

D13

OL/TH/16/1715

PROPOSAL: Outline application for 48 dwellings including access with all other matters reserved

LOCATION: Land South Of Manston Road Adjacent To The Beacon (Former Car Storage Site) Manston Road RAMSGATE Kent

WARD: Newington

AGENT: Mr R Forde

APPLICANT: Mr R Forde

RECOMMENDATION: Defer & Delegate

Subject to the following conditions:

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

GROUND:

As no such details have been submitted.

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

GROUND:

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

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

GROUND:

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

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

GROUND:

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

5 Prior to works commencing on site (including vegetation clearance) a detailed mitigation strategy must be submitted to, and approved in writing by, the Local Planning Authority. The mitigation strategy must include the following:

- a) Map detailing location of receptor site
- b) Details of ecological enhancements to increase carrying capacity
- c) Timetable of the proposed works.
- d) Reptile Translocation methodology
- e) Long term management plan

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

GROUND:

To safeguard protected species, in accordance with the NPPF.

6 Prior to the installation of any external lighting, a lighting design strategy for biodiversity shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall:

- a) Identify those areas / features on site that are particularly sensitive for 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, e.g., for foraging.
- b) Show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

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. Under no circumstances should any other external lighting be installed without prior to consent from the Local Planning Authority.

GROUND:

To safeguard protected species, in accordance with the NPPF.

7 Prior to the first submission of any reserved matters application, an Emissions Mitigation Assessment shall be submitted to and approved in writing by the Local Planning Authority. The Emissions Mitigation Assessment should include a damage cost assessment that uses the DEFRA emissions factor toolkit and should include details of mitigation to be included in the development which will reduce the emissions from the development during construction and when in operation. Any agreed on-site mitigation should be included in any relevant reserved matters submission. All works, which form part of the approved scheme, shall be completed before any part of the development is occupied and shall thereafter be maintained in accordance with the approved details.

GROUND:

To protect air quality, in accordance with the NPPF.

8 Prior to the commencement of the development hereby permitted, an acoustic assessment shall be undertaken to determine the impact of noise from adjoining commercial related noise sources and shall be made in accordance with BS4142 2014: Method for rating and assessing industrial and commercial sound. The results of the assessment and details of a scheme of acoustic protection shall be submitted and approved in writing by the Local Planning Authority. The scheme must demonstrate that the internal noise levels within the residential units will conform to the indoor ambient noise levels for dwellings identified by BS8233 2014: Guidance on Sound Insulation and Noise Reduction for Buildings. All works which form part of the approved scheme shall be completed before any part of the development is occupied and shall thereafter be maintained in accordance with the approved details.

GROUND:

To protect the living conditions of the future occupiers of the development, in accordance with the NPPF.

9 Prior to the commencement of the development hereby permitted, an acoustic assessment shall be undertaken to determine the impact of noise from transport related sources and shall be made in accordance with BS8233 2014: Guidance on Sound Insulation and Noise Reduction for Buildings. The results of the assessment and details of a scheme of acoustic protection shall be submitted and approved in writing by the Local Planning Authority. The scheme shall include details of acoustic protection sufficient to ensure amenity/garden noise levels of not more than 55dB (LAeq,T). All works, which form part of the approved scheme, shall be completed before any part of the development is occupied and shall thereafter be maintained in accordance with the approved details.

GROUND:

To protect the living conditions of the future occupiers of the development, in accordance with the NPPF.

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

GROUND:

To prevent pollution in accordance with the NPPF.

11 No development shall take place until details of the measures which will be undertaken to divert the public sewers have been submitted to, and approved in writing by, the Local Planning Authority. Development shall be carried out in accordance with the approved details.

GROUND:

To protect drainage apparatus, in accordance with the NPPF.

12 No development shall take place until a detailed sustainable surface water drainage scheme for the site has been submitted to (and approved in writing by) the local planning

authority. The detailed drainage scheme shall demonstrate that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100yr storm) can be accommodated and disposed of through infiltration features located within the curtilage of the site alone.

GROUND:

To ensure that the principles of sustainable drainage are incorporated into this proposal and to ensure ongoing efficiency of the drainage provisions, in accordance with the NPPF.

13 Prior to the first occupation of the development hereby permitted, details of the implementation, maintenance and management of the sustainable drainage scheme shall be submitted to and approved in writing by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:

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

GROUND:

To ensure that the principles of sustainable drainage are incorporated into this proposal and to ensure ongoing efficiency of the drainage provisions, in accordance with the NPPF.

14 No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the local planning authority (in consultation with the Environment Agency); this may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

GROUND:

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

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

GROUND:

To ensure that features of archaeological interest are properly examined and recorded, in accordance with the NPPF.

16 In the event that contamination is found that was not previously identified at any time when carrying out the approved development, it shall be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment shall be undertaken at

that time in accordance with a site characterisation report that shall be submitted to and approved in writing by the Local Planning Authority and where remediation is necessary a remediation scheme shall be submitted to and approved in writing by the Local Planning Authority, including remediation measures to render harmless the identified contamination given the end use of the site and the surrounding environment, including controlled waters. The remediation measures shall be implemented as approved and completed prior to the recommencement of works. Prior to the occupation of the approved development and following completion of measures identified in the approved remediation scheme a verification report shall be submitted to and approved in writing by the Local Planning Authority.

GROUND:

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

17 Piling or any other foundation designs / investigation boreholes using penetrative methods shall not be permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

GROUND:

To prevent pollution of the underlying chalk Principal Aquifer in line with the sustainable development aims of the NPPF.

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

GROUND:

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

19 Prior to the commencement of development hereby permitted, a Construction Management Plan shall be submitted to, and approved in writing by, the Local Planning Authority. The Construction Management Plan shall 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

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

GROUND:

In the interests of highway safety.

20 The details to be submitted in pursuant of condition 1 above shall show a pedestrian footway extending the length of the northern boundary of the site adjacent to Manston Road, and its connection with the existing footpath to the eastern boundary of the site.

GROUND:

In the interests of highway safety and pedestrian movement.

21 The details to be submitted pursuant to condition 1 above shall show visibility splays measuring 2.4 metres x 43 metres to the west of the private road/Manston Road junction, with no obstructions over 1 metre above carriageway level within the splay. The visibility splay shall thereafter be maintained.

GROUND:

In the interests of highway safety.

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

GROUND:

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

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

GROUND:

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

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

GROUND:

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

INFORMATIVES

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

The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence

against prosecution under this act. Trees and scrub are likely to contain nesting birds between 1st March and 31st August inclusive. Trees and scrub are present on the application site and are to be assumed to contain nesting birds between the above dates, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity on site during this period and has shown it is absolutely certain that nesting birds are not present.

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

Prior to the submission of a reserved matters application, the applicant, agents, or successors in title, are encouraged to consult with the Kent Police Crime Prevention Design Advisors (CPDAs) to ensure that a comprehensive approach is taken to Crime Prevention and Community Safety.

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

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 site is located in Manston Road, Ramsgate. It is an area of open land, with agricultural field to the west, Tesco to the east, 'The Beacon' a NHS outreach centre to the south, and residential development to the north on the opposite side of the road. The site falls inside of the urban confines, but is non-previously developed land. The nearest residential properties are opposite the site on the former Manston Allotment site, and are 2-4 storey in height and are mainly terraced units and blocks of flats, constructed of yellow brick and white/beige render/cladding. Adjacent to the site to the North West is the recently approved Manston Green site.

RELEVANT PLANNING HISTORY

OL/TH/14/0578 - Outline application for mixed use development comprising 47.no dwellings (34no. houses and 13no. flats) a retail unit (use class A1) with associated car parking including access and layout for consideration - Withdrawn

PROPOSED DEVELOPMENT

The application is in outline form with consideration of access, and all other matters reserved. The proposal is for the erection of 48no. dwellings, consisting of 12no. 1-bed flats, 10no. 2-bed flats, 10no. 2-bed houses, 12no. 3-bed houses and 4no. 4-bed houses.

Access to the site is from Manston Road to the east of the site, the road situated between the application site and Tesco. A single access into the site is proposed, along with a footpath adjoining the northern and eastern boundary of the site.

An illustrative site layout plan has been submitted with the 48no. dwellings contained within either blocks of terrace dwellings, blocks of flats, or link-detached and semi-detached dwellings.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan 2006

H1 - Residential Development Sites
H4 - Windfall Sites
H14 - Affordable Housing
HE12 - Archaeological Assessment
TR12 - Cycling
TR16 - Car Parking Provision
D1 - Design Principles
D2 - Landscaping
SR5 - Play space
EP13 - Groundwater Protection Zones
SR11 - Private Open Space
CF2 - Financial Contributions

NOTIFICATIONS

Neighbouring occupiers have been notified and a site notice posted. No letters of objection have been received.

CONSULTATIONS

KCC Highways and Transportation -

(revised comment) I refer to the amended illustrative layout plan submitted for the above and note the provision of a footway along the Manston Road frontage as requested. The trip

generation characteristics of the proposals are acceptable and the number of trips likely to be generated in the network peak hours can be accommodated by the existing right-turn lane junction in Manston Road. These additional trips are also significantly less than the typical daily variation in traffic flows on the wider highway network and are therefore unlikely to have a material impact on the same.

I note that to the east of the junction of the road serving the site with Manston Road, the soft landscaping appears to be maintained so as to provide the visibility splay originally provided for the Tesco development. This maintenance will need to continue to also serve the proposed development. A 2.4 metre x 43 metre visibility splay will also be required to the west of this junction and this can be secured by condition.

It should be noted that the road between the site and Manston Road is private and therefore any roads within the site will also remain private and not be adopted by the highway authority. Although layout is reserved for future consideration I note the illustrative layout shows dwellings fronting Manston Road with direct pedestrian access to the same and rear parking courts some distance from these dwellings. It should be noted that this is considered likely to lead to unacceptable on-street parking in Manston Road and should this layout come forward through reserved matters, the applicant will need to fund suitable parking restrictions in Manston Road to prevent on-street parking.

I therefore have no objections subject to safeguarding conditions.

(initial comment) I refer to the above planning application and confirm that the trip generation characteristics of the proposals are acceptable. The number of trips likely to be generated in the network peak hours can be accommodated by the existing right-turn lane junction in Manston Road. These additional trips are also significantly less than the typical daily variation in traffic flows on the wider highway network and are therefore unlikely to have a material impact on the same.

However, I would also add the following:

1. The access road to the site from Manston Road is not part of the publicly maintainable highway and should therefore presumably be included in the application red line, to demonstrate that access from the highway is achievable. The applicant should note that this also means the proposed street within the site would remain private.
2. Clarification is required that the necessary visibility splay to the east of the existing junction of the private access road with Manston Road is secured and maintained through a previous planning consent (I assume this would be in relation to the Tesco or The Beacon Centre developments).
3. A footway will be required along the Manston Road frontage of the site connecting to the existing bus stop and also allowing connection in the future to the adjacent Manston Green development. The details of the footway can be resolved through reserved matters but it should be located adjacent to the carriageway rather than set back as indicatively shown. It should be noted that the tree planting indicated in the existing highway verge in Manston Road is unlikely to be acceptable to the highway authority.

Environmental Health -

Air Quality

The site falls within the AQMA and an emissions mitigation assessment prepared by CERC dated 1 December 2016 has been submitted. The assessment has not strictly been undertaken in accordance with Thanet's air quality planning guidance as the wrong damage costs have been used but the methodology is otherwise correct. I have calculated the total damage cost over 5 years to be £53,622 which is the amount of mitigation that the applicant should incorporate into the development. Unfortunately the report fails to identify which mitigation measures in addition to the standard mitigation measures of electric vehicle charging points and low NOx boilers would be suitable for the development. I would therefore expect to see this information in the final submission and would recommend a safeguarding condition requiring the submission of an emissions mitigation assessment.

Contaminated Land

The former use of the site was for car storage and the site is located close to a sensitive Groundwater Source Protection Zone 2 (SPZ2). I would therefore request safeguarding conditions requiring a remediation scheme to be submitted if contamination is found.

Noise

The site is positioned next to Manston Road and is close to a Tesco Supermarket store and an NHS office building. The residential dwellings may therefore be exposed to appreciable levels of road traffic noise and commercial noise. I would expect the development to be designed with adequate safeguards to protect the aural amenity of the residential occupiers of the site, and therefore request safeguarding conditions requiring the submission of acoustic assessments.

KCC SUDs - The Flood Risk Assessment submitted with this application states that the surface water generated by this development will be disposed of via soakaway or main sewer.

Given the likely relative permeability of the underlying chalk, we would expect the applicant to pursue a surface water management strategy that is based on the use of infiltration alone. Although we would ordinarily expect more information on these matters in advance, we would anticipate that there is sufficient space available within this greenfield site to accommodate appropriate drainage infrastructure. If necessary, deep-bored soakaways should be investigated in preference to discharge to sewer.

Where soakaways or infiltration features are proposed, they should conform to the requirements of BRE Digest 365, taking full account of location specific permeability testing (with a half-drain time of less than 24hrs). Where contamination is a possibility, infiltration devices should only be sited in agreement with the Environment Agency.

Where infiltration is to be used to manage the surface water from privately owned areas, each individual plot should be served by its own soakaway.

No objections subject to safeguarding conditions.

Southern Water - Please find attached a plan of the sewer records showing the approximate position of a public sewers crossing the site. The exact position of the public sewers must be determined on site by the applicant before the layout of the proposed development is finalised.

It might be possible to divert the public sewer, so long as this would result in no unacceptable loss of hydraulic capacity, and the work was carried out at the developer's expense to the satisfaction of Southern Water under the relevant statutory provisions.

Our initial investigations indicate that Southern Water can provide foul and surface water disposal to service the proposed development. There is currently adequate capacity in the local sewerage network to accommodate a surface water flow of 5l/s at manhole reference TR36652604. Southern Water requires a formal application for a connection to the public sewer to be made by the applicant or developer.

Environment Agency -

(revised comment) Following submission of the "Phase 1 Geo-Environmental Desk Study" dated March 2017, we can confirm that our previous objection can be removed provided the recommended safeguarding conditions are attached.

(initial comment) We have reviewed the information submitted and object to the development as proposed. The site lies in a vulnerable location in terms of groundwater protection and the proposal fails to include a preliminary risk assessment, as advised by planning guidance and under the NPPF.

There is insufficient information to demonstrate that the risk of pollution to controlled waters is acceptable.

There are two strands to this objection. These are that:

- We consider the level of risk posed by this proposal to be unacceptable,
- The application fails to provide assurance that the risks of pollution are understood, as a preliminary risk assessment (including a desk study, conceptual model and initial assessment of risk) has not been provided. It requires a proper assessment whenever there might be a risk, not only where the risk is known.

KCC Biodiversity -

(revised comment) - I've reviewed the report and I am off the opinion that the site could be suitable for reptiles. However there would be a need for some habitat enhancements to be implemented prior to the translocation of the reptile population.

Please be aware that depending on how quickly the habitat establishes the receptor site may not be able to be used until next year.

The submitted report states the following:

It is advised that an appropriate Method Statement of works for the enhancement, management and translocation programme be devised in that regard.

We would expect a detailed reptile mitigation strategy to be submitted as a condition of planning permission.

(initial comment) - We have reviewed the ecological information submitted with the planning application and while we are satisfied with the conclusions of the surveys we advise that additional information is required prior to determination of the planning application.

Designated Sites

The proposed development site is within 2km of the following designated sites:

- o Thanet Coast SPA
- o Thanet Coast and Sandwich Bay SPA, Ramsar and SSSI

Recreational disturbance has been identified as a potential cause of the decline in bird numbers within SPAs - it is for this reason that TDC has produced a Strategic Access Mitigation and Management Plan to minimise impact on the SPAs from an increase in recreation. Due to the size of the proposed development and the distance from the designated sites we are concerned that this proposed development may result in an increase in recreational disturbance within the designated sites - particularly Pegwell Bay.

The submitted report has made recommendations that if planning permission is granted the development must contribute to the SAMMP - however the D+A has not confirmed if the development is proposing to contribute to the SAMMP. Prior to determination we advise that the confirmation must be provided that the development will be contributing to the SAMMP.

Reptiles

The findings of the 2016 reptile survey have indicated that the findings of the 2014 reptile survey are still valid - as such we are satisfied that the reptile survey information is sufficient.

A good population of reptiles has been recorded within the proposed development site. There is no room within the proposed development site to retain the reptile population and as such there is a need to find an off-site receptor site. Prior to determination please provide details of the proposed receptor site to ensure that TDC are satisfied that appropriate mitigation can be implemented.

We recommend that an outline mitigation strategy is produced including the following - location of the proposed receptor site and details of the suitability of the site to be used as a receptor site.

Bats

The survey has assessed that due to the lighting within the surrounding area there is currently limited potential for foraging bats within the surrounding area. However bats have been recorded foraging within the surrounding area and as such there is potential that bats may occasionally forage within the site. As such we advise that the lighting within the proposed development must be designed to minimise the impact on roosting, foraging and commuting bats - particularly along the NW and SW boundaries.

KCC Archaeology - The site is in an archaeologically sensitive area. The sites adjacent at Tesco's and The Beacon have revealed multi-period archaeological remains that are known to extend into the site. The potential has been set out in the submitted Desk Based Assessment. We have provided prior advice for similar proposals at the site in 2014 and I repeat the advice that any permission should include provision for a programme of archaeological works. The works would entail a general programme of strip, map and sample similar to that undertaken for the Beacon site in 2006.

TDC Strategic Housing Manager - Strategic Housing would require 30% of the units proposed on site, 14 units.

We would also like to see an allocation which is reflective of the units across the site.

Waste and Recycling - We have some concerns about this one as we can't see exactly how we are going to access all properties nor where the bin collection points are likely to be so please keep us informed.

COMMENTS

This application is brought before members as it is a departure to Policies EC1 and H1 of the Thanet Local Plan.

Principle

- *Loss of Employment Land*

The application site is allocated as an employment site within the Thanet Local Plan, with Policy EC1 stating that the site is allocated for business purposes for uses falling within use classes B1 and B8, or B2 use where away from residential areas. Whilst the site falls within this designated policy area, there is no employment use currently occupying the site, so there be no direct loss of employment. However, it will result in the loss of land allocated for employment, and therefore the proposed development would be contrary to Thanet Local Plan Policy EC1.

Para 22 of the NPPF states that 'where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land and buildings should be treated on their merits having regard to market signals and the relative need for

different land uses to support sustainable local communities.' An employment land review has been carried out by the Council, which has identified that Thanet has an over-supply of employment land.

Within the supporting statement for this application it states that the reasons for why this land has not been occupied by an employment use is likely to be linked to the restrictive use of the site, which is for either B1 or B8 use, and which local plan evidence suggests has received little interest recently, and its proximity to residential development opposite the site.

Within the Council's Emerging Draft Local Plan, the site is no longer allocated for employment, which shows the direction of the Council when considering those sites suitable for retention as an employment use.

The loss of employment land is therefore considered to be acceptable given the lack of interest in the site for employment use, its proximity to residential dwellings, and its removal from employment allocation within the Emerging Draft Local Plan; however, this is subject to there being a need for the proposed development that would outweigh the need for the employment land.

- *Housing Development*

The site falls within the urban confines, but is non-previously developed land. The proposal is therefore contrary to Thanet Local Plan Policy H1, which states that 'residential development on non-allocated sites will be permitted only on previously developed land within existing built-up confines'.

However, there is a current need for housing within Thanet. The NPPF states in para 49 that housing applications should be considered in the context of the presumption in favour of sustainable development. Whilst the site falls just inside the urban confines, it is within walking distance of a supermarket and school, and on a bus route, and is therefore considered to be sustainably located.

In the Draft Thanet Local Plan Preferred Options Consultation document the site has been allocated for housing alongside a nearby site (Flambeau), with a notional dwelling capacity for the entire allocation of 170 dwellings. Flambeau has been resolved by members to be granted planning permission for 120 dwellings, leaving a potential capacity of 50 dwellings for the application site (subject to layout and design). The submitted plan the subject of this application allows for the provision of 48no. dwellings, at a density of 44 dph. Such a density is considered to be acceptable given the density of the development opposite, which was approved at 50 dph; the allocation of the neighbouring site, upon which planning permission has been granted for residential development, which will prevent this site from forming the edge of the urban area; and the allocation of the site for housing within the draft plan, under which a notional dwelling capacity of 50 dwellings is recommended.

The principle of housing development on the site is therefore considered to be acceptable based on the need and density of the housing, subject to other issues such as the sustainability of the site, impact upon the character and appearance of the area, impact upon living conditions, and impact upon highway safety.

Character and Appearance

The site is non-previously developed land within the urban confines. It has been used in the past to accommodate temporary uses such as open storage and the circus, but there has been no permanent development upon the land. The site is to the south of Manston Road, and is visible through long views of the site from Haine Road, across the adjacent fields. The site is allocated for employment use, so it has always been expected that the site would be developed; with part of the original site to the rear already developed in the form of The Beacon, a community building. The application site is now allocated within the Draft Local Plan for residential development. The loss of this private open space for development is considered to be acceptable as it does not involve the loss of recreational land, is not considered to have intrinsically beneficial qualities, and the site is allocated for residential development.

The application is in outline form, with consideration of access only. An illustrative site layout plan has been submitted, which shows the provision of 48no. dwellings at a density of 44 dwellings per hectare.

In terms of the layout, the illustrative layout plan shows a mix of apartment blocks and terrace housing blocks around the perimeter of the site, with semi-detached and detached dwellings located towards the centre of the site. This mix of dwelling types is considered to be acceptable when viewed in relation to the Meridian Village development opposite, which also has a similar variety of housing types. The majority of the proposed development fronts Manston Road, with a small setback that allows for soft landscaping. Towards the centre of the site the development would front a courtyard with landscaping, and parking would be restricted to parking courts that are discreetly located to the rear of the dwellings, with only limited visibility. Whilst the submitted illustrative layout plan is not for consideration, the layout as proposed is considered to be of good design, and in keeping with the character and appearance of the area, and therefore is likely to be considered acceptable should this layout come forward as part of a future reserved matters application.

The scale of the development is also reserved for future consideration, with no elevations submitted as part of this application; however, the accompanying design and access statement indicates that the proposed development would be 2-3 storey in height, which will be in keeping with the height of surrounding development.

The illustrative site layout plan shows sufficient landscaping provided within the development, including small front gardens to all development fronting Manston Road, rear gardens of at least 14m for all dwellings, and a landscaped courtyard area measuring approximately 19m x 19m towards the centre of the site. The hard surfacing material will be important to the overall design and appearance of the development, and therefore full details of the hard surfacing will be required as part of the reserved matters application.

On the basis of the illustrative layout plan it is considered that the application site can accommodate 48no. dwellings in a form and layout that would not detract from the visual amenities of the area. The impact upon the character and appearance of the area is therefore considered to be acceptable.

Size and Type of Housing

The application is in outline form, and therefore the exact unit sizes are not being agreed at this stage; however, an illustrative layout plan has been submitted, which shows the provision of 12no. 1-bed flats, 10no. 2-bed flats, 10no. 2-bed houses, 12no. 3-bed houses and 4no. 4-bed houses. Whilst this mix of unit sizes could change through a reserved matters application, if the mix stated were to come forward as part of a future application, it would be considered acceptable, as it complies with Policy H8 of the Thanet Local Plan, which requires that there should be a mix of dwelling sizes and types to meet a range of community needs.

In terms of the dwelling types, the illustrative layout plan shows a mixture of terraced dwellings, semi-detached dwellings, link-detached dwellings, along with self-contained flats and therefore it is considered that an appropriate mix in unit types is proposed to comply with Policy H8.

Policy H8 also requires that 15% of the development is provided as lifetime homes, which the applicant has agreed to.

Affordable Housing

Policy H14 of the Thanet Local Plan requires that 30% affordable housing be provided on sites of 15 units or more. The agent has confirmed that 30% of the development will be provided as affordable units, which equates to 14no. units, although the exact size and type of these are not yet known at this outline stage.

As part of any reserved matters application the location and size of the units will be required, and they should be proportionate to the overall houses sizes on site.

A legal agreement has been submitted that includes the provision of 30% affordable housing. The proposal therefore complies with Policy H144 of the Thanet Local Plan.

Living Conditions

The site has agricultural land to the west, retail development to the east, and a community facility to the south, so the nearest residential properties are on the opposite side of the road to the north. There is a minimum distance of 23m to the front elevation of the nearest dwelling opposite, and as such the impact upon light to and outlook from the neighbouring properties, along with the impact upon their privacy, would be acceptable on the basis of the illustrative site layout plan. The precise layout of development is a reserved matter and is therefore not for full consideration at this stage.

The site is positioned next to Manston Road and is close to a Tesco Supermarket store and an NHS office building. Environmental Health have therefore raised concerns that the proposed residential dwellings may be exposed to appreciable levels of road traffic noise and commercial noise, and as such they would expect the development to be designed with adequate safeguards to protect the aural amenity of the residential occupiers of the site. Safeguarding conditions requiring acoustic reports to be submitted that assess the noise

from the adjoining commercial use and adjacent road network is therefore recommended in order to safeguard the amenity of future occupiers of the development.

Whilst the layout is not for consideration, the illustrative layout plan shows each house provided with secure doorstep play space, and communal external space is provided for the flats. This illustrative layout therefore shows how development could comply with Policy SR5 of the Thanet Local Plan, which requires the provision of secure doorstep play space for new development.

On the basis of the illustrative site layout plan and safeguarding conditions, the impact upon neighbouring living conditions is considered to be acceptable in principle, with a detailed assessment occurring at the reserved matters stage.

Transportation

The application is in outline form for the erection of 48no. dwellings, including the provision of vehicular access to the site. A single vehicular access point into the site is proposed from Manston Road to the side of the site, which leads onto the main Manston Road.

As part of the application a transport assessment has been submitted, and the red line of the site has been amended to incorporate the access road adjacent to the site, in order to control the access to the development.

KCC Highways and Transportation have assessed the application and advised that the trip generation characteristics of the proposal are acceptable, as the number of trips likely to be generated in the network peak hours can be accommodated by the existing right-turn lane junction in Manston Road. The additional trips are also significantly less than the typical daily variation in traffic flows on the wider highway network and are therefore unlikely to have a material impact on the same.

Amended plans were sought from KCC in order to provide a pedestrian footpath adjacent to the northern boundary of the site adjoining Manston Road, and the inclusion of Manston Road to the east of the site within the application boundary, in order for the access into the site to be controlled. Amended plans have been submitted showing these alterations.

In response to the amended plans KCC raise no objections to the principle of the development, and its impact upon highway safety. However, KCC have advised that 2.4m x 43m visibility splays will need to be maintained at the entrance to Manston Road, it will not be possible to adopt the road within the site as it is accessed onto an existing private road, and dependent upon any future layout, parking restrictions adjoining the site may need to be funded by the applicant in order to prevent any unsuitable on-street parking.

On the basis of the amended plans, which identify the location of the vehicular access, and the provision of a pedestrian footpath adjoining the northern boundary of the site, the impact upon highway safety is considered to be acceptable, subject to safeguarding conditions.

In terms of sustainability, the site is within close walking distance of a primary school and supermarket, and also the facilities and services located within St.Lawrence High Street.

There is a bus route close to the site, and the train station is also walking distance. The proposed development is therefore considered to be sustainably located.

Biodiversity

A Habitat Survey and a Reptile Survey has been submitted in support of the application. KCC Biodiversity has advised that they are satisfied with the conclusions of the surveys, which indicate that reptiles are present on the site.

It is advised within the reptiles report that if it were intended to keep the reptiles on the site alongside the proposed development, it could result in isolation and fragmentation of the reptile population, unless a very significant proportion of the proposed development were given over to provide suitable open spaces, hedgerows, and appropriately managed meadow areas. Alternatively a receptor site to accommodate the reptiles is recommended.

In response to this survey, KCC have requested the submission of an outline mitigation strategy, which includes the location of the proposed receptor site and details of the suitability of the site to be used as a receptor site.

A plan showing the location of the site has been submitted, along with an ecologist report from an ecologist who has examined the receptor site, with the recommendation being that a programme of relatively minor management/enhancements would render the potential receptor site as an appropriate location to receive the reptile population from Manston Road.

KCC are satisfied that the receptor site is suitable for the reptiles subject to enhancements being made, and raise no objections to the proposed development subject to a safeguarding condition requiring the submission of a detailed reptile mitigation strategy, which includes a method statement of works for the enhancement, management and translocation programme.

In terms of bats, the submitted Habitat survey has assessed that due to the lighting within the surrounding area there is currently limited potential for foraging bats within the surrounding area. However bats have been recorded foraging within the surrounding area and as such there is potential that bats may occasionally forage within the site. As such KCC advise that the lighting within the proposed development must be designed to minimise the impact on roosting, foraging and commuting bats - particularly along the NW and SW boundaries.

The impact upon biodiversity is considered to be acceptable.

Drainage

A Flood Risk Assessment has been submitted with the application, which states that the surface water generated by this development will be disposed of via soakaway or main sewer.

KCC SUDs have advised that given the likely relative permeability of the underlying chalk, they would expect the applicant to pursue a surface water management strategy that is

based on the use of infiltration alone, and it is likely that there is sufficient space available within the site to accommodate the appropriate drainage infrastructure. If necessary, KCC have advised that deep-bored soakaways should be investigated in preference to discharge to sewer.

Southern Water has confirmed that there is the capacity to provide surface water disposal to service the development if necessary. They have also confirmed that they can provide foul disposal, although it would appear from Southern Water's plans that a public sewer may cross the site. The exact position will need to be determined prior to the reserved application for layout being determined, as it will either affect the layout, or the sewer will need to be diverted.

Southern Water have advised that it may be possible to divert the public sewer, so long as this would result in no unacceptable loss of hydraulic capacity, and the work was carried out at the developer's expense to the satisfaction of Southern Water under the relevant statutory provisions.

Drainage to the site is considered to be possible, so there are no concerns regarding drainage provision that cannot be addressed through safeguarding conditions.

Contamination

The former use of the site was for car storage and the site is located close to a sensitive Groundwater Source Protection Zone 2 (SPZ2). No report has been submitted on potential contamination, and so concerns were raised by the Environment Agency as the site lies in a vulnerable location in terms of groundwater protection. The EA advised that due to the lack of information submitted they were unable to determine whether the level of risk posed by the development was acceptable, and also whether the risks of pollution were understood.

A desk-study has since been carried out and a report submitted. The EA have advised that they are satisfied with the results of the desk-study, and subject to safeguarding conditions the EA raise no objections to the proposed development.

Air Quality

The site falls within the Air Quality Management Area, and an emissions mitigation assessment has been submitted. Environmental Health has assessed the report and are satisfied with the calculated total damage cost of £53,622 over 5 years. This is the total amount of mitigation that the applicant should incorporate into the development. Details of the mitigation measures that will be adopted, other than the provision of electric vehicle charging points and low NOx boilers, need to be submitted, and Environmental Health have advised that this can be in the form of a condition requesting the submission of a revised emissions mitigation assessment that includes details of the mitigation with any reserved matters submission.

Financial Contributions

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

KCC have been consulted and have advised that there would be a requirement for a financial contribution of £129,250.00 towards phase 1 of the new Ramsgate Primary Free School; a financial contribution of £67,254.30 towards Royal Harbour Secondary School phase 2 works; and a financial contribution of £2,304.76 towards book stock at the local library.

Policy SR5 of the Thanet Local Plan also requires a contribution to be made towards the upgrading of play equipment at the nearest local play area. The Open Spaces Manager has advised that the nearest equipped play area is on the Newington Estate, in Princess Margaret Avenue, where there is a need for both replacement and new play equipment.

A financial contribution of £42,000 is required by the proposed development towards new/upgraded play equipment, to offset the additional demand created by the proposed development.

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

Habitat Regulations

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

The tariff for this contribution is provided in the SAMM report. For this development the contribution required is in the form of £408 per unit. The applicant has agreed to this contribution, which will be secured through a legal agreement.

Heads of Terms

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

- 30% affordable housing,
- £4,000 per 'applicable' house' and £1,000 per 'applicable' flat towards primary school provision in the form of phase 1 of the new Ramsgate Primary Free School,

- £2,359.80 per 'applicable' house and £589.95 per 'applicable' flat towards secondary school provision in the form of Royal Harbour Secondary School phase 2 works,
- £2,304.76 towards library provision in Ramsgate,
- £42,000 towards play equipment at Princess Margaret Avenue play area,
- £19,584 towards the Special Protection Area.

Conclusion

The application site is located within the urban confines, but is currently allocated for employment use, whilst also being non-previously developed land. However, there is an over-supply of employment land within the district, and the site is allocated for housing within the Draft Local Plan, for which there is a local need. The principle of developing the site for residential use is therefore considered to be acceptable. The site does not offer recreational opportunities, or have intrinsically beneficial qualities and the illustrative site layout plan submitted shows that 48no. dwellings can be provided within the site without a significant impact upon the character and appearance of the area or neighbouring living conditions. The impact upon highway safety is also considered to be acceptable as the additional trips generated by the development can be accommodated within the existing highway network. 30% affordable housing is proposed, and the applicant has agreed to all of other financial contributions as stated within the Heads of Terms. The proposal is considered to be a sustainable form of development that generally complies with Local Plan Policy and the NPPF. As such it is recommended that members defer and delegate the application for approval, subject to the submission of a legal agreement securing the agreed head of terms.

Case Officer

Emma Fibbens

TITLE: OL/TH/16/1715

Project Land South Of Manston Road Adjacent To The Beacon (Former Car Storage Site) Manston Road RAMSGATE Kent

Scale:

