

**D04**

**OL/TH/16/1416**

PROPOSAL: Outline application for erection of 14No. detached dwellings including access, layout and scale

LOCATION: Land Adjoining 1 Chilton Lane And Canterbury Road East  
RAMSGATE Kent

WARD: Cliffsend And Pegwell

AGENT: Michael Collins

APPLICANT: Mr Rob Smith

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, the means of access to the site 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 the commencement of the 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:

- i) Details of construction access point to the site
- ii) Parking and turning for delivery and site personnel vehicles
- iii) Wheel washing facilities
- iv) Any temporary traffic management required during construction (details of this should be agreed beforehand with the Streetworks Team)

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

GROUND:

In the interests of highway safety.

6 No development shall take place until the highway alterations shown on plan numbered 8250Z/02 Rev A, which include the provision of parking controls outside of the site, either side of the new access, have been completed.

GROUND:

In the interests of highway safety.

7 The areas shown on the approved plans for vehicle parking and turning shall be provided prior to the first occupation of the development hereby permitted, and thereafter maintained.

GROUND:

Development without adequate provision for the parking or turning of cars is likely to lead to parking inconvenient to other road users and detrimental to amenity and in pursuance of Policy D1 of the Thanet Local Plan.

8 Prior to the first occupation of the development hereby permitted, visibility splays of 120 metres x 2.4 metres x 120 metres shall be provided at the access, with no obstructions over 1 metre above carriageway level within the splays.

GROUND:

In the interests of highway safety.

9 Prior to the first occupation of the development hereby permitted, visibility splays of 0.5 metres x 18 metres into the site on both sides of the access, with no obstructions over 0.6m above footway level, shall be provided and thereafter maintained.

GROUND:

In the interests of highway safety.

10 No development hereby permitted shall commence until a detailed sustainable surface water drainage scheme for the site has been submitted to (and approved in writing

by) the local planning authority. The detailed drainage scheme shall demonstrate that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100 year storm) can be accommodated and disposed of within the curtilage of the site without an increase to the 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.

**GROUND:**

To ensure that the principles of sustainable drainage are incorporated into this proposal without increasing the on and off-site flood risk, in accordance with the NPPF.

11 No building hereby permitted shall be occupied 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 ensure the ongoing efficiency of the surface water drainage system and to clarify the responsibilities for the post-construction care of the approved system, in accordance with the NPPF.

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

**GROUND:**

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

13 Details to be submitted in pursuant of condition 1 above for landscaping shall show:

- the use of a bound surface material for the first 5 metres of the access from the edge of the highway;
- a lighting design strategy for biodiversity, which shows how and where external lighting will be installed, and areas/features on site that are particularly sensitive for badgers and bats;
- details of how the development will enhance the quality and quantity of biodiversity on site;
- ecological enhancement measures to be provided on site, i.e. bat/bird boxes;
- the provision of mature tree planting within the site;
- retention of the tree planting to the northern boundary of the site.

**GROUND:**

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

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

**GROUND:**

To prevent pollution, in accordance with the advice contained within the National Planning Policy Framework.

15 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.

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

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

**GROUND:**

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

17 The proposed development shall be carried out in accordance with the submitted application as amended by the revised drawings numbered 15128-05-C and 15128-06-B, received 27<sup>th</sup> June 2017, and the additional parking controls plan numbered 8250Z/02 Rev A, received 28<sup>th</sup> February 2017.

**GROUND:**

To secure the proper development of the area.

**INFORMATIVES**

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

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

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

It is the responsibility of developers to have the appropriate waste storage facilities and containers in place prior to the 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/>

## SITE, LOCATION AND DESCRIPTION

The site is located in the countryside, on the edge of the urban area of Ramsgate. There is existing residential development to the north and east of the site, which consists predominantly of large detached 2-storey dwellings, set within substantial plots. Directly opposite the site is a car garage, and adjacent to the northern boundary of the site is a bus stop and a pedestrian crossing, with a roundabout present to either end of the site on Canterbury Road East. To the south of the site are allotments.

The site itself consists of a large area of open space, which has previously been used as agricultural land, but is now unused and slightly overgrown. Trees exist along the northern boundary of the site, and an existing gate is located halfway along the site to provide access to the site; however, this would not appear to be a formal vehicular access to the site as the gate is adjacent to the pedestrian crossing.

## RELEVANT PLANNING HISTORY

There is no relevant planning history for this site.

## PROPOSED DEVELOPMENT

The application is in outline form, and is for the erection of 14no. dwellings, with consideration of access, layout and scale. The dwellings are all 2-storey in height and detached, and consist of 11no. 5-bedroom units and 3no. 4-bedroom units. The site is accessed using a single access onto Canterbury Road East, with an internal access road extending the width of the site. Each property is provided with a minimum of 2no. parking spaces, double garage and garden.

## 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 - Playspace  
CC1 - Development in Countryside  
CC2 - Landscape Character Areas  
EP13 - Groundwater Protection Zones  
SR11 - Private Open Space  
CF2 - Financial Contributions

## NOTIFICATIONS

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

- Inadequate access,
- Inadequate parking provision,
- Increase in traffic,
- Increase in pollution,
- Out of keeping with area, density too high,
- Road is dangerous, and a reduced speed limit and double yellow lines should be introduced,
- Loss of privacy and outlook,
- Loss of gap separating Cliffsend and Pegwell.

**Ramsgate Town Council** - Fully support this application.

## CONSULTATIONS

**KCC Highways and Transportation** - (*final comment*) I refer to the additional drawing number 8250Z/02 Rev A. submitted for the above and confirm I now have no objections in respect of highway matters. The proposal for 14 dwellings will not generate a significant increase in traffic on the highway network, with only around 7-8 additional vehicle movements in the network peak hours. The proposed access has suitable visibility and this can be maintained by the introduction of additional parking restrictions on the south side of Canterbury Road East as shown on the plans. The internal site road is to remain private but provides suitable access and turning for a refuse vehicle, and adequate car parking is provided within the site to ensure there is no unacceptable parking on the highway. The works to provide both the site access in the highway and the additional parking restrictions can be carried out by the developer through a legal agreement with the highway authority. No objections subject to safeguarding conditions.

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

1. The crash data submitted is not up to date and does not give details of the individual crashes. Such information should therefore be provided.
2. The site is within a 40 mph zone and therefore visibility splays of 120 metres x 2.4 metres x 120 metres are required at the access unless measured speeds indicate otherwise. These splays should be shown on the plans and be within land under the control of the applicant and/or the highway authority. The splay to the west can be measured to the centre line of the carriageway rather than the nearside edge as the existing traffic island will prevent overtaking on this approach.
3. There is existing on-street parking in Canterbury Road East along the site frontage which will obstruct the above visibility splays and this will therefore need to be prevented. Parking restrictions will therefore be required along this side of Canterbury Road as necessary to ensure the splays are clear, and these restrictions should be shown on the plans. The applicant will need to fund the implementation of these restrictions.
4. I am not aware of any previous discussions with the highway authority regarding a left-in/left-out only access arrangement, as suggested in the Transport Statement. This would

not be necessary in capacity terms bearing in mind the small number of likely vehicle movements, and in any case is likely to be readily ignored due to the significant width of Canterbury Road East at the access point. A conventional major/minor junction arrangement would therefore be acceptable.

5. The application form indicates that a new public road is to be provided within the site, which presumably means the internal road is intended to be adopted by the highway authority. As layout is not a reserved matter suitable plans should be submitted to demonstrate that the proposed adoptable road is in accordance with Kent Design. These plans should show carriageways; footways; service margins; turning heads; speed restraint measures; dimensions; visibility splays/envelopes, and extent of the proposed adoption. Vehicle swept paths for an 11.2 metre refuse vehicle should also be provided to demonstrate that such a vehicle can negotiate the access junction and internal adoptable road and turning facilities in a suitable manner.

6. A pedestrian access point to/from the eastern part of the site is noted on the plan and should be provided. However, no footway is actually shown on the plans and further details should therefore be provided.

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

I would also comment that the amount of private car parking shown is acceptable and although garages are not counted as providing car parking under current guidance, each plot has sufficient driveway parking. However, three visitor spaces are required and these should be provided in lay-by format within the adoptable highway and distributed evenly throughout the site.

**KCC Biodiversity** - We are satisfied with the submitted reptile survey report, and as no reptiles were recorded, no further information will need to be submitted. As this was our only previous concern, we are satisfied that sufficient ecological information has been provided.

**KCC Archaeology** -I have read the study and examined the application. The site lies in a very high area of archaeological potential as set out in the study. Development here could affect important multi-period archaeological remains but in particular remains of prehistoric date relating to the important archaeology found on the Harbour Approach Road and the known crop mark complexes on Chalk Hill.

I note the site observation that the area has been buried under a layer of fill creating an embankment on the southern edge, this probably being spoil from the Nethercourt Estate development. Archaeology could therefore be effectively well preserved but sealed at an unknown depth.

I am unclear as to the exact nature of ground modification and ground works involved in the proposals and that would be a matter to consider when more details come forward. Given the present high archaeological potential but the unknown nature of the potential impact I would advise that provision is made in any permission granted for archaeological evaluation to be followed by appropriate mitigation of the impacts of development through either investigation or preservation.



**KCC SUDs** - As Lead Local Flood Authority, Kent County Council are now able to remove its outstanding objection to this development.

The submitted drainage adequately strategy addresses all of our previously raised concerns, and demonstrates that the scheme proposed will work with the specific conditions encountered at the site. We welcome the intended use of individual plot soakaways, with separate soakaway systems for the driveways and highways. We would recommend that the Environment Agency are contacted prior to the submission of the detailed design to ensure that they are content with principle of the soakaways at the depths and locations proposed.

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

**Southern Water** - Our initial investigations indicate that there are no dedicated public surface water sewers in the area to serve this development. Alternative means of draining surface water from this development area required. Safeguarding condition requiring drainage details recommended.

The proposed development would lie within a Source Protection Zone around one of Southern Water's public water supply sources as defined under the Environment Agency's Groundwater Protection Policy. Southern Water will rely upon your consultations with the EA to ensure the protection of the public water supply source.

**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. This is in the form of £4535.00 per unit to primary education (Phase 1 new Ramsgate Primary Free School), £2,359.80 per unit to secondary education (Royal Harbour Secondary School Phase 2 works), and £48.02 per unit for libraries, towards the additional bookstock required to mitigate the impact of the additional borrowers generated from this development.

## COMMENTS

The application is brought before Planning Committee as a departure to Local Plan Policy H1.

### **Principle**

The site is non previously developed land outside of the urban confines. Policy CC1 states that 'within the countryside, new development will not be permitted unless there is a need for the development that overrides the need to protect the countryside'.

Your proposal is for residential development. There is a current need for housing within Thanet. The NPPF states in para 49 that housing application should be considered in the context of the presumption in favour of sustainable development.

The site is located on the edge of Ramsgate, close to Pegwell. It is within walking distance of a primary school and park, and also from shops and services both within Pegwell and St.Lawrence High Street. The site is also on a bus route. The site is therefore considered to be sustainably located.

Within the emerging draft Local Plan, the application site is allocated for residential development for a notional 27no. units. Whilst the application site would be a departure to current Local Plan Policy H1, the direction of travel of the new Policy document to allocate the site for housing development has some weight in decision-making to support a proposal for housing development on the site.

The development of this site for housing could therefore be accepted in principle as a departure to Policy H1 subject to the detailed consideration of all other material considerations including the impact upon the countryside and the character and appearance of the area, and the impact upon highway safety being acceptable.

### **Character and Appearance**

The site is located within the countryside, and is an area of open grassland, with existing trees along the boundaries. The site is located between two roundabouts, and to the rear of the site is an existing allotment. It is not considered that the open space significantly contributes to the character and appearance of the area, and the proposed development would not appear isolated given the presence of existing residential development opposite and adjacent to the site. The site does not offer recreational opportunities, and given the presence of open space to the western and southern boundaries of this site, it is not considered that this site alone has intrinsically beneficial qualities that would prevent the release of this land to alternative uses.

The surrounding area is pre-dominantly characterised by large detached dwellings set within substantial plots. The proposal is for 14no.detached dwellings, with large driveways and deep gardens of approximately 20m. A single access into the site is provided, leading to an access road that extends the width of the site. The majority of the dwellings are setback from Canterbury Road East by approximately 40m, with large areas of landscaping to the front of the site. This is characteristic of the layout of dwellings on the opposite side of the road, close to the roundabout, where large areas of landscaping are also visible between the dwellings and the highway. Given the type of dwellings, the spacious layout, and the extensive landscaping provided to the front of the site, it is considered that the proposed development would appear in keeping with the pattern of surrounding development.

The application is in outline form only, with access, layout and scale for consideration. The central access point and general layout is acceptable. Only 3no. dwellings of those proposed are located adjacent to the front boundary of the site. Two of these have a 3m gap to the boundary and one has a 8m gap to the boundary. The dwellings with a 3m gap would appear more dominant from the street, given their forward location, however, all dwellings proposed are 2-storey in height, and the two closest to the boundary have a reduced eaves level, with dormer windows, so it is mainly the roof that would be visible above the boundary wall. Given the general spaciousness across the site, the 2-storey nature of the development, and the particular design of the closest dwellings to the road, it is not

considered that the proposed development would significantly impact upon the character and appearance of the area, but instead would appear well integrated with existing surrounding development, and provide a good quality low density scheme (18 dwellings per hectare) that adequately portrays the transition between the urban area and the countryside.

Details of the appearance and landscaping, including materials, are to be submitted as part of a future reserved matters application.

The impact upon the character and appearance of the area is therefore considered to be acceptable, and in accordance with the NPPF and Policies CC1, SR11 and D1 of the Thanet Local Plan.

### **Living Conditions**

The site adjoins only two neighbouring properties, both of which are to the east of the site, fronting Chilton Lane, and the roundabout between Chilton Lane and Canterbury Road East. The proposed development will be a minimum of 17m from the eastern boundary of the site, and 2m from the southern boundary of the site; and 27.5m from no. 1 Chilton Lane and 35.5m from no. 3 Chilton Lane. It is therefore considered that there will be no significant loss of light, outlook, or privacy from these neighbouring properties. Furthermore, the appearance of the dwellings is not being considered at this stage, and therefore the location of windows and their relationship with neighbouring properties will be assessed during the reserved matters application.

Neighbouring properties can be seen opposite the site, but these are a minimum distance of 35m from the proposed development, and will therefore not be affected.

Within the development itself, the relationship between dwellings with regards to light, outlook and privacy is considered to be acceptable due to their siting, and each of the proposed dwellings is provided with doorstep play space, in accordance with Policy SR5 of the Thanet Local Plan.

The impact upon neighbouring living conditions is therefore considered to be acceptable.

### **Transportation**

The site is provided with a single access into the site, which will be located between the bus stop and the pedestrian crossing.

The application has been submitted with an access plan and a traffic statement. KCC Highways and Transportation have been consulted and raised initial concerns with the proposed scheme. Their recommendation was for the submission of up to date crash data; 120m x 2.4m x 120m visibility splays at the access to the site (due to the location of the site within a 40 mph zone); provision of parking restrictions either side of the access to ensure the visibility splays remain clear; vehicle tracking plans to show turning for refuse and emergency vehicles within the site; the removal of a left-in/left-out only access, and the provision of a footpath link between the proposed development and the public highway at the eastern side of the site.

A revised traffic statement and amended plan was submitted, and KCC have advised that they now have no objections, as they do not consider that the proposal for 14 dwellings will generate a significant increase in traffic on the highway network, given that there will only be around 7-8 additional vehicle movements in the network peak hours. The proposed access has suitable visibility, which can be maintained by the introduction of additional parking restrictions on the south side of Canterbury Road East, and the private internal access road provides suitable access and turning for refuse and emergency vehicles. Adequate car parking is also provided within the site to ensure there is no unacceptable parking on the highway, with a minimum of 2no. parking spaces and a double garage per property.

Overall, the impact upon highway safety is considered to be acceptable.

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

Policy H8 of the Thanet Local Plan requiring that 'on sites where 10 or more residential units are proposed, the council will require a mix of dwelling sizes and types to meet a range of community needs'. In addition, paragraph 50 of the NPPF advises that local planning authorities 'deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities'. Current evidence from the Strategic Housing Market Assessment (SHMA) suggests that there is a shortage of larger homes of three bedrooms and more, and therefore the Council will support proposals that incorporate a higher proportion of houses.

The proposal is for the erection of 11no. 5-bedroom units and 3no. 4-bedroom units. Whilst it would have been preferable to have seen a greater mix of unit sizes that incorporated some 3-bed units, there is a need for large family dwellings within the district. The site is restricted in its limited depth, and is in an area that is characterised by large plots containing large detached dwellings. Only 14no. dwellings are proposed, and therefore the limited mix of unit sizes would not significantly impact the surrounding area. In this instance, the size and type of units is considered to be acceptable.

### **Affordable Housing**

Policy H14 requires that for development that exceeds 14 units, or for sites over 0.5 hectares, 30% affordable housing should be provided. The applicant has proposed 30% affordable housing, which equates to four of the fourteen units proposed. Of these four units, 2no. will be 4-bedroom units and 2no. will be 5-bedroom units. The Council's Strategic Housing Officer has been consulted and has advised that they are happy with the number and breakdown of the affordable units proposed, and recommend that given the size of the units, all of them should be provided as shared ownership. Subject to the submission of a legal agreement securing the provision of 30% housing, the affordable housing provision is considered to be acceptable and in accordance with Policy H14 of the Thanet Local Plan.

### **Impact on Trees**

There are numerous trees both within and outside of the site, along the northern boundary. The proposal is to remove only 2no. trees, in order to achieve the required 120m x 2.4m x

120m visibility splays from the proposed access. All other trees are to remain, with minimal tree works to be carried out, including thinning and pruning, details of which are to be submitted as part of the landscaping reserved matters.

The impact upon the trees is therefore considered to be acceptable.

## **Drainage**

Southern Water have advised that their initial investigations indicate there are no dedicated public surface water sewers in the area to serve this development, and therefore alternative means of draining surface water from this development area required.

Additional drainage details have been submitted, which show that permeable paving will be used, and a soakaway will be provided with each property. KCC SUDs have advised that the submitted drainage details demonstrate that the scheme proposed will work with the specific conditions encountered at the site, and they welcome the intended use of individual plot soakaways, with separate soakaway systems for the driveways and highways.

Subject to safeguarding conditions, the drainage strategy as proposed is considered to be acceptable.

## **Biodiversity**

An ecological scoping survey was submitted with the application. The recommendations contained within the report were that a reptile survey be carried out, given that suitable habitats for reptiles were identified both on the site, and on the adjacent allotments to the south of the site.

A reptile survey has been submitted, which concluded that no reptiles were present on site. KCC Biodiversity have advised that they are satisfied with the submitted reptile survey report, and as no reptiles were recorded, no further information will need to be submitted, and they are satisfied that sufficient ecological information has been provided.

## **Archaeology**

An Archaeological Desk Based Assessment has been submitted with the application. KCC have advised that the site lies in a very high area of archaeological potential as set out in the study, and therefore development here could affect important multi-period archaeological remains but in particular remains of prehistoric date relating to the important archaeology found on the Harbour Approach Road and the known crop mark complexes on Chalk Hill.

KCC note from the site observation contained within the study that the area has been buried under a layer of fill creating an embankment on the southern edge, this probably being spoil from the Nethercourt Estate development. Archaeology could therefore be effectively well preserved but sealed at an unknown depth.

KCC is unclear as to the exact nature of ground modification and ground works involved in the proposals and that would be a matter to consider when more details come forward.

Given the present high archaeological potential but the unknown nature of the potential impact, KCC advise that provision is made in any permission granted for archaeological evaluation to be followed by appropriate mitigation of the impacts of development through either investigation or preservation.

The impact upon archaeology is therefore considered to be acceptable subject to a safeguarding condition requiring archaeological field evaluation works.

### **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 £63,490.00 towards phase 1 of the new Ramsgate Primary Free School; a financial contribution of £33,037.20 towards Royal Harbour Secondary School phase 2 works; and a financial contribution of £672.28 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 there are two play areas within walking distance of the site, Nethercourt Park and Courtstairs Park, and both are in need of upgraded play equipment. A financial contribution of £12,250 is required by the proposed development towards 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 £600 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 (shared ownership),
- £63,490.00 towards primary school provision in the form of phase 1 of the new Ramsgate Primary Free School,
- £33,037.20 towards secondary school provision in the form of Royal Harbour Secondary School phase 2 works,
- £672.28 towards library provision in Ramsgate,
- £12,250 towards play equipment at either Courtstairs or Nethercourt play area (Open Spaces Manager to confirm project details)
- £8,400 towards the Special Protection Area.

## **Conclusion**

The site falls outside of the urban confines on non-previously developed land, and is therefore contrary to Policy H1 of the Thanet Local Plan that requires new housing development to be on previously developed land within the urban confines. However, the site is sustainably located, within walking distance of primary schools and facilities and services within St.Lawrence High Street, there is a local need for housing, and the site is allocated for housing development within the Emerging Draft Local Plan. The site is also surrounded by open space to the west and south of the site, and therefore the retention of this open space is not essential given that the site does not offer recreational opportunities, and it does not offer intrinsically beneficial qualities. The proposed development is for 14no. large 2-storey detached units, with extensive landscaping, which is considered to be in keeping with the surrounding pattern of development, and the character and appearance of the area. There will be no significant impact upon either neighbouring living conditions or highway safety, and 30% affordable housing is proposed along with all financial contributions. It is therefore considered that the benefits of the scheme outweigh the concerns regarding its countryside location, and comply with the requirements of the NPPF. As such it is recommended that members defer and delegate the application for approval as an acceptable departure to Thanet Local Plan Policy H1, subject to the receipt of a legal agreement securing the planning obligations contained within the Heads of Terms.

## **Case Officer**

Emma Fibbens

TITLE: OL/TH/16/1416

Project Land Adjoining 1 Chilton Lane And Canterbury Road East RAMSGATE Kent

Scale:

