

Date: 21 September 2020
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PLANNING COMMITTEE

30 SEPTEMBER 2020

A meeting of the Planning Committee will be held at **2.00 pm on Wednesday, 30 September 2020** online.

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 MEETING** (Pages 5 - 10)

To approve the Minutes of the Planning Committee meeting held on 2 September 2020, copy attached.

4. **SCHEDULE OF PLANNING APPLICATIONS** (Pages 11 - 14)

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 - FH/TH/20/0939 - 75 ROYAL ESPLANADE, MARGATE** (Pages 15 - 22)

For Deferral

Item
No

Subject

4b D02 - F/TH/19/1465 - 6 NORTH FORELAND ROAD, BROADSTAIRS (Pages
23 - 50)



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 3

Planning Committee

Minutes of the meeting held on 2 September 2020 at 2.00 pm in Online Only.

Present: Councillor Michael Tomlinson (Chairman); Councillors Coleman-Cooke, Albon, J Bayford, Currie, Garner, Hart, Pat Moore, Paul Moore and Wright

629. APOLOGIES FOR ABSENCE

Apologies were received from Councillor Dennis, Duckworth, Keen, Taylor and Scott, for whom Councillor Paul Moore was present.

630. DECLARATIONS OF INTEREST

There were no declarations of interest.

631. MINUTES OF PREVIOUS MEETING

Councillor Albon proposed, the Vice Chairman seconded and Members AGREED that the minutes of the Planning Committee held on 5 August 2020 be approved and signed by the Chairman.

632. SCHEDULE OF PLANNING APPLICATIONS

633. A01 - F/TH/20/0426 - 15 APPROACH ROAD MARGATE CT9 2AN

PROPOSAL: Change of use from 1No. 5 bed dwelling into 3No. 2-bed self contained flats and 2No. 1 bed self-contained flats, together with erection of single storey rear extension, 2No. dormer windows to the north west roofslope, alterations to fenestration, formation of vehicular access and associated landscaping and external works

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

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

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

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

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

GROUND:

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

2 The proposed development shall be carried out in accordance with the submitted application as amended by the revised drawings numbered 20/2508/PL/04 Rev A, 20/2508/PL/05 Rev A, 20/2508/PL/06 Rev A received 03 July 2020 and 20/2508/PL/08 Rev B and 20/2508/PL/09 Rev A received 21 August 2020.

GROUND;

To secure the proper development of the area.

3 The cheeks of the 2No. Dormers hereby approved shall be finished in cladding of a similar colour, texture and finish to the existing roof tiles as confirmed in the email correspondence received from the agent dated 20 July 2020.

GROUND

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

4 The external materials and external finished to be used in the single storey rear extension and altered existing extension hereby approved shall be of the same colour, finish and texture as those on the existing property.

GROUND

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

5 Prior to the construction of the cycle and refuse store, details of this store including elevational plans and details of the materials to be used shall be submitted to, and approved in writing by, the Local Planning Authority. Development shall be carried out in accordance with the approved details 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.

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

- o species, size and location of new trees, shrubs, hedges and grassed areas to be planted.
- o the treatment proposed for all hard surfaced areas beyond the limits of the highway. This shall include block paving to the hard standing to provide off street parking to the rear of the site hereby approved, with an alternative colour/finish to the pathway to the refuse and cycle store, as agreed in the email correspondence received from the agent dated 20 July 2020.
- 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 the dwelling hereby approved. 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 Policy QD02 of the Thanet Local Plan.

7 The refuse storage and cycle storage facilitates as specified upon the approved drawing numbered 20/2508/PL/08 Rev B received 21 August shall be provided prior to the first occupation of the 5No. Self-contained flats hereby approved and shall be kept available for that use at all times.

GROUND

To safeguard the residential amenities currently enjoyed by the occupiers of nearby residential properties and provide a satisfactory standard of development for future occupiers in accordance with Policy QD03 of the Thanet Local Plan.

8 The areas shown on the approved plan numbered 20/2508/PL/08 Rev B received 21 August 2020 for vehicle parking and manoeuvring, 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 5No. self-contained flats hereby approved.

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 Policies QD03 and TP06 of the Thanet Local Plan.

9 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
- (h) Access arrangements

GROUND

In the interests of highway safety and neighbouring amenity, in accordance with Policy QD03 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, in accordance with the advice contained within the NPPF.

11 Prior to the first occupation of the 5No. self-contained flats hereby approved, the vehicular access and associated vehicle crossing point onto the highway, as shown on the approved plan numbered 20/2508/PL/08 Rev B received 21 August 2020 should be completed and made operational.

GROUND

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

12 Prior to the first occupation of the 5No. Self-contained flats hereby approved 2m visibility splays, either side of the access, with no obstructions over 0.6m above footway level, as shown on the approved plan numbered 20/2508/PL/08 Rev B received 21 August 2020, shall be provided and thereafter maintained.

GROUND

In the interest of highway safety in accordance with the advice contained within the NPPF.”

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

634. A02 - FH/TH/20/0618 - FALCONS CREST EPPLE BAY AVENUE BIRCHINGTON CT7 9HT

PROPOSAL: Alterations to roof form from hip and gable to barn hip, erection of front dormer and resizing of existing two front dormers, erection of pitched roof over existing garage, erection of single storey side and rear extensions with associated balcony, excavation works for the formation of indoor pool, together with alterations and enlargement of existing rear dormer, insertion of windows to western elevation, insertion of solar panel to western elevation and alterations to fenestration

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

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

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

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

GROUND:

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

2 The development hereby approved shall be carried out in accordance with the submitted drawings numbered Falcon-004 and Falcon-010 received 20/07/2020, and Falcon 003, Falcon-007 and Falcon-009 received 06/08/2020.

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 watching brief to be undertaken by an archaeologist approved by the Local Planning Authority so that the excavation is observed and items of interest and finds are recorded. The watching brief shall be in accordance with a written programme and specification which has first been submitted to and approved by the Local Planning Authority. The works shall thereafter be carried out in accordance with the agreed programme.

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

4 The external materials and external finishes to be used in the roof alterations and the front and rear dormers hereby approved shall be of the same colour, finish and texture as those on the existing property.

GROUND;

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

5 The external materials and external finishes to be used in the single storey side extension to the western flank hereby approved shall be of the same colour, finish and texture as those on the existing property.

GROUND;

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

6 The windows to be provided in the eastern elevation of the ground floor flank projection adjacent to No. 35 Epple Bay A hereby approved shall be provided and maintained with a cill height of not less than 1.73 metres above the finished internal floor level.

GROUND

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

The motion was put to the vote and declared CARRIED.

Meeting concluded : 2.55pm

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THANET DISTRICT COUNCIL

PLANNING COMMITTEE

30 September 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 and via the Council's website)

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:21st September 2020

THANET DISTRICT COUNCIL

REPORT OF THE DEPUTY CHIEF EXECUTIVE

PART A

TO: THE PLANNING COMMITTEE

DATE: 30 September 2020

Application Number	Address and Details	Recommendation
A01 FH/TH/20/0939	75 Royal Esplanade MARGATE Kent CT9 5ET Erection of two storey rear extension following the demolition of existing single storey rear extension Ward: Westbrook	Approve

THANET DISTRICT COUNCIL

REPORT OF THE DEPUTY CHIEF EXECUTIVE

PART C

TO: THE PLANNING COMMITTEE

DATE: 30 September 2020

Application Number	Address and Details	Recommendation
D02 F/TH/19/1465	6 North Foreland Road BROADSTAIRS Kent CT10 3NJ	Defer & Delegate
MAJOR	Erection of 5No part 3-storey part 4-storey buildings (including basement parking) to provide 34No. 2-bed self contained flats, with associated landscaping and access. Ward: Kingsgate	

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A01

FH/TH/20/0939

PROPOSAL: Erection of two storey rear extension following the demolition of existing single storey rear extension

LOCATION: 75 Royal Esplanade MARGATE Kent CT9 5ET

WARD: Westbrook

AGENT: No agent

APPLICANT: Mr Chris Hatcher

RECOMMENDATION: Approve

Subject to the following conditions:

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

GROUND:

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

2 The development hereby approved shall be carried out in accordance with the submitted drawing entitled 'detailed Plans of a Proposed Rear Face 2 x storey extension' and Block Plan received 31 July 2020.

GROUND:

To secure the proper development of the area.

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

GROUND

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

INFORMATIVES

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

SITE, LOCATION AND DESCRIPTION

The application site is a detached dwelling fronting Royal Esplanade and is located within the urban confines of Margate in a wholly residential area. Properties along this section of Royal Esplanade are substantial sized dwellings with a variety of architectural styles, set back from the highway, with low level boundary walls to the front boundary. The dwelling to the north occupies a double width plot which provides a significant open space between properties, over which the side elevation of the application site can be seen from the public highway.

PROPOSED DEVELOPMENT

The application seeks planning permission for the erection of a two storey rear extension following the demolition of the existing single storey rear extension. The first floor extension would have a pitched roof with tiles to match the main roof and the wider ground floor extension would be finished with a mono pitched roof with rooflights. The external brickwork finish would match those used on the main dwelling. On the first floor the extension would enlarge the existing bedroom and include a window within the eastern and southern elevations. At ground floor level bi-folding windows and doors would be installed on the eastern and southern elevations, including the rear wall following the removal of the existing single storey extension.

PLANNING POLICIES

Thanet Local Plan 2020

QD02 - General Design Principles

QD03 - Living Conditions

NOTIFICATIONS

Neighbours have been notified and a site notice posted and one representation has been received mainly concerned that the extension would compromise future development proposals within the neighbouring garden.

Concerns raised include:

- The bulk and massing of the proposed extension will have an overbearing and harmful effect when viewed from the proposed house and garden of No.74, particularly taking account of the higher ground level of No. 75.
- Whilst two storey side extensions are not uncommon in the locality, two storey rear extensions have not been permitted in this part of Royal Esplanade.
- The extension is detrimental to and out of character with the surrounding area.
- Overshadowing and loss of light - Due to the bulk and height of the proposed extension, there is a detrimental effect in terms of blocking daylight from the rear windows of proposed No.74, particularly the nearest ground floor window.

COMMENTS

The application is brought to Planning Committee, as the applicant is related to an employee of Thanet District Council. The main consideration for Members to assess are the impact of the development on the character and appearance of the area and impact on neighbouring amenity.

Character and Appearance

The area is predominantly characterised by two storey dwellings fronting Royal Esplanade. The proposed development would be located to the rear of the property which, due to the double width neighbouring plot, the flank facing elevation of the extension would be visible from the public highway, across the garden.

Thanet Local Plan policy QD02 relates to general design principles and supports development that relates to surrounding development, is well designed, respects and enhances the character of the area paying particular attention to context and identity of its location, scale, massing, rhythm, density, layout and use of materials appropriate to the locality. The development itself must be compatible with neighbouring buildings and spaces and be inclusive in its design for all users. This policy is supported by paragraph 127 of the NPPF which states that decisions should ensure that development will function well and add to the overall quality of the area, and paragraph 130 which states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. Consideration therefore needs to be given as to whether the scale and design of the extension would fail to respect the main dwelling, or be out of keeping or harmful to the character and appearance of the area in terms of its relationship with neighbouring buildings and spaces in line with the aims of the above policies.

With regards to the siting of the extension it is not proposed to build the extension close to the side boundary and therefore the existing space to the boundary would be maintained. The extension would project approximately 4.8 metres from the rear elevation of the property, with the eaves height matching the existing dwelling, with the ridge set down approximately 1 metre from the ridge of the main dwelling. The extension, at ground floor, would have a width of approximately 6 metres, reducing to a width of approximately 3.3 metres at first floor level. The external surfaces of the extension would be finished with red facing brick to match the bricks used in the main dwelling and the pitched roof would be finished with brown coloured roof tiles to match those of the main roof. Extensions located to the rear of dwellings would not normally be easily visible from the public realm due to the screening afforded by neighbouring properties. However, in this instance the neighbouring property, No.73, has a double width plot which allows the side elevation of the application site to be visible from the street. The existing side elevation of the property is mostly screened by trees within the garden of the neighbouring site and vegetation on the common boundary above the timber fencing. The proposed extension would add a further 4.8 metres of wall to the depth of the property which would continue flush along the side elevation. Whilst the extension would make the dwelling appear deeper the extension would be set back approximately 21 metres from the front boundary with Royal Esplanade and together with the curve of the highway, any views of the extension would be relatively fleeting.

It is not unusual for two storey extensions to be located to the rear of residential properties and in this instance whilst the extension is fairly deep the ridge would be set down from the ridge of the main roof, giving it a subservient appearance to the main dwelling. The addition of a pitched roof and matching materials would enable the extension to respect the design of the main dwelling, and given its setback location it would not appear overly prominent within the streetscene.

There is currently a planning application submitted for the erection of a two storey dwelling within the neighbouring garden of No.73. Whilst this planning application has not yet been decided the presence of a two storey dwelling would further screen views of the proposed extension from the public highway.

The single storey element would not be immediately visible from the public realm and the removal of the existing single storey extension would have little visible impact on the wider character and appearance of the area.

The scale, design and location of the proposed extension is considered to respect the main dwelling and would not appear unduly out of keeping within the streetscene, meeting the aims of Thanet Local Plan Policy QD02 and the NPPF.

Living Conditions

The existing 5.3 metre deep single storey extension, close to the boundary with No.76, is to be removed and bi-folding doors inserted within the rear elevation. The proposed extension would be part single storey and part two storey. The ground floor part of the extension would extend approximately 4.8 metres from the rear elevation, with a width of approximately 6 metres, with the first floor extension having a width of approximately 3.3 metres. The single storey extension would be finished with a mono pitched roof, with three rooflights and include bi-folding doors and windows on the southern elevation, approximately 5 metres from the side boundary with No.76. The windows at ground floor within the rear (eastern) elevation, would be approximately 8.5 metres from the rear common boundary with properties fronting Tyson Avenue. The extension at first floor level would extend the bedroom and include a window within the eastern and southern elevations. There are no windows proposed within the northern elevation, facing No.73. With regards to the potential for overlooking or loss of privacy to neighbouring residential occupiers the ground floor windows would face onto the boundary surrounding the rear garden and would not result in unacceptable overlooking or loss of privacy above the mutual overlooking that is often found between adjoining gardens.

At first floor level the rear facing window would look towards the rear gardens of properties fronting Tyson Avenue. This window would be closer to the common boundary than the existing bedroom window, reducing the distance to the rear boundary to approximately 8.5 metres. The overall distance from the window to the rear elevation of No.15 Tyson Avenue (the nearest property to the rear) is approximately 22.5 metres). Views towards properties to the rear are currently screened by mature trees and other vegetation and from the first floor windows it is fairly difficult to gain views of the rear elevations of these properties, or to gain views into neighbouring gardens. If the vegetation were to die back or be removed in the future, due to the separation distance, it is unlikely that views from the proposed first floor

window would result in unacceptable overlooking or loss of privacy to neighbouring residential occupiers of properties to the rear over and above the mutual overlooking that is often found between adjoining gardens.

The first floor window facing towards the boundary with No.76 (southern elevation) would look towards the flat roof of the 5 metre wide extension on the boundary. The first 5 metres beyond the rear elevation of a dwellinghouse is normally viewed as the private amenity space within residential gardens. Looking towards the neighbouring property from the first floor bedroom window it is possible to look onto the flat roof but not into the private amenity space beyond due to the width and depth of the extension which provides screening to this area. Beyond the neighbouring extension there is more than 20 metres to the common boundary between No.76 and No.77 and over this distance it is unlikely that unacceptable overlooking or loss of privacy into private amenity space would occur.

The application site is at a slightly higher land level to the neighbouring site of No.73 to the north. Concern has been raised that the two storey height and depth of the extension would adversely impact upon the amenities of future occupiers of a dwelling which the neighbour is looking to build within their garden. The neighbour has described in detail how the proposed extension would result in overshadowing and loss of outlook from the rear windows of the proposed dwelling and in particular the loss of natural daylight during particular parts of the year. Material considerations can, amongst other things, include overlooking/loss of privacy, loss of light or overshadowing but this would only be relevant where there is extant planning permission that has a realistic expectation of being constructed in a timely manner. In this regard the neighbour has referred to a 1972 planning application (Reference ES/1/63/144A) that was refused for a bungalow to be built within the garden. No further planning applications have been received to build on this site until the Outline planning application, submitted on 28 August 2020, for the erection of a two storey dwelling. This application is currently being considered through the outline planning application reference OL/TH/20/1142.

Given that the neighbouring planning application has been submitted in outline form only, with the layout and design reserved for future consideration, it would not be reasonable to consider the impact upon this pending application at this time, as if permitted the future reserved matters application could be designed to take into account the positioning of the proposed rear extension. The proposed extension must be considered on its own merits and the existing relationship.

It is therefore considered that the proposed development would not result in significant adverse impacts to the living conditions of neighbouring property occupiers in terms of sense of enclosure, loss of outlook or loss of privacy, and will therefore be in accordance with Policy QD03 of the Thanet Local Plan and the NPPF.

Highway Safety

The off street parking to the front of the property would not be affected by this proposal. There are no adverse highway implications as a result of this development.

Conclusion

The proposed development is considered to be acceptable in terms of the character and appearance of the area and the living conditions of surrounding neighbouring residential occupiers. The proposed development therefore accords with Policies QD02 and QD03 of the Thanet Local Plan and the NPPF. It is therefore recommended that Members approve the application.

Case Officer

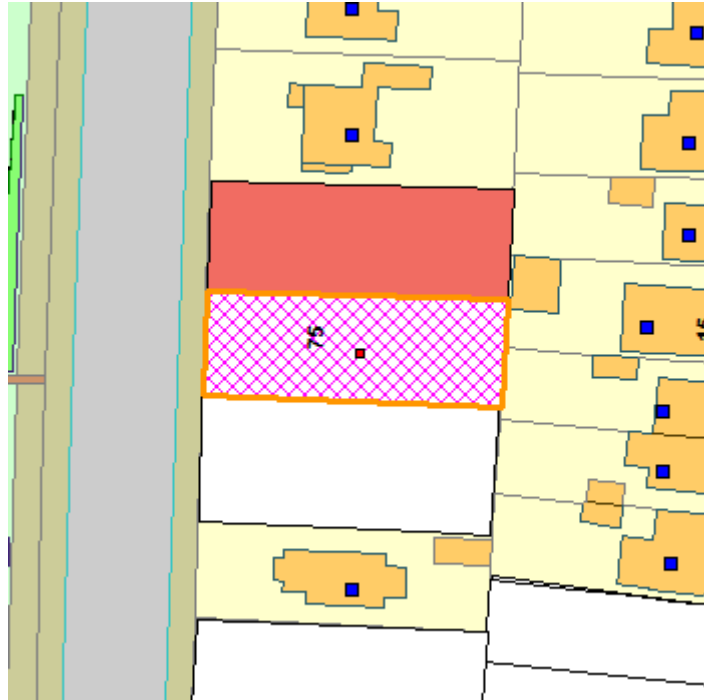
Rosemary Bullivant

TITLE:

FH/TH/20/0939

Project

75 Royal Esplanade MARGATE Kent CT9 5ET



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D02

F/TH/19/1465

PROPOSAL: Erection of 5No part 3-storey part 4-storey buildings (including basement parking) to provide 34No. 2-bed self contained flats, with associated landscaping and access.

LOCATION:

6 North Foreland Road BROADSTAIRS Kent CT10 3NJ

WARD: Kingsgate

AGENT: Hume Planning Consultancy Ltd

APPLICANT: Sunningdale House Developments Ltd.

RECOMMENDATION: Defer & Delegate

Subject to the following conditions:

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

GROUND

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

2 The proposed development shall be carried out in accordance with the submitted application as amended by the revised drawings numbered 200 Rev 03, 201 Rev 02, 203 Rev 03, 210 Rev 03, 211 Rev 03, 212 Rev 03, 220 Rev 02, 221 Rev 02, 222 Rev 03, 230 Rev 02, 231 Rev 02, 232 Rev 03, 300 Rev 03, 301 (incorrect), 302 Rev 03, 310 Rev 03, 311 Rev 03, 320 Rev 03, 321 Rev 03, 330 Rev 04, 331 Rev 04, 400 Rev 05, 401 Rev 04, 402 Rev 04, 403 Rev 04, 404 Rev 03, and 405 Rev 01, received 16 September 2020; highway plan numbered 47207/5501/002, received 30 October 2019; and landscaping plan numbered ExA_1941_101 Rev C, received 26 February 2020.

GROUND

To secure the proper development of the area.

3 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 protect the district's groundwater, in accordance with Policy SE04 of the Thanet Local Plan, and the advice contained within the National Planning Policy Framework.

4 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 be based upon the principles contained within the Surface Water Management Strategy report by Herrington Consulting (May 2020, Issue 2 Revision 1). The submission shall also demonstrate that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100 year storm) can be accommodated and disposed of without increase to flood risk on or off-site.

The drainage scheme shall also demonstrate (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 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.

5 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 Policy CC02 of the Thanet Local Plan and advice contained within the NPPF

6 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.

7 No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the LPA, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters.

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.

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

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

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

GROUND

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

9 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
- (h) Access arrangements

GROUND

In the interests of highway safety and neighbouring amenity, in accordance with Policy QD03 of the Thanet Local Plan and the advice contained within the NPPF.

10 Prior to the first use of the site hereby permitted, the vehicular access and associated vehicle crossing point onto the highway, as shown on the approved plan numbered 47207/5501/002 should be completed and made operational.

GROUND

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

11 Prior to the first occupation of the development hereby approved visibility splays of 43m x 2.4m x 43m shall be provided to the access on to North Foreland Road as shown on the approved plan no 47207/5501/002 with no obstructions over 1 metre above carriageway level within the splays, which shall thereafter be maintained.

GROUND

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

12 Prior to the first occupation of the development hereby approved, the redundant vehicle crossing to North Foreland Road 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 and visual amenity in accordance with Policy QD02 of the Thanet Local Plan and the advice contained within the NPPF.

13 Prior to the first occupation of the development, the secure cycle parking facilities, as shown on approved drawing no. 201 Rev 02 shall be provided 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.

14 The area shown on the approved plan numbered 201 Rev 02 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

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

15 The gradient of the access hereby approved 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, in accordance with the advice contained within the NPPF.

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

GROUND

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

17 Prior to the commencement of the development hereby permitted, details of the electric vehicle charging points to be provided within the development, including their location and design, shall be submitted to and approved in writing by the Local Planning Authority. The electric vehicle charging points shall be in the form of one active charging point per allocated parking space, and one active charging point per ten unallocated parking spaces. The electric vehicle charging points shall be provided prior to the first occupation of the development and thereafter maintained.

GROUND

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

18 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, in accordance with the advice contained within the NPPF.

19 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 at least 25no. new trees, along with shrubs, hedges and grassed areas to be planted within the site,
- the treatment proposed for all hard surfaced areas beyond the limits of the highway, which shall be a permeable material and bound for the first 5m from the edge 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 and to adequately integrate the development into the environment in accordance with Policies QD02 and GI04 of the Thanet Local Plan

20 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

21 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.

22 Prior to the first occupation of the development hereby permitted, the secure doorstep playspace as identified on plan numbered 200 Rev 03, shall be provided and thereafter maintained.

GROUND

In order to secure doorstep playspace in accordance with Policy GI04 of the Thanet Local Plan.

23 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.

24 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.

25 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 /person/day, in accordance with Policy QD04 of the Thanet Local Plan.

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

27 The refuse storage facilities as specified upon the approved drawing numbered 200 Rev 03 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 safeguard the residential amenities currently enjoyed by the occupiers of nearby residential properties in accordance with Policy QD03 of the Thanet Local Plan.

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

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

GROUND

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

29 Prior to the erection of the front boundary wall and gates, detailed elevation plans and material details of the proposed boundary treatment shall be submitted to, and approved in writing by, the Local Planning Authority, The front boundary treatment shall be erected in accordance with the approved details.

GROUND

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

30 Prior to the erection of the refuse storage building to the front of the site, detailed elevation plans and material details of the proposed storage building shall be submitted to, and approved in writing by, the Local Planning Authority. The storage building shall be erected in accordance with the approved details.

GROUND

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

31 The upper level windows (excluding the oriel windows) within the rear elevations of Blocks B, C, D, and E (facing neighbouring properties in North Foreland Avenue, Cliff Road, and Elizabeth Court), shall be non-opening below 1.73m above the finished internal floor level, and either provided and maintained with obscured glass to a minimum level of obscurity to conform to Pilkington Glass level 4 or equivalent, or fitted with timber louvres. The obscure glazing or timber louvres 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.

32 The flat roof areas at second floor level of Blocks, B, C, D, and E shall at no time be used as a balcony area/roof terrace.

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.

33 Prior to the installation of the timber louvres, details shall be submitted to, and approved in writing by, the Local Planning Authority. The timber louvres shall be installed in accordance with the approved details.

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.

INFORMATIVES

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

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

It is the responsibility of the applicant to ensure, prior to the commencement of the development hereby approved, that all necessary highway approvals and consents where required are obtained and that the limits of highway boundary are clearly established in order to avoid any enforcement action being by the Highway Authority. The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under such legislation and common law. It is therefore important for the applicant to contact KCC Highway and Transportation to progress this aspect of the works prior to commencement on site

It is the responsibility of developers to have the appropriate waste storage facilities and containers in place prior to the property being occupied. For more information, please contact Waste and Recycling on 01843 577115, or visit our website <http://thanet.gov.uk/your-services/recycling/waste-and-recycling-storage-at-new-developments/new-developments/>

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.

The site overlies sensitive aquifer and there are mains sewer provisions nearby, therefore all foul drainage must be directed to mains foul sewer.

Only clean uncontaminated water should drain to the surface water system. Roof water shall discharge direct to soakaway via a sealed down pipes (capable of preventing accidental/unauthorised discharge of contaminated liquid into the soakaway) without passing through either trapped gullies or interceptors. Open gullies should not be used.

SITE, LOCATION AND DESCRIPTION

The site is located to the east of North Foreland Road, in an area characterised by large detached dwellings set within spacious plots. No. 6 North Foreland Avenue was a large detached arts and crafts property providing a single dwelling use. A large garden area is present to both the front and back of the site, which is significantly larger than any surrounding plots. Trees protected by a TPO extend around the boundary of the site to both sides and the rear. The site has two existing access points onto North Foreland Road, and within the site the levels vary significantly, dropping away from road level. Opposite the site is a Grade II Listed property. No.6. North Foreland Road has previously had a number of planning approvals for the redevelopment of the site, which incorporated the demolition of the existing building. The demolition of the building has recently taken place.

RELEVANT PLANNING HISTORY

F/TH/17/1755 - Erection of 9no. 3-storey detached dwellings, with associated access and parking together with swimming pool enclosure on plot 5. Granted - 14/02/2018

F/TH/12/0941 - Application for extension of time of planning permission F/TH/10/0121 for the erection of 14no. two and three storey dwellings, creation of vehicular access and provision of parking and landscaping, following the demolition of the existing building. Granted - 16/05/2013

F/TH/10/0563 - Erection of 14no. two and three storey dwellings, creation of vehicular access and provision of parking and landscaping, following the demolition of the existing building - Refused - 03/09/2010

F/TH/10/0121 - Erection of 14no. two and three storey dwellings, creation of vehicular access and provision of parking and landscaping, following the demolition of the existing building. Granted - 17/05/2010

OL/TH/08/0703 - Outline application for the erection of 14no. dwellings, including access, layout and scale, following the demolition of the existing building. Refused - 21/10/2008

OL/TH/05/0066 - Erection of 8no. Detached dwellings with associated garages, parking, access road and landscaping, following demolition of existing property. Refused - 14/03/2005

OL/TH/04/0865 - Outline application for the erection of 1no. 3-storey and 1no. 2-storey buildings comprising a total of 18no. Flats, including siting, design and means of access following demolition of the existing dwelling. Granted - 24/05/2006

OL/TH/04/0178 - Erection of a 9no. Detached dwellings with associated garages, access road and landscaping following demolition of existing property. Refused - 05/04/2004

PROPOSED DEVELOPMENT

The application is for the erection of 5no. 3-storey buildings to accommodate 34no 2-bed self-contained flats, with an additional basement parking level. The buildings are to be arranged in a horseshoe layout, with a curved detached building to the front of the site, and two rectangular blocks to either side of the site.

The building is flat roof and of a modern design, and to be constructed using quartz stone, timber cladding, aluminium cladding, buff brick, timber louvres, aluminium windows, and zinc roof.

Both existing vehicle access points are being removed and replaced with a single central vehicular access, and a single pedestrian access point. The basement parking area includes 72no. vehicle parking spaces and 5no. cycle parking spaces, along with plant rooms and storage areas.

Soft landscaping surrounds the building, with an informal playspace located to the rear of the site, and more formal hard and soft landscaping across varied levels towards the central area of the site between the residential blocks. Eight trees are to be removed, including 5no. dead trees, and 25no. new trees are to be planted.

30% affordable housing is proposed as part of the scheme.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan (2020)

SP01 - Spatial Strategy - Housing
SP14 - General Housing Policy
SP22 - Type and Size of Dwellings
SP23 - Affordable Housing
SP29 - Strategic Access Management and Monitoring Plan (SAMM)
SP35 - Quality Development
SP41 - Community Infrastructure
SP43 - Safe and Sustainable Travel
SP45 - Transport Infrastructure
HO1 - Housing Development
GI04 - Amenity Green Space and Equipped Play Areas
QD01 - Sustainable Design
QD02 - General Design Principles
QD03 - Living Conditions
QD04 - Technical Standards
QD05 - Accessible and Adaptable Accommodation
HE01 - Archaeology
HE03 - Heritage Assets
CC02 - Surface Water Management
CC04 - Renewable Energy
CC05 - District Heating
SE04 - Groundwater Protection
SE05 - Air Quality
SE08 - Light Pollution
TP02 - Walking
TP03 - Cycling
TP06 - Car Parking

Broadstairs and St.Peters Neighbourhood Development Plan (2020)

BSP7 - High Townscape value Area

NOTIFICATIONS

Neighbouring occupiers have been notified and a site notice posted. 47 letters of objection have been received raising the following concerns:

- Scale and height of development is out of keeping,
- Increased traffic,
- Highway safety issue,
- Lack of parking,
- Construction works will cause disruption,
- Impact of excavation works on tunnels,

- Increased pressure on sewers,
- Too many units on the site,
- Impact on air quality and noise disturbance from the number of units proposed,
- Overlooking from both windows and balconies,
- Demolition of existing arts and crafts property,
- Impact on high townscape area,
- Design is not sympathetic to the surrounding area, and will be out of character,
- Buildings are too close to boundary and will impact upon light and outlook,
- Loss of trees,
- Impact upon Stone House, a grade II listed building,
- Bin store is too close to road and can cause highway problems,
- Noise and odours from bin store to neighbouring property,
- Affordable homes not in keeping with the immediate area,
- Development would result in the release of greenfield land where there is no identified need,
- Drainage, including surface water runoff,
- Area of archaeological interest,
- Impact upon wildlife,
- Site is unsustainable, with inadequate public transport and a distance from amenities,
- Poor design that will dominate the landscape,
- Asbestos may be within the existing building.

Broadstairs Town Council - The planning committee of the Town Council has considered this application and resolved unanimously to recommend refusal, with concerns of overdevelopment and poor design.

The Broadstairs Society - It is unfortunate that an Edgar Ranger building is not considered worthy of amendment to ensure it is returned to its original design and then developed in such a way that its facade could be retained. Nonetheless, the principle of developing this site has been established through dubious planning decisions and we are now looking at a new proposal. The Planning Statement refers to the loss of the definition of Areas of High Townscape Value in the draft Local Plan. However, that definition is still in the draft Neighbourhood Plan for Broadstairs and St. Peter's. The Town Council will apply the same design criteria that it applies to developments in the Conservation Areas thus the conservation or enhancement of the local character will be the primary planning aim. The Society has applied the same principle when looking at this proposal. In other words it will only support a development where the design, scale of development, separation between buildings, use of materials and landscaping are complementary to the special character of the area. Having carefully read the Planning Statement and the Design and Access Statement and looked at the photo montages The Society is not convinced that the development is complementary - just the opposite - it is overbearing, using materials (like quartz tiles) that would make it stand out in an area where the vernacular material is flint with bricks - and will be out of character especially when comparing it against Stone House and Bevan Court. No matter how carefully the documents have been drafted, The Society is firmly of the view that this proposal should be refused.

CONSULTATIONS

KCC Highways - I refer to the above planning application and confirm I have no objections in respect of highway matters, bearing in mind the extant permission for dwellings on the site. The proposals are unlikely to have a severe cumulative impact on the highway network. Visibility proposed at the access is in accordance with current guidance. The amount of car parking proposed is in excess of current guidance and is therefore unlikely to result in on-street parking in North Foreland Road. No objections subject to safeguarding conditions.

KCC Biodiversity - (*final comment*) We have reviewed the ecological information submitted in support of this planning application and advise that sufficient information has been provided by the applicant. We are satisfied with the conclusion of the ecology report, which states that protected species (except for breeding birds) are unlikely to be present.

(initial comment)

No ecological information has been submitted with this application. As a result of reviewing the data we have available to us (including aerial photos and biological records) and the information submitted with the planning application, we advise that further information is sought with regards to the potential for ecological impacts to arise as a result of the proposed Development.

Protected Species

Habitats and features (including buildings and mature trees) are present on and around the site, indicating ecological value and the potential for protected species presence that must be taken account of in the planning decision. For example, roosting bats could be utilising the existing building (to be demolished). As such, a preliminary ecological appraisal (PEA) must be undertaken by a suitably qualified ecologist, in accordance with good practice guidelines. The PEA will assess the habitats and features within and around the site and identify if there is a need for further ecological surveys to assess ecological value and/or confirm protected species presence/likely absence.

To ensure that the planning determination is adequately informed in respect of all potential ecological impacts, we advise that the PEA report, OR, if further surveys are required, an Ecological Impact Assessment (EclA) report, detailing all surveys and outcomes, must be sought as part of the planning application. This is in accordance with paragraph 99 of ODPM

06/2005 which states: "it is essential that the presence or otherwise of protected species and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision". An EclA is a process of identifying, quantifying and evaluating the potential effects of development on habitats, species and ecosystems, so providing all ecological survey information alongside any necessary avoidance, mitigation and compensation proposals within one document.

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

especially where this can secure measurable net gains for biodiversity". We advise that Thanet District Council should seek to ensure that ecological enhancement measures are delivered within the proposals, with the applicant's ecological advisor providing site-appropriate recommendations in the submitted ecological reports.

KCC Archaeology - Thank you for your letter consulting us on the above application. I repeat below comments that have been made on earlier development proposals at the site.

The application site lies within an area of considerable archaeological interest, around 150m south of the multiperiod site investigated at St Stephen's College on the other side of North Foreland Road. Here remains included three Bronze Age barrows and part of an extensive Iron Age settlement. Cropmark evidence indicates that the majority of North Foreland Hill was enclosed in the Iron Age creating a major defended settlement. The application site would fall within this enclosed area. Nearby in North Foreland Avenue prehistoric burials and Iron Age and Roman remains have been recorded.

Archaeological evaluation work has been carried out in parts of the present site in connection with an earlier application. The trial trenching, undertaken by the Canterbury Archaeological Trust encountered intact archaeological horizons in parts of the site, including remains that indicate that middle Iron Age settlement occurred in the vicinity. A small watching brief of foundations for a residential plot also identified concentrated remains on the site. Significant archaeological remain are likely to be affected by the proposal and I would therefore advise, as previously, that any forthcoming consent should include provision for further archaeological evaluation and mitigation through safeguarding conditions.

TDC Environmental Health - I understand the proposed development would include 72 parking spaces. In accordance with policy SE05 and our Air Quality Technical Planning Guidance parking spaces must have EV charging installed, with 1 Electric Vehicle charging point per dwelling with dedicated / allocated parking or 1 charging point per 10 spaces (unallocated parking).

TDC Housing Strategy Manager - The planning statement states that 30% affordable units will be provided on site in line with policy. I would support this proposal.

TDC Tree Officer - Looking at the 'Design and Access Statement' this looks well thought out and with a big % of native species particularly within the proposed meadow areas. And it's encouraging to see the boundary trees var 2 are being retained and those removed are being replaced with 4 further trees.

KCC SUDs - Kent County Council as Lead Local Flood Authority have reviewed the Surface Water Management Strategy by Herringtons Consulting and have the following comments to provide:

It is understood that the existing regime for surface water management on site is for an unrestricted discharge into an existing sewer along North Foreland Road. As noted from the report, infiltration testing has been undertaken on site by others (Not included in report) and obtained rates between 0.03 and 0.1 m/hr. Herringtons have highlighted that the use of

infiltration devices (soakaways/ basins) may not be possible on site due to constraints of site layout and existing tree root systems and so has been ruled out.

The LLFA always seeks for infiltration to be first consideration for managing surface water on site although, on this occasion it has been identified that it is not feasible and as such we have no objections to the continuation of discharge to the sewer. It is welcomed that there will be substantial reduction in peak discharge rate entering the sewer to a maximum of 2 litres a second (100 year +40% storm event).

Please note:

A underground car park has been proposed and the LLFA highlight that It is important for any surface water buildup within this area to be directed to the drainage system. We would therefore seek for further information in this regard at the detailed design stage.

Should the Local Planning Authority be minded to grant planning permission for the above proposal, we would advise that safeguarding conditions be attached.

Southern Water - Our initial investigations indicate that Southern Water can provide foul sewage disposal to service the proposed development. Southern Water requires a formal application for a connection to the public sewer to be made by the applicant or developer. The design of the proposed basements and on site drainage system should consider the possibility of surcharging within the public sewerage system in order to provide the protection from the risk of flooding.

Land uses such as general hardstanding that may be subject to oil/petrol spillages should be drained by means of oil trap gullies or petrol/oil interceptors. The design of drainage should ensure that no land drainage or ground water is to enter public sewers network.

It is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.

We request that should this application receive planning approval, a safeguarding condition is attached to the consent. Following initial investigations, Southern Water can provide a water supply to the site. Southern Water requires a formal application for connection and on-site mains to be made by the applicant or developer. We request that should this application receive planning approval, an informative is attached to the consent: A formal application for connection to the water supply is required in order to service this development.

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

Natural England - Since this application will result in a net increase in residential accommodation, impacts to the coastal Special Protection Area(s) and Ramsar Site(s) may result from increased recreational disturbance. Your authority has measures in place to

manage these potential impacts through the agreed strategic solution which we consider to be ecologically sound.

Subject to the appropriate financial contribution being secured, Natural England is satisfied that the proposal will mitigate against the potential recreational impacts of the development on the site(s). However, our advice is that this proposed development, and the application of these measures to avoid or reduce the likely harmful effects from it, may need to be formally checked and confirmed by your Authority, as the competent authority, via an appropriate assessment in view of the European Site's conservation objectives and in accordance with the Conservation of Habitats & Species Regulations 2017.

KCC Development Project Manager - 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.

NHS Clinical Commissioning Group - The CCG has assessed the implications of this proposal on delivery of general practice services and is of the opinion that it will have a direct impact which will require mitigation through the payment of an appropriate financial contribution.

COMMENTS

The application has been called in to planning committee by Councillor Bob Bayford to allow members to consider whether the proposal represents an overdevelopment of the site.

Principle

The application site is located within the urban confines, and is previously developed land, and therefore complies with Policy H1 of the Thanet Local Plan.

Policy H01 of the Thanet Local Plan permits new housing development on non-allocated sites within the confines of the urban area and villages, subject to meeting other relevant Local Plan policies, including General Housing Policy SP14. Within the Thanet Local Plan there is an allowance for 2,025 units of the required housing supply over the plan period to be provided through windfall sites, which usually consist of previously developed non-allocated sites. The application site contained a residential dwelling with garden land, and could not therefore be classed as previously developed land; however, there is an extant consent for the development of the site, which provides a realistic fallback position. Given this fallback position the site is considered to be a windfall site that would contribute to the housing supply requirement over the plan period.

The site is sustainably located within close proximity of facilities and services within Broadstairs. As such, the principle of residential housing on the site is considered acceptable subject to other material planning considerations.

Character and Appearance

The site is located within the Townscape Value Area, as designated within the 'Broadstairs and St.Peters Neighbourhood Development Plan'. Policy BSP7 of the plan states that *'within the area of High Townscape Value, the conservation or enhancement of the local character will be the primary planning aim. In furtherance to this aim, development will be supported only where the design, scale of development, separation between buildings, use of materials and landscaping are complementary to the special character of the area'*.

The site has been occupied by a large detached arts and crafts property, of architectural interest. The building is not listed, and the site is not located within the conservation area, and therefore the principle of demolishing this building has been previously agreed through numerous planning consents, the last of which is still extant. As such, it is understood that the demolition of the building has recently taken place.

The proposal is to redevelop the site through the erection of 5no. large detached blocks, to accommodate 34no. 2-bed self-contained flats. The blocks are 3-storey in height from ground level, with a further basement level created through the excavation of the site. The application site contains a steep level change across the site, and this level change has been taken into account with the land level of the proposed development. A section plan has been submitted showing the proposed levels across the site. It shows Block A (front block) at the existing ground level. Blocks B and D are constructed with the ground level of the 3-storey element 1.4m to 3m above the existing ground level, meaning that the rear section of the block has a 4-storey appearance with the basement parking exposed above ground level. The section plan has been amended so that Blocks C and E, towards the rear of the site, are constructed with the ground level of the 3-storey element up to only 1.4m above the existing ground level, compared to the 2.6m shown on the original plans. Blocks A, C, and E all therefore have the appearance of a 3-storey block, with Blocks B and D part 3-storey and part 4-storey in appearance given the partially exposed basement level.

Whilst the proposed development is a storey higher than surrounding development in design (increasing to a 4-storey equivalent height level to the rear of 'Agincourt', but this will not be visible from the street), the submitted section plan provides a comparison of the ridge levels of the proposed development and surrounding properties, and shows that the overall height of the proposed development is not dissimilar to the ridge levels of the surrounding pitched roof properties. This is due to the large pitched roofs on neighbouring properties, and the minimum ceiling heights within the proposed development. Excluding ground level changes the proposed 3-storey building is 8.8m in height, 3.4m lower than the height of Bevan Mansions, at least 2m lower than North Foreland Court and Agincourt, and the same height as Cliff Lodge (as shown on the submitted section). The maximum height of the proposed development is 11.8m at the point where the basement level is exposed, but this still falls below the 12.2m of Bevan Mansions, and only 0.1m above the maximum height of North Foreland Court. The proposal site is unique in that the site is significantly larger than surrounding plots, and as such a larger scale development can be achieved as there is plenty of space to maintain an open setting to the development, preventing it from appearing cramped within the site. In addition, the presence of existing mature trees to the boundaries help to screen and soften the development. It is therefore considered that given the staggered ground level of the development, the similarity in the overall height to surrounding

development, and the limited views of the rear elements from the street, partially from the presence of tree screening (which is to be primarily retained), that the scale of the proposed development will not be significantly detrimental to the character of the surrounding area.

Concern has been raised by residents with the modern design of the proposal, which they consider to be out of keeping with the surrounding area. North Foreland estate contains a number of detached properties of varied design, with many properties recently having been refurbished or redeveloped to form dwellings of a modern design that incorporate either flat or lean to roof forms, and modern building materials. Furthermore, the application site itself is significant in size, and can therefore accommodate a comprehensive form of development with its own unique character, which given the distance to surrounding properties will not appear out of keeping in the wider area.

The buildings include staggered elevations, with amendments showing the setback of the second floor level of Blocks B, C, D, and E. Materials have been used to break up the elevations, with quartz stone at ground floor level and buff brick above. Aluminium cladding has been used in places, along with aluminium windows and a zinc roof, to introduce a variety of textures and colours to the design. Balconies have been used as an inward facing feature to the central blocks, along with oriel windows, which add dimension to the elevation, and timber cladding and louvres. Block A is the most prominent building, fronting North Foreland Road. The block has a wide central glazing feature, and the floors are staggered with the second floor set in from the sides. Whilst the building is wide, a number of floor to ceiling windows have been used to break up the elevation and add interest and vertical emphasis within the design. Whilst it is appreciated that the design differs to the more traditional pitched roof development that surrounds the development, there are instances where modern design can be used without causing harm to the surrounding area. North Foreland is an area of varied character with large plots, where the design of each property differs to that of its neighbour. As mentioned, modern design is starting to encroach into this area, with many examples of modern design already present within the estate. The application site is a site that can accommodate a different design approach without causing harm to the character and appearance of the area, and the proposed design and materials is considered to be of good quality. For this reason the proposed design is considered to be in keeping with the special character of the designated High Townscape Value Area.

The layout consists of a large curved building to the head of the site, setback from the road by between 9.4m and 13.5m. Behind this frontage building two rectangular blocks are positioned to either side of the site. Concern was originally raised with the lack of space between the buildings, which was considered necessary given the size of the buildings and the location of the site within the High Townscape Area, where good separation distances between buildings is an important aspect. Amended plans have since been submitted showing increased separation between the blocks, with the gap between Block A and Blocks B and D increasing by 3.6m (rear building line) - 5.5m (front building line), and the gap between Blocks B and D and Blocks C and E increasing by 1.6m. This increase has created a more spacious setting for each of the blocks, improving views from North Foreland Road and reducing the mass of development proposed through the loss of two units, reducing the total number to 34. Following these amendments the separation space between buildings is considered to be acceptable and in accordance with the High Townscape Value Policy.

The creation of an underground parking area is extremely beneficial to the scheme, as this enables a fully soft landscaped scheme to be achieved around the buildings rather than large areas of hard surfacing. All mature trees are to be retained, other than those mentioned within the tree section of this report, and the proposal seeks to plant 25no. replacement/new trees within the site. To the front and rear of all buildings the land will be grassed, and to the centre of the site a formal landscaped area that includes paths, planting and further grassed areas is proposed, creating a good quality environment for future occupiers of the development. A single storey refuse storage building is located to the front of the site, which whilst visible will be setback from the road and screened from one side by trees. A condition requiring the detailed design and material has been added. Similarly a condition requires full details of the new front boundary wall, which will replace the existing boundary wall in order to achieve the necessary visibility splays.

Overall, the scale, design, landscaping and separation distance between buildings within the proposed development is considered to be in keeping with the character and appearance of the High Townscape Value Area, in accordance with Policy QD02 of the Thanet Local Plan, Policy BSP7 of the Broadstairs and St.Peters Neighbourhood Development Plan, and paragraph 127 of the NPPF.

Impact upon setting of Listed Building

The site lies opposite Stone House Lodge, a Grade II Listed Building. Consideration needs to be given to the impact upon the setting of Stone House Lodge. There is a minimum distance of 24.5m between the front elevation of the proposed development and Stone House Lodge. Stone House Lodge is not directly opposite the proposed development, but is instead further south, and set behind a 2m high flint wall, limiting its visibility from the public realm and its visual relationship with the site opposite. The proposed development will not block any views of the listed building, and the tree screen to the front and side of 6 North Foreland Rd will limit views of the development in relation to the listed building. The proposed development, whilst higher than the single storey listed building, is setback on the site, and therefore given the distance and the tree screen, the impact upon the setting of Stone House Lodge is considered to be minimal, with the public benefits social and economic created through the development outweighing the harm to the significance of the listed building.

The proposal is therefore considered to be in accordance with Policy HE03 of the Thanet Local Plan, and paragraph 196 of the NPPF.

Impact on Living Conditions

The site is surrounded by neighbouring residential properties. To the north are detached properties within North Foreland Avenue and Cliff Road; to the east is St.Michael (North Foreland Road); to the south is Bevan Mansions and no.4. North Foreland Road; and to the west is Stone House Lodge.

The proposed development drops with the ground level of the site, which is comparable with surrounding ground levels. To the north there is a distance of 35m between the proposed

development and 'The Gables'. The distance increases to 37m between the proposed development and 'Agincourt', 39m to 'Cliff Lodge', and 40m to North Foreland Court.

To the south there is a distance of 18.5m to Bevan Mansions and no.4. North Foreland Road.

Amended plans have been submitted reducing the size of the second floor level within blocks B, C, D and E of the development, setting the main element of the second floor further away from the neighbouring properties by a further 3m. This amendment has sought to break up the elevation facing the neighbouring properties, reducing the bulk of development viewed from their properties, whilst also increasing the overlooking distance. A further amendment has been the removal of the side wraparound balcony from each of the four blocks so that overlooking to the neighbouring properties in North Foreland Avenue, Cliff Road and North Foreland Road is limited. There are no direct overlooking windows within the upper levels. Instead windows are either bathroom or landing windows, and are therefore annotated as obscure glazed, oriel windows allowing for views to be redirected, or secondary bedroom windows with timber louvres to the windows again restricting the direction of the view from the rooms.

Whilst the outlook from neighbours to the north of the site (fronting North Foreland Avenue and Cliff Road) would change, the distance from the proposed development to rear windows and immediate garden area would mean that no significant sense of enclosure would be created from the development. Therefore given the distance, the amendments to the second floor level and balcony area, and the restrictions on windows, the impact upon both outlook and privacy of neighbouring occupiers is considered to be acceptable.

Stone Lodge House is opposite the site, and at least 25m from the front elevation. The front elevation of Block A is curved, so only a few windows will directly look towards this neighbouring property. Tree screening exists to the front boundary, with new tree planting proposed in the area facing Stone Bay Lodge. Overall, given the ground level, distance and tree screening, and that no private amenity garden land is affected, only windows, which are across a road, the impact upon the privacy of occupiers of Stone Lodge House is considered to be acceptable.

To the rear, there are no windows directly overlooking St. Michael, and there is a distance of 31m, so the impact upon their amenity is considered to be acceptable.

Concerns have been raised by residents in relation to the additional noise and disturbance likely to be created by the proposed development. Whilst it is appreciated that the proposal does result in an intensification of the site, the units are all facing inwards, with the majority of activity to the centre of the site away from neighbouring occupiers. Furthermore, vehicle parking is at an underground level, thereby limiting noise and disturbance from vehicle movements. Noise from construction work is temporary and is therefore not a material planning consideration.

For the future occupiers the development provides for good sized accommodation, with adequate light and outlook, and all units meeting the Nationally Described Space Standards, as required by Policy QD04 of the Thanet Local Plan. The smallest unit measures 74sqm,

rising up to the largest at 107sqm, significantly exceeding the 70sqm minimum requirement. 10% of the units have also been designed to be accessible units in accordance with Policy QD05 of the Thanet Local Plan.

Amenity space surrounds the units, but amended plans have also been submitted identifying a designated informal play area to the rear of the site for use as doorstep playspace for children, in accordance with Policy GI04 of the Thanet Local Plan. The condition requires its provision prior to the first occupation of the development.

A refuse storage area has been provided to the front of the site, and there is plenty of space around the site for clothes drying facilities to be located.

Overall, the impact upon both existing neighbouring occupiers, and future occupiers of the development, is considered to be acceptable, and in accordance with Policy QD02 of the Thanet Local Plan, and paragraph 127 of the NPPF.

Highway Safety

The proposal seeks to close the existing access points into the site from North Foreland Road, and reinstate the footway; whilst creating a new single access point onto North Foreland Road that is more central to the site.

A transport assessment has been submitted with the application. The assessment provides tracking plans for a 5.3m long van within the site, proving that it can enter and leave the site in a forward gear. Waste collection vehicles will not need to enter the site as a refuse storage building is being located within the northern-west corner of the site, close to the highway, with refuse in the store to be collected directly from the highway.

The transport assessment further provides a visibility plan, proving that visibility splays of 2.4m x 43m can be achieved at the new access point subject to alterations to the front boundary treatment, consisting of the setting back of the wall by approximately 0.8m. KCC Highways and Transportation has advised that the visibility proposed is in accordance with current guidance, allowing a safe access point to be achieved.

Underground parking is proposed for 72no. parking spaces, which equates to 2no. parking spaces per unit and 4no. visitor parking spaces. KCC has advised that the amount of car parking proposed is in excess of current guidance, and is therefore unlikely to result in on-street parking in North Foreland Road.

Cycle parking has been provided at underground level for 50no. bikes, significantly exceeding the minimum guidance of one space per unit; and the applicant has agreed to the provision of 7no. electric vehicle charging points within the basement parking area.

KCC has advised that they have no objections in respect of highway matters, bearing in mind the extant permission for dwellings on the site, and also that the proposals are unlikely to have a severe cumulative impact on the highway network.

The proposal is therefore considered to be in accordance with Policies SP14, TP03, and TP06 of the Thanet Local Plan, and paragraph 108 of the NPPF.

Affordable Housing

Policy SP23 of the Thanet Local Plan requires that for residential development schemes of more than 10 dwelling units, that 30% of the dwellings are provided as affordable housing. The proposal includes the provision of 10no. affordable units, all of which will be 2-bed self-contained flats. The Council's Strategic Housing Manager has raised no objections on the basis that the 30% provision is being achieved on site. At the moment no details have been submitted on the location or type of the affordable units, with details to be submitted as a requirement of the legal agreement.

The proposal is therefore considered to comply with Policy SP23 of the Thanet Local Plan.

Size and Type of Dwellings

Policy SP22 of the Thanet Local Plan states that proposals for housing development will be expected to provide an appropriate mix of market and affordable housing types and sizes having regard to the Strategic Housing Market Assessment (SHMA) recommendations as may be reviewed or superseded. The policy further states that development proposals involving the net loss of single family dwelling houses will only be permitted where the subdivision or redevelopment of the site continues to provide accommodation suitable for occupation by families, as well as requiring specific justification for the provision of flats instead of houses.

The proposal is for the provision of 34no. 2-bed units. Two bed units are considered to be suitable as family accommodation (as stated within Policy GI04 of the Thanet Local Plan), and therefore the loss of the single dwelling on the site is accepted.

In terms of the unit mix, the provision of all flats and all 2-bed units does not fully achieve the need identified through the SHMA. In order to address the need some houses could have been provided, along with some 1-bed affordable units, and 3-bed private units. The mix has been justified by the agent on design and viability grounds, in that to secure a high quality development that focuses on the design of the buildings, and incorporates discreet underground parking and good quality communal amenity space, a high number of units are needed in order to offset the costs associated with the groundworks.

This argument carries some weight, and would secure the delivery of the site, in addition to the 10no. affordable units discussed above, and the development would provide a good quality design within a landscaped setting. Amendments to the composition have not been forthcoming, and therefore given that the flats are of a good size to serve a family unit, and that the greatest local need overall is for 2-bed units, it is not considered that the proposed mix would cause harm or imbalance to the community; especially given its location where it is surrounded by predominantly large detached houses.

On balance the proposal is considered to provide an appropriate mix when considering all relevant planning matters including local need and the design of the proposal, in accordance with the Thanet Local Plan.

Drainage

The applicant has indicated that their intention is to connect to the mains sewer. Southern Water has advised that their initial investigations indicate that they can provide foul sewage disposal to service the proposed development.

The site currently drains surface water into an existing sewer along North Foreland Road. It would normally be required that any surface water would be drained within the site itself through infiltration, but the submitted report indicates that infiltration may not be possible on site due to the constraints of the site layout and the existing tree root systems, so this has been ruled out.

KCC SUDs has advised that they have no objections to the continuation of discharge to the sewer, and welcome the substantial reduction in peak discharge rate entering the sewer to a maximum of 2 litres a second (100 year +40% storm event).

Subject to safeguarding conditions requiring further details, the impact upon flood risk and the district's water supply is considered to be acceptable, and in accordance with Policies CC02 and SE04 of the Thanet Local Plan.

Impact on Trees

The site is covered by a TPO, which trees along the northern, southern and eastern boundary of the site. Trees along the western (front) boundary are not covered by the TPO. The proposal seeks to remove 8no. trees. Of these eight trees, five are dead and one has signs of decay, an unbalanced crown, and has previously been topped; and is therefore a category 'U' tree that is unsuitable for retention.

Two other trees are proposed for removal. T2, which is a Laburnum tree located to the front of the site, and which is not covered by the TPO; and T17, a Holly Oak, located along the southern boundary of the site and protected by the TPO. The agent has advised that these trees are intended for removal due to their low quality, and proximity to existing trees.

The Council's Tree Officer has assessed the application and raises no objections to the loss of the trees, on the basis that new tree planting is proposed. The submitted landscape plan shows the provision of 25no. new trees planted within the application site; some within gaps around the four boundaries of the site, and some towards the centre of the site within the formal landscaped area serving the flats. The new tree planting will contribute to the visual amenities of the area, and therefore given the poor quality and limited number of trees to be removed, the benefits from the new tree planting is considered to outweigh the harm caused by the proposed removal.

Archaeology

KCC Archaeology has advised that the property is located in an area of considerable archaeological interest, around 150m south of the multiperiod site investigated at St Stephen's College on the other side of North Foreland Road. Here remains three Bronze Age barrows and part of an extensive Iron Age settlement. Cropmark evidence indicates that the majority of North Foreland Hill was enclosed in the Iron Age creating a major defended settlement. The application site would fall within this enclosed area. Nearby in North Foreland Avenue prehistoric burials and Iron Age and Roman remains have been recorded.

Given the number of previous approvals for the site, KCC has advised that archaeological evaluation work has been carried out in part on the application site in connection with an earlier application. The trial trenching, undertaken by the Canterbury Archaeological Trust encountered intact archaeological horizons in parts of the site, including remains that indicate that middle Iron Age settlement occurred in the vicinity. A small watching brief of foundations for a residential plot also identified concentrated remains on the site. Significant archaeological remains are therefore likely to be affected by the proposal, and KCC therefore advises that any forthcoming consent should include a safeguarding condition requiring further archaeological evaluation and mitigation.

The impact upon archaeology is therefore considered to be acceptable and in accordance with Policy HE01 of the Thanet Local Plan.

Air Quality

Concerns have been raised regarding the impact upon air quality. Environmental Health has been consulted who advises that given the number of parking spaces proposed, standard mitigation is required as set out within Policy SE05 of the Thanet Local Plan, and the Council's Air Quality Technical Planning Guidance, in the form of electric vehicle charging points. These should be in the ratio of 1 Electric Vehicle charging point per dwelling with dedicated / allocated parking or 1 charging point per 10 spaces (unallocated parking). All of the parking is unallocated, and therefore seven charging points are required, as agreed by the applicant.

Land Stability

Residents have raised concerns with land stability. Building Control have been consulted and advise that sinkholes are common across Thanet due to the porous nature of the chalk and associated cavities, and that there are access stairs/tunnels cut into the cliff face along this part of the coastline. For this reason a safeguarding condition has been added requiring a full investigation and assessment to take place prior to the commencement of development to determine the stability of the land and determine whether the development of the site can be carried out without causing instability of adjoining land (including the cliff face and access stairs) or structures. This safeguarding condition is considered to deal with this concern.

Financial Contributions

Policy SP41 of the Thanet Local Plan requires that development only be permitted when provision is made to ensure the delivery of relevant and sufficient community and utility infrastructure; including, where appropriate, a contribution towards the provision of new, improved, upgraded or replacement infrastructure and facilities.

KCC have commented that a financial contribution of £1,885.30 is required for additional bookstock at Broadstairs Library in order to mitigate the impact of the additional borrowers generated from this development.

KCC have requested a financial contribution of £38,556 towards primary education in the district in order to mitigate the impact from additional children occupying the development. In this case the contribution would go towards Phase 2 of the new St.Georges Primary School.

KCC have requested a financial contribution of £39,848 towards secondary education in the district in order to mitigate the impact from additional children occupying the development. In this case the contribution would go towards Phase 1 of the new St.Georges Secondary School.

KCC have requested a financial contribution of £558.28 towards community learning, in the form of additional equipment and resources at the Broadstairs Adult Education Centre.

KCC have requested a financial contribution of £2,227 towards youth services, in the form of additional equipment and resources at the Broadstairs Youth Hub.

KCC have requested a financial contribution of £4,993.92 towards social care provision, in the form of specialist care accommodation in Thanet.

A contribution towards equipped play provision is required under Policy GI04 of the Thanet Local Plan. The nearest park to the application site is St.Peters Recreation Ground. There is a need for new or replacement play equipment at this park, and therefore a financial contribution of £29,750 is sought.

The CCG have requested a financial contribution of £25,783.33 towards the creation of additional capacity within the Margate Primary Care Network. The site lies within the practice boundaries of Mocketts Wood, St. Peters Surgery, Northdown Surgery and Bethesda Medical Practice, who work together to form the Margate PCN. The contribution would go towards increasing capacity at one of these practices.

The agent has agreed to all of these financial contributions, which are to be secured through a legal agreement.

Special Protection Area Mitigation and Appropriate Assessment

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 within close proximity of the Thanet Coast and Sandwich Bay SPA, Ramsar and SSSI. Therefore, to enable the Council to be satisfied that the proposed development will avoid a likely significant effect on the designated sites (due to an increase in recreation) a financial contribution is required to contribute to the district wide mitigation strategy.

The tariff for this contribution is provided in the SAMM report, and for this development equates to £10,880. This mitigation means that the Council accords with the Habitat Regulations and an appropriate assessment has been undertaken. The applicant has agreed to this contribution, which will be secured through a legal agreement.

Heads of Terms

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

- Special Protection Area - £10,880
- Primary Education - £38,556
- Secondary Education - £39,848
- Libraries - £1,885.30
- Play equipment - £29,750
- Community learning - £558.28
- Social care - £4,993.92
- Youth service - £2,227
- Health Provision - £25,783.33
- 30% on-site affordable housing provision

Conclusion

The proposal will result in the redevelopment of an existing residential site within the urban confines. The demolition of the existing building has already taken place under a previous consent, and therefore the relevant issues are the design, scale, and layout of the development, including the impact upon neighbouring amenity and highway safety.

The site is substantial in size, and is therefore considered suitable for accommodating a modern design, as a spacious setting around the development is achieved. The proposal will result in the provision of 34no. Residential units, which will offer economic and social benefits, with 30% affordable housing to be provided on site. Whilst there will be some additional impact upon neighbouring properties when compared to the previous building, there are significant distances to each neighbouring property, and the development has been amended to set back the second floor from the neighbours, reduce ground levels of the development, and increase spacing between the blocks. No highway concerns are raised as a safe access to the centre of the site can be achieved. The impact upon the setting of the listed building is minimal given the distance, ground level, and tree screening which restricts views of the development in relation to the listed property, however this is given significant weight in the determination of the application.

The proposal is considered to be a good quality form of development with a unique character that complements the surrounding area, whilst providing good quality accommodation for future occupiers. As such the economic and social benefits are considered to outweigh the limited environmental harm, resulting in a sustainable form of development in accordance with the Local Plan and NPPF.

It is therefore recommended that Members defer and delegate the application for approval subject to safeguarding conditions, and the submission of a signed S.106 agreement securing the affordable housing and financial contributions as set out within the heads of terms within this report.

Case Officer

Emma Fibbens

TITLE: F/TH/19/1465

Project 6 North Foreland Road BROADSTAIRS Kent CT10 3NJ

Scale:

