

**D06**

**OL/TH/17/0151**

**PROPOSAL:** Outline application for the erection of up to 41no. dwellings including access with all other matters reserved

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

**WARD:** Cliffsend And Pegwell

**AGENT:** Mr Howard Courtley

**APPLICANT:** Mr Edward Spanton

**RECOMMENDATION:** Defer & Delegate

Defer and delegate for approval subject to the receipt of an acceptable legal agreement to secure the outlined heads of terms and 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 The development hereby approved shall be carried out in accordance with the submitted access and highway plan numbered 21301/01 Rev 05, received 25 October 2017.

**GROUND:**

To secure the proper development of the area.

6 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 internal noise levels (LAeq,T) no greater than 30dB in bedrooms and 35dB in living rooms with windows closed and a maximum noise level (LAm<sub>ax</sub>) of no more than 45dB(A) with windows closed. Where the internal noise levels will be exceeded with windows open, the scheme shall incorporate appropriate acoustically screened mechanical ventilation. 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.

7 Existing trees, shrubs and hedgerows identified for retention within the development site or existing trees growing on an adjacent site, where excavations, changes to land levels or underground works are within the crown spread, shall be protected in accordance with BS 5837: 2005 using the following protective fence specification:-

o Chestnut paling fence 1.2m in height, to BS 1722 part 4, securely mounted on 1.7m x 7cm x 7.5cm timber posts driven firmly into the ground. The fence shall be erected below the outer most limit of the branch spread or at a distance equal to half the height of the tree, whichever is the furthest from the tree, unless otherwise agreed in writing with the Local Planning Authority.

The protective fencing shall be erected before the works hereby approved or any site clearance work commences, and shall thereafter be maintained until the development has been completed.

At no time during the site works shall building materials, machinery, waste, chemicals, stored or piled soil, fires or vehicles be allowed within the protective fenced area.

Nothing shall be attached or fixed to any part of a retained tree and it should not be used as an anchor point.

There shall be no change in the original soil level, nor trenches excavated within the protective fenced area.

**GROUND:**

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

8 Prior to the commencement of development (including vegetation clearance), a precautionary mitigation strategy shall be submitted to and approved in writing by the Local Planning Authority. The precautionary mitigation strategy must be informed by an site visit be carried out within 3months prior to the submission of the strategy. The measures shall be implemented in full accordance with the details approved.

**GROUND:**

To safeguard protected species, in accordance with the NPPF.

9 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 consent from the Local Planning Authority.

**GROUND:**

To safeguard protected species, in accordance with the NPPF.

10 Details to be submitted in pursuant of Condition 1 above for layout shall include a detailed sustainable surface water drainage scheme for the site. The detailed drainage scheme shall demonstrate that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100 year storm) can be accommodated and disposed of without increase to flood risk on or off-site. The drainage scheme shall also demonstrate that silt and pollutants resulting from the site use can be adequately managed to ensure there is no pollution risk to receiving waters, and that the design will not provide a breeding ground for mosquitos.

**GROUND:**

To prevent flood risk and pollution of groundwater, in accordance with the NPPF.

11 Development shall not begin until details of the implementation, maintenance and management of the sustainable drainage scheme have been 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:

- a) a timetable for its implementation, and
- b) 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 prevent flood risk and pollution of groundwater, in accordance with the NPPF.

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

GROUND:

To prevent flood risk and pollution of groundwater, in accordance with the NPPF.

13 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved. Reason: To ensure development meets the aims of the NPPF through sustainable management of any historic contamination present that could present a risk to groundwater within the underlying principal aquifer within Source Protection Zone 2 of a public water supply.

GROUND:

To prevent flood risk and pollution of groundwater, in accordance with the NPPF.

14 No development shall take place until a drainage strategy detailing the proposed means of foul disposal and a implementation timetable, has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved scheme and timetable.

GROUND:

To prevent pollution of groundwater, in accordance with the NPPF.

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 Prior to the first occupation of any dwelling hereby approved, the proposed site access, footways, passing places and road widening works on Cottington Road, as shown on the approved plan numbered 21301/01 Rev 05, shall be completed and operational.

GROUND:

In the interests of highway safety and pedestrian movement, in accordance with the NPPF.

17 The proposed roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, driveway gradients, car parking and street furniture to be laid out and constructed in accordance with details to be submitted to and approved by the Local Planning Authority.

GROUND:

In the interests of highway safety.

18 The following works between a dwelling and the adopted highway shall be completed prior to the first occupation of the dwelling:

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

GROUND:

In the interests of highway safety.

19 Prior to the first occupation of the development hereby permitted, visibility splays of 2.4m x 58m x 2.4m shall be provided to the access onto Cottington Road, as shown on the approved plan numbered 21301/01 Rev 05, with no obstructions over 1 metre above carriageway level within the splays, which shall thereafter be maintained.

GROUND:

In the interests of highway safety.

20 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 plan shall include the following:

- (a) Routing of construction and delivery vehicles;
- (b) Parking and turning facilities for delivery and site personnel vehicles;
- (c) Wheel washing facilities;
- (d) Temporary traffic management/signage required.

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

**GROUND:**

In the interests of highway safety.

21 The details to be submitted in pursuant of condition 1 above for layout and scale shall include an updated Historic Landscape Assessment , which takes into account the impact of the proposed development on the Grade II Listed St.Augustine's Cross.

**GROUND:**

To limit the impact upon the setting of the Grade II Listed St.Augustine's Cross, in accordance with the NPPF.

22 Details pursuant to condition 1 above shall not show any building exceeding 2 storeys in height.

**GROUND:**

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

23 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.

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.

25 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.

26 The layout and landscaping details pursuant of condition 1 above shall include a landscaping buffer along the southern boundary of the site, which should be a minimum of 5m in depth (and exclude any built development), and should contain both deciduous and evergreen native trees and hedgerow; and hedgerows and scattered trees along the northern, eastern and western boundaries of the site, in accordance with the recommendations as contained within the Visual Impact Assessment.

**GROUND:**

To limit the impact upon the countryside, Landscape Character Area, and Grade II Listed St. Augustine's Cross, in accordance with Policies CC1 and CC2 of the Thanet Local Plan and the NPPF.

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

**GROUND:**

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

28 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.

**SITE, LOCATION AND DESCRIPTION**

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

**RELEVANT PLANNING HISTORY**

No relevant planning history

**PROPOSED DEVELOPMENT**

The application is in outline form, and is for the erection of up to 41no. dwellings with all matters reserved other than access, which is being applied for. An illustrative site layout plan has been submitted showing the provision of 41no. dwellings within either detached, semi-

detached or terraced buildings, the provision of a vehicular access onto Cottington Road, and 950sqm of casual open space.

Amended highway plans also show for the widening of the road at the access point to the application site, the provision of 2no. passing bays within Cottington Road, and the provision of a footpath link to Oakland Court to the east of the site.

## DEVELOPMENT PLAN POLICIES

### **Thanet Local Plan 2006**

CC1 – Development in the Countryside

CC2 – Landscape Character Area

H1 - Residential Development Sites

H8 – Size and Type of Housing

H14 – Affordable Housing

HE11 - Archaeological Assessment

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

EP5 - Local Air Quality Monitoring

## NOTIFICATIONS

Neighbouring occupiers have been notified and a site notice posted. 136 letters of objection have been received. The main concerns are:

- Houses on this development will fall outside the village boundary which does not accord with the 2006 Thanet Local Plan. Council has a duty to prioritise development of brownfield sites.
- Permission for residential development on land behind 9-10 Oakland Court was refused in 1999 as the land is outside the village boundary. Sets a precedent.



- The Draft Local Plan is a draft and does not carry the same weight as the 2006 Local Plan.
- Application site is Grade 1 Agricultural Land. Part of an important green wedge between Cliffsend and Minster.
- Accept there has to be an increase in housing and Cliffsend must take its share but it must be a fair share in relation to other parts of Thanet.
- There is no doctors surgery or school within Cliffsend, the nearest of which is in Minster, and only 1 community run shop. The Sportsman Pub is also set to close. There are therefore inadequate amenities and community facilities to serve an increase in population. Whilst there is potential for a shop on one development, there is no guarantee it will be provided.
- The infrastructure within Cliffsend to support a settlement of the proposed capacity does not exist. The demands on service therefore cannot be met.
- Proposal, in combination with 17/0150 and 17/0151 in addition to the 156 houses for which planning permission has already been granted will result in an increase of 35% in Cliffsend over the current 815 houses in the village. This is an excessive increase given the lack of amenities within the village. The village will become nothing more than a vast housing estate.
- No plans to upgrade the roads, sewers, water supply and other facilities.
- No provision for any community facilities or amenities in the proposal.
- There are few jobs available in Cliffsend and Public Transport is not reliable or available for people to access places of employment.
- Proposed site access is located on a section of Cottington Road which due to the presence of high hedges and fences on the north side of the road creates significant blind spots to traffic travelling along Canterbury Road West in either direction. This section of road is currently subject to a 60mph speed limit.
- Cottington Road is narrow and cannot support a car or bus passing safely, even two cars have to take great care to avoid an accident.
- Public transport is very limited and infrequent and routes operate from opposite ends of the village, making travel difficult outside the village. There is therefore a question to whether the site is sustainable.
- Only walking route out of the village towards Ramsgate is over the fields, which aren't lit at night. The route to Minster is also unlit without walk ways.
- Roads in the village are not suitable for the type and amount of traffic that will use them if these developments are built.
- This application, together with recent approvals for housing at Manston Green, Asparagus Fields, Haine Road etc. has not resulted in any highway improvements to ease the congestion at the Lord of the Manner roundabout as all traffic is channelled in one location.
- The drawings suggest a pond will be provided on the site. Cliffsend is known to suffer from significant mosquito infestations, of a type which can transfer Malaria and the Zika Virus, this should not be permitted.
- The village already suffers from many water supply and sewerage issues, any further development will further overload the system, any new development should be encouraged to route sewerage to alternative interconnection points. This will avoid the need for extensive and invasive roadworks.

- This is reclaimed marshland and we already have a high water table, Compressing that further will exasperate natural drainage and increase flood risk.
- Proposed development not in keeping with the area.
- Proposal will spoil the peaceful semi-rural character of the village and will create urban sprawl.
- Density within the proposed development is high and an increase on the local plan.
- The proximity of the proposed dwellings adjacent to properties fronting Beech Grove and Lavender Lane will result in unacceptable impacts of overlooking.
- Developer should offer the affected houses on Beech Grove and Lavender Lane alterative boundary fences to improve their privacy.
- The Parish Council has failed to meet the legal duty to provide residents with allotments.
- Loss of wild life.
- Cliffsend is a village, which is quickly losing its status as one.
- The new homes are unaffordable to most local residents, and affordable housing may also be too expensive for local workers.

### **Cliffsend Parish Council –**

*(Response to original plans)*

- Current water supply and sewage pipes are currently inadequate and this development would add to that, and they would not cope.
- The entrance to site B is an issue. The turning has a blind bend and due to the existing vegetation there will be blind areas.
- Over development of the site.
- Lavender lane is a rural development of barn conversions and the proposed development does not replicate this.
- Negative visual impact when leaving the village.
- Details should include upgrading of all neighbouring properties fences/walls if required by resident.
- The plans show a pond, however Cliffsend is adjacent to a nature reserve. It already has an issue with mosquitoes and should not have any stagnate water in the village.
- There are not enough school facilities, Dr Surgeries, and dental surgeries to accommodate the families which would live in these properties.
- The infrastructure cannot cope with the amount of units proposed. There are too many cars in the village at the moment. Traffic calming scheme should be considered for this area.
- Units which are built that back onto Beech Grove should take account of privacy issues of existing residents.
- The community have expressed great concern regarding the flood risk of this site and members would like a barrier of some form to prevent a flood.
- Wheel washing should be noted as essential. Access for construction traffic should be strictly controlled due to narrow roads and low bridges. They are not allowed access via the westerly direction from Cottington Road.
- Construction should be restricted to 8am – 6pm weekday only.
- Residents are concerned about the effect this development will have on the air quality.

*(Response to amended plan)*

Cliffsend Parish Council is extremely concerned about the siting of attenuation basin which is proposed outside the western boundary of the South of Cottington road (17/0150) site (along with a second one for the South of Cottington Road development).

If you refer to our original response on this site we made the point about Mosquitos being a significant issue in Cliffsend. One of major areas where mosquitos breed is in adjacent wetland areas of St Augustine's Golf Course, which means any still water basin in this area will significantly increase the mosquito population.

Cliffsend Parish Council would like to see the attenuation pond underground. Other areas of the village use underground soakaways so there is no reason why this one cannot be the same.

Cliffsend Parish Council have reviewed the letter sent by KCC regarding the roads in the vicinity of this site and the second site South of Cottington Road. We do not agree with the traffic levels KCC have indicated along Cottington Road. Our own inspections suggest typical levels are much higher particularly in morning and evening rush hours and at School times. Because Cottington Road is so narrow, many locals will only go at 15-20mph through this area in order to be able to avoid cars and buses traveling at 40 or 50mph. As we submitted before crashes frequently occur on the blind bends because of the narrow roads.

## CONSULTATIONS

### **KCC Highways and Transportation –**

***(Final comment)*** - I refer to the additional Technical Note dated 16 May submitted for the above and confirm I now raise no objection in respect of highway matters subject to necessary requirements being secured by condition/s.106 agreement.

The proposals are likely to generate approximately 21 two-way vehicle movements in the network peak hours, most of which (around 15) are likely to route to/from the major road network to the west of the site. Cottington Road has low existing traffic flows and the additional movements can be accommodated with the improvements proposed. These involve improving two existing informal passing places as well as adding an additional passing place near Great Cliffsend Farm House as shown on the submitted plans, to allow two cars to pass each other and a car to pass a larger vehicle. The proposals also include widening of Cossington Road at the site access junction to allow vehicles to pass each other. It should be noted that these development proposals have been considered in conjunction with planning application TH/17/0150 for 23 dwellings on the south side of Cottington Road, and the likely additional small number of movements to/from the west generated by that proposal (approximately 9) can also be accommodated with the proposed improvements. The likely number of peak hour two-way vehicle movements to/from the east of both sites through the village centre (around 9 in total) is low and unlikely to have a significant impact. The combined impact of this development proposal together with the proposals in Cottington Road (TH/17/0150) and Canterbury Road West (TH/17/0152) on the Sevenscore and Cliffsend roundabouts has been considered and is not significant, being less than the typical variation in daily traffic flow.

The proposals also include provision of a new footway between the site and the start of the existing footway network at Oakland Court to the east, thus allowing and encouraging pedestrian access to the bus stops and services/amenities in the village. All the proposed highway improvements have been subject to an independent safety audit and will be carried out by the applicant under a s.278 agreement with the Highway Authority. The development will also make a financial contribution for a footpath connection between the north edge of the site and the proposed Thanet Parkway Station to the north, thus providing suitable pedestrian access to the same and encouraging travel by non-car modes.

Visibility splays appropriate for the measured speeds in Cottington Road can be provided at the site access and the detailed layout of the site, including parking provision, can be resolved through reserved matters. Matters relating to access and parking for construction traffic can be dealt with through a Construction Management Plan which can be secured by condition.

Taking all of the above into account the proposals are unlikely to have a severe impact that would warrant a recommendation for refusal on highway grounds, subject to safeguarding conditions.

*(Initial comment)* - I refer to the above planning application and would comment as follows:

1. This application is one of three currently submitted by the same applicant/landowner in Cliffsend, however the Transport Statements (TS) do not consider the cumulative highway impact of all three sites. The applicant should therefore submit trip generation and distribution figures (based on 2011 Census data) for the three sites combined so that the cumulative impact can be considered and any subsequent assessment of the highway network required can be advised.

2. I note the proposal to extend the existing 30 mph speed limit to the west of the site, however there are a number of factors which will dictate whether or not this is achievable. In particular existing measured vehicle speeds should be appropriate for the proposed speed limit and no information has been submitted in this respect. I would also advise that an isolated raised table feature as indicated for the proposed site on the south side of Cottington Road is not acceptable, particularly on a bus route. Measured speeds should therefore be submitted to assist in determining both the suitability of the proposed speed limit change and the visibility splays required at the access should the speed limit change not be suitable.

3. Cottington Road in the vicinity of the site access and up to the railway bridge to the west is not typically 5-6 metres wide as indicated in the TS. In places it is only 4 metres wide and there is evidence of verge overrun. The proposals will increase the use of this section of Cottington Road with the majority of traffic likely to access the main road network to/from this direction. As such two additional passing places should be provided to allow a car and a bus to safely pass each other and prevent further verge overrun. These should be located just to the west of Great Cliffsend Farmhouse and between St Augustine's Cross and the golf club access, where existing verge overrunning occurs. The total width should be 5.5 metres and there should be sufficient room for a car and a bus to pass each other, demonstrated with vehicle swept path diagrams. By the same token the width of Cottington Road at the

proposed site access junction should also be increased to 5.5 metres and allow a bus to pass a car. Details of all the alterations to the existing highway should be submitted, including a safety audit and designer's response to any issue raised.

4. The proposed pedestrian connection to the potential Parkway Station site needs now only to take the form of a Public Right of Way, without lighting or a tarmac surface. As such our Countryside Access Team will confirm the contribution required in the s.106 agreement to provide this facility.

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

**Environment Agency** - Thank you for sending the detailed drainage strategy reports. We are satisfied that the foul drainage is going to the main sewer and have no further comments to make to the above application.

**Environmental Health** – I have reviewed the above application which is adjacent to the AQMA and close to a railway line. I would therefore request that the following standard mitigation be secured via a suitably worded condition, with details to be submitted for approval: -

- All gas-fired boilers to meet a minimum standard of <40mgNOx/kWh
- 1 Electric Vehicle charging point per dwelling with dedicated parking

To ensure that future occupants are safeguarded against railway noise I would recommend an acoustic assessment condition to determine the impact of noise from transport related sources.

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

The application details for this development indicate that the proposed means of surface water drainage for the site is via a watercourse. The Council's technical staff and the relevant authority for land drainage consent should comment on the adequacy of the proposals to discharge surface water to the local watercourse.

Following initial investigations, Southern Water can provide a water supply to the site. Southern Water requires a formal application for connection and on-site mains to be made by the applicant or developer.

**KCC SUDs –**

**(Final comment)** - Having held discussions with the applicants consultant we are satisfied with the design and that our concerns with regards to the final drainage outfall being within land outside of the red line planning boundary can be dealt with by condition. Should your authority be minded to grant permission we would suggest safeguarding conditions.

**(initial advice)** - The application is supported by a Flood Risk Assessment prepared by Ecus (July 2015).

This assessment indicates that surface water could be managed with a controlled discharge rate with attenuation on site. The attenuation volume based on preliminary assumptions with respect to the layout would require a volume of 713 m<sup>3</sup> with a surface area of approximately 1400 m<sup>2</sup>. This shown indicatively on Figure A3 within the assessment. This possible proposal does rely on a connection to a watercourse in the locality. The feasibility of achieving this connection was not fully assessed. This approach appears feasible but Kent County Council would require further discussion with respect to the discharge rate and the ability to connect to the local watercourse.

However, the illustrative layout which has been submitted for this planning application prepared by ECE Architecture (January 2017) takes no consideration of any potential areas which may be required for attenuation storage. This would suggest that the planning proposal does not provide appropriate management of surface water onsite.

The accompanying drainage assessment (Ecus, Dec 2016) states that the surface water generated by this development can be accommodated on land to the south-side of Cottington Road, but there is no indication as to where this may be located. The adjacent site (covered under application ref TH/17/01750) is also covered by the Flood Risk Assessment submitted with this application; as mentioned above, figure A3 shows indicatively where the water from both of these sites should be accommodated.

Unfortunately these indicative surface water attenuation areas have been omitted from both of the subsequent indicative site layouts. There is a statement within Dec 2016 assessment which suggests that land that lies outside of the red-line boundaries of both sites could be used to provide the space for the required attenuation basin. This is not an acceptable solution. The redline boundaries should be amended to accommodate the entire development, inclusive of the necessary surface water management infrastructure. It must then be ensured that the attenuation pond is appropriately designed and sized to accommodate the runoff from both of the contributing sites without exacerbating the flood risk to the site or surrounding area.

Kent County Council therefore object to this proposal as submitted until further information is provided to demonstrate how the recommendations as proposed within the Flood Risk Assessment are appropriately accommodated within the illustrative layout and within the confines of the application site's red-line boundary.

**KCC Archaeology Officer** – As explained in the submission this site has been the subject of archaeological assessment, geophysical survey and evaluation trial trenching the scope of which has been agreed with myself and which I have monitored. The evaluation revealed a complex buried archaeological landscape of a number of periods on site. I have agreed subsequent to the evaluation that the site should be subject to a programme of further archaeological works in the form of strip map and sample archaeological excavation prior to development and this can be secured through a programme of archaeological work condition.

**KCC Accommodation** - The County Council has assessed the implications of this proposal in terms of the delivery of its community services and is of the opinion that it will have an additional impact on the delivery of its services, which will require mitigation either through

the direct provision of infrastructure or the payment of an appropriate financial contribution - £129,636 towards primary school provision (works at St.Lawrence in Thanet CE Primary School), £92,032.20 towards secondary school provision (Phase 1 expansion of Ursuline College), and £1,968.65 towards libraries.

**KCC Biodiversity** – We have reviewed the ecological information submitted in support of this planning application and the information provided by the applicant in December when we provided pre application advice.

We advise that sufficient information has been provided and we are satisfied with the conclusions of the report - We note that the survey was carried out in 2015 but as the fields are actively managed arable fields we are satisfied that the conclusions of the survey are unlikely to have changed.

### Bats

The ecological survey has identified that a tree on the Eastern boundary of the proposed development site (identified as TN4 within the ecological report) has suitable features to be used by roosting bats.

At the time of the ecological survey it was not intended to remove or prune the tree (as it was outside of the boundary). When we originally commented we raised concerns that if there were proposals to remove/prune the tree but the applicant has confirm that no works are currently proposed and as such we are satisfied that there is no requirement for updated surveys to be carried out.

We advise that if planning permission is granted an informative is included alerting the applicant's to the presence of this tree and if any works are being carried out on the tree a bat scoping survey and recommended emergence survey and mitigation must be implemented prior to works on the tree commencing. This is to ensure that the works do not result in a breach of wildlife legislation.

The reports detail that although there is some limited potential for protected species to be present (including reptiles, breeding birds and badgers) the impacts can be minimised by implementing a precautionary mitigation strategy – we advise that a precautionary mitigation strategy is submitted as a condition of planning permission.

### Lighting

The proposed development will result in an increase in lighting within the immediate area which may have a negative impact on biodiversity and we advise that any lighting scheme proposed for the development must be sensitively designed.

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.

### **The River Stour (Kent) IDB –**

*(final comment)* - I can confirm that, in principle, the surface water drainage proposals appear to be in order. If total runoff from both sites is restricted to a maximum of 7.4l/s, with drainage details (including storage) and future maintenance agreed with TDC and KCC, I would have no objection.

I note that you have acknowledged the need for IDB consent for any new discharge into Stonelees Stream (the receiving watercourse). I also note and support the possible use of permeable paving (and water butts) but I wouldn't want this to remove or significantly reduce the size of the proposed balancing pond, due to the additional benefits provided in respect of local amenity, water quality and biodiversity.

*(initial comment)* - Please note that whilst the site of the above planning application is outside of the River Stour (Kent) Internal Drainage Board's district, it is thought to drain eventually to it. The proposal therefore has the potential to affect IDB interests, downstream flood risk in particular.

I note that the applicant proposes at this stage to discharge into Stone lees Stream (IDB173), which is approximately 200m away and maintained by the IDB. Any additional/positive discharges to this watercourse, or works within 8 metres of it, will require the IDB's prior written consent in accordance with the Land Drainage Act 1991 and the Board's byelaws (copy attached) and not solely KCC's consent as stated.

If the use of soakaways is confirmed to be impracticable, the applicant will need to clearly show existing drainage paths (to confirm that the site does in fact drain to this watercourse) and ensure that runoff rates are not increased beyond that of the Greenfield site. It is proposed by the applicant that surface water runoff should be restricted to  $Q_{bar}$ , which is likely to be acceptable provided that sufficient on-site storage is included to accommodate the 100 year rainfall event, plus an allowance for the predicted effects of Climate Change. The Board very much supports the use of open SuDS (swales and ponds) in preference to closed underground systems due to the additional benefits they provide in respect of local amenity and biodiversity. The Environment Agency's guidance should also be followed in respect of pollution prevention.

It is requested that surface water drainage is made subject of a planning condition, with the details of the proposed SuDS and its future maintenance to be designed and agreed in direct consultation with KCC's drainage and flood risk team. I would also be grateful to be consulted on the details of surface water drainage in due course.

**Kent Wildlife Trust** – Object. Cumulative effect of the loss of three fields, which will impact upon the loss of over-wintering habitat in the vicinity of Pegwell and Sandwich Bays. If approved, enhancement measures should be incorporated to compensate for the loss of suitable land.

**Natural England** - I would like to confirm that Natural England has no objection to this development providing that the appropriate financial contribution is made to the Thanet Coast Strategic Access Management and Monitoring Strategy (SAMMS).

**TDC Conservation Officer** - I am satisfied with the Historic Landscape assessment and setting assessment of St Augustine's Cross.



Since the application is at an outline stage with reserved matters with regard to design and form of the proposed development, the assessments has adequately explored the potential impact of the proposed development and equally have set mitigation measures on the impact of the development to St Augustine's Cross. I would advise that special attention should be paid to the design, form and layout as well as retention of an appropriate visual setting of St Augustine's Cross in particular on the proposed development at site B which has a more possibility of affecting its setting.

**TDC Head of Housing** - The submitted planning application confirms that the site will provide 30 % affordable housing as per policy. Although no detail is confirmed as yet.

Strategic Housing would like an appropriate allocation of the properties across the whole site, and be part of the ongoing site specific discussions.

**TDC Waste and Recycling** – We have noted that a gate is going to be used to impose a speed restriction - clearly we would need to be assured that the gate is not wide enough for access and not blocked in any way. We would like to be kept in the loop - as with all new developments we have concerns re: parking areas and sizes of turning circles.

**Thanet CCG Estates Manager** - NHS Thanet CCG (TCCG) now has the responsibility for requesting Section 106 (s106) health care contributions, on behalf of developments in areas where CCG practices are located. TCCG wishes to apply for such assistance and a healthcare contribution is therefore requested against the above development in accordance with the recognised Thanet District Council Planning Obligations and Contributions Guidance.

Inevitably, any increase in the local population has a knock-on effect in terms of health care and TCCG would seek to apply this s106 contribution to meet these extra demands placed upon the local primary care health service. With regards to these particular applications, despite being modest in size in their own right, collectively they pose a risk to the provision of primary care in the locality and so the effect has been considered as a totality rather than individually. A need has been identified for contributions to support the delivery of investments highlighted by our internal Premises Review. This improvement to the primary care infrastructure is expected to result in a need to invest in improvements to Newington Road Surgery, which sits within 1.5 miles of the proposed developments. Any increase in patient list sizes will push the practices to an unacceptable level of patients per sqm and it is hoped that this development will directly support improvements within primary care by way of extension, refurbishment and/or upgrade in order to provide the required capacity.

In respect of phasing and patient numbers, the contribution is sought upfront from each application, this will allow improvement works to be complete in advance of new patients wishing to register and will mitigate capacity issues going forward.

## COMMENTS

This application is brought before members as the site lies outside of the village confines, and is therefore a departure to Policy H1 of the Thanet Local Plan. The application has also been called in by Cllr Townend to enable members to consider the principle of the development within the countryside.

## **Principle**

The site lies outside of the village confines and 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'. This policy no longer accords with the requirements of the National Planning Policy Framework (NPPF), as the Council cannot demonstrate a 5 year housing land supply, and as such this policy has little weight.

Policy CC1 of the Thanet Local Plan states that new development within the countryside will not be permitted unless there is a need for the development that overrides the need to protect the countryside. There is a current need for housing within Thanet, which is being reviewed through the Local Plan process.

In the Draft Thanet Local Plan Preferred Options Consultation document the site has been allocated for housing under Policy H04F, with a notional dwelling capacity of 40 dwellings, similar to that proposed.

Whilst the application site would be a departure to current Local Plan Policy H1, this policy is not up-to-date, and the direction of travel of the new Policy document to allocate the site for housing development has some weight in decision-making to support this submission. The proposal falls therefore to be considered in the context of the presumption in favour of sustainable development in accordance with paragraph 49 of the National Planning Policy Framework.

The application site is located on the edge of Cliffsend, a village that has been considered through the Local Plan process to be a sustainable village that is suitable for expansion. Within the village there is a community shop, post office, village hall, church, nursery, along with a recreation ground and equipped play area. As part of a recently approved application at Cliffsend Farm Cottages, planning permission has been granted for the erection of an additional shop to the centre of the village, along with improved footpath connections between the north and south of the village and to bus stops. These additional services and infrastructure improvements are increasing the sustainability of the village, and help to support the future expansion of the village. The site also falls within 400m of a bus stop, and a bus route that connects with both Ramsgate and Minster that have primary schools and other facilities and services.

Policy H04F requires that as part of any future application a pre-design archaeological evaluation, targeted assessment of the impact upon the setting of St. Augustine's Cross, and a transport statement (that takes account of the traffic impact onto the Foad's Lane area) be submitted, and the possibility of a sustainable connection link to the proposed Parkway Station be explored.

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

## **Quality of Land**

The NPPF states that local planning authorities should seek to use areas of poorer quality land in preference to that of higher quality. The planning statement advises that the application site consists of Grade 2 agricultural land, similar to much of the agricultural land within Thanet that is either Grade 2 or higher. The loss of this land will need to be balanced against the need for the development.

## **Impact on Countryside and Surrounding Area**

The site falls outside of the urban confines and within a Landscape Character area. Policies CC1 and CC2 of the Thanet Local Plan look to protect the open landscape, and the wide, long views of the former Wantsum Channel area and Pegwell Bay. The application site is located on the edge of the existing settlement in an open area of field, and will therefore be visible from Cottington Road, with partial long views achievable from the surrounding area, including Canterbury Road West and the A299.

### **- *Landscape Impact***

The site is located between existing residential development; with the northern boundary of the application site not extending beyond the extent of residential development to the west of the site. As such, the proposed development would be viewed as an infill between existing road frontage development on Cottington Road, and would not result in an isolated extension into the countryside.

A Visual Impact Assessment has been submitted as part of the application in order to examine the visual impact of the proposed development on the immediately surrounding area, as well as on long views of Pegwell and Sandwich Bay, given the location of the site within a Landscape Character Area. The main views of the site are from Cottingham Road itself, with very limited views from either the east or west of the site, given the presence of existing development and landscaping. Views from the north of the site are limited by the railway embankment.

The recommendations of the report, (which take into account the recommendations of the Historic Landscape Assessment) are a landscaped frontage to the southern boundary on Cottington Road, with the development set back from the road. The landscaped frontage should include native trees, consisting of a mix of deciduous and evergreen, and a hedgerow within an area of 5m to 6m in depth. These will complement the trees and hedgerows along the eastern boundary and along the Cottington Road to the east. For the northern boundary, and short sections of the western and eastern boundaries the report recommends hedgerows and scattered trees, with species chosen to complement those within the rest of the landscape.

Based on the limited views of the site it is considered that there would be very minimal visual harm on the wider landscape, including the Landscape Character Area, and the recommendations as contained within the report are supported and would be enforced via safeguarding planning conditions requiring the landscape strip to the southern boundary and

hedgerow/trees to the western, northern and eastern boundaries to be shown on any reserved matters application for landscaping/layout.

- *Impact on Historic Monument*

A Historic Landscape Assessment has been submitted as part of the application in order to assess the impact upon the Grade II Listed monument 'St. Augustine's Cross'. The report advises that the Grade II Listed Cross lies only 175m from the application site at its closest point, however the existing western boundary tree line prohibits views from the majority of the site, with limited views only possible from the southern boundary of the site. The report advises that the introduction of a housing development on the application site is likely to affect the setting of St. Augustine's Cross, as the reduction in the distance between the residential area and the monument would encroach upon the rural setting of the monument; however, it is expected that the proposed development would have only a minor adverse effect upon the setting and the significance of the asset, and is therefore not considered to constitute substantial harm. The report recommends that consideration be given to the height and massing of any future development, and that any buildings be set back from the southern boundary of the site to increase screening along the southern boundary to prevent any intervisibility between the development and the cross. It is recommended that an evergreen species of tree/hedgerow is used to screen the development to ensure that the screening remains all year round.

The Conservation Officer has assessed the submitted document and is of the opinion that the report fully assesses the impact of the proposed development on St. Augustine's Cross, and that given the distance between the proposed development and the designated heritage asset, the proposed development is unlikely to result in harm to the setting of the Grade II Listed monument. Further consideration may need to be given to the impact upon the setting at the reserved matters stage when the height of buildings are being considered, but at the current time no concerns are raised with the principle of the proposed residential location.

Amended highway plans have been submitted as part of the application. The amended plan shows the provision of vehicle passing bays within close proximity of St. Augustine's Cross. A typical section of these areas where the road is intended to be widened has been submitted, and shows that the increased road width of 1.4m will not result in significant excavation works as the ground is mainly flat in this location. Given that there is a large passing/parking bay directly to the front of St. Augustine's Cross, it is not considered that the proposed passing bays, which are further from the Cross, would significantly detract from the setting of the Cross.

The impact upon the historic monument is therefore considered to be acceptable subject to safeguarding conditions restricting the location of development and landscaping.

- *Impact upon Character and Appearance of area*

The density of development proposed is 28dph, which is considered to be in keeping with the spacious rural character of the village. The illustrative site layout plan shows that the 41no. units would be in the form of terraced, semi-detached and detached dwellings. The semi-detached and detached dwellings would be in keeping with the general pattern of development within the village, and whilst some terraced units are also proposed, these are few in number, and if terraces in this location were felt to be a concern they could be

replaced with more spacious units as part of the reserved matters application. Whilst it is indicated that there may be two self-contained flats proposed within the development, two units within a single building would not appear dissimilar to a single dwelling, and would therefore not impact upon the character of the area.

Whilst the scale and appearance of the proposed dwellings is not being considered at this stage, the planning statement submitted with the application advises that the dwellings will be single storey and 2-storey in height. An illustrative site section plan has been submitted showing that the site is of a consistent level, and the proposed development is unlikely to exceed a maximum of 9m in height to ridge level, which is quite typical for a 2-storey dwelling. A development of this height/scale would be in keeping with the surrounding character and appearance of the area. Given the edge of village location of the site, a condition is proposed to restrict any future reserved matters application to development that is a maximum height of 2-storey.

Details of the materials are not for consideration as part of this application, although the illustrative site layout plan suggests that the hard surfacing will consist of shared surface block paved roads, which is supported.

On the basis of the information submitted, the impact upon the countryside and surrounding area is considered to be acceptable, subject to safeguarding conditions enforcing landscaping and limiting development height.

### **Living Conditions**

The main residents likely to be affected by the proposed development are those in Beech Grove to the east of the site, and those in Lavender Lane to the west of the site.

The application is in outline form and therefore the layout is not being considered at this stage. Based on the submitted Illustrative Layout Plan a minimum distance of at least 26.5m could be provided to the residents in Beech Grove and a minimum distance of 23m to the residents in Lavender Lane. The land is quite flat with little change in level, and appears to be of similar level to that of adjoining properties. The application has also stated that the intention is for both 2-storey houses and bungalows within the site, but again the detail of this would be considered at the reserved matters stage. Based on the information provided at this outline stage, it is considered that the number of units proposed could be accommodated within the site without any adverse impact upon neighbouring amenity.

In terms of the proposed access road, it is located towards the centre of the site, a minimum distance of 30m from either side boundary to the site. The Illustrative Layout Plan does not show any parking provision adjacent to neighbouring gardens, only garden space. It is therefore not considered that there would be any significant impact upon neighbouring properties from the noise and disturbance created by additional vehicle movements within the site.

The location of the proposed footpath link has been indicated within the preliminary footpath cost estimate document. The footpath would be located to the rear of properties in Earlsmead Crescent, and whilst security concerns have been raised by some residents in relation to the location of the footpath, it is not considered that the footpath (which will not be lit) would result in any significant security problems beyond those which would already exist

from the existing adjacent open field, especially when the exact location of the footpath is not yet known, and is to form part of a separate consultation process by KCC.

Based on the current proposal, which it not considering the specific layout, size, and design of the dwellings at this time, it is considered that the amount of development proposed could be accommodated on the site without resulting in significant harm to the standard of amenity of existing neighbouring occupiers, in accordance with Policy D1 of the Thanet Local Plan and paragraph 17 of the NPPF.

## **Transportation**

### *- Highway Safety*

As part of this application consideration is being given to the creation of a new vehicular access onto Cottingham Road, and the use of the access by the future residents of up to 41no. dwellings. In terms of parking the illustrative layout plan shows the provision of 1 parking space per 1 bed flat, 2 spaces per 2/3 bed house, 2-3 spaces per 4-bed house, and 10no. additional unallocated visitor parking spaces.

Paragraph 32 of the NPPF requires that all developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment, and decisions should take into account whether a safe and suitable access to the site can be achieved, and whether the residual cumulative impact of the proposed development is severe.

A Transport Assessment has been submitted by the applicant as part of the application, which concludes that the site is accessible by modes of transport other than the private car, and is a short distance from local facilities in Cliffsend; a suitable access for the site can be provided via a new junction connecting to Cottingham Road, in conjunction with a proposed speed limit reduction to the west of the application site and traffic calming measures; the housing proposals will generate peak hour traffic at the site access, and at other locations within the village including Foads Lane, which will fall significantly below the threshold of 30 vehicle movements per hour ; the junction overall will accommodate traffic significantly below its design capacity for 41no. dwellings, and there are no highway safety issues other than a single road accident within a 5 year period for highways in the vicinity of the site. As such, the report concludes that the proposed development is acceptable in transport terms.

KCC Highways and Transportation have been consulted and initially raised concerns that the Transport Assessment had not taken into consideration the cumulative highway impact of the trip generation for the application site, alongside that of the proposed housing developments being considered under separate applications for Cottingham Road and Canterbury Road West. In addition, concern was raised that evidence to support the proposed speed limit change (to 30 mph for an extended length of the road to the west of the application site) had not been submitted; an isolated raised table feature at the entrance would not be acceptable; and that given the narrowness of Cottingham Road to the west of the site, which is only 4m wide in places, and given the increased use of this section of the road, two additional passing places should be provided to allow a car and bus to safely pass one another, along with the increased width of Cottingham Road directly outside of the application site.

A Technical Note has subsequently been submitted by the applicant, which has assessed that the addition of this traffic in conjunction with the traffic generated by the other two proposed housing sites within Cliffsend will result in an increase of vehicle movements of only 1.7% when compared with the existing 2016 link traffic flows along the A299 in the vicinity of the roundabout. The applicant's traffic consultant concludes this increase to be negligible, creating only a limited impact upon the operation of the A299, the Cliffsend roundabout, and the Sevenscore roundabout to the south.

In addition, it is concluded within the technical note that the reduction to 30mph along Cottingham Road should be changed at the point close to the existing village sign, rather than to the west of the site, with visibility splays from the site entrance of 2.4m by 58m provided. A Stage 1 Safety Audit has been submitted, which does not raise any significant highway safety issues in relation to the works. Amended plans have also been submitted showing the provision of two additional passing bays along Cottingham Road to the west of the site; the widening of the road just outside of the access point to the site, in order to allow two vehicles to pass one another; and the provision of a footpath connection between the application site and the south side of Cottingham Road, and leading to the footpath by Oakland Court to the east of the site.

KCC have assessed this additional information and accept that the proposals are likely to generate approximately 21 two-way vehicle movements in the network peak hours, most of which (around 15) are likely to route to/from the major road network to the west of the site. Cottingham Road has low existing traffic flows and the additional movements can be accommodated with the improvements proposed, which include the provision of the passing bays and the widening of the road.

KCC have advised that when assessing the impact of this application upon the highway network, it has been considered in conjunction with the separate planning applications for housing development on land south of Canterbury Road West (17/0152) and land south of Cottingham Road (17/0150). When considering the cumulative impact of all three applications KCC are of the opinion that the likely additional small number of movements to/from the west generated by the proposals can be accommodated with the proposed road widening improvements; the likely number of peak hour two-way vehicle movements to/from the east of the Cottingham Road sites through the village centre (around 9 in total) is low and unlikely to have a significant impact; the combined impact of the three applications on the Sevenscore and Cliffsend roundabouts has not been considered to be significant, being less than the typical variation in daily traffic flow. As such, it is not considered that the proposed development is likely to have a severe impact on the highway network that could warrant a refusal of the application on highway grounds.

KCC support the footpath connection that is now proposed as part of the amended plans, as this would allow for future residents of the proposed development, along with existing residents to the west of the site, to have safe pedestrian access to the centre of Cliffsend village where there are facilities and bus stops. A financial contribution for a footpath connection between the north edge of the site and the proposed Thanet Parkway Station to the north is also offered, all of which support pedestrian movement and encourage travel by non-car modes.

KCC Highways and Transportation have assessed the safety audit that has been carried out in relation to the highway works, and are satisfied that the proposed visibility splays appropriate for the speed limit in Cottingham Road can be provided at the site access.

Any concerns regarding access and parking for construction traffic can be dealt with through a Construction Management Plan condition.

Taking all of the matters raised into consideration, it is considered that the proposal for the erection of 41no. dwellings is unlikely to have a severe impact that would warrant a recommendation for refusal on highway grounds. The impact upon highway safety is therefore considered to be acceptable subject to safeguarding conditions.

- *Footpath provision*

Policy HO4F of the Draft Thanet Local Plan for the housing allocation of the site requires that consideration be given to the provision of a pedestrian footpath to the proposed Parkway Station, which is intended to be located on land to the north of the site.

As part of the application the applicant has submitted the potential location of the new footpath, which extends from the north of the application site to the bypass, and which lies adjacent to the rear boundaries of existing properties in Cliffsend; along with a cost estimate for the works. KCC have assessed this submission and carried out their own costings for the proposed 2.5m wide foot/cycle path, which equates to £38,352.50. The applicant has agreed to the provision of this financial contribution through the legal agreement, with a clawback clause that if the money is not spent within 10 Years the money will be paid back to the developer of the site. This clause is required should the Parkway Station not proceed, as there would be no reasonable justification for the contribution without the presence of the proposed station.

Should the new footpath link be provided, it is likely that the existing footpath link TR32 would no longer be required, however, KCC have advised that the closure of TR32 would be dealt with through a separate public consultation and process.

The agreement by the applicant to the proposed financial contribution adds to the overall sustainability of the proposed development, as the financial contribution would allow for the provision of a footpath that would improve pedestrian movement and connectivity for residents of the village to the proposed station.

- *Waste and Recycling vehicles*

The Waste and Recycling department have commented on the application and advised that any gate provision within the site would need to be wide enough for access and not blocked in any way. They have also queried parking provision and turning areas; however, the application does not include consideration of layout at this stage, and therefore this concern can be addressed through any future reserved matters application.

## **Drainage**

- *Foul Drainage*

The applicant's intention is to connect on to the main sewer for foul drainage. Southern Water has advised that their initial investigations indicate that they can provide foul



sewerage disposal to service the proposed development. The Environment Agency has no objections to the foul drainage provision if going to the main sewer.

Whilst the applicant has advised that in order to connect to the foul sewer they would have to either provide an off-site foul outfall sewer crossing land out of their control, or construct the sewer via a requisition agreement with Southern Water under Section 85 of the Water Industry Act 1991, which can be dealt with via condition.

The principle of the foul drainage provision is therefore considered to be acceptable, subject to safeguarding conditions.

#### - *Surface Water Drainage*

The proposal for surface water drainage is through a water attenuation basin, which is located outside of the red line boundary, on land within the blue line boundary opposite the site. KCC originally raised concerns with this surface water drainage solution, due to the lack of information provided and concerns about future maintenance of the drainage system, given its location outside of the red line boundary. Further information has since been submitted, including a plan that identifies the location of the basin on land opposite the site, and further details on the proposed drainage strategy. The Local Planning Authority's view is that the drainage can be secured and protected through provisions within a legal agreement. On this basis, and in response to the additional information/plans submitted, KCC raise no concerns with the design and location of the proposed surface water drainage.

Southern Water has raised no concerns with the drainage as proposed, and has confirmed that they can provide a water supply to the site.

The drainage provision as proposed is considered to be acceptable subject to safeguarding conditions, and the ongoing maintenance of the drainage being secured via a legal agreement.

#### **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 12no. units. Whilst the exact unit size is not being agreed at this stage, details submitted with the application indicate that the affordable units could be a mix of 1-bed flats, 2-bed houses and 3-bed houses. The provision of affordable housing would need to be proportionate to the overall houses sizes on the site, with details of the location and size of the units to be submitted as part of the reserved matters application.

A legal agreement is to be submitted that includes the provision of 30% affordable housing. The proposal therefore complies with Policy H14 of the Thanet Local Plan.

#### **Size and Type of units**

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 2no. 1-bed flats, 10no. 2-bed houses, 25no. 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 site layout plan shows a mix of semi-detached and detached dwellings, along with a few self-contained flats and terraces, and therefore it is considered that an appropriate mix in unit types could be provided 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.

### **Play Provision**

Policy SR5 of the Thanet Local Plan requires that where a development in its completed form would amount to ten to forty-nine residential units a commuted payment is expected to be made for the provision, maintenance and upgrade of play facilities.

There is an existing play area within the southern side of Cliffsend Village, however, a financial contribution to this play area has already been secured through the Cliffsend Farm Cottages application site, which is opposite the play area. As such, the Open Spaces Interim Supervisor has advised that the existing play area does not require any further equipment to be added to it.

Instead it is considered that a contribution could be made towards the equipped play area being provided on the housing site to the south of Canterbury Road West. Rather than a financial contribution, it has been agreed with the agent that a larger equipped play area would be provided on the northern site that would exceed the minimum requirement for an equipped play area that is stated within Policy SR5 of the Thanet Local Plan. The equipped play area already agreed through a separate planning application within the blue line on the site to the south of Canterbury Road West (17/0152) is 410sqm. The equipped play area to be provided through this application on that site would be an additional 258.3sqm (using the calculation contained within Policy SR5). The agent has agreed to this, and a larger equipped play area has been shown on the indicative layout plan for that application, and would be secured within the legal agreement for this application.

The provision of play space is therefore considered to be acceptable, in that the provision of additional off-site equipped play space provision would address the requirements of Policy SR5 of the Thanet Local Plan, which seeks either new or upgraded play equipment to serve the development.

### **Archaeology**

An Archaeological Evaluation Report has been submitted as part of the application. The Archaeological Officer at KCC has been consulted and has advised that the site has been the subject of archaeological assessment, geophysical survey and evaluation trial trenching the scope of which the Archaeological Officer has agreed with and monitored. The evaluation revealed a complex buried archaeological landscape over a number of periods on site. For this reason the Archaeological Officer considers that the evaluation that the site should be subject to a condition requiring a programme of further archaeological works in the form of strip map and sample archaeological excavation prior to the commencement of any development.

The impact upon archaeology is therefore considered to be acceptable subject to safeguarding conditions.

## **Biodiversity**

As part of the application an extended phase 1 habitat survey has been submitted. The report confirms that no notable species were identified on site during the survey, which is likely to be due to the arable nature of the land and the lack of any nearby watercourse. Safeguarding conditions are recommended within the report for during the construction phase.

KCC Biodiversity has been consulted and has advised that sufficient information has been provided, and they are satisfied with the conclusions of the report; however, they have queried whether any works are intended to be carried out to the tree on the Eastern boundary of the proposed development site (identified as TN4 within the ecological report), which has suitable features to be used by roosting bats. The applicant has confirmed that no works are intended to remove or prune the tree, as it falls outside of the application site. KCC are therefore satisfied that there is no requirement for updated surveys to be carried out.

KCC raise no objections subject to safeguarding conditions, including the submission of a precautionary mitigation strategy, a lighting condition, and an ecological enhancement condition.

Subject to these safeguarding conditions, the impact upon biodiversity is considered to be acceptable.

## **Financial Contributions**

### *- Education/Libraries*

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 £129,636 towards works at St.Lawrence in Thanet CE Primary School; a financial contribution of £92,032.20 towards Phase 1 of Ursuline College expansion works; and a financial contribution of £1,968.65 towards book stock at the local library.

Whilst these projects are not located within the village itself, KCC have advised that all obligations have now been sought for the Ramsgate Free School and Birchington Primary School, and therefore St.Lawrence Primary School is the nearest primary school to the application site with a current expansion project, which would justify a need for financial contributions. In the same way, Ursuline College is the nearest secondary school to the application site with a defined expansion project, and therefore a justified need.

The contributions are considered to meet the statutory tests of planning obligations. The applicant has agreed to provide all of the required financial contributions, which will be secured through the submission of a legal agreement.

### *- Healthcare Provision*

A request has been received from the NHS regarding the need to mitigate the increased healthcare requirement created by this housing development (cumulative with the separately considered applications in Cliffsend). They have advised that any contributions secured should be put towards the expansion of the patient list, through either the extension, refurbishment or upgrade of Newington Road Surgery (the joint closest surgery to the application site). The formulae used to calculate the contribution is based on a cost per head to provide a new surgery. This equates to £360 per person, resulting in an overall contribution of approximately £38,952 for the application site (dependent upon the finalised unit sizes).

The principle of the contribution is considered to meet the statutory test of planning obligation, and the applicant has agreed to the principle of a contribution to be part of the Section 106 agreement. The impact upon healthcare provision is therefore considered to be acceptable.

### **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.

### **Other Matters**

Concern has been raised by residents and Cliffsend Parish Council to the proposed attenuation basins, which could encourage the breeding of mosquitos in an area where there are already mosquito concerns. The Flood Risk Project Officer at KCC has commented on this concern, and has advised that the ponds are designed to take water for exceptional events so they should be dry more often than not and they are designed to have a controlled outflow so they will ultimately empty anyway. KCC have further advised that mosquitoes breed in small, temporary water features where normal pond predators are absent, e.g. rainwater butts, large puddles and water features without natural habitat, such as marginal vegetation. This can be avoided through design. As such it is considered that the proposed attenuation basins will not result in significant harm to public safety, and can be designed to limit the potential for mosquitos, with details of this to be submitted through safeguarding conditions.

### **Heads of Terms**

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

- 30% affordable housing,
- £3324.00 per 'applicable' house and £831.00 per 'applicable' flat towards primary school provision in the form of St.Lawrence in Thanet CE Primary School works,
- £2,359.80 per 'applicable' house' and £589.95 per 'applicable' flat towards secondary school provision in the form of Phase 1 Ursuline College expansion works,
- £1,968.65 towards library provision,
- £16,728 towards the Special Protection Area,
- £38,352.50 towards the provision of a footpath link connection with the proposed Parkway Station.
- £38,952 (based on the current housing mix) towards improvements within primary care by way of an extension, refurbishment and/or upgrade at Newington Surgery,
- Safeguard any required drainage provision on land outside of the application site, within the blue line.
- Safeguard the provision of equipped play space on land outside of the application site, within the blue line.

## **Conclusion**

Whilst the site lies within the countryside as identified by the Local Plan, the authority does not have a 5 year supply of deliverable housing sites. Accordingly the proposed housing development must be viewed in the context of the presumption in favour of sustainable development and the tests of paragraph 14 of the NPPF, with any adverse impacts of granting permission having to significantly and demonstrably outweigh the benefits from the scheme to withhold planning permission.

The provision of 41no. dwellings would make a significant contribution to the District's housing supply, supporting economic and social dimensions of sustainable development, with employment provided through construction. All requests for social contributions towards education, social and health care have been agreed by the applicant, and 30% on-site affordable housing is provided, along with off-site play provision, a new footpath and passing bays on Cottington Road, and a financial contribution towards a new pedestrian footpath connection to the proposed Parkway Station. This attaches significant weight in favour of the application due to these social and economic benefits.

In terms of the environmental dimension, the proposal would result in the loss of countryside, but would appear as a natural expansion of Cliffsend, with limited impact upon the wider landscape area and the setting of the Grade II St.Augustine's Cross. The density of the proposed development falls below 30 dwellings per hectare, thus in keeping with the rural character of the area, and landscape enhancements are proposed including hedgerows and trees along the northern, western and southern boundaries of the site. Kent Highways raise no objection in principle to the proposal, and the proposed access is considered to be both

safe and suitable. Therefore overall limited environmental harm would result from the proposal.

It is considered that, with safeguarding conditions and appropriate contributions and items secured via a S106 legal agreement, that there would be no adverse impact of the development on ecology, archaeology, air quality, flooding or drainage. The reserved matters application(s) will consider detailed impact on living conditions of neighbouring occupiers, however the development of the site for the development submitted can be accommodated without resulting in a significant adverse impact to residential properties in the vicinity of the site.

Therefore when considering the framework as a whole, the proposal constitutes sustainable development, as any harm is outweighed by the significant economic and social benefits from the proposal, and the development supports the direction of the emerging Thanet Local Plan.

It is therefore recommended that Members defer and delegate the application for approval, subject to the receipt of a satisfactory Section 106 agreement to secure the required planning obligations.

**Case Officer**

Emma Fibbens

TITLE: OL/TH/17/0151

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

