

R03

OL/TH/18/1348

PROPOSAL: Outline Application for the erection of 5no. dwellings including layout and scale

LOCATION: Land Adjacent Pouces Manston Road Minster RAMSGATE Kent

WARD: Thanet Villages

AGENT: Mr Malcolm Brown

APPLICANT: Mr W Maddox

RECOMMENDATION: Refuse Permission

For the following reasons:

1 The proposed development, by virtue of its location, would result in a loss of openness and creation of an inappropriate form of residential development along Manston Road, unrelated to existing built development and appearing obtrusive and incongruous within the open countryside, significantly harmful upon the intrinsic open rural character and beauty of the countryside contrary to Thanet Local Plan Policies D1, CC1 and CC2 and paragraphs 11, 127, 170 of the National Planning Policy Framework.

2 The proposed development, represents uncharacteristic frontage development along Manston Road, which is isolated in its appearance and appears out of keeping with the surrounding pattern of development, thereby failing to respond to the rural character and appearance of the area, contrary to Policy D1 of the Thanet Local Plan and paragraphs 127 and 170 of the National Planning Policy Framework.

3 The proposed development will result in additional pressure on the Thanet Coast and Sandwich Bay Special Protection Area (SPA), and Sandwich Bay and Hacklinge Marshes Site of Special Scientific Interest (SSSI), and in the absence of an acceptable form of mitigation to relieve the pressure, the proposed development would be contrary to paragraphs 176 and 177 of the National Planning Policy Framework.

SITE, LOCATION AND DESCRIPTION

The application site is located on the northern side of Manston Road, Minster. At the time of the site inspection the land was being utilised to graze horses. The site is enclosed to the southern boundary (along the road) and western boundary in part by hedge planting and in part by close board fencing. To the south east of the application site and identified as blue land is Pouces, a two storey detached dwelling and associated buildings. To the south and on the opposite side of the road is a development of 34 two storey dwellings approved under planning reference F/TH/03/0249.

RELEVANT PLANNING HISTORY

OL/TH/18/0758 - Outline application for the erection of 5No. dwellings with all matters reserved - Refused - 25/07/18.

There was one sole reason for refusal which is detailed below:

The proposed development, by virtue of its location, would result in a loss of openness and creation of an inappropriate form of residential development along Manston Road, unrelated to existing built development and appearing obtrusive and incongruous within the open countryside, significantly harmful to the character and appearance of the countryside and landscape character area, which is not outweighed by any public benefits, contrary to Thanet Local Plan Policies D1, CC1 and CC2 and paragraphs 11, 127, 170 of the National Planning Policy Framework.

It is noted that the application site differs from the application site that is now being considered for residential development. The application site previously had a much narrower road frontage and extended back 120m. The current site has a road frontage of approximately 93m (not including the visibility splay) and has a depth of approximately 45m.

PROPOSED DEVELOPMENT

Outline planning consent is sought for the erection of 5no. dwellings including layout and scale to be considered at this stage. Access, appearance and landscaping are reserved matters.

The submitted illustrative plan shows five detached dwelling located facing onto Manston Road. The plan is annotated indicating that the dwellings would be two storey having two car parking spaces and car port. The illustrative plan also denotes that a green swathe will be retained along the road boundary and vegetation will be provided all both side and rear boundaries.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan (2006 Saved Policies)

- CC1 - Development in countryside
- CC2 Landscape Character Areas
- H1 - Residential Development Sites
- H4 - Windfall Sites
- D1 - Design Principles
- D2 - Landscaping
- SR5 - Play Space
- TR12 - Cycling
- TR16 - Car Parking Provision
- EP13 - Groundwater Protection Zones
- HE11 - Archaeological Assessment

- HE12 - Archaeological sites and Preservation

NOTIFICATIONS

A site notice was posted and neighbouring occupiers notified by post. No third party representations were received.

Minster Town Council: No objection

CONSULTATIONS

KCC Highways and Transportation – (*final comments*) I understand access is now a reserved matter. I can confirm I have objection in respect of highway matters. Suitable access and associated visibility can be achieved including a footway linking the site to the footway network on the south side of Manston Road, providing to the nearest bus stops in Spitfire Way. Conditions are suggested to safeguard this.

(*initial comments*) - Holding objection subject to matters pertaining to visibility splays, query about refuse collection vehicle and the provision of a footway, crossing point and connection to the footway on the south side of Manston Road (a safety audit of these works should also be carried out and submitted).

KCC Archaeological Officer - The application is in outline form with the intention to construct the dwellings on an arrangement fronting an access road within an area of present pasture land.

The Isle of Thanet is rich in archaeology and remains of prehistoric, Bronze Age, Iron Age and roman date have been found in the properties and fields on the opposite side of Manston Road. There is potential for development of this previously undeveloped land to impact on buried archaeological remains and I would therefore advise that in any forthcoming planning consent provision is made for an evaluation to be followed by appropriate mitigation which may include adjustment to enable preservation of any particularly significant remains if found. A planning condition is therefore requested relating to archaeological field evaluation works.

Environment Agency- We have assessed this application as having a low environmental risk.

Southern Water- Recommend an informative relating to connection to the public foul sewer.

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

KCC Ecological Officer - Information submitted with the planning application, photos of the site, details from the local planning officer and the aerial photos indicate that the footprint of

the development consists of regularly horses grazed grassland, which provide limited optimal habitat for protected species.

The Block Plan indicates that the southern hedgerow is to be reduced for visibility display. Aerial pictures indicate that the southern hedgerow is likely to be over 30 years and as such it is possible that this hedgerow is habitat of principal importance under Section 41 of the NERC Act and the Wildlife and Landscape criteria of the Hedgerow Regulations 1997. We advise the access road to utilise an existing gap within the hedgerow.

As this hedgerow is to be retained, we are satisfied that there is no requirement for an ecological scoping survey to be carried out. Instead we recommend that a precautionary mitigation approach is submitted and implemented during construction works to minimise the potential for the works to result in the killing/injuring of protected/notable species such as reptiles and breeding birds when vegetation is removed. We advise to keep the grass horse grazed until start of works. A condition is requested in relation to site clearance works.

The site contains suitable habitat for breeding birds and all nesting birds are protected under the wildlife and countryside act 1981 (as amended). We advise that if planning permission is granted the following informative is included relating to nesting birds.

Roosting bats are known to be present within the surrounding area. Lighting can be detrimental to roosting, foraging and commuting bats. We advise that the Bat Conservation Trust's Bats and Lighting in the UK guidance is adhered to in the lighting design for the works undertaken and the new dwellings built.

Natural England - On the basis of the appropriate financial contributions being secured to the relevant scheme. NE concurs with your authority's conclusion that this is suitable mitigation, as such the proposed developments will not have an adverse effect on the integrity of Thanet Coast and sandwich Bay SPA and Ramsar site.

COMMENTS

This application is referred to the Planning Committee at the request of Cllr Ash Ashbee to allow members to consider whether the need for housing outweighs the harm to the countryside.

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

Principle

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

The site is considered to be non-previously developed land outside of any defined settlement. The proposal is, therefore, contrary to the aims of saved policy H1 that states that residential development on non-allocated sites will be permitted 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 NPPF indicates that applications for housing should be considered in the context of the presumption in favour of sustainable development unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. Furthermore at paragraph 78 the NPPF states "To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities".

In this case the site lies far beyond the village confines, and does not represent in-fill development, as there is open countryside or paddocks to the side and rear boundaries. The site is not designated for any purpose other than countryside within the Draft Local Plan.

The proposed development would provide a minor addition to the district's housing land supply; and whilst it is acknowledged that there are limited services currently within a reasonable walking distance of the application site, including the cafe at the Spitfire museum the site is served by bus services from stops along Manston Road, including one outside the site. The bus services provide access to Birchington, Acol, Ramsgate, Broadstairs, Kingsgate, Palm Bay, Canterbury, Wickhambreaux, Wingham, Preston, Minster and Westwood. There are also some cycle paths between the application site and Minster. It could, therefore, be considered a fairly sustainable location with regards to services and facilities.

The principle of development is therefore considered to be acceptable subject to other material considerations, such as the impact upon the countryside, neighbouring living conditions and highway safety.

Countryside Impact

The site falls outside of the urban confines and within a Landscape Character Area. Saved Policies CC1 and CC2 of the Thanet Local Plan look to protect the open landscape and Thanet's Landscape Character Areas from inappropriate development. The site lies within the Central Chalk Plateau where the Local Plan states that care should be taken in designing developments to avoid skyline intrusion and the interruption of long views to the coast.

In terms of visual impact the submitted report indicates that the applicant is willing to accept a maximum ridge and eaves height limitation. Analysis of three routes to the site has taken place; the applicant considers that these show the limited impact of the proposed development and the ability for any impact to be mitigated/overcome through additional tree planting.

The application site fronts directly onto Manston Road. There would be some views of the proposed development from the surrounding countryside and the public highway. It is, however, considered that the proposed development would be seen as sporadic

development, and would not represent in-fill development but moreover isolated development in the countryside that is not relating to an existing settlement.

The application is accompanied with a Visual Impact of the proposed development. This document identifies that to the north of the site is Reclamet, to the east is Pouces which abuts the MoD training facility and to the south is a site of new housing (on the site of former RAF bungalows). There is only open countryside to the west. It is put forward that the site is part of sporadic development to the north of the airport where the quality of the countryside is acknowledged to be compromised. The report considers that the main views of the site are from passing motorists who classify as low visual receptors. It is stated:

" The landscape character of the area at this point is only of local importance where the main characteristic of the area will only be marginally affected by this development, which is set back off the road behind an existing hedge. There may be more impact when viewed from Woodchurch road in the short time having passed the car scrap yard, but here there are already houses visible on the horizon and that visibility is reduced by virtue of existing landscaping. The level of change as a result of the proposal is therefore small and only impacts upon a relatively low value landscape area with a few visual receptors."

It is not accepted that this development would be bounded on all but one side by existing development. Instead, it is confirmed to Members that Reclamet is separated from the application site by agricultural land.

It is considered that the development would not be seen as a continuation of development on this side of Manston Road, nor would it represent in-fill development as the site is not located between existing development. The space between the application site and Pouces in comparison to the earlier application for the residential development of the site is lessened; however, the visual gap between existing development and the proposed would still be very apparent; created by the residential curtilage of Pouces. The gap would mean that the existing and proposed dwelling would not be viewed/seen together and would represent inappropriate development, isolated in its appearance, which would not assimilate with existing development and would appear as ribbon development and would represent an incremental encroachment into open countryside. It is confirmed that ribbon development is not characteristic of the immediate locality. Development at this point in Manston Road becomes more sporadic as one enters open countryside.

It is considered that the provision of five dwellings on this site would have an adverse impact upon the countryside reducing the openness and creating ribbon development where there is only sporadic development of a single dwelling or very small clusters which you would normally expect to find in this rural environment. Furthermore it would not be read in conjunction with existing development and would appear as visually unrelated. Presently the existing dwelling and its associated curtilage offer a transition between built form and open countryside. It is considered that the erection of five dwellings on this parcel of land would not contribute to or enhance the natural and local environment, thereby damaging the intrinsic character and beauty of the countryside.

Whilst officers acknowledge that there has been recent housing development approved and under construction in close proximity to the site, these developments were granted planning

permission under very different circumstances; given the historic use of the site (in association with the RAF base) and the fact that it fell within the criteria of previously developed land. Each planning application is judged on its own merits and in these examples there was strong justification to relax well established countryside protection policies. The application site in comparison is clearly not previously developed land and would result in the loss of land within open countryside which would result in a clear harm; which if allowed would set a clear precedent for continued development along Manston Road into the countryside.

On the basis of the information submitted, the impact of the proposed development upon the countryside is considered to be unacceptable as it would be at odds with the established form and character of the area and have a detrimental impact upon the countryside.

Character and Appearance

Paragraph 127 of the NPPF states decisions should ensure that developments will function well and add to the overall quality of the area, are visually attractive as a result of good architecture, layout and appropriate and effective landscaping, sympathetic to local character and history, establish a strong sense of place and optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development and create place that are safe, inclusive and accessible. Saved policy D1 of the Local Plan outlines that the design of all new proposals must respect or enhance the character and appearance of the area particularly in scale, massing, rhythm and use of materials.

The site falls outside of the urban confines and within a Landscape Character Area. Saved policies CC1 and CC2 of the Thanet Local Plan look to protect the open countryside and avoid disturbance to the generally flat/undulating landscape with enclosed fields under intensive arable cultivation at the edges of the urban areas within the district.

The illustrative site layout plan shows that the proposed 5 units would be detached dwellings. Such dwelling types would not be out of keeping with the general pattern and provision of residential development in the area

Whilst the appearance of the proposed dwellings is not being considered at this outline stage, the information submitted with the application advises that the proposed dwellings would be 2 storey in height. A development of this scale would be in keeping with the surrounding character and appearance of the area and the scale of dwellings currently being constructed/completed on nearby sites. Landscaping of the site is a reserved matter and would need to be assessed at that time, should outline consent be approved.

Whilst there is some built development in the area, this is related to the former uses of the land being connected to the MoD/airport use. These developments are set back from the road so as to minimise visual intrusion into the countryside.

The plans show five dwellings laid out in such a manner that they extend across the road frontage, whilst maintaining a green swathe immediately adjacent to the road. Dwellings are shown to face Manston Road and a private drive which would serve all five dwellings. The submitted layout prohibits an extension back into blue land (land also in the control of the

applicant). The dwellings would be seen against open countryside to the north-west of the site and the very extensive residential curtilage of Pouces to the southeast. This is enclosed by hedgerow until immediately in front of the dwelling and access, the hedgerow/landscaping then continues until the MoD site.

Notwithstanding the established harm to the countryside as detailed earlier within the report, it can be summarised that whilst detached two storey dwellings would be appropriate with surrounding residential development, it is confirmed that the layout shown; ribbon development would be unacceptable in this location.

Living Conditions

Paragraph 117 of the NPPF states that planning decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.

The application has been submitted in outline form with all matters reserved with the exception of scale and layout. The site is separated by other residential dwellings by some distance. Whilst in outline form I consider, that five dwellings could be accommodated on the site without causing harm to neighbour amenity, with due regard to window arrangements and boundary treatments. The full impact upon neighbour amenity would need to be assessed fully at the reserved matters stage.

Local Plan policy SR5 requires new dwellings with two bedrooms or more to provide safe doorstep play space for young children. The illustrative plans suggest private gardens would provide a safe play space and space for clothes drying, refuse storage and storage facilities.

In terms of the living conditions of the future occupiers of the proposed dwellings, the Council's Draft Local Plan to 2031 has now been submitted and Policy QD03 requires new development to be of an appropriate size and layout with sufficient useable space to facilitate comfortable living conditions and meet the standards set out in Policy QD04. The internal space standards referred to in Policy QD04 are the National Described Space Standards (March 2015). Policy D1 of the Thanet Local Plan requires development to provide a high quality layout and paragraph 127 of the National Planning Policy Framework requires development to provide a high standard of amenity for existing and future users. All windows serving primary habitable rooms are required to provide an acceptable level of outlook, natural light and ventilation for all primary habitable rooms. Compliance with this policy would need to be assessed at the reserved matters stage

The impact upon the neighbouring and future occupiers of the development is therefore considered to be acceptable and in accordance with Policy D1 of the Thanet Local Plan and the NPPF.

Transportation

Whilst initially access was being considered, the applicants agent has confirmed it will now form a reserved matter. Highways and Transportation have advised that they have no

objection to the proposal in principle, detailing that a suitable access and associated visibility can be achieved including a footway linking the site to the footway network on the south side of Manston Road, providing access to the nearest bus stops in Spitfire Way.

The impact upon highway safety is therefore considered to be acceptable.

Ecology

KCC Ecology has confirmed that there are no outstanding issues relating to ecology but suggest that the access road should utilise an existing gap within the hedgerow. On the basis that this hedgerow is to be retained, there is also no requirement for an ecological scoping survey to be carried out. Although it is recommended that a precautionary mitigation approach is secured by condition to minimise the potential for the works to result in the killing/injuring of protected/notable species such as reptiles and breeding birds when vegetation is removed and a site clearance works condition. It is confirmed that this can be secured via planning conditions.

Archaeology

Paragraph 184 of the NPPF states that heritage assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations. In determining planning applications, NPPF paragraph 189 states that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance.

Furthermore, para 192 of the NPPF states that in determining applications, local planning authorities should take account of:

- a) The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) The positive contribution that conservation of heritage assets can make sustainable communities including their economic vitality; and
- c) The desirability of new development making a positive contribution to local character and distinctiveness

Thanet is indeed considered to be rich in archaeology and KCC's Archaeology Team has been consulted on the application. They advise that Bronze Age, Iron Age and roman date have been found in the properties and fields on the opposite side of Manston Road. They advise that a condition providing for the provision of archaeological evaluation followed by appropriate mitigation measures which may include design changes to achieve preservation in situ of important archaeology if found. These works would need to be carried out prior to the commencement of the development.

It is, therefore, considered that the impact of the proposed development on archaeology can be covered by the imposition of a planning condition on any grant of consent and no objection is raised in relation to this issue.

Contributions

Natural England has previously advised that the level of population increase predicted in Thanet should be considered likely to have a significant effect on the interest features for which the Thanet Coast and Sandwich Bay Special Protection Area (SPA) and RAMSAR have been identified.

Thanet District Council produced the 'The Strategic Access Management and Monitoring Plan (SAMM)' to deal with these matters, which focuses on the impacts of recreational activities on the Thanet section of the Thanet Coast and Sandwich Bay Special Protection Area (SPA). The studies indicate that recreational disturbance is a potential cause of the decline in bird numbers in the SPA. To enable the Council to be satisfied that proposed residential development will avoid a likely significant effect on the designated sites (due to an increase in recreation) a financial contribution is required for all housing developments to contribute to the district wide mitigation strategy. This mitigation has meant that the Council accords with the Habitat Regulations.

In this instance a draft Unilateral Undertaking which provides the required financial contribution for the residential units to mitigate the additional recreational pressure on the SPA area has not been submitted. Accordingly this would need to form a reason for refusal, as the proposed development is considered to be contrary to paragraphs 176 and 177 of the National Planning Policy Framework.

Conclusion

The proposal is for 5 dwellings and represents a departure from the development plan as it is outside the urban confines. Given the need for housing in Thanet and the lack of a demonstrable 5 year supply of housing the proposal is considered against the criteria of sustainable development within the NPPF with regard to other material planning considerations.

The NPPF 2019 has at its heart the presumption in favour of sustainable development as set out in section 2 of the NPPF 2019. Achieving sustainable development involves the pursuit of economic, environmental and social objectives. The relationship of this scheme to the objectives is summarised below and a balancing exercise has to be undertaken to weigh the benefits of the scheme against its disadvantages:

In terms of the economic dimension of sustainable development the provision of 5 new dwellings would give rise to employment during the construction phase of the development, and is likely to result in an increase in the use of local services and facilities, both of which will be of benefit, albeit modest, to the local economy.

In terms of the social dimension of sustainable development paragraph 59 of the NPPF 2019 refers to 'the Government's objective of significantly boosting the supply of homes'. The NPPF points out that 'small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly' and that 'development in one village may support services in a village nearby'

The scheme brings forward modest benefits with 5 additional market dwellings, a small contribution to market housing in the area, it is likely to support shops and services in Minster and further afield and it would allow increased social interaction between residents existing and new, and employment personnel albeit in a modest way. The scheme is considered to be well designed and safe as sought by paragraph 8.b) of the NPPF.

In terms of the environmental dimension of sustainable development the environmental issues are assessed in earlier sections of this report but to summarise, the proposal would have an adverse impact upon the countryside reducing the openness and creating ribbon development where there is only sporadic development of a single dwelling or very small clusters on this side of Manston Road which you would normally expect to find in this rural environment. It is appreciated new residential development has occurred on the opposite of the road, however, this was only permitted given the special circumstances of these sites; historic use, previously developed land or the development represented in-fill development. It is considered in this case, that there is no justification to relax well established countryside protection policies and the proposed development would result in the loss of open countryside; setting a clear precedent for continued development along Manston Road into the countryside.

Overall it is considered that, the harm is not outweighed by the public benefits of the scheme as set out above. The development of five dwellings, in a sustainable location is considered to satisfy economic and social objectives but fail the environmental objective of sustainable development as required by the NPPF.

Taking national and local planning policies into account, and having regard for all relevant material considerations, it is recommended that Members refuse the application.

Case Officer

Gill Richardson

TITLE: OL/TH/18/1348

Project Land Adjacent Pouce Manston Road Minster RAMSGATE Kent

Scale:

