

D05

F/TH/18/0142

PROPOSAL: Erection of 25no. dwellings, with associated vehicular access

from Reading Street and Convent Road, pedestrian access

LOCATION:

from Astor Road, with off street parking and landscaping

Land Formerly Used As Club Union Convalescent Home

Reading Street BROADSTAIRS Kent

WARD:

Beacon Road

AGENT:

Mr A Hume

APPLICANT:

Mr A Horn

RECOMMENDATION:

Defer & Delegate

Defer and Delegate to officers for approval subject to the receipt of a legal agreement containing the planning obligations as detailed in the Heads of Terms, and the following conditions:

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

GROUND

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

- 2 The proposed development shall be carried out in accordance with the submitted application as amended by the revised drawings numbered:

- 14-019-014 Rev G, received 20 February 2018
- 14-019-010 Rev F, received 27 February 2018.
- GM28-P05 Rev B, GM28-P06 Rev B, GM28-P08 Rev B, GM28-P10 Rev B, GM28-P18, GM28-P21 Rev A, GM28-P19, and GM28-P20, received 19 April 2018;
- GM28-P17 Rev C and GM28-P12 Rev A, received 17 August 2018;
- GM28-P01 Rev H, received 07 September 2018.

the plans numbered:

- GM28-P04, GM28-P02 Rev A, GM28 P07, 25th January 2018
- GM28-P09 Rev A (plot 11 only), received 02 February 2018,

and the additional plans numbered:

- GM28-P15 Rev A, and GM28-P11 Rev A, received 19 April 2018.

GROUND:

To secure the proper development of the area.

- 3 No development 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 100yr 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 controlled waters.

GROUND:

To ensure that the principles of sustainable drainage are incorporated into this proposal, to ensure ongoing efficiency of the drainage provisions, to protect vulnerable groundwater resources and ensure compliance with the National Planning Policy Framework.

- 4 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 ensure that flood risks from development to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development as constructed is compliant with the National Planning Policy Framework.

- 5 No building hereby permitted in any phase shall be occupied until an operation and maintenance manual for the proposed sustainable drainage scheme is submitted to (and approved in writing) by the local planning authority. The manual at a minimum shall include the following details:

- A description of the drainage system and it's key components
- An as-built general arrangement plan with the location of drainage measures and critical features clearly marked
- An approximate timetable for the implementation of the drainage system
- Details of the future maintenance requirements of each drainage or SuDS component, and the frequency of such inspections and maintenance activities

- Details of who will undertake inspections and maintenance activities, including 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

The drainage scheme as approved shall subsequently be maintained in accordance with these details.

GROUND:

To ensure that any measures to mitigate flood risk and protect water quality on/off the site are fully implemented and maintained (both during and after construction), as per the requirements of paragraph 103 of the NPPF and its associated Non-Statutory Technical Standards.

- 6 No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

GROUND:

To ensure that the principles of sustainable drainage are incorporated into this proposal, to ensure ongoing efficiency of the drainage provisions, to protect vulnerable groundwater resources and ensure compliance with the National Planning Policy Framework.

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

GROUND:

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

- 8 Prior to the commencement of the development hereby permitted, a plan showing the location of Electric Vehicle Charging points at a ratio of 1 charging point per dwelling with dedicated parking, and 1 charging point per 10 spaces for unallocated parking, shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

GROUND:

In the interests of air quality, in accordance with the NPPF.

- 9 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.

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

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

GROUND:

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

- 11 Prior to the commencement of development hereby permitted, a Construction Management Plan to include the following:
- i) Routing of HGV's to and from site
 - ii) Access points for construction-related vehicles
 - iii) Parking and turning facilities for HGV's and site personnel vehicles
 - iv) Wheel washing facilities
 - v) Temporary traffic management
 - vi) Hours of construction working
 - vii) dust control measures,
 - viii) measures to control noise affecting nearby residents
 - ix) pollution incident control and site contact details in case of complaints
 - x) wheel cleaning/chassis cleaning facilities

shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved plan.

GROUND:

In the interests of highway safety and neighbouring amenity during construction of the development hereby approved.

- 12 Prior to the first occupation of any dwelling within the development hereby approved, the provision and maintenance of the visibility splays shown on drawings numbers 14-019-014 Rev. G and 14-019-010 Rev. F, with no obstructions over 1 metre above carriageway level within the driver splays and 0.6 metres above footway level within the pedestrian splays, shall be provided and thereafter maintained.

GROUND:

In the interests of highways safety.

- 13 Prior to the first occupation of any dwelling within the development hereby approved to which they relate, the provision and permanent retention of the vehicle parking spaces and turning facilities shall be provided as shown on the submitted plans.

GROUND:

In the interests of highways safety.

- 14 Prior to first occupation of any dwelling served by the vehicular access from Reading Street, the vehicular access from Reading Street and associated highway alterations, including closure of the existing access and provision of parking restrictions, as shown on drawing number 14-019-014 Rev. G (unless otherwise agreed with the Local Planning Authority and Highways Authority) shall be completed and operational.

GROUND:

In the interests of highways safety.

- 15 Prior to first occupation of any dwelling served by the vehicular access from Reading Street, the pedestrian dropped kerbs and tactile paving in Reading Street as shown on drawing number 14-019-014 Rev. G (unless otherwise agreed with the Local Planning Authority and Highways Authority) shall be completed and operational.

GROUND:

In the interests of highways safety.

- 16 Prior to first occupation of any dwelling served by the vehicular access from Convent Road, the Convent Road access and associated highway alterations as shown on drawing number 14-019-010 Rev. F (unless otherwise agreed with the Local Planning Authority and Highways Authority) shall be completed and operational.

GROUND:

In the interests of highways safety.

- 17 Prior to first occupation of any dwelling served by the vehicular access from Convent Road, the pedestrian dropped kerbs and tactile paving in Convent Road as shown on drawing number 14-019-010 Rev. F (unless otherwise agreed with the Local Planning Authority and Highways Authority) shall be completed and operational.

GROUND:

In the interests of highways safety.

- 18 No development shall take place until details of improvements to the Reading Street/Elmwood Avenue junction to improve street geometry and visibility have been submitted to and approved in writing by the Local Planning Authority. This shall form part of a S.278 highway agreement between the applicant/developer and the highway authority. The agreed works shall be completed and operational prior to the first occupation of any dwelling in the approved development served by the vehicular access from Reading Street.

GROUND:

In the interests of highway safety and to mitigate additional trips generated from the Reading Street access through the junction of Reading Street and Elmwood Avenue.

- 19 Prior to the first occupation of the development hereby permitted, details of an acoustic fence, including height, design and location, to be erected along the side boundary of no. 34 Convent Road, shall be submitted to and approved in writing by the Local Planning Authority. The acoustic fence shall be erected prior to the first occupation of the development accessed from Convent Road, and shall thereafter be maintained.

GROUND:

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

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

- species, size and location of new trees, shrubs, hedges and grassed areas to be planted, which shall include replacement trees for the removed TPO trees along with a number of additional mature trees,
- the treatment proposed for all hard surfaced areas beyond the limits of the highway, which shall be permeable, and include a bound surface for the first 5m of each access from the edge of the highway
- walls, fences, other means of enclosure proposed
- ecological enhancements and mitigation as recommended within section 5.0 of the 'Bat emergence and dawn re-entry surveys' dated June 2016,
- details of the boundary treatment to be provided along the southern boundary of the site, adjacent to the Grade II Listed buildings

shall be submitted to, and approved in writing by, the Local Planning Authority.

GROUND:

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

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

GROUND:

In the interests of the visual amenities of the area in accordance with Policies D1 and D2 of the Thanet Local Plan

- 22 A landscape management plan (including long term design objectives), management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned, domestic gardens, shall be submitted to and approved in writing by the local planning authority prior to the occupation of the development or any phase of the development, whichever is the sooner, for its approved use. The landscape management plan shall be carried out as approved.

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

- 23 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.

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

GROUND:

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

- 25 All new window and door openings shall be set in a reveal not less than 100mm

GROUND:

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

- 26 The rooflights hereby approved shall be 'conservation style' rooflights, set flush with the roof plane.

GROUND:

To safeguard the special character and appearance of the area on the boundary of a Conservation Area in accordance with the NPPF.

- 27 No further alterations to the building, or the erection of garden buildings, whether approved by Classes A, B, C, or E of Part One of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order), shall be carried out to units 9, 10 and 14, without the prior permission in writing of the Local Planning Authority.

GROUND:

To safeguard the living conditions of neighbouring occupiers, in accordance with Policy D1 of the Thanet Local Plan.

- 28 No further alterations to the building, whether approved by Classes A, B, or C of Part One of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order), shall be carried out to units 17 and 18, without the prior permission in writing of the Local Planning Authority.

GROUND:

To safeguard the setting of the adjacent listed buildings, in accordance with the NPPF.

- 29 Prior to the first occupation of units 3, 4, 5, 6, 7, 12 and 13, an obscure glazed privacy screen (level 4) of no less than 1.8m in height shall be erected along both sides of the first floor rear balcony. The privacy screens shall thereafter be maintained.

GROUND:

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

- 30 The development as approved shall provide at least 15% of units as lifetime homes and wheelchair housing, with details of the location of the units to be submitted to and approved in writing by the Local Planning Authority.

GROUND:

To meet a range of community needs, in accordance with Policy H8 of the Thanet Local Plan.

- 31 Prior to the commencement of the affordable housing units as identified on the submitted plan numbered GM28-P15 Rev A, an affordable housing scheme, which shall include details of the tenure of the affordable housing, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved affordable housing scheme.

GROUND:

To address affordable housing need, in accordance with Policy H14 of the Thanet Local Plan.

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

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

A formal application for connection to the water supply is required in order to service this development. Please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire S021 2SW (Tel: 0330 303 0119) or 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/>

The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act. Trees and scrub are likely to contain nesting birds between 1st March and 31st August inclusive. Trees and scrub are present on the application site and are to be assumed to contain nesting birds between the above dates, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity on site during this period and has shown it is absolutely certain that nesting birds are not present.

Thanet District Council is committed to reducing crime and the fear of crime through design. We strongly advise the applicant to contact external bodies such as Kent Police Crime Prevention Design Advisors (CPDAs) to ensure that a comprehensive approach is taken to Crime Prevention and Community Safety before making any reserved matters application for the development.

For the avoidance of doubt, the provision of contributions to as set out in the unilateral undertaking made on submitted with this planning application, and hereby approved, shall be provided in accordance with The Schedule of the aforementioned deed.

SITE, LOCATION AND DESCRIPTION

The application site lies within the urban confines, adjacent to the Broadstairs Conservation Area. To the north of the site is North Foreland Golf Course (located within the green wedge), with residential development adjacent to all other boundaries of the site. To the south of the site are nos. 43-49 Reading Street, which are Grade II Listed buildings. The site was previously occupied by a Convalescent Home, but this was demolished a number of years ago. The site is now allocated for residential development within the Draft Local Plan. The site is currently open, and whilst there are some areas that are overgrown, the majority of the site has been cleared. There are trees present on the site that are covered by a Tree Preservation Order. Most of the trees are along the boundaries of the site, although a number also exist around the access point onto Reading Street. There are two existing vehicular accesses into the site, one from Reading Street and one from Convent Road. Part of the application site also includes no. 30 Convent Road, a bungalow that is proposed to be demolished.

To the south of the site is Reading Street, which contains a public house, church, church hall, and until recently a shop. Within walking distance of the site is Callis Grange Infant School and St.Peters Junior School. Development surrounding the site is predominantly 2-storey in height, and consists of terraced dwellings, semi-detached dwellings and detached dwellings.

RELEVANT PLANNING HISTORY

OL/TH/02/0484 - Outline application for the re-development of the site with thirteen detached dwellings and garages, with associated access road and landscaping - Granted - 11 April 2005

RN/TH/08/0059 - Renewal of outline planning permission OL/TH/02/0484 for the redevelopment of site with 13no. detached dwellings and garages with associated access road and landscaping - Refused - 16 April 2008

R/TH/08/0406 - Application for approval of reserved matters for the erection of 13no. detached dwellings and garages with associated access pursuant to outline planning permission OL/TH/02/0484 - Granted - 19 June 2008.

OL/TH/10/0283 - Application for extension of time of planning permission OL/TH/02/0484 for outline application for the redevelopment of the site with 13no. detached dwellings and garages, with associated access road and landscaping - Granted - 23 July 2010.

F/TH/12/0875 - Application for extension of time of planning permission OL/TH/10/0283 for the redevelopment of the site with thirteen detached dwellings and garages, with associated access road and landscaping - Granted - 18 July 2013

F/TH/16/0924 - Erection of 30 dwellings together with associated access and landscaping following demolition of 30 Convent Road - Refused - 16 March 2017.

An appeal was lodged, however this was dismissed at appeal as the Inspector considered that the development as proposed would impact upon the setting of the adjacent listed buildings, result in a poor quality design, and impact upon neighbouring living conditions.

PROPOSED DEVELOPMENT

The application is for the demolition of no. 30 Convent Road and the erection of 21no. detached dwellings, and 4no. terraced dwellings, consisting of 7no. 3-bed dwellings, 7no. 4-bed dwellings, 6no. 5-bed dwellings, and 5no. 6-bed dwellings. There are two vehicular accesses into the site, one from Reading Street and one from Convent Road. The Reading Street access serves 13no. dwellings and the Convent Road access serves 12no. dwellings. The Reading Street access is moving further to the east of the site, and the Convent Road access is being widened, in order to improve turning and visibility. Each of the residential units have their own private garden measuring at least 10m deep. Each of the large detached dwellings served by Reading Street are provided with a garage and large

driveway. For the 12no. dwellings served by Convent Road there is a minimum of 2no. parking spaces per dwelling, plus 2no. visitor parking spaces. Up to nine trees are to be removed, which are covered by a Tree Preservation Order, but the submitted site plan shows replacement tree planting. A pedestrian access is proposed from the site onto Astor Road. Alterations are being made to no. 28 Convent Road, including the removal of their side parking area and the partial loss of their front garden to widen the access. Footpaths are extended into the site from both accesses

The application has been amended during the submission, to include alterations to the design of units, and the reduction in size and relocation of units 9 and 10.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan Policy (2006) Saved Policies

D1 - Design principles
D2 - Landscaping
EP5 - Air quality
H1 - Housing provision
H4 - Windfall sites
H8 - Size and type of housing
H14 - Affordable housing provision
CF2 - Development contributions
SR5 - Doorstep and local play space
TR12 - Cycling
TR16 - Car parking provision

NOTIFICATIONS

Neighbouring occupiers have been notified and a site notice posted. 67 letters of objection have been received in total. The concerns raised in response to the original plans included:

- Impact on listed cottages,
- Impact on conservation area,
- Doesn't address the Inspector's concerns,
- Poor design, appears as two separate developments,
- Increased traffic and congestion within Reading Street,
- Highway and pedestrian safety, poor visibility,
- Traffic noise,
- Tree survey inaccurate, doesn't show all trees in the location of the proposed access,
- Astor Road not suitable for additional foot/buggy/bike traffic,
- No access possible through Astor Road
- Loss of privacy,
- Development is too high and close, should not exceed 2-storeys,
- Excessive density, overdevelopment, cramped,
- Lack of parking in surrounding area,
- Lack of fire and emergency access,
- No consideration has been given to refuse storage and collection,

- Access unsuitable for dustbin lorries, fire engines, removal vehicles etc.
- Loss of trees,
- Contributions towards traffic calming in Reading Street should be provided,
- Pavements either narrow or non-existent along Reading Street so concerns regarding additional pedestrian movement,
- Development out of keeping with other properties,
- Disruption during construction,
- Loss of village community,
- Noise and air pollution,
- impact of village green application on proposal.

MP Craig Mackinlay - Raises concerns regarding the impact upon the character and appearance of the area, the impact upon the setting of Convent Cottages, the impact upon the residential amenities of occupants living in Convent Cottages, and the narrow entrances of the access roads.

The Broadstairs Society - The site will still be over developed, and despite the architectural design revisions to make the dwellings appear more interesting, it will still look out of keeping with the character of the area. The infrastructure has not been adequately researched and there will be a deleterious effect on traffic in that area.

Broadstairs and St.Peters Town Council - The Planning Committee of the Town Council recommend REFUSAL with the following concerns:

"The development by virtue of design, size and proximity would adversely affect the heritage value of the listed buildings in Reading Street. It would continue to harm the living conditions of residents, in particular the occupants of 33 Convent Cottages and the Old School House.

These disadvantages are not outweighed by any significant benefits such as extra housing as there are only 6 affordable houses, the rest being largely substantial properties, of which there is no shortage in the area.

The Committee also expresses concerns for the unnecessary loss of green amenity land, contrary to local residents' wishes, by alteration of the access and the negative impact of yet more traffic on the highly overloaded Reading Street, plus overdevelopment, overlooking, cramped development, detrimental to the Conservation Area, insufficient parking spaces and poor access for refuse and recycling vehicles.

The Committee notes that the traffic assessment is out of date by four years."

In response to the amended plans, which showed alterations to unit designs, the following concerns were raised by **Broadstairs and St.Peters Town Council**:

- Recommend refusal. The amended application does not address any of the reasons for refusal in the appeal dismissed decision ref: APP/Z2260/17/3173824 dated 22nd August 2017. It fails to comply with Policy D1 of the Thanet Local Plan. The proposal is two separate developments, unrelated to the street scene, rather than an extension to the village with its own sense of identity. Although the number of dwellings has been reduced, the density has

increased and the western end of the proposed development is cramped and unbalanced. Inadequate parking arrangements and little turning space.

CONSULTATIONS

KCC Highways and Transportation -

(final comment)

I refer to the amended plans and safety audit submitted for the above and note that the proposed streets within the site are to remain private. I also note the comments made by the appeal Inspector on the previous application for 30 dwellings. The current proposals include the same access proposals as the previous application, including widening of Reading Street in the immediate vicinity of the proposed access to allow vehicles to pass each other, and connections to the existing footways. Limited parking restrictions are also proposed at the access to maintain visibility and these are in the location of the existing access to the site, which will be closed and the footway reinstated. Whilst this means that the existing access road will no longer be available for parking, it is a private access and this parking could therefore be removed at any time without the need for planning consent. The visibility available at the access is acceptable and in accordance with measured speeds. A footway is provided from the Reading Street access through the site to Convent Road, providing routes and connections to existing footway networks for pedestrians in both directions.

The access from Convent Road to serve 12 dwellings provides suitable visibility and suitable width for vehicles to pass each other at the junction with Convent Road. The provision of a short single-way working section alongside no. 28 Convent Road within the site is acceptable bearing in mind the limited number of dwellings served. The visibility for drivers at the access would ideally be available at 2.4 metres back from the edge of the carriageway rather than the 2 metres achievable, and this means that the front of a car may need to overhang the edge of carriageway a little for a driver to achieve the necessary visibility. However, Convent Road is of sufficient width to accommodate this and drivers approaching on Convent Road have good visibility to the access, which will serve a limited number of dwellings. I would therefore not recommend refusal on this issue. The number of vehicle movements likely to be generated by the proposals in the network peak hours is not significant and unlikely to have a severe impact on the highway network, as identified by the appeal Inspector. The location of the proposed access in relation to Lerryn Gardens on the opposite side of Convent Road is acceptable and bearing in mind the existing and proposed streets are culs-de-sac serving a limited number of dwellings, there are likely to be few if any vehicle movements between the two. An acceptable connection is provided to the existing footway in Convent Road. The existing footway on the south side of Convent Road terminates a short distance to the west of the site access so dropped kerbs and tactile paving are proposed to enable pedestrian access to/from the existing continuous footway on the north side of Convent Road, providing access to the nearby bus stops and the wider footway network.

I understand that a pedestrian right of way to/from Astor Road is achievable. However, pedestrian connections are available to both Reading Street and Convent Road from all

parts of the site, so the connection to Astor Road is not essential to make the development acceptable in highway terms.

The streets within the site are to remain private and will therefore not be adopted by the highway authority. The site layout and parking arrangements are such that the proposals are unlikely to lead to unacceptable parking on the highway.

Construction of the development in highway terms can be controlled and managed by condition through a Construction Management Plan, including the routing of HGV's to and from site.

Taking all of the above into account I would therefore not recommend refusal on highway grounds subject to safeguarding conditions.

(initial comment)

I refer to the above planning application and have no objection in principle to the proposals, bearing in mind the appeal Inspector's comments in relation to highway matters on the previous application and the reduction in the number of dwellings in the current proposals. However, the following matters need resolving:

1. The current proposals for the Reading Street access are not as previously agreed (the last revisions, safety audit and designer's response do not appear to have been submitted).
2. The previously agreed provision of a pedestrian crossing point with dropped kerbs and tactile paving in Convent Road is not shown on the plans.

I shall therefore be pleased to receive amended and additional plans resolving the above. I would also point out that although the application form indicates the provision of new public roads within the site, the applicant has confirmed that the roads within the site are to remain private. I confirm that the proposed internal layout and parking arrangements are unlikely to have an unacceptable impact on the existing highway.

KCC Ecology - We have reviewed the ecological information submitted in support of this planning application and advise that sufficient information has been provided. If planning permission is granted, we advise that a condition securing the implementation of ecological enhancements is attached. Developer Contributions will need to be provided due to the increase in dwellings within the zone of influence of a Special Protection Area.

Protected Species

No information in regards to protected species has been submitted with this application, however we have reviewed the ecological documents submitted in support of the previous application 16/0924. The ecological survey was carried out in June 2016, however we consider that the report is still valid as it is unlikely that the site would have changed significantly in this time. The submitted ecological report has carried out the required range of protected species surveys and taken into consideration any detrimental impacts. We are satisfied with the conclusions of the ecological report in relation to any potential impacts that the proposed development may have on any protected species or sites. As there is habitat

on site for breeding birds, we would recommend that an informative to advise on this is attached to any granted permission.

Natural England - Natural England has previously commented on this proposal and made comments to the authority in our letter dated 19 February 2018. The advice provided in our previous response applies equally to this amendment although we made no objection to the original proposal.

The proposed amendments to the original application are unlikely to have significantly different impacts on the natural environment than the original proposal.

Should the proposal be amended in a way which significantly affects its impact on the natural environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again. Before sending us the amended consultation, please assess whether the changes proposed will materially affect any of the advice we have previously offered. If they are unlikely to do so, please do not re-consult us.

KCC Archaeology - Thanet is generally rich in archaeological remains and the application site lies within an area of considerable archaeological potential with many cropmark sites of barrows and enclosures lying within 500m. Of particular significance is the discovery of Roman remains in 1888 less than 100m to the west of the site.

Although part of the site is occupied by the former convalescent home, it is possible that important archaeological remains could be affected by groundworks for the new residential development. I would therefore recommend that provision is made in any forthcoming outline permission for the implementation of an archaeological evaluation to be followed by any further mitigation and / or safeguarding measures as appropriate. A safeguarding condition securing the implementation of archaeological field evaluation works is recommended.

We had previously advised that early evaluation would be preferable in order that preservation options could be taken into account in design and layout. It may be that if significant archaeology is encountered in the evaluation stage that there may need for preservation measures to be put in place to address the condition.

KCC Developer Contributions - 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 (£113,375 towards primary school provision, £117,175 towards secondary school provision, £1,200.40 towards libraries).

KCC SUDs - We have reviewed the Flood Risk Assessment (Herrington Consulting, January 2018) and In Situ Soakage Tests (Ashdown Site Investigation limited, 17th June 2016) which demonstrate drainage of the site via infiltration is likely to be viable for the site.

Accordingly we have no objection to the development, but would recommend that further infiltration tests are undertaken prior to any detailed design work being undertaken,

particularly where features such as permeable paving may not penetrate into the chalk due to the depth of superficial deposit. Infiltration should also only occur in clean, uncontaminated natural ground.

Where permeable paving is proposed, we would also recommend that other utilities and foul sewers are routed outside of areas of permeable paving, and only cross in dedicated service corridors to ensure statutory undertakers typical requirements are met.

Should your authority be minded to grant permission for the development, we would recommend safeguarding conditions are attached.

Southern Water - Our initial investigations indicate that Southern Water can provide foul sewerage 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. Safeguarding condition for drainage recommended. 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.

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

TDC Environmental Health - The site falls within our urban air quality management area and is in excess of 10 residential units so is required to have air quality standard mitigation conditions (these relate to boilers, electric vehicle charging and a Construction Environmental Management Plan).

TDC Conservation Officer - The setting of the heritage assets on the proposed development must be considered in particular the listed Convent Cottages and the Conservation Area. Whilst the proposed development would have no direct impact on the listed buildings themselves, its historic relationship with the open landscape to the north is a vital part of their setting. The ability to appreciate the listed cottages in their more or less open setting makes a particularly contribution to their significance.

The NPPF on paragraph 193 points out, when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Paragraph 194 points out that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification; and paragraph 196, where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

In accordance with the statutory duty set out in section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (LBCA), special regard must be paid to the desirability of preserving listed buildings or their settings or any features of special architectural or historic

interest which they may possess. The preservation of setting is to be treated as a desired or sought-after objective, and considerable importance and weight attaches to the desirability of preserving the setting of listed buildings when weighing this factor in the balance.

I consider that there would be some harm to the significance of the listed building as a consequence of the development within its open land setting. This would be most noticeable on the north where the open land would be replaced with proposed dwellings. These changes would also have some effect on the setting of Reading Conservation Area. However, after considering the amended design and layout on the site of dwellings 9, 10 and 11, in my opinion the effect on the setting of the heritage assets is likely to be minor harm. In weighing up the benefits of the proposed development against harm, consideration should be placed on the three objectives of sustainable development which are; economic, social and environmental. In my view therefore, the development would make some economic contribution because it would create construction jobs; it would also create social contribution by providing housing; and it would secure some environmental objective by making effective use of land.

I therefore have the opinion that on the balance the minor harm to the setting of the heritage assets do not outweigh the public benefits of the scheme.

TDC Strategic Housing Officer - I can confirm that Strategic Housing would be happy with the number and breakdown of units proposed (5no. 3-bed dwellings and 2no. 4-bed dwellings). However, in line with policy the units should be broken down as 70% Social Rent & 30% Shared Ownership.

Kent Police - To meet SBD requirements, doorsets and windows must be tested and certified by a recognised 3rd party certification authority. Approved Document Q building regulations for doorsets and window specifications only require products tested to PAS 24 2016 so please check if applying for SBD.

Having reviewed the on line plans and documentation, the applicant/agent has not yet demonstrated that they have considered crime prevention and have attempted to apply the seven attributes of CPTED in their submitted on-line plans or in the DAS. While the general layout does help minimise the opportunity for crime, there are some concerns. To date we have had no communication from the applicant/agent and there are other issues and concerns we hope to discuss and address including a formal application for SBD if appropriate.

These include:

Parking, visitor, the on plot and the off plot allocated

Surveillance opportunities

Permeability including the pedestrian and cycle link

There is merit in pre-application meetings prior to submission of a planning application to discuss issues and any formal applications e.g. Crime Impact Statements (CIS), SBD and SBD National Building Approval Scheme. We would welcome a meeting with the applicant/agent to discuss Crime Prevention in detail, any notes from the meeting may be passed back to Planning as part of our full response to this application.

If the applicant fails to contact us, this may have an effect on the development with regards to SBD. This could also have a knock on effect for the future services and duties of the Community Safety Unit (CSU) and local policing.

If this planning application is to be approved and no contact has been made with the DOCO team by the applicant/agent, then we request that a Condition is included to ensure our involvement and address crime prevention. The use of a condition will also meet both our and Local Authority statutory duties under Section 17 of the Crime and Disorder Act 1998 and show a clear audit trail for Design for Crime Prevention and Community Safety.

TDC Tree Officer - Following a site visit I can confirm that T26 a maple covered in ivy was in a dead/dying condition.

T25 cherry has had a large section of its crown removed leaving it one sided, it is now in a poor condition.

T27 false acacia has a trunk wound at approximately 1m and may well have to be reduced in height for safety reasons.

T6 Whitebeam is a reasonable tree that could be retained. It is covered in ivy growth so closer inspection not possible.

T5 Sycamore, again ivy covered tree but it is obvious that it has been been pollarded in the past. Because of this there may well be decay around the old pruning points so at some point the tree will have to be reduced in size. Once reduced the tree probably would not be worthy of a T.P.O

TDC Interim Open Spaces Manager - St Peter's Rec is the closest. The play equipment is reasonably old and may need upgrading and we could look into some additional equipment too. Any new equipment will need new/additional protective matting. There is also the matter of the fencing around the playground, which is coming up for renewal.

TDC Recycling and Waste Manager - We have serious concerns regarding this development. We have looked at both entrances - from Reading Street the turn into the development is very tight, the entry way would need to be twice the usual size at least for our vehicle to gain access as Reading Street itself is very narrow and doesn't allow for a 26 tonne vehicle to turn in to it. We would also need extended corner protection on the entrance into the development. Once in the development the road itself looks very narrow and, as always, we have concerns regarding parked cars causing access issues. Unless this can be resolved there would need to be a designated presentation and collection point at the entrance.

From Convent Road - the proposed access road is very tight for us to gain access into the development and the indication seems to be that there is not vehicular access beyond plot numbers 18 & 19. We would not expect the crews to walk these bins out and therefore - if we could gain access into the site - there would again need to be a dedicated presentation and collection point for bins. It is assumed that the bays opposite the affordable housing are parking spaces and therefore if these are not correctly used could also cause access issues. However these are really just further comments as the main concern is that the accessway is too narrow for our vehicles.

Thanet Clinical Commissioning Group - 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. Thanet CCG. Thanet CCG is currently progressing a proposal for a new development in the Westwood Cross area - there is an identified need for a new purpose built facility in the area in order to serve the new population expected as a result of all of the housing developments planned for the area. The existing primary care infrastructure is aging and has no capacity to absorb this level of population growth.

The CCG and local practices are currently progressing the development of a scheme to re-provide facilities for those local practices in aging, non-compliant premises, along with building in capacity for increased population growth. The premises would also allow the shift of some acute services into the community, serving patients closer to home, this is in line with both the STP and CCG strategies. The new premises would be approx. 6000sqm in size, with an estimated development cost of circa £24m (based on benchmark development costs provided by NHSPS). Any contribution secured as a result of this housing application would be used to part fund this development and mitigate the impact of the increased patient population as a result.

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

It is noted that other developments have been previously approved within the Thanet area with no healthcare provision within their Section 106 agreements. These have already impacted on the practices across Thanet (and continue to impact) meaning there is little capacity left within the CCG area.

If s106 contributions cannot be permitted, a number of key risks have been identified that will impact on primary medical care provision within Thanet:

- Increase in patient list sizes beyond nationally recommended guidelines
- Services that become more difficult to access due to longer waiting times
- Impact on waiting times for routine GP appointments
- Removal of local services that are provided in GP settings and moved back to acute hospital settings in order to free up capacity within GP premises
- Services in the acute sector generally result in longer waiting times and are less convenient to access
- Lack of choice for new Thanet residents

- Closed GP lists with new patients having to go through an assignment process giving no guarantee of a practice of choice or that families can be kept together
- Closed GP lists with new patients having to travel further to register with a GP

I would be grateful if you could advise me of the Council's decision in due course but please do not hesitate to contact me should you require any further information, or points of clarification in the meantime.

COMMENTS

This application is brought before members as it is non-previously developed land, and is therefore a departure to Policy H1 of the Thanet Local Plan.

Principle

The site is non-previously developed land within the urban confines. Policy H1 states that residential development on non-allocated sites will be permitted only on previously developed land within the existing built up confines unless specified by other Local Plan Policies. This policy constraint, however, needs to be balanced with the fact that there is a current need for housing in Thanet, and on this basis the National Planning Policy Framework (NPPF) indicates that applications for housing should be considered in the context of the presumption in favour of sustainable development. In this case the site lies within the urban confines, adjacent to residential properties in Reading Street and Convent Road, and the site is allocated for residential development within the Draft Local Plan. The site is within close proximity of a bus stop, and is a short walk from the church, hall, and public house located within Reading Street, and Callis Grange and St.Peters School. The site is therefore considered to be sustainably located.

An application was previously approved for the re-development of part of the site accessed from Reading Street for the erection of 13no. dwellings in 2013. Whilst this consent is no longer extant, it is a material consideration in the determination of this application when considering the principle of development; as the previous decision took into account the same Thanet Local Plan policies and the National Planning Policy Framework. Furthermore, when the previously approved application was considered by the Inspectorate, no concerns were raised by the Inspector in relation to the principle of development.

The principle of development is therefore considered to be acceptable subject to other material considerations such as the impact upon the character and appearance of the area, the setting of adjacent listed buildings, neighbouring living conditions and highway safety.

Character and Appearance

- Loss of Private Open Space

The site lies adjacent to the Broadstairs Conservation Area and the Green Wedge. It is an area of private open land, which is considered to be non-previously developed given the length of time that has passed since the demolition of the former Convalescent Home on the

site. Policy SR11 of the Thanet Local Plan states that development will not be permitted on undeveloped private open space or a gap in the settlement pattern, if the site provides active recreational opportunities, meets a deficiency in recreational opportunities, or has intrinsically beneficial qualities and makes a contribution to the character of the area either in itself or by virtue of the longer distance views it affords. The site does not have a recreational use, and therefore the only consideration for the principle of development is whether the site has intrinsically beneficial qualities or contributes to the character of the area. The site is located to the rear of Reading Street and Convent Road, with limited views of the site other than through the existing access points. The site falls outside of the Conservation Area and is adjacent to the Green Wedge, which in itself provides wide open spaces and long views. Historically the site was also developed. Based on aerial photographs, the original development upon the site appeared to be contained to a small area to the east of the site. On the basis of the location and historic/current use of the site, it would appear that the openness of the site contributes little to the character of the area, and therefore the principle of developing the site is not considered to conflict with Policy SR11 of the Thanet Local Plan. In addition, permission has previously been granted for the development of this site, with consideration previously having been given to Policy SR11; and the Planning Inspector when considering the previous application for the development of the site did not raise any concerns with the loss of the site as an area of undeveloped private open space.

- Site layout and Design

The previous application for 30no. dwellings was refused on the following design ground:

'The proposed development, by virtue of the number, location and design of the residential units, would appear out of keeping with the surrounding pattern of development, and severely detrimental to the historic character and appearance of the adjacent Conservation Area, contrary to Policy D1 of the Thanet Local Plan, and paragraphs 17, 58, 60 and 64 of the National Planning Policy Framework'.

This application has sought to address the reason for refusal by reducing the number of units from thirty to twenty-five dwellings, whilst also changing the site layout to better integrate the two parts of the development. Amendments have also been made to the dwellings within close proximity of Convent Cottages in terms of their height, scale and location.

The proposal is now for the erection of 21no. detached dwellings and 4no. terraced dwellings, following the demolition of no. 30 Convent Road. As previously considered, No.30 Convent Road is a bungalow that falls outside of the Conservation Area, and is not considered to be a heritage asset, and as such the demolition of no.30 is considered to be acceptable.

The site layout was previously criticised by the Planning Inspector within the appeal decision for the previously refused scheme. It was considered by the Inspector that the layout would not have created a sense of place that would respond positively to local character or effectively be integrated into the existing development. This was partly to do with the location of garages, which were located either in front garden areas or projecting beyond front elevations, and therefore dominated the street scene; but it was also a result of the site layout which provided a large low density area to the east of the site and a smaller higher

density area to the west of the site. The Inspector felt that the western part of the development would form a cramped and contrived form of layout that was dominated by parked vehicles and offered limited space for landscaping. As such, the Inspector concluded that as the proposal appeared to be two separate developments unrelated to the surrounding area that this would result in a poor quality design that would fail to respect or enhance the character or appearance of the area.

This application has sought to address these concerns with alterations to the layout, unit sizes and unit numbers. Two separate vehicular accesses into the site are still maintained, but this is a direct result of there being a highway constraint that seeks to limit the number of vehicle movements onto Reading Street to no more than the previously approved 13no. Dwellings. For this reason two separate accesses into the site are required in order to serve the increased number of units above that previously approved. Within the previous application the accesses were completely separate, with the proposed dwellings fronting each of the accesses but turning their backs on one another. There was no link between the two areas of development, with soft landscaping used almost as a buffer between the two separate areas of development, one which was much higher in density than the other. This application has completely addressed these previous concerns. The overall development is much lower in density at 14 dwellings per hectare, with all but four dwellings detached. The two accesses run parallel to one another, with dwellings towards the centre of the site fronting one road, but also backing onto another, giving the feeling of a fully integrated development. There is a clear pedestrian link through the site, that enables a pedestrian link between Reading Street and Convent Road, but also within the site itself. Whilst garages have been maintained, they are generally located to the side of dwellings and are setback from the front elevation, which reduces the dominance of the garages within the street scene. As the density of the development has reduced with more detached dwellings accommodated, parking is located within the curtilage of each of the detached unit plots. The previous application saw at least 25no. Car parking spaces provided on street served by the Convent Road access, but this has now reduced to a group of 5no. Parking bays to serve the terraced units, and a further 4no. Parking bays to provide visitor parking and some additional parking for units 20 and 21. This reduction in on-street parking provision is considered to have addressed the Inspector's concerns from the previously refused scheme regarding the domination of parked vehicles within the site.

With regards to the building designs themselves, a variety of different building types have been used, and these have been spread across the whole development. The design and materials of dwellings have also been inspired by the design and materials of existing dwellings within Reading Street, with the use of Dutch gables, traditional bays, tile hanging, and flint. The variety in building designs will mimic the variety of building styles viewed within the conservation area, and will therefore be viewed as a clear expansion of the village rather than as a self-contained development.

The proposed dwellings are predominantly 2-storey in height, although some dwellings have been provided with accommodation within the roof space. The scale of development proposed is not considered to be significantly disproportionate to the scale of existing surrounding dwellings, and are no larger than those previously approved. Some of the proposed dwellings accommodate 6no. Bedrooms and are therefore wider than other units within the proposed scheme, but these are mainly located along the northern boundary of

the site, and are not adjacent to existing development. This enables a gradual transition to be achieved from some of the smaller dwellings within Reading Street to the larger proposed dwellings to the north of the site.

The previous scheme was criticised for its cramped appearance, car dominance and lack of landscaping. The reduction in unit numbers and the increase in plots sizes, along with the reduction in on-street parking provision, have significantly increased the amount of soft landscaping that can be achieved within the site. A full detailed landscaping plan has not been submitted at this stage, but the submitted site plan shows the potential for up to 100no. Trees to be planted within the site, along with pockets of communal soft landscaped areas. Open soft landscaped areas are provided to either side of the accesses, and a large area of open space is maintained around the good quality TPO tree to the front of units 2 and 3. Landscaping is achievable either side of the parking bays, to the front of unit 20 and adjacent to the pedestrian link, which will not only provide visual benefits, but also the potential for informal play areas to be incorporated into the development.

Overall it is considered that the amended plans fully address the reason for refusal of the previous scheme, and now provides a good quality development that is well integrated both within the development itself but also in relation to the surrounding area. The development is low density at 14 dwellings per hectare with large plots of differing design and materials, in keeping with the surrounding pattern of development and the character and appearance of the adjacent conservation area. The extent of parking has been significantly reduced and the areas of landscaping increased to create a development that is sympathetic to the local character, and which will add to the overall quality of the area.

The impact upon the character and appearance of the area is therefore considered to be acceptable.

- Impact upon the Setting of the Conservation Area and Listed Buildings

The Inspector previously raised no concerns with the impact of the proposed development on the adjacent conservation area, noting that most of the proposed development would not be visible from Reading Street, only from rear gardens of the adjacent houses, and therefore the effects of the proposed development on the setting of the conservation area would be limited and would not give rise to material harm to its heritage significance. The revised scheme is no closer to the conservation area, and given the reduction in units and overall reduction in density, the impact of the proposed development upon the heritage significance of the conservation area is again considered to be acceptable.

The site lies adjacent to nos. 43-49 Reading Street (Convent Cottages), which are Grade II listed buildings. Within the appeal decision for the previously refused scheme the Planning Inspector commented that in his view the area immediately to the rear of the cottages, which was previously part of the gardens of the former home, is part of the setting of these Listed Buildings; and that although this area is outside the Conservation Area, it provides the buildings with 'breathing space' so that they do not appear enclosed at the rear. The Inspector further commented that the siting of Units 1 and 2 (the closest units to the listed buildings) would undoubtedly affect the setting of the cottages due to their bulk, height and

proximity to them. Furthermore the Inspector felt that any additional landscaping in this area would erode the open setting of the buildings.

The proposed application seeks to address the Inspector's concerns by relocating and re-orientating the closest dwellings to the listed buildings, in this case units 9, 10 and 11. The previous scheme showed the nearest two units located to the rear of the listed buildings at approximately 22m away. The revised scheme shows units 9, 10 and 11 provided across this same area, but relocated and reorientated so that they front the access road, are not directly behind the listed buildings, and are perpendicularly sited in relation to the listed buildings (rather than back to back). The closest proposed dwelling, unit no.9, has been pushed 5m further to both the east and north of the site when compared to the previous scheme, meaning that the proposed and listed buildings are offset from one another. This has enabled a large area of open space to open up to the rear of the listed buildings (which serves as the garden areas to the proposed dwellings). The retention of this open space to the rear provides the breathing space felt necessary by the Inspector, and achieves the retention of the setting for these listed buildings.

Furthermore, the dwellings have been reduced in scale when compared to the previous scheme, and amended plans have been submitted showing a further reduction to the height of units 9 and 10 reduced to 1.2m above the ridge level of Convent Cottages for the main part of the dwelling and 0.4m below the ridge level of Convent Cottages for the side extension element. It is considered that these amendments to the bulk, height and proximity of the proposed development in relation to the listed cottages therefore address the Inspector's concerns.

The proposed site plan does not show any new tree planting to the rear of Convent Cottages, and whilst some low-level landscaping is likely, this could be restricted to either a hedge or shrubs when considered as part of a landscaping strategy for the site. It is therefore not considered that the proposed landscaping would impact upon the setting of the listed buildings.

The Council's Conservation Officer has been consulted, and advises that following the submission of the amended plans showing the bulk, height and distance to the listed buildings amended, he is of the opinion that the effect on the setting of the heritage assets is likely to be minor harm, and as such there will be less than substantial harm to the significance of the designated heritage assets.

It is therefore considered that on balance, the amendments to the proposed scheme have addressed the concerns of the Inspector and the proposed development can be considered as acceptable and in accordance with section 66 of the Planning (listed Buildings and Conservation Areas) Act 1990, subject to the public benefits of the proposed scheme being considered to outweigh the minor harm to the designated heritage assets.

Living Conditions

Policy D1 of the Thanet Local Plan requires that development is compatible with neighbouring buildings and does not lead to unacceptable loss of amenity, and paragraph

127 of the NPPF requires decisions to ensure that developments create places with a high standard of amenity for existing and future users.

When considering the previously refused planning application for 30no. dwellings, the Inspector concluded that the proposal would be *'harmful to the living conditions of the occupants of Convent Cottages, arising from an increased sense of enclosure and a perceived loss of privacy'*, and as such would not comply with the NPPF. This was a result of the distance between the proposed dwellings and Convent Cottages; the location of windows within the nearest proposed dwelling that would directly face Convent Cottages; the presence of additional landscaping along the rear boundary of Convent Cottages that would result in an overbearing and unacceptable level of enclosure for the occupants; the limited rear garden depth of Convent Cottages; and the level difference between Convent Cottages and the proposed development.

The proposed development has addressed the Inspector's concerns by relocating the nearest proposed dwelling so that it is positioned further from Convent Cottages; re-orientating the nearest proposed dwellings so that there is no direct overlooking of Convent Cottages; showing no landscaping along the rear boundary of Convent Cottages, beyond that which could be construed as either a small hedge or shrubs (full details of which are to be submitted via condition in the form of a landscaping plan); and reducing the height of unit 9 so that it does not extend significantly higher than Convent Cottages.

When comparing the location of unit 9 (the closest proposed dwelling to Convent Cottages) with the location of the closest dwelling within the refused scheme, the proposed dwelling is 5m further to both the north and the east of the site, enabling a larger area of open space to be retained at the rear of Convent Cottages. The relocation of the nearest unit means that there would no longer be an overbearing or unacceptable level of enclosure for the occupants of Convent Cottages.

With regards to overlooking, there are no upper level windows within the proposed scheme that would either directly overlook Convent Cottage, or give the perception of being overlooked. There may be some indirect overlooking of no. 43 Convent Cottages from unit 14, but there is a distance of at least 30m between the proposed rear elevation of unit 14 and the main rear elevation of no. 43 Convent Cottages, with unit 14 facing towards the side garden of no. 43 only rather than directly towards any rear windows. Given the distance and the relationship, the layout of the proposed development is considered to overcome the Inspector's concerns, with the impact upon the privacy of occupiers within Convent Cottages being considered acceptable.

There is a distance of at least 32m between the proposed rear elevation of units 14 and 15, and the rear elevation of nos. 35-41, and as such the impact upon the privacy of the occupiers is considered to be acceptable.

There is a distance of at least 28m between the proposed rear elevation of no. 16 and the rear elevation of no. 33 Reading Street, meaning that the impact upon the privacy of the occupiers of no. 33 is considered to be acceptable.

There is a distance of 21m between the proposed rear elevation of unit 17, and the side elevation of No. 29 Reading Street. Within the rear elevation of unit 17 is a primary bedroom window and a secondary bedroom window. The windows look towards the side garden and front parking area of no. 29, but there would be no direct overlooking of the rear garden area associated with number 29. The impact upon the privacy of the occupiers of no. 29 is therefore considered to be acceptable.

There is a minimum distance of 23m between the proposed rear elevation of unit 18 and the rear elevation of no. 27 Reading Street, plus any overlooking would be indirect overlooking, as the area immediately to the rear of no. 27 consists of highway and landscaping. As such the impact upon the privacy of no.27 is considered to be acceptable.

There is a distance of 8m between the side elevation of proposed unit 20 and the side elevation of 8 Astor Road. Given this distance, the impact upon light and outlook for the occupiers of no.8 is considered to be acceptable. There are no windows within the southern side elevation of proposed unit 20, so there will be no overlooking of no.8. The impact upon privacy for the occupiers of no.8 is therefore considered to be acceptable.

Nos. 12 and 14 Convent Road are bungalows, with their rear gardens adjacent to the western part of the application site. There are 2no. Proposed detached dwellings located to the rear of nos. 12 and 14 plots 20 and 21), and although there is a first floor bedroom window within each of their rear elevations, there is a minimum distance of 32m between the rear elevation of the proposed development and the rear elevation of nos. 12 and 14 Convent Road. This distance well exceeds the minimum guideline distance of 21m, and as such it is not considered that there would be a significant loss of privacy for the occupiers of nos. 12 and 14 Convent Road.

There is a distance of 14m between no. 42 Convent Road and the proposed 2-storey dwelling of unit 8. Whilst there is a double garage for unit 8 located closer to no.42, at only 7m distance from the closest part of no.42, the proposed garage is single-storey in height. Given the distance, the impact upon light and outlook for the occupiers of no. 42 is considered to be acceptable. There are no windows within the side elevation facing no. 42 Convent Road, and the nearest window to no.42 within the rear elevation of unit 8 serves an en-suite and will therefore be obscure glazed. The impact upon the privacy of no.42 is therefore considered to be acceptable.

The impact upon light, outlook and privacy for all neighbouring properties is therefore considered to be acceptable. The only other issue to consider when assessing the impact upon neighbouring living conditions is that of noise and disturbance from vehicular and pedestrian movement. The vehicular access from Reading Street is existing, and would have previously been used to serve the Convalescent Home. The proposal will involve 13no. units being served by the vehicular access. The access is located 25m from no. 49 Reading Street and 7m from 'Old Convent Farm House'. Given the distance and the existing nature of the access, along with the limited number of vehicle movements that would result from 13no. dwellings, the impact from noise and disturbance on the immediate neighbours to the proposed access is considered to be acceptable.

The other vehicular access also exists, although it has previously only been used to serve nos. 30 and 42, and will now serve 12no. units. The access will be at least 3.2m from the side elevation of no. 34 Convent Road, which appears to have a garage at ground floor level closest to the access road. Whilst there will be a small buffer area between the access road and no. 34, which will contain a footpath, ultimately there will be increased noise and disturbance for this property given the additional vehicle movements that will enter and leave the application site, and the proximity of the access road to the rear garden of the property. As such a condition is recommended for the erection of an acoustic fence along this boundary, which has been agreed by the agent. Subject to the erection of the acoustic fence, the impact upon noise and disturbance for no. 34 Convent Road is considered to be acceptable.

Pedestrian access is proposed from the application site through to Astor Road. If implemented this would increase pedestrian movement along Astor Road, however the increased noise and disturbance that would result from this pedestrian movement is unlikely to be significant enough to warrant any concerns.

Overall the impact upon the living conditions of the neighbouring occupiers is considered to be acceptable.

Transportation

The application proposes an access onto Reading Street to serve 13no. units and an access onto Convent Road to serve 12no. units. Both are existing accesses; however alterations are being made to improve their design in order to achieve greater turning and visibility. There is no vehicular connection between the Reading Street and Convent Road accesses across the site. Planning permission has previously been granted for the development of the site for 13no. dwellings with access onto Reading Street, and the site has been allocated within the Draft Local Plan for residential development.

- Vehicular Accesses

As part of this proposal the Reading Street access is being moved further east allowing for Reading Street to be widened in the immediate vicinity of the proposed access to allow vehicles to pass each other, and adding pedestrian connections to the existing footways. Limited parking restrictions are also proposed at the access to maintain visibility and these are in the location of the existing access to the site, which will be closed and the footway reinstated. Whilst this means that the existing access road will no longer be available for parking, it is a private access and this parking could therefore be removed at any time without the need for planning permission. The layout being provided at the access is acceptable to allow sufficient visibility given the measured speeds in Reading Street. KCC have advised that given the history of the site, which includes the granting of planning permission for the same number of units to be served by this design of access, and the submission of plans that show adequate turning provision and visibility at the access, the alterations to the access onto Reading Street are acceptable in highway safety terms.

The Convent Road access is to be widened and extended across the frontage of no. 28 Convent Road, with a new footpath leading into the site. KCC Highways have commented

that the access, which is to serve 12no. dwellings, provides suitable visibility and suitable width for vehicles to pass each other at the junction with Convent Road, and whilst the width of the access is slightly reduced for part of the access adjacent to no. 28, this is acceptable given the number of dwellings to be served by the access. Visibility for drivers at the access is achievable at 2m back from the edge of the carriageway, rather than the preferred 2.4m, and as a result the front of a car may need to overhang the edge of the carriageway to allow a driver to achieve the necessary visibility. However, Convent Road is of sufficient width to accommodate this and drivers approaching on Convent Road have good visibility to the access, and as such KCC have advised that they would not recommend refusal on this issue.

The location of the proposed access onto Convent Road, in relation to Lerryn Gardens opposite, is considered acceptable, and bearing in mind the existing and proposed streets are culs-de-sac serving a limited number of dwellings, there are likely to be few if any vehicle movements between the two.

The location and design of both the Convent Road and Reading Street accesses are considered to be safe and suitable, and this has been accepted by the Planning Inspector (when considering the previously refused scheme) who commented that 'the accesses would meet the highway authority's standards with respect to visibility'. The proposed vehicular accesses are therefore considered to be acceptable in terms of paragraph 32 of the NPPF.

- Traffic Movement

The increase in traffic that would result from the proposed development is a serious concern raised within many of the letters of objection received from residents. Reading Street is a narrow road, which when busy with on-street parking can restrict vehicle movements. There are also areas of either narrow or no pavements, which can restrict pedestrian movement.

