

D03

F/TH/18/1109

PROPOSAL: Change of use from light industrial (use class B2) to residential (use class C3) with erection of 12No. 2 bedroom dwellings,
LOCATION: 8no. 2 bedroom maisonettes, and 3No. 1 bedroom dwellings, with associated parking and landscaping, following demolition of existing office building, showroom buildings and manufacturing/storage buildings

14 Suffolk Avenue Westgate On Sea Kent CT8 8JG

WARD: Westgate-on-Sea

AGENT: Miss Nicola Harvey

APPLICANT: Atmosphere Retirement Scheme And Square Circle Developments

RECOMMENDATION: Defer & Delegate

Defer and Delegate for approval subject to the satisfactory completion of legal agreement within 6 months securing contribution toward the Strategic Access Management and Monitoring Plan and the following conditions:

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

GROUND;

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

2 The proposed development shall be carried out in accordance with the submitted application as amended by the revised drawing numbered 16/19/12 Rev C, received 25th February 2020; the additional plan numbered C10902 Rev B, received 24th February 2020; revised drawings numbered 16/19/09 Rev D and 16/19/02 Rev F, received 2nd January 2020; revised drawings numbered 16/19/03 Rev C, 16/19/06 Rev C, 16/19/07 Rev E, 16/19/08 Rev D, 16/19/10 Rev C, 16/19/11 Rev B, and 16/19/13 Rev B, received 22nd February 2019.

GROUND;

To secure the proper development of the area.

3 No development approved by this planning permission shall commence until a strategy to deal with the potential risks associated with any contamination of the site has been submitted to, and approved in writing by, the Local Planning Authority. This strategy will include the following components:

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;and
 - 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 written consent of the local planning authority. The scheme shall be implemented as approved.

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 in line with paragraph 170 of the National Planning Policy Framework.

4 Prior to any part of the permitted development being occupied a verification report demonstrating the 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.

GROUND:

To ensure that the site does not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with paragraph 170 of the National Planning Policy Framework.

5 If, during development, significant contamination is suspected or found to be present at the site, then works shall cease, and this contamination shall be fully assessed and an appropriate remediation scheme agreed with the Local Planning Authority. The approved works shall be implemented within a timetable agreed by the Local Planning Authority and shall be of such a nature as to render harmless the identified contamination given the proposed end use of the site and surrounding environment, including controlled waters.

Prior to first occupation/use and following completion of approved measures, a verification report shall be submitted to the Local Planning Authority for approval.

GROUND;

To ensure that the proposed development will not cause harm to human health or pollution of the environment, in accordance with DEFRA and Environment Agency document Model Procedures for the Management of Land Contamination (Contamination Report 11) and National Planning Policy Framework.

6 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.

7 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.

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

GROUND;

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

9 No development (excluding demolition) shall take place until a detailed sustainable surface water drainage scheme for the site has been submitted to (and approved in writing by) the local planning authority. The detailed drainage scheme shall demonstrate that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100 year storm) can be accommodated and disposed of within the curtilage of the site without increase to flood risk on or off-site.

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

- that silt and pollutants resulting from the site use can be adequately managed to ensure there is no pollution risk to receiving waters.
- 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, in accordance with the NPPF

10 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 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, in accordance with the NPPF

11 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.

12 The area shown on the approved plan numbered 16/19/11 Rev B for vehicle parking and manoeuvring areas, shall be kept available for such use at all times and such land and

access thereto shall be provided prior to the first occupation of the dwelling hereby permitted.

GROUND;

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

13 Prior to the first use of the site the vehicle loading/unloading and turning facilities shown on the submitted plan numbers 16/19/11 Rev B shall be provided and permanently retained.

GROUND;

In the interests of highway safety.

14 Prior to the first occupation of each unit, cycle parking for that unit shall be provided and made available for use. This shall be at a ratio of one per maisonette and one per bedroom for each dwelling. Details of the location and design of the cycle parking shall be submitted to and approved in writing by the Local Planning Authority prior to installation, which shall be in accordance with the approved details.

GROUND;

In the interests of promoting increased cycling in accordance with Policy TR12 of the Thanet Local Plan

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

- species, size and location of new trees, shrubs, hedges and grassed areas to be planted.
- the treatment proposed for all hard surfaced areas beyond the limits of the highway.
- walls, fences, other means of enclosure proposed, which shall include a new side boundary treatment adjacent to the rear garden of no. 12 Suffolk Avenue, to a minimum height of 2m.

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

GROUND;

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

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

GROUND;

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

17 The development hereby approved shall incorporate a bound surface material for the first 5 metres of the access from the edge of the highway.

GROUND;

In the interests of highway safety.

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

GROUND;

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

19 Prior to the first occupation of the development hereby permitted, details of the refuse storage location shall be submitted to and approved in writing by the Local Planning Authority. The refuse storage shall be in accordance with the approved details and thereafter maintained.

GROUND;

To secure a satisfactory standard of development and in the interests of the amenities of the area, in accordance with Policy D1 of the Thanet Local Plan.

20 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order), no windows or other openings shall be inserted in the northern rear elevation of units 9-11 (adj to no.12 Suffolk Avenue) of the development hereby approved without the prior written permission of the Local Planning Authority.

GROUND;

To safeguard the privacy and amenities currently enjoyed by the occupiers of adjoining residential properties in accordance with Policy D1 of the Thanet Local Plan.

21 The first floor side facing windows serving bedroom 2 of units 1-8 of the development hereby permitted shall be obscure glazed and non-opening below a cill height of 1.7m when measured from the internal floor level. The obscured glass shall be of a minimum level of obscurity to conform to Pilkington Glass level 4 or equivalent, and shall be installed prior to first occupation of units 1-8, and permanently retained thereafter.

GROUND;

To safeguard the privacy and amenities currently enjoyed by the occupiers of adjoining residential properties in accordance with Policy D1 of the Thanet Local Plan.

22 Prior to the first occupation of the development hereby permitted, electric vehicle charging points shall be provided within the site in the form of one active space per ten

unallocated spaces, and one active space per allocated space. Details of the location and design of the electric vehicle charging points shall be submitted to and approved in writing by the Local Planning Authority prior to installation, with the development carried out in accordance with the approved details.

GROUND:

To reduce the impact upon air quality, in accordance with the NPPF.

23 At least 10% of the development shall be built in compliance with building regulation part M4(2).

GROUND:

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

24 No development shall take place (excluding demolition) until a specification outlining the measures to be taken to demonstrate compliance with the submitted sustainability statement received 5th November 2019, which requires the development to achieve zero carbon in the form of a Home Quality Mark 5* rating or equivalent, has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the agreed specification, with the identified measures in place and made operational prior to the first occupation of the development.

GROUND:

To achieve sustainable design in accordance with Policy QD01 of the Draft Thanet Local Plan, and for the development to provide sufficient benefits from environmentally high quality homes that would outweigh a lack of financial contribution towards local infrastructure provision, to accord with Policy SP41 of the Draft Thanet Local Plan.

25 Prior to the commencement of works hereby permitted (including demolition and site clearance), an Arboricultural Method Statement shall be submitted to, and approved in writing by, the Local Planning Authority. The method statement shall include tree protection fencing locations; a schedule of any tree works required to existing trees; details of the works to be carried out within the root protection areas; and a scheme for auditing tree protection and subsequent reporting of this to the Local Planning Authority. The development shall be carried out in accordance with the approved details and methodology.

GROUND;

To Protect existing trees and to adequately integrate the development into the environment, in accordance with Thanet Local Plan Policies D1 and D2.

INFORMATIVES

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

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

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

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/>

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

Thanet District Council recommends that all developers work with a telecommunication partner or subcontractor in the early stages of planning for any new development to make sure that Next Generation Access Broadband is a fundamental part of the project. Access to superfast broadband should be thought of as an essential utility for all new homes and businesses and given the same importance as water or power in any development design. Please liaise with a telecom provider to decide the appropriate solution for this development and the availability of the nearest connection point to high speed broadband.

SITE, LOCATION AND DESCRIPTION

The site is located within Suffolk Avenue. The area is characterised predominantly by residential properties, with pairs of 2-storey semi-detached properties to the eastern side of Suffolk Avenue, and small rows of 2-storey terraces to the western side of Suffolk Avenue, along with a single detached bungalow.

The site itself is in light industrial use, accommodating a furniture manufacturing company. The manufacturing element is accommodated within a very wide and deep 2-storey flat roof building. A single storey pitched roof detached building fronting Suffolk Avenue houses the showroom and office space, and a large detached 2-storey vaulted ceiling warehouse building to the rear is used for storage. A single access road into the site is served off Suffolk Avenue, and a forecourt area exists across the full frontage of the site adjoining Suffolk Avenue, which provides space for off-street parking. A further access road into the site is

served off Linksfield Road. Adjacent to the manufacturing building are two existing pitched roof semi-detached buildings, which fall outside of the applicant's ownership. Adjacent to the storage building is a right of access, which is used by neighbouring occupiers in Linksfield Road to access their properties from the rear, whilst also connecting the site with Lymington Road.

RELEVANT PLANNING HISTORY

No relevant planning history

PROPOSED DEVELOPMENT

The proposal is for the redevelopment and change of use of the site from an existing B1 light industrial use to a residential use. The proposal includes the erection of 9no. 2-bed terraced dwellings fronting Suffolk Avenue; the erection of 3no. 1-bed terraced dwellings (with study room), which front both Suffolk Avenue and the internal access road; the erection of 3no. 2-bed terraced dwellings to the rear fronting the internal access road; and the erection of 8no. maisonettes within a large detached building towards the centre of the site, fronting the internal access road. All existing buildings within the site are to be demolished. The site will be accessed via a single existing access point from Suffolk Avenue, which provides a through route onto Linksfield Road. Parking is provided in the form of 25no. off-street parking spaces (one per unit, and 2 spaces for units 4 and 11), with an additional 5no. visitor parking spaces. Each of the terraced dwellings are provided with a rear garden, with a larger communal garden provided towards the centre of the site adjacent to unit 11 to serve units 9-11. Small courtyard areas are provided for each of the maisonettes.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan (2006)

EC12 - Retention of Employment use
H1 - Housing
H4 - Windfall sites
H14 - Affordable Housing
H8 - Size and Type of units
D1 - Design
TR12 - Cycle provision
TR16 - Parking provision
SR5 - Playspace
CF2 - Development Contributions

Draft Thanet Local Plan (2020)

SP19 - Size and Type of units
SP20 - Affordable Housing
H01 - Housing Development
GI04 - Amenity Space and Equipped play area
QD01 - Sustainable Design

QD02 - General Design Principles
QD03 - Living Conditions
QD04 - Technical Standards
QD05 - Accessible and Adaptable accommodation
CC04 - Renewable Energy
SE05 - Air Quality
TP02 - Walking
TP03 - Cycling
TP06 - Car Parking

NOTIFICATIONS

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

- No details provided on the rights of way to the rear of properties in Linksfield Rd, adj to the site, which needs to be kept clear at all times, including during construction works,
- Overlooking from windows and terraces,
- Damage to property,
- Lack of parking,
- Double yellow lines will reduce on-street parking,
- Increase in traffic,
- No details on refuse storage.

Westgate-on-sea Town Council - Agree with the queries raised by the Highways Agency and understands that an extension to the consultation period has been sought to give residents an opportunity to respond to the consultation as the period includes the Christmas and New Year holiday period.

CONSULTATIONS

KCC Highways Officer - (final comment) I confirm that provided the following requirements are secured by condition or planning obligation, then I would raise no objection on behalf of the local highway authority.

(initial comment)

In general the highway authority (HA) is satisfied with the proposals. Provision of 23 dwellings is unlikely to lead to any notable increases in traffic movements compared to the sites existing permitted use. The applicants propose to provide 12 visitor parking spaces within the development, which is in excess of the minimum standards for a suburban location and will ensure that any parking overspill onto Suffolk Avenue will be minimal.

No cycle parking areas have been shown on the submitted plans, however within the design and access statement the applicants have mentioned that secure cycle parking will be provided in the gardens of each property. Cycle parking must be lockable and covered and can be provided in the form of a garden shed or similar.

It is not clear how refuse collections will take place to serve plots 1-8. It is assumed that the refuse vehicle will need to enter the site via the new access road, but no tracking has been provided. The applicants will need to demonstrate that an 11.4 metre long refuse vehicle can safely enter and exit the site in a forward gear.

No details have been provided in regards to road adoption. Please can the applicants confirm

whether the access road, and footways, are proposed to be adopted by the HA.

KCC SUDs - Kent County Council as Lead Local Flood Authority have reviewed the information provided and are satisfied with the information submitted at present. We do however have the following comments to add:

1. Infiltration testing appears to have already been undertaken on site with the test results provided in the report. No location has been provided for the test and we ask that as part of the detailed design stage that the full investigation report for the site is provided. We would be satisfied for this information to be provided as part of the detailed design stage.

2. Supporting calculations have been provided to indicate the drainage systems performance during different storm events up to the 100 year +20% for climate change. As per our Drainage and Planning Policy Statement (June 2017), we ask for additional analysis to be undertaken to understand the flooding implication for a greater climate change allowance of 40%.

Please note:

It should be ensured that soakaways are located situated at least 5 metres away from any buildings, in line with building regulations.

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

Southern Water - No development or new tree planting should be located within 3 metres either side of the external edge of the public sewer and all existing infrastructure should be protected during the course of construction works. No new soakaways should be located within 5 metres of a public sewer.

Please note there is a communication pipe within the 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.

The Council's Building Control officers or technical staff should be asked to comment on the adequacy of soakaways to dispose of surface water from the proposed development.

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. We request that should this application receive planning approval, an informative is attached to the consent.

Environment Agency - We have reviewed the information submitted and given the use indicated was light industrial on the type, we would not object to any planning permission providing the following conditions are attached to any permission given.

There was no preliminary risk assessment submitted with this application, which given its previous use is an error, having regard to the NPPF guidance for previously used sites.

The previous use of the proposed development site as a light industrial complex 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.

Further detailed information will be required before built development is undertaken. Therefore, the proposed development will only be acceptable if planning conditions are included requiring the submission of a strategy to address land contamination, carried out by a competent person in line with paragraph 170 of the National Planning Policy Framework.

Natural England - Please be advised that on the basis of the appropriate financial contributions being secured to the relevant scheme, Natural England concurs with your authority's conclusion that this is suitable mitigation, as such the proposed developments will not have an adverse effect on the integrity of Thanet Coast and Sandwich Bay SPA and Ramsar site. Should the proposal change, please consult us again.

Kent Police - The Kent Design for Crime Prevention advises applicants/agents to consult a local Designing Out Crime Officer (DOCO) or suitably qualified security specialist to help design out the opportunity for: Crime, Fear of Crime, Anti-Social Behavior, Nuisance and Conflict. Having reviewed the on line plans and documents and having had a detailed meeting with the applicant/agent, we have the following comments:

1. I understand there is no vehicular access planned for the paved area between Location B and Linksfield Road. Some form of vehicle mitigation is strongly advised to minimise the opportunity for children to run out onto the road or motorbikes and cyclists to speed via this access between Linksfield Road and Suffolk Avenue.
2. The route between Location B and Lyminge Road is to remain unaltered.
3. The perimeter area around location B will be secured with no public access.
4. The "Central Pedestrian Mall" of Location B is to be securely protected both ends to limit access to it.
5. Development layout and permeability - Location A: The gates as shown to protect the alley style areas are essential.
6. The proposed ramp should include some form of treatment to make it less attractive to misuse by cyclists and skateboarding etc.
7. We agree with the 1.8m fencing or 1.6 with trellis throughout Locations A, B and C. It will also help protect the security of the neighbouring properties and will reduce the need for residents to erect their own additional fencing.

8. The corner properties to the splay for Location A are designed to have fence protection to avoid those corners being used as additional parking or a shortcut.
9. Parking - a. The spaces allocated for visitors, also nos. 15 and 14 is shown as hidden away with no natural surveillance, that area could easily become abused. It is essential that this is amended to provide adequate natural surveillance or gated to provide security. If gated, the area should be for residents of Location A only, the visitor parking to be moved to the area in front of Location B. b. A managed parking policy will help ensure that the allocated visitor parking spaces are not misused.
10. Lighting and CCTV - To agree that lighting can be addressed once the layout has been confirmed. We advise lighting and Hawkeye/Polecat sockets at 2 key spaces as advised.
11. Doorsets including the folding/sliding lounge doors should meet SBD Homes 2019 (due out in February).
12. Windows - that are ground floor or potentially vulnerable should also meet Homes 2019.

TDC Housing Strategy Officer - I have had a look at this application and it does not include any proposed affordable housing.

The mix of 1 & 2 bed units is our biggest need on the housing register and we would welcome 30% on this site.

Total site 23 units - therefore affordable provision should be 7.

TDC Environmental Health Officer - Due to the number of properties proposed and that the site is located in the air quality management area, I would request the standard safeguarding conditions for electric vehicle charging and gas fired boilers.

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

The application is brought before members as a departure to Policy EC12 of the Thanet Local Plan, and as a call in by Cllr Sam Bambridge to allow members to consider where the proposal represents overdevelopment, results in overlooking, and traffic management issues.

Principle

Loss of Employment Land

The application site is located within an area designated as employment land. Policy EC12 of the Thanet Local Plan states that employment sites, as identified on the proposals map, should be retained for employment uses falling within use classes B1 and B8 in locations close to residential areas, with an additional B2 use away from residential areas. The aim of the policy is to ensure that there is a range of premises available to meet the needs of small

and medium-sized local businesses. The principle of the proposed residential use is therefore considered to be contrary to Policy EC12 of the Thanet Local Plan.

An employment review was carried out in 2010, which found that Thanet had an oversupply of employment land, and as such the Planning Policy team have reassessed all of the district's employment sites in order to determine which ones should be retained for employment use, and which ones are more appropriate to be re-allocated. The application site is one of the sites that has been reallocated for housing through the Draft Local Plan, given its proximity to residential occupiers and restricted access for larger vehicles. For this reason the principle of redeveloping the existing employment site for an alternative use would not be contrary to the Draft Local Plan.

The Draft Thanet Local Plan has been through examination and full consultation, and modified in response to the Inspector's comments. The Council's Cabinet has approved the recommendation to adopt the Local Plan, and has recommended adoption to Full Council, which is currently expected to take place in July. It is therefore considered that the Draft Local Plan can be given substantial weight in decision making.

For this reason, whilst the proposal is a departure to the adopted Thanet Local Plan, the substantial weight to be applied to the Draft Thanet Local Plan, which no longer seeks to retain the site for employment use, means that the proposal to develop the site for an alternative non-employment use could be viewed as an acceptable departure to the Thanet Local Plan.

Housing Development

The site is previously developed land within the urban confines, and as such the proposed housing development would comply with Policy H1 of the Thanet Local Plan (subject to the removal of the employment use allocation).

Within the Draft Thanet Local Plan the site is allocated for housing for a notional 23no. units. Policy H01 of the Draft Thanet Local Plan states that 'permission for new housing development will be granted on sites allocated for this purpose', subject to compliance with the relevant requirements of Policy SP14, and demonstrating that adequate infrastructure will be in place to serve each unit.

As previously mentioned, it is considered that the Draft Thanet Local Plan can be given substantial weight in decision making at this time, and therefore given that the site is allocated for housing within the Draft Thanet Local Plan, the principle of housing development on the site is considered to be acceptable, and in accordance with the Draft Thanet Local Plan.

Impact upon Character and Appearance of Area

Layout

The site is located in an area that is characterised by predominantly 2-storey terraced properties with modest sized plots, with such units present in both Linksfield Road (adjacent

to the development), and on the western side of Suffolk Avenue. On the eastern side of Suffolk Avenue are semi-detached properties with slightly wider plots, and adjacent to the development, no. 12 Suffolk Avenue, is a bungalow set within a larger plot.

The existing site contains a large 2-storey flat roof building, a single storey pitched roof building, and a large 2-storey height monopitch building to the rear. The buildings are considered to detract from the quality of the area, with the prominently located, detached, large scale, flat roof manufacturing building appearing out of keeping with the pitched roof vertical emphasised character of surrounding terraced development.

The proposal is to demolish the existing buildings, and to erect a new terraced row of dwellings (units 15-23) fronting Suffolk Avenue. The dwellings will appear in keeping with the layout and plot sizes of the surrounding pattern of development. Units 9-11 and 12-14 also provide two small rows of three terraced properties, which front the internal access road (unit 9 also fronts Suffolk Avenue). Units 12-14 are located close to Linksfield Court, and whilst they project forward of the front building line of Linksfield Court, they generally follow the same layout. Units 1-8 were originally intended to be located within the existing storage building, however, further surveys of the building have found that the building is not suitable for conversion, and as such the existing building is to be demolished, and a new building of the same form, footprint and design constructed in its place, which will front the internal access road.

Parking is located where possible within the curtilage of the plot. Where this is not achieved, two parking areas are provided, one to the rear of units 15-23, and one to the front of units 1-8. These areas are already hard surfaced to serve the existing commercial development. In order to enhance the development soft landscaping has been used to soften the appearance of the site, with hedge planting annotated to the front of units 1-8 and along plot boundaries.

The existing trees within the corners and along the boundaries of the site are to be retained. The proposed development of units 1-8 will be within close proximity of the trees, but on the footprint of the existing building, and therefore the impact to the trees is likely to be minimal. In order to protect the trees during construction works, an Arboricultural Method Statement is required to be submitted via condition providing details of the proposed works within the root protection zone. No specific details of the hard surfacing or planting scheme have been provided at this time, but will be required via condition.

Overall the proposal development has a layout which is considered to be in keeping with, and relating well to the surrounding pattern of development, whilst achieving the comprehensive development of the site, in accordance with Policy QD02 of the Draft Thanet Local Plan.

Scale and Design

The proposed development is predominantly 2-storey in height and pitched roof, and will therefore appear in keeping with the scale and design of surrounding development. Units 1-8 are to be provided within a new detached building of the same scale and form as the existing building. The agent has advised that the existing building cannot be converted, however, the existing building has an interesting design, with four curved monopitch roofs, which work well

within a modern design. The design also enables the eight units to be provided with good living conditions that avoid the need for clear glazed side elevation windows. For this reason the replacement building is of the same form and scale as the existing building, with the fenestration design being the only alteration in order to link the design of the building with the design proposed across the rest of the site.

Units 15-23 (and units 12-14) have been designed as terrace units with the impression of double bay windows, characteristic of the modest single bay projections on the semi-detached properties opposite. Full height windows have been used, along with timber cladding and rendering, and dark grey UPVC windows. Whilst the proposed materials are not completely in keeping with the materials present on surrounding properties, the adjacent terrace is rendered, along with some of the existing buildings on the site. Furthermore, the size of the site and number of units proposed means that a variation in material will not appear out of keeping as an isolated development within the streetscene, as it forms part of a wider comprehensive scheme. The proposed development therefore adds another character area within a street where there is already some variation in building types and designs.

Units 9-11 have a unique design, with a curved mono pitch roof that extends away from no. 12 Suffolk Avenue, creating a heavily active frontage onto the internal access road. Unit 9 has also been designed with a dual frontage that respects Suffolk Avenue. Whilst the design of the building is innovative, and therefore not reflective of the more traditional building forms within the street, it provides a landmark building within the site that reflects the more modern approach that has been taken throughout the scheme, whilst also providing a roof form that respects and is sympathetic to the height and scale of the neighbouring bungalow.

Overall the design is considered to be of good quality, with attention having been paid to the surrounding context and identity of the site, resulting in a scheme that enhances the character and appearance of the area, in accordance with Policy QD02 of the Draft Thanet Local Plan, and paragraph 127 of the NPPF.

Sustainability

Policy QD01 of the Draft Local Plan requires all new buildings and conversions of existing buildings are designed to reduce emissions of greenhouse gases and have resilience to function in a changing climate. The policy therefore requires that all developments achieve a high standard of energy efficiency to the equivalent of Level 4 of the Code for Sustainable Homes; making the best use of solar energy, passive heating and cooling, natural light, natural ventilation and landscaping; and providing safe and attractive cycling and walking opportunities to reduce the need to travel by car.

Paragraph 8 of the NPPF states that an environmental objective of the Framework is to move towards a low carbon economy, with paragraph 148 advising that the planning system should support the transition to a low carbon future in a changing climate, and support renewable and low carbon energy development.

Paragraph 154 of the NPPF states that when determining planning applications for renewable and low carbon development, local planning authorities should approve the

application if its impacts are (or can be made) acceptable, with even small-scale projects recognised as providing a valuable contribution to cutting greenhouse gas emissions.

BREEAM (Building Research Establishment's Environmental Assessment Method) is a performance-based assessment method and certification scheme for new dwellings, which replaces the Code for Sustainable Homes. The primary aim of BREEAM is to mitigate the life cycle impacts of new buildings on the environment in a robust and cost-effective manner. A Home Quality Mark (HQM) rating is awarded and is dependent upon the overall quality and performance of a new build home. The aim for new development is to achieve a HQM '5 Star' rating, which is the highest that can be awarded. Achieving a HQM '4 Star' rating means that a home has been designed and built to have very low running costs, many positive impacts upon your health and wellbeing, and all with an extremely low impact upon the environment. A '5 Star' rating signifies an outstanding home, which pushes the boundaries. In the case of the proposed development the intention is for a zero carbon scheme (5 Star rating), which the agent advises would be one of the first developments of its kind within Thanet

The development will be constructed using off-site manufactured superinsulated SIPS (Structural Insulated Panel) system, to maximise insulation and soundproofing, and using a renewable energy system, which includes PV-T (photo-voltaic thermal) panels, combined with regular PV, which store surplus summer heat in the soil within the foundations of the building in an earth energy bank to then be withdrawn through a heat pump, which heats the building and eliminates fuel bills; along with other measures such as water efficient sanitary fittings, and a dedicated storage space for waste recycling and food composting in each dwelling. The use of these measures has not impacted upon the design of the development, and results in a scheme that achieves a high standard of energy efficiency, significantly exceeding the equivalent of Level 4 of the Code for Sustainable Homes, as required by Policy QD01 of the Draft Thanet Local Plan, and fully complying with paragraphs 8 and 154 of the NPPF, which support renewable and low carbon energy developments that contribute to cutting greenhouse gas emissions.

Living Conditions

Neighbouring Living Conditions

Policy QD03 of the Draft Thanet Local Plan requires that all new development be compatible with neighbouring buildings and spaces, and not lead to unacceptable living conditions through overlooking, noise or vibration, light pollution, overshadowing, loss of natural light or sense of enclosure. Furthermore, paragraph 127 of the NPPF requires that a high standard of amenity is achieved for existing and future users.

Units 1-8 are maisonettes provided within a building that replicates the design, scale and footprint of the existing building on site. As such there will be no additional impact upon light or outlook from neighbouring properties when compared to that existing.

Due to the proposed residential use of the building, there could be an increased loss of privacy for neighbouring occupiers in both Linksfield Road and Suffolk Avenue, with the rear boundaries of these properties only 1.6m to 4m distance from the new building. There is a

minimum distance of 19m between the side elevation of the proposed building and the nearest rear elevation of properties in Linksfild Road, and a minimum distance of 20.5m between the side elevation of the proposed building and the nearest property in Suffolk Avenue. First floor windows to serve bedroom two for each of the units are proposed within the side elevations of the new building, and therefore given the limited distance, the provision of clear glazed windows within these elevations will increase overlooking of the neighbouring occupiers. In order to address this concern the applicant has agreed to the majority of the side windows (all those falling below 1.7m from internal ground level) to be obscure glazed and non-opening, which will be secured by condition. The obscure glazing and restricted openings are considered to limit the loss of privacy that would result from the proposal, enabling a high standard of amenity for neighbouring properties lying adjacent to these units to be retained. Other windows which appear at first floor level on the side elevation do not contain accommodation; they serve the ground floor accommodation below meaning no overlooking is created.

Units 9-11 lie adjacent to no.12 Suffolk Avenue. The building will again replace an existing building, which is currently a pitched roof single storey building approximately 0.5m from the boundary with no.12. The proposed building is 2-storey in height, although the design provides for a single storey eaves height adjacent to the neighbouring boundary, which increases in height whilst moving away from the boundary through a curved mono-pitch roof. The proposed development is approximately 2.6m from the boundary, an increased distance of approximately 2m from the neighbouring property. The existing building extends the full depth of the neighbouring plot, however the proposed building extends only 4.5m beyond the neighbouring rear elevation. As such it is considered that the impact upon light and outlook to no.12 will reduce through the redevelopment of the site in the way proposed.

In terms of overlooking, obscure glazed windows are currently contained within the side elevation of the existing building, which face no. 12. Through the proposal bi-folding doors are proposed within the side elevations, with no windows at first floor level. There is currently a fence of approximately 1m in height along the depth of the boundary between the application site and no.12. In order to protect neighbouring privacy from the bi-folding doors, a new boundary treatment along the full depth of no.12 is required, with a minimum height of 2m, which is to be safeguarded by condition. A further condition restricting the insertion of any additional openings within the rear elevation (northern elevation) of plots 9-11 in the future is also recommended.

Units 12-14 are in closest proximity to nos. 1-2 Linksfild Court. The proposed units are located a distance of 4.4m from the side elevation of no. 1 Linksfild Court, and whilst they don't extend beyond the rear elevation of these neighbouring properties, they project beyond the front elevation of these neighbouring properties by approximately 4m. Given the distance, and the existing situation which provides a much larger manufacturing building in this locality, it is not considered that the proposed development will significantly impact upon light to and outlook from the Linksfild Court properties.

In terms of overlooking, no windows are proposed within the side elevation facing the Linksfild Court properties, and therefore the impact upon their privacy is considered to be acceptable. There is a distance of at least 27m to the neighbouring rear boundary with no.24

Suffolk Avenue, and therefore given this distance the impact upon privacy for this property is considered acceptable.

Units 15-23 front Suffolk Avenue, and generally follow the front and rear elevation of neighbouring properties in the street. As such there is no impact upon neighbouring light or outlook.

A window at ground floor level is proposed within the side elevation of unit 23, looking towards no.24 Suffolk Avenue. The window serves a WC and will therefore be obscure glazed. The window also faces the side elevation of no. 24, which has no ground floor windows. The proposed parking area to the rear lies adjacent to the rear garden of no. 24, but this is bound by an existing timber fence of approximately 2m. Whilst concern has been raised by the neighbouring occupier with the potential for vehicles within the parking area to hit the fence, a landscaping strip along with a kerb would be located in front of the fence, and as such it's unlikely that the impact from vehicles in this location will be any greater than that existing. As such the impact upon privacy is acceptable.

Whilst there may be some noise and disturbance caused by the location of the parking area for the houses adjacent to the gardens of Linksfield Court and 24 Suffolk Avenue, the impact is likely to be no worse than that caused by the existing commercial use. Furthermore, the proposed residential use is likely to reduce the general impact upon neighbouring amenity when compared to the existing use, which includes manufacturing, storage, and office uses, along with deliveries and loading/unloading. The proposed use will be more compatible with existing neighbouring buildings and spaces, in accordance with Policy QD03 of the Draft Thanet Local Plan.

Overall, the impact upon neighbouring amenity is considered to be acceptable, with the impact mainly reduced given the reduction in building form and change in use. Where an additional impact is created, this has been mitigated through the use of safeguarding conditions. As such the proposal is considered to retain a high standard of amenity for neighbouring occupiers, in accordance with Policy QD03 of the Draft Thanet Local Plan, and paragraph 127 of the NPPF.

Future Occupier Living Conditions

Policy QD04 of the Draft Thanet Local Plan requires that all new development meets the Nationally Described Space Standards. The proposal fully complies with these standards.

All units have an acceptable layout, and adequate light and outlook. Whilst the side windows are proposed to be obscure glazed to units 1-8 (serving bedroom 2), these are secondary windows, with a further large velux window serving the room, which enables an acceptable form of accommodation to be achieved for the future occupiers.

Policy QD05 of the Draft Thanet Local Plan requires that 10% of new build developments are built in compliance with building regulation part M4(2) accessible and adaptable dwellings. The agent has confirmed that the proposed development can comply with this standard, which is secured through a safeguarding condition.

Each property is provided with doorstep playspace, in accordance with Policy SR5 of the Thanet Local Plan, and Policy GI04 of the Draft Local Plan. The 2-bed dwellings have rear gardens, the maisonettes have courtyard areas and terraces, and the 1-bed dwellings have a small rear patio area along with a communal garden (although such provision is not a requirement for 1-bed units).

No specific details on refuse storage have been submitted, although there is space within the garden areas for the dwellings, and mall space for the maisonettes. Further details of this are sought via condition.

Overall a high standard of accommodation can be achieved for future occupiers of the development, in accordance with paragraph 127 of the NPPF.

Transportation

The proposal involves the re-use of the existing vehicular accesses into the site from both Suffolk Avenue and Linkfield Road. KCC Highways and Transportation have advised that the provision of 23 dwellings is unlikely to lead to any notable increases in traffic movements compared to the sites existing permitted use, and as such the redevelopment of the site is unlikely to result in severe harm to the highway network.

The original submission included the provision of one parking space per unit and twelve visitor parking spaces within the development, which KCC advised was in excess of the minimum standards for a suburban location. Amended plans have been submitted with the parking provision reduced to 30no. spaces, equating to one parking space per unit and 7no. Visitor parking spaces. The site is sustainably located, within short walking distance of shops, services, primary and secondary schools, and bus stops. As such the off-street parking provision proposed is considered to be acceptable.

Tracking plans have been submitted showing how a refuse vehicle can enter and turn within the site in order to leave in a forward gear, but this is dependent upon double yellow lines being applied to either side of the vehicular access. The applicant has agreed to pursue a Traffic Regulation Order pursuant to the Road Traffic Regulation Act 1984 in order to secure parking restrictions in Suffolk Avenue that will protect manoeuvring space for refuse vehicles.

Cycle parking can be achieved within all rear gardens for the dwellings, and within the communal garden for units 9-11. For units 1-8 cycle parking is achievable within the corner of the rear parking court, with details to be submitted via condition.

Electric vehicle charging points will be provided within the site in the form of one space per ten unallocated spaces and one space per dwelling, which will be controlled via condition.

In terms of pedestrian movements, access through the site between Suffolk Avenue and Linkfield Road will continue to be possible, along with access from the site directly onto Lymington Road via an access adjacent to proposed units 1-8.

Overall the impact upon highway safety is considered to be acceptable, and in accordance with paragraphs 108 and 110 of the NPPF.

Size and Type of Units

Policy SP22 of the Draft Thanet Local Plan states that 'proposals for housing development will be expected to provide an appropriate mix of market and affordable housing types and sizes having regard to the SHMA recommendations'. The proposal is for the erection of 12no. 2-bed terraced dwellings, 3no. 1-bed terraced dwellings, and 8no. 2-bed maisonettes.

Whilst a range of units sizes and types across a site is always recommended, the greatest market need identified within Policy SP22 is for 2-bed units, which is the main unit size proposed. The proposal also allows for the provision of 1-bed units, and 4-bed units would be out of keeping with the area, which is characterised predominantly by 2-storey terraces. Whilst a preference would have been for some 3-bed units to have been provided, this may have impacted upon unit numbers on the site, which could have prevented the notional allocation for the site from being met; or resulted in the increased depth and ridge height of units, to the detriment of visual amenity.

On balance, given that the proposal achieves a high number of 2-units for which there is the greatest need, and given that there are currently very few 1-bed and 2-bed houses being constructed across the district (small units are usually always provided in flat form), then it is considered the unit size and type in this instance is considered to be, on balance, acceptable.

Drainage

Surface water drainage within the development is proposed in the form of permeable paving and soakaways. KCC SUDs have reviewed the information provided and are satisfied with the information submitted at present, but require further details on the infiltration testing used and analysis of the calculations in order to understand the flooding implications to climate change.

Foul water from the proposed development will connect by gravity to the existing public foul sewers located in Suffolk Avenue and to the north of the site. Southern Water has advised that their initial investigations indicate that they can provide foul sewage disposal to service the proposed development, along with a water supply, and therefore raise no objections.

The impact upon flood risk is therefore considered to be acceptable and in accordance with the NPPF, subject to safeguarding conditions.

Contamination

The site currently contains buildings used for light manufacturing. No preliminary risk assessment has been submitted with this application, and whilst such an assessment would have been expected, the Environment Agency has advised that the previous use 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, and therefore further details are required prior to development commencing. However the Environment Agency is satisfied that such details can be submitted via condition. The proposal is therefore considered to be in accordance with paragraph 170 of the National Planning Policy Framework.

Viability - Financial Contributions and Affordable Housing

Policy SP23 of the Draft Thanet Local Plan states that residential development schemes for more than 10 dwelling units, shall be required to provide 30% of the dwellings as affordable housing. This requirement will only be reduced if meeting it would demonstrably make the proposed development unviable.

Policy SP41 of the Draft Thanet Local Plan states that development should only be permitted when provision is made to ensure delivery of relevant and sufficient community and utility infrastructure; and where appropriate, development is expected to contribute to the provision of new, improved, upgraded or replacement infrastructure and facilities.

In addition to a requirement for 30% affordable housing on the site, financial contributions have also been sought by KCC in the form of £1,104.36 towards additional bookstock at Westgate Library in order to mitigate the impact of the additional borrowers generated from this development; and £93,740.00 towards secondary education in the form of phase 1 of the new Thanet Secondary Free School, with a further £55,460.20 towards land acquisition costs, in order to mitigate the impact from the additional children housed within this development. A further equipped play area contribution of £17,500 is sought towards new play equipment at Lymington Recreation Ground. These contributions would directly relate to the development and are considered fairly and reasonably related in kind and scale.

A viability assessment has been submitted as part of the application, which has proposed nil affordable housing provision and nil S106 contributions. This assessment has been independently reviewed by an external consultant. Through this review the Council have queried as to what extent viability has been affected by the raised build costs associated within this zero carbon scheme, and whether it is these raised build costs that are causing the unviability of the scheme, or whether the scheme would be unviable in any event due to other costs such as site clearance and demolition, along with the lower sales values within the area.

The review found that that build costs did include additional amounts that had been added for the renewable energy related items; however, these increased build costs are also likely to result in increased sales values and a shortened sales period, with some buyers agreeable to paying a premium for environmental features, either due to a preference for sustainability in general, or with the aim of reducing fuel bills. The results indicate that even when taking an optimistic view of sales values and build costs, the scheme as presented, complete with zero carbon features, is not viable by accepted standards; however, it is possible that even higher sales values for the development may be achievable due to the unique nature of the scheme, and as such the consultants have suggested that the Council may wish to consider a review mechanism within the legal agreement in order to revisit values and costs at a later stage. The proposal is for only 23no. units, and will therefore be

constructed over a short time period within a single phase. Furthermore, whilst there is uncertainty about precise sales values, this will be dictated by the market at the time the properties are being sold, and given that this is anticipated to be within the next four years, it is not considered that there would be significant uplift to warrant the need for a clawback mechanism in this instance. A 10% increase has already been applied to the sales values by the consultants through the assessment, and therefore it is unlikely that the sales cost of the development as proposed will result in a surplus to profit significantly exceeding that found in the scenarios tested, all of which have a Gross Development Value (GDV) falling below 17.5% (the assumed profit level).

A further assessment has been carried out, which uses the build costs without the additional zero-carbon related costs. The review found that if the proposed development were to be redesigned without the zero carbon features that it would still be unable to support a policy compliant level of affordable housing, and even with nil S106 contributions, the scheme would still be unlikely to reach a viable position. Whilst there is the potential for a limited surplus in GDV of 19%, exceeding the assumed 17.5% GDV, this is on the basis of the best case scenario, and does not take into account the potential for increased build/clearance costs. Paragraph 57 of the NPPF states that the weight to be given to a viability assessment is a matter for the decision maker, and the NPPG advises that 15-20% of gross development value may be considered a suitable return to developers, which is dependent upon the type, scale and risk of the development. The return of 19% GDV within the best case of the scenarios tested would still fall within this margin, and therefore it is accepted that the provision of affordable housing or financial contributions would not be possible within a standard build scheme, which fails to benefit from the increased sale values that are likely present with a zero-carbon scheme.

In summary, within the viability review a series of sensitivity tests have been carried out, and they show that in every case the proposed scheme is on the margin of viability. Whilst the zero carbon scheme has the potential for increased sales values, given the 10% increase already applied, and the location of the site within a low value area, it is unlikely that the GDV would exceed 17.5%. For the standard build the build costs are much lower (approximately £5,000 per unit) and therefore the potential for a Gross Development Value that exceeds 17.5% is more conceivable, although still marginal.

It is therefore considered that on balance, given that both options would result in a scheme that is not likely to be viable by accepted standards, that affordable housing provision and financial contributions should not be pursued in this instance.

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, and for this development equates to £7,006. 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.

Conclusion

The proposal will result in the redevelopment of an existing employment site for a residential use, and will therefore be contrary to Policy EC12 of the Thanet Local Plan. However, the development of the site for housing will be in accordance with Policy H01 of the Draft Thanet Local Plan, which allocates this site for housing for a notional 23no. Units that will contribute to the local housing supply. Whilst there will be some economic harm resulting from the loss of the employment site, the social benefits from the housing to be delivered on this intended housing allocation site will significantly outweigh that harm.

The proposal will result in a good quality design, that is sympathetic to the character and appearance of the area, whilst offering significant environmental benefits through the renewable energy features that are to be accommodated within the scheme, achieving a zero carbon development that is fully supported by the NPPF.

Whilst there will be some social harm resulting from the lack of affordable housing provision, and lack of education, library and play area financial contributions, the general benefits that come from delivering an allocated housing site, redeveloping the site for a use and building form that is more compatible with its neighbouring buildings and spaces, and achieving a zero carbon scheme within the district that has declared a Climate Emergency, are considered to significantly outweigh this harm, subject to a safeguarding condition requiring that the scheme is constructed so to achieve this zero carbon status (HQM '5 Star' rating or equivalent).

It is therefore considered that, on balance, the proposed development represents sustainable development in accordance with the NPPF, and it is therefore recommended that members defer and delegate the application for approval, as an acceptable departure to Policy EC12 of the Thanet Local Plan, subject to safeguarding conditions, and the submission of a signed legal agreement securing the SPA contribution within 6 months of any resolution.

Case Officer

Emma Fibbens

TITLE: F/TH/18/1109

Project 14 Suffolk Avenue Westgate On Sea Kent CT8 8JG

