in order to find a Nil or Positive surplus. This has been done by adjusting the tenure mix of the affordable homes and removing the primary and secondary education contributions. The net result is that the scheme can then deliver a notional surplus of £4,083. This sum of money is insufficient for any material contributions, and therefore Piper Development, strictly on a **without prejudice** basis, are willing to offer a sum of **£589,750** to resolve the short term delivery of much needed additional accommodation at Ursuline College, Canterbury Road, Westgate. This is, of course, in addition to the provision of a full package of policy compliant affordable housing at 30%.
- 1.7 This Viability Report therefore concludes that the *Proposed Scheme* can be brought forward with the provision of 30% shared ownership affordable housing in compliance with current policy along with a without prejudice commuted sum of £589,750 for education contributions as well as other Section 106 costs relating to New Learners in Margate, the refurbishment of the Quarterdeck Youth Club, library provision in Margate, contributions towards the Special Protection Area and the provision of bus stops and shelters along with the significant new link road through the Property. Regardless of wider Section 106 costs, the Scheme still delivers 30% affordable housing.

## 2. Background

- 2.1 The Property lies within the jurisdiction of Thanet District Council and comprises 9.3 hectares (23 acres) of farmland in an otherwise suburban location. The Property lies immediately adjacent to Salmestone Grange with residential dwellings in a linear formation on Nash Road beyond. To the east, the Property has a substantial frontage to Nash Road with residential dwellings beyond whilst to the south the Property is bound by a crematorium and allotments. To the west, the Property has a frontage to Manston Road with residential dwellings beyond. Further details relating to the location of the Property can be found in the Design and Access Statement.
- 2.2 The *Proposed Scheme* is in outline form with access to be considered at this stage but all other matters including appearance, landscaping, layout and scale reserved for future consideration. The proposed development is for a scheme comprising 250 dwellings with vehicular access from Manston Road to the west and Nash Road to the north with a series of amendments to the surrounding highway network.



### Nash Road, Margate, Kent

- 2.3 An Indicative Masterplan has been submitted as part of the application, a copy of which is provided in **Appendix B**. The housing mix is consistent with the findings of Thanet District Council's Strategic Housing Market Assessment 2016 with an overall density of 27 dwellings per hectare (11 dwellings per acre) along with 450 parking spaces and 50 visitor parking space with additional lay-by provision and parking for St Gregory's Primary School.
- 2.4 More importantly, the Scheme will deliver a number of changes in the road network around the Property which includes:
- Provision of a new link road between Nash Road and Manston Road, with a new roundabout on Manston Road for access into the site (a new service road for properties on Manston Road) and an alteration to Nash Road to bring this road directly through the site;
  - Closure of the Nash Road arm off Coffin House Corner, meaning Nash Road only links to Empire Terrace and not the junction with Shottendane and Heartsdown Road, with changes to the signalling;
  - The subsequent increase in capacity at the Coffin House Corner traffic light junction will directly facilitate the opportunity for St Gregory's Primary School to be extended in the future, which would otherwise be ruled out on highway grounds;
  - Change in road layout at Manston Road and Shottendane Road Junction.
- 2.5 The proposed highway works are an intrinsic part of this proposal and have been the subject of detailed discussions with both Thanet District Council and Kent County Council as the Local Highway Authority and form part of the strategic highway works for the District. On-site highway works include the provision of a link road between Manston Road and Nash Road with a roundabout access proposed to the west. It is intended that this roundabout would be the primary access to the scheme and would also serve as strategic transport infrastructure, taking traffic from the realigned Nash Road. The link road would provide an opportunity for traffic travelling to and from Shottendane Road and Manston Road to by-pass the Coffin House Corner Junction completely when utilising Nash Road. The access to the Scheme from the eastern end of the link road would take the form of a priority junction from Nash Road.
- 2.6 Works will be required to include the provision of improved on-street parking facilities and pedestrian access through the development to the school. This also provides the scope to introduce additional waiting restrictions on those roads to assist in improving safety and reinforce more appropriate parking on surrounding highways, which currently has an impact on road safety and the freeflow of traffic within the locality.
- 2.7 A substantial package of off-site mitigation is proposed as part of the application with the dual focus of mitigating the impact of the development whilst supporting the emerging transport strategy within the District. These come at a significant cost and include the closure of the Nash Road arm of the Coffin House Corner Junction, which in turn provides safety benefits in terms of reduced conflict at Empire Terrace and improved pedestrian connectivity to the school and destinations to the east of Nash Road. The change to the Shottendane Road and Manston Road junction facilitates improved visibility and increased junction capacity, along with revisions to signal phasing, which in turn reduces the amount of time lost between individual signal phases.
- 2.8 Concerns have been raised that the new road arrangement including the new roundabout on Manston Road and the new development itself would result in an increase in congestion surrounding the Property. KCC Highways have stated that new road arrangements, with the closure of the Nash Road access to Coffin House Corner, will collectively improve the local networks capacity to handle vehicle

movements, actually resulting in a net benefit to the network above the projections of movements if no development occurs on the site. The roundabout to be provided on Manston Road is anticipated to operate with significant capacity, meaning that it will allow for potential increases in traffic in future years. There is no empirical evidence to suggest that on balance the development would result in network capacity issues to cause severe congestion to warrant refusal of the application on this ground, and the road network development is part of the emerging Thanet Transport Strategy, a copy of which is provided in **Appendix C**. This will not come forward without the associated housing developments to enable this provision and the proposed scheme is fundamental to delivering this. The proposed highways infrastructure works are therefore considered to mitigate the impact on the network from this development whilst contributing a key new piece of infrastructure towards the emerging Thanet Transport Strategy.

- 2.9 The costs for this have been allowed for in our appraisal and, unfortunately, have an adverse impact upon the viability of the Scheme. These are therefore off-set by a change in the affordable housing mix and a reduction in the overall package of S106 costs.
- 2.10 The National Planning Policy Framework refers to ensuring viability and delivery of development at Sec. 173-177 and states “to ensure viability, the costs of any requirement likely to be applied to development, such as requirements for affordable housing, standards, infrastructure contributions or other requirements should when taking account of the normal cost of development and mitigation provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable”.

### 3. Basis of Appraisals

- 3.1 The appraisals and figures provided herein do not strictly speaking fall within the scope of the RICS (Royal Institution of Chartered Surveyors) “Red Book” and is not a formal valuation in that context. However, the principles of good practice have been followed and detailed justification for the indicative values and/or component valuation appraisals are provided. More to the point, the appraisal is in direct line with the RICS Guidance on Financial Viability in Planning.
- 3.2 The Viability Report is prepared purely to assist planning discussions with Thanet District Council.
- 3.3 The viability report is provided on a confidential basis and we therefore request that the report should not be disclosed to any third parties (other than Thanet District Council and their advisers), under the Freedom of Information Act 2000 (Section 41 and 43/2) or under the Environmental Information Regulation. The report is not to be placed in the public domain. In addition, we do not offer Thanet District Council, their advisers and/or any third parties a professional duty of care.
- 3.4 In appraising the proposed development we have taken note of and utilised guidance on Thanet District Council's policy as set out in:
  - a) Thanet Local Plan 2006
  - b) Thanet Local Plan (Preferred Options) January 2017
  - c) KCC Guide to Development Contributions and the Provision of Community Infrastructure

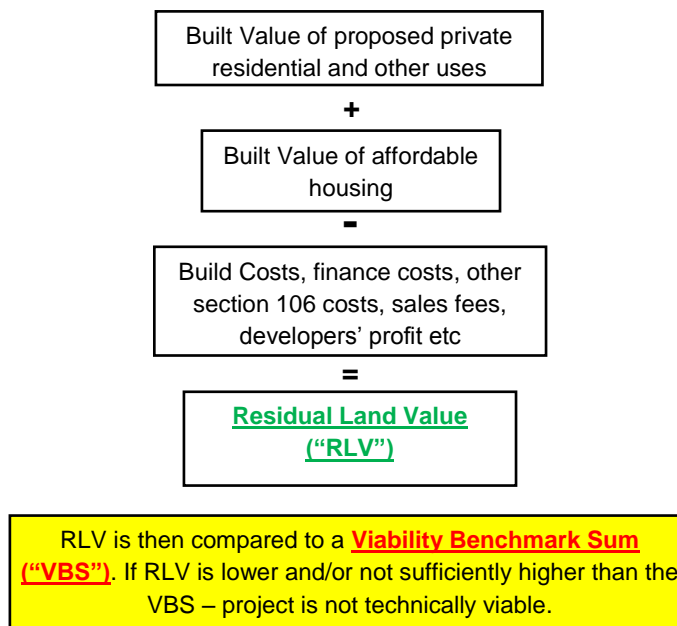
## Nash Road, Margate, Kent

### d) The National Planning Policy Framework

#### 4. Viability and Planning

4.1 Scheme viability is normally assessed using residual valuation methodology.

4.2 A summary of the residual process is:



4.3 If the RLV driven by a proposed scheme is reduced to significantly below an appropriate VBS, it follows that it is commercially unviable to pursue such a scheme, and the scheme is unlikely to proceed.

4.4 The RLV approach (as summarised above) can be inverted so that it becomes a 'residual profit appraisal' based upon the insertion of a specific land cost/value (equivalent to the VBS) at the top. By doing this, the focus is moved onto the level of profit driven by a scheme. This is a purely presentational alternative.

#### 5. VBS (or Land Cost/Value Input, also referred to as Site Viability Benchmark Sum)

5.1 The Royal Institution of Chartered Surveyors ("RICS") published their Guidance Note on this subject in 2012 (Financial Viability in Planning – RICS Guidance Note – GN 94/2012 August 2012).

5.2 The RICS have consulted more extensively than any other body on this subject to date and I believe that their latest guidance now represents the best possible consolidated guidance on this subject. However, due regard has also been given to the Harman guidance already referred to. The fundamental difference between the two is the approach to the VBS. Harman believes the dominant driver should be Existing Use Value ("EUV") (whereupon I believe they mean Current Use Value, or "CUV" which, based upon RICS guidance, excludes all hope value for a higher value through

alternative uses). On the other hand, RICS states that the dominant driver should be Market Value (assuming that any hope value accounted for has regard to development plan policies and all other material planning considerations and disregards that which is contrary to the development plan).

- 5.3 A few local authorities and their advisors are still trying to disregard premiums applicable to EUVs or CUVs (i.e. EUV/CUV only - which was the basis being incorrectly enforced for several years) but the reference to 'competitive returns' in the new National Planning Policy Framework and planning precedent has now extinguished this stance.
- 5.4 There has been concern about how one can identify and logically justify what premium should be added to an EUV or CUV and what exactly EUV means. It is not as straight-forward as one might initially think.
- 5.5 There has also been some concern about Market Value potentially being influenced by land transaction comparables and/or bids for land that are excessive (thus triggering an inappropriate benchmark). However, I believe that any implied suggestion that developers deliberately (or might deliberately) over-pay for land in order to avoid having to deliver S.106 affordable housing contributions is misguided. Land buyers and developers seek to secure land for as little money as possible. They do not seek to overpay and are aware of the associated planning and financial risks should they do so. My view is that, if professional valuers disregard inappropriate land transaction comparables (e.g. where over-payments appear to have occurred accidentally or for some other legitimate but odd reason) and other inappropriate influences in deriving Market Value, both of which they should, Market Value is on-balance the more justifiable, logical, reasonable and realistic approach – albeit not perfect.
- 5.6 I believe that the premium over EUV or CUV to identify an appropriate VBS is in fact the same as the percentage difference between EUV or CUV and Market Value. In other words, both approaches should lead to the same number. However, Market Value is the logical side to approach this conundrum from.
- 5.7 As such, I have followed the latest RICS Guidance herein as well as Planning Inspectorate decisions including that by Clive Hughes BA (Hons) MA DMS MRTPI in Land at The Manor, Shinfield, Reading under Reference APP/X0360/A/12/2179141.
- 5.8 Of particular note, the RICS guidance says:
  - a) Site Value either as an input into a scheme specific appraisal or as a benchmark is defined in the guidance note as follows, "Site Value should equate to the Market Value subject to the following assumption that the value has regard to development plan policies and all other material planning considerations and disregards that which is contrary to the development plan."
  - b) An accepted method of valuation of development sites and land is set out in RICS Valuation Information Paper (VIP) 12. This paper is shortly to be re-written as a Global Guidance Note.
  - c) Reviewing alternative uses is very much part of the process of assessing the Market Value of land and it is not unusual to consider a range of scenarios for certain properties. Where an alternative use can be readily identified as generating a higher value, the value for this alternative use would be the Market Value.

- d) The nature of the applicant should normally be disregarded as should benefits or dis-benefits that are unique to the applicant.
- e) The guidance provides this definition in the context of undertaking appraisals of financial viability for the purposes of village planning decisions: *An objective financial viability test of the ability of a development project to meet its costs including the cost of planning obligations, whilst ensuring an appropriate site value for the landowner and a market risk adjusted return to the developer in delivering that project.*
- f) With regard to indicative outline of what to include in a viability assessment it is up to the practitioner to submit what they believe is reasonable and appropriate in the particular circumstances and for the local authority or their advisors to agree whether this is sufficient for them to undertake an objective review.
- g) For a development to be financially viable, any uplift from current use value to residual land value that arises when planning permission is granted must be able to meet the cost of planning obligations whilst ensuring an appropriate site value for the landowner and a market risk adjusted return to the developer in delivering that project (the National Planning Policy Framework refers to this as 'competitive returns' in paragraph 173 on page 41). The return to the landowner will be in the form of a land value in excess of current use value but it would be inappropriate to assume an uplift based upon set percentages, given the heterogeneity of individual development sites. The land value will be based upon market value which will be risk-adjusted, so it will normally be less than current market prices for development land for which planning permission has been secured and planning obligation requirements are known.
- h) Sale prices of comparable development sites may provide an indication of the land value that a landowner might expect but it is important to note that, depending on the planning status of the land, the market price will include risk-adjusted expectations of the nature of the permission and associated planning obligations. If these market prices are used in the negotiations of planning obligations, then account should be taken of any expectation of planning obligations that is embedded in the market price (or valuation in the absence of a price). In many cases, relevant and up to date comparable evidence may not be available or the heterogeneity of development sites requires an approach not based on direct comparison. The importance, however, of comparable evidence cannot be over-emphasised, even if the supporting evidence is very limited, as evidenced in Court and Land Tribunal decisions.
- i) The assessment of Market Value with assumptions is not straightforward but must, by definition, be at a level which makes a landowner willing to sell, as recognised by the NPPF. Appropriate comparable evidence, even where this is limited, is important in establishing Site Value for a scheme specific as well as area wide assessments.
- j) Viability assessments will usually be dated when an application is submitted (or when a CIL charging schedule or Local Plan is published in draft). Exceptions to this may be pre-application submissions and appeals. Viability assessments may occasionally need to be updated due to market movements or if schemes are amended during the planning process.
- k) Site purchase price may or may not be material in arriving at a Site Value for the assessment of financial viability. In some circumstances the use of actual purchase price should be treated as a special case.

- l) It is for the practitioner to consider the relevance or otherwise of the actual purchase price, and whether any weight should be attached to it, having regard to the date of assessment and the Site Value definition set out in the guidance.
- m) Often in the case of development and site assembly, various interests need to be acquired or negotiated in order to be able to implement a project. These may include: buying in leases of existing occupiers or paying compensation; negotiating rights of light claims and payments; party wall agreements, over sailing rights, ransom strips/rights, agreeing arrangements with utility companies; temporary/facilitating works, etc. These are all relevant development costs that should be taken into account in viability assessments. For example, it is appropriate to include rights of light payments as it is a real cost to the developer in terms of compensation for loss of rights of light to neighbouring properties. This is often not reflected in Site Value given the different views on how a site can be developed.
- n) It is important that viability assessments be supported by adequate comparable evidence. For this reason it is important that the appraisal is undertaken by a suitably qualified practitioner who has experience of the type, scale and complexity of the development being reviewed or in connection with appraisals supporting the formulation of core strategies in local development frameworks. This ensures that appropriate assumptions are adopted and judgement formulated in respect of inputs such as values, yields, rents, sales periods, costs, profit levels and finance rates to be assumed in the appraisal. This should be carried out by an independent practitioner and ideally a suitably qualified surveyor.
- o) The RICS Valuation Standards 9<sup>th</sup> Edition (“Red Book”) gives a definition of Market Value as follows:
  - The estimated amount for which an asset or liability should exchange on the valuation date between a willing buyer and a willing seller in an arm’s-length transaction after properly marketing and where the parties had each acted knowledgeably, prudently and without compulsion.
  - The Red Book also deals with the situation where the price offered by prospective buyers generally in the market would reflect an expectation of a change in the circumstances of the property in the future. This element is often referred to as ‘hope value’ and should be reflected in Market Value. The Red Book provides two examples of where the hope of additional value being created or obtained in the future may impact on the Market Value:
    - the prospect of development where there is no current permission for that development; and
    - the prospect of synergistic value arising from merger with another property or interests within the same property at a future date.
  - The guidance seeks to provide further clarification in respect of the first of these by stating that the value has regard to development plan policies and all other material planning considerations and disregards that which is contrary to the development plan.
  - The second bullet point above is particularly relevant where sites have been assembled for a particular development.



- It should be noted that hope value is not defined in either the Valuation Standards. That is because it is not a basis of value but more a convenient way of expressing the certainty of a valuation where value reflects development for which permission is not guaranteed to be given but if it was, it would produce a value above current use.
- To date, in the absence of any guidance, a variety of practices have evolved which benchmark land value. One of these, used by a limited number of practitioners, has been to adopt Current Use Value (“CUV”) plus a margin or a variant of this (Existing Use Value (“EUV”) plus a premium). The EUV / CUV basis is discussed below. The margin is an arbitrary figure often ranging from 10% to 40% above CUV but higher percentages have been used particularly in respect of green-field and rural land development.
- In formulating this guidance, well understood valuation definitions have been examined as contained within the Red Book. In arriving at the definition of Site Value (being Market Value with an assumption), the Working Party / Consultant Team of this guidance have had regard to other definitions such as EUV and Alternative Use Value (“AUV”) in order to clarify the distinction necessary in a financial viability in a planning context. Existing Use Value is defined as follows:
- “The estimated amount for which an asset or liability should exchange on the valuation date between a willing buyer and a willing seller in an arm’s-length transaction after properly marketing and where the parties had each acted knowledgeably, prudently and without compulsion assuming that the buyer is granted vacant possession of all parts of the property required by the business and disregarding potential alternative uses and any other characteristics of the property that would cause Market Value to differ from that needed to replace the remaining service potential at least cost.”
- It is clear the above definition is inappropriate when considered in a financial viability in planning context. EUV is used only for inclusion in financial statements prepared in accordance with UK accounting standards and as such, hypothetical in a market context. Property does not transact on an EUV (or CUV) basis.
- It follows that most practitioners have recognised and agreed that CUV does not reflect the workings of the market as land does not sell for its CUV, but rather at a price reflecting its potential for development. Whilst the use of CUV plus a margin does in effect recognise hope value by applying a percentage increase over CUV it is a very unsatisfactory methodology when compared to the Market Value approach set out in the Guidance and above. This is because it assumes land would be released for a fixed percentage above CUV that is arbitrary inconsistently applied and above all does not reflect the market.
- Accordingly, the guidance adopts the well understood definition of Market Value as the appropriate basis to assess Site Value, subject to an assumption. This is consistent with the NPPF, which acknowledges that “willing sellers” of land should receive “competitive returns”. Competitive returns can only be achieved in a market context (i.e. Market Value) not one which is hypothetically based with an arbitrary mark-up applied, as in the case of EUV (or CUV) plus.
- So far as alternative use value is concerned, the Valuation Standards state where it is clear that a purchaser in the market would acquire the property for an alternative use of the land

because that alternative use can be readily identified as generating a higher value than the current use, and is both commercially and legally feasible, the value for this alternative use would be the Market Value and should be reported as such. In other words, hope value is also reflected and the answer is still Market Value.

## 6. The Property

- 6.1 Extensive details relating to the Property can be found in the Design and Access Statement. Nevertheless, the Property comprises 9.3 hectares (23 acres) of relatively flat farmland on the edge of the built up settlement of Margate in Thanet, Kent. The land itself is cultivated farmland and displays narrow field boundaries which the Illustrative Plan seeks to strengthen around the perimeter of the site. There are no central trees or groups of specimens that have influenced the desired layout decisions at this illustrative stage.
- 6.2 The proposed development comprises 250 dwellings with an indicative housing mix which is consistent with the findings of the Strategic Housing Market Assessment and provides for 30% of the dwellings to be affordable. For the purposes of undertaking this Viability Report an indicative schedule of accommodation for a policy compliant scheme is as follows:

Type	Tenure	Number	Per Unit Area (sq.ft)	Total Area (sq.ft)
1b Apartment	Private	11	525	5,775
1b Apartment	Affordable Rent	3	525	1,575
1b Apartment	Shared Ownership	1	525	525
2b Apartment	Private	21	700	14,700
2b Apartment	Affordable Rent	6	700	4,200
2b Apartment	Shared Ownership	3	700	2,100
2b House	Private	45	750	33,750
2b House	Affordable Rent	14	750	10,500
2b House	Shared Ownership	6	750	4,500
3b House	Private	77	1,000	77,000
3b House	Affordable Rent	23	1,000	23,000
3b House	Shared Ownership	10	1,000	10,000
4b House	Private	21	1,250	26,250
4b House	Affordable Rent	7	1,250	8,750
4b House	Shared Ownership	2	1,250	2,500
Total		250		225,125



## 7. Market Value of Existing Site (Viability Benchmark)

- 7.1 There has been, and continues to be, much debate with regards to establishing what level of land value should be available from a viability assessment in order that there is every reasonable likelihood that the landowner will be enticed to make his land available for development. With existing commercial developments where an alternative use for residential is sought, the base value lies in the existing use of the commercial buildings. However, this is not the case with agricultural land or 'greenfield' land where there is an increasing acceptance that a range of between £150,000 to £200,000 per gross acre is a minimum benchmark, above which there may at least be a reasonable likelihood that an agricultural site will be released for development. This is no doubt partly predicated on a tendency for option and promotion agreements to commonly contain minimum land price provisions which, in a current market, are typically within these parameters.
- 7.2 The Harman report of June 2012 dedicates significant commentary to the treatment of threshold land value which should "represent the value at which a typical willing landowner is likely to release land for development". The treatment of rural land is specifically discussed on page 30 which states, "it is widely recognised that [the viability] approach can be less straight-forward for non-urban sites or urban extensions, where land owners are rarely forced or distressed sellers, and generally take a much longer term view over the merits or otherwise of disposing of their asset. This is particularly the case in relation to large greenfield sites where a prospective seller is potentially making a once-in-a-lifetime decision over whether to sell an asset that may have been in the family, trust or institution's ownership for many generations. Accordingly, the uplift to current use value sought by the landowner will invariably be significantly higher than in an urban context". The Harman report, on page 31, goes on to say, "the smaller, edge of settlement greenfield sites, landowners required returns are likely to be higher than those associated with larger greenfield sites (and more in line with the threshold land values per hectare adopted within the urban area). This is because landowners will be aware of the prospects of securing a beneficial permission at some point in the future and may therefore choose to defer bringing forward such land until they perceive market conditions have improved and/or the planning system is more conducive to an improved return".
- 7.3 The Homes and Communities Agency has produced The HCA Area Wide Viability Model in August 2010 which deals, in Appendix 1, with Transparent Viability Assumptions. In respect of threshold land value, or Viability Benchmark Sum, the HCA states "the rationale of the development appraisal process is to assess the residual land value that is likely to be generated by the proposed development and to compare it with a benchmark that represents the value required for the land to come forward for development. We refer to this benchmark as threshold land value." The HCA then goes on to discuss in some detail the approach to assessing such value and under paragraph 3.5 states that for greenfield land, benchmarks tend to be up to 20 times agricultural value. Based on current farmland values of £9,000 per acre it would not be unreasonable, at the upper end of this spectrum, to have a Viability Benchmark Sum of £180,000 per acre. However, the minimum percentage to agricultural value referred to by the HCA is 10 times which equates to £90,000 per acre, albeit that this would be too low for a site already with a draft allocation in the emerging local plan. Within the South East, I have come across the North Chelmsford Area Wide Action Plan which has a benchmark land value figure for agricultural land set at £200,000 per acre gross which provides one such example of the HCA guidance in practice.
- 7.4 A research paper undertaken by Turner Morum on behalf of the DCLG in 2011 looks at the typical incentives required to bring land forward for development. On page 7, the research paper states, "despite low base values, landowners still need to be enticed to bring their land forward for

development .... In this case, however, required levels of premium are routinely protected by way of minimum land price provisions, usually contained within option or collaboration agreements and long term conditional contracts. Levels vary, but typically, we expect to see figures of circa £100,000 to £150,000 per gross acre. The average net gross percentage across the five fairly typical examples used is 56%. By applying the above minimum prices and net areas, it can be seen that development proposals will normally need to support land values of £200,000 to £300,000 per net developable acre if the land is to come forward for development. Additionally, most option style agreements also provide for promoters/developers to receive a discount, typically 10% to 20%, to open market value and the above minimum land prices are after the application of such discounts (and other deductible promotional costs). Consequently, we would recommend that minimum land value requirements of at least £200,000 per acre gross are assumed for the release of greenfield land.”

- 7.5 At the time of writing the Planning Inspectors decision in respect of Strode Farm, Herne was pending although the Benchmark Sum adopted is unlikely to be less than £180,000 per acre for farmland suitable for future development. This is based upon a minimum of twenty times agricultural value with a premium for an allocation in the emerging local plan.
- 7.6 Likewise, the profit margin which is derived by applying the residual appraisal method is designed to compare the two schemes rather than to consider whether or not one or other is viable in the context of the NPPF. In this respect we would certainly expect to see a developer’s return of 20% on private GDV and 6% on affordable income.

## 8. Development Value Appraisal

- 8.1 In order to consider the *Policy Compliant Scheme* and *Proposed Scheme* on a like for like basis it is necessary to run two development appraisals using the Argus Property Software Package, a widely used and recognised appraisal tool.
- 8.2 Both appraisals are attached in **Appendix D**. The *Policy Compliant Scheme* considers the developer’s return once all of the affordable housing has been provided and the package of requested Section 106 contributions made. The *Proposed Scheme* is virtually identical but seeks to address the significant deficit in the margin by changing the mix of affordable housing yet retaining a headline figure of 30%. The package of Section 106 costs is also reduced to a point that the viability shows a Nil or Positive margin. The key inputs are summarised as follows:

- A. Revenue (GDV)** - The best comparable evidence for the Property is the Cross Quays scheme by Persimmon Homes at Westwood Cross which is within 1km of the Property and is very similar in terms of quantum, mix and density of housing. Similarly, Cross Quays has been built out by one of the few national housebuilders who have been active in Thanet in recent years and the product is similar to that which is likely to be delivered within this scheme. A summary of recent transactions is as follows:

Address	Area Sq.ft	Sold Price £	Date	£ Psf
68 Castle Drive	603	£180,950	Jan 2017	£300
60 Castle Drive	721	£208,950	Jan 2017	£290
42 Castle Drive	603	£184,950	Feb 2017	£307
25 Richborough Close	1,216	£311,950	Feb 2017	£257
26 Richborough Close	1,076	£289,950	Feb 2017	£269
48 Castle Drive	603	£184,950	March 2017	£307
38 Castle Drive	721	£214,950	March 2017	£298
28 Castle Drive	990	£245,950	March 2017	£248
27 Richborough Close	1,076	£289,950	March 2017	£269
44 Castle Drive	721	£213,950	April 2017	£297
7 Richborough Close	980	£250,000	April 2017	£255
29 Richborough Close	1,012	£243,950	May 2017	£241
30 Richborough Close	1,012	£247,950	May 2017	£245
28 Richborough Close	1,012	£248,950	May 2017	£246
16 Castle Drive	721	£216,950	May 2017	£301
10 Richborough Close	743	£214,950	June 2017	£289
50 Castle Drive	603	£184,950	June 2017	£307
10 Castle Drive	721	£208,950	June 2017	£290
46 Castle Drive	721	£213,950	June 2017	£297
52 Castle Drive	721	£213,950	June 2017	£297
24 Richborough Close	1,216	£309,950	June 2017	£255
22 Richborough Close	1,421	£293,950	June 2017	£207
23 Richborough Close	1,421	£295,950	June 2017	£208
19 Richborough Close	1,421	£296,950	June 2017	£209
21 Richborough Close	1,421	£292,950	June 2017	£206
2 Castle Drive	980	£272,950	June 2017	£279
18 Richborough Close	743	£216,950	August 2017	£292
30 Castle Drive	990	£241,950	August 2017	£244
15 Richborough Close	990	£216,995	August 2017	£219

6 Bishop Close	603	£186,950	August 2017	£310
14 Bishop Close	603	£185,950	August 2017	£308
12 Bishop Close	603	£187,950	August 2017	£312
12 Castle Drive	603	£189,950	August 2017	£315
16 Bishop Close	721	£219,950	August 2017	£305
<b>Average</b>				<b>£273</b>

Based upon the comparable evidence outlined above I have adopted headline values for the private dwellings as follows:

Type	Area Sq.ft	Price £	Price Psf
1b Apartment	525	£150,000	£286
2b Apartment	700	£195,000	£279
2b House	750	£210,00	£280
3b House	1,000	£280,000	£280
4b House	1,250	£350,000	£280

There will be a number of dwellings within the Scheme which will be blighted by their close proximity to the new link road running through the Scheme. This will affect approximately 10% of the dwellings and road blight typically reduces values between 5% and 10%. As such, I have discounted 18 private units and 7 affordable units by 7.5% to take into account this particular characteristic of the Scheme.

Due regard has also been given to the affordable rent and shared ownership accommodation. The affordable rent units have been valued at approximately 55% of private values and the shared ownership units at approximately 70% of private values.

- B. Construction Costs** – All construction costs are based on the RICS Building Cost Information Service ('BCIS') Tender Price Index for Kent as at March 2018 as follows:

Building Function	Mean £ Per Sq.m	Mean £ Psf
Housing Mixed	£1,415	£131
Estate Housing	£1,387	£129
Average House	£1,401	<b>£130</b>
Apartments	£1,646	<b>£153</b>

In line with industry standards, a contingency sum has been allowed for at 5% on build and externals.

- C. Other Construction Costs** – In addition to the BCIS costs detailed above a further allowance has been made for road, site, infrastructure works and externals at £15 psf. These typically range from £12.50 psf to upwards of £20 psf or a range of 10% to 15% over and above prime build costs. The allowance of £15 psf therefore falls comfortably within this range at 11.3%.

Off site highway works in respect of the roundabout on Manston Road, Nash Road/Coffins Corner works and the priority shift on Manston Road have been costed at £533,395. Due regard has also been given to the requirement to upgrade the link road between Nash Road and Manston Road. This is a significant enhancement over a standard estate road and carries an abnormal cost of £531,800 over and above a standard estate road, the cost of which is included in our appraisal under Road and Site Works.

- D. Professional Fees - Professional** fees have been allowed for at 9%, falling within the range of 8% to 10% which is typical of schemes of this nature.
- E. Finance Costs** – A total debt rate of 6.50% has been adopted which reflects the current Bank of England Base Rate of 0.5% plus interest costs, entry and exit fees and bank administration fees. A total project period has been adopted of 54 months at a sales rate of 1.1 units per week which is slightly above the industry average but suitable for a scheme with predominantly lower value housing stock and assuming a continuation of Help-to-Buy.
- F. Section 106 Costs** – The *Policy Compliant Scheme* includes the full package of Section 106 costs as follows:

Item	Cost
Secondary Education	£1,323,826
Primary Education	£831,000
Special Protection Area	£102,000
Bus Provision	£15,000
Youth	£14,860
Libraries	£12,004
New Learners	£5,157
<b>Total</b>	<b>£2,303,847</b>

## 9. Conclusion

- 9.1 This Viability Report concludes that a *Policy Compliant Scheme* shows a deficit of £4,189,516 and cannot be considered viable. Only when the mix of affordable housing is adjusted to shared ownership accommodation (albeit retaining a headline figure of 30%) and the S106 costs reduced can the Scheme be considered viable and deliverable. This is shown within the *Proposed Scheme Appraisal* as a surplus of £4,083. This surplus is topped up on a without prejudice basis to £589,750 in order to facilitate the much needed extension to Ursuline College, and wider S106 costs to the tune of £149,021 are also to be provided. These costs effectively replace the education contributions as requested by KCC.

Therefore, it is confirmed that this Scheme can be brought forward to deliver not only much needed housing for Thanet, including 30% affordable homes, but also significant strategic infrastructure improvements forming part of the integral Thanet Transport Strategy.



**Tim Mitford-Slade MLE MRICS**

Director & Head of Development & Valuation  
BNP Paribas Real Estate t/a Strutt & Parker

27<sup>th</sup> April 2018



# **For: Thanet District Council Review of Applicant Submitted Viability Position**

**Land Adjacent to  
Salmestone Grange, Nash  
Road, Margate**

July 2018  
(DSP18442J)



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## 1. Notes and Limitations

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- 1.1.1 The following does not provide formal valuation advice. This review and its findings are intended purely for the purposes of providing Thanet District Council (TDC) with an independent check of, and opinion on, the planning applicant's viability information and stated position in this case.
- 1.1.2 This document has been prepared for this specific reason and should not be used for any other purpose without the prior written authority of Dixon Searle Partnership (DSP); we accept no responsibility or liability for the consequences of this document being used for a purpose other than for which it was commissioned. To the extent that the document is based on information supplied by others, Dixon Searle Partnership accepts no liability for any loss or damage suffered by the client.
- 1.1.3 We have undertaken this as a desk-top exercise as is appropriate for this stage and level of review. For general familiarisation we have considered the site context from the information supplied by the Council and using available web-based material.
- 1.1.4 The information supplied to DSP to inform and support this review process has been supplied by the prospective / current planning applicant on a confidential basis. DSP confirms that we are content for our review information, as contained within this report, to be used as may be considered appropriate by the Council (we assume with the applicant's agreement if necessary).

## 2. Introduction

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2.1.1 Dixon Searle Partnership (DSP) has been commissioned by Thanet District Council (TDC) to carry out an independent review of the viability evidence supplied to the Council on behalf of the applicant by Strutt & Parker. This is in relation to the proposed development at land adjacent to Salmestone Grange, Nash Road, Margate.

2.1.2 The planning application (reference OL/TH/16/1765) to which this review relates, seeks outline permission for the erection of *'up to 250 dwellings and alterations to the surrounding highway network, including details of Access with all other matters reserved (Appearance, Landscaping, Layout, Scale)'*.

2.1.3 According to the planning application, the site is stated to extend to 9.3 hectares and is located immediately adjacent to Salmestone Grange on Nash Road. The site is currently farmland.

2.1.4 The Council's adopted affordable housing (AH) policy (H14) states that

*'WHERE DEVELOPMENT IS PROPOSED WHICH, IN ITS COMPLETED FORM, WOULD AMOUNT TO FIFTEEN OR MORE RESIDENTIAL UNITS, OR WILL/MIGHT REASONABLY FORM PART OF AN ONGOING/FUTURE DEVELOPMENT, CUMULATIVELY TOTALLING FIFTEEN OR MORE SUCH UNITS, THE DISTRICT COUNCIL WILL NEGOTIATE WITH THE DEVELOPER FOR THE INCLUSION OF AN ELEMENT OF AFFORDABLE HOUSING. SUCH NEGOTIATIONS WILL ALSO BE APPLIED TO ANY SITE OF 0.5 HECTARE OR MORE IRRESPECTIVE OF THE NUMBER OF DWELLINGS PROPOSED'.*

2.1.5 The Policy also states that the affordable housing provision should be proportionate to the size and type of dwellings across the entire site. In this case the development would need to provide up to 75 affordable dwellings with a tenure split equivalent to 70% affordable rent and 30% intermediate housing.

2.1.6 Development contributions policy (CF2) requires a contribution where a proposed development would directly result in the need to provide new or upgraded community facilities (including transport, education and recreation). The priority for contributions is set out in the Council's Supplementary Planning Document – Planning Obligations and Developer Contributions. In this case, the County Council have advised that the

following contributions are required - £831,000 for Primary Education, £1,323,826.00 for Secondary Education, £5156.77, £14,860 for Youth Services, £14,003.95 for Libraries and £16,985 for Social Care. A contribution of £102,000 towards the protection of the Thanet Coast and Sandwich Bay Special Protection Area is also required. These requests are considered reasonable and necessary.

2.1.7 The viability information provided for review consists of the following:

- Viability Report.
- Design & Access Statement
- Masterplan
- Thanet Transport Strategy
- Appraisals (supplemented by electronic versions provided subsequently).

2.1.8 DSP has also had sight of the Council's online planning file.

2.1.9 Development viability is a measure that may be defined as *'the ability of a development project to meet its costs including the cost of planning obligations, while ensuring an appropriate site value for the landowner and a market risk adjusted return to the developer in delivering that project'*<sup>1</sup>. Under normal circumstances where a viability appraisal is provided, if the residual land value (RLV) created by a scheme proposal exceeds the market value or existing or alternative use value then we usually have a positive viability scenario – i.e. the scheme is much more likely to proceed (on the basis that a reasonable developer profit margin is also reached). It is equally valid to consider viability by reference to the output developer return or profit (in which case the benchmark land value becomes a fixed component of the appraisal). Finally, a third method is to fix the land value and the development profit. The output of any development appraisal then becomes a surplus or deficit that can be considered the maximum likely level of affordable housing or other s106 requirements supportable by the scheme.

2.1.10 In this case the development appraisal has been run in a way which produces a residual surplus / deficit having fixed both the benchmark land value and the profit level.

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<sup>1</sup> Financial Viability in planning – RICS Guidance note (August 2012)

- 2.1.11 The submitted 250-unit policy compliant development appraisal (30% affordable housing with a mix of tenures) generates a residual deficit of -£4.1m when taking into account a fixed assumed profit of 20% on the market housing and 6% on the affordable housing (17% of GDV blended) whilst also including a fixed BLV of £4.1m and including contributions towards schools, libraries, habitat regulations, transport and youth services. In reality the scheme does not show a deficit but instead indicates a reduced blended profit of approximately 9.5% of GDV once the deficit is removed.
- 2.1.12 Given that the submitted policy compliant development appraisal indicates a deficit, a second development appraisal has been undertaken (the 'proposed' scheme) with the affordable housing converted to 100% shared ownership and any surplus remaining to be allocated towards other planning obligations requirements.
- 2.1.13 As far as we can tell from the viability report (although this is not clear when comparing the VR to the submitted development appraisals), the applicant is stating that it is only viable to provide 30% affordable housing if the tenure is converted to 100% shared ownership alongside contributions towards new learners, youth club, libraries and Special Protection Area contributions but that no (or marginal) surplus exists beyond that point. However, it appears that the applicant is offering a without prejudice sum of £589,750 towards education requirements although those do not appear within the development appraisal as far as we can see.
- 2.1.14 This review does not seek to pre-determine any Council positions, but merely sets out our opinion on the submitted viability assumptions and outcomes to inform the Council's discussions with the applicant and its decision making; it deals only with viability matters, in accordance with our instructions. That being said, we note that the application is in outline only and the Council may wish to consider, as a general principle, whether the viability of the scheme should actually be reviewed at this stage. There is Appeal precedent to suggest that as the scheme design has not been finalised at this stage, the viability exercise may be premature. The Inspector in the particular case in question [Appeal Ref: APP/D0840/Q/13/2206580] stated:

*'Irrespective of the detailed appraisals of viability based on the illustrative scheme accompanying the outline permission, and the suggested levels of developer profit that might derive from its implementation, the fact remains that there is no extant detailed scheme on which to base any meaningful judgement. The planning permission effectively provides a blank sheet for a prospective developer to come along with a*

*proposal for ten market and four affordable dwelling units; there is no tie to the illustrative scheme which accompanied the approved application. The details of an alternative scheme could vary markedly from that assessed and therefore could have considerably differing outcomes in terms of the realistic viability of development.*

*Assessment has taken place on the false premise that viability should be based on what was solely an illustrative scheme and is, in my view, premature in advance of a detailed scheme coming forward...Therefore, regardless of the detailed debate between the appellants and the Council regarding matters such as land value, build costs and levels of developer profit, I consider it is not possible in the circumstances to conclude that a scheme for the provision of 14 dwellings, four of which should be affordable, would necessarily be unviable. As such, and notwithstanding the acknowledged national need to boost housing delivery, for the reasons given above I am not persuaded that the present obligation in relation to affordable housing would result in the development of the site, in the terms of the outline planning permission, being unviable’.*

- 2.1.15 Thanet District Council requires our opinion as to whether the viability figures and position put forward by the applicant are reasonable. We have therefore considered the information submitted. Following our review of the key assumptions areas, this report provides our views.
- 2.1.16 We have based our review on the submitted development appraisal and cost plans and the premise that the viability of the scheme should be considered based on the assumption of current costs and values. We then discuss any variation in terms of any deficit (or surplus) created from that base position by altering appraisal assumptions (where there is disagreement, if any) utilising the applicant’s appraisal as a base where considered necessary.
- 2.1.17 This assessment has been carried out by Rob Searle of DSP, who has significant experience in assessing the viability of schemes and assessing the scope for Local Authority planning obligation requirements. This expertise includes viability-related work carried out for many Local Authorities nationwide over the last 15 years or so.
- 2.1.18 The purpose of this report is to provide our overview comments regarding this individual scheme, on behalf of the Council - taking into account the details as

presented. It will then be for the Council to consider this information in the context of the wider planning objectives in accordance with its policy positions and strategies.

2.1.19 In carrying out this type of review a key theme for us is to identify whether, in our opinion, any key revenue assumptions have been under-assessed (e.g. sales value estimates) or any key cost estimates (e.g. build costs, fees, etc.) over-assessed – since both of these effects can reduce the stated viability outcome.

### 3 Review of Submitted Viability Assumptions

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- 3.1.1 The following commentary reviews the applicant's submitted viability appraisal assumptions as set out in the submitted development appraisal and cost plan extracts.
- 3.1.2 Primarily the review process considers the fact that the collective impact of the various elements of the cost and value assumptions is of greatest importance, rather than necessarily the individual detailed inputs in isolation. We have considered those figures (the appraisal assumptions) provided, as below. In the background to this we have reviewed the impact of trial changes to submitted assumptions by making alterations to the submitted appraisal where a difference of opinion occurs.
- 3.1.3 This type of audit / check is carried out so that we can give the Council a feel for whether the indicated profit positions are approximately as expected – i.e. informed by a reasonable set of assumptions and appraisal approach.
- 3.1.4 Should there be changes to the scheme proposals this would obviously impact on the appraisal outputs.

#### Benchmark Land Value

- 3.1.5 In all appraisals of this type, the base value (value of the site or premises – e.g. assessed in existing use or as market value) is one of the key ingredients of scheme viability. A view needs to be taken on land value so that it is sufficient to secure the release of the site for the scheme (sale by the landowner(s) but is not assumed at such a level that restricts the financial capacity of the scheme to deliver suitable profits (for risk reward), cover all development costs (including any abnormals) and provide for planning obligations as a part of creating sustainable development. This can be a difficult balance to reach, both in terms of developers' dealings with landowners, and Councils' assessments of what a scheme has the capacity to bear.
- 3.1.6 The RICS Guidance 'Financial Viability in Planning'<sup>2</sup> states that:

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<sup>2</sup> RICS Professional Guidance – Financial Viability in Planning (August 2012)

*'A viability appraisal is taken at a point in time, taking account of costs and values at that date. A site may be purchased some time before a viability assessment takes place and circumstances might change.*

*This is part of the developer's risk. Land values can go up or down between the date of purchase and a viability assessment taking place; in a rising market developers benefit, in a falling market they may lose out.*

*A developer may make unreasonable/overoptimistic assumptions regarding the type and density of development or the extent of planning obligations, which means that it has overpaid for the site'.*

*'Site Value' is defined in the same Guidance as the following: 'Site Value should equate to the market value subject to the following assumption: that the value has regard to development plan policies and all other material planning considerations and disregards that which is contrary to the development plan'. It goes on to say 'It is for the practitioner to consider the relevance or otherwise of the actual purchase price, and whether any weight should be attached to it, having regard to the date of assessment and the Site Value definition as set out in this guidance. Where historic costs (for example remediation works) are stated it is important that these are not reflected in the Site Value (i.e. double counted)'.*

3.1.7 However, recent research by the RICS<sup>[3]</sup> indicates that the market value approach is not being applied correctly and that *'if market value is based on comparable evidence without proper adjustment to reflect policy compliant planning obligations, this introduces a circularity, which encourages developers to overpay for site and try to recover some or all of this overpayment via reductions in planning obligations'.*

3.1.8 The Mayor of London's Affordable Housing & Viability SPG states the following:

*'The process for establishing an appropriate benchmark land value for a viability assessment is key, because this indicates the threshold for determining whether a*

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[3] RICS Financial Viability Appraisal in Planning Decisions: Theory and Practice. April 2015



*scheme is viable or not. A development is typically deemed to be viable if the residual land value is equal to or higher than the benchmark land value, as this is the level at which it is considered that the landowner has received a 'competitive return' and will release the land for development.*

*The NPPF's benchmark for viability appraisal is that it should "take account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable"*

*The NPPG is clear that "in all cases, land or site value should: reflect policy requirements and planning obligations and, where applicable, any Community Infrastructure Levy charge"*

*This is a key requirement because if it is assumed that the granting of planning permission will increase the value of the site, but the costs of meeting planning requirements are not factored in, the site value will be over inflated.*

*It is for this reason that the Mayor does not consider it appropriate within a development appraisal to apply a fixed land value as an input which is based on price paid for land or a purely aspirational sum sought by a landowner. Land transactions reflect the specific circumstances of the developer whereas planning viability appraisals are typically undertaken on a standardised basis. Reliance on land transactions for sites that are not genuinely comparable or that are based on assumptions of low affordable housing delivery, excess densities or predicted value growth, may lead to inflated site values. This undermines the implementation of Development Plan policies and the ability of planning authorities to deliver sustainable development.*

*The 'Existing Use Value plus' (EUV+) approach to determining the benchmark land value is based on the current use value of a site plus an appropriate site premium. The principle of this approach is that a landowner should receive at least the value of the land in its 'pre-permission' use, which would normally be lost when bringing forward land for development. A premium is added to provide the landowner with an additional incentive to release the site, having regard to site circumstances.*

*The benefit of this approach is that it clearly identifies the uplift in value arising from the grant of planning permission because it enables comparison with the value of the site without planning permission.*

*The NPPG confirms that comparing the current use value of a site with the residual land value generated by the proposed development is an appropriate way to determine whether or not a 'competitive return' is achieved for the land owner.*

*When determining the EUV+ benchmark:*

- The existing use value (EUV) is independent of the proposed scheme. The EUV should be fully justified based on the income generating capacity of the existing use with reference to comparable evidence on rents, which exclude any hope value associated with development on the site or alternative uses. This evidence should relate to sites and buildings of a similar condition and quality or otherwise be appropriately adjusted. Where an existing use and its value to a landowner is due to be retained in a development (and not lost as is usually the case), a lower benchmark would be expected.*
- Premiums above EUV should be justified, reflecting the circumstances of the site and landowner. For a site which does not meet the requirements of the landowner or creates ongoing liabilities/ costs, a lower premium would be expected compared with a site occupied by profit-making businesses that require relocation. The premium could be 20% to 30%, but this must reflect site specific circumstances and may be considerably lower.*
- As set out in NPPG, in all cases land or site value should reflect Development Plan Policies, planning obligations and CIL. When determining a level of premium that would be sufficient to incentivise release of a site for development and ensure that a landowner receives a 'competitive return', this should take into account the overarching aim of delivering sustainable, policy compliant development and that an uplift in land value is dependent on the grant of full planning consent.*
- If there is an extant permission on the site, this 'alternative use' can be taken into account when determining the benchmark land value. However, there is no requirement for a 'premium' above this figure. It is for the applicant to weigh*

*up the different options and risk profiles of the potential policy compliant schemes for a site and decide which one to pursue.*

- 3.1.9 The SPG goes on to state that *'If an applicant seeks to use an 'alternative use value' (AUV) approach it must fully reflect policy requirements. In addition, the approach should only be used if the alternative use would fully comply with development plan policies and it can be demonstrated that the alternative use could be implemented on the site in question and there is market demand for that use. Where all these conditions are met and the AUV is being used, there is no requirement for an additional 'plus' element. It is for the applicant to weigh up the different options and risk profiles of the potential schemes for a site and decide which one to pursue. Generally, the Mayor will only accept the use of AUV where there is an existing implementable permission for that use'.*
- 3.1.10 Through recent Appeals we are beginning to see a shift towards the 'EUV plus' approach; consistent with the Mayor of London's SPG approach and now confirmed by updated viability guidance contained within the new NPPF and associated updated Planning Practice Guidance on Viability. It is clear that Market Value should no longer be used in order to determine the benchmark land value but that EUV+ is the method that should be used.
- 3.1.11 In this case the site value used within the development appraisal is based on the applicant's agent's opinion of the 'Market Value of the site; stated to be £180,000 per gross acre or £4.14m reflecting: *'the minimum price at which a landowner would sell an allocated development site on an unconditional basis without planning permission but with the clear prospects for short to medium term residential lead development as endorsed by an allocation of the Property for up to 250 dwellings under Policy H02B of the Thanet Preferred Options Local Plan'.*
- 3.1.12 Latest information<sup>3</sup> suggests that the existing use value of agricultural land without any uplift or hope value is in the region of £7,500 - £9,000 per acre (the lower end reflecting average Grade 3 farmland and the upper end of the range reflecting prime arable land). For the subject site this equates to a value of between £172,500 and £207,000 in its existing use. Running the policy compliant development appraisal as submitted in residual land value 'mode' and assuming for the time being that the all

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<sup>3</sup> [https://www.savills.co.uk/research\\_articles/229130/228020-0](https://www.savills.co.uk/research_articles/229130/228020-0)

other assumptions are agreed provides a RLV of £1,152,835 – indicating an uplift over the existing use value of between £980,000 and £945,835 (or between a 560% and 670% uplift over agricultural value).

3.1.13 Latest Planning Practice Guidance<sup>4</sup> states that the BLV should be established on the basis of the existing use value plus a premium for the landowner. It goes on to state that: *‘The premium (or the ‘plus’ in EUV+) is the second component of benchmark land value. It is the amount above existing use value (EUV) that goes to the landowner. The premium should provide a reasonable incentive for a land owner to bring forward land for development while allowing a sufficient contribution to comply with policy requirements’.*

3.1.14 In this case the existing use value of the site is relatively straightforward (reflecting agricultural value as discussed above (although the quality of the agricultural land is unknown, we have assumed that it is of moderate to good quality reflecting the regional agricultural land classification data provided by Natural England).

3.1.15 The issue however lies with the premium to adopt in determining what constitutes a *‘reasonable incentive for a landowner’*. In carrying out reviews of viability assessments submitted by applicants of large scale greenfield development we regularly have greenfield land values of between £100,000 and £200,000 per gross acre put forward and these tend to be based in turn on what are identified as minimum option agreement prices.

3.1.16 These minimum option agreements are rarely (never) provided (citing commercial sensitivity) and therefore the basis of the agreements cannot be scrutinised. Equally, the acceptance of a minimum price in the range discussed leads to those prices being embedded in land agreements (i.e. self-fulfilling) whereas the Government’s clear intention through the new NPPF and PPG is to ensure that the site value complies with policy requirements (i.e. the policy requirements are taken into account when bidding for land). In theory therefore, it could be argued that the 560% uplift over agricultural value indicated above but that includes full compliance with policy should reflect how the Government intends the market to work – i.e. if the market fully takes into account the policy requirements of the local authority when assembling land, the incentive to

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<sup>4</sup> <https://www.gov.uk/guidance/viability#standardised-inputs-to-viability-assessment>

hold onto land in the hope that a better deal can be struck or that policies can be negotiated away (hence the inflated land value point) will reduce.

- 3.1.17 The answer to the question of an appropriate land owner premium, particularly relating to agricultural / greenfield land is therefore not easy to get to. For the purposes of this review however, we have considered various documents including the HCA Transparent Viability Assumptions document referred to in the submitted VR and more importantly those values agreed between DSP and applicants for greenfield land on sites in the South East.
- 3.1.18 The HCA (now Homes England) Transparent Viability Assumptions document refers to an uplift of between 10 and 20 times agricultural value and the VR adopts the upper end of this range. We are aware of greenfield sites where agreement has been reached between ourselves and other viability assessors on the value of greenfield land (with premium) with values typically agreed between £100,000 and £150,000 per gross acre and in locations where residential property values are significantly higher than those of the subject site.
- 3.1.19 Given the above, the uncertainty around the premium to adopt, we are of the opinion that a multiplier of 15 times agricultural value (£135,000/acre) representing the half way point between the HCA document stated uplift values and a point between those benchmark values typically agreed in our experience would be a reasonable position to adopt.
- 3.1.20 In addition to the site value, site agent's fees of 1% (of site value) and legal fees (0.35% of site value) have also been adopted. These appear reasonable assumptions in our view. Stamp duty has been applied at the prevailing Government rate.

Gross Development Value (GDV) – Open Market Housing

- 3.1.21 The VR states that the following:

*'The best comparable evidence for the Property is the Cross Quays scheme by Persimmon Homes at Westwood Cross which is within 1km of the Property and is very similar in terms of quantum, mix and density of housing. Similarly, Cross Quays has been built out by one of the few national housebuilders who have been active in Thanet in recent years and the product is similar to that which is likely to be delivered within this scheme.'*

3.1.22 A schedule of recent sales is provided within the VA dating from between January and August 2017.

3.1.23 Based on the sales evidence from the Persimmon scheme, the VR concludes the following prices for properties for the subject site:

Type	Area Sq.ft	Price £	Price Psf
1b Apartment	525	£150,000	£286
2b Apartment	700	£195,000	£279
2b House	750	£210,00	£280
3b House	1,000	£280,000	£280
4b House	1,250	£350,000	£280

3.1.24 It then goes on to state that:

*'There will be a number of dwellings within the Scheme which will be blighted by their close proximity to the new link road running through the Scheme. This will affect approximately 10% of the dwellings and road blight typically reduces values between 5% and 10%. As such, I have discounted 18 private units and 7 affordable units by 7.5% to take into account this particular characteristic of the Scheme.'*

3.1.25 To assess whether these assumed sales values are reasonable, we have carried out our own desktop research of property values using property search engines Zoopla, RightMove as well as the Land Registry to review local market indications for properties (both re-sale and new build as available) considering current / recent asking prices and where available sold prices in the locality.

3.1.26 There are very few new build comparable schemes locally and in our view the use of the Westwood Cross scheme is probably the most appropriate. One issue with the data however is the lack of detail in terms of the property type or number of bedrooms for each property. We have therefore reviewed the data in terms of the overall average sales values (£/m<sup>2</sup>) and applied an uplift (or reduction) to each property in the comparables schedule to reflect changes in market conditions since the sale of the property (based on the Office of National Statistics House Price Index for Thanet

District). In our view there is potential to take a very slightly more optimistic view of values than set out in the VR and as such we have applied an *average* of £283/sq. ft (£3,046/m<sup>2</sup>) across all properties (noting that in reality there is likely to be an inverse relationship between property size and value so that property values in an absolute sense will vary from those shown in the development appraisal).

3.1.27 In terms of the comments made in relation to properties ‘blighted’ by the link road passing through the development. In our view there is no evidence to substantiate a reduction in values. It is equally likely that the source data informing the sales values would have similar issues given the location of the comparable site. Equally given the outline nature of the application and the fact that it cannot be known at this stage what the final site layout will be, it is inappropriate to apply any form of reduction. We have therefore applied £283/sq.ft. to all market properties without any reduction.

3.1.28 It is worth noting again that the above is based on a high level view of the type of properties that may come forward as part of this development but in reality wholly different unit types may be submitted as part of a reserved matters application in due course.

#### Gross Development Value (GDV) – Affordable Housing

3.1.29 The VR does not go into detail in relation to the affordable housing revenue to be expected from the scheme other than to assume that affordable rented properties will achieve 55% of market value and that shared ownership properties will achieve 70% of market value.

3.1.30 In our experience, the overall affordable housing assumptions appear to be within normal parameters but again based on a high level overview of the scheme at this Outline stage.

#### Cost Assumptions - Build Costs, Professional Fees & Contingencies

3.1.31 The base build costs are stated to be based on the RICS Building Cost Information Service (BCIS) Tender Price Index for Kent as at March 2018 as follows:



Building Function	Mean £ Per Sq.m	Mean £ Psf
Housing Mixed	£1,415	£131
Estate Housing	£1,387	£129
Average House	£1,401	<b>£130</b>
Apartments	£1,646	<b>£153</b>

3.1.32 In addition to the base BCIS costs further allowances have been made for road, site, infrastructure works and eternal at £15/sq. ft. (£161/m<sup>2</sup>). The VR continues that:

*‘Offsite highway works in respect of the roundabout on Manston Road, Nash Road/Coffins Corner works and the priority shift on Manston Road have been costed at £533,395. Due regard has also been given to the requirement to upgrade the link road between Nash Road and Manston Road. This is a significant enhancement over a standard estate road and carries an abnormal cost of £531,800 over and above a standard estate road, the cost of which is included in our appraisal under Road and Site Works’*

3.1.33 To ascertain whether the assumed base build costs are reasonable we have reviewed BCIS data for new-build development for ‘Estate Housing – Generally’ and ‘Flats – Generally’ rebased using a Thanet location factor. These are considered to be the most appropriate datasets for the current application site.

3.1.34 We note the use of an average between ‘Housing Mixed’ and ‘Estate Housing’ within the VR but it is not clear why this is the case given that the ‘Housing Mixed’ category includes data for both houses and flats analysed together.

3.1.35 Latest BCIS data therefore indicates a cost of £1,312/m<sup>2</sup> for houses; £1,507/m<sup>2</sup> for flats. We have adjusted our version of the applicant’s viability appraisal accordingly.

3.1.36 In relation to the off-site highways costs and link road costs, we are unable to comment as we have seen no evidence or explanation provided to corroborate these costs. At this stage however we have not adjusted those within the development appraisal. The Council may wish to seek further clarification from the applicant however.



3.1.37 A contingency allowance of 5% has been included within the development appraisal and in our view is a reasonable assumption to make.

3.1.38 In addition to the base costs, the development appraisal has allowed for professional fees equating to approximately 9% of the total build cost. Not mentioned in the report but a further £1,500 per unit planning fees, £25,000 survey fees and £337,500 of warranties and insurances are included. In our view a typical allowance for *all* fees at this stage in the process would be within the range 6% - 10%. For the purposes of this review we have adjusted the overall fees to 10% but removed the additional fees.

#### Development Timings & Finance Costs

3.1.39 The AHVR has allowed a total development period of 54 months with a 6-month lead-in, 45-month construction period with sales starting 12 months into the build period and extending 3 months following practical completion. The rate of sale is equivalent to 1.1 sales per week. Affordable housing is assumed to be sold in 'blocks' at the beginning of each sales period.

3.1.40 The overall development program appears reasonable in our view.

3.1.41 Finance costs have been included at 6.5% stated to reflect the current Bank of England base rate (0.5%) plus entry / exit fees and bank administration fees.

3.1.42 The interest rate is the cost of funds to the scheme developer; it is applied to the net cumulative negative cash balance each month on the scheme as a whole. According to the HCA in its notes to its Development Appraisal Tool (DAT) *'The rate applied will depend on the developer, the perceived scheme risk, and the state of the financial markets. There is also a credit interest rate, which is applied should the cumulative month end balance be positive. As a developer normally has other variable borrowings (such as an overdraft), or other investment opportunities, then the value of credit balances in reducing overall finance charges is generally the same as the debit interest charge. A zero rate of credit interest is not generally plausible, and will generate significantly erroneous results in a long-term scheme'*.

3.1.43 RICS also points out that it is often the case that schemes are modelled at current costs & values i.e. ignoring inflation (as is the case here). In this case RICS Financial Viability in planning paper states in appendix D 4.5 *'... current values and costs should be used*

*together with a **net** of inflation finance rate. Such a net of inflation rate would be much lower than a bank rate (which naturally includes inflation expectations)'.*

- 3.1.44 As a package, the overall finance cost is within expected parameters for a scheme of this type.

Cost Assumptions – Agent's, Marketing & Legal Fees

- 3.1.45 Sales agent's and marketing fees are included at 3% of gross development value (1% agent's fees; 2% marketing fees) and legal fees at £750 per unit. Although both the agent's fees and legal fees appear reasonable, the marketing fees appear excessive in our view and compared to other schemes reviewed both locally and nationwide. We would expect marketing fees to be no more than 1% of the GDV. We have therefore altered those assumptions when carrying out sensitivity testing as part of this review.

Cost Assumptions – Section 106 Payments / Planning Obligations

- 3.1.46 The planning obligations package of requirements is as follows:

Item	Cost
Secondary Education	£1,323,826
Primary Education	£831,000
Special Protection Area	£102,000
Bus Provision	£15,000
Youth	£14,860
Libraries	£12,004
New Learners	£5,157
<b>Total</b>	<b>£2,303,847</b>

- 3.1.47 The Council would need to be clear on the planning obligations requirements and whether those were required to mitigate the impact of the development and are compliant with CIL Regulation 122 being (a) necessary to make the development acceptable in planning terms; (b) directly related to the development; and (c) fairly and reasonably related in scale and kind to the development. We would assume, if any and regardless of the viability exercise, that without meeting those requirements the scheme would not be acceptable in planning terms – particularly in relation to SPA mitigation? Equally, of course from the Council's perspective it must ensure that in requesting any contributions it does not fall foul of the pooling restrictions by entering

into 5 or more s106 obligations for the same type of infrastructure (backdated to April 2010).

Developer's risk reward – profit

- 3.1.48 The development appraisal has been carried out on the assumption of a profit level of 20% on GDV for the market housing; 6% on the affordable housing value for affordable housing.
- 3.1.49 The RICS Guidance<sup>5</sup> states that: *'When a developer's return is adopted as the benchmark variable, a scheme should be considered viable, as long as the cost implications of planning obligations are not set at a level at which the developer's return (after allowing for all development costs including site value) falls below that which is acceptable in the market for the risk in undertaking the development scheme. If the cost implications of the obligations erode a developer's return below an acceptable market level for the scheme being assessed, the extent of those obligations will be deemed to make a development unviable as the developer would not proceed on that basis'.*
- 3.1.50 Latest Guidance within the Planning Practice Guidance is silent on the level return to a developer for the purposes of viability assessments in decision taking but does indicate that for plan making an assumption of 15% - 20% of gross development value may be considered a suitable return to developers.
- 3.1.51 Obviously, the level of profit assumed viable is often a matter of debate and certainly with no fixed rules. In our experience through both numerous site-specific cases and strategic viability review, typically a profit on GDV of between 15% - 20% for market housing (though now often as beneath 20%) and 6% for affordable housing serves as a reasonable guide. The upper end of this range was seen more commonly through and immediately following the recessionary period, where the risk of development was potentially higher than under current circumstances.
- 3.1.52 Profit requirements have since eased and overall in our experience a profit level not exceeding more than say 20% based on development costs is more representative of the range of scenarios that are put to us across a wide variety of sites and schemes. Indeed, within our wide experience of viability reviews such as this, a 20% profit on

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<sup>5</sup> RICS - Financial Viability in Planning (GN/94/2012)

cost assumption is one we have also seen used by Savills elsewhere. This is usually equivalent to circa say 16 to 18.5 % GDV on the market housing.

3.1.53 With lower profit requirements or expectations now being seen frequently in our experience, a fixed view of profit at 20% GDV on market housing no longer necessarily remains appropriate. With viability under pressure and under review to secure scheme delivery, applicants are showing flexibility on this.

3.1.54 Furthermore, in a recent appeal decision ref. APP/R4408/W/17/3170851, the Inspector concluded that as there was no *“significant risks associated with developing this site for housing”* as would appear to be the case here, that *“the development could reasonably operate at a profit margin of 17.5%”*. We would point the council to a recent Appeal decision (APP/B4215/W/17/3175926) where it was stated that the normal profit range would be within 15% - 20% on cost and that in that instance, as the return was within that range it would be acceptable.

3.1.55 We are therefore of the view that a 20% profit does not necessarily form a or required rate and that a lower profit should be acceptable to enable a scheme to proceed.

3.1.56 At this stage however it does not appear necessary to adjust the overall profit assumption whilst maintaining a policy compliant scheme and as such we have made no adjustments to our version of the submitted development appraisal. We reserve the right to revisit this assumption if necessary.

## 4 Summary & Overview of Findings

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- 4.1.1 Following our review of the submitted information it is our view that a number of the assumptions used in the viability submission and associated appraisals appear to be reasonable based on our understanding of the scheme. There are however aspects where a difference of opinion exists relating mainly to the value of the benchmark land value, sales values, BCIS base build costs and marketing costs. In addition we have mentioned that the additional highways costs included within the development appraisal have not been substantiated and that we do not agree with the level of developer return included within the development appraisal. At this stage however we have made no adjustments to the submitted development appraisal relating to highways and profit.
- 4.1.2 The policy compliant development appraisal submitted for review produces a deficit of £4.1m against the stated benchmark land value and developer return.
- 4.1.3 As part of our audit style approach, we have run a version of the applicant's policy compliant appraisal utilising Argus Developer software to explore the extent to which a more positive viability outcome should be possible. These adjustments include reducing the benchmark land value, marginally increasing the sales values assumptions, altering the BCIS base cost in line with published data, and reducing the marketing costs.
- 4.1.4 The result of this appraisal removes the deficit and produces a surplus of approximately £1.8m.
- 4.1.5 Notwithstanding our overall views on the appropriateness of reviewing viability at outline application stage, the result of our review and the sensitivity testing carried out on the development appraisals as submitted leads to the conclusion that evidence has not been provided that would support a requirement to waive the affordable housing or other planning obligations in this case. In our view this outline application scheme has the potential to comply fully with the Council's policy requirements.
- 4.1.6 We need to be clear that the above is based on current day costs and values assumptions as described within our review based on the current scheme as submitted. A different scheme may of course be more or less viable – we are only able

to review the information provided – this is particularly relevant here in terms of this outline application.

4.1.7 DSP will be happy to advise further as required.

Review report ends

Review completed July 2018

Carried out by: Rob Searle BSc (Hons) MSc CIHM

Reviewed by: Richard Dixon BSc (Hons) MRICS

## Appendix I – DSP Appraisal Summaries

## Land fronting Manston Rd and Nash Rd, Margate Viability Appraisal - Policy Compliant Scheme

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70/30 Split of Affordable Housing at 30%

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**APPRAISAL SUMMARY****DIXON SEARLE PARTNERSHIP**

Land fronting Manston Rd and Nash Rd, Margate  
Viability Appraisal - Policy Compliant Scheme

**Summary Appraisal for Phase 1**

Currency in £

**REVENUE**

<b>Sales Valuation</b>	<b>Units</b>	<b>ft²</b>	<b>Rate ft²</b>	<b>Unit Price</b>	<b>Gross Sales</b>
1b Private Apartment	11	5,775	283.00	148,575	1,634,325
1b Affordable Rent Apartment	3	1,575	155.65	81,716	245,149
1b Shared Ownership Apartment	1	525	198.10	104,003	104,003
2b Private Apartment	21	14,700	283.00	198,100	4,160,100
2b Affordable Rent Apartment	6	4,200	155.65	108,955	653,730
2b Shared Ownership Apartment	3	2,100	198.10	138,670	416,010
2b Private House	45	33,750	283.00	212,250	9,551,250
2b Affordable Rent House	14	10,500	155.65	116,738	1,634,325
2b Shared Ownership House	6	4,500	198.10	148,575	891,450
3b Private House	59	59,000	283.00	283,000	16,697,000
3b Private House Blighted	18	18,000	283.00	283,000	5,094,000
3b Affordable Rent House	18	18,000	155.65	155,650	2,801,700
3b Affordable Rent House Blighted	5	5,000	155.65	155,650	778,250
3b Shared Ownership House	8	8,000	198.10	198,100	1,584,800
3b Shared Ownership House Blighted	2	2,000	198.10	198,100	396,200
4b Private House	21	26,250	283.00	353,750	7,428,750
4b Affordable Rent House	7	8,750	155.65	194,563	1,361,938
4b Shared Ownership House	2	2,500	198.10	247,625	495,250
Freehold Ground Rent Investment	1	0	0.00	250,000	250,000
<b>Totals</b>	<b>251</b>	<b>225,125</b>			<b>56,178,229</b>

**NET REALISATION**

**56,178,229**

**OUTLAY****ACQUISITION COSTS**

Fixed Price (23.00 Acres 135,000.00 pAcre)	3,105,000	
		3,105,000
Stamp Duty	146,250	
Agent Fee	1.00% 31,050	
Legal Fee	0.35% 10,867	
		188,167

**This appraisal report does not constitute a formal valuation.**

# APPRAISAL SUMMARY

# DIXON SEARLE PARTNERSHIP

Land fronting Manston Rd and Nash Rd, Margate

Viability Appraisal - Policy Compliant Scheme

## CONSTRUCTION COSTS

Construction	ft²	Rate ft²	Cost	
1b Private Apartment	5,775 ft²	140.00 pf²	808,500	
1b Affordable Rent Apartment	1,575 ft²	140.00 pf²	220,500	
1b Shared Ownership Apartment	525 ft²	140.00 pf²	73,500	
2b Private Apartment	14,700 ft²	140.00 pf²	2,058,000	
2b Affordable Rent Apartment	4,200 ft²	140.00 pf²	588,000	
2b Shared Ownership Apartment	2,100 ft²	140.00 pf²	294,000	
2b Private House	33,750 ft²	121.90 pf²	4,114,125	
2b Affordable Rent House	10,500 ft²	121.90 pf²	1,279,950	
2b Shared Ownership House	4,500 ft²	121.90 pf²	548,550	
3b Private House	59,000 ft²	121.90 pf²	7,192,100	
3b Private House Blighted	18,000 ft²	121.90 pf²	2,194,200	
3b Affordable Rent House	18,000 ft²	121.90 pf²	2,194,200	
3b Affordable Rent House Blighted	5,000 ft²	121.90 pf²	609,500	
3b Shared Ownership House	8,000 ft²	121.90 pf²	975,200	
3b Shared Ownership House Blighted	2,000 ft²	121.90 pf²	243,800	
4b Private House	26,250 ft²	121.90 pf²	3,199,875	
4b Affordable Rent House	8,750 ft²	121.90 pf²	1,066,625	
4b Shared Ownership House	<u>2,500 ft²</u>	121.90 pf²	<u>304,750</u>	
<b>Totals</b>	<b>225,125 ft²</b>		<b>27,965,375</b>	<b>27,965,375</b>
Contingency		5.00%	1,611,072	
Road/Site Works	225,125 ft²	15.00 pf²	3,376,875	
S106 Secondary Education			1,323,826	
S106 Primary Education			831,000	
S106 SPA			102,000	
S106 Youth			14,860	
S106 Libraries			14,004	
S106 New Learners			5,157	
S106 Social Care			16,985	
				7,295,779
<b>Other Construction</b>				
Manston Road Roundabout			347,395	
Nash Road Highways Works			157,000	
Manston Road Priority Shift			29,000	
Abnormal Link Road Upgrade			531,800	
				1,065,195

This appraisal report does not constitute a formal valuation.

**APPRAISAL SUMMARY****DIXON SEARLE PARTNERSHIP****Land fronting Manston Rd and Nash Rd, Margate****Viability Appraisal - Policy Compliant Scheme****PROFESSIONAL FEES**

All Fees	10.00%	3,240,744	3,240,744
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**MARKETING & LETTING**

Marketing	1.00%	445,654	445,654
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**DISPOSAL FEES**

Sales Agent Fee	1.00%	445,654	
Affordable Housing Sales Package		15,000	
Sales Legal Fee	175 un 750.00 /un	131,250	591,904

**MISCELLANEOUS FEES**

Profit on Private Units	20.00%	8,913,085	
Profit on Affordable Units	6.00%	681,768	9,594,853

**FINANCE**

Debit Rate 6.500%, Credit Rate 1.500% (Nominal)			
Land		770,100	
Construction		134,168	
Other		(1,224)	
Total Finance Cost			903,044

**TOTAL COSTS****54,395,717****PROFIT****1,782,512****Performance Measures**

IRR	12.86%
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**This appraisal report does not constitute a formal valuation.**

Land fronting Manston Rd and Nash Rd, Margate  
Viability Appraisal - Policy Compliant Scheme

**Sensitivity Analysis results are not available.**  
**Click the Analysis Results tab, then print the report.**

**This appraisal report does not constitute a formal valuation.**



## Cost Plan Rev A

For

## Works at Nash Road, Margate



For

**Pipers Development Ltd**

**Project No.** M2280

**Version No.:** REV A

**Issue Date :** 25 November 2019

Sawyer & Fisher  
65 College Road  
Maidstone  
Kent, ME15 6SX  
01622 679532

[www.sawyerandfisher.co.uk](http://www.sawyerandfisher.co.uk)

This Document is categorised as follows:

Category	Details
Report Type:	Cost Plan Rev A
Report No:	REV A
Project Name:	Works at Nash Road, Margate
Project No.:	M2280
Security Classification:	<b>Restricted</b>
Author:	John Rogers

Document approved by:

Name	Position	Date
Glenn Wadsworth	Project Director	26 November 2019

This Document has been distributed to the following:

Name	Organisation	Role
Tim Mitford-Slade	Strutt & Parker	Property Consultant
Alister Hume	Hume Planning Consultancy Ltd	Planning Consultant
Neil Piper	Elephant Windows, Doors & Conservatories	Client

### Executive Summary

Sawyer & Fisher have been commissioned to review the "Cost Plan Review" for Salmestone Grange produced by Allen Dadswell Construction Consultants dated September 2019.

We have reviewed the "Cost Plan Review" and commentary produced by ADCC. We acknowledge that in some instances costs have been apportioned under different Series between our breakdown and the breakdown produced by ADCC. We have taken these comments into consideration and have tried to compare costs on a like for like basis. We have reviewed the costs and commentary provided by ADCC and provided an additional column titled "Cost Plan Rev A" and also additional commentary against each item for review.

It is agreed and confirmed that the stopping of Nash Road and the priority shift at Manston Road / Shottendane Road had been excluded from our original estimate. We have included these costs within this report and accept the costs proposed by ADCC.

We can confirm that our costs were based at September 2019 and at this stage no allowance made for inflation. We had however allowed 5% for design development and also a 5% contingency allowance which are both reasonable allowances at this stage of the project.

We can confirm that our costs have been based on drawing 14-011-002 Rev B. ADCC confirm that the changes are minor and therefore at this stage we see no issues with evaluating costs on the basis of our assumptions to date. It would appear that drawing Rev C would only add cost at this stage. Given the basis of the discrepancy between the 2nr estimates we see no issue with agreeing on the basis of our costs which have been based on 14-011-002 Rev B. Sawyer & Fisher have yet to receive Rev C of the drawing.

We have allowed Design Fees at 5%. These are the contractor design fees under a design & build contract.

We continue to allow 7% for Main Contractor's OH&P. We do not accept that ADCC deem that this should be included within our rates. We also don't agree that this has been included in the ADCC rates. The ADCC rates are not sufficient to have included OH&P within their rates.

We continue to allow 5% for Design Development. ADCC deem this to be included within the contingency allowance. Design Development is not a contingency allowance. This allowance is for the development of the design from the current scheme through to a fully developed scheme and makes allowances for any additional items which will be included.

**NASH ROAD, MARGATE**

**Order of Cost Estimate Rev A**

**for**

**Arterial road and connections to existing road network**

200 Series	Site clearance	£	55,973.00
300 Series	Fencing	£	25,000.00
400 Series	Road Restraint systems	£	-
500 Series	Drainage and services ducts	£	205,891.00
600 Series	Earthworks	£	425,654.00
700 Series	Pavements	£	562,496.00
1100 Series	Kerbs, Footways & Paved areas	£	185,531.00
1200 Series	Traffic signs and road markings	£	60,000.00
1300 Series	Road lighting columns	£	110,000.00
1400 Series	Electrical work	£	147,000.00
3000 Series	Landscaping	£	37,905.00
			<hr/>
			£ 1,815,450.00
Main contractor's preliminaries			£ 558,000.00
Traffic management			£ 189,000.00
Design fees	5%	£	90,772.50
Manston Road / Shottendane Road Priority Shift			132,998.50
Nash Road Closure			204,813.00
			<hr/>
			2,991,034.00
Main Contractor's OH&P	7%	£	209,372.38
Main Contractor risk allowance	5%	£	149,551.70
Design development	5%	£	149,551.70
Road Safety Audit works post completion			50,000.00
			<hr/>
			£ <b>3,549,509.78</b>
Client risk allowance	5%	£	177,475.49
Client design fees	10%	£	354,950.98
Highway authority inspection fees			£ 150,000.00
Commuted sum for maintenance post adoption			£ 150,000.00
			<hr/>
			£ <b>4,381,936.25</b>
			<hr/>



**NASH ROAD, MARGATE**

**Order of Cost Estimate Rev A**

**for**

**Arterial road and connections to existing road network**

**Information used to prepare Order of Cost Estimate**

C&A Consulting Engineers Ltd - Nash Road, Margate - Link Road - Phase 2 - Drawing No 14-011-002 Rev B

**Assumptions/allowances**

Removing existing trees allowance; £10k

General allowance for other fencing; £10k

Allowance for upgrade to existing drainage network to facilitate these works; £20k

Allowance for lowering or diverting existing services; £50k

Allowance for disposal of non-inert material; 25% of excavation volume

Allowance for soft spots; £50k

Allowance for re-engineering ground; £50k

Allowance for phasing works to maintain use of Nash Road; £250k

Allowance for traffic signage; £50k

Allowance for road markings; £5k

Assumed drainage and existing services are adjacent/close to the proposed works

**Exclusions**

Traffic signals

Pedestrian crossings

Archaeological works

Ecological works

Attenuation of drainage

VAT

Order of Cost Estimate Back-up											
				<u>Rate build up</u>	<u>Qty</u>	<u>Unit</u>	<u>Rate</u>	<u>Total</u>	<u>ADCC Costs</u>	<u>S&amp;F Cost Plan Rev A</u>	<u>Comments</u>
Project:	Nash Road, Margate										
Client:	TBC										
Series	200 Site Clearance										
			General Site Clearance								
			General site clearance		10,000	m²	1.00	10,000	20,450	20,450	We were unaware of the retaining walls to be broken out therefore this is accepted.
			Breaking up existing kerbs		300	m	20.00	6,000	6,600	6,600	Additional kerbs to be broken out and modifications to driveways accepted.
			Breaking up existing carriageway		2,000	m²	15.00	30,000	13,923	13,923	The principle here is the fundamental difference between S&F costs and the ADCC costs. We have assumed that any existing roads will be replaced and ADCC have assumed that it can be reused and adopted. We are happy to accept this approach if KCC confirm that they are happy to accept that the road is reused and adopted. My client will require written confirmation from KCC.
			Breaking up existing footpaths		300	m²	10.00	3,000	0	0	
			Removal of existing trees, bushes & hedges								
			Removing hedges			item		5,000	5,000	5,000	
			Removing trees; allowance			item		10,000	1,000	10,000	Extent of trees to be removed was not known at the time of producing our cost estimate. Our allowance also would include any arboricultural works required to the existing trees. Our allowance is therefore a reasonable at this stage.
				Carried to Summary				64,000	46,973	55,973	

Agenda Item 5  
Annex 4

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Order of Cost Estimate Back-up

		<u>Rate build up</u>	<u>Qty</u>	<u>Unit</u>	<u>Rate</u>	<u>Total</u>	<u>ADCC Costs</u>	<u>S&amp;F Cost Plan Rev A</u>	<u>Comments</u>
Project: Nash Road, Margate Client: TBC Series 500 Drainage & Services									
	Highway drainage								
	Connection to existing strategic drainage system			item		20,000	17,500	17,500	Accepted.
	Main drain run		535	m	125.00	66,875	84,391	84,391	ADCC quantity of 650m is accepted.
	Branches to main drain run; single branch every 15m of main run		40	m	450.00	18,000	12,600	12,600	ADCC quantity of 3.5m / gully is accepted.
	Gullies		40	nr	150.00	6,000	15,400	15,400	ADCC rate is accepted.
	Manholes		15	nr	3,000.00	45,000	26,000	26,000	ADCC rate is accepted.
	Existing services								
	Allowance for lowering/diverting existing services			item		50,000	50,000	50,000	
Carried to Summary						205,875	205,891	205,891	

Order of Cost Estimate Back-up									
Project:	Nash Road, Margate	Rate build up	Qty	Unit	Rate	Total	ADCC Costs	S&F Cost Plan Rev A	Comments
Client:	TBC								
Series	600 Earthworks								
	<b>Topsoil strip</b>								
	Strip topsoil; 150 thick; set aside for reuse in spoil heaps		10,000	m <sup>2</sup>	1.00	10,000	13,604	10,000	The area is for the new roundabout and new road to the highway boundary.
	Strip subsoil; 300 thick; set aside for reuse in spoil heaps		10,000	m <sup>2</sup>	2.00	20,000	0	20,000	Retaining the subsoil is not viable and will also need removing.
	<b>Earthworks</b>								
	Assumed site does not require cut/fill and the road will be laid to approx existing site levels								
	Excavate to reduce levels; assume 0.5m		5,000	m <sup>3</sup>	5.00	25,000	19,368	19,368	ADCC rate accepted.
	Dispose off site		5,000	m <sup>3</sup>	40.00	200,000	172,536	172,536	ADCC rate accepted.
	EO for disposing of non-inert material (assume 25%)		1,250	m <sup>3</sup>	75.00	93,750	14,528	93,750	We have had recent experience on sites where high volumes of material have been classified as non-inert material. There are no site investigations in particular geo-tech investigations and therefore we believe this is a reasonable assessment at this stage.
	Compaction		10,000	m <sup>2</sup>	1.00	10,000	1,125	10,000	We believe we have made a fair and reasonable assessment at this stage.
	Allowance for soft spots			item		50,000	23,103	50,000	We believe we have made a fair and reasonable assessment at this stage.
	Allowance for re-engineering ground to improve CBR (extent if required not known)			item		50,000	0	50,000	As previously stated there is no site investigations available at present therefore it is reasonable to assume some form of ground engineering will need to be undertaken. This could involve over digging and laying the ground back in layers. This would not be a substitute for the capping layer.

[illegible]



Order of Cost Estimate Back-up										
Project: Nash Road, Margate Client: TBC Series 700 Roads & Pavements			<u>Rate build up</u>	<u>Qty</u>	<u>Unit</u>	<u>Rate</u>	<u>Total</u>	<u>ADCC Costs</u>	<u>S&amp;F Cost Plan Rev A</u>	<u>Comments</u>
			<u>New Road</u>							
			Sub-base & capping layer							
			Capping layer to carriageway pavement; assume 400mm thick	1,520	m³	40.00	60,800	59,708	60,800	ADCC have included the new road and the roundabout costs together. We have priced these separately.
			Type 1 sub-base to carriageway pavement; assume 150mm thick	570	m³	50.00	28,500	97,715	28,500	ADCC have included the new road and the roundabout costs together. We have priced these separately.
			Asphalt/Macacdam pavement							
			Base course to carriageway	3,800	m²	50.00	190,000	244,260	190,000	ADCC have included the new road and the roundabout costs together. We have priced these separately. We have allowed for 200mm thick.
			Binder course to carriageway	3,800	m²	15.00	57,000	86,848	57,000	ADCC have included the new road and the roundabout costs together. We have priced these separately.
			Wearing course to carriageway	3,800	m²	20.00	76,000	81,420	76,000	ADCC have included the new road and the roundabout costs together. We have priced these separately.
			Speed humps	7	nr	2,000.00	14,000	25,000	14,000	ADCC have included the new road and the roundabout costs together. We have priced these separately.
			Roundabout							
			Sub-base & capping layer							
			Capping layer to carriageway pavement; assume 400mm thick	320	m³	40.00	12,800	0	12,800	ADCC have included the new road and the roundabout costs together. We have priced these separately.

		Type 1 sub-base to carriageway pavement; assume 150mm thick	120	m <sup>2</sup>	50.00	<b>6,000</b>	0	<b>6,000</b>	ADCC have included the new road and the roundabout costs together. We have priced these separately.
		<b>Asphalt/Macacdam pavement</b>							
		Base course to carriageway	800	m <sup>2</sup>	50.00	<b>40,000</b>	0	<b>40,000</b>	ADCC have included the new road and the roundabout costs together. We have priced these separately.
		Binder course to carriageway	800	m <sup>2</sup>	15.00	<b>12,000</b>	0	<b>12,000</b>	ADCC have included the new road and the roundabout costs together. We have priced these separately.
		Wearing course to carriageway	800	m <sup>2</sup>	20.00	<b>16,000</b>	0	<b>16,000</b>	ADCC have included the new road and the roundabout costs together. We have priced these separately.
		<b><u>Existing road</u></b>							
		<b>Sub-base &amp; capping layer</b>							
		Capping layer to carriageway pavement; assume 400mm thick	1,000	m <sup>3</sup>	40.00	<b>40,000</b>	0	<b>0</b>	The principle here is the fundamental difference between S&F costs and the ADCC costs. We have assumed that any existing roads will be replaced and ADCC have assumed that it can be reused and adopted. We are happy to accept this approach if KCC confirm that they are happy to accept that the road is reused and adopted. My client will require written confirmation from KCC.
		Type 1 sub-base to carriageway pavement; assume 150mm thick	375	m <sup>3</sup>	50.00	<b>18,750</b>	0	<b>0</b>	The principle here is the fundamental difference between S&F costs and the ADCC costs. We have assumed that any existing roads will be replaced and ADCC have assumed that it can be reused and adopted. We are happy to accept this approach if KCC confirm that they are happy to accept that the road is reused and adopted. My client will require written confirmation from KCC.

			<b>Asphalt/Macacdam pavement</b>									
			Base course to carriageway	2,500	m²	50.00	<b>125,000</b>	0	<b>0</b>	The principle here is the fundamental difference between S&F costs and the ADCC costs. We have assumed that any existing roads will be replaced and ADCC have assumed that it can be reused and adopted. We are happy to accept this approach if KCC confirm that they are happy to accept that the road is reused and adopted. My client will require written confirmation from KCC.  Accepted.  Accepted.  Accepted.  Accepted.		
			Binder course to carriageway	2,500	m²	15.00	<b>37,500</b>	28,616	<b>28,616</b>			
			Wearing course to carriageway	2,500	m²	20.00	<b>50,000</b>	14,700	<b>14,700</b>			
			Tie-in to existing		item		<b>50,000</b>	6,080	<b>6,080</b>			
			Allowance for phasing works		item		<b>250,000</b>	0	<b>0</b>			
			<b>Carried to Summary</b>				<b>1,084,350</b>	644,347	<b>562,496</b>			

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Order of Cost Estimate Back-up											
				<u>Rate build up</u>	<u>Qty</u>	<u>Unit</u>	<u>Rate</u>	<u>Total</u>	<u>ADCC Costs</u>	<u>S&amp;F Cost Plan Rev A</u>	<u>Comments</u>
Project: Nash Road, Margate											
Client: TBC											
Series 1200 Traffic Signs & Road marking											
			Traffic signs								
			Allowance for traffic signage			item		50,000	30,000	50,000	Extent of signage not yet known. We believe our allowance is reasonable.
			Illuminated bollards			item		5,000	6,400	5,000	We believe our allowance is reasonable.
			Road markings								
			Allowance for road markings			item		5,000	5,000	5,000	
			Traffic signals								
			Asummed traffic signals or pedestrain crossings are not required					excluded	0	0	
				Carried to Summary				60,000	41,400	60,000	

Order of Cost Estimate Back-up

Project:		Nash Road, Margate		<u>Rate</u>	<u>Qty</u>	<u>Unit</u>	<u>Rate</u>	<u>Total</u>	<u>ADCC</u>	<u>S&amp;F Cost</u>	<u>Comments</u>
Client:		TBC		<u>build</u>					<u>Costs</u>	<u>Plan Rev</u>	
Series		1300 Road Lighting columns		<u>up</u>						<u>A</u>	
			Road Lighting columns (all provisional)								
			Road lighting columns; assumed qty		40	nr	5,000.00	200,000	43,200	100,000	Road lighting scheme is currently not available therefore quantities are based on an initial assessment of likely number of road lighting columns. We accept out initial assessment might have been slightly high therefore we have halved the quantity.
			Feeder pillars; assumed qty at 1/5nr columns		8	nr	2,500.00	20,000	5,000	10,000	Road lighting scheme is currently not available therefore quantities are based on an initial assessment of likely number of road lighting columns. We accept out initial assessment might have been slightly high therefore we have halved the quantity.

Project:		Nash Road, Margate	<u>Rate build up</u>	<u>Qty</u>	<u>Unit</u>	<u>Rate</u>	<u>Total</u>	<u>ADCC Costs</u>	<u>S&amp;F Cost Plan Rev A</u>	<u>Comments</u>
Client:		TBC								
Series		1400 Electrical work for road lighting & Traffic signs								
			Electrical work for road lighting & Traffic signs (all provisional)							
			Trenching for street lighting inclucing duct	700	m	50.00	35,000	24,500	35,000	We believe that our assessment, based on a recently completed scheme, is a fair and reasonable assessment at this stage.
			Cabling to street lighting in duct	700	m	40.00	28,000	0	28,000	We believe that our assessment, based on a recently completed scheme, is a fair and reasonable assessment at this stage.
			Cabling street lighting column and connection	40	nr	1,000.00	40,000	7,200	40,000	We believe that our assessment, based on a recently completed scheme, is a fair and reasonable assessment at this stage.
			Lamp to steet lighting column	40	nr	500.00	20,000	0	20,000	We believe that our assessment, based on a recently completed scheme, is a fair and reasonable assessment at this stage.
			Connection to feeder pillar	8	nr	500.00	4,000	0	4,000	We believe that our assessment, based on a recently completed scheme, is a fair and reasonable assessment at this stage.
			Allowance for electrical connection to new feeder pillar from existing supply		item		20,000	0	20,000	We believe that our assessment, based on a recently completed scheme, is a fair and reasonable assessment at this stage.
							Carried to Summary	147,000	31,700	147,000

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# Kent County Council

Salmestone Grange

## Cost Plan Review Nr. 2

February 2020

Agenda Item 5  
Annex 5

**allen dadswell**  
construction consultants

**Directors:**

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**1.0 - General Information**



## 1.0 General Information

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### Description of Works

ADCC have been commissioned to review the 'Order of Cost Estimate for Arterial road and connections to existing road network' at Nash Road, Margate, produced by Sawyer & Fisher.

We have reproduced the Order of Cost Estimate in Section 2, and included our own estimate and commentary against each item for direct comparison. Our costs are extracted from our own Cost Estimate produced in Section 3. Note that in some instances costs are apportioned under different Series between Sawyer & Fisher's breakdown and our own and hence there are some disparities in the Series totals between Section 2 and Section 3.

We have also priced for the stopping up of Nash Road and the priority shift at Manston Road/Shottendane Road in Section 4. These works have not been priced in the original assessment by Sawyer and Fisher and hence there is no comparative cost.

### Basis of Cost

Our costs are based at September 2019. We do not know when Sawyer and Fisher's Cost Estimate was produced and do not account for inflation in our direct comparison. **Note that our amendments are indicated in red.**

#### **Drawings:**

14-011-002 Rev C - Link Road - Phase 2  
14-011-005 Rev C - Nash Road Closure  
14-011-007 Rev C - Manston Road/Shottendane Road Priority Shift  
C & A Consulting Engineers Technical Note, dated May 2017

Note that Sawyer & Fisher's costs are based on 14-011-002 Rev B, suggesting that their Cost Estimate was produced prior to the update to Revision C. The changes are minor and we feel any evaluation of the costs should be based on the latest revision. From the technical note the amendments are:

- Introduction of pedestrian facilities on each arm of the roundabout.
- Private drive access points to service road realigned to take the access away from the corners of the service road and made easier for manoeuvrability.
- Footway introduced along Nash Road where the priority junction is located.

### Assumptions/Clarifications

#### **Link Road - Phase 2**

##### **Sawyer and Fisher**

- Removing existing trees allowance; £10k
- General allowance for other fencing; £10k
- Allowance for upgrade to existing drainage network to facilitate these works; £20k
- Allowance for lowering or diverting existing services; £50k
- Allowance for disposal of non-inert material; 25% of excavation volume
- Allowance for soft spots; £50k
- Allowance for re-engineering ground; £50k
- Allowance for phasing works to maintain use of Nash Road; £250k
- Allowance for traffic signage; £50k
- Allowance for road markings; £5k
- Assumed drainage and existing services are adjacent/close to the proposed works

We have commented on these assumptions in Section 2.



## 1.0 General Information

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### **Allen Dadswell**

- Allowed for an additional 215m of road where not shown on drawing at 7.3m wide, with 5m of footway and 4m of verge. No allowance has been made for junctions
- Allowed for additional cut at the new roundabout for reducing levels due to existing level difference between Manston Road and the adjacent field
- Allowed for extent of drainage, service diversions, and streetlighting
- Allowed for a 36 week construction period, including 12 weeks of traffic management
- Assumed construction build ups (based on existing Kent schemes)
- Allowed for excavation and filling of soft spots and other voids (10%), and disposal of unacceptable material (5%)
- Assumed 300mm of topsoil to be stripped and 150mm to be reinstated
- Allowed for all surplus material to be disposed off site
- Allowed for assorted signage and road markings
- Allowed for cold milling of surface course and overlaying with average 50mm thick regulating course and 30mm surface course for new road over existing carriageway. Assumed carriageway to remain where possible to maintain traffic flow during construction
- Assumed work to be undertaken under S278 and S38 agreements (allowed for a 50/50 split for the purposes of KCC fees)
- Assumed all works and preliminary costs independent of development costs

### **Shottendane Road/Manston Road Priority Shift & Nash Road Closure**

- Allowed for a combined construction duration of 12 weeks, to be undertaken alongside Link Road - Phase 2
- Priced preliminaries as an extra over main preliminaries for Link Road - Phase 2
- Assumed all works to be undertaken under a single S278 agreement
- Allowed for extent of drainage, service diversions, and streetlighting
- Assumed construction build ups (based on existing Kent schemes)
- Allowed for excavation and filling of soft spots and other voids (10%), and disposal of unacceptable material (5%)
- Allowed for all surplus material to be disposed off site
- Allowed for assorted signage and road markings
- Nash Road Closure: Allowed for resurfacing of the surface course and an additional 50mm thick regulating course to full carriageway width where carriageway is being widened (Nash Road turning head). No resurfacing has been allowed for on the other arms of the junction
- Manston Road/Shottendane Road Priority Shift: Allowed for resurfacing of the surface course and an additional 50mm thick regulating course to full carriageway width along Manston Road (c. 65m) and to the Shottendane Road bellmouth

### **Exclusions**

- Ecology/Archaeology
- LCA Part 1 costs
- Statutory Undertakers' costs (no information received)
- All works associated with the development / all other costs deemed included in the viability assessment. **We note that the costs excluded from Sawyer & Fisher's cost plan and those above may require inclusion if they are not included elsewhere within the viability assessment.**
- VAT

**2.0 - Sawyer & Fisher Cost Comparison**



2.0 Sawyer & Fisher Cost Comparison

Description	Sawyer & Fisher				ADCC	S&F Revised	ADCC Revised	Updated Comment
	Quantity	Unit	Rate	Total	Total		Total	
200 Series - Site Clearance				64,000.00	46,973.00	55,973.00	51,973.00	Breakout out hard material/cold milling included in S200 in ADCC Construction Breakdown.
300 Series - Fencing				25,000.00	7,500.00	25,000.00	15,000.00	
400 Series - Road Restraint Systems				30,000.00	0.00	0.00	0.00	
500 Series - Drainage and Service Ducts				205,875.00	205,891.00	205,891.00	205,891.00	BWIC with utility diversions included under S2700 in ADCC Construction Breakdown. Capping and completion of formation/sub-formation included under S700 in breakdown below, but are included under S600 in ADCC Construction Breakdown.
600 Series - Earthworks				481,550.00	253,545.50	425,654.00	322,289.50	
700 Series - Pavements				1,084,350.00	644,346.50	562,496.00	644,346.50	
1100 Series - Kerbs, Footways and Paved Areas				194,000.00	185,530.50	185,531.00	185,530.50	Connections included under S1300 in ADCC Construction Breakdown. <b>We have not received an updated breakdown for the landscaping but will accept S&amp;F's costs due to increased landscaping costs being received.</b>
1200 Series - Traffic Signs and Road Markings				60,000.00	41,400.00	60,000.00	61,400.00	
1300 Series - Road Lighting Columns				220,000.00	48,200.00	110,000.00	48,200.00	
1400 Series - Electrical Work				147,000.00	31,700.00	147,000.00	51,700.00	Note that we have priced as a weekly rate, not a percentage, which provides a more realistic allowance. We have assumed that there are no shared prelims with the wider development.
3000 Series - Landscaping				88,600.00	22,071.00	37,905.00	37,905.00	
				2,600,375.00	1,487,157.50	1,815,450.00	1,624,235.50	
Main Contractor's Preliminaries			20%	520,075.00	558,000.00	558,000.00	558,000.00	We do not anticipate TM costs to be too onerous as the majority of the works are offline.
Traffic Management			10%	260,037.50	189,000.00	189,000.00	189,000.00	
Design Fees			5%	130,018.75	0.00	90,772.50	0.00	
Manston Road/Shottendane Road Priority Shift (NEW ITEM)					132,998.50	132,998.50	132,998.50	See breakdown in Section 4.
Nash Road Closure (NEW ITEM)					204,813.00	204,813.00	204,813.00	
				3,510,506.25	2,571,969.00	2,991,034.00	2,709,047.00	
Main Contractor's OH&P			7%	245,735.44	0.00	209,372.38	0.00	Deemed included in the ADCC rates, which are based on recent tender returns in the Kent area. <b>We stand by our rates which have been obtained from numerous tendered schemes, mainly in Kent.</b>
Main Contractor's Risk Allowance			5%	175,525.31	128,598.45	149,551.70	128,598.45	
Design Development			5%	175,525.31	0.00	149,551.70	128,598.45	
Road Safety Audit Works Post Completion				50,000.00	50,000.00	50,000.00	50,000.00	Deemed included in the contingency. <b>We understand what this is for and will agree on the basis that 5% client risk may not be adequate for a project of this nature.</b>
				4,157,292.31	2,750,567.45	3,549,509.78	3,016,243.90	
Client Risk Allowance			5%	207,864.62	137,528.37	177,475.49	137,528.37	
Client Design Fees			10%	415,729.23	275,056.75	354,950.98	275,056.75	Acceptable in combination with the 5% risk allowance above.
Highways Authority Inspection Fees				150,000.00	incl. below	150,000.00	incl. below	
S278 Supervision Fees (NEW ITEM)					86,392.86		86,392.86	
S38 Supervision Fees (NEW ITEM)					137,528.37		137,528.37	KCC inspection fees at 10% of bond value for S38 works and the first 500k of S278 works, with a 3% fee on the remaining S278 bond value. For the purposes of assessment we have assumed that the S38 and S278 bond values are each 50% of the sub-total above. S278 works also incur a fixed fee of £17,719 for transportation advice to developer.
S278 Fixed Fee for Transportaton Advice (NEW ITEM)					17,719.00		17,719.00	
Commuted Sum for Maintenance Post Adoption				200,000.00	150,000.00	150,000.00	150,000.00	
Total Order of Cost				5,130,886.16	3,554,792.79	4,381,936.25	3,820,469.24	Commuted sums are only incurred on non-standard assets and street lighting/landscaping/traffic signals. We do not anticipate many non-standard assets for the works shown and have reduced the allowance accordingly. Also note that we have not undertaken a detailed analysis of the commuted sums that may be incurred at this stage, and the figure quoted is without prejudice to any commuted sum claims by KCC upon confirmation of the detailed design for the works.





2.0 Sawyer & Fisher Cost Comparison

Description	Sawyer & Fisher				ADCC	S&F Revised	ADCC Revised	Updated Comment
	Quantity	Unit	Rate	Total	Total		Total	
<b>General Site Clearance</b>								
General site clearance	10,000	m <sup>2</sup>	1.00	10,000.00	20,450.00	20,450.00	20,450.00	ADCC allowance includes for breaking out retaining wall.
Breaking up existing kerbs	300	m	20.00	6,000.00	6,600.00	6,600.00	6,600.00	More kerbs will require breaking out, modifications to driveways are also shown along Manston Road.
Breaking up existing carriageway	2,000	m <sup>2</sup>	15.00	30,000.00	13,923	13,923.00	13,923	See comments below under Existing Road. The rate is high, but it would be reasonable to include an allowance for cold milling. ADCC rate includes for cold milling and breaking out hard material.
Breaking up existing footpaths	300	m <sup>2</sup>	10.00	3,000.00	Incl.	0.00	Incl.	
<b>Removal of existing trees, bushes &amp; hedges</b>								
Removing hedges		item		5,000.00	5,000.00	5,000.00	5,000.00	Appropriate allowance.
Removing trees; allowance		item		10,000.00	1,000.00	10,000.00	6,000.00	Only appear to be two trees which will require removal. <b>We will compromise on 6k.</b>
				64,000.00	46,973.00	55,973.00	51,973.00	
<b>Fencing</b>								
Fencing to either side of junction of new road with Nash Road	200	m	50.00	10,000.00	0.00	10,000.00	0.00	Evidence of quantity? <b>No evidence provided.</b>
Fencing to railway side of new arterial prior to connection with existing road network	100	m	50.00	5,000.00	0.00	5,000.00	0.00	What does this refer to? We would expect temporary fencing to be included under prelim or development costs. <b>No evidence provided.</b>
General allowance for other fencing		item		10,000.00	7,500.00	10,000.00	15,000.00	The general allowance, taken with the fencing measurements above, seem high for the type of development and usage. We believe highway boundary fencing is unlikely. <b>We will compromise on 15k overall.</b>
				25,000.00	7,500.00	25,000.00	15,000.00	
<b>Road restraint system</b>								
Restraint barrier along re-aligned Nash Road to back of existing properties	200	m	150.00	30,000.00	0.00	0.00	0.00	What does this item refer to? We can't identify a need for VRS from the current plans.
				30,000.00	0.00	0.00	0.00	
<b>Highway drainage</b>								
Connection to existing strategic drainage system		item		20,000.00	17,500.00	17,500.00	17,500.00	ADCC allowances include for all works to existing drainage.
Main drain run	535	m	125.00	66,875.00	84,391.00	84,391.00	84,391.00	Rate acceptable as average drainage rate. Quantity assumption is reasonable, depending on works required to existing drainage. ADCC allowance at 650m.
Branches to main drain run; single branch every 15m of main run	40	m	450.00	18,000.00	12,600.00	12,600.00	12,600.00	Are these gully leads? Rate is very high per m, but is closer to our allowance if priced per gully. ADCC quantity allows of 3.5m/gully.
Gullies	40	nr	150.00	6,000.00	15,400.00	15,400.00	15,400.00	Rate very low (expect c. £370), are leads above?
Manholes	15	nr	3,000.00	45,000.00	26,000.00	26,000.00	26,000.00	Rate high. Assumed spacing is reasonable.
<b>Existing services</b>								
Allowance for lowering/diverting existing services		item		50,000.00	50,000.00	50,000.00	50,000.00	Allowance is reasonable in lieu of any information on extent of utilities which require diverting. However, the diversion of existing utility services can be costly and estimates should be requested from each affected utility company in order to provide an accurate figure.
				205,875.00	205,891.00	205,891.00	205,891.00	



2.0 Sawyer & Fisher Cost Comparison

Description	Sawyer & Fisher				ADCC	S&F Revised	ADCC Revised	Updated Comment
	Quantity	Unit	Rate	Total	Total		Total	
<b>Topsoil strip</b>								
Strip topsoil; 150 thick; set aside for reuse in spoil heaps	10,000	m²	1.00	10,000.00	13,603.50	10,000.00	13,603.50	Effective rate/m³ is £6.70, which is higher than we expect. Need to understand the extents taken to comment on the quantity. ADCC allowance for 300mm topsoil strip and no subsoil strip (topsoil expected to be thicker in greenfield).
Strip subsoil; 300 thick; set aside for reuse in spoil heaps	10,000	m²	2.00	20,000.00	0.00	20,000.00	5,000.00	Effective rate/m³ is £6.70. <b>We will compromise at half the rate, and half the quantity given we have allowed for 300mm topsoil strip above.</b>
<b>Earthworks</b>								
Assumed site does not require cut/fill and the road will be laid to approx existing site levels								There is a retaining wall running alongside Manston Road and a significant level difference between Manston Road and the level of the retained soil. Assumption is acceptable for the majority of the road but expect some level changes to occur at the new roundabout. The additional cut is included in our breakdown.
Excavate to reduce levels; assume 0.5m	5,000	m³	5.00	25,000.00	19,368.00	19,368.00	19,368.00	Assumes 0.95m deep to be excavated across 10,000m². Carriageway area below at 7,100m² including on existing road (which may not be needed). This allowance would appear to be high given the assumption re. cut and fill, but may be okay given the comments above.
Dispose off site	5,000	m³	40.00	200,000.00	172,536.00	172,536.00	172,536.00	This rate is high for disposal off site. ADCC disposal allowance includes for subsoil and topsoil.
EO for disposing of non-inert material (assume 25%)	1,250	m³	75.00	93,750.00	14,528.00	93,750.00	62,500.00	25% is a very high allowance for non-inert material, and the rate is very high as an extra over. Note that breaking out carriageway and footway is included separately in S200. ADCC allowance includes for excavating unacceptable material at 5%, which accounts for non-inert, contaminated or hazardous material. <b>We will compromise an extra over rate of £50/m³.</b>
Compaction	10,000	m²	1.00	10,000.00	1,125.00	10,000.00	5,000.00	<b>We will compromise on 5k but believe this is excessive.</b>
Allowance for soft spots		item		50,000.00	23,103.00	50,000.00	35,000.00	Say £50/m³ for excavating soft spots and replacing with capping material, suggests 1000m³ of spoft spots. This allowance is very high. <b>We will compromise on 35k.</b>
Allowance for re-engineering ground to improveCBR (extent if required not known)		item		50,000.00	0.00	50,000.00	0.00	Don't believe this will be required in addition to a capping layer. Suggest either/or - do we know what the CBR of the site is? <b>The S&amp;F response doesn't address the question. Given the level of ground risk included and the depth of capping allowed for we do not believe it is appropriate to allow for further ground risk. We have been involved in a number of projects around Thanet and we have not experienced significantly bad CBR levels.</b>
<b>Topsoiling</b>								
Topsoiling to verge; 150 thick	5,700	m²	1.50	8,550.00	5,532.00	0.00	5,532.00	What extent has been taken? <b>S&amp;F have now removed the item which we think is an error so our allowance remains</b>
Subsoil to verge; 300 thick	5,700	m²	2.50	14,250.00	3,750.00	0.00	3,750.00	Overall the allowances for earthworks are very high, however the reality may be that additional excavation is required as well as retaining structures due to the level differences. Suggest more information is required on the approach to the construction of the roundabout, or some clearly defined assumptions made. See ADCC cost breakdown for our estimation of the earthworks required. <b>S&amp;F have now removed the item which we think is an error so our allowance remains</b>
				481,550.00	253,545.50	425,654.00	322,289.50	





2.0 Sawyer & Fisher Cost Comparison

Description	Sawyer & Fisher				ADCC	S&F Revised	ADCC Revised	Updated Comment
	Quantity	Unit	Rate	Total	Total		Total	
<b>New Road</b>								
<b>Sub-base &amp; capping layer</b>								NB ADCC cost for 'Roundabout' included in 'New Road'.
Capping layer to carriageway pavement; assume 400mm thick	1,520	m³	40.00	60,800.00	59,708.00	60,800.00	59,708.00	Is there any information on CBR available? What has been assumed? What is the extent of the new carriageway taken? Rate is acceptable. ADCC allowance for 250mm thick capping and compaction.
Type 1 sub-base to carriageway pavement; assume 150mm thick	570	m³	50.00	28,500.00	97,714.50	28,500.00	97,714.50	Rate is acceptable.
<b>Asphalt/Macacdam pavement</b>								
Base course to carriageway	3,800	m²	50.00	190,000.00	244,260.00	190,000.00	244,260.00	What thickness has been assumed?
Binder course to carriageway	3,800	m²	15.00	57,000.00	86,848.00	57,000.00	86,848.00	
Wearing course to carriageway	3,800	m²	20.00	76,000.00	81,420.00	76,000.00	81,420.00	Rate is high.
Speed humps	7	nr	2,000.00	14,000.00	25,000.00	14,000.00	25,000.00	Rate is acceptable. ADCC rate includes for the provision of a raised table to Manston Road service road.
<b>Roundabout</b>								
<b>Sub-base &amp; capping layer</b>								
Capping layer to carriageway pavement; assume 400mm thick	320	m³	40.00	12,800.00	Incl.	12,800.00	Incl.	We have included this above so no addition required.
Type 1 sub-base to carriageway pavement; assume 150mm thick	120	m³	50.00	6,000.00	Incl.	6,000.00	Incl.	We have included this above so no addition required.
<b>Asphalt/Macacdam pavement</b>								
Base course to carriageway	800	m²	50.00	40,000.00	Incl.	40,000.00	Incl.	We have included this above so no addition required.
Binder course to carriageway	800	m²	15.00	12,000.00	Incl.	12,000.00	Incl.	We have included this above so no addition required.
Wearing course to carriageway	800	m²	20.00	16,000.00	Incl.	16,000.00	Incl.	We have included this above so no addition required.
<b>Existing road</b>								
<b>Sub-base &amp; capping layer</b>								
Capping layer to carriageway pavement; assume 400mm thick	1,000	m³	40.00	40,000.00	0.00	0.00	0.00	Would not expect the existing road to be broken out completely. Would expect the existing carriageway to be resurfaced where possible and utilised as a running lane for existing traffic while works are ongoing. With that in mind would suggest these items are not required, although there may be areas in which full depth reconstruction is required.
Type 1 sub-base to carriageway pavement; assume 150mm thick	375	m³	50.00	18,750.00	0.00	0.00	0.00	
<b>Asphalt/Macacdam pavement</b>								
Base course to carriageway	2,500	m²	50.00	125,000.00	0.00	0.00	0.00	Confirm extent of these quantities.
Binder course to carriageway	2,500	m²	15.00	37,500.00	28,616.00	28,616.00	28,616.00	ADCC allowance is for regulating course & tack coat in lieu of binder.
Wearing course to carriageway	2,500	m²	20.00	50,000.00	14,700.00	14,700.00	14,700.00	
Tie-in to existing		item		50,000.00	6,080.00	6,080.00	6,080.00	Allowance is high, especially given comments above.
Allowance for phasing works		item		250,000.00	Incl.	0.00	Incl.	ADCC allowance incl. in prelims. Assumed minor phasing required as majority of carriageway can be built offline and traffic controlled using temporary signals, with traffic diverted on to new road to complete kerb lines.
				1,084,350.00	644,346.50	562,496.00	644,346.50	



2.0 Sawyer & Fisher Cost Comparison

Description	Sawyer & Fisher				ADCC	S&F Revised	ADCC Revised	Updated Comment
	Quantity	Unit	Rate	Total	Total		Total	
<b>Kerbs</b>								
PCC HB2 kerbs to carriageways	1,700	m	35.00	59,500.00	49,560.00	49,560.00	49,560.00	Rate high.
PCC edgings to footways	1,700	m	20.00	34,000.00	20,560.00	20,560.00	20,560.00	Rate high.
<b>Footways</b>								
Sub-base to footway; assume 150mm thick	306	m³	50.00	15,300.00	Incl.	0.00	Incl.	
Footway surfacing; 100mm thick 2 course	2,040	m²	30.00	61,200.00	112,950.50	112,951.00	112,950.50	Total rate for footway is acceptable (£37.50/m²).
Tactile paving to crossing points including drop kerbs	12	nr	2,000.00	24,000.00	2,460.00	2,460.00	2,460.00	Rate is high.
				194,000.00	185,530.50	185,531.00	185,530.50	
<b>Traffic signs</b>								
Allowance for traffic signage		item		50,000.00	30,000.00	50,000.00	50,000.00	Allowance is higher than we would expect. We will accept this but it is high.
Illuminated bollards		item		5,000.00	6,400.00	5,000.00	6,400.00	Allowance is reasonable. ADCC allowance includes for provision of (non-illuminated) square timber bollards.
<b>Road markings</b>								
Allowance for road markings		item		5,000.00	5,000.00	5,000.00	5,000.00	Allowance is reasonable.
<b>Traffic signals</b>								
Assumed traffic signals or pedestrian crossings are not required				Excl.	Excl.	Excl.	Excl.	Agreed, although an allowance will be required for the Nash Road Closure (deemed excluded from this cost plan)
				60,000.00	41,400.00	60,000.00	61,400.00	
<b>Road Lighting columns (all provisional)</b>								
Road lighting columns; assumed qty	40	nr	5,000.00	200,000.00	43,200.00	100,000.00	43,200.00	This rate is much higher than we have experienced anywhere in Kent - we would expect less than half of this rate all-in. What is assumption on quantity? Expect fewer street lights. We stand by our comment that £5,000 per column is excessive and we would query which lighting columns were required for the recently completed scheme referenced. We do not believe that such (presumably) high specification columns would be required in this area.
Feeder pillars; assumed qty at 1/5nr columns	8	nr	2,500.00	20,000.00	5,000.00	10,000.00	5,000.00	Would anticipate fewer feeder pillars. Our comment is unchanged.
				220,000.00	48,200.00	110,000.00	48,200.00	



2.0 Sawyer & Fisher Cost Comparison

Description	Sawyer & Fisher				ADCC	S&F Revised	ADCC Revised	Updated Comment
	Quantity	Unit	Rate	Total	Total		Total	
<b>Electrical work for road lighting &amp; Traffic signs (all provisional)</b>								
Trenching for street lighting including duct	700	m	50.00	35,000.00	24,500.00	35,000.00	24,500.00	Rate is at the upper level of what we would expect. Our comment is unchanged. We note that S&F have halved the quantity of streetlights but have not halved the length of cabling & trenching or the quantity of lamps and feeder pillars.
Cabling to street lighting in duct	700	m	40.00	28,000.00	Incl.	28,000.00	Incl.	Rate very high considering trenching included elsewhere (for the cabling alone we would expect closer to £6.50/m). Our comment is unchanged.
Cabling street lighting column and connection	40	nr	1,000.00	40,000.00	7,200.00	40,000.00	7,200.00	Rate is high considering the rates above. Our comment is unchanged.
Lamp to street lighting column	40	nr	500.00	20,000.00	Incl.	20,000.00	Incl.	
Connection to feeder pillar	8	nr	500.00	4,000.00	Incl.	4,000.00	Incl.	See comment above.
Allowance for electrical connection to new feeder pillar from existing supply		item		20,000.00	Incl.	20,000.00	20,000.00	We will accept this figure as an all in rate for connections and miscellaneous electrical works.
				147,000.00	31,700.00	147,000.00	51,700.00	
<b>Planting</b>								
Grass seeding to verges including raking	5,800	m²	3.00	17,400.00	2,766.00		2,766.00	
Grass seeding to roundabout including raking	400	m²	3.00	1,200.00	Incl.		Incl.	
Tree planting to verge; allowance	200	nr	350.00	70,000.00	19,305.00		19,305.00	We would anticipate fewer trees - is this a planning requirement? ADCC allowance for tree planting and general planting.
				88,600.00	22,071.00	0.00	22,071.00	

**3.0 - ADCC Construction Costs Breakdown**



3.0 ADCC Construction Costs Breakdown

Item	Description	Quantity	Unit	Rate	Total
<b>Series 100 - Preliminaries</b>					
A	General preliminaries	36	wks	14,000.00	504,000.00
B	Traffic Management	36	wks	3,500.00	126,000.00
C	TSCO	36	wks	1,750.00	63,000.00
D	Stats Co-ordinator	8	wks	3,000.00	24,000.00
E	E/O allowance for nightwork	6	wks	5,000.00	30,000.00
<b>Series 100 Carried to Summary £</b>					<b>747,000.00</b>
<b>Series 200 - Site Clearance</b>					
F	General site clearance, incl. signs and street furniture etc.	12,300	m <sup>2</sup>	1.50	18,450.00
G	Hedge clearance	250	m	20.00	5,000.00
H	Tree Clearance	2	nr	500.00	1,000.00
I	Breakout existing kerbs and remove to tip off site	440	m	15.00	6,600.00
J	Take up or down existing retaining wall and remove to tip off site		item		2,000.00
<b>Series 200 Carried to Summary £</b>					<b>33,050.00</b>
<b>Series 300 - Fencing</b>					
K	Timber post and rail fencing	300	m	25.00	7,500.00
<b>Series 300 Carried to Summary £</b>					<b>7,500.00</b>
<b>Series 500 - Drainage and Service Ducts</b>					
<u>Surface Water Carrier Drains</u>					
L	225mm dia. drain including granular bed and surround exceeding 1m deep but not exceeding 1.5m deep	130	m	100.00	13,000.00
M	225mm dia. drain including granular bed and surround exceeding 1.5m deep but not exceeding 2m deep	195	m	121.00	23,595.00
N	300mm dia. drain including granular bed and surround exceeding 1.5m deep but not exceeding 2m deep	228	m	140.00	31,920.00
O	300mm dia. drain including granular bed and surround exceeding 2m deep but not exceeding 2.5m deep	98	m	162.00	15,876.00
<b>Carried Forwards £</b>					<b>84,391.00</b>



3.0 ADCC Construction Costs Breakdown

Item	Description	Quantity	Unit	Rate	Total
Brought Forwards £					84,391.00
	<b>Series 500 - Drainage and Service Ducts Cont'd</b>				
	<u>Surface Water Manholes</u>				
A	PCC manhole including cover and frame, 1200mm dia., depth to invert exceeding 1m but n/e 2m deep	8	nr	1,500.00	12,000.00
B	PCC manhole including cover and frame, 1200mm dia., depth to invert exceeding 2m but n/e 3m deep	8	nr	1,750.00	14,000.00
	<u>Gullies and Gully Leads</u>				
C	PCC Gullies (450 x 750)	40	nr	385.00	15,400.00
D	Gully leads, 150mm dia. including concrete surround	140	m	90.00	12,600.00
E	Allowance for alterations to existing drainage		item		15,000.00
F	Allowance for raising and lowering ironwork		item		2,500.00
Series 500 Carried to Summary £					155,891.00
	<b>Series 600 - Excavation</b>				
	<u>Excavation</u>				
G	Excavation of acceptable material class 5A, 300mm thick	3,023	m³	4.50	13,603.50
H	Excavation of acceptable material excluding class 5A	4,304	m³	4.50	19,368.00
I	Excavation of unacceptable material Class U1A/U1B	227	m³	12.00	2,724.00
J	E/O for excavation in hard material	189	m³	27.00	5,103.00
	<u>Deposition of Fill</u>				
K	Deposition of acceptable material	750	m³	5.00	3,750.00
	<u>Disposal of Material</u>				
L	Disposal of acceptable material Class 5A to tip off-site	2,608	m³	28.00	73,024.00
M	Disposal of acceptable material excl. Class 5A to tip off-site	3,554	m³	28.00	99,512.00
N	Disposal of unacceptable material Class U1A/U1B	227	m³	52.00	11,804.00
	<u>Imported Material</u>				
O	Imported acceptable material Class 6F2 as fill for capping, 250mm thick	1,357	m³	40.00	54,280.00
Carried Forwards £					283,168.50



3.0 ADCC Construction Costs Breakdown

Item	Description	Quantity	Unit	Rate	Total
Brought Forwards £					283,168.50
	<b>Series 600 - Excavation Cont'd</b>				
	<u>Soft Spots and Other Voids</u>				
A	Allowance for excavating soft spots and other voids	453	m <sup>3</sup>	17.00	7,701.00
B	Allowance for filling soft spots and other voids	453	m <sup>3</sup>	34.00	15,402.00
	<u>Compaction of Fill</u>				
C	Compaction of acceptable material	750	m <sup>3</sup>	1.50	1,125.00
D	Compaction of acceptable material 6F2 in capping	1,357	m <sup>3</sup>	2.00	2,714.00
	<u>Completion of Formation and Sub-Formation</u>				
E	Completion of formation	5,429	m <sup>2</sup>	0.50	2,714.50
F	Completion of sub-formation	5,428	m <sup>2</sup>	0.50	2,714.00
G	Perforate sub-base	311	m <sup>2</sup>	4.00	1,244.00
H	Topsoiling to verges and embankments, 150mm thick	2,766	m <sup>2</sup>	2.00	5,532.00
<b>Series 600 Carried to Summary £</b>					<b>322,315.00</b>
	<b>Series 700 - Pavements</b>				
	<u>Sub-Base</u>				
I	Type 1 sub-base, 350mm thick	1,900	m <sup>3</sup>	50.00	95,000.00
J	Base course; HDM, 180mm thick	5,428	m <sup>2</sup>	45.00	244,260.00
K	Binder course; HDM, 60mm thick	5,428	m <sup>2</sup>	16.00	86,848.00
L	Surface course; Thin, 40mm thick	6,408	m <sup>2</sup>	15.00	96,120.00
M	Tie-in Detail	160	m	38.00	6,080.00
N	Cold milling, 50mm thick	980	m <sup>2</sup>	9.00	8,820.00
O	Regulating course, HDM, average depth 100mm thick	98	m <sup>3</sup>	282.00	27,636.00
P	Tack coat	980	m <sup>2</sup>	1.00	980.00
Q	Speed humps	7	nr	2,500.00	17,500.00
R	Allowance for raised table		item		7,500.00
<b>Series 700 Carried to Summary £</b>					<b>590,744.00</b>



### 3.0 ADCC Construction Costs Breakdown

Item	Description	Quantity	Unit	Rate	Total
<b>Series 1100 - Kerbs, Footways and Paved Areas</b>					
<u>Footways</u>					
A	Footway, consisting of; 150mm Type 1 sub-base, 60mm dense asphalt concrete binder, 25mm dense graded asphalt surface course	2,935	m <sup>2</sup>	37.50	110,063.00
B	Traffic Island, consisting of; 150mm Type 1 sub-base, 60mm dense asphalt concrete binder, 25mm dense graded asphalt surface course	77	m <sup>2</sup>	37.50	2,887.50
C	Tactile paving	30	m <sup>2</sup>	82.00	2,460.00
<u>Kerbs and Edgings</u>					
D	Precast concrete HB2 kerb, 125mm upstand	1,770	m	28.00	49,560.00
E	Precast concrete edging	1,285	m	16.00	20,560.00
<b>Series 1100 Carried to Summary £</b>					<b>185,530.50</b>
<b>Series 1200 - Traffic Signs and Road Markings</b>					
F	Allow for assorted signage		item		30,000.00
G	Road markings		item		5,000.00
H	Illuminated bollards	6	nr	600.00	3,600.00
I	Square timber bollards	8	nr	350.00	2,800.00
<b>Series 1200 Carried to Summary £</b>					<b>41,400.00</b>
<b>Series 1300 - Road Lighting Columns</b>					
J	8m high lighting column & cabling with LED lantern	24	nr	1,800.00	43,200.00
K	Allowance for connections and other electrical works	24	nr	300.00	7,200.00
L	Feeder pillars	2	nr	2,500.00	5,000.00
<b>Series 1300 Carried to Summary £</b>					<b>55,400.00</b>
<b>Series 1400 - Electrical Work for Road Lighting and Traffic Signs</b>					
M	Allowance for trench and duct for street lights/illuminated traffic signs	700	m	35.00	24,500.00
<b>Series 1400 Carried to Summary £</b>					<b>24,500.00</b>





3.0 ADCC Construction Costs Breakdown

Item	Description	Quantity	Unit	Rate	Total
	<b>Series 2700 - Works for Statutory Undertakers</b>				
A	Utility Diversions/Supplies		item		50,000.00
<b>Series 2700 Carried to Summary £</b>					<b>50,000.00</b>
	<b>Series 3000 - Landscape &amp; Ecology</b>				
B	Allow for seeding to verges and embankments	2,766	m <sup>2</sup>	1.00	2,766.00
C	Allow for general planting	2,341	m <sup>2</sup>	5.00	11,705.00
D	Tree Planting	20	nr	380.00	7,600.00
<b>Series 3000 Carried to Summary £</b>					<b>22,071.00</b>

**4.0 - Nash Road Closure / Priority Shift**



4.1 Priority Shift / Nash Road Closure Summary

Elemental Summary	Priority Shift	Nash Road Closure
SERIES 100 - Preliminaries	44,000.00	58,000.00
SERIES 200 - Site Clearance	12,875.00	9,500.00
SERIES 500 - Drainage and Service Ducts	6,800.00	21,700.00
SERIES 600 - Earthworks	3,492.00	6,285.00
SERIES 700 - Pavements	38,710.00	21,515.00
SERIES 1100 - Kerbs, Footways and Paved Areas	11,321.50	14,203.00
SERIES 1200 - Traffic Signs and Road Markings	10,800.00	63,500.00
SERIES 2700 - Works for Statutory Undertakers	5,000.00	10,000.00
SERIES 3000 - Landscape & Ecology	0.00	110.00
Sub Total £	132,998.50	204,813.00



4.2 Priority Shift / Nash Road Closure Breakdown

		Priority Shift				Nash Road Closure			
Item	Description	Quantity	Unit	Rate	Total	Quantity	Unit	Rate	Total
	Series 100 - Preliminaries								
A	E/O General preliminaries	4	wks	2,500.00	10,000.00	8	wks	2,500.00	20,000.00
B	Traffic Management	4	wks	3,500.00	14,000.00	8	wks	3,500.00	28,000.00
C	E/O allowance for nightwork	2	wks	5,000.00	10,000.00	2	wks	5,000.00	10,000.00
D	Accommodation Works to the school		item		10,000.00		item		0.00
Series 100 Carried to Summary £					44,000.00				58,000.00
	Series 200 - Site Clearance								
E	General site clearance, incl. signs and street furniture etc.	1,100	m²	10.00	11,000.00	700	m²	10.00	7,000.00
F	Breakout existing kerbs and remove to tip off site	125	m	15.00	1,875.00	150	m	15.00	2,250.00
G	Take up or down existing Pedestrian Guardrail and remove to tip off-site	0	m	25.00	0.00	10	m	25.00	250.00
Series 200 Carried to Summary £					12,875.00				9,500.00
	Series 500 - Drainage and Service Ducts								
	Gullies and Gully Leads								
H	PCC Gullies (450 x 750)	4	nr	385.00	1,540.00	6	nr	385.00	2,310.00
I	Gully leads, 150mm dia. including concrete surround	14	m	90.00	1,260.00	21	m	90.00	1,890.00
J	Allowance for alterations to existing drainage		item		2,500.00		item		15,000.00
K	Allowance for raising and lowering ironwork		item		1,500.00		item		2,500.00
Series 500 Carried to Summary £					6,800.00				21,700.00
	Series 600 - Excavation								
	Excavation								
L	Excavation of acceptable material class 5A, 300mm thick	0	m³	4.50	0.00	4	m³	4.50	18.00
M	Excavation of acceptable material excluding class 5A	62	m³	4.50	279.00	112	m³	4.50	504.00
N	Excavation of unacceptable material Class U1A/U1B	3	m³	12.00	36.00	6	m³	12.00	72.00
O	E/O for excavation in hard material	26	m³	27.00	702.00	38	m³	27.00	1,026.00
	Deposition of Fill								
P	Deposition of acceptable material	13	m³	5.00	65.00	20	m³	5.00	100.00
	Disposal of Material								
Q	Disposal of acceptable material Class 5A to tip off-site	0	m³	28.00	0.00	1	m³	28.00	28.00
R	Disposal of acceptable material excl. Class 5A to tip off-site	49	m³	28.00	1,372.00	92	m³	28.00	2,576.00
S	Disposal of unacceptable material Class U1A/U1B	3	m³	52.00	156.00	6	m³	52.00	312.00
	Imported Material								
T	Imported acceptable material Class 6F2 as fill for capping, 250mm thick	11	m³	40.00	440.00	21	m³	40.00	840.00
	Soft Spots and Other Voids								
U	Allowance for excavating soft spots and other voids	7	m³	17.00	119.00	12	m³	17.00	204.00
V	Allowance for filling soft spots and other voids	7	m³	34.00	238.00	12	m³	34.00	408.00
		Carried Forwards £			3,407.00	Carried Forwards £			6,088.00



4.2 Priority Shift / Nash Road Closure Breakdown

Item	Description	Priority Shift				Nash Road Closure			
		Quantity	Unit	Rate	Total	Quantity	Unit	Rate	Total
		Brought Forwards £			3,407.00	Brought Forwards £			6,088.00
	<b>Series 600 - Excavation Cont'd</b>								
	<u>Compaction of Fill</u>								
A	Compaction of acceptable material	13	m <sup>3</sup>	1.50	19.50	20	m <sup>3</sup>	1.50	30.00
B	Compaction of acceptable material 6F2 in capping	11	m <sup>3</sup>	2.00	22.00	21	m <sup>3</sup>	2.00	42.00
	<u>Completion of Formation and Sub-Formation</u>								
C	Completion of formation	43	m <sup>2</sup>	0.50	21.50	86	m <sup>2</sup>	0.50	43.00
D	Completion of sub-formation	44	m <sup>2</sup>	0.50	22.00	84	m <sup>2</sup>	0.50	42.00
E	Topsoiling to verges and embankments, 150mm thick	0	m <sup>2</sup>	2.00	0.00	20	m <sup>2</sup>	2.00	40.00
<b>Series 600 Carried to Summary £</b>					<b>3,492.00</b>				<b>6,285.00</b>
	<b>Series 700 - Pavements</b>								
	<u>Sub-Base</u>								
F	Type 1 sub-base, 350mm thick	15	m <sup>3</sup>	50.00	750.00	30	m <sup>3</sup>	50.00	1,500.00
G	Base course; HDM, 180mm thick	42	m <sup>2</sup>	45.00	1,890.00	85	m <sup>2</sup>	45.00	3,825.00
H	Binder course; HDM, 60mm thick	42	m <sup>2</sup>	16.00	672.00	85	m <sup>2</sup>	16.00	1,360.00
I	Surface course; Thin, 40mm thick	762	m <sup>2</sup>	15.00	11,430.00	350	m <sup>2</sup>	15.00	5,250.00
J	Tie-in Detail	72	m	38.00	2,736.00	58	m	38.00	2,204.00
	<u>High Friction Surfacing</u>								
K	High friction surfacing	80	m <sup>2</sup>	22.00	1,760.00	0	m <sup>2</sup>	22.00	0.00
	<u>Cold Milling</u>								
L	Cold milling, 70mm thick	200	m <sup>2</sup>	10.60	2,120.00	100	m <sup>2</sup>	10.60	1,060.00
M	Cold milling, 50mm thick	720	m <sup>2</sup>	9.00	6,480.00	265	m <sup>2</sup>	9.00	2,385.00
N	Regulating course, HDM, average depth 50mm thick	36	m <sup>3</sup>	282.00	10,152.00	13	m <sup>3</sup>	282.00	3,666.00
O	Tack coat	720	m <sup>2</sup>	1.00	720.00	265	m <sup>2</sup>	1.00	265.00
<b>Series 700 Carried to Summary £</b>					<b>38,710.00</b>				<b>21,515.00</b>
	<b>Series 1100 - Kerbs, Footways and Paved Areas</b>								
	<u>Footways</u>								
P	Footway, consisting of; 150mm Type 1 sub-base, 60mm dense asphalt concrete binder, 25mm dense graded asphalt surface course	69	m <sup>2</sup>	37.50	2,588.00	106	m <sup>2</sup>	37.50	3,975.00
Q	Traffic Island, consisting of; 230mm Type 1 sub-base, 60mm dense asphalt concrete binder, 25mm dense graded asphalt surface course	5	m <sup>2</sup>	37.50	187.50	0	m <sup>2</sup>	37.50	0.00
R	Footway resurfacing, consisting of; 50mm dense asphalt concrete binder, 20mm dense graded asphalt surface course	200	m <sup>2</sup>	24.00	4,800.00	100	m <sup>2</sup>	24.00	2,400.00
S	Tactile paving	3	m <sup>2</sup>	82.00	246.00	34	m <sup>2</sup>	82.00	2,788.00
	<u>Kerbs and Edgings</u>								
T	Precast concrete HB2 kerb, 125mm upstand	125	m	28.00	3,500.00	180	m	28.00	5,040.00
<b>Series 1100 Carried to Summary £</b>					<b>11,321.50</b>				<b>14,203.00</b>



4.2 Priority Shift / Nash Road Closure Breakdown

		Priority Shift				Nash Road Closure			
Item	Description	Quantity	Unit	Rate	Total	Quantity	Unit	Rate	Total
	Series 1200 - Traffic Signs and Road Markings								
A	Allow for assorted signage		item		5,000.00		item		10,000.00
B	Road markings		item		2,500.00		item		2,500.00
C	Burn off road markings		item		1,000.00		item		1,000.00
D	Traffic signals (Proposed crossing point)		item		0.00		item		30,000.00
E	Allowance for alterations of traffic signals		item		0.00		item		20,000.00
F	Illuminated bollards	2	nr	600.00	1,200.00	0	nr	600.00	0.00
G	Refuge beacons	1	nr	1,100.00	1,100.00	0	nr	1,100.00	0.00
Series 1200 Carried to Summary £					10,800.00				63,500.00
	Series 2700 - Works for Statutory Undertakers								
H	Utility Diversions		item		5,000.00		item		10,000.00
Series 2700 Carried to Summary £					5,000.00				10,000.00
	Series 3000 - Landscape & Ecology								
I	Allow for seeding to verges and embankments	0	m²	0.50	0.00	20	m²	0.50	10.00
J	Allow for general planting	0	m²	5.00	0.00	20	m²	5.00	100.00
</									

Land fronting Manston Rd and Nash Rd, Margate  
Viability Appraisal - Proposed Scheme 18% AH  
F4

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Mixed Affordable Housing at 70/30 Split  
Surplus (if any) available for other S106 costs  
Version F

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**APPRAISAL SUMMARY**

**Land fronting Manston Rd and Nash Rd, Margate  
Viability Appraisal - Proposed Scheme 18% AH**

**Summary Appraisal for Phase 1**

Currency in £

**REVENUE**

<b>Sales Valuation</b>	<b>Units</b>	<b>ft²</b>	<b>Rate ft²</b>	<b>Unit Price</b>	<b>Gross Sales</b>
1b Private Apartment	11	5,775	283.00	148,575	1,634,325
1b Affordable Rent Apartment	3	1,575	155.65	81,716	245,149
1b Shared Ownership Apartment	1	525	198.10	104,003	104,003
2b Private Apartment	26	18,200	283.00	198,100	5,150,600
2b Affordable Rent Apartment	3	2,100	155.65	108,955	326,865
2b Shared Ownership Apartment	1	700	198.10	138,670	138,670
2b Private House	50	37,500	283.00	212,250	10,612,500
2b Affordable Rent House	8	6,000	155.65	116,738	933,900
2b Shared Ownership House	7	5,250	198.10	148,575	1,040,025
3b Private House	73	73,000	283.00	283,000	20,659,000
3b Private House Blighted	19	19,000	283.00	283,000	5,377,000
3b Affordable Rent House	9	9,000	155.65	155,650	1,400,850
3b Affordable Rent House Blighted	5	5,000	155.65	155,650	778,250
3b Shared Ownership House	3	3,000	198.10	198,100	594,300
3b Shared Ownership House Blighted	1	1,000	198.10	198,100	198,100
4b Private House	26	32,500	283.00	353,750	9,197,500
4b Affordable Rent House	3	3,750	154.00	192,500	577,500
4b Shared Ownership House	1	1,250	198.10	247,625	247,625
<b>Totals</b>	<b>250</b>	<b>225,125</b>			<b>59,216,161</b>

**NET REALISATION**

**59,216,161**

**OUTLAY**

**ACQUISITION COSTS**

Benchmark Land Value (23.00 Acres 135,000.00 pAcre)	3,105,000	3,105,000
Stamp Duty	144,750	
Agent Fee	1.00% 31,050	
Legal Fee	0.35% 10,867	
		186,667

**CONSTRUCTION COSTS**

<b>Construction</b>	<b>ft²</b>	<b>Rate ft²</b>	<b>Cost</b>
1b Private Apartment	5,775 ft²	152.00 pf²	877,800
1b Affordable Rent Apartment	1,575 ft²	152.00 pf²	239,400
1b Shared Ownership Apartment	525 ft²	152.00 pf²	79,800
2b Private Apartment	18,200 ft²	152.00 pf²	2,766,400
2b Affordable Rent Apartment	2,100 ft²	152.00 pf²	319,200
2b Shared Ownership Apartment	700 ft²	152.00 pf²	106,400
2b Private House	37,500 ft²	128.00 pf²	4,800,000
2b Affordable Rent House	6,000 ft²	128.00 pf²	768,000
2b Shared Ownership House	5,250 ft²	128.00 pf²	672,000
3b Private House	73,000 ft²	128.00 pf²	9,344,000
3b Private House Blighted	19,000 ft²	128.00 pf²	2,432,000
3b Affordable Rent House	9,000 ft²	128.00 pf²	1,152,000
3b Affordable Rent House Blighted	5,000 ft²	128.00 pf²	640,000
3b Shared Ownership House	3,000 ft²	128.00 pf²	384,000
3b Shared Ownership House Blighted	1,000 ft²	128.00 pf²	128,000
4b Private House	32,500 ft²	128.00 pf²	4,160,000
4b Affordable Rent House	3,750 ft²	128.00 pf²	480,000
4b Shared Ownership House	1,250 ft²	128.00 pf²	160,000
<b>Totals</b>	<b>225,125 ft²</b>		<b>29,509,000</b>

Contingency	5.00%	1,623,019
External & Site Works	13.11 pf²	2,951,389
S106 Costs		738,971
		5,313,379

**Other Construction**

Manston Road Roundabout	1	
Nash Road Highways Works	1	
Manston Road Priority Shift	1	
Abnormal Link Road Upgrade	1	
Arterial Road and off site highways	3,820,469	
		3,820,473



**APPRAISAL SUMMARY**

**Land fronting Manston Rd and Nash Rd, Margate  
Viability Appraisal - Proposed Scheme 18% AH**

**PROFESSIONAL FEES**

All Fees	10.00%	3,246,039	3,246,039
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**MARKETING & LETTING**

Marketing	1.00%	526,309	526,309
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**DISPOSAL FEES**

Sales Agent Fee	1.00%	526,309	
Affordable Housing Sales Package	1.00%	65,852	
Sales Legal Fee	205 un 750.00 /un	153,750	745,912

**MISCELLANEOUS FEES**

Profit on Private Units	20.00%	10,526,185	
Profit on Affordable Units	6.00%	139,363	10,665,548

**FINANCE**

Debit Rate 6.500%, Credit Rate 1.500% (Nominal)			
Land		1,745,497	
Construction		569,771	
Other		10,187	
Total Finance Cost			2,325,455

**TOTAL COSTS**

**59,443,782**

**PROFIT**

**(227,621)**

**Performance Measures**

Profit on Cost%	(0.38)%
Profit on GDV%	(0.38)%
Profit on NDV%	(0.38)%

IRR	5.39%
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Profit Erosion (finance rate 6.500%)	N/A
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**TIMESCALE AND PHASING GRAPH REPORT**

Land fronting Manston Rd and Nash Rd, Margate  
Viability Appraisal - Proposed Scheme 18% AH

**Project Timescale Summary**

Project Start Date	Oct 2017
Project End Date	Nov 2024
Project Duration (Inc Exit Period)	86 months

Phase Phase 1

	Start Date	Duration	End Date	Oct 17	Oct 22
<b>Project</b>	Oct 2017	86 Month(s)	Nov 2024		
Purchase	Oct 2017	0 Month(s)			
Pre-Construction	Oct 2017	6 Month(s)	Mar 2018		
Construction	Apr 2018	77 Month(s)	Aug 2024		
Post Development	Sep 2024	0 Month(s)			
Letting	Sep 2024	0 Month(s)			
Income Flow	Sep 2024	0 Month(s)			
Sale	Apr 2019	68 Month(s)	Nov 2024		
Cash Activity	Oct 2017	86 Month(s)	Nov 2024		
				1	61



## Habitat Regulation Assessment (HRA) Screening Matrix and Appropriate Assessment (AA) Statement for recreational disturbance

IMPORTANT NOTE: Undertaking the HRA process is the responsibility of the decision maker as the Competent Authority for the purpose of the Habitats Regulations. However, it is the responsibility of the applicant to provide the Competent Authority with the information required to complete this process.

<b>Application reference:</b>	OL/TH/16/1765
<b>Application address:</b>	Nash Road/Manston Road
<b>Application description:</b>	Outline application for residential development of up to 250 dwellings and alterations to the surrounding highway network, including details of Access with all other matters reserved (Appearance, Landscaping, Layout, Scale)
<b>Lead Planning Officer:</b>	Iain Livingstone
<b>HRA Date:</b>	22.06.2020

### Part 1 – Details of the plan or project

<b>European site or sites potentially impacted by planning application, plan or project:</b>	Thanet Coast and Sandwich Bay SPA and Ramsar site
<b>Is the planning application directly connected to the management of the site?</b>	No

### Part 2 – HRA Screening Assessment

**Screening under Regulation 63(1)(a) of the Habitats Regulations – The Applicant should provide evidence to allow a judgement to be made as to whether there could be any potential significant impacts of the development on the integrity of the SPA / Ramsar site.**

#### Thanet Coast and Sandwich Bay SPA / Ramsar site

The Thanet Coast and Sandwich Bay Special Protection Area (SPA) is classified in accordance with the European Birds Directive which requires Member States to classify sites that are important for bird species listed on Annex 1 of the European Directive, which are rare and / or vulnerable in a European context, and also sites that form a critically important network for birds on migration. The site is also listed as a Wetland of International Importance under the Ramsar Convention (Ramsar Site). For clarity, and the purpose of this assessment, 'European Sites' refers to both the SPA and Ramsar Site.

The Thanet Coast and Sandwich Bay SPA is used by large numbers of migratory birds. The site qualifies under Article 4.2 of the Birds Directive through supporting populations of European importance over-wintering Turnstone (*Arenaria interpres*) and European Golden Plover (*Pluvialis apricaria*). Research conducted in 2013 and 2014 found a drop in Turnstone numbers when compared to previous surveys. There is a body of evidence that supports recreational activity causing the disturbance of birds. In particular walking with dogs, predominantly in the intertidal area, close to roosts at high tide and with dogs off leads, are the most common disturbance stimuli. It is also this

recreational activity which occurs in the highest volume and which is most likely to increase with increased housing.

Therefore impacts of recreational disturbance can be such that they affect the status and distribution of key bird species and therefore act against the stated conservation objectives of the European sites.

A 7.2km Zone of Influence has been identified to establish which future housing sites are likely to contribute to this recreational impact from a number of visitor surveys carried out since 2011. The proposed development is located within this Zone of Influence.

Following the CJEU ruling, avoidance or mitigation measures cannot be taken into account as part of the application at this stage of the HRA, and must be considered under an Appropriate Assessment stage of the HRA in part 3 of this document.

<b>Are there any other plans or projects that together with the planning application being assessed could result in a likely significant effect on the site when considered in-combination?</b>	Yes. All new dwellings built within 7.2km of the Thanet Coast and Sandwich Bay SPA and Ramsar Site, or other developments that could lead to an increased recreational pressure, could combine to have a likely significant effect on the SPA and Ramsar site.
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**Would the proposal lead to a likely significant effect on the European sites, without mitigation measures either alone or in-combination? YES / NO (if yes, continue to part 3)**

### Part 3 – Appropriate Assessment

**Appropriate Assessment under Regulation 63(1) – if there are any potential significant impacts, the Applicant must provide evidence showing avoidance and/or mitigation measures to allow an Assessment to be made. The Applicant must also provide details which demonstrate any long-term management, maintenance and funding of any solution.**

The project being assessed would result in a net increase of dwellings within the Thanet Coast and Sandwich Bay SPA and Ramsar site Zone of Influence. In line with Policy SP25 and SP26 of the Draft Local Plan 2018, based upon the best available evidence a permanent likely significant effect on the SPA and Ramsar Site due to increased recreational disturbance as a result of the new development, is likely to occur. As such, in order to avoid and mitigate for an adverse effect on the integrity of the SPA and Ramsar Site, the development will need to include a package of avoidance and mitigation measures.

#### Strategic Access, Management and Monitoring Plan for the Thanet Coast and Sandwich Bay SPA/Ramsar

The District Council has produced a Strategic Access, Management and Monitoring Plan for the Thanet Coast and Sandwich Bay SPA and Ramsar Site that will be applied to development within the identified Zone of Influence. Elements within the Plan are:

- Ongoing monitoring and surveys of the site, particularly with regard to visitors and bird numbers, which will be linked to the wardening programme;
- Wardening of the Thanet Coast and Sandwich Bay SPA and Ramsar Site;
- Signage and interpretation;
- Increased education.

The suite of strategic mitigation measures are being delivered through the Thanet Coast project, run by Thanet District Council working in partnership with conservation organisations in East Kent, to ensure that development, considered in-combination, does not have an adverse effect on the integrity of the European site. A per-dwelling tariff has been calculated using the total cost of delivering the mitigation measures in-perpetuity and the planned number of additional dwellings expected to be built in Thanet District.

Natural England has worked with the North-East Kent Local Planning Authorities to support them in preparing the SAMM Plan and the underpinning evidence base. Natural England agree that the mitigation measures to ensure additional impacts from recreational disturbance to the SPA and

Ramsar Site are ecologically sound. As such, the Applicant does not need to provide their own evidence base on these aspects. Evidence must be submitted showing that a mitigation contribution payment has either:

- Been made to the District Council to fund the access and monitoring measures through a Unilateral Undertaking
- Or will be made through a s106 agreement where Heads of Terms have been agreed and the agreement will be signed prior to any permission being granted.

In addition, a condition will be placed on the application to require the provision of open space on the site no smaller than that should on the indicative plan no.P001B for recreational use by residents of the development.

### Part 4 – Summary of the Appropriate Assessment - To be carried out by the Competent Authority (the local planning authority) in liaison with Natural England

Having considered the proposed mitigation and avoidance measures to be provided in-perpetuity through the secured contribution to the access and monitoring measures, Thanet District Council concluded that with mitigation, the project will have no adverse effect on the integrity of the European protected site.

Having made this appropriate assessment of the implications of the project for the site in view of that site's conservation objectives, and having consulted Natural England and fully considered any representation received (see below), the authority may now agree to the project under regulation 63 of the Conservation of Habitats and Species Regulations 2017.

#### Natural England:

#### Summary of Natural England's comments:

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