The previous application for 30no. dwellings was not refused on highway grounds, and the Planning Inspector, when considering the appeal, was of the view that 'the amount of additional traffic that would be generated by the development would be modest', and would therefore 'not result in severe impacts on the capacity or operation of the surrounding road network'. The Planning Inspector concluded that the rejection of the scheme for 30no. dwellings on highway grounds was not justified. This scheme is for 25no. dwellings, and will therefore result in even less vehicle movements and associated impact than the previously refused scheme.

- Developer Contributions

Previous approvals for the development of the site secured a financial contribution of £25,000 towards the redesign of the junction of Reading Street with Elmwood Avenue to improve the street geometry and visibility. KCC have recommended that these improvements be secured, as they would help to improve traffic flow along Reading Street, however they are of the opinion that such works could be secured through a Section 278 agreement with the highway authority rather than a financial contribution to enter into a legal agreement under the Highway Act to make alteration to a public highway. These works can

be controlled by condition, with the works to be completed prior to the first occupation of the development. The increase in traffic movements along both Reading Street and Convent Road are not considered to result in a severe impact upon highway safety, and as such the proposal is not considered to conflict with paragraph 32 of the NPPF.

- Parking Layout

Within the site itself, the streets are to remain private, and will therefore not be adopted by the highway authority. All dwellings are provided with garages and driveways within the plot, other than the terraced dwellings, where their allocated parking is either opposite the plots or within a parking bay adjacent to the plots. All dwellings are provided with a minimum of 2no. off-street parking spaces, with an additional 5no. visitor parking spaces provided within the development. KCC have advised that the site layout and parking arrangements are such that the proposals are unlikely to lead to unacceptable parking on the highway within the site, and the provision on site of on-street and off-street parking is sufficient for the number of dwellings proposed, thereby not resulting in any additional parking on Reading Street or Convent Road. Whilst amended plans have been submitted showing some of the dwellings increased in size to 6no. bedroom units, KCC Highways have advised that they would still only require a minimum of 2no. Off-street parking spaces to be provided.

In terms of pedestrian routes, a footway is provided from the Reading Street access through the site to Convent Road. A pedestrian access has also been shown on to Astor Road, which legal advice supplied by the applicant suggests is achievable. This is contested by neighbours, however, this link is not a determining factor in the application. Overall, the pedestrian connectivity through the site contributes towards the sustainability of the development. It allows for residents in Reading Street to access the bus stops within Convent Road, and the Astor Road link and Reading Street link provides access for residents of the development to the facilities and services contained within Reading Street, including a church, church hall, and public house. The existing footway on the south side of Convent Road terminates a short distance to the west of the site access so dropped kerbs and tactile paving are proposed to enable pedestrian access to/from the existing continuous footway on the north side of Convent Road, providing access to the nearby bus stops and the wider footway network.

Overall, whilst it is appreciated that there are existing restrictions within Reading Street, given the existing evidence on vehicle movements and incidents in the area, the alterations proposed to the access roads, the previous consent that allowed for an additional 13no. dwellings to be accessed of Reading Street, the alterations that will be made to the Reading Street/Elmwood Avenue junction, the improvements to pedestrian connectivity for both the future occupiers of the development and existing residents within Reading Street and Convent Road, and the acceptability of the development on highway grounds by the Planning Inspector, on balance, the impact upon highway safety is considered to be acceptable and in accordance with the NPPF.

Affordable Housing

Policy H14 requires that for development that exceeds 14 units, 30% affordable housing should be provided. The applicant has proposed 30% affordable housing, which equates to

seven of the twenty five units proposed. A plan has been submitted showing the location of the affordable housing, which is towards the west of the site and consists of 4no. 3-bed terraced dwellings, 1no. 3-bed detached dwelling, and 2no. 4-bed semi-detached dwellings. 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 of these 70% be social rent and 30% be shared ownership, details of which can be submitted through condition.

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.

Size and Type of Housing

Policy H8 of the Thanet Local Plan requires that for development of 10 units or more there should be a mix in the size and type of housing. The proposal is for the provision of 21no. detached dwellings, and 4no. terraced dwellings, consisting of 7no. 3-bed dwellings, 7no. 4-bed dwellings, 6no. 5-bed dwellings, and 5no. 6-bed dwellings. Whilst the number of 5-bed plus units is at a higher proportion than required when assessing against the latest Strategic Housing Market Assessment figures, this size of unit and accompanying plot size is understandable given the rural edge location of the development, the 2013 approval which provided for similar building sizes, the surrounding pattern of development that includes properties set within spacious plots, and the previous refusal, which has resulted in the number of units and the overall density of development being reduced. Overall the proposed split provides for an even mix of units sizes, for family dwellings of which there is a local need, and predominantly detached dwellings that are more in keeping with the surrounding pattern of development.

It is therefore considered that, on balance, the proposal complies with Policy H8 of the Thanet Local Plan in achieving a mix in the size and type of housing.

Ecology

A preliminary ecological appraisal has been undertaken, along with a bat survey report. KCC Biodiversity have reviewed the ecological information and advise that they require no additional information. Whilst the ecological survey was carried out in June 2016, KCC consider that the report is still valid as it is unlikely that the site would have changed significantly in this time.

The bat emergence and activity survey concluded that no roosting bats were recorded using the buildings on site, however three species of bats were recorded foraging/commuting on site, and therefore the mitigation and enhancement options outlined in the Bat emergence and dawn re-entry surveys (2015) must be implemented as part of any planning approval. The mitigation and enhancement work includes a bat sensitive lighting scheme, new shrub and hedgerow planting, bat roost boxes and other bat roost features. A condition is therefore recommended requiring that the enhancement measures be carried out, with details to be submitted as part of the landscaping plan. An Environmental Construction Management plan condition and breeding birds informative is also recommended.

The impact upon biodiversity is therefore considered to be acceptable, and in accordance with the NPPF, subject to the imposition of the above outlined conditions.

Drainage

Southern Water have been consulted and have advised that their initial investigations indicate that they can provide foul sewerage disposal to service the proposed development, as well as a water supply to the site.

With regards to surface water drainage, the applicant has proposed a Sustainable Urban Drainage System. KCC SUDS have been consulted and have advised that as Lead Local Flood Authority they are generally satisfied with the principles discussed within the flood risk assessment for the drainage of surface water. However, they recommend further infiltration testing is carried out during any detailed design work on drainage to ensure that infiltration rates at shallow depths within the Head Deposits are suitable for the proposed permeable paving features. The ground investigation however does indicate the viability of infiltration in general and KCC have advised that they expect the detailed design work will be able to optimise the design without implications upon the site layout.

The principle of the drainage as proposed is therefore acceptable and not considered to impact upon flood risk in accordance with the NPPF, subject to safeguarding conditions.

Archaeology

Thanet is generally rich in archaeological remains and the application site lies within an area of considerable archaeological potential with many cropmark sites of barrows and enclosures lying within 500m. Of particular significance is the discovery of Roman remains in 1888 less than 100m to the west of the site.

The Archaeological Officer at KCC has been consulted and has advised that although part of the site is occupied by the former convalescent home, it is possible that important archaeological remains could be affected by groundworks for the new residential development. A safeguarding condition is therefore recommended securing the implementation of archaeological field evaluation works, along with any further mitigation and/or safeguarding measures. KCC have advised that if significant archaeology is encountered in the evaluation stage then there may be a need for preservation measures to be put in place to address the condition. The recommended conditions are considered to be appropriate to address the archaeological issues.

Play Space

Policy SR5 of the Thanet Local Plan states that new family dwellings will be expected to incorporate garden space in order to provide a safe doorstep play area for young children. All of the dwellings proposed have private gardens, in accordance with Policy SR5.

Policy SR5 also requires that where a development in its completed form would amount to ten to forty-nine residential units, the Council will expect a financial contribution to be made for the provision, maintenance and upgrade of play facilities.

The TDC Interim Open Spaces Manager has been consulted and has advised that St Peter's Recreation Ground is the closest play area to the application site and that the play equipment is reasonably old and may need upgrading, with some new additional equipment also being needed. There is also the need for new/additional protective matting, and fencing around the playground, which is coming up for renewal.

The financial contribution required through the proposed development, which is based upon the calculation contained within the Council's Supplementary Planning Document for Planning Obligations is £21,875. The applicant has agreed to this contribution, which will be secured through a legal agreement. On this basis the proposed development is considered to comply with Policy SR5 of the Thanet Local Plan.

Trees

The proposed site plan shows the removal of 3no. trees only, however, the submitted Tree Survey proposes the removal of 9no. trees, the loss of which were considered as part of the previous application. All of the trees are covered by a Tree Preservation Order.

Of the potential 9no. trees to be removed, 8 are category C and one is category B. A site visit previously took place with the Council's Tree Officer to assess the trees proposed for removal by the applicant. The trees located around the proposed vehicular access onto Reading Street were previously agreed for removal as part of previous planning applications, and therefore it would be unreasonable to request their retention as part of this application, as their amenity value has not changed significantly in the last 4 years. This area of trees includes the Category B tree.

With regards to other trees on the site, the Tree Officer has confirmed that T26, a maple tree located to the rear of 27 Reading Street, is covered in ivy and in a dead/dying condition; T25, a cherry tree located to the rear of 27 Reading Street, has had a large section of its crown removed leaving it one sided, and is now in a poor condition; and T27, a false acacia tree also to the rear of 27 Reading Street, has a trunk wound at approximately 1m and may well have to be reduced in height for safety reasons. T5, a sycamore tree along the boundary with the golf course is covered in ivy and has previously been pollarded, and also appears to have decay around the old pruning points. Given that all of these trees are Grade as C and in poor condition; their proposed removal is considered to be acceptable.

It is accepted that all of these trees previously mentioned could be removed due to their poor quality, or the fact that their removal has previously been granted. The final tree proposed for removal is T6, a Whitebeam tree located towards the centre of the site. Whilst the tree is classed as Grade C within the tree survey, the Tree Officer has advised that it is a reasonable tree that could be retained; however it is covered in ivy growth, so a closer inspection that would provide a true understanding of its quality was not possible. The tree is towards the centre of the site and therefore does not offer significant amenity value to the wider area to warrant the refusal of the application on the grounds of the loss of tree. In any

event, whilst the submitted tree survey suggests its removal, the proposed site plan shows the retention of this tree, along with the provision of new tree planting to be provided within the site. The proposed site plan shows a mix of both small and larger trees to be planted within the site, and suggests that up to 100no. trees could easily be accommodated within the site. The submitted site plan is not a detailed landscaping plan, and therefore it is not clear what species or height is proposed, but it does provide comfort that a sufficient quantity of replacement trees can be accommodated on the site as part of the proposed housing development, which would offset the loss of up to 9no. existing trees, including T6, the whitebeam tree. On balance, the benefits that would result from the extensive replanting within the site are considered to outweigh the concerns regarding the loss of the few existing trees, the quality of which does not appear to be outstanding.

The impact upon trees is therefore considered to be acceptable subject to safeguarding conditions requiring the planting of new trees, the submission of an acceptable landscaping scheme, and the protection of existing/retained TPO trees during construction.

Air Quality

TDC Environmental Health have advised that the application does not warrant an air quality assessment or emission mitigation assessment, however it is recommended that one electric vehicle charging point is installed per dwelling where there is dedicated parking, or one charging point per ten spaces where parking is unallocated, in order to promote renewable energy and reduce the impact upon air quality, in accordance with the NPPF. The agent has agreed to these recommendations and the impact upon air quality is therefore acceptable subject to safeguarding conditions.

Waste and Recycling

Vehicle tracking plans for refuse vehicles have been submitted as part of the application to show that a refuse vehicle can enter and leave the site in a forward gear, whilst also accessing all properties within the site. The TDC Waste and Recycling Manager has been consulted who has raised concerns with the proposed development on the grounds that the entry way, and the access within the site, appears to be too narrow for a refuse vehicle, and that parked cars within the development may also cause an access issue.

KCC Highways and Transportation have raised no concerns with the submitted tracking plans, which have been designed to accommodate the size of refuse vehicle used within Thanet. The parking layout would not induce or result in residents parking to block the route or access of refuse vehicles and, whilst there could be isolated problems in the future with parked cars obstructing access, this is not grounds to refuse the application. The evidence submitted proves that refuse vehicles would be able to access and turn within the site. Each property will be provided with refuse storage, and whilst the refuse vehicle may need to reverse within part of the site for collection, the waste and recycling department have advised that a refuse vehicle is able to reverse along short sections of road, and therefore such a collection could be accommodated.

It is therefore considered that adequate waste and recycling facilities would be accommodated within the site, and as such it is considered that the proposed development would comply with Policy D1 of the Thanet Local Plan.

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 commented that a financial contribution is required to accommodate the additional primary school and secondary school places that would be created through the proposed development. The financial contribution required consists of £113,375.00 towards primary school provision, to go towards Phase 2 of the new St George's Primary School; and £117,175.00 towards secondary school provision, to go towards Phase 1 of the new secondary school to be built in Thanet. There is also a request for £1,200.40 towards the additional bookstock required to mitigate the impact of the additional borrowers generated from this development.

These contributions are considered to be necessary to make the development acceptable in planning terms, directly related to the development and fairly and reasonably related in kind and scale.

The applicant has agreed to provide these contributions, which are to be secured through a legal agreement.

- Healthcare Provision

A request has been received from the CCG regarding the need to mitigate the increased healthcare requirement created by this housing development. They have advised that any contributions secured should be put towards the provision of a new purpose built medical facility at Westwood to serve the population.

The formulae used to calculate the contribution is based on a cost per head to provide a new surgery. This equates to £1,008 per 3-bed unit, £1,260 per 4-bed unit, and £1,728 per 5-bed and 6-bed unit; totalling £34,884.

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 health care provision is therefore considered to be acceptable.

Special Protection Area

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 £3,360 for the 3-bed dwellings, and £10,800 for the 4-bed, 5-bed and 6-bed dwellings; totalling £14,160. The applicant has agreed to this contribution, which will be secured through a legal agreement.

Appropriate Assessment

Further to recent case law, the Council have carried out an Appropriate Assessment of the proposed development under the Conservation and Habitats and Species Regulations 2017. This has taken into account the SAMM when assessing the impact of the development on the Thanet Coast and Sandwich Bay SPA / Ramsar site

Having considered the proposed mitigation and avoidance measures to be provided in-perpetuity through the secured contribution to the access and monitoring measures, it is concluded that with mitigation, the project will have no adverse effect on the integrity of the European protected site. Natural England has confirmed that they concur with this conclusion.

Heads of Terms

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

- 30% affordable housing, including size, location and tenure,
- £113,375.00 towards primary school provision at St.Georges (phase 2),
- £117,175.00 towards Phase 1 of the new secondary school to be built in Thanet,
- £1,200.40 towards library provision in Broadstairs,
- £21,875 towards play equipment at St.Peters Recreation Ground,
- £14,160 towards the Special Protection Area,
- £34,884 towards a new medical centre at Westwood.

Conclusion

The application site is located within the urban confines, and whilst the site is non-previously developed land, it is allocated for housing within the Draft Local Plan and would address a local need for housing by providing 25no. new dwellings, seven of which would be affordable housing, meeting the 30% requirement in accordance with Policy H14 of the Thanet Local Plan. The applicant has agreed to all of other financial contributions as stated within the Heads of Terms, including education and health. The development would therefore have social benefits which carry significant weight in the schemes favour.

The proposed development provides a well-integrated good quality form of development, which at a low density at 14 dwellings per hectare offers significant landscaping opportunities. A variety of building types and designs are proposed, which are predominantly 2-storey in height, and which incorporate features from the surrounding area. Given the improved layout and design when compared to the previously refused scheme, it is considered that the proposed development overcomes the previous reason for refusal and the Inspectors concerns by providing a well-integrated good quality development, in keeping with the surrounding pattern of development. As such the impact upon the character and appearance of the surrounding area is considered to be acceptable.

The proposal would create jobs during the construction period and future occupants could bring additional expenditure into the area, benefiting the local economy.

With regards to the environmental dimension of sustainability, there is considered to be no significant impact upon neighbouring light, outlook or privacy, and the impact upon highway safety is considered to be acceptable subject to the design and layout alterations of the accesses as proposed, and improvements to the Reading Street/Elmwood Avenue junction. Whilst the Inspector previously considered there to be harm to the setting of the listed buildings, the amended plans, which move units 9 and 10 further from the listed buildings, and reduce the scale of these units, are considered to address the Inspectors previous concerns with only minor harm to the setting of the listed buildings. Furthermore there is considered to be no harmful impact to the conservation area, and the amended layout and design of the development is considered to provide a good quality integrated form of development that respects the character and appearance of the surrounding area. Overall it is considered that the proposal would achieve sustainable development by meeting all social, economic and environmental objectives in accordance with paragraph 8 of the NPPF, with the social and economic public benefits of the proposed scheme considered to outweigh the minor harm to the setting of listed heritage assets, and address the previous reason for refusal and the Inspectors previous concerns.

As such it is recommended that members defer and delegate the application for approval, subject to the submission of a legal agreement securing the agreed head of terms, and subject to safeguarding conditions.

Case Officer

Emma Fibbens

TITLE: F/TH/18/0142

Project Land Formerly Used As Club Union Convalescent Home Reading Street,
BROADSTAIRS Kent

Scale:

