

D05

OL/TH/18/1213

PROPOSAL: Outline application for the erection of a 3-storey 61no. unit extra-care facility (C2 use class), 14No. single storey bungalows, 33No. 2-storey dwellings, and 8No. maisonettes, including access and scale, following removal of existing structures

LOCATION:

Jentex Engineering Ltd Canterbury Road West RAMSGATE
Kent CT12 5DU

WARD: Cliffsend And Pegwell

AGENT: Mr Richard Morton

APPLICANT: Mr Anthony Jenkins

RECOMMENDATION: Defer & Delegate

Defer and delegate for approval subject to the satisfactory completion of Section 106 agreement within six months of the date of this resolution securing the required planning obligations as set out in the Heads of Terms, and the following safeguarding conditions:

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

GROUND:

As no such details have been submitted.

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

GROUND:

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

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

GROUND:

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

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

GROUND:

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

5 Details to be submitted in pursuant of Condition 1 above shall demonstrate that requirements for surface water drainage for all rainfall durations and intensities up to and including the climate change adjusted critical 100 year storm can be accommodated within the proposed development layout.

GROUND:

To ensure the development is served by satisfactory arrangements for the disposal of surface water and that they are incorporated into the proposed layouts, in accordance with the NPPF.

6 Development shall not begin in any phase 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 be based upon the Drainage Strategy by Idom (April 2019) and shall demonstrate that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100 year storm) can be accommodated and disposed of without increase to flood risk on or off-site.

The drainage scheme shall also demonstrate (with reference to published guidance):

o that silt and pollutants resulting from the site use can be adequately managed to ensure there is no pollution risk to receiving waters.

o appropriate operational, maintenance and access requirements for each drainage feature or SuDS component are adequately considered, including any proposed arrangements for future adoption by any public body or statutory undertaker.

The drainage scheme shall be implemented in accordance with the approved details.

GROUND:

To ensure the development is served by satisfactory arrangements for the disposal of surface water and to ensure that the development does not exacerbate the risk of on/off site flooding. These details and accompanying calculations are required prior to the commencement of the development as they form an intrinsic part of the proposal, the approval of which cannot be disaggregated from the carrying out of the rest of the development.

7 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 and prepared by a suitably competent person, has been submitted to and approved by the Local Planning Authority. The Report shall demonstrate the suitable modelled operation of the drainage system where the system constructed is different to that approved. The Report shall contain information and evidence (including photographs) of details and locations of inlets, outlets and control structures; landscape

plans; full as built drawings; information pertinent to the installation of those items identified on the critical drainage assets drawing; and, the submission of an operation and maintenance manual for the sustainable drainage scheme as constructed.

GROUND:

To ensure that flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems, and to ensure that the development as constructed is compliant, in accordance with the NPPF.

8 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 NPPF.

9 No development approved by this planning permission shall take place until a remediation strategy that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

1. A preliminary risk assessment which has identified: - all previous uses - potential contaminants associated with those uses - a conceptual model of the site indicating sources, pathways and receptors - potentially unacceptable risks arising from contamination at the site.
2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

GROUND:

To prevent pollution of controlled waters and comply with the National Planning Policy Framework (NPPF).

10 No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

GROUND:

To prevent pollution of controlled waters and comply with the National Planning Policy Framework (NPPF).

11 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

GROUND:

To prevent pollution of controlled waters and comply with the NPPF.

12 No development shall take place until a Source Protection Strategy detailing how the developer intends to ensure the water abstraction source is not detrimentally affected by the proposed development, both during and after its construction, has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved strategy.

GROUND:

The site lies in a source protection zone for a public water supply borehole, and therefore any construction activity could impact upon the source catchment area.

13 No infiltration of surface water drainage into the ground is permitted other than with the written consent of the Local Planning Authority. The development shall be carried out in accordance with the approved details.

GROUND:

To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants in line with paragraph 170 of the National Planning Policy Framework.

14 Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated by a piling risk assessment that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

GROUND:

To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants in line with paragraph 109 of the National Planning Policy Framework.

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

GROUND:

To prevent pollution, in accordance with the advice contained within the NPPF.

16 Details to be submitted in pursuant of Condition 1 above shall include mitigation measures to minimise noise from the airport and nearby road, in accordance with the recommendations set out in the Environmental Noise Survey Report, dated 5th February 2013.

GROUND:

To protect the future occupants of the development, in accordance with Policies EP7 and D1 of the Thanet Local Plan.

17 Details to be submitted in pursuant of Condition 1 above shall include the provision of 924sqm of play area provision, of which 36% shall be equipped play and 64% shall be casual/informal play space.

GROUND:

To serve the development in accordance with Policy SR5 of the Thanet Local Plan.

18 Details to be submitted pursuant to Condition 1 above shall include the location and design of the equipped play area, and a timetable for the schedule of works. The equipped play area shall be provided in accordance with the approved details.

GROUND:

To serve the development in accordance with Policy SR5 of the Thanet Local Plan.

19 Details to be submitted in pursuant of Condition 1 above shall include the proposed levels and section plans through the site.

GROUND:

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

20 Prior to the first occupation of the development hereby permitted, the highway improvement works, including the new pavement, pedestrian crossing, and bus stop, as shown on the approved plan numbered JNY9792-06 Rev B, have been completed in accordance with the specifications set out in the Kent Design Guide.

GROUND:

In the interests of highway safety and to improve the sustainability of the site.

21 The details to be submitted in pursuant of Condition 1 above shall include a swept path analysis for pantechnicons and emergency vehicles within the site.

GROUND:

In the interests of highway safety.

22 Prior to the first occupation of the development hereby permitted, the 43m x 2.4m x 43m visibility splays as shown on the approved plan numbered JNY9792-06 Rev B for the new access, shall be provided and thereafter maintained, with no obstructions over 1m above carriageway level.

GROUND:

In the interest of highway safety.

23 Prior to the commencement of any development on site details to include the following shall be submitted to and approved by the Local Planning Authority and should be carried out in accordance with the approved details.

- (a) Routing of construction and delivery vehicles to / from site
- (b) Parking and turning areas for construction and delivery vehicles and site personnel
- (c) Timing of deliveries
- (d) Provision of wheel washing facilities
- (e) Temporary traffic management / signage
- (f) Measures to control noise affecting nearby residents
- (g) Dust control measures

GROUND:

In the interests of highway safety and neighbouring amenity, in accordance with Policy D1 of the Thanet Local Plan and the National Planning Policy Framework.

24 The vehicular access hereby permitted, as shown on plan numbered JNY9792-06, shall be provided prior to the first occupation of the development.

GROUND:

In the interest of highway safety.

25 Details to be submitted pursuant to Condition 1 above shall show the gradient of the access no steeper than 1 in 10 for the first 1.5m from the highway boundary and no steeper than 1 in 8 thereafter.

GROUND:

In the interest of highway safety.

26 Prior to the first occupation of the development hereby permitted, the visibility splays at the pedestrian crossing points, as shown on the approved plan numbered JNY9792-06

Rev B, shall be provided and thereafter maintained, with no obstructions over 0.6m above footway level.

GROUND:

In the interest of highway safety.

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

GROUND:

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

28 The details to be submitted pursuant to Condition 1 above shall include the use of dark weatherboarding and pantiles on the Extra Care facility.

GROUND:

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

29 Details to be submitted pursuant to Condition 1 above shall show development not exceeding the building heights shown in the section plans numbered 180 and 181, received 8th January 2020.

GROUND:

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

30 The details to be submitted in pursuant of Condition 1 above shall show at least 10% of the development to be built in compliance with building regulation part M4(2); and at least 5% of the affordable units built in compliance with building regulations part M4 (3).

GROUND:

To meet a range of community needs, in accordance with the NPPF and Policy QD05 of the Draft Local Plan.

31 The Extra Care units hereby permitted shall only be occupied by persons of 60 years of age or over, together with a spouse or partner.

GROUND:

In the interests of proper planning of the area and in compliance with Thanet Local Plan Policy TR16.

32 The details to be submitted in pursuant of condition 1 above for landscaping shall include:

- species, size and location of new trees, shrubs, hedges and grassed areas to be planted.
- the treatment proposed for all hard surfaced areas beyond the limits of the highway, including the use of a bound surface material for the first 5m of the access from the edge of the highway.

- walls, fences, other means of enclosure proposed.
- a biodiversity enhancement plan, to include the location of replacement hedgerow and integrated bat roosts.
- a tree and hedgerow screen along the western boundary of the site.

GROUND:

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

33 Prior to the installation of any external lighting a "lighting design strategy for biodiversity" for the site boundaries has been submitted to and approved in writing by the local planning authority. The lighting strategy shall

- a) Identify those areas/features on site that are particularly sensitive for badgers and bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory;
- b) Show how and where external lighting will be installed so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory.
- c) Details of the types of lighting to be used including their fittings, illumination levels and spread of light

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy and these shall be maintained thereafter in accordance with the strategy.

GROUND:

In order to limit the impact upon protected species that may be present, in accordance with the National Planning Policy Framework.

34 Prior to any works commencing on site (including site clearance and demolition) a detailed ecological mitigation strategy shall be submitted to, and approved in writing by, the Local Planning Authority. The strategy shall be based upon the conclusions of the Protected Species Survey Report (Corylus Ecology; October 2019). Development shall be carried out in accordance with the approved details.

GROUND:

To protect biodiversity, in accordance with the NPPF.

35 Prior to the first occupation of the development hereby approved, the redundant vehicle crossing to Canterbury Road West shall be removed and the footway reinstated in accordance with the specifications set out in the Kent Design Guide.

GROUND:

In the interests of highway safety.

36 Prior to the first submission of the reserved matters application for the development hereby permitted, an emissions mitigation assessment in accordance with Thanet District

Council's Air Quality Technical Planning Guidance shall be submitted and approved in writing by the Local Planning Authority. The emissions mitigation assessment shall include a damage cost assessment that uses the DEFRA emissions factor toolkit and should include details of mitigation to be included in the development which will reduce the emissions from the development during construction and when in operation. All works, which form part of the approved scheme, shall be completed before any part of the development is occupied and shall thereafter be maintained in accordance with the approved details.

GROUND:

To protect air quality, in accordance with the National Planning Policy Framework

37 Details to be submitted in pursuant of condition 1 above shall include an air quality emissions statement that provides details of how the air quality damage costs, as calculated within the emission mitigation assessment , are to be used to achieve air quality improvements through the development. The development shall be carried out in accordance with the approved details.

GROUND:

To protect air quality, in accordance with the National Planning Policy Framework

38 The details to be submitted in pursuant of condition 1 above shall include the provision of electric vehicle charging points at a ratio of 1 Electric Vehicle charging point per dwelling with dedicated parking, and 1 Electric Vehicle charging point per 10 spaces where unallocated parking.

GROUND:

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

39 Details pursuant to condition 1 shall include an explanation of how the proposed layout would accord with Secured by Design principles, in accordance with advice received from Kent Police.

GROUND:

To promote public safety and security in accordance with Policy D1 of the Thanet Local Plan D1 and paragraph 95 of the National Planning Policy Framework.

40 The proposed development shall be carried out in accordance with the submitted application as amended by the revised drawing numbered JNY9792-06 Rev B, received 30th September 2019, and plans numbered 180 and 181, received 8th January 2020.

GROUND:

To secure the proper development of the area.

INFORMATIVES

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

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

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.

The applicant is advised to consult with Kent Fire and Rescue as to the need for a secondary emergency access, prior to the submission of the reserved matters layout application.

SITE, LOCATION AND DESCRIPTION

The site lies to the north-west of the village, and falls outside of the village confines. It is a site of 2.05 hectares, and is currently occupied by Jentex, an oil storage depot. Adjacent to the eastern boundary of the site, and opposite part of the site to the south, is residential development, which is semi-detached and detached, and which does not exceed 2-storey in height. Adjacent to the northern boundary of the site is Manston Airport, and adjacent to the western boundary of the site is open grassland. Part of the land opposite the site to the south is agricultural land. The site is currently occupied by two oil storage tanks, a small office building, and five other small storage buildings and workshops. The majority of the site is open, with space for parking and storage, and there are a few trees to the front of the site and along the eastern boundary.

RELEVANT PLANNING HISTORY

OL/TH/15/0020 - Outline application for the erection of a block of 56no. Extra care units, 56no. Dwellings, and community use building with retail unit, following demolition of existing buildings and structures, including access - GRANTED - 17/09/15

PROPOSED DEVELOPMENT

The proposal is for the redevelopment of the site, and includes the removal of the two oil storage tanks and associated buildings, and the erection of 55no. dwellings and 61no. Extra Care units. Of the 55no. dwellings, the applicant is proposing that 33no. of these will be family houses (potentially 14no. 4-bed and 20no. 3-bed), 8no. will be maisonettes (potentially 2-bed), and 14no. will be retirement bungalows (potentially 2-bed). The intention of the applicant is to establish a unique 'rural hub' that integrates families, young couples and singles with active younger retirees and older frailer people, in order to provide a sustainable community, and therefore they intend to provide a range of graduated housing with care choices on site, which will enable older people to continue to live independently in the local community, along with good quality Extra Care accommodation that is fit for modern purpose. Within the Extra Care facility at ground floor level a retail unit, hair salon and cafe are proposed.

The application is in outline form only, with only vehicular access and the scale of development requiring consideration. All other matters are reserved for future consideration. However, in order to prove that the site can accommodate the number of units proposed, illustrative layout and elevation plans have been submitted.

With regards to the access, a single new vehicular access point into the site is proposed, with the two existing access points removed, along with a number of other highway improvements.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan (2006)

EC12 - Retention of Employment Site
CC1 - Development in the Countryside
H1 - Housing
H8 - Size and Type of Housing
H14 - Affordable Housing
SR5 - Play space
TR12 - Cycle Parking
TR16 - Parking Provision
CF1 - Community Facility
CF2 - Financial Contributions
EP7 - Noise

NOTIFICATIONS

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

Cliffsend Parish Council - Cliffsend Parish Council considered this planning application at their meeting on 11th October. The Council voted to support this planning application, however, Councillors expressed concern about the potential for accidents at the site entrance from Canterbury Road West. The site entrance is quite close to a bend (eastern end of site) in Canterbury Road West, which means that traffic exiting towards Minster from the site will be unable to see traffic approaching from Ramsgate. The submitted plans do not show this aspect in any details or highlight the potential danger. Perhaps the site should have a mini-roundabout which will serve to reduce traffic speed in the area and make pedestrian crossing safer.

CONSULTATIONS

KCC Highways and Transportation - *(final comment)*

I refer to amended drawing number JNY9792-06 Rev. B and other additional information submitted for the above on 30 September, and confirm I now have no objections in respect of highway matters. The proposals are unlikely to have a severe impact on the capacity of the highway network, bearing in mind the permitted uses on the site and the extant consent for a similar quantum of development. The proposed accesses and highway alterations are acceptable in principle, and have been subject to an independent safety audit. Clarification should be sought from the Fire Service regarding the acceptability of the access to serve the quantum of development proposed. Should they require a secondary emergency access, this could be dealt with through the reserved matters application. No objections subject to safeguarding conditions.

(initial comment)

I refer to the above planning application and concur that the proposals are unlikely to have a severe impact on the capacity of the highway network, bearing in mind the permitted uses on the site and the extant consent for a similar quantum of development. The proposed visibility splays at the access point are also acceptable. However, there are a number of other matters to resolve as follows:

1. The Transport Statement indicates that the highway improvements in Canterbury Road West previously agreed under consent 15/0020 will be provided as part of the current development, however the proposed alterations to the site access point necessitate changes to the previously approved highway alterations. The now-approved access to the development of 65 dwellings opposite the site will also need to be taken into consideration. A detailed, dimensioned plan is therefore required showing the proposed highway alterations (new footways, bus stops, parking bays, pedestrian crossing points, associated visibility splays, etc.), together with a safety audit of the proposals and designer's response to any issues raised.

2. I note that a secondary emergency access is not provided. Whilst this was the case with the previously approved layout, agreement should be sought from the Fire Service bearing in mind the time that has elapsed.

3. The proximity of the shop and the dwellings directly fronting Canterbury Road West is likely to lead to on-street parking on the highway and in the case of the shop, also on the initial section of adoptable road. Suitable allowance for this will therefore need to be considered in the revised highway alterations in item 1 above and in the internal layout. Whilst the internal layout is not for consideration at this time I would offer the following observations on the indicative adoptable layout submitted:

4. The extent of adoption of the road will not include 'stub' ends, as shown in the extra care entrance and other locations. The bends in the road should be designed as such, allowing two cars to pass each other on the bends and with 18 metres forward visibility around the bends. The private connections from parking courts, etc. onto the adoptable road should be via vehicle crossings, with 25 metre x 2 metre x 25 metre visibility splays.

5. A suitable, adoptable turning head should be provided at the end of the road, including a footway/service margin around it.

6. The indicative changes in level shown in the road are not in accordance with Kent Design.

7. Advice should be sought from Thanet District Council on the size of refuse vehicle to be considered and used for tracking purposes.

8. The remote location of the parking for the bungalows is likely to lead to unacceptable on-street parking on the adoptable highway.

9. There is a shortfall of 5 allocated spaces and a lack of visitor parking for the dwellings.

10. There is no indication of how the amount of parking for the extra care units have been calculated.

11. The row of 12 parking spaces shown to the east of the maisonettes will need to include measures to prevent vehicles overhanging the adjacent adoptable footway.

12. Parking spaces should be a minimum of 5 metres long x 2.5 metres wide, increased to 2.7 metres where bounded by walls/fences/landscaping on one side or 2.9 metres where bounded by such obstructions on both sides. Lay-by spaces should be 6 metres long x 2 metres wide, increased to 2.5 metres where not adjacent to a footway. Forecourts to 90 degree parking arrangements should be a minimum of 6 metres wide.

Environment Agency -

Drainage

The site overlies a principal aquifer and is within an SPZ for a public water supply abstraction point. National Planning Policy Framework paragraph 170 states that the

planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of water pollution. Paragraphs 178-180 states that local policies and decisions should ensure that new development is appropriate for its location, having regard to the effects of pollution on health or the natural environment, taking account of the potential sensitivity of the area or proposed development to adverse effects from pollution. Developments of this scale in Thanet are one of our biggest concerns with regards to appropriate foul water provisions. It is indicated in the submitted application connection to mains sewer will be utilised. It is critical that confirmation be received from SW that the existing network can meet the new development capacity, or that facilities will be expanded to provide capacity in a timely manner. There is no detail on this issue and we require a plan of how any proposals to connect to foul infrastructure will be brought forward. This is the same approach we have taken at other sensitive sites in the Thanet areas in last two years because of increasing concerns raised about inadequate, timely foul provision for large developments. We seek an indication from SW how things can be addressed for this site before any planning permission is granted. If subsequently permission were to be granted then we would seek the following condition.

Land Contamination

In relation to land contamination we would not object to the development provided the following conditions are attached to any permission granted. The previous use of the proposed development site as presents a medium risk of residual contamination that could be mobilised during construction to pollute controlled waters. Controlled waters are sensitive in this location because the proposed development site is located upon Principal aquifer overlain by a Secondary aquifer. The reports submitted in support of this planning application provides us with confidence that it will be possible to suitably manage the risk posed to controlled waters by this development. Further detailed information will however be required before built development is undertaken. It is our opinion that it would place an unreasonable burden on the developer to ask for more detailed information prior to the granting of planning permission but respect that this is a decision for the Local Planning Authority. In light of the above, the proposed development will be acceptable if a planning condition is included requiring the submission of a remediation strategy, carried out by a competent person in line with paragraph 1xx of the National Planning Policy Framework. Without these conditions we would object to the proposal in line with paragraph 170 of the National Planning Policy Framework because it cannot be guaranteed that the development will cause or be put at unacceptable risk from, or be adversely affected by, unacceptable levels of water pollution.

Surface water drainage

The design of infiltration SuDS may be difficult or inappropriate in this location. We therefore request that the following planning condition is included in any permission granted. Without this condition we would object to the proposal in line with paragraph 109 of the National Planning Policy Framework because it cannot be guaranteed that the development will not be put at unacceptable risk from, or be adversely affected by, unacceptable levels of water pollution.

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

All existing infrastructure, including protective coatings and cathodic protection, should be protected during the course of construction works. No excavation, mounding or tree planting should be carried out within 6 metres of the public water main without consent from Southern Water.

Due to changes in legislation that came in to force on 1st October 2011 regarding the future ownership of sewers it is possible that a sewer now deemed to be public could be crossing the above property. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and potential means of access before any further works commence on site.

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

The applicant has not stated details of the proposed means of disposal of surface water from the site. Our initial investigations indicate that there are no dedicated public surface water sewers in the area to serve this development. Alternative means of draining surface water from this development are required. We request that should this application receive planning approval, a condition is attached to the consent requiring details of the proposed means of foul and surface water sewerage disposal.

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.

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

KCC Flood Risk Project Officer - We note that a deep culvert underlies the site and would appear to service the former Airport north of the site. Therefore, adequate protection will need to be provided to ensure the structure is protected. In addition, we would expect to see further details about the culvert under the site confirmation of the final discharge destination which is currently presumed flow into Pegwell Bay.

Our latest drainage and planning policy statement (June 2017) now requires the drainage system is modelled using FeH rainfall data in any appropriate modelling or simulation software. Where FeH data is not available, 26.25mm should be manually input for the M5-60 value, as per the requirements of our latest drainage and planning policy statement (June

2017). We are satisfied for the updated calculations be provided as part of any future reserved matters stage or at the detailed design stage.

In addition, as part of detailed design, we would expect to see demonstrated that surface water is managed appropriately. We would seek that any new drainage system complies with the required total treatment levels as detailed within Ciria Suds Manual (2015) Part E section 26 and is detailed within the future drainage strategy report.

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

KCC Biodiversity - (*final comment*)

We have reviewed the ecological information submitted in support of this application and we advise that sufficient information has been submitted to determine the planning application.

The ecological survey has detailed the following are present within the site:

Bat roost of low numbers of non breeding common pipistrelle bats within building 2 (as numbered within the Protected Species Survey Report),

Low numbers of Common Lizards – basking within the site boundary. The majority of the site is unsuitable and it is thought that the reptiles recorded within the site are part of a population within the adjacent site. It was considered that the reptiles are not using this site for foraging, commuting, sheltering or hibernation

The proposed development will result in the loss of a bat roost and basking reptile habitat and an outline mitigation strategy has included the following:

- Works carried out under a European Protected Species Licence and replacement bat roosts features within the proposed development,
- Maintaining the existing site maintenance to ensure that site will remain unsuitable for any reptiles establishing within the site prior to works commencing.

We advise due to the low numbers of roosting bats and reptiles recorded within the site we are satisfied that the information submitted is sufficient however we advise that a detailed mitigation strategy must be submitted as a condition of planning permission if granted.

Due to the presence of bats within the site we advise that there is a need for a sensitive lighting plan to be implemented the site if planning permission is granted to minimise the impact any lighting will have on bats (and other nocturnal species).

Hedgerows

The ecology report states that the development proposal will entail the loss of the 'HR2' hedgerow, identified as a 'Habitat of Principle Importance' under the Nerc Act 2006. Therefore, we advise that details of replacement hedgerow to be incorporated in to the site are detailed on the site plans to be submitted as part of the reserve matters application.

Breeding Bird

Habitats are present on and around the site that provide opportunities for breeding birds. Any work to vegetation that may provide suitable nesting habitats should be carried out outside of the bird breeding season (March to August) to avoid destroying or damaging bird nests in use or being built. If vegetation needs to be removed during the breeding season, mitigation measures need to be implemented during construction in order to protect breeding birds. This includes examination by an experienced ecologist prior to starting work and if any nesting birds are found, development must cease until after the juveniles have fledged. We advise that an informative is included with any planning consent

Ecological Enhancements

One of the principles of the National Planning Policy Framework is that “opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity”. We advise that if planning permission is granted there is a need for an ecological enhancement plan to be submitted as a condition of planning permission.

(initial comment)

We have reviewed the ecological information submitted in support of this application and we advise that additional information is required prior to the determination of the planning application.

Bats

The ecology report has identified five buildings on-site as having the potential to support roosting bats; all species of which, and their roosts, are protected. The proposed site layout shows that all the existing building on-site will be removed for the proposed development.

Paragraph 99 of the ODPM 06/2005 states “it is essential that the presence or otherwise of protected species and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision”. Therefore, as recommended in the ecology report, emergence/re-entry surveys will need to be carried out between May and August. If bats are found to be using the buildings, mitigation measures will need to be implemented. The survey results and evaluation, along with any necessary mitigation proposals must be sought to inform the determination of the application to ensure that Thanet DC can have adequate regard to the requirements of the Habitats Directive.

Any lighting design proposed in site plans will need to consider bat activity in the area, informed by results of the emergence/re-entry surveys.

Emergence/re-entry survey results, along with any recommended mitigation measures and a sensitive lighting design proposal, must be submitted to the local planning authority prior to determination of the planning application. The detailed lighting specifications can be secured by condition, if planning permission is granted.

Reptiles

The ecology report has identified areas of suitable reptile habitat on-site; all species of which are protected. In concurrence with the recommendation within the report, we advise that reptile presence/absence surveys are undertaken between April and September to assess any population that may be present. If reptiles are found to be using the site, there will be a need for the implementation of mitigation measures. Survey results, along with any necessary mitigation proposals, must be submitted to the local planning authority prior to the determination of the planning application.

Hedgerows

The ecology report states that the development proposal will entail the loss of the 'HR2' hedgerow, identified as a 'Habitat of Principle Importance' under the Nerc Act 2006. Therefore, we advise that compensatory habitat plans are sought prior to determination of the application to demonstrate that comparable hedgerow habitat will be planted on-site to offset the lost.

Thanet Coast and Sandwich Bay SPA and Ramsar sites

The development includes proposals for new dwellings within the zone of influence (7.2km) of the Thanet Coast and Sandwich Bay Special Protection Area (SPA) and Wetland of International Importance under the Ramsar Convention (Ramsar Site). Therefore, Swale Borough Council will need to ensure that the proposals fully adhere to the agreed approach within the Strategic Access Management and Monitoring Strategy (SAMM) to mitigate for additional recreational impacts on the designated sites and to ensure that adequate means are in place to secure the mitigation before first occupation. A recent decision from the Court of Justice of the European Union has detailed that mitigation measures cannot be taken into account when carrying out a screening assessment to decide whether a full 'appropriate assessment' is needed under the Habitats Directive. Therefore, we advise that due to the need for the application to contribute to the SAMM there is a need for an appropriate assessment to be carried out as part of this application. A qualifying feature of Thanet Coast and Sandwich Bay SPA and Ramsar sites is the Golden Plover population. Therefore, as recommended in the ecology report, an assessment will have to be made and submitted prior to determination regarding the potential impact from the proposed development on this species.

Natural England - Since this application will result in a net increase in residential accommodation, impacts to the coastal Special Protection Area(s) and Ramsar Site(s) may result from increased recreational disturbance.

Your authority has measures in place to manage these potential impacts through the agreed strategic solution which we consider to be ecologically sound. Subject to the appropriate financial contribution being secured, Natural England is satisfied that the proposal will mitigate against the potential recreational impacts of the development on the site(s).

TDC Contaminated Land Officer - I am writing following review of the application for redevelopment of the above site to provide an extra care facility, 58 No dwellings and a community facility with associated access.

Given the proposed residential end use of the site and the potential for historic contaminants linked to fuel/oil storage to be present from former site uses, we would request risk assessment conditions to be added to safeguard the development and ensure appropriate remediation is undertaken to render the site suitable for its intended use, should planning permission be granted.

TDC Environmental Health Officer - The site lays within 72dB aircraft contour and so requires mitigation from aircraft noise as set out in the Local Plan and is also adjacent to Canterbury Rd West. The application area is also within our urban AQMA and is classed as a major development (i.e. transport assessment is required); therefore I recommend internal sound level and emissions mitigation assessment/statement conditions.

KCC Clinical Commissioning 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. A number of the closest practices to this particular development are likely to be involved in relocating to the new facility in due course. 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 completed 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

Crime Prevention Design Advisor - Having reviewed the on line plans and documentation, the applicant/agent has clearly considered some crime prevention issues in the submitted Planning Statement.

To date we have had no communication from the applicant/agent and there are some additional issues to be addressed, these include:

- Layout of parking
- Access Control and internal layout of care home
- Natural Surveillance Opportunities
- Perimeter and Boundary treatments
- Defensible Space
- Courtyards

There is merit in meeting us to discuss the design and potential CPTED concerns, also any formal applications e.g. SBD and the SBD National Building Approval Scheme. We would welcome a meeting with the applicant/agent to discuss site specific Crime Prevention in detail, any notes from the meeting may be passed back to Planning as part of our full response to this planning application.

KCC Senior Archaeological Officer - Thank you for consulting on the above application. Our advice remains the same as for the previous permission from 2015:

The site lies within an area which has high potential for prehistoric and later settlement and burial sites. There is an Iron Age settlement known to the west and this settlement activity may continue along the ridge. Further prehistoric or later remains may survive on site although there may have been substantial disturbance from the industrial use of the site. The site was used as an oil storage depot during the 1940s probably serving Manston Airport. There may be some structures of historic interest associated with the early 20th century industrial complex.

In view of the archaeological potential, I recommend an archaeological field evaluation works condition is placed on any forthcoming consent.

KCC Development Project Manager - 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.

COMMENTS

This application has been brought before members as it involves the loss of employment land, and the erection of housing development within the countryside, and is therefore a departure to Thanet Local Plan Policies EC12 and H1.

Principle

- *Loss of Employment Land*

The application site is allocated as land to be retained for employment use within the Thanet Local Plan 2006. Policy EC12 states that the site is to be retained for employment uses falling within use classes B1 and B8 in locations close to residential areas, with additional B2 use for sites away from residential areas. The proposal is to re-develop the site for residential use, and is therefore contrary to Policy EC12 of the Thanet Local Plan 2006.

The applicant has advised that the Jentex storage installation is no longer required, as operational changes affecting the supply of marine oil to the Kent Ports have significantly reduced the requirement for oil storage at the Cliffsend site. Most oil distribution is now made direct from the refinery, with only two of the original six oil storage tanks remaining on site. The applicant has confirmed that only one of these tanks are now used, and never to more than 25% of its capacity. This shift in the industry means that a site of this size is no longer required, and so it is the Company's intention to relocate to a much smaller site, consisting of a small office and vehicle depot. The continued use of the land by Jentex Oil Depot is therefore no longer required.

The current layout of the site specifically suits the needs of the existing oil storage use, with two oil tanks, a small office building, and five other small storage buildings and workshops scattered across the site. Most of the site consists of open land, having either previously been occupied by oil tanks or used for parking. Whilst the principle of alternative employment uses would be supported on this site, it is only likely to be an open storage use that could occupy the site in its current format. For any other employment uses, larger office space or storage/industrial units would be required, which could only be provided through the redevelopment of the site. This significantly limits the potential future occupation of the site by alternative employment uses, especially given its isolated village location.

Jentex occupies a large site, but currently it only employs seven people. The proposed uses include a care home, which although not an industrial/office/storage use, would employ

approximately forty people in a business that may also be more likely to suit the employment needs of the village, and as such the change of use of the land could still continue to support economic growth in a rural area, in accordance with paragraph 28 of the NPPF.

Para 22 of the National Planning Policy Framework (NPPF) states that 'where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land and buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities.' An employment land review has been carried out by the Council, which has identified that Thanet has an over-supply of employment land. Following an assessment of existing employment sites, Jentex is no longer allocated as an employment site within the Draft Thanet Local Plan, due to be adopted in Spring 2020. Whilst the policies contained within the Draft Thanet Local Plan can not yet be afforded full weight in decision making, they indicate the Council's intentions, are supported by evidence, and have been through examination.

Furthermore, planning permission was granted in September 2015 for the redevelopment of the site for residential use, and whilst this consent is no longer extant, the decision was made under the same legislation, with the only difference being that greater weight is now afforded to the Draft Local Plan policies.

For the reasons above it is therefore considered that the change of use of land from an employment use to an alternative non-employment use is acceptable in principle, subject to there being a need for the proposed use that will support sustainable local communities.

- *Development in the Countryside*

Policy H1 of the Thanet Local Plan states that residential development on non-allocated sites will be permitted only on previously developed land within the existing built-up confines. The application site lies outside of the village confines as defined within the adopted Thanet Local Plan, meaning that the proposal is contrary to Policy H1 of the Thanet Local Plan. However, the site has been allocated as a housing site within Policy H01 of the Draft Thanet Local Plan for 56no. residential units, and whilst this policy does not currently have full weight, the evidence supports the allocation of this site for housing in both suitability and deliverability terms. Planning permission has also previously been granted for the erection of 56no. residential units on the site, along with a 56no. unit extra care facility. Within the Draft Local Plan the village boundaries have also been amended to include this site, and as such the proposal would not be contrary to Policy SP21 of the Draft Local Plan, which seeks to protect the countryside.

Policy CC1 of the Thanet Local Plan states that 'within the countryside, new development will not be permitted unless there is a need for the development that overrides the need to protect the countryside'. There is a current need for housing within Thanet. The NPPF states in para 49 that housing applications should be considered in the context of the presumption in favour of sustainable development. In determining whether the development of the site is acceptable, the need for housing in the district will therefore need to be balanced against other issues such as the loss of employment land, impact on the countryside, sustainability of the site, character and appearance of the proposed development, and highway safety.

Whilst the site is located on the edge of Cliffsend Village, where there are few facilities and services, the Council's housing strategy for the future includes making modest provision at rural settlements to meet identified need for affordable homes and to provide locational choice, and therefore a number of village sites have been allocated for housing within the Draft Thanet Local Plan. The application site is one of those allocated as a result of the Strategic Housing Land Availability Assessment, which looks at the suitability and availability of sites, and on the basis of this allocation it is considered that the proposed development would amount to sustainable development, subject to the introduction of highway improvements to improve pedestrian accessibility around the site.

- *Community Facilities*

The 2015 application included a proposal for a community building to be located to the centre of the site, which incorporated a flexible hall space and small retail unit to meet the needs of the local catchment area.

This application no longer includes the community facility in the form of a community hall, but instead the community facilities have been incorporated within the extra care facility, with a retail unit, cafe, hairdressers, together with a meeting facility and the introduction of outreach services, all of which will be available for the existing community to use, but will be managed as part of the extra care facility.

Policy CF1 of the Thanet Local Plan states that 'planning permission will be granted for new community facilities if the proposals are not contrary to other local plan policies and the community use and location are demonstrated as appropriate'. Furthermore, paragraphs 28 and 70 of the NPPF advises that decisions should plan positively for the provision and use of shared space, community facilities (such as local shops and meeting places) and other local services to enhance the sustainability of communities and residential environments, especially in villages where such a proposal would help to support the rural economy.

The principle of the proposed community uses within the extra care facility is therefore considered to be acceptable in policy terms, but would also be of particular benefit to this specific site proposal that contains a large number of units to be occupied by the elderly. The provision of community uses that could be used daily by the future residents will provide an opportunity for them to retain their independence and meet with other residents within the village, and as a result this provision is considered to significantly improve the sustainability of the proposed development. Without the provision of the community uses the sustainability of the development is significantly affected, and as such there is a requirement for the community uses to be secured and available for the public within the extra care facility to be provided within the legal agreement, which the agent has agreed to, and confirms that any future operator will be aware of.

Size and Type of Housing

There is a need for a mix in the size and type of housing, with Policy SP19 of the Draft Thanet Local Plan stating that '*proposals for housing development will be expected to address SHMA recommendations regarding the make-up of market and affordable housing*

types and sizes needed to meet requirements'. In addition, paragraph 50 of the NPPF advises that local planning authorities 'deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities'. Current evidence from the Strategic Housing Market Assessment (SHMA) suggests that there is a shortage of 2-bed market units and larger family 3-bed homes, as well as a demand for smaller 1-bed affordable homes for single people, including the elderly.

Policy H020 contained within the Draft Thanet Local Plan advises that it is the Council's intention to approve applications that provide good quality accommodation that is needed to support the housing and care requirements of Thanet's community (including provision of facilities and services which will support independent living).

The applicant has indicated that he intends to provide 33no. family houses (provisionally 14no. 4-bed and 20no. 3-bed), 8no. Maisonettes (provisionally 2-bed), and 14no. retirement bungalows (provisionally 2-bed), along with 61no. Extra Care units (range of 1-bed and 2-bed). The retirement bungalows are to be fitted with assistive technology, allowing them to be linked to the on site care and support operator for the delivery of personal and domiciliary care. The range of unit sizes generally complies with the identified need within the SHMA.

KCC's updated accommodation strategy for adult social care has not yet been published, so the current local demand for extra care units is unclear. The facility would serve the villages by providing accommodation for elderly people who are no longer able to live fully independently within their homes. The Commissioning Manager at KCC advised on the previous application for the site that there is a growing need for this specific type of accommodation, as it helps to provide older people with positive housing choices that are more likely to encourage older people to move out of their existing home, helping to tackle wider housing issues such as under-occupancy.

The site is allocated for housing under Policy H01 of the Draft Local Plan, and therefore whilst there is support for the extra care facility, under a C2 use it would not be considered as contributing towards the districts housing need. However, this facility would be provided in addition to the 55no. dwellings, which falls short by only one unit of the allocated housing requirement for the site, and as such given the range of accommodation that will be achieved across the site to serve the community, whilst still achieving the housing allocation for the site, the extra care facility is considered to be acceptable.

The agent has agreed that 10% of units will be built in compliance with building regulation part M4(2), with 5% of affordable units complying with building regulations part M4(3), in accordance with Policy QD05 of the Draft Local Plan.

The size and type of units to be provided is therefore considered to be acceptable, and in accordance with Policies SP19 and QD05 of the Thanet Local Plan, and the requirements of the NPPF.

Affordable Housing

Policy H14 of the Thanet Local Plan requires that 30% affordable housing is provided for sites of development for 15 units or more. The proposal includes the provision of 10no.

family houses (provisionally 3-bed and 4-bed), 3no. Maisonettes (provisionally 2-bed), and 4no. retirement bungalows (provisionally 2-bed) as affordable housing, to be secured within the legal agreement, which complies with Policy H14 of the Thanet Local Plan.

Extra care units would normally be identified as falling under a C3 use class, where each unit is designed as a self-contained unit of accommodation rather than a single bedroom; and therefore a proportion of extra care units would usually be expected to be provided as affordable. In this case, however, the applicant has put forward the argument that given the level of care to be provided to the future residents of the units (which includes an annual health assessment, and the provision of 2hrs minimum personal care and assistance per week), along with an agreement to restrict the age of future residents to a minimum of 60 years old, and the entering into an agreement with a care agency by the owner, that the facility should be considered to fall within the C2 use class, and therefore an element of affordable provision is not required. The Council has sought their own legal view on this, and on the basis of the evidence provided, the legal opinion is that 'both the physical attributes of the building and the ability to provide personal care for those in need due to "old age" at a meaningful level, enable the extra care element to be classified as falling within Class C2 of the Use Classes Order 1987'. For this reason, and subject to the submission of a signed legal agreement, which secures this level of care for future occupants, it is accepted that in this instance the lack of affordable housing provision within the extra care facility is justified.

The layout of the development is not being agreed at this stage, and therefore no details are available on the location or size of the affordable units, although the type of units has been agreed in that 30% of each of the family dwellings, retirement bungalows and maisonettes are proposed to be affordable. The Senior Strategic Housing Officer has no objections to the proposal as it will meet the housing need for the village, and provide additional affordable housing for the district, but she has recommended that Thanet District Council be given 100% nomination rights to the units to households on the Housing Register, as priority would normally be given to local residents of the parish. This would then cascade down to residents from the other parishes before cascading again to other households on the housing register.

The affordable housing provision forms part of the legal agreement, with the number and type of affordable units, along with nomination rights for Thanet District Council agreed. Further details of location, size and phasing are to be submitted as part of the reserved matters application.

Character and Appearance

The application is in outline form only, with the layout and appearance reserved for future consideration. However, an illustrative layout plan, and extra care facility elevation plan, has been submitted as part of the application, which shows the possible siting of units and potential design of the extra care facility. Scale is a matter for consideration, and section plans through and across the site have been submitted in order to appreciate the scale of the development across the site.

The site falls within the countryside, but is previously developed land, given its current employment use. There is open land adjacent and opposite the site, and therefore long

views of the development will be possible from surrounding roads. Given its prominent location at the entrance to Cliffsend Village, a sympathetic development that appears in keeping with the rural character of the village is essential.

The site has varied levels, with the front tier of the site approximately one metre above road level, and the rear tier approximately 6m above road level, but the agent has confirmed that no part of the development will exceed the height of the existing oil storage tanks, which are located on the middle tier of the site and are the equivalent height of a 2-storey dwelling. The units located on the rear tier of the site at the highest level are shown on the section plan as 3.5m high flat roof bungalows, preventing any dominating appearance.

The previously approved outline application was for a similar proposal, with a 56no unit extra care facility located within the south east corner of the site, bungalows to the top tier, and retirement cottages and family dwellings across the remainder of the site, with the overall dwellings totaling 56no. units. This proposal is for one less dwelling, and five more extra care units, with the extra care facility now located to the south western corner of the site. One of the reasons behind this change relates to the ground level, which has a gentler slope to the west making the construction of the extra care facility easier to achieve.

Whilst the form of development is similar to that previously approved, the relocation of the extra care facility has caused some concern, as it is now located on the edge of the village, with long views of the facility achievable from the west. Given the number of units sought within the facility in order to make it economical, the resulting scale and depth of building is not considered to be overly characteristic of the style of building viewed within the village. During the application process, amendments have been sought to the extra care facility, including a reduction in the depth and roof form of the frontage building in order to reduce its dominance. Increased separation to the boundary from the western side elevation of the building has also been shown to be possible, which will allow for substantial landscaping along this boundary as part of a future reserved matters application. Additional section plans have also been sought to show that whilst the rear section is provided with a similar ridge level to the frontage building, at least 3m of the extra care building furthest to the rear is sunk below ground level when viewed from the west, reducing the scale of this rear section to the equivalent of single storey to eaves level. The rear section is also set in from both sides increasing the spacing around it, and the illustrative design follows the same design principles as the previous approval, which sought a barn-like appearance for the facility that would appear sympathetic to its rural location. Therefore, whilst the scale of the extra care facility building is not characteristic of its location, the sympathetic design, staggered elevations, intended landscaping to the boundary to soften long views, and material schedule, which includes dark weatherboarding and pantiles, is likely to result in a good quality development that responds to its environment, and provides an enhancement in relation to the employment structures currently present on site.

With regards to the remainder of the site, the bungalows are similar to that previously approved, and at the low 3.5m high scale proposed are not considered to detract from the character of the area, especially given the prominence of bungalow style properties within Cliffsend.

For the family dwellings and maisonettes, concern was originally raised with the cramped appearance of the units, as the same number as previously approved were shown within a smaller site area, given the increased size of the extra care facility. This led to reduced spacing between units and an awkward cramped corner to the right hand side of the proposed access, where residential units extended up to the road. Such a layout was not considered to be in keeping with the spacious surrounding pattern of development, and as such amendments were sought, which re-orientated the dwellings on the corner so that they were setback from both roads, and increased the separation between the family dwellings through the loss of one unit fronting the road. The units to the rear were also relocated as a result of a reduction of parking at the extra care facility. This change increased the separation between the rear units, provided a development to the head of the proposed access road, and increased the amenity space, whilst also re-configuring it so that it obscured as much hard surfacing as possible. These changes are considered to have significantly improved the scheme and its relationship with the surrounding pattern of development within the village. Whilst the submitted layout plan is illustrative, if submitted as part of a reserved matters application, there would be few concerns regarding this layout given the amendments sought in order to appreciate whether the number of units proposed could adequately be accommodated within the site.

A variety of open space and areas of landscaping are provided around the site, and the illustrative plans suggest that there will be the planting of semi-mature trees, along with other areas of soft landscaping, especially along the front boundary adjacent to the extra care building.

Overall, the number of units proposed is considered to be acceptable, as the illustrative plans show that they can be accommodated on the site without a detrimental impact to visual amenities, and the potential design and layout of the proposed development for the erection of the proposed number of dwellings is generally considered to be in keeping with the rural character of the village. The impact on the character and appearance of the area and surrounding countryside is therefore considered to be acceptable and in accordance with Policy D1 of the Thanet Local Plan and the NPPF.

Living Conditions

The application is in outline form only; however, based on the illustrative layout plan, the proposed development has a minimum distance of 24m to any adjacent neighbouring property to the east, and a minimum distance of 23m to any neighbouring property opposite the site to the south, and is therefore unlikely to impact upon neighbouring light or outlook. Loss of privacy is also unlikely to be a concern at these distances, however a full assessment of the impact will take place through the reserved matters applications when the design and layout of buildings, including window locations, are available.

Highway Safety

The application is in outline form, with consideration of the access to serve the 55no. dwellings and 61no. unit extra care facility. The proposal is to close the two existing access

points to the west and centre of the site, and create a new single vehicular access between the two redundant accesses to serve the development.

KCC Highways and Transportation have been consulted and advise that the proposed development of the site is unlikely to have a severe impact upon the capacity of the highway network, bearing in mind the permitted uses on the site and the extant consent for a similar sized development; however, concern was initially raised that consideration had not been given within the Transport Statement to the change in circumstances surrounding the site, particularly the outline approval for the 65no. dwellings opposite, which was approved following the previous approval on the application site.

An amended plan has been submitted along with a safety audit. The amended plan confirms the off-site highway works, which include the relocation of the bus stop to outside of the site, the creation of a footpath along the southern boundary of the site, and the installation of pedestrian crossings to Canterbury Road West. The plan also shows that the 2.4m x 43m vehicular visibility splays to the new access can be achieved, along with the 0.5m x 43m pedestrian visibility splays at the crossing points. KCC Highways and Transportation have advised that they are satisfied with the amended plan and safety audit, but recommend that advice is sought from Kent Fire and Rescue, prior to the submission of the layout reserved matters, as to whether a further emergency access into the site is required. The new footpath and crossing points will help to improve connectivity with the village and pedestrian safety, increasing the sustainability of the site.

An illustrative layout has been submitted with the application. KCC advise that amendments to this layout will be required at reserved matters stage as a turning head within the site is required, to include tracking plans and proof that a refuse vehicle can enter and leave the site in a forward gear; along with increased allocated and visitor parking spaces, and increased size of parking spaces.

Provisional vehicle tracking plans based on the illustrative site layout have been submitted, however further details will be required at the reserved matters stage once the layout is fixed, and to address the concerns highlighted by KCC.

The proposed access and off site highway alterations are acceptable in principle, and as such the impact upon highway safety is considered to be acceptable, subject to safeguarding conditions.

Play Space

Policy SR5 of the Thanet Local Plan requires that for development of 50 units or more, local play area provision on the basis of 0.7 hectares per 1000 population will be required in the form of 36% equipped play area and 64% informal play space. Due to the occupancy restrictions on the extra care facility, play space is only required for the 55no. dwellings, in the form of 924sqm. The illustrative layout plans suggest that there is space on the site to accommodate the full 924sqm, with three large areas of amenity space provided to the front, centre and east of the site. In addition, every property is provided with a rear garden, which achieves secure doorstep play space in accordance with the policy. The agent has agreed to the provision of an equipped play area on site, details of which will be provided at the

reserved matters stage, but which is to be maintained by a site management company, as confirmed within the legal agreement. The proposal therefore complies with Policy SR5 of the Thanet Local Plan.

Archaeology

The site lies within an area which has high potential for prehistoric and later settlement and burial sites. There is an Iron Age settlement known to the west and this settlement activity may continue along the ridge. Further prehistoric or later remains may survive on site although there may have been substantial disturbance from the industrial use of the site. The site was used as an oil storage depot during the 1940s probably serving Manston Airport. There may be some structures of historic interest associated with the early 20th century industrial complex. In view of the archaeological potential, the Senior Archaeological Officer at KCC recommends a condition requiring the implementation of archaeological field evaluation works.

Flood Risk

The site lies within Flood Zone 1, and a Flood Risk Statement has been submitted as part of the application that concludes that there are few potential flood risks to the development site, and whilst the conversion of land that is currently permeable into hard area is likely to increase flood risk elsewhere, it is likely that the risks and impact can be managed to an appropriate level with the adoption of mitigation measures.

Southern Water have commented that there is inadequate capacity in the local sewerage network to accommodate the proposed storm flows, and as such they recommend that a localised solution is used, such as soakaways or direct connection to the watercourse.

The site topographical survey indicates that surface water runoff from parts of the current site is drained via gravity into an existing brick culvert, which then discharges downstream into Pegwell Bay. A reduction in the runoff rate to the culvert, which is currently unrestricted, is required, and it is proposed as part of the application that attenuation should be in the form of below-ground storage in geo-cellular units, placed beneath areas of permeable paving. Pollution prevention is proposed by way of the proposed permeable paving in the parking area and the use of trapped gullies in the highway.

The Flood Risk Project Officer at KCC has commented that whilst they are generally happy with the surface water management principles outlined within the submitted Flood Risk Assessment and Surface Water Management Strategy, confirmation of the connectivity of the brick culvert to the receiving tidal water body is still required at the detailed design stage (along with details of its ownership). Additionally, the developer is encouraged to consider open, above ground attenuation features in preference to the depicted subterranean geocellular storage tanks (though swales etc), as not only would open features provide an additional stage of treatment to improve the quality of the water leaving the site, but they would also improve the site's ecological potential and its ability to accommodate exceedance flows. Safeguarding conditions requiring further details are therefore recommended.

Drainage

The site overlies a principal aquifer and is within a source protection zone for a public water supply abstraction point. The Environment Agency has advised that it is critical that confirmation from Southern Water is received that the existing network can meet the new development capacity or that facilities will be expanded.

Southern Water has confirmed that there is currently adequate capacity in the local sewerage network to accommodate the foul flow required by the development, and therefore only require a safeguarding condition that requests details of the proposed means of foul sewerage disposal as part of the reserved matters application.

Contamination

The previous use of the site presents a medium risk of residual contamination that could be mobilised during construction to pollute controlled waters. The Environment Agency has advised that the supporting information submitted with the application provides confidence that the risk to controlled waters can be suitably managed. Subject to a safeguarding condition requiring the submission of a remediation strategy, the impact upon controlled waters is considered to be acceptable.

Manston Airport

The site lies within Noise Exposure Category C, where Policy EP7 states that planning permission will not be granted unless the site lies within the confines of a substantially built-up area, and that conditions can be imposed to ensure an adequate level of protection against noise. The site lies on the edge of Cliffsend Village, a large built-up area, and is previously developed land. It is a site that would form a natural expansion to the settlement and for the reasons set out elsewhere in this report, and is in principle considered appropriate for housing. It is therefore considered that this site could be considered as an exception subject to conditions that would ensure an adequate level of protection against noise.

An acoustic appraisal of aircraft noise was submitted as part of the previous application for the site. The Council was satisfied with the methodology and assessment of the report, undertaken in October 2012 prior to the airport closure and before the traffic calming measures along Canterbury Road were fully completed, and concurred with the conclusions. The assessment took into account the airport Masterplan predictions as made in 2012, a precautionary 63dB contour, and also worst case traffic noise. This assessment has been reviewed by Environmental Health during the course of this application, and it is considered that provided that mitigation suitable for a site falling within Noise Exposure Category C is fully implemented, that future occupiers would not be substantially affected by the operation of an airport. A condition is therefore required seeking details of the mitigation measures proposed to be submitted as part of the reserved matters application.

At the time of writing, the application site is part of a wider proposal for the reopening of Manston Airport as part of a proposed Nationally Significant Infrastructure Project currently under consideration by the Secretary of State for Transportation. The deadline for a decision

is 18th January 2020 and members will be updated at the meeting if there is an impact on this proposal as a result of this decision.

Financial Contributions

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

KCC have commented that a financial contribution of £2,640.87 is required for additional bookstock at the local mobile library service at Cliffsend in order to mitigate the impact of the additional borrowers generated from this development.

Further financial contributions requested by KCC include £158,727 towards primary education in the form of phase 2 of St.Georges Primary School, and £144,027 towards secondary education in the form of phase 2 expansion works at Royal Harbour School, in order to mitigate the impact from the additional children housed within this development.

The CCG have made a request for a contribution of £89,820 towards the new medical centre required at Westwood, which would serve 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.

Special Protection Area Mitigation and Appropriate Assessment

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 outline development the contribution required is £350 per unit, resulting in an overall contribution of £19,250 for the development. This mitigation means that the Council accords with the Habitat Regulations and an appropriate assessment has been undertaken. The applicant has agreed to this contribution, which will be secured through a legal agreement.

Heads of Terms

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

- £2,640.87 towards mobile library provision in Cliffsend
- £158,727 towards primary education in the form of phase 2 of St.Georges Primary School,
- £144,027 towards secondary education in the form of phase 2 expansion works at Royal Harbour School,
- £89,820 towards the new medical centre required at Westwood,
- £19,250 towards the Special Protection Area.
- 30% affordable housing provision on site (excluding the extra care facility)
- The retail unit, hairdressers, and cafe within the extra care facility being made available for community use,
- Restriction on required level of personal care for future occupants of the extra care facility.

Conclusion

The application site is allocated employment land and falls outside of the village confines under the adopted Local Plan, but the proposed development is for housing for which there is a need within Thanet. There is an over-supply of employment land within Thanet, and following an assessment of existing employment sites this site is no longer considered suitable. Within the Draft Thanet Local Plan the application site has been allocated for housing, and is located within the new village boundaries. No amendments have been made to these policies through the local plan examination, and therefore it is considered that weight should be applied to the housing allocation of the site within the new village confines.

The proposal includes the provision of an extra care facility, and a mix of 55no. dwellings, including bungalows, family dwellings and maisonettes, 30% of which are proposed to be affordable housing. The sustainability of the site has been assessed to be acceptable through the Strategic Housing Land Availability Assessment, and is further improved through a number of proposed highway works, which improve pedestrian connectivity and proximity to public transport, as well as the provision of community facilities on site within the extra care building. The illustrative plans show how a development of this size could appear in keeping with the rural character of the village, and given that the site is already previously developed land containing employment buildings, the need for housing is considered to outweigh the visual impact on the countryside in this instance.

Overall, the proposal is considered to be a sustainable form of development, the need for which is considered to outweigh the loss of the employment land and the impact upon the countryside, and as such it is recommended that members defer the application to officers for approve, subject to safeguarding conditions and the submission of a signed S.106 agreement securing the heads of terms identified.

Case Officer

Emma Fibbens

TITLE: OL/TH/18/1213

Project Jentex Engineering Ltd Canterbury Road West RAMSGATE Kent CT12 5DU

Scale:

