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Our ref: Planning Committee Agenda
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PLANNING COMMITTEE

14 JUNE 2023

A meeting of the Planning Committee will be held at **7.00 pm on Wednesday, 14 June 2023** in the Council Chamber, Council Offices, Cecil Street, Margate, Kent.

Membership:

Councillor Crittenden (Chair); Councillors: Bright (Vice-Chair), Albon, J Bayford, Boyd, Dennis, Driver, Garner, Keen, Makinson, Matterface, Paul Moore, Rattigan, Rusiecki and Wing

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 - 26)

To approve the Minutes of the Planning Committee meeting held on 19th April 2023, copy attached.

4. **SCHEDULE OF PLANNING APPLICATIONS** (Pages 27 - 34)

To consider the report of the Deputy Chief Executive, 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.

Applications for Approval

<u>Item No</u>	<u>Subject</u>
4a	<u>A01 R/TH/22/1393 - LAND ON THE WEST SIDE OF TOTHILL STREET, RAMSGATE</u> (Pages 35 - 76)
4b	<u>A02 F/TH/23/0233 - RECLAMET RECYCLING CENTRE, WOODCHURCH ROAD, BIRCHINGTON</u> (Pages 77 - 90)
4c	<u>A03 F/TH/23/0175 - PLOT 6, LAND ADJACENT TO CLIFFTOP, NORTH FORELAND AVENUE, BROADSTAIRS</u> (Pages 91 - 108)
4d	<u>A04 FH/TH/22/1703 - 32 CROW HILL, BROADSTAIRS</u> (Pages 109 - 118)
4e	<u>A05 F/TH/22/1543 - LAND ON THE SOUTH EAST SIDE OF MANSTON ROAD, MANSTON AIRPORT, NORTHERN GRASS, MARGATE</u> (Pages 119 - 128)
4f	<u>A06 F/TH/22/1628 - LAND ADJACENT TO HARBOUR MASTERS OFFICE AND PUBLIC TOILETS, HARBOUR STREET, BROADSTAIRS</u> (Pages 129 - 138)
4g	<u>A07 L/TH/22/1629 - LAND ADJACENT TO HARBOUR MASTERS OFFICE AND PUBLIC TOILETS, HARBOUR STREET, BROADSTAIRS</u> (Pages 139 - 146)
4h	<u>A08 F/TH/23/0477 - VICTORIA GARDENS, VICTORIA PARADE, BROADSTAIRS</u> (Pages 147 - 154)
4i	<u>A09 L/TH/23/0199 - MARGATE CLOCK TOWER, MARINE DRIVE, MARGATE</u> (Pages 155 - 160)
4j	<u>A10 FH/TH/23/0238 - 8 PLUCKLEY GARDENS, MARGATE</u> (Pages 161 - 164)
4k	<u>A11 F/TH/22/1708 - FLAT 1 - 189 HIGH STREET, RAMSGATE</u> (Pages 165 - 168)
Applications for Refusal	
4l	<u>R12 F/TH/23/0026 - LAND NORTH OF DOWN BARTON ROAD, ST NICHOLAS-AT-WADE</u> (Pages 169 - 184)
Applications for Deferral	
4m	<u>D13 F/TH/22/1341 - 16 SOWELL STREET, BROADSTAIRS</u> (Pages 185 - 194)
End of Schedule Items	
5.	<u>PLANNING APPLICATION F/TH/22/0399 - 15 PARK LANE BIRCHINGTON</u> (Pages 195 - 220)



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

Do I have a Disclosable Pecuniary Interest and if so what action should I take?

Your Disclosable Pecuniary Interests (DPI) are those interests that are, or should be, listed on your Register of Interest Form.

If you are at a meeting and the subject relating to one of your DPIs is to be discussed, in so far as you are aware of the DPI, you **must** declare the existence **and** explain the nature of the DPI during the declarations of interest agenda item, at the commencement of the item under discussion, or when the interest has become apparent

Once you have declared that you have a DPI (unless you have been granted a dispensation by the Standards Committee or the Monitoring Officer, for which you will have applied to the Monitoring Officer prior to the meeting) you **must**:-

1. Not speak or vote on the matter;
2. Withdraw from the meeting room during the consideration of the matter;
3. Not seek to improperly influence the decision on the matter.

Do I have a significant interest and if so what action should I take?

A significant interest is an interest (other than a DPI or an interest in an Authority Function) which:

1. Affects the financial position of yourself and/or an associated person; or
Relates to the determination of your application for any approval, consent, licence, permission or registration made by, or on your behalf of, you and/or an associated person;
2. And which, in either case, a member of the public with knowledge of the relevant facts would reasonably regard as being so significant that it is likely to prejudice your judgment of the public interest.

An associated person is defined as:

- A family member or any other person with whom you have a close association, including your spouse, civil partner, or somebody with whom you are living as a husband or wife, or as if you are civil partners; or
- Any person or body who employs or has appointed such persons, any firm in which they are a partner, or any company of which they are directors; or
- Any person or body in whom such persons have a beneficial interest in a class of securities exceeding the nominal value of £25,000;
- Any body of which you are in a position of general control or management and to which you are appointed or nominated by the Authority; or
- any body in respect of which you are in a position of general control or management and which:
 - exercises functions of a public nature; or
 - is directed to charitable purposes; or
 - has as its principal purpose or one of its principal purposes the influence of public opinion or policy (including any political party or trade union)

An Authority Function is defined as: -

- Housing - where you are a tenant of the Council provided that those functions do not relate particularly to your tenancy or lease; or
- Any allowance, payment or indemnity given to members of the Council;
- Any ceremonial honour given to members of the Council
- Setting the Council Tax or a precept under the Local Government Finance Act 1992



If you are at a meeting and you think that you have a significant interest then you **must** declare the existence **and** nature of the significant interest at the commencement of the matter, or when the interest has become apparent, or the declarations of interest agenda item.

Once you have declared that you have a significant interest (unless you have been granted a dispensation by the Standards Committee or the Monitoring Officer, for which you will have applied to the Monitoring Officer prior to the meeting) you **must:-**

1. Not speak or vote (unless the public have speaking rights, or you are present to make representations, answer questions or to give evidence relating to the business being discussed in which case you can speak only)
2. Withdraw from the meeting during consideration of the matter or immediately after speaking.
3. Not seek to improperly influence the decision.

Gifts, Benefits and Hospitality

Councillors must declare at meetings any gift, benefit or hospitality with an estimated value (or cumulative value if a series of gifts etc.) of £25 or more. You **must**, at the commencement of the meeting or when the interest becomes apparent, disclose the existence and nature of the gift, benefit or hospitality, the identity of the donor and how the business under consideration relates to that person or body. However you can stay in the meeting unless it constitutes a significant interest, in which case it should be declared as outlined above.

What if I am unsure?

If you are in any doubt, Members are strongly advised to seek advice from the Monitoring Officer or the Committee Services Manager well in advance of the meeting.

If you need to declare an interest then please complete the declaration of [interest form](#).

Planning Committee

Minutes of the meeting held on 19 April 2023 at 7.00 pm in Council Chamber, Council Offices, Cecil Street, Margate, Kent.

Present: Councillor Michael Tomlinson (Chair); Councillors J Bayford, Crittenden, Everitt, Garner, Keen, Paul Moore, Rusiecki, Shrubbs, Towning, Wallin, Wing and Wright

**In
Attendance:**

1. APOLOGIES FOR ABSENCE

Apologies were received from Councillors Albon, Coleman-Cooke and Pat Moore.

2. DECLARATIONS OF INTEREST

There were no declarations of interest.

3. MINUTES OF PREVIOUS MEETING

Councillor Bayford proposed, Councillor Rusiecki seconded and Members agreed that the minutes of the meeting held on 15 March 2023 be approved as a correct record.

4. UPDATE FOR F/TH/22/1284 - THE OLD FORGE, HIGH STREET, GARLINGE, MARGATE, KENT (SITE VISIT)

PROPOSAL: Erection of 4no. 3 bed detached dwellings with associated access and landscaping following the demolition of a side extension to the existing dwelling.

Councillor Boyd spoke against the application under Council Rule 20.1.

It was proposed by the Chair and seconded by Councillor Shrubbs:

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 06D, 07, 08, 09, 10A, 11A, 12, 13, 14, 15 and 16 B.

GROUND:

To secure the proper development of the area.

3 – The construction of the site shall be carried out in accordance with the Construction Environmental Management Plan (CEMP) received 24th March 2023 unless otherwise agreed in writing by the Local Planning Authority.

GROUND:

In the interests of highway safety, neighbouring amenity and heritage, in accordance with Policies QD03 and HE03 of the Thanet Local Plan and the advice contained within the National Planning Policy Framework.

4 – Prior to their installation written and illustrative details of the type of Electric vehicle charging points (EVCP) shall be submitted to and approved in writing by the local planning authority before any of the units are first brought into use. The EVCP shall be maintained and kept in good working order thereafter as specified by the manufacturer.

GROUND:

To protect air quality, in accordance with Policy SE05 of the Thanet Local Plan and the advice as contained within the National Planning Policy Framework.

5 – 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, unless otherwise agreed in writing with the Local Planning Authority.

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.

6 – The development hereby permitted shall be constructed in order to meet the required technical standard for water efficiency of 110 litres/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 110 litre /person/day, in accordance with Policy QD04 of the Thanet Local Plan.

7 – If, during development, significant contamination is suspected or found to be present at the site, then works shall cease, and this contamination shall be

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

GROUND:

To ensure that the proposed development will not cause harm to human health or pollution of the environment, in accordance with Policy SE03 of the Thanet Local Plan and the advice contained within the National Planning Policy Framework.

8 – The areas shown on the approved plans 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 National Planning Policy Framework.

9 – Prior to any above ground development of any dwelling hereby approved hereby approved the access shown on the approved plan 06D shall be constructed and thereafter retained for use by the approved dwellings.

GROUND:

In the interests of highway safety, in accordance with the advice contained within the National Planning Policy Framework.

10 – Prior to the first occupation of the development hereby permitted, details of the arrangements for waste and recycling storage and collections shall be submitted to and approved in writing by the Local Planning Authority. These details shall include arrangements for waste and recycling to be stored and collected from within the new development. The arrangements and measures shall be provided in accordance with the approved details and thereafter maintained.

GROUND:

In the interests of highway safety, and the living conditions of future occupants, in accordance with Policy QD03 of the Thanet Local Plan, and advice as contained within the National Planning Policy Framework.

11 – 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.

12 – The drainage of the site shall be carried out in accordance with the drainage details received on the 21st September 2022 unless otherwise agreed in writing with the Local Planning Authority.

GROUND:

To protect the district's groundwater, and to ensure the development is served by satisfactory arrangements for the disposal of surface water, in accordance with Policies SE04 and CC02 of the Thanet Local Plan and advice contained within the National Planning Policy Framework.

13 – The external surfaces of the dwellings hereby permitted shall be built in accordance with the materials schedule submitted on the 19th January 2023 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.

14 – Prior to the first use of the access road, hereby approved full details of the fence to its southern boundary shall be submitted to, and approved in writing by the Local Planning Authority. This fence shall be installed prior to the first use of the access and thereafter retained.

GROUND:

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

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

- Species, size and location of new trees, shrubs, hedges and grassed areas to be planted,
- The materials proposed for all hard surfaced areas beyond the limits of the Highway, including type and colour and including the area of parking for the old forge,
- Walls, fences, other means of enclosure proposed,

- The precise location and design of any replacement/retained signage for the public bridleway,
- Ecological enhancements to be provided within the site shall be submitted to, and approved in writing by, the Local Planning Authority following consultation with Kent County Council Public Rights of Way team.

shall be submitted to, and approved in writing by, the Local Planning Authority following consultation with Kent County Council Public Rights of Way team.

GROUND:

In the interests of the visual amenities of the area and to make a positive contribution to biodiversity, in accordance with Policies QD02 and SP30 of the Thanet Local Plan, and the advice as contained within the NPPF.

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

GROUND:

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

17 – The bathroom and landing windows in the first floor rear elevation of unit 1 hereby approved shall be non-opening below 1.73m above the finished internal floor level, and provided and maintained with obscured glass to a minimum level of obscurity to conform to Pilkington Glass level 4 or equivalent; and shall be installed prior to the first occupation of the development hereby permitted and permanently retained thereafter.

GROUND:

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

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

5. UPDATE FOR OL/TH/21/1976 – ALL SAINTS INDUSTRIAL ESTATE, ALL SAINTS ROAD, MARGATE

PROPOSAL: Outline application for the erection of 58 light industrial units (Use Class E(g)) and associated parking including access, appearance, layout and scale.

It was proposed by the Chair and seconded by Councillor Shrubbs:

THAT the officer's recommendation be adopted, namely:

That the application be approved subject to the following conditions:

1 – Approval of the details of the landscaping of the site, (hereinafter called 'the reserved matters') shall be obtained from the Local Planning Authority in writing before any development is commenced.

GROUND:

As no such details have been submitted.

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

GROUND:

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

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

GROUND:

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

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

GROUND:

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

5 – The proposed development shall be carried out in accordance (for access, appearance, layout and scale) with the submitted application as amended by the revised plans numbered 02, 03, 04, 05, 06, 07, 08, 09, 10, 11, 12, 13 and 15 received 23 December 2021, 20 received 16 August 2022, 17 Rev B, 18 Rev B and 19 Rev B received 20 October 2022 and and 01 Rev E, 22 and J7/01043 received 16 February 2023.

GROUND:

To secure the proper development of the area.

6 – 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 Flood Risk Assessment prepared by BJB dated May 2016 demonstrate that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100 year storm) can be accommodated and disposed of within the curtilage of the site without increase to flood risk on or off-site. The drainage scheme shall also demonstrate that silt and pollutants resulting from the site use and construction can be adequately managed to ensure there is no pollution risk to receiving waters and appropriate operational, maintenance and access requirements for each drainage feature or SuDS component are adequately considered, including any proposed arrangements for future adoption by any public body or statutory undertaker. The drainage scheme shall be implemented in accordance with the approved details.

GROUND:

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

7 – No building on any phase (or within an agreed implementation schedule) of the development hereby permitted shall be occupied until a Verification Report for that phase, 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.

8 – Details pursuant to condition 1 (landscaping) shall show a permeable material for all hard surface areas to be created within the site.

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.

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

GROUND:

To protect vulnerable groundwater resources in accordance with Policy SE04 of the Thanet Local Plan, and the advice contained within the National Planning Policy Framework.

10 – No development shall commence until a site characterisation and remediation scheme has been submitted to and approved in writing by the Local Planning Authority and the remediation scheme has been implemented in accordance with the approved details. The site characterisation, remediation scheme and implementation of the approved remediation scheme shall be carried out in accordance with the following criteria (a) Site Characterisation An investigation and risk assessment, in addition to any assessment provided with the planning application, shall be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment shall be undertaken by competent persons and a written report of the findings shall be submitted to and approved in writing by the Local Planning Authority, and shall include:

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

The site characterisation report shall be conducted in accordance with British Standards and current DEFRA and Environment Agency best practice.(b) Submission of remediation scheme A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include all works to be undertaken, proposed remediation objectives and remediation criteria, a timetable of works and site management procedures. The scheme shall ensure that the site cannot be considered as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.(c) Implementation of Approved Remediation

Scheme The approved remediation scheme shall be carried out in accordance with its terms prior to the commencement of the development other than that required to carry out remediation. The Local Planning Authority shall be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out shall be submitted to and approved in writing by the Local Planning Authority.

GROUND:

To ensure that the proposed site investigation, remediation and development will not cause harm to human health or pollution of the environment, in accordance with Policy SE03 of the Thanet Local Plan and the advice contained within the National Planning Policy Framework.

11 – No development shall take place until the method of piling foundations has been submitted to and agreed in writing by the Local Planning Authority. Any such piling shall thereafter be undertaken in accordance with the agreed 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.

12 – 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.

13 – Details pursuant to condition 1 (landscaping) shall include details of, an ecologically-sensitive clearance method of the sparse grassland and open-mosaic habitat on the site.

GROUND:

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

14 – Prior to the installation of any external lighting on the development hereby approved, a "lighting design strategy for biodiversity" for the site boundaries shall be submitted to and approved in writing by the local planning authority. The lighting strategy shall:

- a) Identify those areas/features on site that are particularly sensitive for badgers and bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory;
- b) Show how and where external lighting will be installed so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory.
- c) Details of the types of lighting to be used including their fittings, illumination levels and spread of light

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

GROUND:

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

15 – Details pursuant to condition 1 (landscaping) shall include full details of ecological enhancements, required to be provided within the site to demonstrate net-gain to biodiversity to include an ecologically sensitive soft landscaping plan where vegetation is retained and enhanced on-site where possible.

GROUND:

To ensure the site makes a positive contribution to biodiversity, in accordance with policy SP30 of the Thanet Local Plan, and the advice as contained within the NPPF.

16 – 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.

17 – Prior to the first occupation IN of the development hereby permitted, all off-site highway works as shown on approved drawing no. 01 Rev C and 17 Rev B received 20 October 2022 unless otherwise agreed in writing by the Local Planning Authority, shall be completed and made operational.

GROUND:

In the interests of highway safety and to mitigate any adverse transport impact in accordance with Policy TP01 of the Thanet Local Plan and the advice contained within the NPPF.

18 – Prior to the first use of the site the vehicle loading/unloading and turning facilities shown on the submitted plan numbers 01 Rev C, 17 Rev B, 18 Rev B and 19 Rev B received 20 shall be provided and permanently retained.

GROUND:

In the interests of highway safety, in accordance with Policy TP08 of the Thanet Local Plan.

19 – Prior to the first occupation of the development hereby approved, details of the design of the electric vehicle charging points, to be located as shown on the approved plan numbered 01 Rev C, 17 Rev B, 18 Rev B and 19 Rev B received 20 October 2022 shall be submitted to, and approved in writing by, the Local Planning Authority, and thereafter implemented and maintained as approved.

GROUND:

To protect air quality, in accordance with Policy SP14, SP45 and SE05 of the Thanet Local Plan and the advice as contained within the NPPF.

19 – Prior to the first use of the development, the secure cycle parking facilities, as shown on approved drawing no. 01 Rev C, 17 Rev B, 18 Rev B and 19 Rev B received 20 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.

20 – The areas shown on the approved plan numbered 01 Rev C, 17 Rev B, 18 Rev B and 19 Rev B received 20 October 2022 for vehicle parking and manoeuvring areas, shall be kept available for such use at all times and such land and access thereto shall be provided, prior to the first use of the development hereby permitted.

GROUND:

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.

20 - The premises hereby approved shall not be used other than between the hours of 0700 to 1800 Monday to Friday and 0900 to 1800 Saturday.

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.

21 – The development hereby approved shall be used as commercial units falling within Use Class E(g) and for no other purpose including any other purpose in Class E of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

GROUND:

To secure the proper development of the area in accordance with Thanet Local Plan Policies E01 and SP05.

22 – Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order), no development shall take place under Class MA in Schedule 2 Part 3 of that order (or any Order revoking and re-enacting that Order) in relation to the development hereby approved.

GROUND:

To secure the proper development of the area in accordance with Thanet Local Plan Policies E01 and SP05, which allocates the allocation site for employment uses only.

23 – The development hereby permitted shall be constructed using brick, metal cladding, and glazed blocks, design and access statement received 26 January 2022 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.

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

6. SCHEDULE OF PLANNING APPLICATIONS

(a) A01 R/TH/22/1650 - Land At New Haine Road, Ramsgate, Kent

PROPOSAL: Reserved matters application for the approval of layout, scale, landscaping and appearance for the erection of 117no. dwellings (Phase 2) including infrastructure, earthworks, drainage, equipped play and associated access pursuant to Hybrid planning permission F/TH/21/0417 comprising of outline planning with all matters reserved (except for access) for up to 322no.

residential dwellings, and full planning for 178no. residential dwellings (Phase 1)

Ms Tamplin spoke in favour of the application.

It was proposed by the Chair and seconded by the Councillor Shrubbs:

THAT the officer's recommendation be adopted, namely:

That the application be approved subject to the following conditions:

1 – The development hereby approved shall be carried out in accordance with the submitted drawings:

- 2205.01 Planning layout Rev P
- 2205.Win.01 Winterton Rev C
- 2205.Win.02 Winterton Rev B received 11 April 2023
- 2205.03 Materials Plan Rev D
- 2205.04 Street Scenes Rev C
- 2205.TEW.01 Tewksbury & Coach House Rev E
- 2205.TEW.02 Tewksbury & Coach House Rev D
- 2205.TEW.03 Tewksbury & Coach House Rev C
- 2205.THA.01 Thanet Rev C
- 2205.THA.05 Thanet 3-Block Rev B
- 2205.WES.01 Westbrook Rev B
- 2205.WES.02 Westbrook Rev B
- 2205.WES.03 Westbrook Rev B received 16 March 2023
- 2205.THA.06 Thanet 3-Block Rev B
- 2205.THA.07 Thanet 3-Block Rev B received 12 January 2023
- 2205.SG.01 Single Garage Rev A
- 2205.TG.01 Twin Garage Rev A
- 2205.ALD.01 Alder Rev A
- 2205.ALD.02 Alder Rev A
- 2205.CUL.01 Culver Rev A
- 2205.CUL.02 Culver Rev A
- 2205.ELM.01 Elmswell Rev A
- 2205.ELM.02 Elmswell Rev A
- 2205.ELM.03 Elmswell Rev A
- 2205.FOX.01 Foxglove Rev A
- 2205.FOX.02 Foxglove Rev A
- 2205.FRA.01 Frampton Rev A
- 2205.FRA.02 Frampton Rev A
- 2205.HAZ.01 Hazelborough Rev A
- 2205.HAZ.02 Hazelborough Rev A
- 2205.HAZ.03 Hazelborough Rev A
- 2205.N2B4.01 Type C Rev B
- 2205.N2B4.02 Type C Rev B
- 2205.THA.02 Thanet Rev B

- 2205.THA.03 Thanet Rev A
- 2205.THA.04 Thanet 3-Block Rev A
- 2205.WES.04 Westbrook Rev A
- 2205.WYC.01 Wychwood Rev A
- 2205.WYC.02 Wychwood Rev A
- 2205.CS.01 Cycle Store Plots 276 - 293 Rev A
- 2205.CS.02 Cycle Store Plots 188- 193 Rev A
- 2205.CS.03 Cycle Store Plots 263- 274 Rev A
- 2205.BS.01 Bin Store 282 - 287 Rev A
- 2205.BS.CS.01 Bin / cycle store plots 197 - 187 Rev A received 09 January 2023

GROUND:

To secure the proper development of the area.

2 – Prior to the first occupation of the development hereby permitted, the access and access roads as shown on the submitted plan numbered 2205.01 Rev P shall be provided and made operational.

GROUND:

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

3 – Prior to the first occupation of any dwelling within the development hereby permitted, the vehicle parking spaces relating to that dwelling, including the garage and car port, and visitor parking spaces, as shown on the approved plan numbered 2205.01 Rev P shall be provided and permanently retained.

GROUND:

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

4 – Prior to the first use of the development hereby permitted, the vehicle turning facilities as shown available on the approved plan numbered 2205.01 Rev P shall be provided and permanently retained.

GROUND:

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

5 - Visibility and pedestrian visibility splays shall be provided to the access roads and parking areas in accordance with plan numbered 22040-SK02C. The visibility splays shall thereafter be maintained.

GROUND:

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

6 – 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 for the flat units, one active charging point per ten unallocated parking spaces and one active charging point per dwelling. The electric vehicle charging points shall be provided prior to the first occupation of the respective development it serves and thereafter maintained.

GROUND:

To protect air quality, in accordance with Policy SE05 of the Thanet Local Plan and the advice as contained within the NPPF.

7 – Prior to the first occupation of any dwelling/unit within the development hereby permitted, the refuse storage facilities relating to that dwelling/unit shall be provided and thereafter maintained, in accordance with the approved plans numbered 2205:01 PL Rev P, 2205.BS.01 Rev A, and 2205.BS.CS.01 Rev A.

GROUND:

To safeguard the residential amenities of future occupiers in accordance with Policy QD03 of the Thanet Local Plan.

8 – Prior to the first occupation of the development hereby permitted, details of the secure, covered cycle parking facilities to serve each unit, shall be submitted to and approved in writing by the Local Planning Authority. The cycle parking facilities shall be provided prior to the first occupation of each associated unit, and in accordance with the approved details, and thereafter maintained.

GROUND:

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

9 – Prior to the first occupation of each block of self-contained flats, the doorstep playspace area associated with that block shall be made available for use, and fully enclosed with high hooped top railings a minimum height of 1.2m, as shown on plans numbered 2205.06 Rev D and 2205.B.06. The playspace and boundary treatment shall thereafter be maintained.

GROUND:

In order to provide a safe doorstep play area in accordance with Policies QD03 and GI04 of the Thanet Local Plan.

10 – Prior to the construction of the external surfaces of the development hereby approved, samples of the materials to be used, as shown on plan numbered 2205.03 Rev D, 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.

11 – Prior to the installation of the windows and doors hereby approved, details and manufacturer's specification of the windows and doors shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

GROUND:

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

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

GROUND:

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

13 – The hard and soft landscaping works shall be provided in accordance with the following details:

- Landscape plan sheet 1 of 3 numbered CSA/5866/110 Rev A;
- Landscape plan sheet 1 of 3 numbered CSA/5866/111 Rev A;
- Landscape plan sheet 1 of 3 numbered CSA/5866/112 Rev A;
- Boundary treatment plan numbered 2205.06 Rev D;
- 1.8m brick pier wall and fence numbered 2205.B.01 Rev A;
- 1.8m screen boundary fence plan numbered 2205.B.02;
- 450mm knee rail plan numbered 2205.B.03;
- 0.9m high railings numbered 2205.B.04;
- Gate plan numbered 2205.B.05;
- 1.2m high hooped top railings plan numbered 2205.B.06.

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.

14 – Prior to the commencement of development hereby permitted, an ecological design strategy, which outlines how the proposal accords with the details as set out within section 11 of the Biodiversity Net Gain Preliminary Design Assessment (Bakerwell October 2021), and the mitigation measures as set out within Section 9 of the submitted Ecological Assessment (Bakerwell, March 2021), along with an updated biodiversity net gain assessment, shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall be carried out in accordance with the approved details.

GROUND:

In the interests of preserving and enhancing biodiversity and ecological potential, and to adequately integrate the development into the environment,

in accordance with Policies QD02 and GI06 of the Thanet Local Plan and the National Planning Policy Framework.

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

(b) **A02 FH/TH/23/0138 - 54 Stone Road, Broadstairs, Kent, CT10 1DZ**

PROPOSAL: Erection of two storey front and rear extensions together with 4 roof lights, front flat roof porch and first floor rear balcony and alterations to fenestration and materials.

Mrs Goddard spoke against of the application.

It was proposed by the Chair and seconded by the Councillor Shrubbs:

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 and the approved drawings numbered 04, 05, 06, 07 and 08.

GROUND:

To secure the proper development of the area.

3 – Prior to the construction of the external surfaces of the development hereby approved, details and manufacturer's specification of the external materials shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

GROUND:

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

4 – The front brick and flint boundary wall shall be retained as part of this development.

GROUND:

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

Upon being put to the vote, the motion was declared **LOST**.

It was proposed by Councillor Bayford, seconded by Councillor Paul Moore and members agreed:

This item be deferred for a future planning committee after a site visit has been carried out following the June committee meeting.

(c) **A04 F/TH/22/1638 - Pier Head Shelter, The Harbour, Broadstairs, Kent, CT10 1EU**

PROPOSAL: Erection of single storey front, side and rear extensions to existing restaurant together with landscaping and seating areas.

Mr Miles spoke in favour of the application.

It was proposed by the Chair and seconded by Councillor Shrubbs:

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 05, 06, 07 and 08 received 26 February 2021.

GROUND:

To secure the proper development of the area.

3 – The external surfaces of the development, hereby permitted, shall be constructed using vertical and horizontal black cladding, concrete framed picture windows, and black aluminium framed glazing, as annotated on the Proposed Elevations drawing numbered 08 received 6 December 2022.

GROUND:

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

4 – Prior to the first use of the extension hereby approved 6 benches shall be installed on the north facing elevation of the building and 4 concrete benches shall be installed on the eastern (seaward facing) elevation, in the location shown on amended drawing numbered 06A, received 23 March 2023. The benches installed shall thereafter be made available and maintained for public seating and flood mitigation purposes, unless otherwise agreed in writing by the Local Planning Authority.

GROUND:

To enhance the public amenity space and limit flood risk, in accordance with Policies QD02 and CC01 of the Thanet Local Plan.

5 – Prior to the first use of the extension hereby approved the cycle parking shown on drawing numbered 06A, to the northern elevation of the building, shall be provided and thereafter maintained for cycle parking.

GROUND:

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

6 – Prior to the first use of the extension hereby approved the flood mitigation measures as set out in the submitted Extension Flood Risk Assessment (RMB Consultants) (Civil Engineering) Ltd December, dated 2022, shall be fully implemented.

GROUND:

To reduce any impact of flooding in accordance with Policy CC01 of the Thanet Local Plan and advice contained within the NPPF.

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

(d) **A03 FH/TH/23/0121 - 85 Salisbury Avenue, Broadstairs, Kent, CT10 2EB**

The Chair informed the committee that this item was withdrawn due to the applicant withdrawing their application, pending further amendments.

(e) **R07 FH/TH/23/0031 - Little Upton Vale Road, Broadstairs, Kent, CT10 2JJ**

PROPOSAL: Erection of a detached single storey, pitched roof, outbuilding (retrospective) following the demolition of existing outbuilding.

Mr Bryen spoke against the application.

It was proposed by the Chair and seconded by Councillor Shrubbs:

THAT the officer's recommendation be adopted, namely:

That the application be refused subject to the following conditions:

1 – The retention of the outbuilding within the curtilage of this Grade II listed building would harm its setting by virtue of its location, footprint and scale. As a result the outbuilding would obscure views of the architecture of this building which is the reason for its listing. The proposal would not result in any public benefit to outweigh the identified harm. The proposal is therefore contrary to the setting of the listed building contrary to paragraphs 195, 197, 200 and 202 and policy HE03 of the Local Plan.

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

(f) **A05 L/TH/23/0164 - Public Conveniences Stone Pier, Margate, Kent, CT9 1AP**

PROPOSAL: Application for Listed Building Consent for installation of replacement entrance doors and internal alterations.

It was proposed by Councillor Bayford, seconded by Councillor Shrubbs and members agreed:

THAT this application has not been reserved for debate and will be determined in accordance with the Officer's recommendations:

That the application be approved subject to the following conditions:

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

GROUND:

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

2 – The development hereby approved shall be carried out in accordance with the submitted drawings numbered CR/22-23/04-03 received 31 January 2023.

GROUND:

To secure the proper development of the area.

3 – Precise details of any new external doors, including their colour finish, shall be submitted to and approved in writing by the Local Planning Authority. Such details as are approved shall be carried out concurrently with the development and fully implemented prior to the first use of any part of the approved development.

GROUND:

To secure a satisfactory external treatment and to safeguard the special character and appearance of the designated heritage asset in accordance with Thanet Local Plan policy HE03 and advice contained within the National Planning Policy Framework.

(g) **A06 F/TH/23/0216 - Nethercourt Touring Park, Nethercourt Hill, Ramsgate, Kent, CT11 0RX**

PROPOSAL: Erection of 1.9 metre high wall to Nethercourt Touring Park boundary between Nos 17 and 24 Kendal Close.

It was proposed by Councillor Bayford, seconded by Councillor Shrubbs and members agreed:

THAT this application has not been reserved for debate and will be determined in accordance with the Officer's recommendations:

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 CR/22-23/01 and CR/22-23/02, received 9 February 2023.

GROUND:

To secure the proper development of the area.

3 – The bricks to be used in the construction of the wall hereby approved shall be red multi stock 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.

4 – The bricks to be used for the construction of the wall hereby approved shall be red multi stock 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.

5 – The wall hereby approved shall be erected in the location identified on drawing numbered CR/22-23/02 received 9 February 2023.

GROUND:

To secure the proper development of the area.

Meeting concluded: 9:47pm

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THANET DISTRICT COUNCIL

PLANNING COMMITTEE

14TH JUNE 2023

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 thanet.gov.uk and gov.uk)

1. Thanet District Council Local Plan and associated documents.
2. Cliftonville Development Plan Document
3. Broadstairs and St Peters Neighbourhood Plan
4. The National Planning Policy Framework and the National Planning Practice Guidance issued by the Ministry of Housing, 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 via the Council's website <https://planning.thanet.gov.uk/online-applications/> or at the Council offices)

(C) Background Papers in relation to specific reports in the Schedule of Planning Applications

(Copies of background papers and any appeal decisions referred to are available via the Council's website <https://planning.thanet.gov.uk/online-applications/>)

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:5th JUNE 2023

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THANET DISTRICT COUNCIL

REPORT OF THE DIRECTOR OF PLACE

PART A

TO: THE PLANNING COMMITTEE

DATE: 14 June 2023

Application Number	Address and Details	Recommendation
A01 R/TH/22/1393	Land On The West Side Of Tothill Street RAMSGATE Kent	Approve
MAJOR	<p>Application for the reserved matters of outline permission OL/TH/18/1488 "Outline application for the erection of up to 214no. dwellings, cemetery expansion, and associated access, with all other matters reserved" for the approval of appearance, landscaping, layout and scale of development within phase 1 (133no. dwellings)</p> <p>Ward: Thanet Villages</p>	
A02 F/TH/23/0233	Reclamet Recycling Centre Woodchurch Road BIRCHINGTON Kent CT7 0HL	Approve
	<p>Erection of first floor extensions to 2no office buildings</p> <p>Ward: Thanet Villages</p>	
A03 F/TH/23/0175	Plot 6 Land Adjacent To Clifftop North Foreland Avenue BROADSTAIRS Kent	Approve
	<p>Erection of 1no. 2-storey detached dwelling together with 2-storey outbuilding containing a garage and two bed self contained annexe.</p> <p>Ward: Kingsgate</p>	
A04 FH/TH/22/1703	32 Crow Hill Broadstairs Kent CT10 1HT	Approve

Erection of a two storey rear extension and balcony to the first floor front elevation and 8No rooflights together with alterations to fenestrations and excavation of front garden to facilitate off street parking following demolition of existing rear extension

Ward: Bradstowe

A05 F/TH/22/1543

Land On The South East Side Of Manston Road Manston Airport Northern Grass MARGATE Kent

Approve

Temporary change of use of land for a period of five years for self storage facility including the siting of storage containers (retrospective application)

Ward: Thanet Villages

A06 F/TH/22/1628

Land Adjacent To Harbour Masters Office And Public Toilets Harbour Street BROADSTAIRS Kent CT10 1EU

Approve

External works including the erection of galvanized steel and timber flood gates, walls to slipway, highway and carpark areas and extension to the footpath.

Ward: Bradstowe

A07 L/TH/22/1629

Land Adjacent To Harbour Masters Office And Public Toilets Harbour Street BROADSTAIRS Kent CT10 1EU

Approve

Application for Listed Building Consent for external works including the erection of galvanized steel and timber flood gates and walls to slipway, highway and carpark areas

Ward: Bradstowe

Agenda Item 4

Annex 1

A08	F/TH/23/0477	Victoria Gardens Victoria Parade BROADSTAIRS Kent CT10 1QS	Approve
		Erection of timber information kiosk situated on upper promenade	
		Ward: Viking	
A09	L/TH/23/0199	Margate Clock Tower Marine Drive MARGATE Kent CT9 1DH	Approve
		Application for Listed Building Consent for installation of wrought iron gate to South West elevation to the Margate Clock Tower	
		Ward: Margate Central	
A10	FH/TH/23/0238	8 Pluckley Gardens Margate Kent CT9 3EP	Approve
		Erection of a single storey rear extension with 2no rooflights following demolition of existing conservatory	
		Ward: Cliftonville East	
A11	F/TH/22/1708	Flat 1 189 High Street RAMSGATE Kent CT11 9TP	Approve
		Replacement of timber windows and porch with UPVC	
		Ward: Central Harbour	

THANET DISTRICT COUNCIL

REPORT OF THE DIRECTOR OF PLACE

PART B

TO: THE PLANNING COMMITTEE

DATE: 14 June 2023

Application Number	Address and Details	Recommendation
R12 F/TH/23/0026	Land North Side Of Down Barton Road St Nicholas At Wade Kent Erection of 1No single storey 3-bed dwelling (self build) Ward: Thanet Villages	Refuse Permission

THANET DISTRICT COUNCIL

REPORT OF THE DIRECTOR OF PLACE

PART C

TO: THE PLANNING COMMITTEE

DATE: 14 June 2023

Application Number	Address and Details	Recommendation
D13 F/TH/22/1341	16 Sowell Street BROADSTAIRS Kent CT10 2AT	Defer & Delegate

Variation of condition 2 of planning permission F/TH/20/0575 for the "Erection of 4No. two storey 4bed detached dwellings with associated access, parking and landscaping" to allow removal of trees and change to finished floor levels

Ward: St Peters

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A01

R/TH/22/1393

PROPOSAL: Application for the reserved matters of outline permission
OL/TH/18/1488 "Outline application for the erection of up to
LOCATION: 214no. dwellings, cemetery expansion, and associated access,
with all other matters reserved" for the approval of appearance,
landscaping, layout and scale of development within phase 1
(133no. dwellings)

Land On The West Side Of Tothill Street RAMSGATE Kent

WARD: Thanet Villages

AGENT: Mr Andrew Watson, Savills

APPLICANT: Ms Amy Tamplin, BDW Homes

RECOMMENDATION: Approve

Subject to the following conditions:

1 The proposed development shall be carried out in accordance with the submitted application plans and details below:

Site Layout 110222/RM/P1/SL01 Rev U
Storey Heights Plan 110222/RM/P1/SL02 Rev E
Dwelling Types Plan 110222/RM/P1/SL03 Rev E
Tenure Plan 110222/RM/P1/SL04 Rev E
Parking Plan 110222/RM/P1/SL05 Rev E
Refuse Plan 110222/RM/P1/SL06 Rev E
Fire Strategy Plan 110222/RM/P1/SL07 Rev E
Materials Plan 110222/RM/P1/SL08 Rev H
Boundary Treatment Plan 110222/RM/P1/SL09 Rev F
M42(2)/M4(3) Plan 110222/RM/P1/SL10 Rev E
Colour Site Layout 110222/RM/P1/SL11 Rev C
Hard Landscaping Plan 110222/RM/P1/SL12 Rev H
Electric Charging Points Location 110222/RM/P1/SL17 Rev E
Road Hierarchy Plan 110222/RM/P1/SL19 Rev C
Bridleway Extract Plan 110222/RM/P1/SL20 Rev A
Coloured Street Scenes - Sheet 1 110222/RM/P1/SS1 Rev E
Proposed Site Sections 110222/RM/P1/SS3 Rev A
House Type ALD Elevations & Floor Plans 110222/ALD/EP Rev B
House Type BLA (Sheet 1) Elevations & Floor Plans 110222/BLA/1/EP Rev E
House Type BLA (Sheet 2) Elevations & Floor Plans 110222/BLA/2/EP Rev E
House Type CUL (Sheet 1) Elevations & Floor Plans 110222/CUL/1/EP Rev D
House Type CUL (Sheet 2) Elevations & Floor Plans 110222/CUL/2/EP Rev D
House Type EAR Elevations & Floor Plans 110222/EAR/EP Rev B

House Type HAZ Elevations & Floor Plans 110222/HAZ/EP Rev E
House Type HAZ 1 Elevations & Floor Plans 110222/HAZ/1/EP Rev B
House Type LYN Elevations & Floor Plans 110222/LYN/EP Rev B
House Type OLL (Sheet 1) Elevations & Floor Plans 110222/OLL/1/EP Rev E
House Type OLL (Sheet 2) Elevations & Floor Plans 110222/OLL/2/EP Rev E
House Type THO Elevations & Floor Plans 110222/THO/EP Rev C
House Type WIN Elevations & Floor Plans 110222/WIN/EP Rev E
House Type WYC Elevations & Floor Plans 110222/WYC/EP Rev C
House Type SH51 Elevations & Floor Plans 110222/SH51/EP Rev E
House Type SH52 Elevations & Floor Plans 110222/SH52/EP Rev F
House Type WF/N Elevations & Floor Plans 110222/WF-N/EP Rev D
House Type 60/61 Elevations & Floor Plans 110222/60-61/EP Rev A
Single Garage Elevations & Floor Plans 110222/SG/EP Rev A
Double Garage Elevations & Floor Plans 110222/DG/EP Rev A
Twin Garage Elevations & Floor Plans 110222/TG/EP Rev A
Quad Garage Elevations & Floor Plans 110222/QG/EP Rev A

Planting Plan 6142-LLB-EA-E1-DR-L-0006 Rev P05
Planting Plan 6142-LLB-EA-E2-DR-L-0007 Rev P06
Planting Plan 6142-LLB-EA-E3-DR-L-0008 Rev P04
Planting Plan 6142-LLB-EA-E4-DR-L-0009 Rev P04
Planting Plan 6142-LLB-EA-E5-DR-L-0010 Rev P04
Planting Plan 6142-LLB-EA-E5-DR-L-0011 Rev P03
Planting Plan 6142-LLB-EA-E5-DR-L-0012 Rev P04
Planting Plan 6142-LLB-EA-E5-DR-L-0013 Rev P04
Planting Plan 6142-LLB-EA-E5-DR-L-0014 Rev P04
Planting Plan 6142-LLB-EA-E5-DR-L-0015 Rev P02
Planting Plan 6142-LLB-EA-E5-DR-L-0017 Rev P04
Planting Plan 6142-LLB-EA-E5-DR-L-0018 Rev P02
Arboricultural Impact Assessment Report 6142-LLB-RP-Ab-0001 Rev P02
Boundary Treatment Plan 6142-LLB-RP-L-0002 Rev P02
Landscape Management Plan 6142-LLB-RP-L-0005 Rev P03
Landscape Strategy 6142-LLB-RP-L-0006 Rev P01
Tree Protection Plan 6142-LLB-XX-XX-DR-Ab-0005 Rev P02
Tree Protection Plan 6142-LLB-XX-XX-DR-Ab-0006 Rev P02
Tree Protection Plan 6142-LLB-XX-XX-DR-Ab-0007 Rev P02
Tree Protection Plan 6142-LLB-XX-XX-DR-Ab-0008 Rev P02
Landscape Masterplan 6142-LLB-XX-XX-DR-L-0001 Rev P11
Hardworks 6142-LLB-XX-XX-DR-L-0005 Rev 06
Playspace Layout IDV-PD 1872 Rev A

Proposed Levels 1 of 9 6881.024 Rev E
Proposed Levels 2 of 9 6881.025 Rev D
Proposed Levels 3 of 9 6881.026 Rev D
Proposed Levels 4 of 9 6881.027 Rev D
Proposed Levels 5 of 9 6881.028 Rev D
Proposed Levels 6 of 9 6881.029 Rev C
Proposed Levels 7 of 9 6881.030 Rev F

Proposed Levels 8 of 9 6881.031 Rev E
Proposed Levels 9 of 9 6881.032 Rev D

Proposed Drainage 1 of 9 6881.033 Rev D
Proposed Drainage 2 of 9 6881.034 Rev D
Proposed Drainage 3 of 9 6881.035 Rev D
Proposed Drainage 4 of 9 6881.036 Rev D
Proposed Drainage 5 of 9 6881.037 Rev D
Proposed Drainage 6 of 9 6881.038 Rev F
Proposed Drainage 7 of 9 6881.039 Rev D
Proposed Drainage 8 of 9 6881.040 Rev D
Proposed Drainage 9 of 9 6881.041 Rev E

Plot 125 and 131 Cross Sections

SuDS Construction Details 1 of 2 6881.053
SuDS Construction Details 2 of 2 6881.054
Catchment Area Plan Sheet 1 of 2 6881.555 Rev A

Biodiversity Method Statement (Bakewell January 2023 V5)

GROUND;

To secure the proper development of the area.

2 Prior to the first occupation of any dwelling within the development hereby permitted, the vehicle parking spaces/s relating to that dwelling, including the garage, car port and adjacent visitor parking spaces, as shown on the approved plan numbered 110222/RM/P1/SL05 Rev E shall be provided and permanently retained.

GROUND:

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

3 The vehicle turning areas shall be carried out in accordance with drawing numbered 110222/RM/P1/SL19 Rev C. The relevant vehicle turning areas will be provided prior to the occupation of the associated dwellings.

GROUND;

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

4 Visibility and pedestrian visibility splays shall be provided to the access roads and parking areas in accordance with the submitted General Arrangement plans numbered 1-9 6881.015 Rev C, 6881.016 Rev C, 6881.017 Rev C, 6881.018 Rev C, 6881.019 Rev C, 6881.020 Rev C, 6881.021 Rev D, 6881.022 Rev C, 6881.023 Rev C prior to the use of the respective access road/parking. The visibility splays shall thereafter be maintained.

GROUND;

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

5 Prior to the first occupation of the development hereby permitted, details of the secure, covered cycle parking facilities to serve each unit, shall be submitted to and approved in writing by the Local Planning Authority. The cycle parking facilities shall be provided prior to the first occupation of each associated unit, and in accordance with the approved details, 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.

6 The play space as identified on the open space plan numbered 6142-LLB-XX-XX-DR-L-0002 Rev P05 for phase 1 shall be provided in accordance with the playspace layout plan numbered IDV-PD 1872, and made available for use prior to the first occupation of any dwelling within phase 1 hereby permitted.

GROUND

To provide equipped playspace in accordance with Policy GI04 of the Thanet Local Plan

7 No further extensions to unit 108, whether approved by Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order), shall be carried out without the prior permission in writing of the Local Planning Authority.

GROUND

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

8 No roof extensions to units 122-133, whether approved by Class B or C of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order), shall be carried out without the prior permission in writing of the Local Planning Authority.

GROUND:

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

9 The ground and first floor windows in the southern side elevation of unit nos. 108 and 121 shall be non-opening below 1.73m above the finished internal floor level, and provided and maintained with obscured glass to a minimum level of obscurity to conform to Pilkington Glass level 4 or equivalent; and shall be installed prior to the first occupation of these units 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.

10 The ground and first floor windows in the southern side elevation of unit nos. 108 and 121 shall be non-opening below 1.73m above the finished internal floor level, and provided and maintained with obscured glass to a minimum level of obscurity to conform to Pilkington Glass level 4 or equivalent; and shall be installed prior to the first occupation of these units 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.

11 Prior to the first occupation of unit nos. 122-133, a 2.4m high rear boundary fence with trellis shall be erected to the rear (southern) boundary of the plot, as shown on plan numbered 110222/RM/P1/SL09 Rev F. The fence shall thereafter be maintained at that height.

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.

12 Prior to the commencement of the bridleway enhancement works, detailed section and landscaping plans, that respond to on-site survey evidence and show any proposed widening, resurfacing, level changes, and planting, within and adjacent to the bridleway, shall be submitted to, and approved in writing by, the Local Planning Authority. The bridleway shall be provided in accordance with the approved details.

GROUND:

To confirm the detailed layout and landscaping for the bridleway, in accordance with Thanet Local Plan Policy QD02.

13 Prior to the installation of the bunds adjacent to the northern boundary of the site, elevation, section and layout plans of the bunds, including gradient details of the intended footpath and the method of landscaping on the bunds, shall be submitted to, and approved in writing by, the Local Planning Authority. The bunds and associated footways and landscaping shall be installed in accordance with the details as approved.

GROUND:

To safeguard the character and appearance of the area, in accordance with Policy QD02 of the Thanet Local Plan.

SITE, LOCATION AND DESCRIPTION

The site is located to the north of Minster, and is currently in agricultural use. Through the adoption of the Thanet Local Plan 2020, the rural confines boundary of the village has been amended to enclose all of the application site other than the area proposed for the cemetery expansion, which remains outside of the village confines.

The application site lies adjacent to Tothill Street, and adjoins properties in Fairfield Road, Greenhill Gardens, and Prospect Road/Gardens. These residential areas lie adjacent to the southern and eastern boundaries of the site. To the west of the site is agricultural land. The north of the site borders Minster Cemetery, beyond which is the Holiday Inn; and agricultural land, beyond which is the A299.

The site consists of open countryside, with hedge planting along a number of the boundaries. Adjoining the western boundary of the site is Bridleway TE29, which connects the A299 to the north with Prospect Road to the south, and provides an off-road link to an existing cycle route adjacent to Canterbury Road West.

RELEVANT PLANNING HISTORY

OL/TH/18/1488 - Outline application for the erection of up to 214no. dwellings, cemetery expansion, and associated access, with all other matters reserved.

Granted - 3rd September 2021

PROPOSED DEVELOPMENT

The principal of developing the site for 214no. dwellings, and the access into the site, along with all off-site highway works and the securing of the financial contributions and affordable housing, was approved through the previous outline application.

Within the outline application a parameter plan was approved that identified the location of the cemetery extension site, the area of land forming an archaeological exclusion zone safeguarded from development, and the area of land where the development of housing would be restricted to one and a half storeys in height, adjoining the rear boundaries of properties within Greenhill Gardens. Vehicular access onto Tothill Street was approved, along with an emergency access onto Greenhill Gardens, and highway mitigation works were secured for improvements to Tothill Street roundabout. The resurfacing and widening of the bridleway to the western boundary of the site, and up to the A299 was also secured through the legal agreement.

This application is a reserved matters application for the first phase of development on the site, requiring consideration of the layout of development, its scale and appearance, and the landscaping within this phase, for 133no. dwellings.

The layout consists of a mix of detached, semi-detached and terraced buildings at 2-storey in height, consisting of 6no. 1-bed flats, 2no. 2-bed flats, 18no. 2-bed houses, 72no. 3-bed houses, and 35no. 4-bed houses.

Parking is provided in the form of two spaces per dwelling, with an additional 40no. no visitor parking spaces. One electric charging point per dwelling has been provided.

The design is traditional, with the use of pitched roofs and the incorporation of gables and bay windows. The palette of materials consists of plain red, multi stock red, and brown brick, rustic red and grey roof tiles, and natural render and dark hardi plank cladding.

This phase of the development incorporates a locally equipped area of play with seven pieces of equipment, along with areas of open amenity space, and a community orchard to the south. The existing Bridleway is to be retained, with pedestrian and cycle connections provided through the site connecting Tothill Street with the bridleway and Green Hill Gardens and Prospect Road to the south.

Sustainable urban drainage features are provided within the soft landscape areas to the north and south of the site.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan 2020

HO1 - Housing Development
HO10 - Land at Tothill Street Minster
CC02 - Surface Water Management
GI04 - Amenity Space/Equipped Play
HE01 - Archaeology
QD01 - Sustainable Design
QD02 - Design
QD03 - Living Conditions
QD04 - Technical Standards
QD05 - Accessible Accommodation
SE05 - Air Quality
SP01 - Spatial Strategy Housing
SP14 - General Housing Provision
SP22 - Housing Types
SP23 - Affordable Housing
SP29 - SAMM Plan
SP30 - Biodiversity
SP43 - Safe and Sustainable Travel
TP01 - Transport Assessment
TP02 - Walking
TP03 - Cycling
TP06 - Car Parking

NOTIFICATIONS

Neighbouring occupiers have been notified and a site notice posted. 49 letters of objection have been received. The main concerns are:

- The application has not responded to the comments raised by local residents within the public consultation carried out,
- Presence of a swale to the rear of properties in Greenhill Gardens, and potential impact from flooding,

- Overlooking from proposed dwellings to properties in Fairfield Road, reduction of unit height is not enough,
- Traffic congestion from the number of units proposed,
- More smaller affordable units should be provided,
- Loss of hedge adjacent to Tothill Street,
- Not the correct location for a housing development,
- No clear plan for how the bridleway will be treated or delivered,
- Lack of access to healthcare and schools,
- Buildings and use of red brick not in keeping with the village,
- It will cause noise and disturbance, and pollution,
- Impact on wildlife and habitats,
- Increased flooding,
- Lack of details regarding construction management plan, phasing of off-site highway works, how electricity will be supplied,
- The drains will not be able to cope, there is inadequate capacity,
- Bridleway is an ancient bridleway and should be retained and not resurfaced,
- Lack of crossing facility at junction for pedestrians,
- Existing road infrastructure is inadequate.

Minster Parish Council -

(Final Comment)

Air Quality Assessment - No comment;

Bridleway - Lack of clarity on how the existing bridlepath will be improved to 3m wide without destroying the wildlife habitation. On this basis the Parish Council object until a suitable agreement is reached with Kent PROW officers regarding the improvements to the bridlepath;

Foul and Surface Water Drainage - Concerns regarding the future impact on the village. Site is an Environment Agency Source Protection Zone SPZ1. More detail is required on how the risk of polluting the underlying drinking water will be addressed. Parish Council object until the network reinforcement plan is made and a condition applied not to connect the new properties until the works have been completed. The current system is inadequate, therefore reassurance is needed that any necessary work will be undertaken prior to the new connections;

Design considerations - as a result of previous feedback, some houses have had a change to the shade of red brick. Whilst a wider variety of brick colour has been used, yellow brick should be included as the village enjoys a significant number of houses in that colour, and this would help the development to blend in with existing village homes;

Ecology - Pleased to see that increased efforts have been made, and there are no objections to the latest plans;

Extension of the LEAP path - no comment;

Fairfield Rd and perceived overlooking - the latest plans reduce the elevation by 30cm for plots parallel with Fairfield Road. Despite those efforts many residents are still going to be affected by loss of amenity and we therefore ask that further consideration is given to addressing these concerns. The Parish Council object until a reasonable solution is put forward;

Highways - The entrance to the site will have a significant impact on local residents, including pedestrians, many of whom are elderly. With this in mind a number of measures need to be put in place. The wide access requires a pedestrian island for road safety reasons for pedestrians; improvements to Minster roundabout should be carried out as a first phase prior to construction to mitigate disruption caused by traffic movement during construction; condition 28 only required a bound surface of 5m from the edge of the highway, which is sufficient for cars but not larger vehicles. 35m will be more suitable. The Parish Council objects unless the highway matters are addressed.

(Initial Comment)

No objection in principle, but would like consideration given to the following points:

Houses that back onto Fairfield Rd are 2-storey and there is a 1.5m retaining wall due to the land height levels, this may cause overlooking. Same row of houses has been straightened in this application compared to the original planning application, moving them closer to houses in Fairfield Rd;

Main access to the site is wide, and will require pedestrians to cross to access the cemetery and services at the top of the road. Tactile paving to both sides and a central island with bollards should be included for pedestrian safety;

Minster is a rural area and has previously been used for agricultural purposes with existing hedgerow and significant biodiversity. TDC should review the biodiversity compliance regularly on the site to ensure compliance with planning conditions;

Plans show swales running down the east and west of the site linking to a pond to the south of the site. The Parish Council are concerned how these will be maintained in perpetuity for the site to ensure that they continue to work correctly to make sure there is no future risk of flooding;

The Parish Council are pleased to see affordable units in the centre of the development, but consideration does not appear to have been given to the rural housing needs survey that was carried out. There are only 2no. 1-bed ground floor flats in the application. Housing aimed at "downsizing" older residents are welcomed, particularly if this releases existing family social housing in the village;

A local lettings plan needs to be agreed with the housing association who buy/take on the affordable housing to ensure that the houses are offered initially to those with a connection to Minster and then the surrounding villages.

Monkton Parish Council - With reference to the above planning application, this is a significant development, with associated road and other infrastructure, which borders Monkton Parish. It will have a significant knock-on effect on our Parish and for this reason we wish to make the following comments:

Many of the submitted documents are imprecise – this is clearly highlighted by other statutory consultees.

Of particular concern is:

- The lack of detail regarding the proposed changes to the Tothill roundabout. We consider the impact of the development is one of the key elements of the application. It is imperative to ensure the additional traffic flow is properly and carefully managed.

- The proposed estate junction and its impact on the existing highways system just does not appear to have been fully evaluated. In the proposed form it will simply add to the existing problems of an already seriously congested section of Tothill Street and the dual carriageway roundabout. We feel this whole issue needs to be reconsidered and a better solution found that fully takes into account what is happening now, how this will only worsen when the development is built AND also takes into account the planned additional traffic that will be using the roundabout when the future link road plans come into effect.
- There is no archaeological plan. This area of Thanet is an important archaeological area and should be respected accordingly.
- The Construction Management Plan lacks detail and precision in terms of how villagers will be protected from noise and the many other consequences of building works.
- There is lack of any clarity on the need to mitigate the potential of flood risk given the topography of the site.

Monkton Parish council hope you will take these comments into account when considering this application further.

CONSULTATIONS

KCC Highways and Transportation -

(Final Comment)

Further to recent comments, it has been noted that tracking and visibility splays have been submitted by the applicant.

Comments were made in relation to the corner junction at Units 120/121 and access arrangements. Tracking indicates that there is sufficient space for cars to manoeuvre as the access has been widened, which is acceptable.

Planting has been indicated to be kept below 0.6 metres to enable suitable visibility splays to be maintained. Suitable pedestrian visibility splays have been illustrated at all driveways. Furthermore, visibility splays of 2.4 metres x 25 metres have been illustrated for a 20mph speed environment. It is acknowledged that additional splays of 2.4 metres x 45 metres have also been provided, which is in excess for the proposed speeds.

There is tree planting within the splays of the junction at Units 1/42, 69/21, 49/90 and 73/105. Trees are also within the splay to the west at the southern junction (opposite Unit 1) into Phase 2. I understand the need for tree planting for a creation of place, but these should be moved to not interrupt the junction splays.

The traffic speeds of the development are proposed to be 20mph, whereby traffic calming ramps have been included to the north south road towards the emergency access junction. These should be designed to not preclude suitable access for emergency vehicles.

A footpath link and bollards have been proposed along the emergency access link road, which is acceptable.

(Interim Comment)

Further to previous comments dated 8 March 2023, additional details have been submitted to address these concerns.

The two square junctions are proposed which are now assumed as raised tables, in line with previous comments. The materials and details should be secured by way of a Section 38 Agreement.

The south east corner feature has had some of the planting removed to improve visibility. The layout for Units 120 and 121 remains constrained and vehicles reversing in/out of spaces would create conflicts.

Pedestrian crossing points are proposed at all junctions which link to the segregated footway along the spine road.

In line with previous comments, visibility splays are required at all junctions. In line with Kent Design Guide for major access roads, splays of 2.4 metres x 45 metres is required. Pedestrian visibility splays should be indicated as 2 metres x 2 metres either side of private accesses, with no obstruction above 0.6 metres within the splays.

40 visitor parking spaces have been illustrated, which demonstrates an uplift to offset the amount of tandem parking proposed. For the 133 dwellings in Phase 1, a total of 26 visitor spaces (0.2) are required. There are a number of a tandem parking spaces, whereby an additional 14 visitor spaces are proposed. While it is acknowledged that that this does not provide a full offset to the tandem provision, the applicant seeks to provide the majority of visitor spaces along the spine road and towards the western parameter of the site where the majority of tandem spaces are located. The provision of additional spaces seeks to make be mindful of a balance between creation of space and highway safety.

The shared spaces illustrate a 1 metres wide service margin on either side, which is acceptable.

Tracking illustrates that fire tenders are able to access all dwellings without turning on private driveways, which is acceptable.

(Interim Comment)

Further to previous comments dated 13 December 2022, additional details have been submitted. I have the following comments in relation to the amendments:

The turning areas present some minor degrees of overhang for refuse freighters. However, I am minded to accept this as the areas to the north are landscaped.

A road hierarchy plan has been submitted (110222/RM/P1/SL19 Rev A), which indicates the road widths. The spine road is a 5.5 metres in width, square junctions. These features, while landscaped, do not appear to offer a traffic calming function. I suggest that raised tables are utilised at the two central locations. I would refer the applicant to Kent Design Guide to establish preferred materials and gradients.

The corner square feature has private accesses, which I am concerned create conflict. Planting is proposed around the square which would obstruct visibility where vehicles would be required to reserve in or out of spaces in a constrained space. Units 120/121 are located immediately on the corner with limited space to access the parking spaces.

Clarity is required in relation to pedestrian crossing points at all junctions and intersections. Drawing 220824/SL18 indicates the materials (paving and block paving) proposed at the

corner square feature at Units 119-123 but I am uncertain how the segregated footway will safely navigate pedestrians at the junctions.

Visibility splays are required at all junctions. In line with Kent Design Guide for major access roads, splays of 2.4 metres x 45 metres is required. Pedestrian visibility splays should be indicated as 2 metres x 2 metres either side of private accesses, with no obstruction above 0.6 metres within the splays.

Parking has been outlined by the applicant, where KCC Parking Standards have been evaluated. Garages do not count towards the required parking standards, and they are often utilised for storage as opposed to parking. This is especially prevalent where there is a tandem parking scenario.

The current Phase 1 seeks to provide 133 dwellings, whereby 27 visitor parking spaces have been provided. The applicant has indicated that an additional 6 bays have been included. On the western secondary street (north to south) there are 11 tandem parking spaces, and 1 available visitor space. If parking takes place on the highway, this will obstruct access. I would suggest that this is addressed by the applicant. I accept that tandem parking is utilised to provide a less urbanised environment, but this should be set against highway safety and requirement to create safe places that will not be obstructed.

I wholly appreciate that requesting an exact 0.5 additional spaces per tandem arrangement would significantly alter the planning layout, but seek to request a provision that enhances the layout.

(Initial Comment)

I have the following comments in relation to the submitted details:

Tracking has been submitted to illustrate an 11.2 metre refuse freighter. It should be noted that Thanet require tracking for 13 metre long vehicles. I shall be grateful for a resubmission of tracking on this basis.

The square junction features are indicated as carriageway. It is not clear how these will be maintained. It would suggest that the corners of the feature are redundant and will merely collect debris. The features appear to have a pedestrian footway around the parameter, with no clear indication of how conflicts will be avoided.

There is a lack of pedestrian facilities at some intersections. Dropped kerbs and tactile paving needs to be indicated.

Some vehicle crossings are indicated as footway. The footways along the spine road are segregated where the space between the the road and the footway and footways do not appear to be adoptable. This can be problematical in future when adopted.

Footways are indicated around parking bays on the spine road. However, these do not connect to any further footways or pedestrian links.

A number of dwellings, ie Units 18-20 and 4-5 are located directly onto the street, with very narrow grass verges.

Details of surface materials are required.

The widths of the proposed spine road, secondary road and footways should be indicated on the plans.

The spine road has a segregated footway on either side, while the secondary roads appear to be shared space with a demarked footway to the north of the first property. Full details are required of material surfaces. KCC Highways would not adopt shared space strategies.

Highway trees are indicated, but I am unable to see a lighting strategy. This could be at odds and conflict if not shown in tandem.

Tandem parking requires an additional offset of 0.5 visitor parking bays. The location of the on street visitor parking is not consistent. 27 visitor spaces are proposed, with a high proportion of tandem parking, which needs to be addressed.

Parking restrictions should be provided at all junctions and turning heads.

KCC PROW - Overall, KCC PROW and Access agree the two-option approach, to be decided following formal response on Ecology and Biodiversity, together with agreement on our comments below :

Option A – this to come forward dependent only if supported by KCC Ecology / Biodiversity, with correct and appropriate mitigation guaranteed to be achieved. Despite the scale of works this option would involve, we would expect the character of the Bridleway to be retained. On plans provided, the hedgerow on the Western / field side of TE29 appear not to be shown and we require confirmation that this would not be the case. The Bridleway must remain on existing alignment as previously advised (this is not referenced).

Option B – the “small amount of work” referenced will require further detail. We would expect vegetation clearance as achievable given the ecology constraints, with an all weather hoggin surface as previously requested. This would enable all weather, all year use. The Bridleway will again remain on existing alignment.

Sections Drawing – again the hedgerow on the Western / Field side of TE29 is not shown and we require confirmation as above.

In the event that Option A is progressed, we would request that this is future proofed in terms of maintenance costs, with a contribution made to ensure the quality is upheld.

TDC Waste and Recycling - We have no objections to this

TDC Environmental Health -

(Final Comment)

The updated EMA and statement is accepted; along with EV points and low NOx boilers the proposals are in accordance with our technical guidance and SE05. Further to my comments dated 3 rd November, the plan showing 137 electric vehicle charging points has been submitted as well as an updated Emissions Mitigation Assessment dated 1 st Dec addressing offsetting measures. Both are accepted, although the following condition is required:

Condition: EV Charge Points

Active electric vehicle charging points as shown in drawing: 110222/RM/P1/SL17 Rev C shall be provided prior to the first occupation that they serve and thereafter maintained.

(Initial Comment)

Thank you for consulting Environmental Protection on reserved matters and submission of the Emission Mitigation Statement by Stantec dated Sept 2022.

Please can I seek clarification on the inclusion of electric vehicle charge points and low NOx boilers within the costing as these measures are standard mitigation and the EMA is in addition to this requirement so can not be included within the Statement unless they go beyond that which is required i.e. higher spec / additional number of EV points over minimum.

KCC SUDs -

(Final Comment)

In response to your emails, I can confirm that we remove our earlier objections to the approval of the Reserved Matters application (R/TH/22/1393). The reason for this is because condition 21 (detailed surface water drainage scheme) has since been discharged following the last consultation response. In view of this, we have no further objections to drainage matters pertaining to this development.

In relation to your second query, I can also confirm that the swale to the rear of the properties on Greenhill Gardens is designed for conveyance of surface water through the site from the north (including connections part way through for phase 2) to the attenuation basin in the south. With the feature being for conveyance, there will be flows within the feature following rainfall events. For durations of no rainfall, there should be no volumes contained within the feature.

Looking back through the hydraulic modelling undertaken within the Microdrainage software, the maximum recorded depth of water within the swale (piped numbers S15.023-S15.029) is recorded as 0.321m deep for the 100-year return period, including a 40% allowance for climate change. The output suggests that there is ample capacity within the swale to accommodate all these flows with no exceedances reported.

In terms of benefits for neighbouring properties, the design of the swale was not to provide protection to neighbouring properties as this feature is to serve purely as conveyance. Whilst that is the case, the simulations undertaken and mentioned above suggest there should be spare capacity within the feature to intercept any overland flows from the development entering the boundaries of neighbouring properties adjacent.

(Interim Comment)

The applicant has submitted a Proposed Drainage Strategy (prepared by Stuart Michael Associates, October 2022) and additional Technical Note (prepared by Stuart Michael Associates, January 2023). The drainage strategy proposes to manage surface water runoff through a infiltration into the ground and discharging into the public combined sewer.

1. The outline planning permission (OL/TH/18/1488) includes a condition (Condition 21) related to the submission of a detailed surface water drainage scheme. Until Condition 21 has been discharged, we cannot make an informed decision on the proposed site layout in relation to this reserved matters application and would ask that our holding objection remains.

2. The Technical Note indicates that the applicant is involved in consultation with

Southern Water to confirm that the two connections to the combined sewer systems will be acceptable at discharge rates of 4.8 l/s and 1.8 l/s. Although we hold no objection to this, we would recommend that the LPA receives evidence of this confirmation before approving the reserved matters application. If the connections are not accepted by Southern Water, the drainage scheme would require an amendment.

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

(Initial Comment)

We have reviewed the Proposed Drainage Strategy (prepared by Stuart Michael Associates, October 2022). The drainage strategy proposes to manage surface water runoff through a infiltration into the ground and discharging into the public combined sewer.

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

1. The drainage strategy includes greenfield runoff rates which have been used to calculate the required attenuation volumes for the areas which will be discharging into the public combined sewer. We request to see the calculations used to derive these greenfield runoff rates.
2. We note that the Flood Risk Assessment and Drainage Strategy (prepared by Peter Brett Associates LLP, August 2018) includes a ground investigation report, soakage testing results, infiltration rates and microdrainage calculations for the infiltration. We request that further details be included within the Proposed Drainage Strategy regarding the infiltration rate for Network A and the microdrainage calculations to evidence the half drain times of the infiltration features.
3. The site is located within an Environment Agency SPZ (predominantly SPZ1, with a small area within SPZ2). We request to see evidence of consultation with the Environment Agency, to ensure that any constraints or specific requirements have been considered in these areas.
4. Network A and Network C both propose to discharge into the public combined sewer which is managed and maintained by Southern Water. We request to see evidence of the agreed discharge rates with Southern Water to ensure that the combined sewer system will have enough capacity for the surface water discharge.
5. The microdrainage calculations use FeH (1999) rainfall data. At this stage, we would expect to see the drainage system modelled using FeH (2013) rainfall data instead.
6. We note the drainage information provides details of operational performance using FEH rainfall data within the simulation criteria. The information suggests that exceedance occurs in a number of areas throughout the development during the climate changed adjusted 1 in 100 year events.

At this stage, we would expect to see a more detailed exceedance plan provided, indicating the extent of flooding with reference to actual proposed levels. It should be ensured that key access routes are not blocked and that no property flooding occurs in these areas. All exceedance must be contained within the site boundary to ensure that there is no increase in flood risk elsewhere. We expect that optimisation could be made to the drainage networks to reduce exceedance volumes where it is necessary to do so. This response has been provided using the best knowledge and information submitted

as part of the planning application at the time of responding and is reliant on the accuracy of that information.

Southern Water -

(Final Comment)

No discharge of foul sewerage from the site shall be discharged into the public system until offsite drainage works to provide sufficient capacity within foul network to cope with additional sewerage flows are complete. Southern Water is currently in process of designing and planning delivery of offsite sewerage network reinforcements. As previously advised Southern Water seeks to limit the timescales to a maximum of 24 months from a firm commitment of the development.

Southern Water has undertaken a desktop study of the impact that the additional surface water flows from the proposed development will have on the existing public sewer network. This initial study indicates that these additional flows may lead to an increased risk of flooding from the sewer network. Any network reinforcement that is deemed necessary to mitigate this will be provided by Southern Water.

Southern Water and the Developer will need to work together in order to review if the delivery of our network reinforcement aligns with the proposed occupation of the development, as it will take time to design and deliver any such reinforcement.

It may be possible for some initial dwellings to connect, pending network reinforcement. Southern Water will review and advise on this following consideration of the development programme and the extent of network reinforcement required.

Southern Water will carry out detailed network modelling as part of this review which may require existing flows to be monitored. This will enable us to establish the extent of any works required.

(Initial Comment)

No discharge of foul/surface water sewerage from the site shall be discharged into the public system until offsite drainage works to provide sufficient capacity within foul/surface water network to cope with additional sewerage flows are complete. Southern Water is currently in process of designing and planning delivery of offsite sewerage network reinforcements. As previously advised Southern Water seeks to limit the timescales to a maximum of 24 months from a firm commitment of the development.

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

Regarding Surface water drainage works, we are unable to find any update regarding our sewer requisition scheme reference SWS-S98-000639. The connection to the public sewerage network can be carried out once the requisition works agreed and implemented on site.

All other comments in our response dated 22/11/2018 remain unchanged and valid.

Environment Agency - We have no further comments to make on this planning application, Beyond those in our previous comments at the outline stage, KT/2018/124914/01-L01 dated 15 November 2018.

KCC Biodiversity -

(Final Comment)

We previously commented on planning application CON/TH/22/1345 relating to the discharge of C6 for phase 1.

This application relates to the reserved matters application for phase 1 and we advise that we are satisfied that the detailed plans demonstrate that the habitat creation proposed within the mitigation strategy can be achieved.

The reptile mitigation has been updated due to changes to the layout and a temporary reptile receptor site will be created directly to the north of the site. The receptor site will be in a cemetery extension area and we understand that it is not required in the short term. The temporary receptor site will be used for at least 2 years while the grassland habitat in the north of the site has established and can support reptiles. Once the grassland has established it is likely that a precautionary approach will be used to push the reptiles in to the development site. We highlight that the management will be carried out under the watching brief of an ecologist. We would encourage the habitat within the temporary receptor site to be retained as long as possible prior to the precautionary mitigation being implemented. When we previously commented on this site we raised the following concerns:

1. A footpath is proposed directly to the Skylark and turtle dove mitigation area. It's likely that during the nesting period it's likely that any birds foraging and nesting within that area will be disturbed. Therefore we recommend that the footpath is designed to avoid going directly adjacent to that area.
2. The landscaping plan does not correspond with the planting plans. The planting plans refer to tussocky grassland but the management plan refers to rough grassland. Both documents must correspond.
3. The management plan details that the grassland within the wildflower meadow areas will be cut to 100mm. As the site is known to have reptiles there is a risk that reptiles will forage within these areas and therefore we recommend that they are cut to a minimum of 150mm to avoid killing and injury.
4. No details have been provided on the SuDS area. There is a need to ensure that it is managed appropriately.

We advise that the documents have been updated to address the above comments and no further information is required on these matters.

With regard to point 1 we acknowledge that the footpath has not been moved however it has been detailed within the document that a dense hedgerow will be established within the boundary and a fence will be erected around the site to minimise the risk of residents accessing the skylark/turtle dove mitigation area. The submitted information details that the hedgerow will be planted as soon as practically possible to give sufficient time for the hedgerow to establish before residents move in to the site.

We advise that sufficient ecological information has been submitted as part of this reserve

matters application.

(Initial Comment)

We previously commented on planning application CON/TH/22/1345 relating to the discharge of C6 for phase 1.

This application relates to the reserve matters application for phase 1 and we advise that we are satisfied that the detailed plans demonstrate that the habitat creation proposed within the mitigation strategy will be created.

However we highlight the following points/concerns and advise that they must be addressed prior to the determination of the planning application.

- A footpath is proposed directly to the Skylark and turtle dove mitigation area. It's likely that during the nesting period it's likely that any birds foraging and nesting within that area will be disturbed. Therefore we recommend that the footpath is designed to avoid going directly adjacent to that area.
- The landscaping plan does not correspond with the planting plans. The planting plans refer to tussocky grassland but the management plan refers to rough grassland. Both documents must correspond.
- The management plan details that the grassland within the wildflower meadow areas will be cut to 100mm. As the site is known to have reptiles there is a risk that reptiles will forage within these areas and therefore we recommend that they are cut to a minimum of 150mm to avoid killing and injury.
- No details have been provided on the SuDS area. There is a need to ensure that it is managed appropriately.

Comments provided for application CON/TH/22/1345

Condition 6 states: No development shall take place (including any ground works, site or vegetation clearance) until a Biodiversity Method Statement has been submitted to and approved in writing by the Local Planning Authority. The content of the method statement shall

include the:

- a) Purpose and objectives for the proposed works;
- b) Detailed design(s) and/or working method(s) necessary to achieve stated objectives;
- c) Extent and location of proposed works, including the identification of a suitable receptor site,
shown on appropriate scale maps and plans;
- d) Timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction;
- e) Persons responsible for implementing the works, including times during construction when specialist ecologists need to be present on site to undertake / oversee works;
- f) Use of protective fences, exclusion barriers and warning signs;
- g) Initial aftercare and long-term maintenance (where relevant);
- h) Disposal of any wastes for implementing work.

The works shall be carried out in accordance with the approved details and shall be retained in that manner thereafter

We recommend that this condition is discharge for the implementation of works within phase 1.

The Biodiversity Method Statement has detailed the following:

- Dwarf Spurge – notable arable weed
- Breeding population of Slow worm and common lizards
- 19 species of birds – including skylarks and turtle doves which are red listed species.
- Fox den
- Suitable habitat for foraging bats
- Suitable habitat for hedgehogs

To mitigate the impact to the species found on site the report has detailed the following will be carried out:

- Bat sensitive lighting plan which ensure dark corridors are created on the site boundaries
- Protection of the habitats to be retained on site during construction – including reptile habitat.
- Destructive search to be carried out where reptile and hedgehog habitat is to be impacted
- Creation of a skylark plots/ foraging area for birds – restricted access to the public.
- On going surveying of the fox den to assess if badgers have utilised it.
- Creation of tussocky grassland within the wider site
- Creation of dense areas of scrub
- Enhancement of hedgerows.
- SUDS pond designed to benefit biodiversity.
- 38 bat boxes integrated in to buildings across both sites
- 3 log piles and 3 hibernacula
- 33 integrated bird nest features
- On going species and habitat monitoring.

We have reviewed the ecological mitigation strategy and we advise that we are satisfied that it is sufficient to discharge the condition for phase 1. However we highlight that site conditions may change by the time the works for phase 2 commence and therefore we recommend that the mitigation strategy is reviewed prior to the commencement of works on phase 2.

We highlight that the information within the mitigation strategy must be reflected within the submission for the following conditions/applications when they are submitted to the LPA.

Reserve matter applications

C9 - LEMP

C10 Ecological Enhancements

C40 - Lighting

TDC Strategic Housing Manager -

(Final Comment)

In the updated reserved matters Planning Statement letter dated 31/01/2023 produced by Savills (UK) Ltd on behalf of Barratt David Wilson Homes it states the following:

Upon review of the submitted Proposed Housing Mix for Phase 1, this is now slightly more congruent with TDC's Strategic Housing Market Assessment (SHMA) dated 2016. The proposal is offering to provide an additional four 1-bed units; therefore, this is more reflective of the village's housing needs and meets the wider overarching needs of the district, by providing 30% on site affordable housing and is compliant with policy SP23.

(Interim Comment)

Within Thanet District Council's Local Plan (adopted July 2020), SP23 requires residential schemes of 10 or more units to provide 30% of the dwellings as affordable housing, including extra care facilities falling under the Use Class C3.

The above reserved matters application is for Phase 1 of approved outline planning application OL/TH/18/1488. This proposes 133 units as part of the Phase 1 works with 30% of these as affordable housing (40 units). This is compliant with Policy SP23 and is supported by TDC's Strategic Housing department. The tenure of the AH units shall be split 70% Affordable Rent (AR) and 30% Shared Ownership (SO). This equates to 28 AR units and 12 SO units.

Upon review of the submitted unit mix and density, as stated in TDC's Strategic Housing Market Assessment (SHMA) dated 2016, requires a greater number of 1 and 2 bed units. The housing need within the village of Minster has been investigated further to identify the numbers of residents bidding on available affordable rented properties through Kent Home Choice.

The results below show the total number of properties that have been advertised in Minster since January 2021 and the total number of bids received on each property:

- Three bedroom house and received 196 bids - Advertised October 2022
- Two bedroom second floor flat and received 45 bids - Advertised Sept 2022
- Two bedroom bungalow and received 81 bids - Advertised July 2022
- Two bedroom ground floor flat and received 70 bids - Advertised July 2022
- Two bedroom first floor flat and received 27 bids - Advertised February 2022
- Two bedroom first floor flat and received 24 bids - Advertised December 2021
- One bedroom bungalow for over 50's only 62 bids - Advertised July 2021
- Two bedroom ground floor flat and received 7 bids - Advertised April 2021
- Two bedroom second floor flat 23 bids - Advertised Jan 2021

The above information shows 9 affordable rented properties became available to rent within the last year. Seven of these were 2 bedroom flats. All 9 properties received a high number of people bidding on each of them. Residents outside of the village could bid on the available properties as Kent Home Choice allows residents to choose a property (with criteria applying); however, there is a strong probability that the majority of bids would have been received from people residing or with a connection to the village.

(Initial Comment)

Within Thanet District Council's Local Plan (adopted July 2020), SP23 requires residential schemes of 10 or more units to provide 30% of the dwellings as affordable housing, including extra care facilities falling under the Use Class C3.

The above reserved matters application is for Phase 1 of approved outline planning application OL/TH/18/1488. This proposes 133 units as part of the Phase 1 works with 30% of these as affordable housing (40 units). This is compliant with Policy SP23 and is supported by TDC's Strategic Housing department. The tenure of the AH units shall be split 70% Affordable Rent (AR) and 30% Shared Ownership (SO). This equates to 28 AR units and 12 SO units. In the submitted, Planning Statement Reserved Matters application Residential - Phase 1 , created by Savills (UK) Ltd on behalf of Barratt David Wilson Homes dated September 2022, section 5 states the following:

Upon review of the submitted unit mix and density, it is broadly reflective of the overarching affordable housing needs across the district, as stated in TDC's Strategic Housing Market Assessment (SHMA) dated, 2016. The indicative mix of affordable units across this part of the scheme is acceptable.

TDC Conservation Officer - Following a review of the proposed application I would like to state that I do not object from a heritage perspective.

Historic England - No comment

COMMENTS

This application is a reserved matters application, for consideration of layout, scale, appearance and landscaping only. The principle of the development, along with the access, was assessed and approved through the original outline application ref: F/TH/18/1488.

This application has been called to planning committee by Cllr Abi Smith, to allow members to consider the impact on highway safety, and the lack of affordable housing in relation to local requirements.

This application has also been called to planning committee by former Cllr Reece Pugh, to allow members to consider the impact on the living conditions of residents in Fairfield Road, and the changes to the path adjacent to Greenhill Gardens.

Character and Appearance

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

- 1) Relate to the surrounding development, form and layout and strengthen links to the adjacent areas.

- 2) Be well designed, respect and enhance 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.
- 3) Incorporate a high degree of permeability for pedestrians and cyclists, provide safe and satisfactory access for pedestrians, public transport and other vehicles, ensuring provision for disabled access.
- 4) Improve people's quality of life by creating safe and accessible environments, and promoting public safety and security by designing out crime.

External spaces, landscape, public realm, and boundary treatments must be designed as an integral part of new development proposals and coordinated with adjacent sites and phases. Development will be supported where it is demonstrated that:

- 5) Existing features including trees, natural habitats, boundary treatments and historic street furniture and/or surfaces that positively contribute to the quality and character of an area are should be retained, enhanced and protected where appropriate.
- 6) An integrated approach is taken to surface water management as part of the overall design.
- 7) A coordinated approach is taken to the design and siting of street furniture, boundary treatments, lighting, signage and public art to meet the needs of all users.
- 8) Trees and other planting is incorporated appropriate to both the scale of buildings and the space available, to provide opportunities for increasing biodiversity interest and improving connectivity between nature conservation sites where appropriate'.

Layout and Landscaping

The layout provides a single vehicular access from Tothill Street that extends through the site from east to west. Off the access road extending to the north are a number of cul-de-sacs. All dwellings front the road, and are setback with parking either to the front or side. A variety of dwelling types are provided, including terraced, semi-detached and detached dwellings. There is some staggering in the building lines of the units, as well as the ground levels, which adds interest to the development.

The street elevation fronting Tothill Street is setback, with an access road provided parallel to Tothill Street. Hedgerow planting is retained to the front boundary, retaining the existing character of the area, and softening views of the development from Tothill Street. Whilst the hedging is retained, a strong street elevation of housing development is still provided, which complies with the existing pattern of development within Tothill Street.

Development to the north of the site is slightly more spacious than that to the centre, with greater spacing between the units, reducing the impact of longer views of the development.

Either side of the access road onto Tothill Street a large open space is provided, with the potential for landscaping. A footpath connection is provided through the open space that extends west, connecting onto the existing bridleway, improving pedestrian movement from Tothill Street.

The Locally Equipped Play area is provided to the centre of the site, making it easily accessible for all future occupiers of the development, as well as existing residents within the village, who could access it from either the bridleway or Tothill Street.

Landscaping is provided to all boundaries of the development, with a wide landscaped area provided to the east of the existing bridleway, along with a further area of wide open space. The landscaping in the locations shown provide wide buffers between the development and the boundaries of the site, providing landscaping enhancements and screening of the development from wider views.

The main access road through the site contains layby parking, which achieves parking for visitors, with tree planting in between that creates tree lined streets, in accordance with paragraph 131 of the NPPF.

To the south of the site only landscaping is proposed, which is incorporated within the sustainable urban drainage systems. An emergency vehicular access onto Greenhill Gardens is provided, as approved through the outline application, and footpath connections from this access road, as well as along the southern boundary, are provided through the site to create additional pedestrian and cycle connections through the development and onto the bridleway.

A swale is provided adjacent to the rear boundary of properties in Greenhill Gardens, which provides a buffer between development within any future phase and the neighbouring properties in Greenhill Gardens.

Hard surfacing consists of a mix of tarmac and block paving, with a hoggin path provided in the location of the bridleway, and to the south of the site through the open space. Tarmac has been used for the main access road, and a number of the layby parking spaces. Amendments were requested reducing the extent of tarmac. Amended plans have been submitted showing more of the layby visitor parking spaces changed to block paving, which will help to reduce the extent of tarmac within the development. The hard surfacing as now proposed is considered to be acceptable.

Overall the proposed layout and landscaping achieves a low density housing development that is in keeping with the rural character of the village, with good pedestrian and cycle connections through the site, and landscaping enhancements adjacent to the boundaries of the site. The proposal is therefore considered to comply with Policy QD02 of the Thanet Local Plan.

Open Space

Policy GI04 of the Thanet Local Plan requires that new residential development make provision for appropriate amenity green space and equipped play areas to meet the standards set in tables 10, 11 and 12 within the policy.

Within the outline application, 214no. units were approved, resulting in a predicted population of 514. Using this figure, the following open space provision within the site is required: 0.3 hectares of amenity green; 0.13 hectares of children's playspace; 0.92

hectares of semi-natural greenspace; and 0.1 hectares of allotment space. Whilst the table requires public park and garden provision, this is only viable on the larger strategic housing sites. The proposal provides a large area of open space due to the reduced number of dwellings that was approved when compared to the allocation number, which was a result of part of the site to the north being unable to be developed due to the archaeological exclusion zones, and therefore being used for landscaping purposes instead.

With this submission an open space plan has been submitted highlighting the size of different landscape elements within the site. The plan includes 3.54ha of Semi-Natural Open Space (compared to the 0.92ha required), 0.75ha of Amenity Green Space (compared to the 0.3ha required), 0.29ha of Play Space (compared to the required 0.13ha), 0.14ha of Allotment /Community Orchard (compared to the 0.1ha required), and the 0.99ha future cemetery expansion. The open space provision significantly exceeds the requirements of Policy GI04, and is therefore considered to be acceptable.

The play area provided through this phase of development forms one of two play areas to be provided within the overall development, with the remaining play area (LAP) located to the centre of the other phase(s). A playspace layout plan has been submitted that shows there will be seven pieces of play equipment within the play area, including a slide and climbing tower, double swing, roundabout, springer, stepping logs, stretch posts and a balance beam. The Fields In Trust guidance recommends a minimum of six pieces of equipment, and therefore the number, along with the quality of equipment proposed, is considered suitable as an equipped play area within the site to serve smaller children.

The proposal is considered to comply with Policy GI04 of the Thanet Local Plan, and therefore the open space provision is considered to be acceptable.

Scale and Height

Condition 42 of the outline permission stated that the future reserved matters application should show no development exceeding 1.5 storeys in height in the area to the rear of Greenhill Gardens, and no development exceeding 2-storey in height to eaves level elsewhere in the site. The application for phase 1 does not include the land to the rear of Greenhill Gardens for development.

The elevation plans for the proposed development show all units of 2-storey in height to eaves level. A storey heights plan has been submitted showing all units will be 2-storey, with the garage structures single storey in height. The street elevation plans further show that none of the unit types contain dormer windows at roof level, so whilst the condition would have enabled accommodation within roof space, this has not been proposed.

The height of the proposed units are typical of a 2-storey building, at approximately 8.7m to ridge level.

The scale and height of the proposed development is considered to be acceptable, and in keeping with and sympathetic to the scale and height of development within this village location, in accordance with Policy QD02 of the Thanet Local Plan.

Design

The proposed design incorporates traditional style properties with pitched roofs. A mix of unit types has been proposed, including 12 house types and the flats, which is encouraged within this village setting where a variety of unit types exist, particularly within Tothill Street.

A street elevation plan has been submitted, which shows the proposed street elevation within the internal access road, as well as the outward facing street elevations to the north and west facing the open countryside. A street elevation has also been submitted for the entrance access road, and onto Tothill Street, which is considered to have the potential for the greatest impact given its visibility in the context of surrounding development.

The street elevations facing the internal access road provide a mix of semi-detached, detached and terraced units. The units have wide windows at ground floor level with porch canopies and window headers. Some of the units are provided with bay windows at ground floor level. Due to the ground level change the roof forms are broken up, with the eaves and ridge heights stepping up as the ground levels change. Whilst some of the units have flush front elevations, others contain gable projections.

In terms of the palette of material, the proposal includes a mix of plain red, multi stock red, and brown brick, rustic red and grey roof tiles, and natural render and dark hardie plank cladding, which helps to provide enough variety within the development to appear in keeping with the area.

Concern was originally raised with the Tothill Street elevation, which contained only a few building types and the use of limited materials. As this elevation will be viewed in the context of other development in Tothill Street, these units will have the greatest visual impact. Amended plans were requesting introducing bay windows to some of the front elevations, in keeping with the neighbouring terrace, and introducing a greater number of materials. The plans as amended provide two of the units with double bay projections, two with gable projections, and the use of both red and brown bricks, the two roof tiles, and the render and cladding to two of the properties. Whilst some concern has been raised by residents that yellow brick has not been used, there are a variety of material types present within Tothill Street, including the materials proposed, and therefore the proposed palette of material is not considered to be out of keeping with the area.

The design of the development, as amended, is considered to be appropriate for this edge of village location, and in keeping with the character and appearance of the area, in accordance with Policy QD02 of the Thanet Local Plan.

Impact on Landscape Character Area

The approval of the outline application for 214no. dwellings units was on the basis of a net density of 30.5 dph, and a gross density of 16.5 dph, which is low, and sympathetic to the open rural character and setting of the surrounding area.

The site lies within the Chalk Plateau Landscape Character Area, which is characterised as a generally flat or gently undulating landscape, with extensive, unenclosed fields under

intensive arable cultivation. This open landscape is fragmented by the location of large scale developments such as the former airport, Manston Business Park and a sporadic settlement pattern to the north of the airport. The character of this area is also defined by the proximity of the edges of the urban areas. This character area contains the highest point on the island at Telegraph Hill. The elevated plateau results in long distance panoramic views to the south over Minster Marshes and across Pegwell Bay and, in the west, across the Wantsum. The elevated central chalk plateau also forms a skyline in many views back from lower landscapes in Thanet, including the coast and marshlands.

Policy SP26 of the Thanet Local Plan states that development proposals should demonstrate how they respect and respond to the character, key sensitivities, qualities and guidelines of the relevant landscape character areas, as detailed in the Landscape Character Assessment (LCA), and that all development should seek to avoid skyline intrusion and the loss or interruption of long views of the coast and the sea.

A Landscape and Visual Impact Appraisal was submitted with the outline application. The appraisal confirmed that there are locally accessible views of the site from the public right of way to the west, and the cycle route/footpath to the north. Views from the south and east are limited due to the presence of properties and hedgerow along Tothill Street. Due to the land rising and plateauing to the north the report stated that there are no perceptible medium and long-distance views from the north. Views from the north, however, would be possible from the access road below the A299, along with long distance views from the A299 when approaching from the west where boundary landscaping is less dense.

The appraisal concluded that the proposed development would appear to have no or very limited landscape effects, given the infill location of the application site, and its location adjacent to existing development that provides a backdrop to the development.

The assessment took into account the opportunities and constraints of the area, along with a sensitive design approach, to create a landscape strategy for the site, which proposed to limit harm to the setting of the site, and the views from the surrounding area. The strategy sought to create a landscaping buffer along the western boundary of the site, strengthening boundary vegetation with native species that also benefit biodiversity; retain and connect onto existing footpath/bridleway/cycle links; create wetland channels and features as part of the surface water management scheme; provide public open spaces, small copses, and other tree/hedgerow planting within the site to enhance the landscape setting of the site; along with other ecological enhancements. It was determined that any future landscaping scheme should be based upon these landscape strategy principles.

The submitted landscaping strategy provides soft landscaping to the northern boundary of the site, which includes the provision of bunds. These are necessary in this location to enable boundary planting given the restriction of these areas as archaeological exclusion zones, which would normally prevent tree planting due to root damage to archaeology. Details of the bunds would be required by condition, but the principle of the bunds in this location, together with the planting on top of the bunds, will help to soften the appearance of the development in long distance views.

The western boundary soft landscaping proposal includes the strengthening and enhancement of the boundary planting, with a 4m wide hedgerow proposed along the length of the boundary, along with new tree planting.

The proposed landscaping will enhance views from the north and west, and soften the appearance of the development through the landscape improvements provided. The proposed development is therefore considered to comply with Policy SP26 of the Thanet Local Plan, and paragraph 170 of the NPPF.

Impact upon Living Conditions

Policy QD03 of the Thanet Local Plan states that 'all new development should be compatible with neighbouring buildings and spaces and not lead to the unacceptable living conditions through overlooking, noise or vibration, light pollution, overshadowing, loss of natural light or sense of enclosure; be of appropriate size and layout with sufficient usable space to facilitate comfortable living conditions and meet the standards set out in QD04; include the provision of private or shared external amenity space/play space, where possible; provide for clothes drying facilities and waste disposal or bin storage, with a collection point for storage containers no further than 15 metres from where the collection vehicle will pass'.

Impact on Neighbouring occupiers

The site adjoins the rear boundaries of residential properties in Fairfield Road and Greenhill Gardens, along with some properties in Prospect Gardens. The site lies opposite properties in Tothill Street. The majority of dwellings within Fairfield Road and Greenhill Gardens are single storey in height; with the properties in Tothill Street mainly 2-storey in height.

The approved parameter plan with the outline application showed the height of development to the rear of properties in Greenhill Gardens restricted to 1.5 storeys in height due to the shallow depth of their gardens of approximately 16m-20m. All other development was restricted to 2-storey in height to eaves level through the outline consent.

The phase of development being considered through this application does not include development to the rear of Greenhill Gardens or Prospect Gardens. The only properties to be affected by this development are those in Fairfield Road. Properties in Fairfield Road have deeper gardens of approximately 34m, however, there is a large ground level difference between the properties in Fairfield Road and the application site, with the application site on a higher ground level than the neighbouring properties. Additional information has been sought during the application to determine the impact on the residents. Section plans have been submitted.

The originally submitted section plans did not show the full relationship between the existing properties and the proposed development. Full section plans that show the difference in ground level between the buildings was requested, along with a reduction in ground level of the proposed dwellings, and consideration of the rear boundary treatment. Full sections have since been submitted for three different locations along Fairfield Road, including nos. 5, 13, and 27 Fairfield Road. The slope of the garden within these sites is illustrative, as access was not achieved for a full survey, but the ground level of the properties is accurate based

upon topographical survey data. In addition, the level of the proposed dwellings has been dropped by 300mm and the 1.8m high fence proposed to the rear of the plots has been increased in height to 2.4m. The rear gardens serving the existing properties are shown in the sections as measuring approximately 31m-34m in depth, and the proposed gardens are shown as 11m-14m in depth. A minimum distance of 42m between the rear elevation of the proposed development and the rear elevation of the existing properties is therefore achieved. Whilst there may be some overlooking of the neighbouring properties from the proposed first floor rear facing windows, the distance, along with the raised fencing height, (which will limit views towards neighbours from proposed ground floor windows and garden area) is considered to limit overlooking to an acceptable level. The impact upon the living conditions of properties in Fairfield Road is therefore considered to be acceptable, subject to a condition that requires the provision of a 2.4m fence along the southern boundary of the proposed dwellings. Such provision will also help with security for neighbouring gardens.

There is an existing retaining wall to the side of no. 114 Tothill Street, which lies adjacent to the southern boundary of the site. Information has been sought as to whether any further works regarding land stability will be required in this location. The agent has advised that the existing retaining wall will remain and that level changes in this location are not significant so the only action needed is likely to be the introduction of gravel boards to boundary treatment within the site.

No.114 lies adjacent to the proposed development. The nearest proposed dwelling, plot 108, fronts Tothill Street but is setback further into the site. There is a distance of 5m between the proposed side elevation of plot 108 and the shared boundary with no.114 Tothill Street, and a total distance of 7.5m to the closest side elevation of no.114. This distance is considered adequate to prevent any unacceptable loss of light or outlook for no.114.

A double garage is proposed in front of the proposed dwelling on plot 108. The garage is 7m from the side elevation of no.114, and single storey in height with the roof pitching away. Given the distance, single storey height, and the limited number of windows that exist within no.114's side elevation, the impact upon light and outlook from the garage is considered to be acceptable.

Within the side elevation of plot 108 is a ground floor secondary lounge window, and a first floor bathroom window. Due to the ground level difference both windows could overlook the rear garden of no.114. As such a condition has been added that requires both windows to be obscure glazed and fixed shut below 1.7m from the internal ground level. This is the same for plot 121, which also overlooks the rear end of the rear garden of no.114 and neighbours beyond, with a distance of only 2.5m to the shared boundary. Subject to this safeguarding condition the impact upon the privacy of the occupiers of no.114, and neighbours beyond in Tothill Street, is considered to be acceptable.

Given the proximity and relationship of plot 108 with no.114, any future development on plot 108 may impact upon the living conditions of no.114. A condition is therefore proposed removing permitted development rights for future development on plot 108 in order to safeguard the future living conditions of the occupiers of no.114 Tothill Street.

Concern has been raised by neighbours regarding the potential for additional noise and disturbance from the proposed development. The main vehicular access proposed into the site is to the north, onto Tothill Street. The access is a significant distance from the nearest residential properties in Fairfield Road. Opposite the proposed access is a bus stop within a layby area, beyond which is the side elevation of the nearest neighbouring property in Tothill Street, and then the garden areas of the adjacent neighbours. Given the distances and the orientation of the nearest neighbouring properties, it's not considered that vehicle movements in and out of the proposed access or within the development would cause significant noise and disturbance to neighbouring occupiers. Furthermore, a number of landscape buffers are provided within the development, which will help with some reductions of noise and disturbance. The proposed residential use is in keeping with the surrounding residential use, and is therefore compatible with neighbouring uses.

The impact upon the living conditions of neighbouring occupiers is considered to be acceptable, and in accordance with Policy QD03 of the Thanet local Plan, and paragraph 127 of the NPPF.

Impact on Future occupiers

In terms of the impact upon future occupiers, each dwelling has been provided with doorstep playspace, in accordance with Policies QD03 and GI04 of the Thanet Local Plan.

Within the proposed development the units have been assessed against Policy QD04, which states the minimum space requirements of the units in relation to the nationally described space standards. The smallest 1-bed unit is 50sqm, which meets the minimum requirement of 50sqm; the smallest 2-bed is 77sqm, which exceeds the minimum requirement of 61sqm; the smallest 3-bed is 89sqm, which exceeds the minimum requirement of 84sqm; and the smallest 4-bed unit is 133sqm, which exceeds the minimum requirement of 97sqm. Each of the units therefore achieves the nationally described space standards as set out within Policy QD04 of the Thanet Local Plan.

There is space within each garden area for refuse storage and clothes drying facilities, including the flats, as well as private amenity space for each units where required.

The impact upon the future occupiers of the development is considered to be acceptable, and in accordance with paragraph 130 of the NPPF and Policies QD03 and QD04 of the Thanet Local Plan.

Highway Safety

The principle of 214no. dwellings on the site and the associated vehicle movements from this has been approved through the outline application, along with the access into the site from Tothill Street, and the provision of an emergency access onto Greenhill Gardens. The legal agreement for the outline application secured £166,000 towards improvements at Spitfire Junction, and approved plans for the development included improvements to the Tothill Street arm of the roundabout junction through its widening to create an additional lane leading on the roundabout. This combined mitigation was considered to appropriately offset the harm to the highway network.

Concerns have been raised by residents regarding the width of the access mouth, and the lack of a central island for pedestrians when crossing the junction. The design of the access was approved through the outline application. Vehicle swept path plans and a safety audit was submitted with the outline application, and uncontrolled crossing points were approved at the access and on Tothill Street. No requirement for a pedestrian refuge island at the access mouth was identified.

The advice of KCC Highways on this matter has been sought. They've advised that the proposed access is 7.3 metres wide, with a 2 metres wide footway on either side, and a 10 metres wide radii at the junction with Tothill Street. An uncontrolled crossing point at the access was approved, along with a further crossing point in Tothill Street, which was moved further south, closer to the desire line in relation to the existing footway.

KCC has seen the concerns raised by residents through this application, and noted the comparisons made to Laundry Road, which has a central refuge island; however, KCC advise that Laundry Road is considerably wider, approximately 16 metres in width at the crossing point, when compared to the 7.3m proposed for the development access. KCC further comments that Fairfield Road to the south of the proposed site is approximately 7 metres in width and does not have a pedestrian refuge island.

A Stage 1 Road Safety Audit was submitted with the outline application, and the width of the access was not raised as a concern, and therefore at the time of determination a refuge island was not a requirement. KCC comments that whilst the access is overly wide (by approximately 0.5m), the width of the highway narrows within the site to a more appropriate alignment for the number of dwellings. Furthermore, the inclusion of a refuge island at the access would preclude the access of larger vehicles such as refuse freighters, and the access has been designed to enable two large vehicles to pass and vehicles exiting to the north or south to not cross excessively into oncoming traffic flows on Tothill Street. The presence of a refuge island would therefore be likely to result in other highway safety issues.

The access has previously been approved, with the benefit of a road safety audit, and therefore the redesign of the access is not a consideration for this application, especially given that there is no evidence to support the need for this additional feature.

Layout and Parking

Through this reserved matters application, consideration is to be given to the internal road layout and parking provision proposed. A single access road enters the site from Tothill Street, extending south before heading towards the western boundary. A number of smaller cul-de-sacs and through routes extend off this access road. This road layout works well for achieving adequate housing depths, with clear access to the LEAP and open space to the west. Parking is provided in the form of 2 spaces per dwelling, and one space per flat, with approximately 27no. visitor parking spaces originally proposed. Each property has a garden, where cycle parking can be accommodated.

KCC Highways were consulted. They advised that further information was required to prove the layout acceptable. This included tracking plans for a 13 metre long vehicle, clarification

on the square junction features, an increased number of tactile paving and dropped kerbs at intersections for pedestrians, an increase in footpath connections, increased depth of grass verges, details of the surface material, road widths indicated on the plans, and an increased number of visitor parking due to the tandem parking layout shown for some properties.

Amended plans and additional details were submitted addressing the concerns raised by KCC. KCC further advised that the tracking plans were acceptable, but the use of a raised table for traffic calming should be introduced to the centre of the site. Some planting was identified as causing visibility problems, and evidence of pedestrian visibility splays was sought, along with further clarity on the pedestrian crossing points at all junctions and intersections. Six additional visitor parking spaces were introduced, but KCC considered them poorly located, with a further increase in the number achieved if possible.

The final amended details submitted show the provision of 40no. visitor parking spaces, suitable pedestrian visibility splays to all driveways, and visibility splays of 2.4 metres x 25 metres illustrated for a 20mph speed environment. Trees have been removed where they would impact upon visibility, and a footpath link and bollards has been proposed along the emergency access link road. KCC has advised that they are now satisfied with the plans as amended, and consider the impact upon highway safety to be acceptable.

A plan identifying the location of the electric vehicle charging points has been provided, which shows one electric vehicle charging point per dwelling, which is accepted.

The impact upon highway safety is considered to be acceptable, subject to safeguarding conditions.

Public Right of Way

A public right of way (bridleway) exists along the western boundary of the application site. The bridleway connects the A299 to the north with Prospect Road to the south. The bridleway is not currently hard surfaced, and having visited the site it would appear that the formal bridleway is on the line of a dry ditch that is overgrown and unusable as a form of access. Instead an alternative walking route has been created to the west of the bridleway on land belonging to the adjacent landowner, which appears to be used by local residents.

The outline application secured within the S.106 agreement the 'resurfacing and widening of bridleway TE29 in its entirety, to a minimum width of 3m, in accordance with such reasonable requirements and specifications, which shall be submitted to, and approved in writing by, the Council'. A further bridleway contribution of £29,000 was secured for the resurfacing and widening of the bridleway between the north-western corner of the site and the A299, which due to separate land ownership would be carried out by KCC if an agreement could not be made between the applicant and the adjacent landowner to carry out the works.

The proposed site layout plan did not originally show the bridleway on the plans, or connections to the bridleway from within the site. Amended plans have been submitted showing the location of the bridleway on the western boundary. The location of the bridleway as shown on the proposed site layout plan is in the same location as the existing bridleway

shown on a plan produced by KCC, with the only difference being the proposed widening required through the legal agreement, and as such no diversion of the public right of way is taking place.

The existing bridleway is within an overgrown ditch and unusable. In order to make the existing bridleway usable, the infilling of the ditch is required, before it can be resurfaced with Hoggin (a mix of gravel, sand and clay bound together). Illustrative section plans have been submitted showing how this engineering work would take place, however these plans are not being approved at this stage due to a full survey of the bridleway being required. A condition requiring accurate section plans to be submitted prior to any works to the bridleway taking place is therefore proposed.

Concern has been raised by residents that this is an ancient bridleway and should be protected. Whilst it is appreciated that the ditch does offer some visual benefits, it is not usable as a bridleway in its current condition, and therefore the benefits of infilling and resurfacing the ditch so that it can be used by pedestrians, cyclists wishing to connect onto the existing cycle path along the A299, and horse riders, is in officers view considered to outweigh the visual harm resulting from the infilling of the ditch. Furthermore, these works have already been approved through the outline application.

KCC's Public Rights of Way Officer has been consulted, and visited the site prior to providing their formal advice. During the outline application they advised that the bridleway serves as a cycle path connection onto the strategic cycle network, as well as a footpath link, and that in the future the bridleway would provide important pedestrian, equestrian and cycle access to and from the development site, whilst linking to a wider walking, equestrian and cycling network, providing opportunities for sustainable travel in the area, which is what led to the justification for mitigation in the form of the resurfacing and widening of the path. However, they have advised that it could be possible to retain the ditch without its infilling if the local community feel that the retention of the ditch is important, as the bridleway has now been added to their yearly vegetation clearance programme meaning that the ditch will be cleared and made usable for residents as a footpath (although it would not be usable as a bridleway without its widening).

In order to address the concerns raised by residents, the applicant has made a further submission of plans that includes two options for the bridleway. Option A retains the existing location of the bridleway, but involves its widening to 3m and resurfacing, with pedestrian and cycle connections into the site. This option involves the removal of existing vegetation adjacent to the bridleway, but its replacement with new planting, including a 4m wide hedge.

Option B involves the retention of the ditch, with no infilling, and the retention of the existing boundary vegetation. Option B does not involve any widening of the bridleway, so it could not be used by horses, but the plan submitted shows that the bridleway could still be connected into the site, with some excavation works to provide sloped paths to connect onto the bridleway with retaining walls.

In officers view Option A is the preferred option, as this would enhance pedestrian, cycle and equestrian movement, however, this application offers an alternative option should the retention of the ditch be considered a preferred option.

The approval of the bridleway works is not required to be resolved through this reserved matters application, as they are required to be submitted under a separate submission required through the legal agreement; however, the layout and landscaping of the site is a consideration for this application. The only difference each option would have upon the landscaping is the location of the hedge, which would either be retained in its current position through option B, and strengthened, or relocated through option A to beyond the bridleway widening. The detailed landscaping adjacent to the boundary could be conditioned to be submitted alongside the bridleway works under the legal agreement, and therefore it is not necessary for the bridleway works to be determined at this stage.

The Public Rights of Way Officer has been consulted and made some comments on both options. On option A they've advised that the character of the bridleway should be retained, including the retention of hedgerow to the west of the bridleway. This is in a different land ownership, and therefore would not be intended for removal through this application. They've also advised that the bridleway should remain on the same alignment, which the agent has confirmed within their submission. On option B they've requested further details in relation to the vegetation clearance, and requested the provision of a hoggin surface and again for it to be retained on the same alignment. Through this option the ditch is retained, and therefore it would be the same alignment. It has been queried with the agent whether the ditch would be resurfaced and they've confirmed that this would be possible and can be resolved through the submission under the legal agreement. Therefore it is considered that the principle of the layout and landscaping of the bridleway can be approved through this reserved matters application, subject to a safeguarding condition for the detail to be agreed.

Size and Type of Housing

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. It further states that the Council will encourage proposals for residential development to incorporate a higher ratio of houses to flats (as recommended in the SHMA).

In terms of market housing provision the application originally proposed 57no. 3-bed houses, and 36no. 4-bed houses. When considering the proposed provision against the SHMA recommendations, the provision is closer to the need identified through the 2021 assessment, where there is a greater need for larger family units, and as such it can be considered that the proposed unit mix size addresses current need. A revised schedule of accommodation has been submitted (to address the concerns raised below), with the ratio changing slightly to 58no. 3-bed houses and 35no. 4-bed houses. This slight change raises no concerns.

In terms of affordable housing, the original submission proposed 2no. 1-bed flats, 2no. 2-bed flats, 23no. 2-bed houses, and 13no. 3-bed houses. The SHMA seeks a higher number of smaller affordable units. Concerns were also raised by the Council's Strategic Housing Officer, and local residents, regarding the lack of smaller affordable units within the scheme. An amended schedule of accommodation has been submitted to address the concerns

raised. The proposal now offers 6no. 1-bed flats (an increase of four), 2no. 2-bed flats, 18no. 2-bed houses (a reduction of five), and 14no. 3-bed houses (an increase of one).

The Council's Strategic Housing Officer has reviewed the revised accommodation schedule and is of the view that it is more in keeping with the SHMA, with the additional 4no. 1-bed units being offered, and is more reflective of the village's housing needs, whilst also meeting the wider overarching needs of the district.

A mix of flats, terraced units, semi-detached units, and detached units have also been provided, achieving a good mix across the site. The proposal is therefore considered to comply with Policy SP22 of the Thanet Local Plan.

The proposal offers 4no. M4(3) accessible units and 36no. M4(2) accessible units, with the units identified on the proposed site plan. This complies and exceeds the requirements of Policy QD05 of the Thanet Local Plan.

Affordable Housing

The legal agreement submitted with the outline application agreed to the provision of 30% affordable housing on site.

Within this application, 40no. units are proposed as affordable, which achieves the 30% provision required through the legal agreement for this phase. The units are identified on the proposed site plan, and consist of a number of terraced and semi-detached housing units towards the centre of the site, along with two small flat blocks.

The Council's Strategic Housing Officer has raised no concerns with the number or location of the units.

The proposal is therefore considered to comply with Policy SP23 of the Thanet Local Plan and paragraph 65 of the NPPF.

Biodiversity

Within the previous outline application an ecological assessment was submitted with the application, which concluded that no protected species had been identified within the site. Mitigation measures were proposed for breeding birds and reptiles. For breeding birds this included limiting construction work to outside of bird nesting season, and for reptiles this included a method statement detailing the measures to be undertaken prior to site clearance to minimise potential impacts upon reptiles.

KCC previously raised no concerns subject to conditions requiring the submission of a biodiversity method statement (condition 6), ecological design strategy (condition 10), and landscape and ecological management plan (condition 9); with the landscape and ecological management plan aimed at helping to achieve biodiversity net gains within the site.

With this application submission the Biodiversity Method Statement has been submitted, which includes proposed ecological enhancements within the site, along with mitigation

measures and biodiversity monitoring. The Method Statement confirms that updated surveys have been undertaken, with minor changes to habitats noted. Boundary habitats were found to have increased suitability for reptiles due to a reduction of management on site, a mammal hole of a size/shape suitable for badgers identified, and Dwarf spurge *Euphorbia exigua* noted, which is in decline and listed on the rare plant register. As a result, updated Phase 1 surveys for reptiles, breeding birds and badgers have been undertaken.

The surveys have confirmed a presence of slow worms and common lizards on the site, which will be relocated to retained habitat to the north (within the cemetery). A total of 19no. Bird species were recorded. Whilst the proposal will result in some loss of arable habitat, the site is surrounded by arable habitat and therefore there is not likely to be an impact to the local population. Foraging habitat is intended to be provided through new landscaping within the application. The badger survey showed that badgers are not likely to be using the burrow at this time.

The mitigation strategy intends to retain scrub, hedgerow and trees where possible; collect seeds for the dwarf spurge and translocate them to the south west of the site where it will mostly resemble an arable habitat; erect exclusion fencing to prevent reptiles entering the construction zones; carry out a destructive search for reptiles of the vegetation to be removed within the eastern boundary for the vehicular access; the provision of skylark and turtle dove foraging plots; checking of burrows prior to construction works; and precautionary measures in relation to hedgehogs.

In terms of enhancements, the open space will include wildflower grassland, with native tree, hedge and shrub planting to the north-western boundary (including a bund within the archaeological exclusion zones), and scattered mixed native trees within the site; and the swale and SuDs pond will be planted with native emergent and wildflower grassland, and the pond will include a gently sloping bank to allow access for birds, hedgehogs and other biodiversity. Twenty bat boxes are proposed within phase 1 (with a further 18no. bat boxes within phase 2), three log piles and three hibernacula are proposed within the grassland habitat for reptiles, and twenty bird brick boxes are proposed.

KCC Biodiversity has been consulted and initially advised that they were satisfied that the detailed plans demonstrated how the habitat creation proposed within the mitigation strategy that has been approved under condition 6 of the outline consent will be created. However, they highlighted a number of concerns. These included the provision of a footpath directly to the Skylark and turtle dove mitigation area, which could result in disturbance during nesting season; the landscaping plan and planting plans not corresponding with one another; the intention to cut grassland within the wildflower meadow areas to 100m instead of the recommended 150m; and details required for the SUDs area. In addition, queries have been raised regarding the bridleway resurfacing and widening works and the impact that this would have upon the ecology to the western boundary of the site.

An amended Biodiversity Method Statement has been submitted. The document provides changes to the ecological construction programme, by providing a temporary reptile receptor site within the area to be used for the churchyard expansion to the north of the site, translocating reptiles to the field margins, before into the receptor area prior to the commencement of works, followed by the erection of reptile exclusion fencing. It is then

intended to gradually displace the reptiles from the temporary receptor area back into the phase 1 open space following completion of landscape works within these areas.

The document also now states that ditch vegetation currently on the existing bridleway line will be removed under ecological supervision, and that around the skylark foraging area hedgerow planting is being brought forward to take place prior to commencement of works in phase 1, so that it will have matured and become established prior to the occupation of phase 2. Planting along the western and southern boundaries of the site with thick thorny native dense continuous native scrub will also be brought forward into this phase to provide further nesting opportunities for turtle doves, along with the provision of a supplementary feeding site whilst these areas and the foraging plots become established.

KCC Biodiversity has been re-consulted. They have confirmed that they are satisfied with the information submitted, and the bringing forward of hedgerow planting as soon as practically possible to give it time to establish before residents move into the site. Whilst the footpath adjacent to the skylark/turtle dove foraging area has not been moved, however the planting of a dense hedge and the erection of fencing around this area will limit any impact, and therefore KCC have accepted this proposal.

In terms of the amended reptile mitigation, KCC have raised no concerns subject to the management being carried out under the watching brief of an ecologist, and the habitat within the temporary receptor site being retained as long as possible prior to the precautionary mitigation being implemented.

In terms of the ditch and planting to the western boundary of the site, in the location of the existing bridleway, the biodiversity method statement describes it as a dry ditch, with scattered hawthorn/blackthorn/wild apple scrub and pockets of semi-improved grassland and tall ruderal vegetation. The field margins are noted to offer potential for arable/cereal margin species to be present, while the small area of semi-improved grassland along the western boundary track/ dry ditch in combination with scattered scrub offers structural variation and plant diversity that is rarely seen elsewhere on the site. The marginal habitats are considered to be of ecological importance in the context of the Site.

The resurfacing and widening of the bridleway to 3m, which was secured through the outline planning application, will result in much of the existing vegetation adjacent to the boundary needing to be removed, and the submitted illustrative section plans for the ditch show how they intend to infill the ditch to create a flat and usable surface.

Option B has since been submitted, which provides the option to retain the existing ditch, along with the vegetation to either side, and the provision of additional planting to strengthen the boundary planting. KCC Biodiversity has advised that the details contained within the letter identifying the two options do comply with the details agreed through the Biodiversity Mitigation Strategy, subject to a hedge width of 4m being maintained, which the agent has confirmed.

Subject to safeguarding conditions, the impact upon biodiversity is considered to be acceptable, and in accordance with Policy SP30 of the Thanet Local Plan and the NPPF.

Drainage

A drainage strategy has been submitted with the application in relation to both surface water and foul drainage.

Flood risk and Surface Water Drainage

The site is located predominantly within Groundwater Source Protection Zone 1, with a small area of Source Protection Zone 2 located towards the northern boundary of the site. The submitted drainage strategy confirms that a risk assessment has been carried out and identified that the discharge of all surface water to ground would exceed target concentrations of potential courses of contamination, and would therefore present a risk to underlying aquifers. Only surface water runoff from roof areas can therefore be infiltrated to ground (providing the system is fully sealed). All other surface water runoff will discharge to Southern Water combined sewers.

The submitted drainage strategy confirms that the principle of providing three separate networks for surface water drainage was agreed through the outline application. One network had surface water runoff collected from the roofs that would be attenuated and discharged by infiltration to the ground.

The second network had surface water runoff from the road and hardstanding areas that would be controlled with the use of SUDs features such as permeable paving, swales, bioretention filter drain, and basin before discharging to the public combined sewer at a restricted discharge rate.

The third was specifically for plots 108-114, adjacent to Tothill Street, with the surface water to roofs, hardstanding areas and the roads being collected into one network and discharged through permeable paving, filter drains and underground attenuation crates before discharging into the public combined sewer in Tothill Street. This was a result of the site level constraints.

The reserved matters application follows the principles and details set out and agreed through the outline application.

KCC SUDs has been consulted and initially requested further details/evidence to support the figures provided within the strategy; however, these details were submitted under the condition discharge application for condition 21 of the outline consent. Upon further review KCC SUDs has advised that they remove their objection to the reserved matters application as the condition application for condition 21 (detailed surface water drainage scheme) has since been approved and discharged following the last consultation response, and therefore they have no further objections to drainage matters.

Some concerns have been raised by neighbouring residents in Greenhill Gardens regarding the swale located to the rear of their boundary. The view of KCC SUDs on the location of the swale has been sought, and whether this could cause any flooding concerns for neighbouring residents. KCC has advised that the swale is designed for the conveyance of surface water through the site from the north (including connections part way through for

phase 2) to the attenuation basin in the south, and therefore during periods of high rainfall there would be water flows within the swale. At all other times the swale is unlikely to contain water.

KCC has advised that based upon the modelling evidence submitted, the maximum recorded depth of water within the swale is recorded as 0.321m deep for the 100-year return period, including a 40% allowance for climate change. The output suggests that there is ample capacity within the swale to accommodate all these flows with no exceedances reported, and the presence of the swales will prevent any overland flows of surface water into neighbouring properties. The swale is therefore a useful feature that will be beneficial in preventing flooding for neighbouring properties.

Foul Drainage

The submitted drainage strategy confirms that there are two proposed foul networks. One network will collect foul water from the majority of houses via a gravity system, and will connect to the existing southern water combined sewer in Prospect Road.

The second network will collect foul water from the houses (7 dwellings) in the North Eastern side of the site near Tothill Street, and will discharge into the existing southern water combined sewer located at Tothill Street.

The Environment Agency has raised no concerns. Southern Water has advised that no discharge of foul water sewerage from the site into the public system shall occur until off-site drainage works have been carried out to provide sufficient capacity within the network to cope with additional sewerage flows.

Southern Water has advised that they are currently in the process of designing and planning delivery of off-site sewerage network reinforcements, and that it may be possible for some initial dwellings to connect, pending network reinforcement.

The principle of the connection is agreed, subject to the reinforcement works identified above. Southern Water will be carrying out these works and liaising separately with the applicants under a separate process under the Water Industry Act 1991, and therefore it is not a consideration for the planning application.

The proposed impact on groundwater and flood risk is therefore considered to be acceptable, and in accordance with Policies CC02 and SE04 of the Thanet Local Plan.

Other Issues

Air Quality

An Emissions Mitigation Statement has been submitted with the application, which follows on from the air quality assessment submitted with the outline application. The total emissions mitigation cost identified for the development is estimated at £266,749 over a five year

period, and therefore this cost needs to be used to make air quality improvements through the development.

The emissions mitigation measures identified within the emissions mitigation statement includes the use of low NOx boilers, electric vehicle charging points, bike stores, welcome packs, cycle and footway improvements, and landscaping and planting, which cumulatively provides a cost of approximately £381,080, which exceeds the mitigation cost identified.

Environmental Health have been consulted and initially raised concerns that electric vehicle charging points and low NOx boilers are standard mitigation, and therefore should not be included as part of the mitigation for the damage costs.

A technical note has been received that replaces the costs for the electric vehicle charging and boilers with the off-site highway financial contribution that is being used towards improvements at the Spitfire junction, along with the cost for the off-site highway works in Tothill Street, which again will improve vehicle movement on the highway, and reduce the impact to air quality.

The Environmental Health officer has advised that the technical note, which updates the emissions mitigation measures, is accepted; along with the standard mitigation EV points (which have been identified on the plan and show 137no. electric vehicle charging points) and low NOx boilers. The proposal is therefore in accordance with Environmental Health's technical guidance and Policy SE05 of the Thanet local Plan, subject to a safeguarding condition requiring the provision of the EV spaces as active electric vehicle charging points.

Heritage

The site boundary is 180m from the Holiday Inn, a Grade II Listed building. Between the listed building and the application site is the cemetery, along with substantial planting. Given the distance it is not considered that the proposed development would be viewed within the context of the listed building, and as such the development would not impact on and would preserve the setting, and significance of, the listed building. The Conservation Officer has confirmed that she has no objections from a heritage perspective.

Archaeology

The outline application approved a parameter plan that contained archaeological exclusion zones. The proposed layout plan is not showing any development within the archaeological exclusion zones. The only things within these areas are footpath connections, part of the access road, and landscaping. Landscaping is usually only considered acceptable if particular species are used that limit root damage to archaeology, or if bunds are used to raise the roots from the archaeology. In this case bunds are proposed adjacent to the northern boundary of the site. On this basis the proposed planting is not likely to cause harm to archaeology. The impact upon archaeology is therefore considered to be acceptable, and in accordance with Policy HE01 of the Thanet Local Plan.

Special Protection Area Mitigation and Appropriate Assessment

European sites are afforded protection under the Conservation and Habitats and Species regulations 2010 (as amended the Habitat Regulations) and there is a duty placed upon the competent authority (in this case TDC) to have regard to the potential impact that any project may have on those sites.

The Council undertook a Habitat Regulations Appropriate Assessment with the outline application, and a contribution was secured towards the SAMM to mitigate the harm.

Natural England raised no objections to the assessments and therefore the proposed development, subject to the mitigation measures that were secured. The application is therefore not restricted by the Conservation of Habitats and Species Regulations 2017.

Conclusion

The proposed layout, scale, and design of the development is considered to be in keeping with the village character, and the pattern of development within Tothill Street. The proposed landscaping is considered to achieve landscape enhancements within the site, with new tree, hedge and wildflower planting proposed adjacent to the northern, western and southern boundaries of the site. Adequate open space provision is achieved, which significantly exceeds the minimum requirements.

Additional information has been submitted to determine the impact upon neighbouring occupiers, which on balance, is considered to be acceptable, subject to safeguarding conditions that remove permitted development rights for the closest plot, and require boundary fencing be installed to a height of 2.4m to part of the southern boundary.

The road layout and parking provision proposed, along with the internal pedestrian visibility splays, is considered to be acceptable, with an acceptable impact upon highway safety. New footpaths are provided through the site that create connections onto the existing bridleway from Tothill Street, as well as to the south, which will improve permeability.

The enhancement of the bridleway is proposed, either through infilling and resurfacing, or through improvements that enable the retention of the ditch. Either option enables connections into the site and improved use of the existing bridleway.

Drainage has been dealt with via condition, although the layout plan shows the location of swales and basins that will reduce flood risk, and prevent overflowing to neighbouring land.

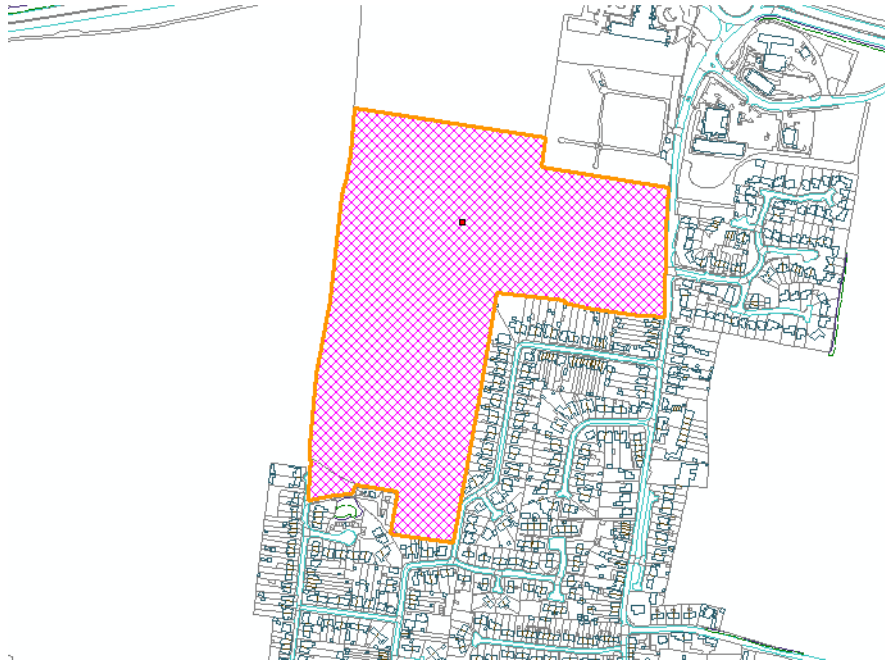
The Biodiversity Mitigation Strategy has been dealt with via condition, although details have also been submitted through this application that provide details of how existing habitats and protected species will be preserved and relocated during construction works and beyond.

The proposed development is considered to have an acceptable impact upon the surrounding area, and comply with the parameters set out within the outline application. It is therefore recommended that Members approve the application subject to safeguarding conditions.

Case Officer
Emma Fibbens

TITLE: R/TH/22/1393

Project Land On The West Side Of Tothill Street RAMSGATE Kent



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.

5 Prior to the first use of the either extensions hereby approved, the secure cycle parking facilities, as shown on approved drawing no. 0019 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.

6 Prior to the first use of either extension 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 SE05 of the Thanet Local Plan and the advice as contained within the NPPF

SITE, LOCATION AND DESCRIPTION

Reclamet site comprises a dismantling and recycling yard fronting Woodchurch Road siting to its south east. The site is accessed off Woodchurch Road, Birchington and the site is a long established commercial concern.

The application site is surrounded on 3 sides by open fields in agricultural use. The site is adjoined on its eastern side by a residential property (Hillside) and the Nelson Park Riding Centre. The land subject of this application forms the existing Reclament site. More specifically the application relates to the two office buildings; one on the south side boundary fronting Woodchurch Road and the second building which is adjacent the northern boundary with Hillside and which is set in from the boundary with Woodchurch Road. There are Tree Preservation Orders (TH/TPO/6/1969) on trees along part of the south boundary of the site and to the east of the building marked as offices on the submitted block plan.

RELEVANT PLANNING HISTORY

The site has a long history of commercial use relating to car breaking and the storage of vehicles dating back to 1963. During the 1980s, 1990s and early 2000s a number of applications were approved for various buildings; most recently F/TH/21/0080, and a weighbridge associated with this use.

Planning permission was most recently granted in November 2021 for the Variation of Condition 7 attached to Planning Permission F/TH/04/0050 for the "Change of use and creation of hardstanding for storage of accident damaged vehicles with associated landscaping" to stack vehicles to a maximum height of 5.5 metres. This was approved by Members of the Planning Committee, subject to conditions including soft landscaping on the southern boundary. The agent has confirmed that a discharge of condition application has been submitted in this regard, and once agreed the client is ready to plant, subject to 10 days notice to order and receive the trees.

PROPOSED DEVELOPMENT

Full planning consent is sought for the erection of first floor extensions to 2no office buildings within the site.

The submitted plans identify the buildings as A and B. Building A is located adjacent to the Woodchurch Road boundary and to the southern boundary of the site. The first floor extension is proposed for the office part of the building only - and a workshop is attached to it. It would be 6.5m to the ridge of the gable and be a continuation of the existing roof form from the front with gable end presenting to the side into the site car parking area and rear (yard). The proposed extension to building A would create an additional 102 sqm of floor space. The extension would be finished with metal profiled sheet cladding and interlocking tiled roof to offices with UPVC doors and windows.

Building B; adjacent Hillside would have a flat roof with a maximum height of approximately 5.8m. The additional floor would provide a further 81.3 sqm of office space. The plans indicate that composite/steel cladding to elevations, felted flat roof and UPVC doors and windows will be utilised in the build.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan 2020

SP04 - Economic Growth
SP24 - Development in the Countryside
SP26 - Landscape Character Areas
SP35 - Quality Development
SP43 - Safe and Sustainable Travel
SP44 - Accessible Locations
E01 - Retention of Existing Employment Sites
QD02 - General Design Policies
QD03 - Living Conditions
CC02 - Surface Water Management
SE03 - Land affected by Contamination
SE04 - Groundwater Protection
TP02 - Walking
TP03 - Cycling
TP06 - Car Parking

NOTIFICATIONS

Letters were sent to adjoining occupiers and a site notice posted close to the site.

One representation was received. The concerns can be summarised as follows:

- The recycling and sales of parts from these vehicles is an increasing part of the business, as well as the number of cars that are stored, inspected and broken up for recycling.
- Carpark is overflowing; where will the additional staff park?
- No public transport links
- Dangerous road
- Noise issues
- Smoke from burning on the site
- The site can be seen from the road
- Opening hours are not adhered to
- Inaccuracies within planning statement Nelson Park Riding Centre is a business and domestic property
- Stacking of cars is a blot on view

CONSULTATIONS

KCC Highways: Final comments: The additional traffic movements created by 183 sqm of office space would be negligible, and would not have a severe impact on the local highway network. The applicant has submitted plans demonstrating the provision of an additional 10 parking spaces within the site, along with secure covered bicycle storage.

No details have been provided regarding the provision of EV charging spaces, but I am content to apply a suitably worded condition for this, should the LPA be minded to approve this application.

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

Submission of a Construction Management Plan before the commencement of any development on site to include the following:

- (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

Provision and permanent retention of the vehicle parking spaces shown on the submitted plans prior to the use of the site commencing.

Provision and permanent retention of the cycle parking facilities shown on the submitted

plans prior to the use of the site commencing.

Provision and permanent retention of EV charging facilities prior to the use of the site commencing in accordance with details to be submitted to and approved by the Local Planning Authority. All Electric Vehicle chargers provided for homeowners in residential developments must be provided to Mode 3 standard (providing a 7kw output) and SMART (enabling Wifi connection). Approved models are shown on the Office for Low Emission Vehicles Homecharge Scheme approved chargepoint model list:
<https://www.gov.uk/government/publications/electric-vehicle-homecharge-scheme-approved-chargepoint-model-list>

Informatives: It is important to note that planning permission does not convey any approval to carry out works on or affecting the public highway.

Any changes to or affecting the public highway in Kent require the formal agreement of the Highway Authority, Kent County Council (KCC), and it should not be assumed that this will be a given because planning permission has been granted. For this reason, anyone considering works which may affect the public highway, including any highway-owned street furniture, is advised to engage with KCC Highways and Transportation at an early stage in the design process.

Across the county there are pieces of land next to private homes and gardens that do not look like roads or pavements but are actually part of the public highway. Some of this highway land is owned by Kent County Council whilst some is owned by third party owners. Irrespective of the ownership, this land may have highway rights over the topsoil.

Works on private land may also affect the public highway. These include works to cellars, to retaining walls which support the highway or land above the highway, and to balconies, signs or other structures which project over the highway. Such works also require the approval of the Highway Authority.

Kent County Council has now introduced a formal technical approval process for new or altered highway assets, with the aim of improving future maintainability. This process applies to all development works affecting the public highway other than applications for vehicle crossings, which are covered by a separate approval process.

Should the development be approved by the Planning Authority, it is the responsibility of the applicant to ensure, before the development is commenced, that all necessary highway approvals and consents have been obtained and that the limits of the highway boundary have been clearly established, since failure to do so may result in enforcement action being taken 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 the relevant legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.

Guidance for applicants, including information about how to clarify the highway boundary and links to application forms for vehicular crossings and other highway matters, may be found on Kent County Council's website:

<https://www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/highways-permissionsand-technical-guidance>. Alternatively, KCC Highways and Transportation may be contacted by telephone: 03000 418181

Initial comments: The applicant has not submitted a site plan demonstrating the existing parking provision for the site.

The proposed increase in office space will require an additional 10 parking spaces to be provided, as per Appendix C Parking Standards of the Thanet District Council Local Plan, adopted July 2020.

As such plans should be submitted demonstrating the existing parking layout for staff at the site and also a plan demonstrating the provision of an additional 10 parking spaces.

Parking spaces should measure 2.5m x 5m, with the provision of 6m reversing space behind each one.

We would also require the provision of Electric Vehicle Charging points, to future proof the use of the site.

Based on the requirement for 10 additional parking spaces, the applicant should provide 1 active charging space and 9 passive charging spaces.

One secure, covered bicycle storage space would also be required, again as per Appendix C Parking Standards

TDC Environmental Health: Thank you for consulting Environmental Protection on the above planning application for which we have considered the potential for environmental health impacts and consider it to have a low environmental risk and, therefore, do not offer any comments in this regard.

COMMENTS

This application is referred to the Planning Committee at the request of Cllr Pugh for Members to consider the impact of the development on views of the surrounding countryside.

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

Principle

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

The site is located within the countryside as defined by policy SP24 of the Thanet Local Plan. Within this area development on non-allocated sites in the countryside will be permitted for either:

- * the growth and expansion of an existing rural business;
- * the development and diversification of agricultural and other land based rural businesses;
- * rural tourism and leisure development;
- * the retention and/or development of accessible local services and community facilities; or
- * the redevelopment of a brownfield site for a use that is compatible with its countryside setting and its surroundings.

All development proposals to which this policy applies should be of a form, scale and size which is compatible with, and respects the character of, the local area and the surrounding countryside and its defining characteristics. Any environmental impact should be avoided or appropriately mitigated.

The application site comprises an existing vehicle recycling business with a number of buildings and open storage across the site.

Paragraph 83 of the National Planning Policy Framework states that planning policies and decisions should enable the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings.

The increased floor spaces of 183.3sqm to the two office buildings would assist the running of an established business and would be supported in principle subject to all other material considerations.

Countryside and Landscape Character

The proposal involves development on land that is designated as countryside and within a Landscape Character Area.

Policy SP24 of the Local Plan considers development within the countryside, and provides a list of development within the countryside that is permitted through the policy, as detailed below;

Development on non-allocated sites in the countryside will be permitted for either:

- 1) the growth and expansion of an existing rural business;
- 2) the development and diversification of agricultural and other land based rural businesses;
- 3) rural tourism and leisure development;
- 4) the retention and/or development of accessible local services and community facilities; or
- 5) the redevelopment of a brownfield site for a use that is compatible with its countryside setting and its surroundings.

The proposed development is considered to come under 1) and, therefore, does fall within the development permitted, and as such the proposal is considered to be in accordance with Policy SP24 of the Local Plan.

Policy SP26 states that development proposals should demonstrate how their location, scale, design and materials will conserve and enhance Thanet's local distinctiveness. The policy further advises that development proposals should demonstrate how they respect and respond to the character, key sensitivities, qualities and guidelines of the relevant landscape character areas, as detailed in the Landscape Character Assessment (LCA), and should avoid skyline intrusion and the loss and interruption of long views. Development proposals that conflict with these principles will only be permitted where it can be demonstrated that they are essential for the economic or social well-being of the area.

Policy SP26 is supported by an up to date Landscape Character Assessment. The report recognises the importance of the Manston Chalk Plateau character area, to which the site forms a part, which is stated to form a skyline in many views back from lower landscapes in Thanet, including the coast and marshlands. The area is a generally flat or gently undulating landscape, with extensive, unenclosed fields under intensive arable cultivation.

The National Planning Policy Framework supports this policy, with paragraph 130 requiring planning decisions to be sympathetic to local character, including the landscape setting, and paragraph 174 requiring the protection and enhancement of valued landscapes, with the intrinsic character and beauty of the countryside recognised.

There has been a long established use for the storage and dismantling of vehicles on the site through previously approved permissions. The matter for consideration on this application, is purely the potential impacts that may arise from allowing the first floor extensions to the two office buildings within the site, on the character and appearance of the area adjacent part of the southern boundary of the wider site and from Woodchurch Road. As noted above the application site comprises an existing vehicle recycling business with a number of buildings and open storage; including stacking of vehicles across the site.

The characteristics of the Manston Chalk Plateau is generally flat or gently undulating landscape, with extensive, unenclosed fields under intensive arable cultivation. This open landscape is fragmented by the location of large scale developments such as the former airport, Manston Business Park and a sporadic settlement pattern to the north of the airport. Further it also forms a skyline in many views back from lower landscapes in Thanet, including the coast and marshlands.

The visual impact of the proposed first floor extensions and its associated increase in height does have the potential to be prominent, given the flat surrounding countryside, particularly to the southern boundary and from Woodchurch Road. It is considered that the extension to building A; the northern part would be somewhat shielded by the existing workshop building which this extension would be on a par with in terms of its height. In addition from Woodchurch Road the extension would be seen in the context of the existing workshop and would not in my opinion be intrusive given its context. In terms of building B and its extension this is set much further back into the site; vehicles are parked in front of it, furthermore there is a two storey dwelling to the north; Hillside which is on higher ground. Given this set back and that it would be seen in the context of other two storey development, I do not consider that it would be harmful to the wider countryside or landscape character area.

The area of land subject of this application is visually related to the existing Reclamet site, and as such, the proposed increased height of buildings will be viewed in the context of the wider existing site and, therefore, the resultant detrimental impact on the character and appearance of the countryside, over and above that created by the existing use, would be less significant.

Notwithstanding consideration of the principle as set out above, relating to the expansion of this site into the rural area, trees on the north east and south west boundaries of the office building A to the south of the site on Woodchurch Road are subject to Tree Preservation Orders. The development already exists around these protected trees. It is not considered that the additional floors proposed would likely to harm these trees any more than exists with the present situation on site.

The proposed development is considered acceptable in principle given the established use of the site already. In light of the above the proposed development is considered to be compatible with its countryside setting and surroundings and would not result in any significant harm to the character and appearance of the countryside or the landscape character area, in line with policies SP24, SP26 and QD02 of the Thanet Local Plan and the National Planning Policy Framework.

Living Conditions

Paragraph 119 of the NPPF states that planning decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.

Local Plan policy QD03 is also relevant to this application. Policy QD03 (Living Conditions) states that All new development should:

- 1) Be compatible with neighbouring buildings and spaces and not lead to the unacceptable living conditions through overlooking, noise or vibration, light pollution, overshadowing, loss of natural light or sense of enclosure.
- 2) Be of appropriate size and layout with sufficient usable space to facilitate comfortable living conditions and meet the standards set out in QD04.
- 3) Residential development should include the provision of private or shared external amenity space/play space, where possible.
- 4) Provide for clothes drying facilities and waste disposal or bin storage, with a collection point for storage containers no further than 15 metres from where the collection vehicle will pass.

It falls, therefore, to consider, whether there would be impact on the residential amenities of adjoining occupiers from the proposed additional floor two two buildings within the site.

In relation to building A and the extension above part of this building, it is confirmed that this extension would not directly abut neighbouring sites that could be harmed by its erection in terms of overlooking, overshadowing, loss of light or outlook. As such I consider there to be no material harm.

Building B, and its extension, however is adjacent to the boundary with the dwelling known as Hillside. It is noted that the land which this dwelling is sited upon is at a higher level to the application site; approximately 1m. The current boundary treatment (close boarded fence), measured from inside the application site, is approximately 4.4m high and the existing building a maximum of 2.9m. The proposal will see this increase to 5.7m, that is an increase of 1.3m above the fence line and 2.8m above the existing roof line. There is also a row of conifer trees within the boundary of Hillside. The first floor extension does not propose any side first floor windows. The property known as Hillside has a carport/garage immediately adjacent to the boundary and on the side flank wall of the dwelling is an air conditioning unit; there are no first floor windows. The extension will extend beyond the rear wall of Hillside by approximately 6m, however, given that the main dwelling of Hillside is approximately at least 4m from the shared boundary and given the angles between Hillside and the office, I do not consider that this relationship would result in material harm in terms of overshadowing, loss of light or outlook, overlooking.

The Nelson Park Riding school and associated dwelling is located some distance from the extensions (approximately 60m) given this significant distance of separation I do not consider there to be any harm resulting from the extensions themselves.

The use within the extensions is proposed to be office use. This would not be noisy as such and, therefore, I concur with the views of the Council's Environmental Health team that have raised no objection to the proposal.

The proposal is, therefore, considered to be acceptable with regards to residential amenity in regard to existing residents, and in terms of the extensions themselves and noise and disturbance through the use within in accordance with Policy QD03 of the Thanet Local Plan and the National Planning Policy Framework.

Transportation

Paragraph 110 of the NPPF states that In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that amongst other aims: a) appropriate opportunities to promote sustainable transport modes can be - or have been - taken up, given the type of development and its location and b) safe and suitable access to the site can be achieved for all users. Paragraph 111 of the NPPF states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual impacts on the road network would be severe. Paragraph 112 goes on to highlight that "within this context, applications for development should: a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second - so far as possible - to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use; b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport; c) create places that are safe, secure and attractive - which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards; d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and e) be

designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.”

Policy SP43 of the Local Plan states that the Council will work with developers, transport service providers, and the local community to manage travel demand, by promoting and facilitating walking, cycling and use of public transport as safe and convenient means of transport. Development applications will be expected to take account of the need to promote safe and sustainable travel. New developments must provide safe and attractive cycling and walking opportunities to reduce the need to travel by car. Whilst policy SP44 states development generating a significant number of trips will be expected to be located where a range of services are or will be conveniently accessible on foot, by cycle or public Transport.

Following receipt of the application KCC Highways initially asked for more information and clarification in relation to the number of parking spaces existing and proposed provision of Electric Vehicle Charging points and covered bicycle storage space.

The agent duly submitted a revised plan. This plan shows an additional 10 parking spaces and covered bicycle store, located within the existing parking area. This is suitably designed and would not create visual harm in its own right.

KCC Highways have confirmed the additional traffic movements created by 183 sqm of office space would be negligible, and would not have a severe impact on the local highway network. The applicant has submitted plans demonstrating the provision of an additional 10 parking spaces within the site, along with secure covered bicycle storage. Whilst details of electric charging points have not been detailed, KCC Highways are happy that this can be dealt with by a condition.

KCC also recommends conditions relating to a Construction Management Plan, I consider that this would be necessary given the limited width of Woodchurch Road that construction vehicles would have to negotiate. Securing the provision and permanent retention of the vehicle parking spaces, again this is necessary to ensure that the site can accommodate the numbers of vehicles likely to be generated from the extensions proposed.

Officers consider that the extensions proposed are relatively modest and that the number of traffic movements, once built, would not result in harm to the highway network and it has been demonstrated that the additional parking spaces required for this level of increased floor space could be accommodated within the site.

Given the above, with the appropriate safeguarding conditions, the impact upon highway safety and parking is therefore considered to be acceptable.

Other matters

In terms of comments raised by third party representations it is considered that whilst there are no public transport links to this site it is unlikely that members of the public will be going to site unless they are scrapping a car or buying, in which case they are likely to be using a private car.

The smoke from burning on the site is separate to this application and would be looked at under Environmental Health legislation.

Operation of the site outside of the permitted operating hours is separate to this application and any alleged breaches would need to be identified to planning enforcement- the objection has been forwarded to Planning Enforcement.

Conclusion

In summary, the additional floor to the two buildings is considered to be acceptable in terms of impact on visual amenity of the area. It is considered that the application is acceptable in regard to residential amenity, highways aspects and all other matters. As such the proposal is accordingly recommended for approval subject to the attached conditions.

It is, therefore, recommended that Members approve the application subject to safeguarding conditions.

Case Officer

Gillian Daws

TITLE: F/TH/23/0233

Project Reclamet Recycling Centre Woodchurch Road BIRCHINGTON Kent CT7
OHL



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5 No development shall take place until details of the means of foul and surface water disposal, including details of the implementation, management and maintenance of any proposed Sustainable urban Drainage Systems, have been submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with such details as are agreed and thereafter maintained.

GROUND;

To prevent pollution, in accordance with Policy CC02 of the Thanet Local Plan and the advice contained within the National Planning Policy Framework.

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

GROUND;

In the interests of visual amenity in accordance with Policies QD02 of the Thanet Local Plan and BSP 7 and 9 of the Broadstairs and St Peter's Neighbourhood Plan.

7 No further development, whether approved by Part 1 Class A, B, C and E of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order), shall be carried out without the prior permission in writing of the Local Planning Authority.

GROUND;

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

8 The proposed annexe hereby approved shall not be occupied or used at any time other than for purposes ancillary to the residential use of the host dwelling.

GROUND:

To ensure that an independent residential use is not created to the detriment of the character, appearance and pattern of development of the area, and to the living conditions of any occupiers of the site or neighbouring properties in accordance with policies QD02 and QD03 of the Thanet Local Plan.

9 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, unless otherwise agreed in writing by the Local Planning Authority.

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.

10 The development hereby permitted shall be constructed in order to meet the required technical standard for water efficiency of 110 litres/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 110 litre /person/day, in accordance with Policy QD04 of the Thanet Local Plan.

11 No development shall take place until full details of the finished levels, above ordnance datum, of the proposed buildings, have been submitted to, and approved in writing by, the local planning authority. The development shall be carried out in accordance with the approved levels.

GROUND:

In the interests of residential amenities in accordance with Policy QD03 of the Thanet Local Plan.

SITE, LOCATION AND DESCRIPTION

The application site is essentially rectangular in shape measuring some (65m by 27m) 1,755 sqm and lies to the west of Cliff Promenade in Broadstairs. The land between North Foreland Avenue and Cliff promenade slopes from west to east, with the western part of the site some 3.6 metres higher than the eastern part adjacent to Cliff Promenade (23.8m to 19.5m). It is not subject to any specific designations and is currently vacant with some vegetation.

RELEVANT PLANNING HISTORY

Application site

In 2012, an outline planning application was submitted for the erection of 13no. detached dwellings (OL/TH/12/0550) with all matters reserved. This application was refused in June 2012.

In 2013, an outline planning application was submitted for the erection of 10 no. detached dwellings, with all matters reserved (OL/TH/13/0473). This application was refused in June 2013.

Subsequent to the determination of the 2013 outline application, an appeal before the Planning Inspectorate on the 2012 outline planning application (for 13 no. dwellings on the site) was dismissed, however not for the reasons cited by the Local Planning Authority save for one of the reasons that some of the protected trees on site would be lost, which would harm the character and appearance of the surrounding area.

Following that appeal decision, an outline planning application was refused for the erection of 12 no. detached dwellings with all matters reserved (OL/TH/14/0404) which was refused

in August 2014. Planning consent was granted on appeal following this refusal in March 2016.

In May 2019 a reserved matters application for this application site was approved for a 2 storey 5 bed dwelling (R/TH/19/0303 refers). This was followed in a further application for the erection of a 2-storey detached dwelling together with 2-storey outbuilding containing a garage and two bed self contained annexe which was approved in February 2020 (F/TH/19/1594).

Adjoining site to the south

F/TH/23/0474 - Erection of 1No four storey 5-bed detached dwelling together with erection of garage and outbuilding, formation of swimming pool including associated access and landscaping. Under consideration.

F/TH/21/0331 - Erection of 1No two storey 5 bed detached dwelling. Approved 16th August 2021.

R/TH/19/0332 - Application for the approval of all reserved matters to outline planning permission OL/TH/14/0404 for the erection of 1No three storey 4 bed detached dwelling. Approved 16th May 2019.

Adjoining site to rear

F/TH/19/0881 - Erection of 1No. three storey building with undercroft containing 8No. self contained flats with associated parking and landscaping. Approved 13th September 2019.

F/TH/18/1754 - Variation of conditions 2, 3 and 4 of planning permission F/TH/18/0851 for the erection of 1No. three storey building containing 7No. self-contained flats with associated parking and landscaping following the demolition of Redriff to allow undercroft parking and relocation of parking and cycle storage. Approved 3rd April 2019.

F/TH/18/0851 - Erection of 1No. three storey building containing 7No. self contained flats with associated parking and landscaping following the demolition of Redriff. Approved 19th October 2019.

PROPOSED DEVELOPMENT

Planning permission is sought for the erection of a 2-storey detached dwelling together with 2-storey outbuilding containing a garage and two bed self contained annexe.

The dwelling would have an entrance hall, lounge, living room, kitchen and utility room with a gym and swimming pool at ground floor level. At first floor level it would comprise 4 bedrooms all ensuite and 3 with dressing rooms.

The annexe would house 8 garage spaces at ground floor level with a 2 bed annexe at first floor containing a kitchen, open plan living space and two bedrooms both ensuite and a dressing room to one.

The property would be served by an amenity area mainly to its rear and there is space for cycle and refuse storage within the site. Vehicular and pedestrian access to the site would be taken from Cliff Promenade.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan 2020

SP01 - Spatial Strategy - Housing
SP12 - Broadstairs
SP13 - Housing Provision
SP14 - General Housing Policy
SP26 - Landscape Character Areas
SP27 - Green Infrastructure
SP29 - Strategic Access Management and Monitoring Plan
SP30 - Biodiversity and Geodiversity Assets
SP35 - Quality Development
SP36 - Conservation and Enhancement of Thanet's Historic Environment
SP43 - Safe and Sustainable Travel
SP44 - Accessible Locations
H01 - Housing Development
HO23 - Ancillary Accommodation for Family Member
GI04 - Amenity Green Space and Equipped Play Areas
QD01 - Sustainable Design
QD02 - General Design Principles
QD03 - Living Conditions
QD04 - Technical Standards
HE01 - Archaeology
CC02 - Surface Water Management
CC03 - Coastal Development
SE04 - Groundwater protection
SE06 - Noise Pollution
SE08 - Light Pollution
TP02 - Walking
TP03 - Cycling
TP06 - Car Parking

Broadstairs and St Peter's Neighbourhood Plan

BSP2 - Important Views and Vistas
BSP4 - Seafront Character Zones
BSP7 - Areas of High Townscape Value
BSP9 - Design in Broadstairs and St Peter's

NOTIFICATIONS

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

Nine representations have been received objecting to the application have been received with some people making more than one representation. Their comments are summarised below.

- Industrial style design of the annexe is not in keeping with the area;
- Size of the development is overbearing;
- Combined house and annexe is an overdevelopment in terms of size;
- Other annexes in the area are attached to the main dwelling;
- The proposed annexe should be single storey with a flat roof;
- Sympathetic in relation to the reasons given for annexe, but no justification for the garages provided;
- No need for the amount of parking proposed;

A petition against the proposal has also been submitted and signed by the occupants of the 8 apartments in Redriff. It raises the following objections to the proposal.

- When planning was previously granted, Redriff apartments were under construction. They are now occupied and the council should not base its decision on this application on approval having been granted in the past;
- General overdevelopment of plot - density and overcrowding;
- Scale and height of annexe;
- Proximity of annexe to Redriff;
- Increased noise and disturbance from annexe and garage;
- Loss of light to Redriff due to scale of annexe;
- Loss of privacy and overlooking;
- Design deficiencies - expanse of the building's rear facade and its finish.

Broadstairs Town Council: No comment.

Broadstairs Society: Raise no objection to the development. It is noted, however, that this development comprises two separate dwellings that form part of the development as a whole, though markedly distant from each other. A caveat should be added to any approval to ensure that these units are not divided. Access is not clearly defined.

CONSULTATIONS

Natural England: DESIGNATED SITES [EUROPEAN] - NO OBJECTION SUBJECT TO SECURING APPROPRIATE MITIGATION

This advice should be taken as Natural England's formal representation on appropriate assessment given under regulation 63(3) of the Conservation of Habitats and Species Regulations 2017 (as amended). You are entitled to have regard to this representation.

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

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

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

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

If your authority's appropriate assessment has identified any other adverse impacts from the proposed development in addition to those that may be caused by increased recreational pressure and which have not been addressed by your Authority, you must consult Natural England for further advice on this appropriate assessment. Permission should not be granted until such time as Natural England has been able to consider these additional impacts and respond.

Southern Water: Southern Water requires a formal application for a connection to the public foul sewer to be made by the applicant or developer.

In situations where surface water is being considered for discharge to our network, we require the below hierarchy for surface water to be followed which is reflected in part H3 of the Building Regulations. Whilst reuse does not strictly form part of this hierarchy, Southern Water would encourage the consideration of reuse for new developments - Reuse, infiltration, watercourse, storm sewer, combined sewer.

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.

KCC Highways: Non protocol application.

COMMENTS

This application is reported to Planning Committee by Councillor Pugh for Members to consider the impact of the development on the views of and landscape of the coastline.

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

Principle

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that all planning applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

Policy SP01 of the Local Plan (Spatial Strategy - Housing) states that the primary focus for new housing development in Thanet is the urban area. Policy H01 (Housing Development) states that permission for new housing development will be granted on sites allocated for this purpose and on non allocated sites within the confines of the urban area and villages.

The application lies within the defined settlement of Broadstairs and whilst not previously developed, it is noted that residential development of the site has been considered accepted previously by both the council and the Planning Inspectorate.

Furthermore, the council does not currently have a 5 year housing supply and, as such, the tilted balance set out in paragraph 11 of the National Planning Policy Framework applies. This states that applications for housing should be considered in the context of the presumption in favour of sustainable development. Paragraph 11 of the NPPF describes the presumption in favour of sustainable development and closes by saying that where development plan policies are out of date, planning permission should be granted "unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole or specific policies in this Framework indicate development should be refused".

Policy HO23 of the Local Plan - Ancillary Accommodation for a Family Member - states that proposals to provide an annexe for ancillary accommodation will be permitted where the proposed annexe is: within the curtilage of the principal dwelling and shares its vehicular access; has a functional connection with the main dwelling; is in the same ownership as the main dwelling; designed in such a way as to easily allow the annexe to be used as an integral part of the main dwelling when it is no longer needed for independent occupation; has no boundary demarcation or sub division of the land between the main dwelling and the annexe; of a scale subservient to the principal dwelling and complies with the Council's design policies.

In this instance, the proposed annexe would sit within the curtilage of the principal dwelling and share its vehicular access, is in the same ownership as the main dwelling, no subdivision is proposed between the dwelling and the annexe building and although large would be subservient in scale to the main dwelling. The applicant's submission states that the annex will be used by their son. The annex would, however, be self contained, but would be linked via the garden and its position to the rear of the site to the proposed main

dwelling. It is, therefore, considered that the proposed building could be considered to meet the requirements of Policy HO23.

On that basis, it is considered that residential development on the site should be considered acceptable in principle.

Character and Appearance

Paragraph 130 of the National Planning Policy Framework (NPPF) states decisions should ensure that developments will function well and add to the overall quality of the area, are visually attractive as a result of good architecture, layout and appropriate and effective landscaping, sympathetic to local character and history, establish or maintain a strong sense of place, and optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development and create places that are safe, inclusive and accessible.

Policy QD02 outlines that the primary aim of new development is to promote or reinforce local character and provide high quality and inclusive design that is sustainable in all other respects. Proposals should therefore relate to surrounding development, form and layout, be well designed, pay particular attention to context and identity of location, scale, massing, rhythm, density, layout and materials, and be compatible with neighbouring buildings and spaces. Any external spaces and landscape features should be designed as an integral part of the scheme.

Policies BSP2, BSP4, BSP7 and BSP9 of the Broadstairs and St. Peter's Neighbourhood Plan are also relevant to this application. Policy BSP2 (Important View and Vistas) states that development proposals should respect and not detract from the views and views identified as important within Broadstairs and St Peter's. Policy BSP4 (seafront Character Zones) seeks to ensure that all development located within a seafront character zone accords with the development principles for that zone and includes a statement setting out how that has been achieved. It is noted that the application site lies within seafront character zone 5 which relates to stretches of coastline that are predominantly undeveloped where it is seen as important to protect the remaining unspoilt predominantly rural sections of the coast.

Policy BSP7 (Areas of High Townscape value) states that within such areas the conservation or enhancement of the local character will be the primary planning aim and that 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. Policy BSP9 of the Broadstairs and St Peter's Neighbourhood Plan sets out that development proposals should conserve and enhance local character and design features, aim to strongly reflect the characteristics of the area, and to ensure that they do not lead to an unacceptable impact on neighbouring amenity.

Whilst the application site and a small area surrounding it fronting Cliff Promenade is currently undeveloped, it lies within the wider developed area of North Foreland and is not the rural undeveloped coastline that policy BSP4 seeks to protect.

As set out above, the proposed development is a two storey dwelling and a further building to the rear of the site would provide garaging for eight vehicles at ground floor level and a two bed self contained annexe at first floor level. Areas for cycle and refuse storage are proposed together with off street parking. Vehicular access and pedestrian access to the site would be taken from Cliff Promenade, with areas of garden to the front and rear.

The proposed development would be seen against the various residential development along Cliff Promenade and North Foreland Avenue and surrounding roads and it is not considered that it would be overly dominant or imposing when seen in long or short views.

The proposed dwelling is contemporary in design with some pitched roof elements and large amounts of glazing with the annexe being more simplistic in design. It is noted that the individual design of properties within the area varies considerably, with a wide range of styles, proportions and materials. It is, therefore, considered that the dwelling and the annexe would add to the variety that currently exists within the area and it is noted that the proposed dwelling and annexe would be constructed of a variety of materials currently found within the North Foreland area. No objection is therefore raised to the approach adopted for the proposed dwelling or its proposed materials, although it is considered appropriate that given the location of the site within the area of high townscape value that a condition is imposed to ensure that samples of the proposed materials are agreed with officers.

The main house would be set in from the application site's northern boundary by approximately 6m at its closest point and from its southern boundary by 1.8m again at the closest point. It would sit just over 15m from the rear of the application site and would be set back from Cliff Promenade by 15.5m. The proposed annexe would sit to the rear of the main dwelling at its closest point by approximately 1m. It is considered that the degree of separation between the proposed dwelling and the application site boundaries is comparable with the spaces around other dwellings in Cliff Promenade. It is, therefore, not considered that the proposed dwelling would have an adverse effect on the spacing and openness of the area. It is also noted that there are a variety of dwellings with outbuildings in various locations within their curtilage in the surrounding area and it is not considered that the location of the proposed annexe would be at odds with the character or appearance of the area in terms of its relationship with the host dwelling or surrounding properties.

The proposed main dwelling is two storeys in height some 11 metres at its highest. Properties within this part of Cliff Promenade are a mix of two storey and two storey with rooms in the roof and it is not considered that the proposed two storey dwelling would be out of keeping with this. The annexe is also 2 storeys in height and given its footprint has the potential to compete with the host dwelling and surrounding properties. It is, however, proposed to reduce the height of the ground level at the rear of the site to the same level as the ground level for the main dwelling. This would result in the annexe sitting lower within the site and appearing more subservient in relation to the host dwelling and other surrounding dwellings.

It is, therefore, considered that the proposed dwelling would not have an adverse impact on the character or appearance of the area and the application meets the criteria of saved policies QD02 of the Local plan and BSP2, BSP4, BSP7 and BSP9 of the Broadstairs and St. Peter's Neighbourhood Plan and the guidance of the NPPF.

Living Conditions

Paragraph 119 of the NPPF states that planning decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.

Local Plan policies QD03, QD04 and GI04 are also relevant to this application. Policy QD03 (Living Conditions) states that All new development should: 1) Be compatible with neighbouring buildings and spaces and not lead to the unacceptable living conditions through overlooking, noise or vibration, light pollution, overshadowing, loss of natural light or sense of enclosure. 2) Be of appropriate size and layout with sufficient usable space to facilitate comfortable living conditions and meet the standards set out in QD04. 3) Residential development should include the provision of private or shared external amenity space/play space, where possible. 4) Provide for clothes drying facilities and waste disposal or bin storage, with a collection point for storage containers no further than 15 metres from where the collection vehicle will pass. Policy QD04, requires all new residential development to meet the Nationally Described Space Standards and also a water efficiency standard. Policy GI04 states that new family dwellings (those with 2 or more bedrooms) will be expected to incorporate garden space in order to provide a safe "doorstep play area" for young children. With doorstep playspace being defined as playspace for young children which is immediately adjacent to, closely visible and safely accessible from the dwellings served.

It falls, therefore, to assess the impact of the proposed development on the residential amenities of surrounding occupiers and the standard of accommodation being proposed for future occupiers.

The application site sits between two vacant plots. The plot to the north of the application site had planning consent for a dwelling, but this permission was not implemented and has now expired. It is not considered that granting consent for this application would prevent the plot being developed in the future subject to the appropriate permission being granted.

Planning permission was granted for a dwelling on the plot to the south in August 2021 (F/TH/21/0331 refers) and this consent can be implemented until August 2024. It is noted that the consented dwelling was set in from the southern boundary of the application site by some 6 metres and that there would be one high level window in the northern elevation of the dwelling approved on that site facing the application site which serves a bathroom and it is noted that there is a condition on the application requiring all bathroom, ensuite and WC windows to be obscure glazed. Given this, and the set in from the southern boundary of this proposed dwelling and the lack of any openings in its southern flank, it is considered that the proposed development would not prevent that consented dwelling on the adjoining plot being built out. It is also noted that there is a current application for a dwelling on the plot to the south for the erection of 1No four storey 5-bed detached dwelling together with erection of garage and outbuilding, formation of swimming pool including associated access and landscaping (F/TH/23/0474 refers) which is under consideration. This has limited openings in its north facing flank and as stated above the set in and lack of openings in the southern

flank wall of the dwelling currently under consideration means that it is unlikely to prejudice that proposal coming forward should planning permission be granted.

The site's eastern (front) boundary is to Cliff Promenade with the sea beyond and its western (rear) boundary is to Redriff Apartments. Planning permission was granted in October 2018 for the erection of a 3 storey building containing 7 apartments (F/TH/18/0851) with a subsequent application approved in April 2019 to allow undercroft parking within the development and relocation of parking and cycle storage (F/TH/18/1754). In September 2019 a further planning permission was granted on the site to allow an additional 2 bed unit to be added to the development (F/TH/19/0881 refers). This is the development that has been built out (8 apartments) and sits to the rear of the application site. As set out above, land levels in this area slope west to east, with the Redriff apartment site sitting at approximately 28 m above sea level at its frontage to North Foreland Avenue and dropping to just over 23m at its boundary with the application site. Whilst it is noted that the rear elevation of the proposed annexe would sit 2 metres from the rear boundary of Redriff Apartments, the applicants are proposing to reduce the land levels to the rear of the site so that they are the same as the land levels for the main dwelling (amounting to a reduction of about 2 metres). Given this and the fact that the rear elevation of the Redriff Apartment buildings is set some 15 metres from the rear boundary of the site, it is not considered that the proposed annexe would be overbearing or result in a loss of light to the residents of that development. The relationship was also considered acceptable in the previously approved application F/TH/19/1594 which approved an identical annex, taking account of the committed development at Redriff (approved previous to the approval on this site).

Concerns have been raised by the residents in Redriff Apartments that there is the potential for overlooking into their communal garden to occur from the staircase to the annexe. The stairwell is a means of access and exit only which people would pass over rather than spend any length of time on, especially given the garden area and other facilities that the occupiers of the annexe have access to. Given this, together with the proposed changes in level and the distances involved, it is not considered that there would be any severe overlooking from the proposed annexe to Redriff Apartments or its gardens to result in significant harm to occupiers.

In terms of the standard of accommodation provided in the proposed development, the proposed dwelling would provide large rooms with a high level of light and ventilation. It would also be served by off street parking and private residential amenity space which allows for cycle and bin storage. The Council is using the Nationally Described Space Standards for housing to assess the internal floor space size of new residential development to ensure that a good standard of accommodation for future occupiers is achieved. The property has four bedrooms and for a two storey dwelling the technical standards state a range of sizes from 97 sqm (for a 5 person dwelling) to 124 sqm for an 8 person dwelling. The proposed dwelling is generous in size and is larger than the highest floor area required under the standards. As such, it is considered that the proposed dwelling would provide a good standard of accommodation for residential amenity for future.

The annexe has two beds with these bedrooms shown as doubles. The Nationally described space standards for a two bed, 4 person single storey dwelling is 70 sqm. The proposed annexe is nearly double the required floor space at 135 sqm and it is considered

that the future occupiers would enjoy a high level of natural light and ventilation. Whilst it is noted that the annexe would sit above a garage for 8 vehicles, it is noted that the garage, whilst large, is domestic and would be used for the parking of cars and maybe some minor repairs or maintenance such as car washing which would be expected in a residential area. As such, it is not considered that there would be any noise and disturbance from the use of the garage that would adversely impact the future occupiers of the annexe. Given the above, it is considered that the proposed annexe would provide a good standard of accommodation for its future occupiers.

It is noted that there is some potential for mutual overlooking between the annexe (whose windows are located to its front) and the proposed dwelling and its garden. But given that the annexe and dwelling would be occupied as an additional accommodation in association with the main dwelling, this interrelationship is considered acceptable.

Given the above, it is considered that the proposed development would meet the criteria of policies QD03, QD04 and GI04 and the guidance of the NPPF.

Highways

Paragraph 110 of the NPPF states that in assessing applications for development it should be ensured that adequate opportunities to promote sustainable transport modes have been taken up; safe and suitable access to the site can be achieved for all users and any significant impacts from the development on the transport network (in terms of capacity and congestion) or on highway safety, can be cost effectively mitigated to an acceptable degree. It goes on to state that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe (paragraph 111). Applications for development should give priority to pedestrian and cycle movements and secondly (as far as possible) facilitate access to high quality public transport, address the needs of people with disabilities and reduced mobility, create places that are safe, secure and attractive, allow for the efficient delivery of goods and access by service and emergency vehicles and be designed to enable charging of plug in and other ultra low emission vehicles (paragraph 112). These aims are reflected in the Council's Local Plan policies.

Due to the location of the site, the majority of trips generated by any development will be by car, as the site is not within close proximity of local services and facilities to promote non-car use.

Cliff Promenade is a private road, subject to relatively low speeds. The development is for a single dwelling with associated annexe building and it is not considered unlikely to have a significant safety on the adopted highway network.

The proposal makes provision for on site car parking spaces as well (as garaging for eight vehicles) within the site together with cycle storage. It is considered that this amount of car and cycle parking is sufficient to serve the proposed development. It is not, therefore, considered that the proposed development would have an adverse effect in relation to highways and parking.

Ecology

The NPPF states at paragraph 175 that the planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible. The NPPF then states at paragraph 180 that "if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused."

Thanet Local Plan Policy SP30 (Biodiversity and Geodiversity Assets) states development proposals will, where appropriate, be required to make a positive contribution to the conservation, enhancement and management of biodiversity and geodiversity assets resulting in a net gain for biodiversity assets. Sites should be assessed for the potential presence of biodiversity assets and protected species. For sites where important biodiversity assets, including protected species and habitats including SPA functional land, or other notable species, may be affected, an ecological assessment will be required to assess the impact of the proposed development on the relevant species or habitats. Planning permission will not be granted for development if it results in significant harm to biodiversity and geodiversity assets, which cannot be adequately mitigated or as a last resort compensated for, to the satisfaction of the appropriate authority.

As stated above, the application site is currently vacant with some vegetation within it which is not considered to be of merit or worthy of protection. The proposal whilst seeing the site developed would provide areas of landscaping and a formal garden area within the site and it is considered that planting within these areas would provide opportunities to enhance the ecology/biodiversity within the plot. It is, therefore, considered that the proposed development would not have an adverse impact on the ecology.

Archaeology

Paragraph 197 of the NPPF states that In determining applications, local planning authorities should take account of: a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and c) the desirability of new development making a positive contribution to local character and distinctiveness. It goes on (paragraph 199) to state that "when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance." In paragraph 202 the NPPF states that "where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

Policy HE01 of the Local Plan relates to Archaeology and states that the Council will promote the identification, recording, protection and enhancement of archaeological sites,

monuments and historic landscape features, and will seek to encourage and develop their educational, recreational and tourist potential through management and interpretation.

Kent's Historic Environment Record has been reviewed and no findings are shown in or adjacent to the application site. As such, it is not considered that the proposed development would have an adverse impact on archaeology.

Flooding and Drainage

Paragraph 159 of the NPPF refers that inappropriate development in areas at risk of flooding should be avoided. Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future).

Policy CC02 (Surface Water Management) states that "New development is required to manage surface water resulting from the development using sustainable drainage systems (SuDs) wherever possible. SuDs design, together with a robust long term maintenance plan should be included as an integral part of the master planning and design process for new development and should, wherever possible, incorporate multi-functional benefits for people and wildlife.

Southern Water has reviewed the application and raises no objection to the proposal.

It is unclear what the existing drainage arrangements for the site are and it is considered appropriate that a condition requiring details of the proposed foul and surface water drainage is imposed. This will ensure that the proposed dwelling would not result in an impact in terms of flooding or drainage.

Contributions

Thanet District Council has produced 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. 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 recreational activities) and to comply with the Habitat Regulations a financial contribution is required to contribute to the district wide mitigation strategy. This is secured under policy SP29 of the Council's Local Plan. It is considered that the request meets the tests for inclusion within a S106 legal agreement/undertaking. The required contribution in this instance would be £530. A signed and completed undertaking for the SAMM contribution has been provided.

Other Matters

Policy CC03 of the Local Plan relates to coastal development and states that proposals for new development within 40 metres of the coastline or clifftop must demonstrate to the satisfaction of the Council that it will not: 1) expose people and property to the risks of coastal erosion and flooding for the life of the development; or 2) accelerate coastal erosion due to increased surface water run off; and 3) impact on natural habitats

through the process of coastal squeeze or otherwise restrict the capacity of the coastline to adjust to sea-level rise and climate change.

Whilst the frontage of the application site would be within 40 metres of the cliff edge (approximately 30 metres), it is noted that the house itself would be set in some 13 metres from that frontage. As such, it is considered that policy CC03 does not apply to this application.

Conclusion

This application would see the provision of residential accommodation in the form of a dwelling and associated annexe which will make a contribution, albeit extremely modest, to the district's housing supply.

With the imposition of safeguarding conditions, it is considered that there would be no adverse impact on the character or appearance of the area, the living conditions of adjoining occupiers, highways or parking, biodiversity, archaeology, or drainage or flooding and the development would provide a good standard of accommodation for future occupiers.

A signed and completed undertaking for the required SAMM contribution has been provided.

Taking national and local planning policies into account, and having regard for all relevant material considerations, it is recommended that planning permission be approved.

Case Officer

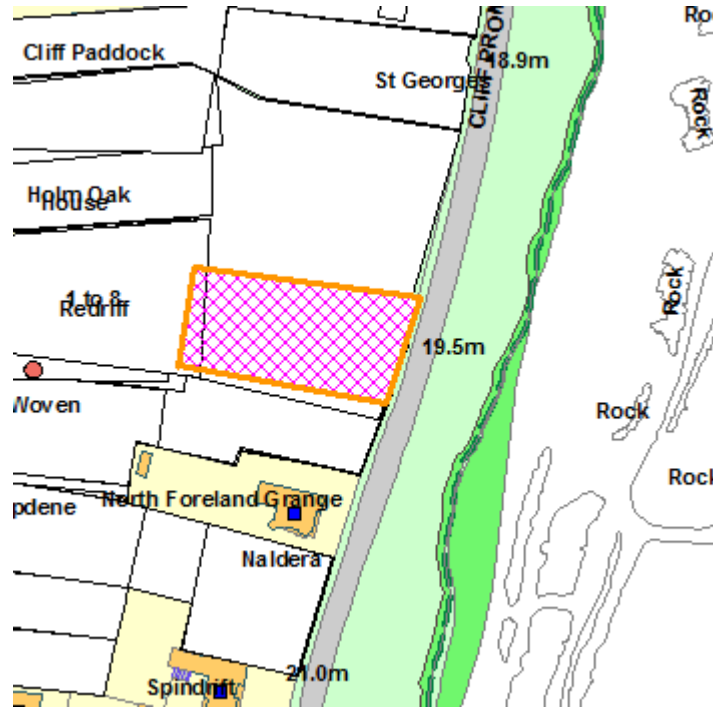
Annabel Hemmings

TITLE:

F/TH/23/0175

Project

Plot 6 Land Adjacent To Clifftop North Foreland Avenue BROADSTAIRS
Kent



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A04

FH/TH/22/1703

PROPOSAL: Erection of a two storey rear extension and balcony to the first floor front elevation and 8No rooflights together with alterations to fenestrations and excavation of front garden to facilitate off street parking following demolition of existing rear extension

LOCATION: 32 Crow Hill Broadstairs Kent CT10 1HT

WARD: Bradstowe

AGENT: Phil Dadds

APPLICANT: Mr Lewis Duggan

RECOMMENDATION: Approve

Subject to the following conditions:

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

GROUND:

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

2 The development hereby approved shall be carried out in accordance with the submitted drawings numbered 246/P01 and 246/P02.

GROUND;

To secure the proper development of the area.

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

SITE, LOCATION AND DESCRIPTION

Crow Hill comprises a mix of single and two storey dwellings with a variety of architectural styles. No 32 Crow Hill is a detached chalet bungalow located on the northern side of Crow Hill, with a detached bungalow to the east and a row of two storey terraced properties to the west. Properties within this part of Crow Hill are set back from the highway with a small front garden and many have off-street parking with vehicular access onto the highway.

PLANNING HISTORY

There is no previous planning history for this site.

PROPOSED DEVELOPMENT

The application seeks planning permission for the erection of a two storey extension to the rear, with a balcony at first floor level within the front elevation. Within the roof it is proposed to install 8No rooflights and replace existing windows and doors with white framed aluminium double glazed windows and doors. The front wall to the property has been removed and the garden has been excavated to provide off street parking together with the erection of a brick retaining wall.

PLANNING POLICIES

Thanet Local Plan 2020

SP35 - Quality Developments
QD02 - General Design Principles
QD03 - Living Conditions

Broadstairs & St Peter's Neighbourhood Plan

BSP9: Design in Broadstairs & St Peter's

NOTIFICATIONS

Neighbours have been notified and a site notice posted and two representations have been received raising the following concerns:

- The two-story rear extension would be within 2 metres of our house and The Party Wall Act states consent should be sought from neighbours when intending to carry out work within 3 metres of the boundary. We do not consent to these foundations, their excavation and the planned extension (Party Wall Act).
- The two-story extension would have a significant negative impact on the amount of daylight coming into four rooms in our house.
- At least three of these rooms would be overshadowed
- Overshadowing due to close proximity of the extension
- Being overshadowed by the extension would have a detrimental effect on our living conditions as well as increase our electricity costs for lighting and potentially heating costs.
- This development would also mean that sunlight coming into our back garden would be restricted.
- One of the upper floor windows facing 34 Crow Hill would overlook one of our upstairs bedrooms and result in loss of privacy for that bedroom.
- The current proposal suggests that the window can be opened; and even if this was obscured glazing, the potential of breach of privacy is still there if the window can be opened.

- The measuring function for plans does not function (Adobe removed Flash in January 2021) and only very inaccurate measuring can be made on the plans.
- Unable to accurately gauge the apparent increase in height of the roof ridge at the rear of the SE elevation.
- The Two Velux windows on the SE side of the roof should be conditioned to be 1.7 metres above the floor level to prevent overlooking and loss of privacy.
- If approved a condition should be placed on the permission to prevent any future windows being added to the roof.
- The original property had a driveway running the entire length of the SE side of the land and a garage in the SE corner of the rear garden - now removed, and a dropped kerb for access. Will the driveway and garage be reinstated, and if so, why are there two parking spaces to be added to the front of the property?
- If the driveway is to be reinstated it must be permeable to allow water to drain away because the ground level is higher than that of No 30 and this would prevent possible rain water draining into the garden of No 30.

Broadstairs Society - No comments to make on this application

Broadstairs & St Peter's Town Council - The Committee recommends REFUSAL due to the intrusive nature and loss of light to neighbours and concerns regarding drainage of water onto neighbouring properties (Majority)

CONSULTATIONS

None

COMMENTS

This application is reported to the Planning Committee at the request of Cllr Jill Bayford to enable Members to consider the impact of the proposal upon the character and appearance of the area.

The main considerations in assessing the proposal are the impact on the character and appearance of the area, impact on the living conditions of neighbouring residential occupiers and highway safety.

Character and Appearance

Thanet Local Plan Policy QD02 requires new development to be well designed, respect and enhance 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. This policy is further supported by paragraph 130 of the NPPF which states that decisions should ensure that development will function well and add to the overall quality of the area, and are sympathetic to local character and history, including the surrounding built environment. Policy BSP9 of the Broadstairs and St Peter's Neighbourhood Plan requires

development proposals to conserve and enhance the local character and sense of identity and reflect the design characteristics of the area.

The property is a detached chalet bungalow with accommodation within the roof located on the northern side of Crow Hill. This part of Crow Hill comprises a mix of architectural styles with single and two storey development. The land levels rise from Crow Hill to the east and property is located at a higher level to the footpath and main road. Crow Hill itself drops significantly from north to south with the terraced group of properties to the north being at a high land level to No 30 to the south.

The property is set back from the highway with a small front garden to the front. The front boundary wall has been removed and the land excavated in order to provide off street parking to the front of the property. These works have commenced and the drawings show a 9 metre by 5 metres (reducing to a depth of 4.5 metres) area of hardstanding created with a brick built retaining wall with steps leading to the front entrance. Comment has been made that the existing dwelling has a driveway with dropped kerb to the side of the property leading to a garage within the rear garden and questions whether this will be reinstated. Parking issues will be covered in the Highways section later in the report.

With regards to the character and appearance of the area, whilst the original front boundary wall provided an attractive detail to the streetscene, the site lies outside the Broadstairs Conservation Area and planning permission is not required to remove a wall that is less than 1 metre in height. Excavation of the land however does require the benefit of planning permission and in assessing this it is noted that many properties within Crow Hill have off street provision within front gardens. The hardstanding area is to be finished with permeable concrete block pavements and there are areas around the hardstanding that would allow for limited soft landscaping and this would help to soften the appearance of the area of hardstanding. The proposed parking area is considered in keeping with other development in Crow Hill and is therefore acceptable.

To the front elevation of the property it is proposed to replace the window within the existing dormer window with french doors and a balcony set into the roof slope, with a glazed balustrade. The dormer projection is not increasing in size, it is solely the increase in glazing. For the remainder of the front elevation the existing windows and doors are to be replaced with white framed aluminium double glazed windows and doors. With regards to the appearance of the front elevation when viewed from Crow Hill the roof pitch and height would remain the same and the diamond shaped composite roof tiles are to be replaced with Eternit slates. The roof overhang would be retained along with a form of upright support detail across the front whilst the chimney stack would be removed. Overall it is considered the alterations would give the building a more contemporary appearance, and given the mix of architectural styles within Crow Hill, the replacement of the dormer window with french doors would not appear unduly out of keeping or harmful to the streetscene in this instance.

To the rear it is proposed to erect a two storey extension that would square off the existing staggered projections to the rear. The extension would project 5 metres to the rear and finish in alignment with the existing ground floor extension. The ridge height of the rear section of roof has been kept to a minimum through the incorporation of a section of flat roof. The resulting height of the roof to the rear would increase by approximately 0.8 metres to

finish at a height of approximately 5.5 metres. Within the main roof it is proposed to install two rooflights within the side roofslopes and a single rooflight within the rear roofslope and within the flat roof it is proposed to install 3 rooflights. The window openings within the north west elevation (facing No 34) would be replaced but remain the same position, whilst on the south east elevation (facing No 30) the existing kitchen window would be blocked up. The rear elevation would be finished with glazed bifolding doors and at ground floor level and at first floor full length glazed bifold doors and a glass balustrade would sit centrally above the wider ground floor glazed doors. The diamond shaped composite roof tiles would again be replaced with Eternit slates that would also be provided to the new areas roof.

The rear extension and side elevations of the property are not immediately visible from the wider public realm and the proposed alterations along with the materials would be residential in scale and design when viewed through gaps in development.

The proposed development would be modest in scale and design and given the variety of architectural styles within the road the proposed development would not adversely impact the character and appearance of the area and therefore the proposal accords with Policies SP35 and QD02 of the 2020 Thanet District Council Local Plan, and Policy BSP9 of the Broadstairs and St. Peter's Neighbourhood Plan.

Living Conditions

The proposed development would provide additional first floor accommodation and introduce a balcony to the front elevation and a balconette to the rear elevation. Concern has been raised that the windows would cause overlooking towards neighbouring occupiers.

The site is on a higher ground level to the chalet bungalow (No 30) to the south and the rooflights within the roofslope facing the site serve a shower room and provide additional light to Bedroom 2; the main source of light and outlook to Bedroom 2 is from the french doors to the front. The rooflights have a cill height of approximately 1.5 metres above floor level and given their location within the slope of the roof, which directly faces the neighbours roof, it is unlikely that they would give rise to unacceptable overlooking or loss of privacy towards this neighbour. At ground floor level the kitchen window would be blocked up, reducing the number of window openings on this elevation. The side facing ground floor window within the proposed dining room is an existing window within the existing extension to the property, and as such there would be no additional overlooking towards no.30.

The roof to the rear extension would be increased by approximately 0.8 metres and finished with a ridge height of approximately 5.5 metres. It is noted that there would be additional height at first floor level, and that the property is located on higher ground to No 30, however it is considered whilst there may be some loss of light and outlook to the neighbouring residential occupiers given the separation distance and modest increase in height it is unlikely that this result in an unacceptable loss of residential amenity.

With regards to the occupiers of No 34, this property is on high ground level to the application site. There are side windows within No 34 that face towards the application site. The first floor window benefits from natural light and outlook across the application site. The main roof would not be increased in height and therefore the first floor bedroom window

would continue to enjoy similar light levels and outlook. With regards to the ground floor window, currently a study, this is the sole window providing light to this room and it currently enjoys indirect views across the flat roof of the rear staggered projections, and benefits from natural light over the neighbouring land. Currently the rear projections are staggered with a flat roof and therefore there is uninterrupted sunlight in the early morning to this window and additional natural light during the day. With the erection of the two storey extension the building would be square off to the rear and the amount of natural light reaching this side window would be correspondingly reduced. The windows within the rear kitchen/dining room face into the rear garden and towards the application site. Both side facing windows are likely to have reduced natural light levels to these rooms as a result of the development. However it should be noted that the side boundary fence appears to be lower than the 2 metre height allowed without the benefit of planning permission and it would be possible to erect a single storey 4 metre extension from the original rear elevation without the need for planning permission and therefore the light levels and outlook to these rooms could be impacted by permitted development if it were to be carried out in the future. Furthermore, the existing building on the application site already extends in front of the majority of this window, with the light and outlook impact from the proposal relating to oblique views.

The design of the roof includes a flat roof section which keeps the finished ridge height to a modest 5.5 metres for a 2-storey extension. The 0.9 metre gap to the boundary would be maintained along with a similar gap between the side elevation of No 34 and the side boundary, giving an overall separation distance of approximately 1.8 metres. Whilst there may be some loss of light and outlook from existing windows facing the site it is considered the impact would not be significantly greater given the existing relationship of the application site to neighbouring windows and it would therefore be unreasonable to refuse the application for this reason.

The rooflight within the roofslope facing No 34 would serve an en-suite and provide additional light to Bedroom 3 which again is served by french doors to the front, with the rooflights having a cill height of approximately 1.5 metres and being set within the angled roofslope, which faces towards the neighbours blank first floor side elevation, and is therefore unlikely to give rise to unacceptable overlooking towards occupiers of this property.

The windows within the flat roof section to the rear are skylights that would not allow for views out, and the velux in the rear roofslope directly faces into the garden of the application site, and therefore none of these windows would provide direct views into neighbouring windows or private amenity space.

The rear facing bi-folding doors with balconette would face towards the rear boundary and towards the rear of properties fronting Linden Avenue. There is a distance of approximately 25 metres to the rear elevation of No 17 Linden Avenue and these properties are set at an angle to the rear boundary and it is therefore unlikely that there would be direct views into neighbouring windows or private amenity space of properties located towards the rear.

Given the above it is considered that the impact of the proposed development on the living conditions of neighbouring residential occupiers would not be significantly affected and therefore the proposal meets the requirements of Thanet Local Plan QD03 and the NPPF.

Highway Safety

The proposal provides an excavated area to the front of the site for the parking of two vehicles, following the demolition of the existing front boundary wall, and the creation of a vehicular access into the site.

A comment has been received noting that the existing dwelling has a driveway with dropped kerb to the side of the property leading to a garage within the rear garden. This proposal does not include details of this parking arrangement and as there is an existing access and dropped kerb this could continue to be used without the requirement for planning permission.

Kent Highways have not been consulted as they do not normally comment on small scale development where there is unlikely to be a complex highway issue such as new dwellings of up to 5 units on non-classified road or change of use applications that do not involve new access onto the public highway.

An area of hardstanding is shown within the front garden measuring 9 metres by 5 metres (reducing to a depth of 4.5 metres). Kent Highways would normally expect dwellings within sustainable locations within the urban confines such as this to provide one parking space. Whilst the hardstanding may not be capable of providing two spaces without vehicles overhanging the highway the space would meet the requirements for the parking of a single vehicle. The applicant will need to contact Kent County Council - Highways and Transportation for details regarding approval for construction of a vehicular crossing, or any other works within the highway.

The elevation drawings are annotated to say the new parking area is to be finished in permeable concrete block pavements. This would allow surface water to drain into the site and therefore this form of surface is considered acceptable. Precise details of the type of pavement finish has not been provided however, the use of pavements for areas of hardstanding within the curtilage of residential properties is acceptable and this type of surface would not result in material transferring onto the public highway, such as can occur with gravel or loose stones.

The width of the opening onto the highway is at least 9 metres and would provide good visibility splays onto the highway.

Given the above it is considered that subject to safeguarding conditions requiring the hardstanding is completed with a bound surface and permeable material, and that visibility splays are provided and maintained the proposed vehicle parking space would not adversely impact upon highway safety.

Other Matters

The Party Wall Act and the construction of the extension and any issues arising are not material planning considerations. These issues would be covered through Building Control Regulations.

Conclusion

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

Case Officer

Rosemary Bullivant

TITLE:

FH/TH/22/1703

Project

32 Crow Hill Broadstairs Kent CT10 1HT



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A05

F/TH/22/1543

PROPOSAL: Temporary change of use of land for a period of five years for self storage facility including the siting of storage containers (retrospective application)

LOCATION: Land On The South East Side Of Manston Road Manston Airport Northern Grass MARGATE Kent

WARD: Thanet Villages

AGENT: Mr. John Elvidge

APPLICANT: Capital Containers Ltd

RECOMMENDATION: Approve

Subject to the following conditions:

1 At the expiration of a period ending on 15th June 2028, unless further permission has been granted, the land shall be restored to its former condition with the cessation of the approved use and removal of all associated structures from the site.

GROUND

Due to the temporary nature of the use and to ensure compliance with Policy SP07 of the Thanet Local Plan.

2 Within 1 month of the grant of planning permission secure cycle storage shall be provided on the site 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.

3 Four vehicular parking spaces with a minimum width of 2.5m and length 5m of shall be kept available for use by staff and visitors on the site at all times.

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.

4 Visibility splays as shown on the submitted plans (1202/201) shall be provided to the access on to Manston Road with no obstructions over 0.9m 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.

5 Manoeuvring space for a 16m long vehicle to turn within the site shall be provided and kept available for use on the site at all times.

GROUND

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

6 No containers located on the site shall be stacked on top of other containers other than the office and security container as detailed in the planning statement received 22 February 2023.

GROUND

In the interests of the visual amenities of the area in accordance with Policies QD02, SP24 and SP26 of the Thanet Local Plan

SITE, LOCATION AND DESCRIPTION

The site is located on the northern section of Manston Road, to the north east of the Spitfire and Hurricane Memorial Museum and the south of Manston Road. The site comprises a rectangular area of hardstanding set back from Manston Road. The site is linked to Manston Road by hardstanding at the northern corner.

RELEVANT PLANNING HISTORY

OL/TH/18/0660 -Comprehensive redevelopment of the site involving the demolition of existing buildings and structures and removal of hard standing and associated infrastructure, and provision of mixed use development. Application submitted in hybrid form (part-outline and part-detailed). The outline element comprises an outline planning application (with all matters except Access reserved for future determination) for the provision of buildings/floorspace for the following uses; Employment (Use Classes B1a-c/B2/B8), Residential (Use Classes C3/C2), Retail (Use Classes A1-A5), Aviation (Sui Generis), Education and other non-residential institutions including museums (Use Class D1), Sport and Recreation (Use Class D2), Hotel (Use Class C1), Open space/landscaping (including outdoor sport/recreation facilities), Car Parking, Infrastructure (including roads and utilities), Site preparation and other associated works. The full/detailed element of the application comprises; change of use of retained existing buildings, and means of access. Withdrawn 10 July 2019

OL/TH/16/0550 - Comprehensive redevelopment of the site involving the demolition of existing buildings and structures and removal of hard standing and associated infrastructure, and provision of mixed use development. Application submitted in hybrid form (part-outline and part-detailed). The outline element comprises an outline planning application (with all matters except Access reserved for future determination) for the provision of buildings/floorspace for the following uses; Employment (Use Classes B1a-c/B2/B8), Residential (Use Classes C3/C2), Retail (Use Classes A1-A5), Education and other non-residential institutions (Use Class D1), Sport and Recreation (Use Class D2), Hotel (Use Class C1), Open space/landscaping (including outdoor sport/recreation facilities), Car Parking, Infrastructure (including roads and utilities), Site preparation and other associated

works. The full/detailed element of the application comprises; change of use of retained existing buildings, Development of Phase 1 comprising four industrial units (Use Class B1c/B2/B8) with ancillary car parking and associated infrastructure, Access. Withdrawn 10 July 2019

F/TH/01/0463 - Erection of paint spray hangar with associated 40m flues, aircraft stand, car park and new vehicular access. Granted 12 September 2001

PROPOSED DEVELOPMENT

This application is for the temporary change of use of land for a period of five years for self storage facility including the siting of storage containers. The use has started with a number of items and storage containers being placed around the site.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan 2020

SP07 - Manston Airport
SP24 - Development in the Countryside
SP26 - Landscape Character Areas
SP30 - Biodiversity and Geodiversity Assets
SP35 - Quality Development
SP37 - Climate Change
SP43 - Safe and Sustainable Travel
SP44 - Accessible Locations
CC01 - Fluvial and Tidal Flooding
CC02 - Surface Water Management
E13 - Development for new business in the countryside
QD01 - Quality Development
QD02 - General Design Principles
QD03 - Living Conditions
HE01 - Archaeology
SE04 - Groundwater Protection Zones
TP02 - Walking
TP03 - Cycling
TP06 - Car Parking

NOTIFICATIONS

Letters were sent to neighbouring property occupiers and a site notice was posted close to the site.

No responses have been received.

CONSULTATIONS

KCC Highways –

Final comments

The applicant following prior comment has submitted plans inclusive of parking provisions and site layout. The swept path analysis provided demonstrates that a 16m length vehicle, the largest expected to access the site, can manoeuvre without conflict in order to exit in a forward gear.

The applicant should note that cycle provisions should be both secure and covered.

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

Provision and maintenance of the visibility splays shown on the submitted plans (1202/201) with no obstructions over 0.9 metres above carriageway level within the splays, prior to the use of the site commencing.

Provision and permanent retention of the vehicle parking spaces shown on the submitted plans (1202/203A) prior to the use of the site commencing.

Provision and permanent retention of the secure and covered cycle parking facilities shown on the submitted plans (1202/203A) prior to the use of the site commencing.

Gates to open away from the highway and to be set back a minimum of 5 metres from the edge of the carriageway.

Use of a bound surface for the first 5 metres of the access from the edge of the highway.

Comments received 10 March 2023

The visibility splays provided are satisfactory, and it has been noted that the bound access is gated with a sufficient setback from the highway edge.

The applicant has noted that they do not wish to provide a site plan due to the possibility of welfare and parking being moved, but to future proof the safety of the site and the adjoining highway network it is essential the layout is approved and conditioned. A proposed site plan should be submitted demonstrating parking provisions so that they may be assessed, and the location of any welfare / storage areas shown to ensure these do not conflict with vehicle movements. It should be noted that car parking bays should be a minimum of 2.5m in width by 5m in length, with this width increased to 2.7m if the space abuts a hard boundary such as a wall. I would also advise that secure and enclosed cycle parking should be provided, for this site I would be satisfied that a Sheffield stand or similar provisions would be suitable.

Until a site plan has been approved, I am unable to comment on tracking of vehicles manoeuvring within the site as I cannot account for conflicting areas.

Comments received 13 January 2023

Following additional documents submitted by the applicant in response to my prior comment, the below matters remain outstanding;-

The applicant has submitted a description of site visibility and photographs from the access looking out to the highway however no visibility splays have been submitted. These are imperative so as to assess the suitability of the proposed access for its intended use. I have included below the requirements for these splays as per my previous comments.

Visibility splays should be submitted 2.4 metres by 43 metres in a both directions (based on the 30-mph speed limit). These must have no obstruction over 0.9m within the splays, and the splays must only fall over land that falls under the control of the applicant or KCC as the local highway authority.

The applicant has clarified the largest expected vehicles to be accessing the site. Due to their size, swept path analysis should be submitted demonstrating that vehicles measuring a minimum of 14m in length can enter site, manoeuvre, and exit site in a forward gear to ensure the site can accommodate deliveries without causing highway obstruction.

The applicant has also to the best of my knowledge not addressed the additional points raised on my previous response, which I have copied below for ease.

The access should be constructed using a bound surface for at least the first 5 metres of the access from the edge of the highway, to prevent deposition of material on the carriageway. Any gates used to secure the site must open away from the highway and should be back from the public highway to allow users to pull clear of the highway and wait while gates are opened so as to prevent obstruction to other highway users. A site plan should be submitted detailing parking provisions. 5 employees have been proposed on the submitted application form and so any office and welfare areas should also be detailed on a site plan.

Initial comments received 07 December 2022

Having assessed the provided documents, the following points require clarification;-

Although the access is existing it has not been of use for a long period of time and the proposal will likely increase vehicle movements, therefore visibility splays are required. Visibility splays should be 2.4 metres back by 43 metres in a both directions (based on the 30-mph speed limit). These must have no obstruction over 0.9m within the splays, and the splays must only fall over land that falls under the control of the applicant or KCC as the local highway authority. The largest expected size of vehicles accessing the site should be clarified by the applicant so the access can be further assessed.

The access should be constructed using a bound surface for at least the first 5 metres of the access from the edge of the highway, to prevent deposition of material on the carriageway. Any gates used to secure the site must open away from the highway and should be back from the public highway to allow users to pull clear of the highway and wait while gates are opened so as to prevent obstruction to other highway users

A site plan should be submitted detailing parking provisions.

5 employees have been proposed on the submitted application form and so any office and welfare areas should also be detailed on a site plan.

Natural England - No objection

TDC Environmental Health - Thank you for consulting Environmental Protection on the above planning application for which we have considered the potential for environmental health impacts and consider it to have a low environmental risk and therefore do not offer any comments in this regard.

COMMENTS

This application is presented to members as a departure from policy SP07 of the Thanet Local Plan as the proposed use is not airport related.

This application has also been called in to the planning committee by Councillor Pugh to consider the economic benefits of this development.

Principle

The site is located on Manston Airport and therefore policy SP07 of the Thanet Local Plan applies. This policy states that "Manston Airport as identified on the Policies Map is safeguarded for airport related uses. Whether or not the DCO is confirmed, the future use and development of Manston Airport and/or other policies affected by the outcome of the DCO process will be determined through the early review of the Plan."

This proposal is not considered to be an airport related use and would therefore be contrary to policy SP07 of the Thanet Local Plan.

This proposal is for a temporary use of five years and other than the boundary fence that has been erected does not require any building works or engineering operations to be completed. Furthermore the applicant has served notice on the owner of the site, who control the lease for the development, meaning that the owner of the airport would be able to bring aviation uses subject to all other relevant consent. Given the specific circumstances, it is therefore considered that the temporary use would not threaten airport related uses coming forward on the site.

The site is also located in the countryside as defined by policy SP24 of the Thanet Local Plan. This policy sets out that development will be permitted in the countryside on non-allocated sites for either:

- 1) the growth and expansion of an existing rural business;
- 2) the development and diversification of agricultural and other land based rural businesses;
- 3) rural tourism and leisure development;
- 4) the retention and/or development of accessible local services and community facilities; or
- 5) the redevelopment of a brownfield site for a use that is compatible with its countryside setting and its surroundings.

All development proposals to which this policy applies should be of a form, scale and size which is compatible with, and respects the character of, the local area and the surrounding countryside and its defining characteristics. Any environmental impact should be avoided or appropriately mitigated.

The site is located wholly on an area of hardstanding and would therefore be considered a brownfield site. The compatibility of the development with the countryside setting and its surrounding will be considered below.

It is therefore considered that given the proposed temporary period of use, the limited construction works required and subject to the matters set out below, this development would not restrict the ability for an airport related use to come forward and would be an acceptable departure to policy SP07 of the Thanet Local Plan.

Character and Appearance

Paragraph 130 of the National Planning Policy Framework (NPPF) states decisions should ensure that developments will function well and add to the overall quality of the area, are visually attractive as a result of good architecture, layout and appropriate and effective landscaping, sympathetic to local character and history, establish or maintain a strong sense of place, and optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development and create places that are safe, inclusive and accessible.

The site sits within the defined Manston Chalk Plateau character area, as designated by policy SP26 of the Thanet Local Plan. This is an area characterised by its gently undulating landscape, with extensive unenclosed fields. In this location there is a requirement for development to conserve and enhance Thanet's local distinctiveness by maintaining a sense of openness and 'big skies', long-distance open views and subtle skylines. Development here should respond to the character and key sensitivities of the landscape. In addition to this, policy QD02 outlines that the primary aim of new development is to promote or reinforce local character and provide high quality and inclusive design that is sustainable in all other respects. Proposals should, therefore, relate to surrounding development, form and layout, be well designed, pay particular attention to context and identity of location, scale, massing, rhythm, density, layout and materials, and be compatible with neighbouring buildings and spaces. Any external spaces and landscape features should be designed as an integral part of the scheme.

The development comprises the siting of shipping containers across the site on the existing hardstanding that is accessed from the northern section of Manston Road. A metal fence and gates has been erected around the site. The applicant has indicated that subject to the requirements of customers 3m, 6m and 12m storage containers would be placed on the site and no units other than the office and security container would be double stacked. Subject to the mix of storage units required a maximum of 270 containers would be located on the site.

The airport site is largely open in character, however there are a variety of structures and buildings across the site and along Manston Road and the site is set back from the road. Given the variety of vehicles, buildings and activities associated with an airport and the

position of the site away from the boundary of the road the siting of the proposed containers in this location is not considered to result in significant harm to the character and appearance of the area. Conditions would be applied to ensure that only the office and security containers are double stacked if required to limit the height of the structures on the site in a visually isolated location.

Subject to the condition outlined above this proposal is not considered to result in any significant harm to the character and appearance of the area, in line with policies QD02, SP24 and SP26 of the Thanet Local Plan and the National Planning Policy Framework.

Living Conditions

The site is located a substantial distance from the closest residential property and given its scale of the containers and the nature of the use, it is not considered to result in any significant harm to the living amenities of the closest residential property occupiers.

Transportation

The site is located on Manston Airport and is accessed from Manston Road from an existing access. There is no pavement or street lighting in this location and public transport options are limited, however given the nature of the proposed use, storage, it is considered unlikely that customers would access the site by foot, bicycle or public transport.

KCC Highways have reviewed the application and initially raised concerns regarding the visibility provided at the access onto Manston Road and the proposed parking and turning arrangements. Further information has been submitted regarding the operation of the site and the site plan has been amended to include additional space to allow for the required visibility.

Following the submission of this plan KCC Highways no longer object to the proposal subject to conditions requiring the provision and maintenance of the visibility splays, provision and permanent retention of the vehicle parking spaces, provision and permanent retention of the secure and covered cycle parking facilities, gates to open away from the highway and to be set back a minimum of 5 metres from the edge of the carriageway and the use of a bound surface for the first 5 metres of the access from the edge of the highway.

The required visibility splays would be secured by condition.

The gates and fence that have been erected are setback a substantial distance from the highway and the existing access consists of a bound surface, therefore it is considered that these conditions are not necessary.

The applicant has indicated that they do not want the layout of the site to be conditioned as this removes the flexibility for the different sized units to be arranged on the site as required. It is considered that subject to conditions requiring the retention of a minimum of four vehicular parking spaces, cycle storage and space for a 16m long vehicle to turn within the site that this proposal would not represent any significant harm to highway safety.

Groundwater Protection Zone

The site sits within a groundwater protection zone, where policy SE04 seeks to prevent risks of contamination to water sources. This development is sited on an existing hardstanding and no buildings works are proposed as part of this development. It is therefore considered that this development does not represent a significant risk to protected groundwater, utilising the existing drainage infrastructure on the site.

Conclusion

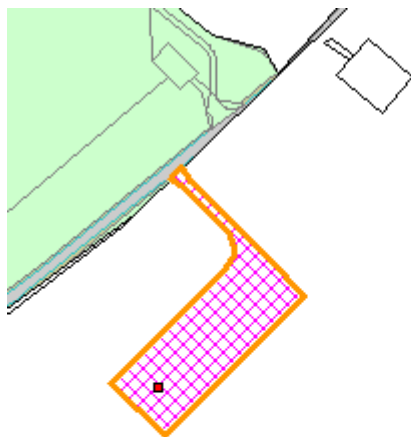
Given the temporary period for the development proposed, location of the site on an area of existing hard standing within the boundaries of the airport, and the limited physical works that are required, this proposal is considered to be an acceptable departure from Policy SP07 and it is recommended that members approve this application.

Case Officer

Duncan Fitt

TITLE: F/TH/22/1543

Project Land On The South East Side Of Manston Road Manston Airport Northern
Grass MARGATE Kent



A06

F/TH/22/1628

PROPOSAL: External works including the erection of galvanized steel and timber flood gates, walls to slipway, highway and carpark areas and extension to the footpath.

LOCATION: Land Adjacent To Harbour Masters Office And Public Toilets
Harbour Street BROADSTAIRS Kent CT10 1EU

WARD: Bradstowe

AGENT: Ms Nea Antao

APPLICANT: Mr Chris Glover, Thanet District Council

RECOMMENDATION: Approve

Subject to the following conditions:

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

GROUND:

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

2 The proposed development shall be carried out in accordance with the submitted application as amended by the revised drawings numbered 22.1924.PL04 Rev A and 22.1924.PL05 Rev A received 13, January 2023, 3700_205 received 27 January 2023, 22.1924.PL06 received 23 February 2023 and 22.1924.PL07, received 14 March 2023

GROUND;

To secure the proper development of the area.

SITE, LOCATION AND DESCRIPTION

The site is located at the northern end of Broadstairs Harbour and extends from the public toilets and the Harbour Masters Office and from the Harbour Masters Office to the northern side of Harbour Street. The area between the public toilets and the Harbour Masters Office extends along the southern side of Harbour street and comprises a ramp onto the beach and the main pedestrian access onto the harbour. There are a variety of different barriers along this section of the road including a metal fence, chain barrier and timber fences and posts. The area between the Harbour Masters Office and the northern side of Harbour Street is an open public road.

The Harbour Masters Office (Look Out House and Stores), telephone kiosk, Admiralty House and the Tartar Frigate are grade II listed buildings and structures that are located in close proximity to the site. The site is also located within the Broadstairs Conservation Area.

RELEVANT PLANNING HISTORY

There is no planning history for the areas specifically affected by the proposed works, but there is planning history for the surrounding area as set out below.

L/TH/22/1629 - Application for Listed Building Consent for external works including the erection of galvanised steel and timber flood gates and walls to slipway, highway and carpark areas. Pending consideration.

The following applications relate to the Look Out House and Stores.

L/TH/09/0207 - Application for Listed Building consent for internal alterations to facilitate the conversion to a unit for the preparation and wholesale of fresh fish and shellfish. Granted 20 May 2009

L/TH/05/1071 - Internal alterations to facilitate the conversion to a wet fish shop. Granted 20 October 2005

F/TH/05/0901 - Change of use from office and workshop to wet fish shop. Granted 20 October 2005

The following applications relate to other areas around the pier in close proximity to where works are proposed as part of this application.

F/TH/11/0545 - Change of use of land for retail use (mobile fish unit). Refused 16 September 2011

F/TH/10/0390 - Change of use of land for retail use (mobile fish unit). Granted 23 July 2010

F/TH/10/0037 - Erection of smoking shelter. Refused 09 March 2010

F/TH/09/0670 - Erection of staircase enclosure to create access to balcony. Granted 13 January 2010

F/TH/09/0191 - Change of use of land for retail use (mobile fish unit). Granted 08 May 2009

F/TH/08/1003 - Change of use of land for the siting of market stalls. Granted 03 October 2008

F/TH/09/0670 - Erection of staircase enclosure to create access to balcony. Granted 31 January 2010

F/TH/09/0311 - Change of use of land for the siting of a kiosk for the sale of refreshments/sea food. Refused 08 July 2009

F/TH/09/0284 - Erection of side and rear extension to existing cafe unit, within the existing shelter. Granted 18 June 2009

M/TH/01/0266 - Removal of sand to control beach levels. Raise no objection 03 August 2001

PROPOSED DEVELOPMENT

The proposed development is the erection of galvanised steel and timber floor gates, walls and railings on the southern side of Harbour Street between the public toilets and the Harbour Masters Office and across the entrance to the car park at the end of the pier between the Harbour Masters Office and the northern side of Harbour Street.

Adjacent to the public toilets the footpath would be extended and a precast concrete flood wall would be erected to replace the existing steel railings. Galvanised steel and timber floor gates would be erected across the slipway. The existing timber railings at the pedestrian entrance to the pier would be replaced with timber railings with timber up to the middle rail and a storage rack would be erected at the rear of this fence for the flood boards that would infill the pedestrian access to the west when required. These gates and walls would have a maximum height of 1.1m. The existing railings adjacent to the Harbour Masters Office would be retained.

A pre-cast concrete flood wall would be erected on the northern side of Harbour Street along the side of the existing motorbike parking space and a galvanised steel and timber floor gate would be attached to this wall. A galvanised painted post would be provided for this gate adjacent to the Harbour Masters office for this gate to attach to when closed. These gates and walls would measure 1m in height. The entrance to the car park would be resurfaced with asphalt.

The proposed gates and barriers would remain open unless severe weather conditions are forecast.

During the application process amended plans have been submitted altering the design of the timber flood gates to include black painted timber and detailed plans have been provided confirming that the fencing would be painted to match the existing fencing.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan 2020

SP12 - Broadstairs

SP26 - Landscape Character Areas

SP28 Protection of International and European Designated Sites

SP29 - Strategic Access Management and Monitoring Plan (SAMM)

SP35 - Quality Development

SP36 - - Conservation and Enhancement of Thanet's Historic Environment

SP37 - Climate Change

SP43 - Safe and Sustainable Travel

CC01 - Fluvial and Tidal Flooding

GI01 - Protection of Nationally Designated Sites (SSSI) and Marine Conservation Zones (MCZ)

HE02 - Development in Conservation Areas

HE03 - Heritage Assets

QD01 - Sustainable Design

QD02 - General design Principles

QD03 - Living Conditions

TP06 - Car Parking

Broadstairs and St Peters Neighbourhood Plan

BSP2 - Important Views and Vistas

BSP4 - Seafront Character Zones

BSP6 - Sustaining Community Facilities

BSP8 - Local Heritage Assets

BSP9 - Design in Broadstairs & St. Peter's

BSP10 - Shopping Areas

BSP14 - Sustaining Leisure and Tourism Assets

NOTIFICATIONS

A site notice was posted close to the site, letters were sent to neighbouring property occupiers and an advert was posted in the local paper.

Three letters of objection have been received raising the following concerns:

- No consultation has been completed with Broadstairs Harbour and Seafront CIC
- Applications have been submitted for property that is not in the applicants ownership
- Support reducing flood risk
- Impact upon the listed building
- Impact upon the character and appearance of the area
- Where will water go when flood gates are closed

Broadstairs and St Peter's Town Council - Updated comments received 15 March 2023

Following a meeting with Thanet District Council Officers, the Town Council Planning Committee have reconsidered their original comments and are confident that the application as a whole will assure that the flood defences within this area are reliable for the future. The Planning Committee therefore have no objection to this application.

Initial comments received 10 January 2023

The Committee unanimously recommends REFUSAL for this application until they have received a comprehensive presentation by the applicant of the benefits of the work proposed. The Committee have serious concerns of the devastating effects that this application will bring to the harbour.

Broadstairs Society - Further comments received 21 March 2023

Whilst the Society has no objections to the proposed work it is still not clear whether the neighbours and the CIC are content. Unless and until there is proof that has happened we can only object.

Updated comments received 16 January 2023

The Society had assumed the CIC had been consulted hence the earlier message of support. However, unless and until the Society knows that has happened we can only object.

Initial comments received 23 December 2022

Supports this application

CONSULTATIONS

Environment Agency -

Final comments

We have no objection to this proposal and have no further comments to make in respect of the proposed development.

Initial comments received 16 December 2022

We cannot find a flood risk assessment (FRA) with the submitted documents.

As the required FRA has not been provided we are unable to assess this application. The application site lies within Flood Zone 2 defined by the Environment Agency Flood Map as having a medium probability of flooding. Paragraph 163, footnote 50 of the National Planning Policy Framework (NPPF) requires applicants for planning permission to submit a Flood Risk Assessment (FRA) when development is proposed in such locations.

An FRA is vital if the local planning authority is to make informed planning decisions. In the absence of an FRA, the flood risk resulting from the proposed development is unknown. The absence of an FRA is therefore sufficient reason in itself for a refusal of planning permission.

Historic England - Thank you for your email of 15th December regarding the above application for planning permission. On the basis of the information provided, we do not consider that it is necessary for this application to be notified to Historic England under the relevant statutory provisions.

KCC Highways - I refer to the above planning application and having considered the development proposals and the effect on the highway network, raise no objection on behalf of the local highway authority.

TDC Conservation Officer - Updated comments received 02 May 2023

Following further amendments to this scheme I would still consider that I have no objections to the proposed works and consider there to be a less than substantial implication to the setting of the listed property or the surrounding conservation area.

Initial comments received 09 January 2023

Following a review of the proposed application I would like to state that I have no objections and believe the integrity of the setting and appearance of the surrounding conservation area is protected.

COMMENTS

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

Principle

The site is located within the urban confines of Broadstairs and relates to works to reduce flood risk. There are no policy objections to the principle of the proposal and therefore the application needs to be determined in accordance with the National Planning Policy Framework (NPPF) and Local Plan Policies. The principle of development is therefore considered acceptable subject to the assessment of material considerations.

The principle of development is therefore considered acceptable subject to the assessment of material considerations.

Flood Risk

Following the initial submission, additional information and documents have been submitted with the application outlining the flood risk in the area and the need for the development. There are both residential and commercial properties in this section of Harbour Street, a number of which have basements below the level of the road.

The proposed scheme is part of wider works to maintain the pier and its aim is to reduce the flood risk to the properties at the southern end of Harbour Street from wave overtopping from the east and tidal inundation from the south. The proposed gates and walls would compartmentalise this section of Harbour Street and direct water away from these properties providing protection against 1 in 200 year storm events.

The flood gates across the slipway are designed to hold back high tides and would therefore be watertight, however the gates across the entrance to the car park, combined with the regarding of the highway, are designed to redirect water that overtops the pier, mainly by wave action. These gates are, therefore, not required to be watertight as there is unlikely to be a build up of water in this location.

Following the submission of the additional information and plans it is considered that the proposed development would help reduce the flood risk to these properties.

Character and Appearance

As the site is located within the Broadstairs Conservation Area the Council must take into account Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, which requires that in relation to conservation areas, 'special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the area.'

Policy SP36 of the Thanet Local Plan states that "The Council will support, value and have regard to the historic or archaeological significance of Heritage Assets.."

Policy HE02 of the Thanet Local Plan states that 'within conservation areas, development proposals which preserve or enhance the character or appearance of the area, and accord with other relevant policies of this Plan, will be permitted'. For extensions the policy requires that the 'character, scale and plan form of the original building are respected and the extension is subordinate to it and does not dominate principal elevations'; and that 'appropriate materials and detailing are proposed and the extension would not result in the loss of features that contribute to the character or appearance of the conservation area'.

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

Paragraph 130 of the National Planning Policy Framework (NPPF) states decisions should ensure that developments will function well and add to the overall quality of the area, are visually attractive as a result of good architecture, layout and appropriate and effective landscaping, sympathetic to local character and history, establish or maintain a strong sense of place, and optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development and create places that are safe, inclusive and accessible.

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

The site is located in seafront character zone 1 as defined by policy BSP4 of the Broadstairs and St Peters Neighbourhood Plan. This policy states "All development applications that are located within a seafront character zone must accord with the development principles set out in Appendix 1 and provide a statement setting out how this has been achieved."

Policy BSP9 of the Broadstairs Neighbourhood Plan states that development proposals that conserve and enhance the local character and sense of identity of the Plan area will be encouraged. Proposals should take account of the Design Guidelines. Proposals which demonstrate that they reflect the design characteristics of the area and have taken account of the Design Guidelines will be supported.

On the southern section of the site the proposed flood gates would extend across the slipway when closed. When open the gates would rest against the harbour wall and the side of the public toilets. The existing metal fencing to the entrance of the gents toilets would be replaced with a precast concrete wall to allow a seal to be created when the gates are shut.

A new footpath would be formed across the slipway and the asphalt and top section of the slipway would be resurfaced.

A precast concrete column would be installed between the slipway and the pier and the existing section of open timber fencing on the western side of the pier entrance would be replaced with a timber fence of a similar design, however the lower section would be solid in design to prevent water flowing onto Harbour Street. Flood boards would be provided that could be installed in the gap between this fence and the edge of the pier when required and would be stored on the rear of this fence.

At the eastern end of the site a precast concrete flood wall would be erected extending from the existing wall between the public footpath and the car park and to the rear of the visitor information sign. A folding flood gate would be attached to this wall and would extend across the entrance to the car park when required. A post would be installed on the southern side of the entrance to the car park for this gate to be attached to when closed. A detailed drawing of this post has been provided confirming that it would not be attached to the listed building. The road at the entrance to the car park would be resurfaced and regraded to help water fall back towards the sea and away from Harbour Street.

The proposed precast concrete walls would have a functional appearance, however these are limited in size and would be viewed against existing structures. The amended plans have altered the design of the flood gates to include black timber sections set within the galvanised steel frames and the proposed replacement section of fencing would be painted black and white to match the existing and remaining section of fencing.

It is acknowledged that there would be some harm to the character and appearance of the conservation area and the setting of the nearby listed buildings and structures, however following the submission of the amended plan this harm is considered to be less than substantial and must be weighed against the public benefits of the development.

Living Conditions

The closest residential properties are located on the northern side of Harbour Street. The proposed flood barriers and walls would have a maximum height of 1.1m and would be located away from these properties. The resurfacing and regrading of the roads and pavements is not considered to significantly alter the arrangement of the street.

This development is, therefore, not considered to result in any significant harm to the living conditions of the neighbouring property occupiers.

Transportation

The development would be wholly located on Council land and when the barriers are open they would be folded away to avoid impeding the movement of traffic.

The proposed barriers and structures are located in similar locations to the existing barriers and resurfacing and alterations to the road levels would not significantly alter the arrangement of the highway. Following the submission of the amended plans KCC Highways

have raised no objection to the development. This development would not significantly alter the arrangement of the highway or parking in the area and is, therefore, not considered to result in any significant harm to highway safety in the area.

Other Matters

Following the initial consultation the address of the application was altered and additional plans were submitted confirming that this development does not propose any works to the listed building. A further consultation was then completed.

Conclusion

The proposed development would alter the appearance of the area through the introduction of additional walls, fences and barriers, however following the submission of the amended plans, and given that the barriers would be open most of the time, this alteration is considered to result in less than substantial harm to the character and appearance of the conservation area and listed buildings.

The submitted documents indicate that there is a clear flood risk to the properties in this section of Harbour Street through wave overtopping and tidal inundation and the reduction in this risk is considered to be a public benefit.

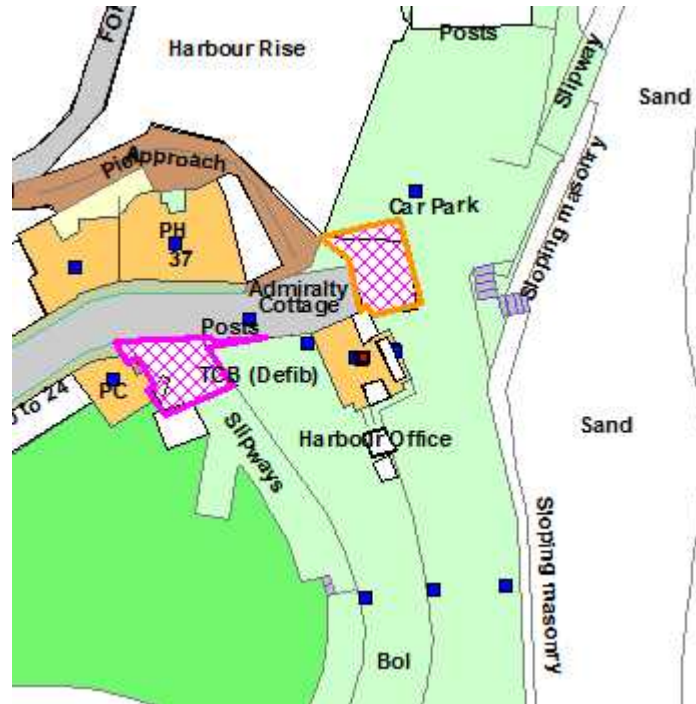
Due to the limited harm resulting from the installation of the amended barriers and gates, the public benefits of reducing the flood risk in this area are considered to outweigh the harm and it is recommended that members approve this application.

Case Officer

Duncan Fitt

TITLE: F/TH/22/1628

Project Land Adjacent To Harbour Masters Office And Public Toilets Harbour Street
BROADSTAIRS Kent CT10 1EU



F/TH/22/1628 - External works including the erection of galvanised steel and timber flood gates, walls to slipway, highway and car park areas and extension to the footpath. Pending consideration.

The following applications relate to the Look Out House and Stores.

L/TH/09/0207 - Application for Listed Building consent for internal alterations to facilitate the conversion to a unit for the preparation and wholesale of fresh fish and shell fish. Granted 20 May 2009

L/TH/05/1071 - Internal alterations to facilitate the conversion to a wet fish shop. Granted 20 October 2005

F/TH/05/0901 - Change of use from office and workshop to wet fish shop. Granted 20 October 2005

The following applications relate to other areas around the pier in close proximity to where works are proposed as part of this application.

F/TH/11/0545 - Change of use of land for retail use (mobile fish unit). Refused 16 September 2011

F/TH/10/0390 - Change of use of land for retail use (mobile fish unit). Granted 23 July 2010

F/TH/10/0037 - Erection of smoking shelter. Refused 09 March 2010

F/TH/09/0670 - Erection of staircase enclosure to create access to balcony. Granted 13 January 2010

F/TH/09/0191 - Change of use of land for retail use (mobile fish unit). Granted 08 May 2009

F/TH/08/1003 - Change of use of land for the siting of market stalls. Granted 03 October 2008

F/TH/09/0670 - Erection of staircase enclosure to create access to balcony. Granted 31 January 2010

F/TH/09/0311 - Change of use of land for the siting of a kiosk for the sale of refreshments/seafood. Refused 08 July 2009

F/TH/09/0284 - Erection of side and rear extension to existing cafe unit, within the existing shelter. Granted 18 June 2009

M/TH/01/0266 - Removal of sand to control beach levels. Raise no objection 03 August 2001

PROPOSED DEVELOPMENT

The proposed development is the erection of galvanised steel and timber floor gates, walls and railings on the southern side of Harbour Street between the public toilets and the Harbour Masters Office and across the entrance to the car park at the end of the pier between the Harbour Masters Office and the northern side of Harbour Street.

Adjacent to the public toilets the footpath would be extended and a precast concrete flood wall would be erected to replace the existing steel railings. Galvanised steel and timber floor gates would be erected across the slipway. The existing timber railings at the pedestrian entrance to the pier would be replaced with timber railings with timber up to the middle rail and a storage rack would be erected at the rear of this fence for the flood boards that would infill the pedestrian access to the west when required. These gates and walls would have a maximum height of 1.1m The existing railings adjacent to the Harbour Masters Office would be retained.

A pre-cast concrete flood wall would be erected on the northern side of Harbour Street along the side of the existing motorbike parking space and a galvanised steel and timber floor gate would be attached to this wall. A galvanised painted post would be provided for this gate adjacent to the Harbour Masters office for this gate to attach to when closed. These gates and walls would measure 1m in height. The entrance to the car park would be resurfaced with asphalt.

The proposed gates and barriers would remain open unless severe weather conditions are forecast.

During the application process amended plans have been submitted altering the design of the timber flood gates to include black painted timber and detailed plans have been provided confirming that the fencing would be painted to match the existing fencing.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan 2020

SP36 - Conservation and Enhancement of Thanet's Historic Environment
HE03 - Heritage Assets

Broadstairs and St Peters Neighbourhood Plan

BSP8 - Local Heritage Assets

NOTIFICATIONS

A site notice was posted close to the site, letters were sent to neighbouring property occupiers and an advert was posted in the local paper.

A site notice was posted close to the site, letters were sent to neighbouring property occupiers and an advert was posted in the local paper.

Three letters of objection have been received raising the following concerns:

- No consultation has been completed with Broadstairs Harbour and Seafront CIC
- Applications have been submitted for property that is not in the applicants ownership
- Support reducing flood risk
- Impact upon the listed building
- Impact upon the character and appearance of the area
- Where will water go when flood gates are closed
- Increased pressure of water upon the listed building

Broadstairs and St Peter's Town Council - *Updated comments received 15 March 2023*

Following a meeting with Thanet District Council Officers, the Town Council Planning Committee have reconsidered their original comments and are confident that the application as a whole will assure that the flood defences within this area are reliable for the future. The Planning Committee therefore have no objection to this application.

Initial comments received 10 January 2023

The Committee unanimously recommends REFUSAL for this application until they have received a comprehensive presentation by the applicant of the benefits of the work proposed. The Committee have serious concerns of the devastating effects that this application will bring to the harbour.

Broadstairs Society - *Further comments received 21 March 2023*

Whilst the Society has no objections to the proposed work it is still not clear whether the neighbours and the CIC are content.

Unless and until there is proof that has happened we can only object.

Updated comments received 16 January 2023

The Society had assumed the CIC had been consulted hence the earlier message of support. However, unless and until the Society knows that has happened we can only object.

Initial comments received 23 December 2022

Supports this application

CONSULTATIONS

Environment Agency - We have no objection to this proposal and have no further comments to make in respect of the proposed development.

KCC Public Rights of Way - No comment

TDC Conservation Officer - Updated comments received 02 May 2023

Following further amendments to this scheme I would still consider that I have no objections to the proposed works and consider there to be a less than substantial implication to the setting of the listed property or the surrounding conservation area.

Initial comments received 09 January 2023

Following a review of the proposed application I would like to state that I have no objections and believe the integrity of the setting and appearance of the surrounding conservation area is protected.

COMMENTS

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

Section 16 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that when 'considering whether to grant listed building consent for any works the local planning authority ... shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses'. Paragraph 197 of the National Planning Policy Framework requires local planning authorities to take account of the desirability of sustaining and enhancing the significance of heritage assets, and the desirability of new development making a positive contribution to local character and distinctiveness. The NPPF requires that where a development causes substantial harm, or less than substantial harm but where the harm is not outweighed by public benefit, permission should be refused.

Policy SP36 of the Thanet Local Plan states that "The Council will support, value and have regard to the historic or archaeological significance of Heritage Assets."

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

Following the submission of the amended plans and documents it has been confirmed that the proposed development would not be connected to, or alter any listed buildings or structures. The proposed gates, barriers and posts would be in close proximity to the listed buildings, most notably the Harbour Masters Office (Lookout House and Stores), however there are a variety of barriers and structures in the area and following the submission of the amended plans altering the design of the gates and fences, this proposal is not considered to result in any significant harm to the designated heritage assets.

Following the initial submission, additional information and documents have been submitted with the application outlining the flood risk in the area and the need for the development. There are both residential and commercial properties in this section of Harbour Street, a number of which have basements below the level of the road.

The proposed scheme is part of wider works to maintain the pier and its aim is to reduce the flood risk to the properties at the southern end of Harbour Street from wave overtopping from the east and tidal inundation from the south. The proposed gates and walls would compartmentalise this section of Harbour Street and direct water away from these properties providing protection against 1 in 200 year storm events.

The flood gates across the slipway are designed to hold back high tides and would therefore be watertight, however the gates across the entrance to the car park, combined with the regarding of the highway, are designed to redirect water that overtops the pier, mainly by wave action. These gates are therefore not required to be watertight as there is unlikely to be a build up of water in this location.

Following the submission of the additional information and plans it is considered that the proposed development would help reduce the flood risk to these properties which is considered to be a public benefit.

Concern has been raised regarding the potential for the gates to result in a build up of water and increased pressure against the listed Harbour Masters Office. The flood gates across the slipway are designed to hold back high tides and would therefore be watertight, however the gates across the entrance to the car park, combined with the regarding of the highway, are designed to redirect water that overtops the pier, mainly by wave action. These gates are, therefore, not required to be watertight as there is unlikely to be a build up of water in this location. It is therefore considered that this proposal would reduce the flood water coming into contact with this building.

Other Matters

Following the initial consultation the address of the application was altered and additional plans were submitted confirming that this development does not propose any works to the listed building. A further consultation was then completed.

Conclusion

Given that the proposed works do not result in any alterations to the listed buildings and that there are clear public benefits to the development it is considered that this proposal would comply with policy HE03 of the Thanet Local Plan and the National Planning Policy Framework.

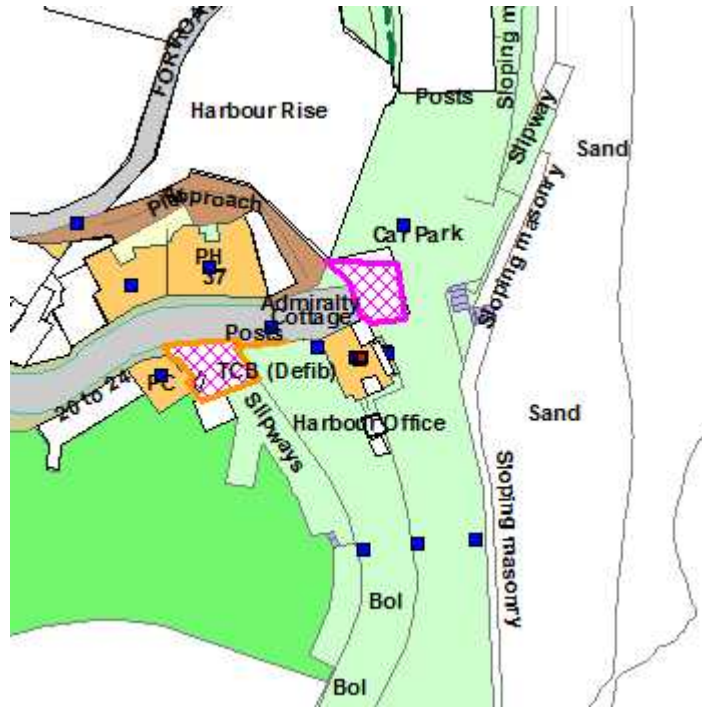
It is therefore recommended that members approve this application.

Case Officer

Duncan Fitt

TITLE: L/TH/22/1629

Project Land Adjacent To Harbour Masters Office And Public Toilets Harbour Street
BROADSTAIRS Kent CT10 1EU



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F/TH/02/0330 Reconstruction of shelter, restoration of clocktower and erection of new boundary treatments as part of overall refurbishment of Broadstairs seafront gardens. Granted 29/08/2022

PROPOSED DEVELOPMENT

Full planning consent is sought for the erection of a timber clad, pitched roof, information kiosk to be sited upon the roof of the existing shelter in Victoria Gardens.

The proposal seeks to erect a timber information kiosk. It would measure approximately 2.4m x 2.4m with openings to all elevations. The window openings would have timber shutters over, so would only be open when the kiosk was operating. It would have a pitched roof with an overall height of approximately 2.3m. Might be worth adding some of this into this section to describe what the kiosk will look like in more detail.

It is noted from the application, that the kiosk only needs to be in place for the summer season, between 14th March and 7th October each year. This takes into account the week prior to the earliest date upon which the Easter weekend can fall, namely 22nd March, and the potential latest date for the Autumn Food Festival.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan 2020

HE02 - Broadstairs Conservation Area

SE08 - Light Pollution

SP04 - Economic Growth

SP12 - Broadstairs Promenade and Beach Front

SP32- Protection of OPen Space and Allotments

SP43 - Safe and Sustainable Travel

QD01 - Sustainable Design

QD02 - General Design Principles

QD03 - Living Conditions

TP02 - Walking

TP03 - Cycling

Broadstairs & St. Peters Neighbourhood Plan

BSP2: Protection of important vistas and views

BSP4: Seafront Character Zones

BSP5: Designation of Local Green Spaces (LGS)

BSP9 Design in Broadstairs & St. Peter's

NOTIFICATIONS

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

One representation was received. The concerns can be summarised as follows:

* Could not ascertain how it affects line of sight from flat to bandstand as the file will not open

Broadstairs Town Council: Supports until a more permanent siting is sought.

Broadstairs Society: Had the District Council found a place more suitable than the current position of the Information Kiosk the Society would have been happy to support it. However, given that the site suggested is on top of a shelter and will only be open for the summer season is a poor solution but one that is the best that can be found until a more permanent site is secured.

CONSULTATIONS

TDC Conservation Officer Following a review of the proposed application I would like to state that I have no objections and would consider thereto be a less than substantial negative implication on the setting and appearance of the surrounding environment whilst providing a public benefit.

COMMENTS

The application is brought before members as the land is owned by Thanet District Council. The main considerations in assessing the proposal are the principle of development, impact on the character and appearance of the area, impact on the living conditions of neighbouring residential occupiers and highway safety.

Principle

The site lies within the Broadstairs Conservation Area and is located within an area defined on the Thanet Local Plan policies map as being covered by Policy SP12, relating to the Broadstairs Promenade and Beach Front, and Policy SP32 relates to the Protection of Open Space and Allotments. The Broadstairs Promenade and Beach Front policy (SP12) supports proposals that maintain and enhance the role and character of Broadstairs as a popular attractive small seaside town. Opportunities to enhance the use and attractiveness of the promenade, seafront and beach are welcomed. Within this area, small-scale leisure and tourism uses will be permitted, including retail, where they do not harm the character and heritage interest of the surrounding area.

Policy SP32 covers only the bandstand and its immediate environs to the north and south (excluding the promenade area) are protected by this policy. Nevertheless, even though the policy seeks to protect such areas, the policy does allow built development if it is for, inter alia, 'tourism use and is of appropriate scale and design for its setting' and 'if there is an overriding need for the development that outweighs the need to protect the open space ... which cannot be located elsewhere.'

Policy SP04 relates to economic growth and supports new tourism development, which would extend or upgrade the range of tourist facilities particularly those that attract the staying visitor, increase the attraction of tourists to the area and extend the season.

Broadstairs & St Peters Neighbourhood Plan, policy BSP5: Designation of Local Green Spaces (LGS) includes The area outside of the bandstand - including the shelter under the clocktower the shelter that the development is above extending along the promenade from in front of nos. 1-21 Victoria Parade (promenade area). This policy details that development will not be permitted, unless they are ancillary to the use of the land for a public recreational purpose or are required for a statutory utility infrastructure purpose.

The proposal seeks to erect a timber information kiosk. It would measure approximately 2.4m x 2.4m with openings to all elevations. The window openings would have timber shutters over, so would only be open when the kiosk was operating. It would have a pitched roof with an overall height of approximately 2.3m. The development is considered to be ancillary to the use of the land for recreational purposes, and would provide a tourist leisure facility in this seafront location and as such the proposal complies with these policies.

The principle of the development is, therefore, considered to be acceptable.

Character and Appearance

The site is located within the Broadstairs Conservation Area. The Council must therefore take into account Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, which requires that in relation to conservation areas, 'special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the area.' Paragraph 197 of the National Planning Policy Framework (NPPF) requires local planning authorities to take account of the desirability of sustaining and enhancing the significance of heritage assets, and the desirability of new development making a positive contribution to local character and distinctiveness. The NPPF requires that where a development causes substantial harm, or less than substantial harm but where the harm is not outweighed by public benefit, permission should be refused.

Policy HE02 of the Thanet Local Plan requires that appropriate materials and detailing are proposed and that developments would not result in the loss of features that contribute to the character or appearance of the conservation area. New development which would detract from the immediate or wider landscape setting of any part of a conservation area will not be permitted.

Paragraph 130 of the NPPF states decisions should ensure that developments will function well and add to the overall quality of the area, are visually attractive as a result of good architecture, layout and appropriate and effective landscaping, sympathetic to local character and history, establish or maintain a strong sense of place, and optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development and create places that are safe, inclusive and accessible. Policy QD02 of the Thanet Local Plan outlines that the primary aim of new development is to promote or reinforce local character and provide high quality and inclusive design that is sustainable in all other respects. Proposals should therefore relate to surrounding development, form and layout, be well designed, pay particular attention to context and identity of location, scale, massing, rhythm, density, layout and materials, and be compatible with neighbouring buildings and spaces. Any external spaces and landscape features should be designed as an integral part of the scheme.

The provision of an information kiosk (relocating from a position near the Royal Albion Hotel), would support leisure and tourism by maintaining a tourist facility. It falls to assess the impact of the kiosk on the character and appearance of the area.

The proposed erection of a modest timber kiosk would allow a building in an area above an existing flat roof shelter that is devoid of structures. It is appreciated that some views of the proposal would be gained, however these would be for the most part glimpse views, being obscured by hedging, parked vehicles to the Victoria Parade frontage and only the top portion of the kiosk being visible to a greater extent and in longer views. From the Victoria Parade the visual impact to the area including the Conservation Area is considered to be minimal. When travelling along the promenade and Victoria Gardens the proposal would be more visible due to its elevated position, however it would be seen against existing built form and is in itself of a modest footprint and height. This impact is further reduced as the kiosk is only sought for the summer season; five months of the year after which time the kiosk would be removed. This can be controlled by condition for the avoidance of doubt.

Concern has been raised that it could prevent a line of sight to the bandstand; it is confirmed that there is no right to a view in planning terms.

The Conservation Officer has advised that in her view there would be less than substantial level of harm to the character and appearance of the surrounding conservation area, whilst providing a public benefit and as such does not object to the application proposed.

Given the limited harm to the character and appearance of the area, including conservation area and enhancements to tourism in this location it is considered the development would accord with the requirements of local and national policies.

Living Conditions

Paragraph 119 of the NPPF states that planning decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.

Local Plan policies QD03 and QD04 are also relevant to this application. Policy QD03 (Living Conditions) states that All new development should:

- 1) Be compatible with neighbouring buildings and spaces and not lead to the unacceptable living conditions through overlooking, noise or vibration, light pollution, overshadowing, loss of natural light or sense of enclosure.
- 2) Be of appropriate size and layout with sufficient usable space to facilitate comfortable living conditions and meet the standards set out in QD04.
- 3) Residential development should include the provision of private or shared external amenity space/play space, where possible.
- 4) Provide for clothes drying facilities and waste disposal or bin storage, with a collection point for storage containers no further than 15 metres from where the collection vehicle will pass.

The proposed kiosk is located some distance from the nearest residential properties, approximately a minimum of 16m. Given the distance of the proposed kiosk building from residential properties it is unlikely that the development would adversely impact upon residential amenity with regards to loss of light, outlook or light intrusion.

The promenade is used by a large number of people, particularly in the summer months, with visitors and local residents alike walking along the promenade, resting on the benches in the vicinity and simply taking in the views out to sea and atmosphere. The use of this kiosk is unlikely to lead to an increase in noise that would be describable from the general use of this promenade area.

It is confirmed that the proposed development is not considered to result in significant harm to the living conditions of nearby residential occupiers, in accordance with Policy QD03 of the Thanet Local Plan and paragraph 130 National Planning Policy Framework.

Transportation

Paragraph 110 of the NPPF states that In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that amongst other aims: a) appropriate opportunities to promote sustainable transport modes can be - or have been - taken up, given the type of development and its location and b) safe and suitable access to the site can be achieved for all users. Paragraph 111 of the NPPF states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual impacts on the road network would be severe. Paragraph 112 goes on to highlight that Within this context, applications for development should: a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second - so far as possible - to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use; b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport; c) create places that are safe, secure and attractive - which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards; d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

Policy SP37 of the Local Plan states that new development must take account of the need to respond to climate change: 1) by minimising vulnerability and providing resilience to the impacts of climate change through the use of up to date technologies, efficient design and appropriate siting and positioning of buildings; 2) mitigating against climate change by reducing emissions and energy demands through the use of up to date technologies; 3) realise and make best use of available opportunities to reduce the impact of climate change on biodiversity and the natural environment by providing space for habitats and species to move through the landscape and for the operation of natural processes, particularly at the coast. Policy SP43 of the Local Plan states that the Council will work with developers, transport service providers, and the local community to manage travel demand, by promoting and facilitating walking, cycling and use of public transport as safe and convenient

means of transport. Development applications will be expected to take account of the need to promote safe and sustainable travel. New developments must provide safe and attractive cycling and walking opportunities to reduce the need to travel by car. Whilst policy SP44 states development generating a significant number of trips will be expected to be located where a range of services are or will be conveniently accessible on foot, by cycle or public Transport.

Under Policy QD01, all developments are required to: 1) Achieve a high standard of energy efficiency to the equivalent of Level 4 of the Code for Sustainable Homes (subject to HE05 where applicable), 2) Make the best use of solar energy passive heating and cooling, natural light, natural ventilation and landscaping, 3) Provide safe and attractive cycling and walking opportunities to reduce the need to travel by car. Policy QD02 relates to general design principles and states amongst other principles that developments must incorporate a high degree of permeability for pedestrians and cyclists, provide safe and satisfactory access for pedestrians, public transport and other vehicles, ensuring provision for disabled access and Improve people's quality of life by creating safe and accessible environments, and promoting public safety and security by designing out crime. Policy TP01 states that new development will be expected to be designed so as to facilitate safe and convenient movement by pedestrians including people with limited mobility, elderly people and people with young children, whilst Policy TP03 states new development will be expected to consider the need for the safety of cyclists and incorporate facilities for cyclists into the design of new and improved roads, junction improvements and traffic management proposals.

The proposed kiosk building would take up a relatively small amount of paved area that pedestrians could utilise. There would, however, still be an area around the building that would remain available for pedestrians. The reduction in this area would not impede pedestrians or those with pushchairs/wheelchairs. Whilst there may be some reduction in the openness around the site which could result in some pedestrian congestion, this is likely to only be at peak times and is unlikely to result in additional harm to pedestrian or highway safety.

Other Matters

It is confirmed that all plans and documents associated with the application were available to view on public access.

Conclusion

The proposed development would have limited harm on the Broadstairs Conservation Area and the key characteristics of the seafront location. In addition the proposal is supported through tourism policies given the benefits that would be provided by retaining this facility, albeit at a different site. There will be limited impact on the living conditions of nearby residential occupiers. Therefore it is recommended that Members approve the application, subject to safeguarding conditions.

Case Officer

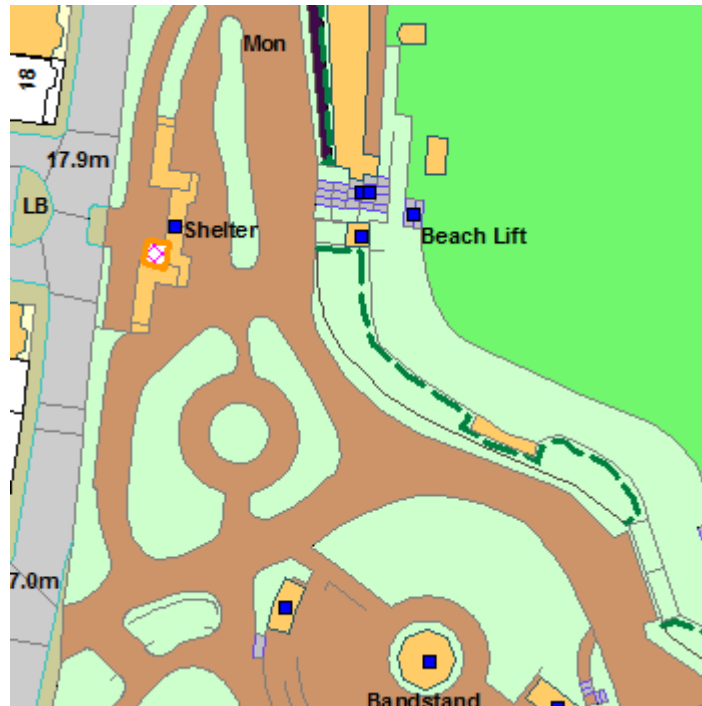
Gillian Daws

TITLE:

F/TH/23/0477

Project

Victoria Gardens Victoria Parade BROADSTAIRS Kent CT10 1QS



PROPOSED DEVELOPMENT

This is an application for Listed Building Consent for the installation of a wrought iron gate to the south west elevation of the Margate Clock Tower.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan 2020

SP36 - Conservation and Enhancement of Thanet's Historic Environment
HE03 - Heritage Assets

NOTIFICATIONS

Neighbouring occupiers have been notified and a site notice posted. No representations have been received.

CONSULTATIONS

TDC Conservation Officer:

Following a review of the proposed application I would consider there to be a limited implication to the setting and appearance of the asset. As such I do not object to the proposed.

COMMENTS

The application is brought before members as the application has been made on behalf of Thanet District Council.

Section 16 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that when 'considering whether to grant listed building consent for any works the local planning authority ... shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses'.

Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that 'in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Policy SP36 sets out that the Council will support, value and have regard to the historic or archaeological significance of Heritage Assets by protecting the historic environment from inappropriate development, encouraging new uses to bring listed buildings back into use and encouraging their survival and maintenance without comprising the conservation or significance of the asset and supporting development that is of a high quality design and supports sustainable development.

Policy HE03 sets out that the Council supports the retention of local heritage assets, including structures, features and gardens of local interest. Proposals that affect both designated and non-designated heritage assets will be assessed by reference to the scale of harm or loss of the significance of the asset in accordance with the criteria set out in the NPPF.

The main considerations are the impact of the development on the significance of the listed building.

The application proposes the installation of a wrought iron gate to the south west elevation of the Grade II Listed building which faces Marine Terrace. The National Planning Policy Framework states that when considering the impact of the proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

The works to the Margate Clock Tower are set out in the Design and Access statement which states that the installation of the gate is required to prevent repeated vandalism to the front entrance door and has been designed to complement the Heritage Asset and the conservation area. The design will incorporate a Royal Cypher to celebrate the Coronation of King Charles III and The Queen Consort.

The Margate Clock Tower tower is entered through a door which is situated in the south west elevation. There are markings to the floor to show that a gate existed previously, however, it is no longer in situ and the existing entry door into the Clock Tower has been damaged through vandalism although it has been recently repaired and painted.

The proposed wrought iron gate would be 1.9 metres high, 0.97 metres wide with vertical rails to the bottom section, 2 No. horizontal rails at the mid section and 1No. horizontal rail to the top section, where there will be 5 railhead finials above. There will be a royal cipher to the centre of the mid section to commemorate King Charles III coronation. It will be installed within the door niche to the south west elevation where a previous gate used to be.

The Conservation Officer has stated that there will be a limited impact on the listed building and does not object. It is considered that the proposed wrought iron gate will be in keeping with the Margate Clock Tower and will enhance the Margate conservation area and the Listed building it will be installed in.

Conclusion

In conclusion, the proposed wrought iron gate installed to the south west elevation of the Grade II Listed Margate Clock Tower would serve to promote and enhance the significance of this designated heritage asset. Whilst the proposed wrought iron gate would be highly visible from public vantage points, it is considered that the scale, siting and design of the gate are sympathetic to the Listed Building. It is considered that the proposed development would not have a significant impact upon the designated heritage asset, and accords with Thanet Local Plan Policies SP36 and HE03 and the advice and guidance of the National Planning Policy Framework. It will enhance the listed building and the surrounding conservation area and it is therefore recommended that members approve the application.

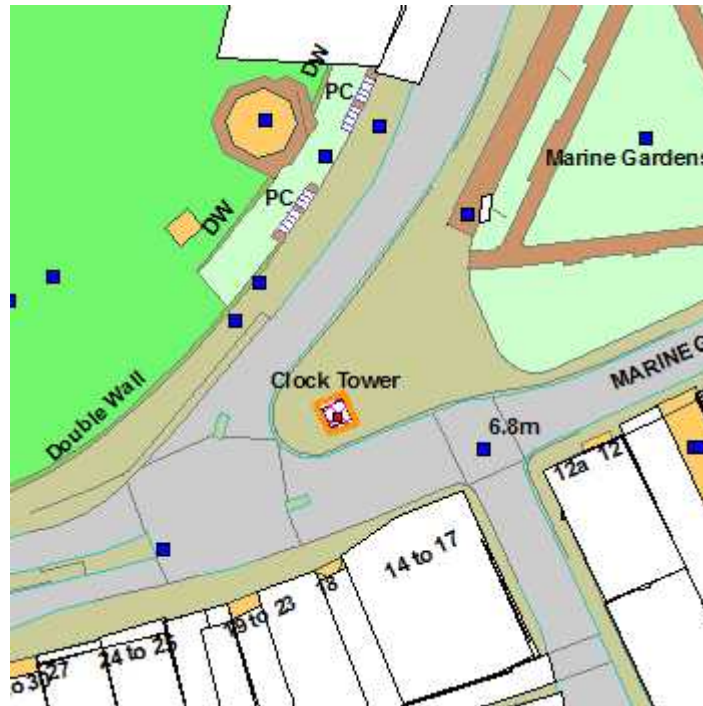
Case Officer
Dawn Rollason

TITLE:

L/TH/23/0199

Project

Margate Clock Tower Marine Drive MARGATE Kent CT9 1DH



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A10

FH/TH/23/0238

PROPOSAL: Erection of a single storey rear extension with 2no rooflights following demolition of existing conservatory

LOCATION: 8 Pluckley Gardens Margate Kent CT9 3EP

WARD: Cliftonville East

AGENT: Mr Philip Baston

APPLICANT: Ms Anne Cooper

RECOMMENDATION: Approve

Subject to the following conditions:

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

GROUND:

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

2 The development hereby approved shall be carried out in accordance with the submitted drawings numbered 1157_P_103A and 1157_P_104, received 22 February 2023.

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

SITE, LOCATION AND DESCRIPTION

The site is located within the urban confines of Margate in a wholly residential area. Properties in the vicinity are single storey and dwellings on the western side of Pluckley Gardens are set in semi-detached pairs set back from the highway with modest front gardens. The dwelling forms a semi-detached pair with No 6. The rear elevation faces towards an alleyway and the garden boundaries of No 23 Saltwood Gardens and 30 Eastchurch Road.

PLANNING HISTORY

None

PROPOSED DEVELOPMENT

The application seeks planning permission for the erection of a single storey rear extension following demolition of the existing conservatory.

PLANNING POLICIES

Thanet Local Plan 2020

QD02 - General Design Principles

QD03 - Living Conditions

NOTIFICATIONS

Neighbours have been notified and a site notice posted opposite the site. No representations have been received.

CONSULTATIONS

None

COMMENTS

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

The main considerations for Members to assess are the impact of the development on the character and appearance of the area and the impact on neighbouring amenity.

Character and Appearance

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 area is characterised by semi-detached pairs of single storey properties. The proposed development relates to the erection of a single storey flat roofed extension to the rear. The extension would project approximately 3.6 metres from the rear elevation and extend across the width of the dwelling, and have a height of approximately 2.9 metres. The extension would be finished with facing brickwork to match existing and two rooflights would be installed within the flat roof. The rear elevation would comprise french doors and two windows.

The extension would be modest in scale and design and would respect the design of the main dwelling. It would not be immediately visible from the wider public realm due to its location to the rear of the property and the development therefore has limited visual impact on the character or appearance of the streetscene and would therefore meet the requirements of Thanet Local Plan Policy QD02 and the NPPF.

Living Conditions

The adjoining neighbour (No 6) has an extension and conservatory with a total depth of 6.7 metres alongside the boundary. The proposed extension would have a depth of approximately 3.6 metres and the neighbouring extension would continue to project beyond the depth of the proposed extension. The proposed extension would therefore have no additional impact on the amenities of the occupiers of the adjoining neighbour.

There is an extension to the rear of No 10 and a gap of approximately 2 metres would be maintained to the common boundary. There are no windows proposed within the side elevations of the extension and at a single storey height of approximately 3 metres it is unlikely that the extension would result in an unacceptable loss of light or outlook to occupiers of this neighbour.

The rear elevation of the extension faces the rear garden boundary and towards the garden boundaries of 23 Saltwood Gardens and 30 Eastchurch Road. The window and door openings within the rear elevation of the extension would have a similar relationship with neighbours to the existing conservatory and rear window and would not therefore give rise to unacceptable overlooking or loss of privacy to neighbouring residential occupiers.

Given the above it is considered that the proposed development would not adversely impact on the living conditions of neighbouring property occupiers and the proposal would therefore accord with QD03 of the Thanet Local Plan and the NPPF.

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 and it is therefore recommended that Members approve the application.

Case Officer

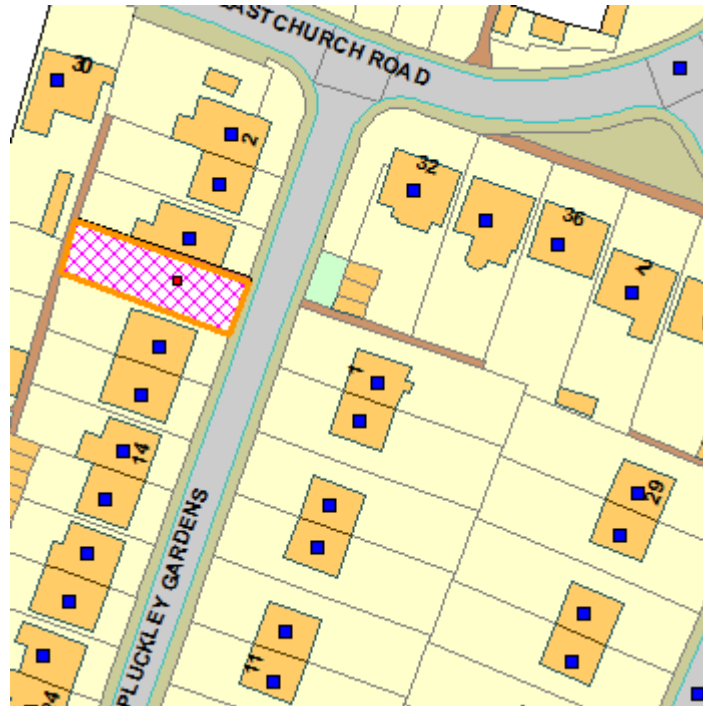
Rosemary Bullivant

TITLE:

FH/TH/23/0238

Project

8 Pluckley Gardens Margate Kent CT9 3EP



None

PROPOSED DEVELOPMENT

This is an application for planning permission for the replacement of the timber windows and entrance porch on the western elevation at ground floor level, belonging to Flat 1, with those made from UPVC.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan 2020

QD02 - General Design Principles

QD03 - Living Conditions

NOTIFICATIONS

Letters were sent to neighbouring occupiers and a site notice was posted near the site.

No responses have been received.

Ramsgate Town Council: No comment.

CONSULTATIONS

None

COMMENTS

The application is brought before members as the application has been made on behalf of Thanet District Council who own the property.

Paragraph 130 of the NPPF states that planning decisions should ensure that developments function well and add to the overall quality of the area; are visually attractive as a result of good architecture and appropriate landscaping; are sympathetic to local character and history; establish and maintain a strong sense of place; and provide a high standard of amenity for existing and future users.

Policy QD02 of the Local Plan outlines that the primary planning aim of new development is to promote or reinforce local character and provide high quality and inclusive design that is sustainable in all other respects. Proposals should therefore relate to surrounding development, form and layout, be well designed, pay particular attention to context and identity of location, scale, massing, rhythm, density, layout and materials and be compatible with neighbouring buildings and spaces. Any external spaces and landscape features should be designed as an integral part of the scheme.

This application proposes the following works to be undertaken:

Replace timber single glazed sliding box sash windows with Upvc double glazed sliding sash windows

Replace the timber glazed porch windows and door with Upvc double glazed porch windows and door.

These works have been identified following an inspection carried out by Thanet District Council's Tenant and Leaseholder Services Department.

Given the property is not listed nor within a conservation area and the proposed replacement windows and door will match the design of those they are replacing, and will remain in keeping with the existing Upvc windows found elsewhere on the building, the proposed work is not considered to create any harm to the host dwelling or wider area. As such they are considered to comply with policy QD02 of the Thanet Local Plan and the National Planning Policy Framework.

Furthermore, as the proposed works seek to replace windows and a door within existing openings, neither increasing their width or height nor projecting out further than their current position, they are not considered to create any harm to neighbouring amenity. They are therefore considered to comply with policy QD03 of the Thanet Local Plan and the National Planning Policy Framework.

Conclusion

The proposal is considered to comply with policies QD02 and QD03 of the Thanet Local Plan and the National Planning Policy Framework, and as such it is recommended that Members approve the application subject to safeguarding conditions.

Case Officer

Tanya Carr

TITLE:

F/TH/22/1708

Project

Flat 1 189 High Street RAMSGATE Kent CT11 9TP



R12	F/TH/23/0026
PROPOSAL:	Erection of 1No single storey 3-bed dwelling (self build)
LOCATION:	Land North Side Of Down Barton Road St Nicholas At Wade Kent
WARD:	Thanet Villages
AGENT:	Miss Karen Banks
APPLICANT:	Mr and Mrs D Richards
RECOMMENDATION:	Refuse Permission

For the following reasons:

1 The proposed dwelling, by virtue of its prominent location, would appear visually divorced and isolated, impacting upon long distance views, and detracting from the open and undeveloped rural character of the area, severely detrimental to the appearance of the Landscape Character Area, whilst failing to protect the intrinsic character and beauty of the countryside, contrary to Thanet Local Plan Policies SP24, SP26, and QD02, and paragraphs 130 and 174 of the National Planning Policy Framework.

2 The proposed development will result in additional pressure on the Thanet Coast and Sandwich Bay Special Protection Area (SPA), and Sandwich Bay and Hacklinge Marshes Site of Special Scientific Interest (SSSI), and in the absence of an acceptable form of mitigation to relieve the pressure, the proposed development would be contrary to policy SP29 of the Thanet Local Plan and paragraph 182 of the National Planning Policy Framework.

SITE, LOCATION AND DESCRIPTION

The site lies outside the village confines of St Nicholas-at-Wade, as established by the Thanet Local Plan proposals map. The site is rectangular and comprises a grassed area and there is a small building on the site and some containers. To its north is glamping site (known as Gooseberry Farm Glamping), to its east is an residential bungalow, to its west is the access to the glamping site beyond the access road is open countryside and to the south of the site is also open countryside. The site lies within the St.Nicholas at Wade Undulating Chalk Farmland Landscape Character Area.

RELEVANT PLANNING HISTORY

Application site

F/TH/22/0423 - Erection of a single-storey 3 bedroom detached dwelling. Refused 1st July 2022. Appeal in progress.

F/TH/20/1475 - Erection of 1 no. single storey 3 bed dwelling. Refused 18th December 2020.

F/TH/20/0258 - Erection of 1 no. single storey 3 bed dwelling. Refused 28th July 2020.

Adjoining site to the north

F/TH/22/1400 - Change of use of existing barn to two storey 2 bedroom holiday let. Under consideration.

F/TH/22/1199 - Erection of a single storey 1No three bedroom dwelling. Under consideration.

F/TH/21/0934 - Variation of condition 2 attached to Planning Permission F/TH/19/0175 for the change of use of land from agriculture to equestrian glamping and provision of 4No. mobile cabins for glamping use together with a caravan for use as a reception to allow a retrospective increase in height of the mobile cabins. Approved 22nd October 2021.

F/TH/20/0668 - Erection of 1No three bedroom dwelling for accommodation for glamping site manager. Refused 9th October 2020.

F/TH/19/0175 - Change of use of land from agriculture to equestrian glamping and provision of 4No. mobile cabins for glamping use together with a caravan for use as a reception. Approved 20th December 2019.

F/TH/14/0601 - Change of use of land from agricultural use to keeping of horses and erection of stable block with associated parking. Approved 10th September 2014.

F/TH/14/0214 - Change of agricultural land to land for the keeping of horses and erection of 2 no stable and tack room. Approved 19th May 2014.

F/TH/13/0974 - Change of use of agricultural land to land for the keeping of horses and erection of stable block. Withdrawn 24th February 2014.

Adjoining site to the east.

R/TH/19/1687 - Application for the reserved matters of outline application OL/TH/19/0523 for the approval of access, appearance, landscaping, layout and scale including foul and surface water drainage for the erection of 1No. single dwelling. Approved 21st May 2020.

OL/TH/19/0523 - Outline application for the erection of 1No. single dwelling with all matters reserved. Approved 15th November 2019.

PROPOSED DEVELOPMENT

This application seeks planning consent for the erection of a single storey 3 bedroom dwelling with associated parking and amenity space.

The dwelling would measure approximately 20m by 7m giving a footprint of some 140sqm with a terrace located to the rear measuring some 20m by 3m (60sqm). It would have a pitched roof with a ridge height of 4.5m. The plans show that the roof would be composite slate tiles, a cladding finish to the walls with aluminium doors and windows. Internally the dwelling would comprise a hall with Wc, an open plan kitchen/living area and a bathroom with three bedrooms (one ensuite). Access to the dwelling would be via Down Barton Road and the dwelling would be served by an area for vehicular parking and amenity space.

It is noted that the proposal is identical to that refused under applications F/TH/20/1475 and F/TH/22/0423 with the agent providing additional information to support the current application.

DEVELOPMENT PLAN POLICIES

SP01 - Spatial Strategy - Housing
SP24 - Development in the Countryside
SP26 - Landscape Character Areas
SP27 - Green Infrastructure
SP29 - Strategic Access Management and Monitoring Plan (SAMM)
SP30 - Biodiversity and Geodiversity Assets
SP35 - Quality Development
H01 - Housing Development
HE01 - Archaeology
QD01 - Sustainable Design
QD02 - General Design Principles
QD03 - Living Conditions
QD04 - Technical Standards
TP02 - Walking
TP03 - Cycling
TP06 - Car Parking

REPRESENTATIONS

Letters were sent to adjoining occupiers and a site notice posted close to the site.

Two representations have been received objecting to the application. Their comments are summarised below.

- * Site is outside the village envelope;
- * Already seen some 150 new builds on farmland and there is no case for allowing more;
- * Allowing the development will leave the door open for all of Down Barton Road to be developed which would destroy the unique character of the village;
- * The fact that the applicant wishes to self build is no consequence - farmland will still be lost; and

* The development should be refused for the same reasons as the previous one.

CONSULTATIONS

Environment Agency: Due to the scale, nature and setting of this proposal and the supporting information submitted, we have assessed this proposal as low risk. We therefore do not have any specific comments to add.

Southern Water: The Environment Agency should be consulted directly by the applicant regarding the use of a cesspit.

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

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.

KCC Highways: Non protocol application.

KCC Biodiversity: The same ecological information submitted for this application was submitted for application F/TH/20/1475 and F/TH/22/0423 . The most recent satellite photos are dated March 2021 and provided the site has continued to be mown regularly we advise the comments we provided for F/TH/20/1475 and F/TH/22/0423 are likely still to be valid.

To enable us to be satisfied that the following comments are still valid please provide, prior to determination, current photos of the proposed development site. Once we have reviewed the photos we can advise if the previous comments are still valid or if an updated ecological report is required.

Comments provided for application F/TH/20/1475 and F/TH/22/0423.

Summary

We have reviewed the ecological information submitted in support of this planning application and advise that sufficient information has been provided. If planning permission is granted, we advise that a condition securing the implementation of ecological enhancements is attached.

Developer Contributions will need to be provided due to the increase in dwellings within the zone of influence of a Special Protection Area.

Designated Sites

The development includes proposals for new dwellings within the zone of influence (7.2km) of the Thanet Coast and Sandwich Bay Special Protection Area (SPA) and Wetland of International Importance under the Ramsar Convention (Ramsar Site). Therefore, Thanet District Council will need to ensure that the proposals fully adhere to the agreed approach within the Strategic Access Management and Monitoring Plan (SAMMP) to mitigate for

additional recreational impacts on the designated sites and to ensure that adequate means are in place to secure the mitigation before first occupation.

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

Protected Species

We have reviewed the submitted Preliminary Ecological Appraisal which has outlined that the site contains limited ecological value apart from the habitats on the southern border which are suitable for reptiles. We note that this area is retained within the site proposals and therefore satisfied that there will not be any impacts. We would advise that this area is protected during construction/landscaping and enhanced as part of the proposals (see next heading).

Any work to vegetation that may provide suitable nesting habitats should be carried out outside of the bird breeding season (March to August) to avoid destroying or damaging bird nests in use or being built. If vegetation needs to be removed during the breeding season, then mitigation measures need to be implemented during construction in order to protect breeding birds. This includes examination by an experienced ecologist prior to starting work and if any nesting birds are found during work, development must cease until after the juveniles have fledged. Whilst we agree that a full breeding bird survey will not be necessary due to the size of the site, a precautionary mitigation methodology should be adhered to prevent any offences being committed. We advise that a planning informative is attached to any granted planning application.

Ecological Enhancements

The application provides opportunities to incorporate features into the design which are beneficial to wildlife, such as native species planting or the installation of bat/bird nest boxes. We would also advise that the retained habitats are enhanced to increase their biodiversity value. Recommendations have been provided within Section 6 of the submitted Preliminary Ecological Appraisal, and these should be implemented. We advise that measures to enhance biodiversity are secured as a condition of planning permission if granted. This is in accordance with Paragraph 175 of the NPPF "opportunities to incorporate biodiversity improvements in and around developments should be encouraged".

TDC Planning Policy: Having considered the application, it is our view that the circumstances have not changed significantly, and the proposal is contrary to the provisions of the Local Plan.

There remains an "in principle" objection to the proposal based on the Housing Strategy set out in the Local Plan (Policy SP01 and Policy H09).

The supporting statement (para 5.18) is incorrect that there is no policy to support the provision of self- and custom-build housing. Policy SP14 clearly states that "all proposals for

10 or more units must... Include an element of self-build properties where there is a demonstrable demand from persons included in the Council's self-build register" (my underlining).

Furthermore (in relation to the NPPF reference in para 6.31), the adopted Local Plan already allocated significant levels of new housing in St. Nicholas. In relation to the housing supply point in para 6.33, this proposal does not make a material contribution to housing land supply, so the "tilted balance" should not be applied.

In relation specifically to custom and self-build (para 5.12 of the statement), the table in Appendix 5 referred to shows the entry numbers on the self build register and their preferred locations for their self build plot. The highest entry number is 35. Therefore there were 35 entries on the self build register referred to in this table, not 149.

The applicant refers to discrepancies in the self build register (para 5.15) in relation to a previous FoI, relative to the number of people registered. However, the information has subsequently been updated, and the information on the register is now consistent with the information submitted to DLUHC.

COMMENTS

The application has been called to Committee at the request of Councillor Pugh for Members to debate the need for smaller homes in our villages so that local people can continue to live in rural areas.

Principle

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

The NPPF states that housing applications should be considered in the context of the presumption of sustainable development. In determining whether housing on the site would be acceptable, the need for housing in the district will, therefore, need to be balanced against other issues such as the impact upon the countryside, sustainability of the site, character and appearance of the proposed development and highway safety.

Policy SP01 sets out the spatial strategy for the district. It states that the primary focus for new housing is the district's urban area and limited development is allocated to Monkton.. The supporting text to the policy explains that the strategy has been determined by the size and geography of the district with the largest settlements following the coast forming the urban area. It also reflects constraints such as international and national wildlife designations and the presence of predominantly grade 1 agricultural land beyond the urban area.

Policy SP24 (Development in the Countryside) of the Local Plan states that development on non-allocated sites in the countryside will be permitted for either: 1) the growth and

expansion of an existing rural business; 2) the development and diversification of agricultural and other land based rural businesses; 3) rural tourism and leisure development; 4) the retention and/or development of accessible local services and community facilities; or 5) the redevelopment of a brownfield site for a use that is compatible with its countryside setting and its surroundings. Isolated homes sites in the countryside will not be permitted unless they fall within one of the exceptions identified in the National Planning Policy Framework. All development proposals to which this policy applies should be of a form, scale and size which is compatible with, and respects the character of, the local area and the surrounding countryside and its defining characteristics. Any environmental impact should be avoided or appropriately mitigated.

At the current time, the District Council cannot demonstrate a 5 year supply of housing land. Consequently, the Council's policy SP01, which focuses housing development within the urban area, is considered out-of-date and the weight attached to this policy is limited. In accordance with paragraph 11 of the NPPF, applications for housing should be considered in the context of the presumption in favour of sustainable development. Paragraph 11 of the NPPF describes the presumption in favour of sustainable development and closes by saying that where development plan policies are out of date, planning permission should be granted "unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole or specific policies in this Framework indicate development should be refused".

It is also noted that the agent advises that the application is for a self build dwelling and that the applicants are on the Council's self build register. They also state that the Council has attached limited weight to encourage self build and custom build dwellings despite there being clear guidance to do so on within the NPPF and The Self-Build and Custom Housebuilding Act 2015, as amended by the Housing and Planning act of 2016. They also state that the Council does not have a specific policy that promotes custom and self build as part of housing mix policies nor any policies that encourages a percent of self/custom builds as part of larger schemes within its local plan.

Paragraph 60 of the NPPF states that "To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay". Paragraph 62 states that "the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes)".

A specific policy (SP14) is present in the adopted local plan which states a requirement for self build within larger schemes.

It is acknowledged that the applicants are on the Council's self build register. It is agreed that the provision of a self build accords with principles of NPPF paragraph 62, however the lack of supply cited in the applicant's submission is disputed by the Council. The Council's published Annual Monitoring Report demonstrably shows planning permissions have been

granted for developments which fall with the self-build definition. It is considered that some positive weight can be attributed to the argument now being put forward by the applicant that the property would be a self build unit, however this can be afforded only limited weight in support of the proposal due to the unit number proposed in meeting a single family's request for a plot. This benefit, as well as the economic and social benefits for providing a single dwelling when the Council cannot demonstrate a 5 year supply, must be weighed against any identified harm.

Whilst located fairly close to the edge of the village confines, the site has poor linkages to the village, and any occupier of it would, therefore, be likely to be reliant on the car to use the services and facilities of the village. This would be exacerbated by the fact that the site is not served by a footpath, there is no street lighting and this part of the road is particularly narrow, with only one car being able to utilise the road at any one time. The site is not, therefore, considered to be overly sustainable in its location, however, the Council's planning committee have previously approved an application for the erection of a dwelling at Huckleberry Farm, to the east of the application site, and on this basis it would not be considered reasonable to refuse the application on the grounds of the lack of pedestrian connectivity and safety in accessing the village.

Given the above, it is considered that the whilst the principle of residential development may be acceptable given the titled balance to be applied, it is considered that there are only limited economic and social benefits that can be attributed to the provision of this single dwelling, which needs to be weighed against any environmental harm resulting from the proposal.

Character and Appearance

Paragraph 130 of the NPPF states decisions should ensure that developments will function well and add to the overall quality of the area, are visually attractive as a result of good architecture, layout and appropriate and effective landscaping, sympathetic to local character and history, establish or maintain a strong sense of place, and optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development and create places that are safe, inclusive and accessible. Policy QD02 of the Thanet Local Plan outlines that the primary aim of new development is to promote or reinforce local character and provide high quality and inclusive design that is sustainable in all other respects. Proposals should therefore relate to surrounding development, form and layout, be well designed, pay particular attention to context and identity of location, scale, massing, rhythm, density, layout and materials, and be compatible with neighbouring buildings and spaces. Any external spaces and landscape features should be designed as an integral part of the scheme.

Policy SP26 relates to Landscape Character Areas and states that development proposals should demonstrate how they respect and respond to the character, key sensitivities, qualities and guidelines of the relevant landscape character areas, as detailed in the Landscape Character Assessment (LCA).

The site lies outside of the built up village confines of St Nicholas-at-Wade, and within the St.Nicholas at Wade Undulating Chalk Farmland Landscape Character Area (formerly

known as the Former Wantsum Channel Character Area) for which the key sensitivities and qualities as identified within the Council's Landscape Character Assessment (2017) include the openness and undeveloped character of the farmland that contributes to the essentially rural character and relatively dark skies; occasional quiet rural lanes; and long distance panoramic views, big skies and uninterrupted sea views from elevated locations.

Whilst the application is not supported by a formal landscape and visual impact assessment, the application is supported by a planning statement including explanation and photos of the application site and the surrounding area, considering that the proposed dwelling would not be seen as isolated, having a relationship with the dwelling on the adjoining site and the glamping pods to the north of the application site. It is contended that the glamping cabins are the most prominent in views from around the site and not the dwelling to the east or the proposed dwelling which is located closer to the road than the cabins and would be slightly lower than the adjoining dwelling.

The impact on the landscape character area was considered in the previous applications, and the proposal is identical in design to that application and it is not considered that the landscaping has altered greatly since that application.

It is considered that the neighbouring site (where the existing dwelling is situated) differs from the application site in that it is screened by vegetation to most boundaries and served by the established access road also serving the glamping site to the north. The application site is more open in comparison, particularly to its frontage and its western boundary and would require the formalisation and hard surfacing of a rarely used access road from Down Barton Road. The proposed development would also have a more immediate visual impact than the approved development to the north (the tourist accommodation). The area of land to the west of the application site would remain open, along with the land opposite the site, which forms open countryside, and as such long views of the site would be possible from both Down Barton Road, and in longer distant views across the fields.

The site is currently essentially unused as an open grassed area and has some tree screening along some of its boundary with Down Barton Road, but the site can be seen from the existing access road and the surrounding area particularly from the residential end of Down Barton Road near the village. The trees are not protected by any Tree Preservation Orders or by virtue of being within a Conservation Area, as such they could be removed at any time. Whilst trees are proposed on the western boundary, these will take time to establish and would be solely provided to screen the development rather than respond to the landscape character area, with views still possible from the west of the site to the proposed dwelling. As such it is not considered that they can be relied upon to screen development on the site.

Whilst it is appreciated that the glamping cabins are visible in long distance views of the site, given their informal arrangement within the larger site, it is not considered that they are visually prominent being reminiscent of agricultural buildings that may well be found in a rural area. It is also noted that these buildings are for tourism purposes and such buildings are not considered to be out of keeping with the countryside and as holiday accommodation they would not attract permanent domestic paraphernalia that would be associated with a domestic dwelling.

As with the previous application, it is considered that the proposed development would intrude upon the views across the countryside from Down Barton Road, which would detract from its open undeveloped character. The construction of the dwelling and landscaping would be at odds with the limited tree planting in the broader characteristic of the St. Nicholas at Wade Undulating Chalk Farmland Landscape Character Area. Even with the existing collection of buildings and hedgerows to the north and east, the open and visibility nature of the site means any development will reflect on the adjacent large scale open fields. Due to its location it would appear as sporadic development, not infill development or as part of a cluster of residential development, that would encroach into the open countryside and would not appear as a logical expansion of the built form of the village.

The proposed dwelling would be single storey with composite roof material and cladding to its walls. Whilst it is noted that the proposed dwelling would be similar in scale and materials to the glamping cabins and the dwelling on the adjacent plot, it is considered that its layout would unduly extend and consolidate residential development on the frontage of Down Barton Road and detract from the inherent largely undeveloped nature of the application site and surrounding area.

It is considered that the openness and undeveloped character of the site and long distance views from the west of the site contribute to the area's distinctive rural character. By its very nature, the appeal proposal would not respect the open landscape character and would affect views within the Landscape Character Area, so would conflict with Local Plan Policies SP24 and SP26. Overall, the proposal is considered to result in harm to the character and appearance of the area.

Living Conditions

Paragraph 119 of the NPPF states that planning decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.

Local Plan policies QD03 is also relevant to this application. Policy QD03 (Living Conditions) states that all new development should: 1) Be compatible with neighbouring buildings and spaces and not lead to the unacceptable living conditions through overlooking, noise or vibration, light pollution, overshadowing, loss of natural light or sense of enclosure. 2) Be of appropriate size and layout with sufficient usable space to facilitate comfortable living conditions and meet the standards set out in QD04. 3) Residential development should include the provision of private or shared external amenity space/play space, where possible. 4) Provide for clothes drying facilities and waste disposal or bin storage, with a collection point for storage containers no further than 15 metres from where the collection vehicle will pass.

The closest neighbouring residential property in Down Barton Road would be the dwelling on the adjoining site to the east. This dwelling is a single storey and new enhanced landscaping is proposed to the common boundary between the two sites via that consent. Given this it is not considered that there would be any adverse impact on the residential amenities of the occupiers of that dwelling from this proposal. There are no other residential

properties close enough to the development site to be affected by the proposed development.

The proposed dwelling would be single storey and have 3 bedrooms. All new residential development is required to meet the Nationally Described Space Standards to ensure a good standard of accommodation for future occupiers. In this instance the proposed dwelling is a three bed 6 person single storey dwelling and would have an internal floor area of some 140 sqm which exceeds the required Nationally Described Space Standard. There would be sufficient room on the site for the proposed dwelling to be served by private amenity space and the rooms would have adequate light and ventilation. As such, it is considered that the proposed dwelling would provide a good standard of accommodation for residential amenity for future occupiers.

Highways

Policy QD02 outlines that new development proposals should incorporate a high degree of permeability for pedestrians and cyclists and provide safe and satisfactory access for pedestrians, public transport and other vehicles. Policy TP06 outlines that proposals for development will be expected to make satisfactory provision for the parking of vehicles. Suitable levels of provision are considered in relation to individual proposals, taking into account the type of development proposed, the location, accessibility, availability of opportunities for public transport, likely accumulation of parking and design considerations.

The application is for a single dwelling and the proposal has indicated space for off street parking to the front of the site and there is room within the site for the safe storage of bicycles. Given the size of the site and its boundary onto Down Barton Road it is reasonable to assume that Kent Highway Parking Standards could be met, along with adequate visibility splays to achieve a safe access, and as such it is not considered that the proposal would adversely impact upon highway safety.

Concerns are raised with the lack of footpath provision, and the resulting lack of connectivity with the village and the services and facilities it offers. The application site is separated from the settlement by a narrow section of road, which contains no footpaths or public lighting, and would be unlikely to be attractive for pedestrians and unlikely to encourage cycling, particularly in winter months. The linkage between the site and the services and facilities in St Nicholas-at-Wade, including bus stops, is generally poor and occupiers of the proposed dwelling would in practice be very reliant on a private car. Whilst the proposal would not be served by safe footpath links, Members previously approved a dwelling on the adjacent site to the east, which, although marginally closer to the village, would also have no footpath link, and as such it would seem unreasonable to refuse the application on the lack of footpath links given this decision.

Biodiversity

The NPPF states at paragraph 174 states that the “planning system should contribute to and enhance the natural and local environment by ... minimising impacts on biodiversity and providing net gains in biodiversity where possible ...” Policy SP27 states that all development proposals should, where possible, safeguard Thanet's Green Infrastructure

network and enhance it by integrating new multifunctional Green Infrastructure by integrating Green Infrastructure provision in the design of developments.

An Ecological Report was submitted to support this application. This report was the same one submitted to support the previous applications F/TH/20/1475 and 22/0423. This states that there are areas of grassland and scrub/scattered trees on the site that have the potential to support limited numbers of reptiles, such as common lizards and slow worms. It is recommended by the report that this area is left to maintain an area for reptiles and the remaining ground maintained (mown) as it currently is to dissuade any animals from venturing into the area of the proposed development. In addition, areas of hedgerow are identified as potential nesting bird habitat and, therefore, any hedgerow removal (if required) should be done outside the nesting bird season (normally March-August). If this is not possible then a nesting bird check will be required under the supervision of a suitable experienced ornithologist to safeguard against damage or destruction of any active nests present.

Kent County Council's Ecology Team reviewed the ecological report and generally agree with the recommendation that the site contains limited ecological value (on the basis that the site appears to regularly mown from satellite photos) apart from the habitats on the southern border which are suitable for reptiles. They note that this area would be retained within the site proposals and were, therefore, satisfied that there will not be any impacts on this area from the proposed development. They recommend that ecological enhancements are secured by condition and that any construction management plan should demonstrate how the habitat along the southern boundary will be protected during construction and landscaping.

It is, therefore, considered the impact of the proposed development on ecology could be controlled by condition.

Drainage

Paragraph 159 of the NPPF refers that inappropriate development in areas at risk of flooding should be avoided. Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). The application site is not within an area prone to flooding and is designated as being of low risk; accordingly the development would not pose a flood risk issue to the wider environment.

Policy CC02 states that all new development is required to manage surface water resulting from the development using sustainable drainage systems (SuDs) wherever possible.

It is noted that the application at the time of submission that the application form advised that foul water drainage would be via a cesspit. The Environment Agency's guidance on non mains drainage from non major development states that where "a connection to a public sewer is not reasonable, the PPG and Building Regulations Approved Document H set out the following hierarchy of non-mains alternative solutions.

- Package sewage treatment plants (which may be offered to the sewerage undertaker for adoption),

- Septic tanks; and
- Cesspools (if no other solution is possible).”

Given the above, and that no justification was provided as to why a cesspit is required, concerns were raised by the Council as to the appropriateness of such a means of dealing with foul drainage. An amended application form was later received which stated that the means of foul water drainage is unknown at the present time.

Given the size of the site and scale and nature of the proposed development it is considered that this matter could be dealt with via safeguarding conditions, stating that no development can commence until full drainage details are submitted and assessed by the Council. It is, therefore, not considered that this matter should form a reason for refusal.

Archaeology

The NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset; great weight should be given to the asset's conservation. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. The NPPF goes on to state that where a development proposal would lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including where appropriate, securing its optimum viable use.

Policy SP36 of the Local Plan states that the Council will support, value and have regard to the historic or archaeological significance of Heritage Assets. Policy HE01 relates to archaeology and states that the council will promote the identification, recording, protection and enhancement of archaeological sites, monuments and historic landscape features, and will seek to encourage and develop their educational, recreational and tourist potential through management and interpretation.

Thanet is generally rich in architecture and the submitted application includes no assessment of the archaeological potential of the site or the impact from the development proposals. Without the submission of evidence to the contrary, it is considered that the proposed development in the form proposed could affect significant archaeological remains, the impact of which could only be determined through the undertaking of an archaeological field evaluation to determine the presence, location, nature, significance and condition of archaeological remains on the site. It is noted that KCC Archaeology advised that on the adjacent site that an archaeological assessment and evaluation works could be conditioned. It is considered likely that it could also be conditioned for this site if permission were to be granted, and, as such, it is not considered that this matter should form a reason for refusal.

Contributions

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

Thanet District Council produced the 'The Strategic Access Management and Monitoring Plan (SAMM)' to deal with these matters, which focuses on the impacts of recreational activities on the Thanet section of the Thanet Coast and Sandwich Bay Special Protection Area (SPA). The studies indicate that recreational disturbance is a potential cause of the decline in bird numbers in the SPA. To enable the Council to be satisfied that proposed residential development will avoid a likely significant effect on the designated sites (due to an increase in recreation) a financial contribution is required for all housing developments to contribute to the district wide mitigation strategy. This mitigation has meant that the Council accords with the Habitat Regulations. This mitigation is secured under policy SP29 of the Local Plan.

No undertaking has been submitted to secure the payment of this contribution, although it is understood that the applicants are willing to provide an undertaking. As such it is not considered that the mitigation required could be secured at this time. The Local Planning Authority would be in breach of the Habitat Regulations if it were to grant this application. Given this, the lack of mitigation against the identified harm to the designated sites forms a technical reason for refusal for this application.

Conclusion

The site is located within the countryside, outside of the village confines, and within a Landscape Character Area, which is characterised by its openness and rural appearance. The erection of a dwelling within this location, which would be visible in long views along Down Barton Road and in wider views across the open countryside opposite, is considered to cause severe harm to the intrinsic character and beauty of the countryside, and the valued Landscape Character Area, contrary to Policies SP24, SP26 and QD02 of the Thanet Local Plan, and paragraph 170 of the NPPF. This is given significant weight in the determination of the application.

The development would result in the contribution of a single dwelling towards the identified shortfall in the Council's Housing land supply. In addition the application posits that the dwelling should be supported as a self-build property, with an identified need in the district. In addition the development of a single dwelling would have small economic benefits from construction. These economic and social factors are given modest positive weight in the determination against paragraph 11d of the NPPF.

Overall, the environmental harm caused through the development is considered to significantly outweigh the modest economic and social benefits provided by a single dwelling. In addition the application has also failed to provide an acceptable form of mitigation to relieve the pressure on the SPA, contrary to policy SP29 of the Thanet Local Plan, paragraph 182 of the NPPF and the Habitats Directive. Therefore the application is recommended for refusal.

Case Officer

Annabel Hemmings

TITLE:

F/TH/23/0026

Project

Land North Side Of Down Barton Road St Nicholas At Wade Kent



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

5 The implementation of ecological enhancements as detailed within Section 4.10 of the submitted ecological report shall be carried out concurrently with the development and thereafter retained.

GROUND

To incorporate biodiversity improvements in accordance with paragraph 174 of the National Planning Policy Framework.

6 The development shall be carried out in accordance with the approved Arboricultural Method Statement and associated documents agreed under application reference number CON/TH/22/1368; condition 6.

GROUND

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

7 The development shall be carried out in accordance with the approved hard and soft landscaping as agreed under application reference number CON/TH/22/1368; condition 7.

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

8 All hard and soft landscape works, including ecological enhancement features, shall be carried out in accordance with the approved details. The works shall be carried out prior to the first occupation/use of any part of the development, or in accordance with a programme of works to be agreed in writing with the Local Planning Authority. Following completion of the landscape and enhancement works, photographic evidence of implementation shall be submitted to and approved in writing by the Local Planning Authority in order to verify the works have been completed in accordance with the approved plans, and to enable the full discharge of this condition. 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 as those originally planted, unless written approval to any variation is provided by the Local Planning Authority. All ecological enhancement features shall thereafter be maintained.

GROUND

In the interests of the visual amenities of the area, biodiversity enhancement, and to adequately integrate the development into the environment in accordance with Policies QD02, SP30 and GI04 of the Thanet Local Plan

9 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.

10 The development hereby permitted shall be constructed in order to meet the required technical standard for water efficiency of 110 litres/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 110 litre /person/day, in accordance with Policy QD04 of the Thanet Local Plan.

11 The development shall be carried out in accordance with the Construction Management Plan as agreed under application reference number CON/TH/22/1368.

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

12 The area shown on the approved plan numbered 02E 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

SITE, LOCATION AND DESCRIPTION

The application site is located on the eastern side of Sowell Street, Broadstairs. The site also has part of the rear boundary directly fronting onto Crawford Road. The site was garden land associated with a property known as Green Lawns (to the north of the site boundary). At present the application site is overgrown with vegetation and trees mainly around the perimeter of the site. Three trees on site are covered by an area Tree Preservation Order (B/TPO/2(1974) A1). The site is enclosed on Sowell Street by a red brick wall. The site is rectangular in shape and measures approximately 41m x 45m. It is surrounded by residential development to the north, south and east and to the west is St Joseph's Catholic Primary School.

RELEVANT PLANNING HISTORY

F/TH/20/0575 Erection of 4No. two storey 4 bed detached dwellings with associated access, parking and landscaping. Granted 03/02/21

F/TH/17/0572 Erection of 3 No 4-bed dwellings. Granted 13.09.2017

F/TH/09/0505 Erection of 8 no dwellings with associated parking and landscaping works. Refused 18/08/2011. Appeal Dismissed

PROPOSED DEVELOPMENT

Planning consent was previously approved under planning reference F/TH/20/0575 for the erection of 4 detached dwellings on the 3rd February 2021.

Planning consent is sought for the removal of 4 no trees (all of which are Sycamores) around the proposed driveway layout; these trees were identified for retention in the previous consented scheme, as the applicant advises that the existing tree bases and roots will prevent the construction of the proposed driveways. The submitted tree report classes these as BS Category Grade 'C' and 'U' trees. Initially a further tree was proposed for removal to the side of unit 1 and adjacent to existing dwelling no.4 Crawford Road owing to health and safety concerns in relation with the adjacent property; No4. Crawford Road. This has since been omitted from this application.

In addition it is proposed to raise the finished floor level (FFL) by 225mm to match the FFL of unit 3 which is set at +37.230 AOD. The application details that this is required by the drainage consultant in order to allow a connection to mains sewer by gravity.

The trees for removal are shown on an amended plan together with an updated Arboricultural Method Statement (both received 16th May 2023).

DEVELOPMENT PLAN POLICIES

Thanet Local Plan 2020

SP01 - Spatial Strategy - Housing
SP13 - Housing Provision
SP14 - General Housing Policy
SP27 - Green Infrastructure
SP28 - Protection of the International and European Designated Sites
SP29 - Strategic Access Management and Monitoring Plan (SAMM)
SP30 - Biodiversity and Geodiversity Assets
SP35 - Quality Development
SP43 - Safe and Sustainable Travel
H01 - Housing Development
GI04 - Amenity Green Space and Equipped Play Areas
QD01 - Sustainable Design
QD02 - General Design Principles
QD03 - Living Conditions
QD04 - Technical Standards
TP02 - Walking
TP03 - Cycling
TP06 - Car Parking

Broadstairs and St Peters Neighbourhood Plan

BSP3: Protecting and Providing Important Trees

BSP9: Design in Broadstairs & St. Peter's

BSP12: Full Fibre Broadband Connections

NOTIFICATIONS

Letters were sent to adjoining occupiers, and a site notice posted close to the site.

Three representations have been received, one of which supports the application due to damage to their property. The concerns can be summarised as follows:

- Inadequate access
- Inadequate parking provision
- Increase danger of flooding
- Increase in traffic
- Traffic or Highways
- Would like to know why so many trees are being removed
- No pavement on this side of the road
- Nature of Sowell Street will be lost by the removal of the trees

Broadstairs Town Council: The Planning Committee of the Town Council has considered this application and resolved unanimously to recommend REFUSAL on the grounds that the trees play a significant role in Sowell Street.

Broadstairs Society: The application makes reference to a tree report. Where is it? Until the Society sees it, to make comment, it cannot support the application.

CONSULTATIONS

KCC Highways: Non-protocol application and, therefore, no comments to make.

Environment Agency: This application relates to condition(s) that was/were not requested by us, we therefore have no comments to make with regards to the discharge/variation of condition(s).

TDC Tree Officer: The submitted revised Site Plan Block (their reference 02 F) appears to show five existing trees to be removed, annotated as "trees removed as per tree report", presumably referring to the LaDellWood tree survey submitted with the original application (F/TH/20/0575). The trees are not numbered, so not directly relatable to the tree survey. The plotted location of four of these five trees appears to be close to proposed internal driveway and parking, the other is close to Unit 1 and the southern boundary. There would likely be significant incursion into their root protection areas (rpa) and on this basis removal appears reasonable.

There are a number of other trees shown on the plan, annotated as "trees retained as per tree report". Again, the trees are not numbered, so not directly relatable to the tree survey. I

note comments in the Officer Report for 20/0575 that revisions allow for trees to be retained, as shown on the applicant's previously revised Site Block Plan (ref. 02 E), but the tree report as submitted shows almost all trees on the site to be removed. For the sake of clarity, I suggest the current plan be amended to remove reference to the tree survey.

The proposed driveway and parking areas make significant incursions into the rpa's of many of the retained trees, also a small part of the footprint to Unit 1. As the tree survey and report was based on the assumption that all trees were to be removed, I've not seen any assessment of the impact on tree roots and health, nor any mitigation (e.g. construction above existing levels).

The tree report makes reference to existing soil levels being apparently raised around the base of trees and across the site. It says this is shown on their drawing 2338/15/B/1, but not as far as I could see. I couldn't find any reference to whether the proposed development requires existing levels to be raised/lowered, with any consequent implications for trees.

I note Condition 6 of the 20/0575 consent requiring submission and approval of an Arb Method Statement before works commence on site. This is a potentially important document now, particularly as I understand some of the trees are TPO'd, and must address these last two points.

COMMENTS

This application is referred to the Planning Committee at the request of Cllr Garner, for Members to assess the impact of the proposed loss of trees.

The main considerations in assessing the submitted scheme are the impact upon the character and appearance of the area, and impact upon trees and ecology.

Principle

The principle of the residential on the site was agreed under the consent F/TH/20/0575, which is still extant. As such, there is no in principle objection to this residential development of the site.

Character and Appearance

Paragraph 130 of the National Planning Policy Framework (NPPF) states decisions should ensure that developments will function well and add to the overall quality of the area, are visually attractive as a result of good architecture, layout and appropriate and effective landscaping, sympathetic to local character and history, establish or maintain a strong sense of place, and optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development and create places that are safe, inclusive and accessible.

Paragraph 130 of the NPPF also 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. Paragraph 135 of the NPPF states that "Local Planning Authorities should seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being

made to the permitted scheme (for example through changes to approved details such as the materials used)."

Policy QD02 of the Thanet Local Plan outlines that the primary aim of new development is to promote or reinforce local character and provide high quality and inclusive design that is sustainable in all other respects. Proposals should therefore relate to surrounding development, form and layout, be well designed, pay particular attention to context and identity of location, scale, massing, rhythm, density, layout and materials, and be compatible with neighbouring buildings and spaces.

As stated above, this application seeks to raise the finished floor level (FFL) of unit 4 by 225 mm to match that of unit 3. A proposed site section and front elevations plan has been submitted that indicates that this marginal increase in FFL would not have a significant visual impact upon the amenities of the area as the increase would not be perceivable given the limited increase.

As such it is not considered that the proposal would conflict with the aims of the NPPF or policies of the Local Plan or Broadstairs and St. Peters Neighbourhood Plan.

Trees

The site contains a number of trees covered by a Tree Protection Order (TPO) (under reference B/TPO/2(1974)A1). The Order covers the entire site for those trees that were present in 1974.

The previous application F/TH/20/0575 included a Tree Survey paragraph 4.1 of the Tree Survey submitted to support the previous application and carried out March 2020, stated that "The proposal is to construct four dwellings with access using the southern entrance to the site from Sowell Street. The existing wall on the Sowell Street frontage will be retained in the proposals. As recommended, trees 1 and 3 to 15 will be removed. Tree 16 will also be removed. The details of the construction following BS5837:2012 are shown on plan 2338/15/B/2C. All the tree protection fencing will be erected before work starts on site and this will ensure that the trees are properly protected during construction and will not be affected by these works."

A total of the 15 trees of the 16 trees on site were proposed to be removed under application F/TH/20/0575. Following concerns expressed by the officer during the consideration of application F/TH/20/0575 the agent confirmed that all trees would be retained.

In addition under the original application concerns were raised about the impact of hard surfacing on the root protection areas of the retained trees, the site block plan had been amended (02E) to show remove the reference to any hard surfacing material pending the outcome of further assessments to ensure that the root protection areas of the trees to be retained are taken into account.

Since this time it is now considered by the applicant that 4 trees will need to be removed in order to make provision for the driveway, these are trees T1, T7, T8 and T15 all Sycamore trees and all category C except for T15. Hence the submission of this variation of condition

application. Category C is classed as low quality trees expected to have a lifespan of over 10 years and U is unsuitable for retention. All these trees are indicated as being mature with the exception of T15 which is identified as over mature. Given that the TPO dates back some 51 years it is unlikely that these Sycamore trees were present on the site when the order was made and, therefore, not covered by the Order. As such, whilst these four trees may give some presence and a more verdant nature to the front of the site it is considered that their removal would not result in significant harm to the area or amenity. Given that they are unlikely to be covered by the TPO it is recognised that they could be removed if this condition had not been attached. On balance therefore it is not considered that an objection could be sustained.

Conditions 6 on the original application related to the submission of an Arboricultural Method Statement and landscaping details. The details contained within the documents submitted with the discharge of condition application (reference CON/TH/22/1368), were considered acceptable, this also included the planting of 5 new trees along the eastern boundary with a mix of Acer Campestre and Betula Pendulas. In order to safeguard this a condition can be attached to this consent to ensure the planting of these trees, should Members resolve to approve.

Given the above limited removal of 4 trees that appear too young to be covered by the TPO and planting of 5 new trees along the eastern boundary the proposal is considered acceptable.

Living Conditions

Policy QD03 (Living Conditions) states that all new development should: 1) Be compatible with neighbouring buildings and spaces and not lead to the unacceptable living conditions through overlooking, noise or vibration, light pollution, overshadowing, loss of natural light or sense of enclosure. 2) Be of appropriate size and layout with sufficient usable space to facilitate comfortable living conditions and meet the standards set out in QD04. 3) Residential development should include the provision of private or shared external amenity space/play space, where possible. 4) Provide for clothes drying facilities and waste disposal or bin storage, with a collection point for storage containers no further than 15 metres from where the collection vehicle will pass.

The removal of trees would not harm living conditions as it would not reduce light to neighbouring occupiers.

In terms of the increase in FFL the increase is marginal (225mm) and would not have an impact on the property to the north of unit 4, as this modest change would not be perceivable or increase harm to such a level that would be unacceptable.

Therefore the changes proposed in this application would have a neutral impact on future occupiers and comply with national and local policies.

Transportation

The proposed amendments will not have an impact on the siting or location of the dwellings. As such, there would be no adverse impact on highway safety or parking as a result of the proposed changes of window material.

Contributions

Natural England has previously advised that the level of population increase predicted in Thanet should be considered likely to have a significant effect on the interest features for which the Thanet Coast and Sandwich Bay Special Protection Area (SPA) and RAMSAR have been identified. The previous application included an obligation to pay towards the Strategic Access Management and Monitoring Plan (SAMM) in accordance with Policy SP29 of the Local Plan.

The proposed amendments do not vary the amount of SAMM contribution required for the development under F/TH/20/0575. It appears, however, that this contribution has not yet been received. If this application to vary condition 2 was approved, either the payment of the contribution would need to have been paid prior to issuing the decision or a new obligation entered into for payment of the SAMMs, otherwise the proposal would contribute towards a significant effect on the designated sites, contrary to Policy SP29 and the Habitat Regulations. Clarification has been sought if this payment has been made, however, no response has been received to date. If the payment has not been received a new Unilateral Undertaking will be required to secure the payment as well as monitoring fee.

Other Matters

A discharge of condition application has been submitted against the 2020 application. It is confirmed that conditions 3 (materials), 6 (arboricultural method statement), 7 (landscaping) and 11 (construction management plan) have been agreed. This will need to be reflected in the new conditions for the scheme should Members resolve to approve the proposal.

Conclusion

It is considered that the changes to the finished floor levels of unit 4 would not impact negatively on the street scene or neighbour amenity. Since the submission of the application the number of trees to be removed has been reduced to 4. These trees are all sycamores and are all category U with the exception of 1. Their removal is required specifically to accommodate the driveway to the dwellings approved. Taking into account their maturity as detailed within the Arboricultural Report submitted with the application it is considered that they are unlikely to have been in situ at the time of the Tree Preservation Order being confirmed some 51 years ago. As such it is considered that the loss of these four trees is acceptable, with 5 additional trees agreed to be planted on site. Therefore it is recommended that the variation of condition application is deferred and delegated for approval subject to safeguarding conditions and receipt of a legal agreement securing the required planning obligation/confirmation of payment of obligation under F/TH/20/0575.

Case Officer

Gillian Daws

TITLE:

F/TH/22/1341

Project

16 Sowell Street BROADSTAIRS Kent CT10 2AT



**Planning Application F/TH/22/0399 - 15 Park Lane
Birchington Kent CT7 0AN**

Meeting	Planning Committee – 19th April 2023
Report Author:	Duncan Fitt, Planning Officer
Planning Reference:	F/TH/22/0399
Site Address:	15 Park Lane, Birchington
Applicant:	Mr D Brazier
Status	For Decision
Classification:	Unrestricted
Previously Considered by	Planning Committee 20th July 2022
Ward:	Birchington South

Executive Summary:

This report concerns an application submitted under reference F/TH/22/0399 for the erection of part two storey part one storey building to accommodate 5No 1 Bed and 1No 2 bed flats following demolition of existing building with associated bin and cycle store that was brought to Planning Committee on the 20th July 2022 with a recommendation to Defer and Delegate the application for approval following receipt of a signed Unilateral Undertaking securing the SPA contribution. Members voted to agree the officer recommendation.

The Unilateral undertaking securing the SPA contribution was received more than 6 months after the decision of the previous committee and, therefore, the application is reported back to members due to the time that has passed since the original decision.

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

Recommendation:

Members approve the application subject to safeguarding conditions at Annex 1.

Corporate Implications

Financial and Value for Money

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

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

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

Legal

However, if officers' professional or technical advice is not followed, authorities will need to show reasonable planning grounds for taking a contrary decision.

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

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

Corporate

The delivery of new housing through the Local Plan and planning applications supports the Council's priorities of supporting neighbourhoods ensuring local residents have access to good quality housing, and promoting inward investment through setting planning strategies and policies that support growth of the economy.

Equalities Act 2010 & Public Sector Equality Duty

Members are reminded of the requirement, under the Public Sector Equality Duty (section 149 of the Equality Act 2010) to have due regard to the aims of the Duty at the time the decision is taken. The aims of the Duty are: (i) eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act, (ii) advance equality of opportunity between people who share a protected characteristic and people who do not share it, and (iii) foster good relations between people who share a protected characteristic and people who do not share it.

Protected characteristics: age, gender, disability, race, sexual orientation, gender reassignment, religion or belief and pregnancy and maternity. Only aim (i) of the Duty applies to Marriage & civil partnership.

In the opinion of the author of this report the Public Sector equality duty is not engaged or affected by this decision.

1.0 Background

- 1.1 Members considered this application under planning reference F/TH/22/0399 for the erection of part two storey part one storey building to accommodate 5No 1 Bed and 1No 2 bed flats following demolition of existing building with associated bin and cycle store
- 1.2 The application was brought to the Planning Committee on 20th July 2022 and members voted to defer and delegate the application under reference F/TH/22/0399 for approval following receipt of a signed Unilateral Undertaking securing the SPA contribution within 6 months of this resolution.

2.0 Analysis

- 2.1 The proposal relates to the plan condition attached to F/TH/22/0399 for the erection of part two storey part one storey building to accommodate 5No 1 Bed and 1No 2 bed flats following demolition of existing building with associated bin and cycle store that was brought to Planning Committee on 20th July 2022 and recommended to Members to defer and delegate for decision once the Council received a signed Unilateral Undertaking for contributions.
- 2.2 Members voted to defer and delegate the application under reference F/TH/19/0874 for approval following receipt of a signed Unilateral Undertaking securing the SPA contribution within 6 months of this resolution.
- 2.3 The signed Unilateral Undertaking securing the required contribution has been received, however as more than 6 months has elapsed since the resolution of the planning committee the application must be reported back to members for a decision to be issued. Whilst since the resolution of members the Council's Local Plan has been adopted, the adoption of the plan does not alter the assessment of the material planning considerations outlined in Annex 1.
- 2.4 As the legal agreement securing the SAMM contribution has now been received it is recommended that Members approve the application.

3.0 Options

- 3.1 Members approve the application subject to safeguarding conditions as outlined at Annex 1.
- 3.2 Members propose an alternative motion.

4.0 Recommendations

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

Contact Officer: *Duncan Fitt, Planning Officer*
Reporting to: *Annabel Hemmings, Principal Planning Officer*

Annex List

Annex 1: Committee Report F/TH/22/0399

(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.

4 Prior to the commencement of development hereby permitted, a land level plan that identifies the existing and finished ground levels of the site shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

GROUND:

In the interests of visual amenity and neighbouring amenity, in accordance with Policies QD02 and QD03 of the Thanet Local Plan.

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

GROUND:

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

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

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

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

- o walls, fences, other means of enclosure proposed

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

GROUND:

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

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

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GROUND:

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

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

GROUND:

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

9 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, unless otherwise agreed in writing by the Local Planning Authority.

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.

10 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.

11 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.

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12 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.

13 The first floor windows window in the northern and southern elevations serving flats 4 and 5 elevation of the development hereby approved shall be non-opening below 1.73m above the finished internal floor level, and provided and maintained with obscured glass to a minimum level of obscurity to conform to Pilkington Glass level 4 or equivalent; and shall be installed prior to the first occupation of the development hereby permitted and permanently retained thereafter.

GROUND:

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

INFORMATIVES

Information on how to appeal this planning decision or condition is available online at <https://www.gov.uk/appeal-planning-decision>

Please be aware that your project may also require a separate application for Building Control. Information can be found at:

<https://www.thanet.gov.uk/services/building-control/> or contact the Building Control team on 01843 577522 for advice.

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

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to contact KCC Highway and Transportation to progress this aspect of the works prior to commencement on site

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

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

SITE, LOCATION AND DESCRIPTION

The application site is located close to the junction with Anvil Close and currently comprises a single storey detached building with a pitched roof and a gable end fronting the road, which sits within an open grassed area. To the north of the site is a public right of way providing access from Park Lane to Linington Road and beyond that is the Birchington Conservation Area. Within the immediate vicinity there are a variety of different dwellings with properties on the western side of the road largely comprising terraced dwellings set close to the highway and dwellings on the eastern side of the road including semi-detached properties set back from the road behind a large grass verge and front gardens enclosed by low fences. To the north of the site the area enclosed by the Conservation Area includes built development that is more tightly knit and enclosed by tall boundary walls.

RELEVANT PLANNING HISTORY

TH/84/1159 - Renewal of consent for use of hall as a band practice room.

PROPOSED DEVELOPMENT

The proposed development is the erection of part two storey part one storey building to accommodate 5No 1 Bed and 1No 2 bed flats following demolition of existing building with associated bin and cycle store.

The proposed building is divided into a number of sections with the first floor of the front and rear projections being located within the roof and a narrow two storey section in front of the main two storey section of the building. The proposed front projection would be similar in scale and location to the existing building and the main two storey section would be set along a similar line to the southern neighbour, number 23 Park Lane. Landscaping would be provided around the site with private gardens for three of the units and a communal amenity space at the rear of the site.

An amended plan has been submitted during the application process removing the drop off area at the front of the site and altering the location of the bin collection point. The initial plan also proposed grey panelled sections to the elevations which have been replaced with tile

hanging and the arrangement of the proposed windows has been altered. Internally unit one has been altered to increase the usable floor area.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan

SP01 - Spatial Strategy - Housing
SP13 - Housing Provision
SP14 - General Housing Policy
SP22 - Size and Type of Dwellings
SP27 - Green Infrastructure
SP29 - Strategic Access Management and Monitoring Plan
SP30 - Biodiversity and Geodiversity Assets
SP34 - Provision of Accessible Natural and Semi-Natural Green Space, Parks, Gardens and Recreation Grounds
SP35 - Quality Development
SP37 - Climate Change
SP41 - Community Infrastructure
SP43 - Safe and Sustainable Transport
SP44 - Accessible Locations
CM02 - Protection of Existing Community Facilities
HO1 - Housing Development
HO21 - Residential use of empty property
HE01 - Archaeology
GI04 - Amenity Space/Equipped Play
GI06 - Landscaping and Green Infrastructure
SE05 - Air Quality
QD01 - Sustainable Design
QD02 - General Design Principles
QD03 - Living Conditions
QD04 - Technical Standards
QD05 - Accessible and Adaptable Accommodation
TP03 - Cycling
TP06 - Car Parking

NOTIFICATIONS

Letters were sent to neighbouring property occupiers and a site notice was posted close to the site.

Five letters of objection have been received raising the following concerns:

- Close to adjoining properties
- Development too high
- General dislike of proposal
- Increase in traffic

- Increase of pollution
- Loss of light
- Loss of privacy
- Noise nuisance
- Lack of parking
- Need for additional street lighting
- Impact upon protected trees
- Loss of open space
- Proximity of bin store to neighbouring properties
- Odour
- Security concerns
- Proposed amenity space may be used by non-residents

Fifteen letters of support have been received raising the following points:

- There is a need for one bedroom properties in the area
- Development would provide affordable housing
- Site is in a good location
- Site is currently used for fly tipping
- Need for housing
- The site is not public green space it is private land
- Development would improve the economy
- Development would improve the appearance of the area
- Sustainable location

Birchington Parish Council - Objects to the application with the following concerns:

- Inadequate parking provision
- More open space needed on development
- Over development
- Loss of green space

CONSULTATIONS

Environment Agency - We have no comments to make on this planning application as it falls outside our remit as a statutory planning consultee.

KCC Highways - Updated comments received 24 June 2022

I can confirm the parking beat survey that has been provided is satisfactory and although a level of off street parking would be preferable, an objection would not be sustainable on highway grounds. On balance, the proposed development is situated close to local amenities and benefits from being within close proximity to bus routes and the rail station.

Following the submission of further details, the applicant has removed the parking area and replaced it with a footpath to provide a pedestrian link to the front of the development. The applicant will need to submit a detailed design plan which shows the exact extent of the

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proposed footpath to be agreed with KCC S.278 Agreements Engineer, along with a Stage 1 Safety Audit. A Stage 2 Safety Audit will need to be completed during the Agreement submission. Attached are the supplementary S.278 guidance notes which provide further information regarding the process.

Initial comments received

I refer to the above planning application and confirm I have the following comments to make in relation to the proposals for the erection of part 2 storey part 1 storey building to accommodate 5 No 1 bed and 1 No 2 bed flats.

Access

The applicant has provided details on drawing 'ground floor plan Rev A' which shows an area to the front of the development for 'cars only'. It is unclear what this area is to be used for and therefore further clarity is required of its purpose. As the trip rates generated for the proposed development are likely to exceed that of its existing use as a carpet warehouse, visibility splays 2.4m x 43m (based on the 30mph speed limit on Park Road) will need to be demonstrated on a scale plan. These splays must have no obstruction over 1.05m, and the splays must only encompass land that is in the control of the applicant or KCC as the local highway authority.

The applicant has also detailed a bin collection area, further details are required to determine if the collection will be made from this point thus expecting a refuse lorry to collect off of the main Park Lane or if this is to be made roadside. Should the refuse vehicle be collecting from the bin collection area, a swept path will need to be provided to demonstrate that a vehicle of this size will be able to access this point. In line with Public Right of Way colleagues comments, the existing PROW TBX16 should not be obstructed in any way. Similarly, planting at the perimeter of the site should be within 1.5 metres of the PROW, and should not exceed 1.2 metres in height. All vegetation is maintainable by the occupiers of the Units or appropriate maintenance company

Parking

Although the highway authority (HA) does not raise any objection to the principal of development in this location it must be noted that there is already parking stresses in the surrounding area, and any developments must seek to avoid exacerbating this issue. The applicant has provided details of a parking survey however the times and dates in which these surveys were conducted will need to be revised and resubmitted. The dates and times outlined in the beat survey were Thursday 19th October 1300-1400 hours and Sunday 2nd January 2022 between 1820-1900 hours. The survey mentions that due to Covid - 19 restrictions on the dates of the surveys it is extremely unlikely that residents were away from home or on holidays at those times. However, I can confirm restrictions were at these times 'eased' and therefore it is not a true representation of what parking habits on these roads are likely to currently be. I therefore request that the applicant submits surveys, where the data has been collected between the hours of 0100-0200 to enable us to fully assess the residential impact on the street parking. I would like to confirm that the roads included in the report and the 200m radius is sufficient however the times will need to be amended.

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KCC Public Rights of Way - The proposed development directly affects Public Right of Way TBX16 the location of which is indicated on the attached extract of the Network Map of Kent. The Network Map is a working copy of the Definitive Map. The existence of the right of way is a material consideration.

The Definitive Map and Statement provide conclusive evidence at law of the existence and alignment of Public Rights of Way. While the Definitive Map is the legal record, it does not preclude the existence of higher rights, or rights of way not recorded on it.

The proposed development would impact on the right of way and would result in a significant loss of public enjoyment. On that basis I would ask for the following 4 conditions to be applied in the decision notice.

Currently the land adjacent to the public right of way is open with a spacious impression. The proposal is to plant hedging around the perimeter of the site for the reasons of privacy. "There should be no hedging or shrubs planted within 1.5 metres of the edge of the Public Path."

"Any hedging is maintainable by the occupiers or maintenance establishment for the flats." Ideally, we would not want these hedges to grow over 1.2 metres to detract from the footpath becoming a corridor route.

It appears from the site layout plan that the bin collection will be via the footpath, "Bins should not be stored on the footpath for any length of time or be an obstruction of its use."

"There Should be no parking on the footpath at any time or obstruction of its use, either during or following any approved development."

Please also make sure that the applicant is made aware that the granting of planning permission confers on the developer no other permission or consent or right to close or divert any Public Right of Way at any time or obstruct the footpath either during or following any approved development. Without the express permission of the Highway Authority.

Natural England - No objection subject to securing appropriate mitigation

Southern Water - Southern Water requires a formal application for a connection to the public foul sewer to be made by the applicant or developer.

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

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.

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TDC Conservation Officer - 15 Park Lane Birchington is not directly within the Birchington Conservation Area but it is directly adjacent to it and as such has a perceivable implication to its setting and appearance.

Thanet's Local Plan, policy HE02, states within Section 7 'The character, scale and plan form of the original building are respected and the development is subordinate to it and does not dominate principal elevations.' As well as Section 8 which states 'Appropriate materials and detailing are proposed and the development would not result in the loss of features that contribute to the character or appearance of the conservation area. New development which would detract from the immediate or wider landscape setting of any part of a conservation area will not be permitted.'

NPPF Section 16, Paragraph 197 states, In determining applications, local planning authorities should take account of (a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation as well as (b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and (c) the desirability of new development making a positive contribution to local character and distinctiveness.

As well as paragraph 194 which stated when determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

Guidance under the National Design Guide Section C2, Paragraph 45 highlights that when determining how a site may be developed, it is important to understand the history of how the place has evolved. The local sense of place and identity are shaped by local history, culture and heritage, and how these have influenced the built environment and wider landscape and paragraph 47 which states Well-designed places and buildings are influenced positively by the local vernacular, including historical building typologies such as the terrace, town house, mews, villa or mansion block, the treatment of façades, characteristic materials and details.

Pre-application advice was undertaken before receipt of this formal application at which point concerns were raised regarding the scale of the proposed and the implication this would have on the adjacent conservation area. Unfortunately it does not appear that these concerns have been adhered to as no amendments have been made to the design or scale of the proposed.

The current street scene of Park Lane hosts many different building forms, including semi detached, detached, terraces and later addition small estates. I am not against the principle of development of this site, as I believe an appropriate form and scale would likely

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cohesively blend with the visual environment. However, the proposed scheme is substantial in its height and footprint in comparison to that existing built form of the site. An attempt has been made to gradually increase this scale in the built form of the proposed, moving backwards through the site, however it will be very much visible in the context of the adjacent conservation area, and as such I believe it to cause harm.

The site as it currently stands has a large amount of setting and open space around the property of which I believe will largely be lost by the proposed scheme. Although not a vital aspect of the conservation environment, open spaces allow for glimpse through the site to the historic environment, including the nearby Grade II listed church on Canterbury Road which is considered a positive feature and will be lost. This is a stark contrast to the dense core of Birchington and a relief amongst the street scene.

I can acknowledge that following the raising of some initial concerns on receipt of the applications the material palette of the proposed has been adapted in a minor way. Cladding has been swapped for tile hanging which improves the visual element of the scheme. However no adaptations were made in height or footprint of the proposed building. The positioning of some roof lights have also been swapped.

Section 194 of the NPPF states that when determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. Reviewing the information that has been submitted through the original design and access statement and the additional heritage statement an attempt has been made to assess nearby assets close to the site, however the implication to the overall conservation area has been largely dismissed. With section 9.7 stating that the proposed will actually improve the conservation area by developing the site. I do not believe this to be the case given the concerns of the scale proposed, as expressed at pre application and now formal application stage.

Submitted proposed plans showing the existing built form around the site would have been incredibly helpful in demonstrating this point in either regard, as they would have shown the relationship between the proposed and the existing street scene and what it could look like in terms of scale. Excluding this style of plans I believe reduces the inferred implication of the scale of the building as such making it look shorter and therefore more acceptable.

I am not against the premise of development on this site in principle, however I do not believe it should be to the detriment of the adjacent conservation area or negatively impacting the nearby historic environment.

Overall I do not believe that this application has fully considered the implications to the nearby historic environment as demonstrated by the size of the proposed development which would undoubtedly have a negative impact on the adjacent conservation area. It would very likely appear as overdevelopment of the site and a substantial increase in size as to what currently exists in terms of built form, ultimately dwarfing the surrounding area and as such appearing out of place. This is in direct contrast Thanet's Local Plan, policy HE02, states within Section 98 of which states 'New development which would detract from the immediate or wider landscape setting of any part of a conservation area will not be permitted'. Due to these reasons I object to the proposed and suggest it is reconsidered.

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TDC Environmental Health - We have considered the potential for environmental health impacts and offer the following comments.

Contaminated Land

Whilst it is noted from the application that the land proposed for development is not suspected to have contamination, given the scale of the plans, we would propose the following:

Recommended Condition:

If, during development, significant contamination is suspected or found to be present at the site, then 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.

COMMENTS

This application has been brought before members by Cllr Fellows to consider whether this proposal represents overdevelopment.

Principle

Policy SP01 of the Thanet Local Plan sets out the spatial strategy for the district and states that the primary focus for new housing development in Thanet is the urban area as identified on the Policies Map. Policy HO1 of the Thanet Local Plan states that permission for new housing development will be granted on non-allocated sites within the confines of the urban area and villages.

A hall would be considered as community facilities and Policy CM02 of the Local Plan seeks to protect against the loss of such facilities. It states that:

"Proposals which would result in the loss of a community facility will not be permitted unless it can be demonstrated:

- 1) there is alternative local provision which is accessible to the local community and the proposal will not undermine the ability of the community to meet its day to day needs; or
- 2) every reasonable attempt has been made to secure an alternative community use and the site is not viable for redevelopment to provide alternative community facilities; or
- 3) alternative provision of at least equivalent, or where possible, improved community benefit is provided in a convenient accessible location to serve the existing community."

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Signed affidavits, invoices and council tax bills have been submitted indicating that the property has been used as a carpet warehouse since July 2008. It therefore appears that the building has not been in a community use for a significant period of time and the existing use of the property as a carpet warehouse may be lawful as the use has occurred uninterrupted for more than 10 years. Furthermore the Council has not received any enforcement complaints regarding the change of use. It is therefore considered that given the time that has elapsed that there is sufficient alternative local provision and the loss of this facility would not undermine the ability of the community to meet its day to day needs.

The principle of development is therefore considered acceptable subject to all other material considerations.

Character and Appearance

Paragraph 130 of the National Planning Policy Framework (NPPF) states decisions should ensure that developments will function well and add to the overall quality of the area, are visually attractive as a result of good architecture, layout and appropriate and effective landscaping, sympathetic to local character and history, establish or maintain a strong sense of place, and optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development and create places that are safe, inclusive and accessible.

Policy QD02 of the Thanet Local Plan outlines that the primary aim of new development is to promote or reinforce local character and provide high quality and inclusive design that is sustainable in all other respects. Proposals should therefore relate to surrounding development, form and layout, be well designed, pay particular attention to context and identity of location, scale, massing, rhythm, density, layout and materials, and be compatible with neighbouring buildings and spaces. Any external spaces and landscape features should be designed as an integral part of the scheme.

The site is located adjacent to the Birchington Conservation area therefore the Council must take into account Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, which requires that in relation to conservation areas, 'special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the area.' Paragraph 192 of the National Planning Policy Framework requires local planning authorities to take account of the desirability of sustaining and enhancing the significance of heritage assets, and the desirability of new development making a positive contribution to local character and distinctiveness. The NPPF requires that where a development causes substantial harm, or less than substantial harm but where the harm is not outweighed by public benefit, permission should be refused.

Policy HE02 of the Thanet Local Plan states that new development which would detract from the immediate or wider landscape setting of any part of a conservation area will not be permitted.

The existing site comprises a single storey dark grey pitched roof building set on the southern side of the site, forward of 23A Park Lane. There is no boundary treatment around the northern or western boundaries of the site and a protected tree is located in the north eastern corner. The remainder of the site is grassed. The site is private open space,

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however doors currently provide a break between the historic properties and the conservation area to the north and the late residential development to the south. Whilst there is merit to the open space it is considered that this site could be developed provided an aspect of openness is retained.

Development surrounding the application site varies greatly in character and appearance with modern and traditional dwellings all within close proximity to each other and large variations in the arrangement of the properties and their proximities to the highway. Dwellings to the south of the site on the eastern side of Park Lane comprise two storey 20th century semi-detached dwellings and are set back from the road by 19m. Opposite these properties are older terraced dwellings which either, immediately about the pavement, or have small front gardens. Opposite the side is Anvil Close which is a relatively modern development of two storey semi-detached dwellings with high boundary walls enclosing the side and rear gardens. To the north of the site is the Conservation Area where buildings have a variety of forms and orientations. The proposed building would have a varied form, with staggered elevations and roofs adding variety to the design and breaking up the mass of the development. The building would be constructed from plain roof tiles, tile hanging, black rainwater goods, red multi stock bricks, grey aluminium windows and dark red brick detail course. The building would have a substantial depth, significantly larger than the neighbouring properties, however the front section would have a similar footprint to the existing building on the site, with a large space retained to the front boundary and in the north western corner. A narrow two storey section would be located behind the front section with the main two storey section located along a similar line to the front elevation of 23A Park Lane. At the rear of the site the development would step down in height and away from the boundary and an amenity area would be formed at the rear of the site between the rear elevation and the boundary with 35 and 37 Linington Road. The roof of all sections would hip away from the boundaries and at the tallest point would be similar in height to number 23A Park Lane. All of the neighbouring properties are two stories in height and given the similarities in height to the neighbouring properties the height of the proposed building is considered to be appropriate. Due to the staggered floorplan and heights the bulk of the building is only likely to be fully apparent from the footpath adjacent to the two storey sections. This is considered to be an isolated viewpoint and the bulk is not considered to be unduly prominent in wider views. The altered materials are considered to accord with the vernacular of the area and would help to break up the mass of the building. Whilst the building would be different to the surrounding development given the variety in design and location of the surrounding dwellings and the existing building which projects forward of the neighbouring properties the proposed building is not considered to be significantly harmful to the character and appearance of the area.

With regard to the impact of the development upon the setting of the adjacent conservation area, the current open space does provide a break between the conservation area and the neighbouring development, however there would be a separation distance of 4.4m between the closest point of the side elevation of the proposed building and the boundary with the conservation area. The Conservation officer has raised objection to the development on the grounds of the scale and design of the building resulting in an overdevelopment of the site and harm to the setting of the adjacent conservation area. There is no consistent pattern to the development of this section of the conservation area and the density of development within it appears higher than the current development on the site and to the south.

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Furthermore it is considered that given the staggered arrangement of the building, the existing views into the Conservation area could still be obtained from Park Lane and towards nearby listed buildings including Birchington Methodist Church.

It is acknowledged that the proposed building is large in size, however the primary views would be from Park Lane where the development steps back into the site and the depth of the building is only likely to be appreciated in immediate views from the footpath along the northern boundary. The proposed materials are considered to be appropriate for the location with cues drawn from the neighbouring properties and sufficient design features such as brick details and areas of tile hanging to add interest and variation to the elevations. It is therefore considered that given the staggered design of the building and the separation to the conservation area that the proposed development would result in minimal harm upon the character and appearance of the consideration area, due to the change in context from the development of the site. This level of harm, whilst considered to be minimal, must be given significant weight but also be balanced against the public benefits of the proposal in accordance with Paragraph 202 of the National Planning Policy Framework.

The amended plan has removed a parking area at the front of the site and the plan proposal to add a footpath at the front of the site has also been removed from this application. Additional planting and grass is proposed to the front of the instead, similar in appearance to the existing arrangement.

The protected tree at the rear of the site is shown to be retained and conditions would be applied to ensure that this tree is protected during construction. The submitted plans show a series of hedgerows and trees to be planted around the site. The proposed hedging would extend along the northern boundary of the site and be set back from the boundary with Park Lane retaining an area of open grass to this boundary. Full details of the proposed hard and soft landscaping around the site would be requested by condition to ensure that suitable materials and species are used. The proposed hedges would add a degree of formality to the site by enclosing the boundaries; it is not considered to significantly reduce the openness of the area.

The proposed cycle store and bin store would be located at the rear of the site behind a boundary fence. Details of these stores would be secured by condition to ensure that they are not highly prominent above the boundary fence.

In light of the above it is considered that the amended development would have a minimal detrimental impact upon the character and appearance of the adjacent conservation area and would not result in any significant harm to the wider character and appearance of the surrounding area.

Living Conditions

There would be a separation distance of 14m to the closest northern neighbour, 32m to the rear neighbour, 2.5m to the southern neighbour and 20m to the western neighbour.

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Given the separation distances to the rear and western neighbours the proposed development is not considered to result in any significant loss of light, sense or enclosure or overlooking to these neighbouring dwellings.

The closest neighbouring property to the north, number 17 Park Lane, is orientated with the front elevation facing towards the application site and amenity spaces to the front side and rear. To the west of this property number 9 Park Lane has an amenity space to the south, between the dwelling and a detached garage. Given the arrangement of these properties and the separation distance the proposed development is not considered to result in any significant loss of light or sense or enclosure.

To the south of the site there would be a separation of 2.5m at the closest point, however where the proposed building extends beyond the rear of 23 Park Lane the separation distance increases to 6.5m and the roof of this section of the property would pitch away from the boundary. At the front of the site the existing building extends beyond the front elevation of number 23 by 12m and the proposed building would extend a similar distance. A break would be formed between the two storey section of the new building and the front section adjacent to the front elevation of number 23. The height of the front projection would be increased by 0.8m and the eaves would be reduced by 0.8m compared to the existing building. It is therefore considered that given the arrangement of the existing and proposed buildings and that the site is located to the north of number 23, this proposal would not result in any significant loss of light or sense of enclosure to warrant refusal of the application.

The proposed ground floor windows, due to their location and relationship with the neighbouring properties are not considered to result in any significant opportunity for overlooking. Two windows are proposed in the northern and southern side elevations serving the kitchen and living area for flats 4 and 5. These rooms are also served by a windows in the rear elevation and therefore it is considered that conditions could be applied to the two windows in the northern and southern side elevations to ensure that they are fixed shut and obscure glazed to avoid any direct overlooking across the rear gardens of numbers 23 and 25 Park Lane and the side garden of 17 Park Lane. Any views from the front and rear windows of these properties would be at an obscure angle.

The rooflights serving the first floor bedroom for flat 6 have been reduced in height during the application to improve the outlook for this habitable room and rooflights have been added to the bedroom of unit 1. These sections of the building are set behind the adjacent two storey sections, increasing the separation distance to the boundary with 9 and 17 Park Lane. As noted above number 9 has an outbuilding on the southern boundary of the site and number 17 has amenity spaces around the property. Given the setback of these sections and the arrangement of the neighbouring properties these windows are not considered to result in significant overlooking. First floor windows are also proposed in the northern and western elevations serving a hallway, however as this is not a habitable room, these windows are not considered to result in a significant opportunity for overlooking.

Bin storage is proposed at the rear of the site and a collection point is proposed towards the front of the site. The store is located away from the boundary with 23 Park Lane and given the separation distance to the rear neighbours this bin store is not considered to result in any significant noise, disturbance or odour to the neighbouring dwellings. The bin and cycle store

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would be secured by condition to ensure that they are provided prior to the first occupation of the development. Concern has been raised regarding the use of the rear boundary fence as part of the bin store. Any works to neighbouring properties would require consent from the owners and it is considered that a bin store could be constructed in this location without any works required to neighbouring properties.

The use of the site for residential purposes is not considered to result in any significant increase in noise and disturbance to the neighbouring properties to warrant refusal of the application.

Standard of accommodation for future occupiers

An amended plan has been submitted reducing the height of the double height space in unit 1 to increase the floor area, adding rooflights to the side elevations and reducing the cill heights to provide a better outlook. Following the submission of these amended plans all of the proposed units would meet the space standards set out within policy QD04 of the Thanet Local Plan for one bed and two bed flats. All habitable rooms would receive an acceptable level of light and outlook, with the internal layouts providing useable space for occupants. Private amenity areas would be provided for units 1, 3 and 6 and a shared amenity area would be provided at the rear of the site serving all the units. Whilst not required for 5 of the units as one bed units are not covered by policy GI04, the provision of these areas are considered to be beneficial for residents and contribute to the sense of openness around the development.

A communal bin store is provided at the rear of the site and bins could also be stored within the amenity spaces that are provided for units 1, 3 and 6. It is therefore considered that sufficient space is provided to accommodate bins required for 6 units on the site.

In light of the above the proposed development is not considered to result in any significant harm to the living conditions of the neighbouring property occupiers and would provide an acceptable standard of accommodation for the future occupants, in line with policies QD03 and QD04 of the Thanet Local Plan and the National Planning Policy Framework.

Transportation

The site is within 100metres of the Square in Birchington with local amenities and bus links to the rest of Thanet, and within 800 metres of Birchington train station. Therefore the site is considered a highly sustainable location where alternative forms of transportation to private vehicles are readily available.

The existing use of the site, stated by the applicant to be a carpet warehouse, has the potential to generate a number of movements to and from the site, which does not currently benefit from any formal off-street parking, however the adjacent vehicular accesses appear to previously have been utilised for informal parking at the front of the site.

No parking is proposed as part of this development. The applicant initially provided two parking surveys and a further parking survey has been provided during the application process. The surveys looked at on street parking in Park Lane, Phillips Road, Barrows

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Close, Sewell Close, Linnington Road, Conford Road, Farrar Road and Stone Barn Avenue between the hours of 1pm and 2pm, 6:20pm and 7pm and 12:20am and 1am. Whilst these surveys are not the full hour that was requested by KCC Highways, given the number of surveys (3 in total) and the different times that they cover they are considered sufficient to assess the current level of parking which occurs in the vicinity of the site. No parking is available on-street in front of the site on Park Lane, with double yellow lines restricting parking, with parking bays to the south serving residential properties on either side of Park Lane. To the north-east the site is connected to Linnington Road via a footpath, and Linnington Road has on-street parking provision on one side of the road, with the majority of houses served by off-street parking spaces. The survey shows that according to the Lambeth methodology that 58 potential on street parking spaces could be available close to the site.

KCC Highways have reviewed the proposed development and parking surveys and have raised no objection to the lack of parking, on the grounds of the sustainable location of the site. Whilst the development has the potential to result in additional private vehicles from occupants, this must be weighed against the on-street controls in the vicinity of the site which means that the impact of additional parking on highways safety is sufficient dealt with, as well as the availability of parking in the vicinity as evidenced by the applicant and agreed by KCC Highways. The lack of parking does not result in substandard accommodation being created as the site is in a highly sustainable location within walking distance of bus and train links and the centre of Birchington. The application initially proposed a drop off area at the front of the site, however following concerns raised by officers that the arrangement of this area would result in vehicles backing onto the highway, it has been removed from the plan. Due to the location of the site, opposite Anvil Close and close to the proximity to the section of Park Lane with restricted width, there are also reservations about how an access could be safely achieved in this location.

The application also initially proposed a footpath to the front of the site, however on request of further information by KCC the applicant did not want to provide further information as part of this application and therefore the footpath has been removed from this proposal. Whilst the proposed footpath would have provided a wider benefit to connect the existing footpath to the dwellings to the south of the site, it is not considered that the lack of a footpath would result in highway safety issues resulting from this development.

As outlined above, there is a public right of way path that runs along the northern boundary of the site from Park Lane to Linnington Road and the site would be accessed from this footpath. KCC Public Rights of Way have reviewed the application and have suggested a number of conditions to ensure that the public right of way (PROW) would remain clear and accessible. They have raised concerns regarding the proximity of hedges and their potential height adjacent to the PROW. The proposed hedges would be located within the application site and soft landscaping does not require planning permission. It is therefore not considered reasonable to impose conditions restricting the location or height of the proposed hedges. Details of the proposed hedges would be requested through the landscaping condition to ensure that suitable species are selected for the locations around the site. Concern has also been raised regarding the potential for bins to be stored on the PROW. Both the bin storage area and collection point are located within the application site and therefore it is considered that sufficient space is provided to ensure that bins are not stored on the PROW. Finally concerns have been raised regarding the vehicles parking on the PROW. Whilst the

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proposed dwellings would be accessed from the PROW this is similar to the existing building and parking on the public right of way would be subject to separate enforcement action outside of the planning system. It is therefore considered that the proposed development would not result in any significant harm to the function of the PROW.

Cycle storage would be provided at the rear of the site. As noted above details would be secured by condition and conditions would also be applied to ensure that this cycle store is provided prior to the first occupation of the site and thereafter maintained.

Given the sustainable location of the site, the existing use and that the parking surveys have demonstrated that there is capacity in the surrounding area for on street parking it is considered that the proposed development would have no significant impact upon on highway safety and would not result in a significant increase in demand for on street parking in the area to warrant refusal of the application.

Financial Contributions

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

Thanet District Council produced the 'The Strategic Access Management and Monitoring Plan (SAMM)' to deal with these matters, which focuses on the impacts of recreational activities on the Thanet section of the Thanet Coast and Sandwich Bay Special Protection Area (SPA). The studies indicate that recreational disturbance is a potential cause of the decline in bird numbers in the SPA. To enable the Council to be satisfied that proposed residential development will avoid a likely significant effect on the designated sites (due to an increase in recreation) a financial contribution is required for all housing developments to contribute to the district wide mitigation strategy. This mitigation has meant that the Council accords with the Habitat Regulations.

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

Other Matters

The proposed development would be conditioned to ensure that the new dwelling meets the water and energy efficiency standards set out within policies QD01 and QD04 of the Thanet Local Plan.

No affordable housing is proposed as part of this development as it does not meet the threshold as set out in policy SP23 of the Thanet Local Plan.

The use of the site for residential development is not considered to result in any significant increase in security risk to the neighbouring dwellings. Concern has also been raised

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regarding the location of the bin storey to increase security risk to the neighbouring properties.

The proposed bin store would be located within the site behind a gate and fence. Given this arrangement and that the site is currently open, the proposed bin store is not considered to result in a significant increase in security risk to the neighbouring properties.

Concern has been raised regarding the need for additional street lighting. Both KCC Highways and Public Rights of Way have been consulted on the application and have not indicated that additional street lighting is required. Furthermore the access along the northern side of the site is an existing public right of way and the front of the site is shared with Park Lane where existing street lighting is in place. It is therefore considered that no additional street lighting is required as a result of this development.

Concern has been raised regarding the potential for the amenity space to be used by non-residents. The submitted plans indicate that gates and a fence would enclose this area and any trespass on the site would be a civil matter.

Conclusion

The amended development is not considered to result in any significant harm to the character and appearance of the area and minimal harm to the setting of the adjacent conservation area. The impact upon the living conditions of the neighbouring property occupiers and highway safety is also not considered to be significantly harmful and standard of accommodation for the future occupants is considered to be acceptable.

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

This development would result in a net increase of 6 dwellings in a sustainable location. It is not considered that the adverse impacts of the development would significantly and demonstrably outweigh the benefits of the proposed development when assessed against the Thanet Local Plan and the National Planning Policy Framework.

It is, therefore, recommended that Members defer and delegate the application to officers for approval subject to the receipt of a satisfactory legal agreement to secure the contribution to the SAMMs plan within 6 months of this resolution.

Case Officer

Duncan Fitt

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TITLE:

F/TH/22/0399

Project

15 Park Lane BIRCHINGTON Kent CT7 0AN



