

**D05**

**F/TH/19/0173**

PROPOSAL: Erection of 23 no. dwellings following the demolition of existing buildings, with associated parking, open space and landscaping.

LOCATION:

Hoo Farm 147 Monkton Road Minster RAMSGATE Kent

WARD: Thanet Villages

AGENT: Hume Planning Consultancy Ltd

APPLICANT: Hoo Farm Partnership

RECOMMENDATION: Defer & Delegate

Defer and Delegate for approval subject to the satisfactory completion of Section 106 agreement within 6 months securing the required planning obligations as set out in the Heads of Terms and the following conditions:

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

**GROUND;**

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

2 The development hereby approved shall be carried out in accordance with the submitted drawings numbered P01 Rev A, P02 Rev D, P05 Rev A, P06 Rev A, P07 Rev A, P08 Rev A, P09 Rev A, P10 Rev A, P11 Rev A, P12 Rev A, P13 Rev A, P15 Rev A, P16 Rev A, P17, P18, P19 E, HPC\_1259\_FP and 2019-3501-001.

**GROUND;**

To secure the proper development of the area.

3 No development, excluding demolition, shall commence until a site characterisation and remediation scheme has been submitted to and approved in writing by the Local Planning Authority and the remediation scheme has been implemented in accordance with the approved details. The site characterisation, remediation scheme and implementation of the approved remediation scheme shall be carried out in accordance with the following criteria (a) Site Characterisation An investigation and risk assessment, in addition to any assessment provided with the planning application, shall be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment shall be undertaken by

competent persons and a written report of the findings shall be submitted to and approved in writing by the Local Planning Authority, and shall include

- o A survey of the extent, scale and nature of contamination
- o An assessment of the potential risks to
  - o Human health
  - o Property
  - o Adjoining land
  - o Groundwaters and surface waters
- o Groundwaters and surface waters
  - o Ecological system
- o An appraisal of remedial options and a recommendation of the preferred options

The site characterisation report shall be conducted in accordance with British Standards and current DEFRA and Environment Agency best practice.(b) Submission of remediation scheme A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include all works to be undertaken, proposed remediation objectives and remediation criteria, a timetable of works and site management procedures. The scheme shall ensure that the site cannot be considered as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.(c) Implementation of Approved Remediation Scheme The approved remediation scheme shall be carried out in accordance with its terms prior to the commencement of the development other than that required to carry out remediation. The Local Planning Authority shall be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out shall be submitted to and approved in writing by the Local Planning Authority

**GROUND;**

To ensure that the proposed site investigation, remediation and development will not cause harm to human health or pollution of the environment, in accordance with the advice contained within the National Planning Policy Framework.

4 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 development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site in line with paragraph 170 of the National Planning Policy Framework.

5 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 from any identified contamination on site in line with paragraph 170 of the NPPF.

6 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 from any identified contamination on site in line with paragraph 170 of the NPPF.

7 No development, excluding demolition, shall take place 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.

8 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 be based on the Flood Risk and Sustainable Drainage Assessment dated August 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 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 risks 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 satisfactorily arrangements for the disposal of surface water and to ensure that the development does not exacerbate the risk of on/off site flooding.

9 No building or any phase 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 operational 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 with and subsequently maintained pursuant to the requirements of paragraph 165 of the NPPF.

10 No development, excluding demolition, shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written specification and timetable which has been submitted to and approved by the Local Planning Authority.

**GROUND;**

To ensure that features of archaeological interest are properly examined and recorded in accordance with Thanet Local Plan Policy HE11.

11 Prior to the commencement of any development on site, a Construction Management Plan including, but not necessarily limited to, 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) Wheel washing facilities and their use
- (g) Measures to control the emission of dust and first during construction and a scheme for recycling / disposing of waste resulting from construction works
- (h) A Construction Environment Management Plan, including hours of construction working, measures to control noise for nearby residents, lighting control measures, pollution incident control and site contact details in case of complaints.

**GROUND;**

To ensure pollution prevention measures are in place for all potentially polluting activities during construction in accordance with the NPPF and in the interests of highway safety.

12 The construction of the development hereby permitted shall incorporate measures to prevent the discharge of surface water onto the highway.

**GROUND;**

In the interests of highway safety.

13 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.

14 The area shown on drawing 755:P19 Rev E 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 dwellings 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.

15 Completion of the following works between a dwelling and the adopted highway prior to first occupation of the dwelling shall occur (a) Footways and/or footpaths, with the exception of the wearing course; (b) Carriageways, with the exception of the wearing course but including a turning facility, highway drainage, visibility splays, street lighting, street nameplates and highway structures (if any).

**GROUND;**

In the interests of highway safety and neighbouring amenity, in accordance with Policy D1 of the Thanet Local Plan and paragraphs 108, 110 and 127 the National Planning Policy Framework.

16 Prior to the first occupation of the development hereby approved the visibility splays shown on the approved plans shall be provided to the accesses with no obstructions over 1m above carriageway level within the splays, which shall thereafter be maintained.

**GROUND;**

In the interest of highway safety.

17 Prior to the first occupation of the dwellings hereby approved 1 Electric Vehicle Charging point per residential property with dedicated parking and 1 in 10 of all non allocated parking, shall be installed to the specification within Thanet Air Quality Technical Planning Guidance 2016 and thereafter permanently retained.

**GROUND;**

In the interest of air quality and amenity in accordance with EP5 of the Thanet Local Plan and paragraph 181 of the NPPF.

18 No development, excluding demolition, shall commence until the footpath as shown on approved drawing 2019-3501-001 between the points shown as X and Y on drawing HPC\_1259\_2019\_FP has been completed and made available for use.

**GROUND;**

In the interests of highway safety and to facilitate the use of alternative means of transport in accordance with saved policies TR11 and TR12.

19 Prior to the first occupation of the dwellings hereby approved, a lighting design plan for biodiversity will be submitted to, and approved in writing by, the local planning authority. The plan will accord with the recommendations detailed in section 4.2.2 of the Preliminary Ecological Appraisal dated October 2018 and will:

- Identify those areas/features on and around the site that are particularly sensitive for bats;
- Show how and where external lighting will be installed so that it can be clearly demonstrated that areas to be lit will not disturb bat activity.

All external lighting will be installed in accordance with the specifications and locations set out in the plan and well maintained thereafter in accordance with the plan.

**GROUND;**

To ensure that light pollution is minimised in the interest of the visual and residential amenities of the area, in accordance with Policy D1 of the Thanet Local Plan.

20 Prior to the completion of the development hereby approved, details of how the development will enhance biodiversity shall be submitted to, and approved in writing by, the Local Planning Authority. This will include the implementation of recommendations in section 4.4 of the Preliminary Ecological Appraisal (Corylus Ecology. October 2018), which includes the provision of a Swallow nesting site. The approved details will be implemented and thereafter retained.

**GROUND;**

In the interests of nature conservation in accordance with the advice contained within paragraph 170 of the National Planning Policy Framework.

21 Prior to the commencement of development (excluding demolition), an invasive non-native species removal plan will be submitted to, and approved by, the local planning authority. The plan will detail the containment, control and removal of Japanese Knotweed on-site. The measures will be carried out in accordance with the approved scheme.

**GROUND;**

In the interests of nature conservation in accordance with the advice contained within paragraph 170 of the National Planning Policy Framework.

22 Prior to the first occupation of the development hereby approved, full details of both hard and soft landscape works to all areas other than private gardens as shown on approved plan numbered Po2 Rev D, to include

- o species, size and location of new trees, shrubs, hedges and grassed areas to be planted, including the 3m landscape zone on the northern boundary of the site.
- o the treatment proposed for all hard surfaced areas beyond the limits of the highway.
- o walls, fences, other means of enclosure proposed

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

**GROUND;**

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

23 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.

24 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

25 All windows serving WC's, bathrooms and ensuites in the development hereby approved shall be provided and maintained with obscured glass to a minimum level of obscurity to conform to Pilkington Glass level 4 or equivalent and shall be installed prior to first occupation of each respective dwelling hereby permitted 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.

26 No further alterations/extensions to the roof of unit 21 as indicated on approved plan numbered Po2 Rev D whether approved by Schedule 2, Part 1, Classes B and C of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order), shall be carried out without the prior permission in writing of the Local Planning Authority.

**GROUND:**

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

**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

The applicant is advised that separate prior approval is required from Kent Highway Services for the new vehicle crossing/removal of the existing vehicle crossing/works within the highway and in this regard they should contact KHS on 08458 247800

The applicant is advised that a licence will be required from Kent Highway Services for any sign/furniture/awning within or overhanging the highway and in this regard they should contact KHS on 08458 247800

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

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](http://www.southernwater.co.uk).

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.

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/>

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

Kent County 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. We understand that major telecommunication providers are now offering Next Generation Access Broadband connections free of charge to the developer.

## SITE, LOCATION AND DESCRIPTION

The application site is an irregular shaped site measuring approximately 0.7 hectares with vehicular access from Monkton Road. The majority of the site is hard surfaced or covered by unmade tracks and it contains a mixture of farm buildings and newer purpose built units currently used for light industrial (use class B8) and storage uses (use class B2).

Two farm units benefitting from an extant prior approval for residential conversion adjoin the western boundary of the site. Residential dwellings (Nos. 139 to 145) lie to the west of the site access. Beyond the site to the west lies Hoo Farmhouse with its associated residential curtilage. The farmhouse, wall and gates to Monkton Road are grade II listed. Agricultural fields lie to the east of the site and to the north lie open agricultural fields together with a solar farm approximately 400m from the site.

## RELEVANT PLANNING HISTORY

PN06/TH/16/0800 - Notification of a proposed change of use from office to 2 no. dwellings. Prior approval not required. December 2016.

R/TH/08/1194 - Application for the approval of reserved matters relating to the design, external appearance and landscaping of a B1 and B8 use building pursuant to conditions 1, 2 and 3 of outline planning permission OL/TH/04/1575. Approved November 2008.

OL/TH/04/1575 - Outline application for the erection of 450 square metre building for B1 and B8 use, including site and access. Approved January 2006.

F/TH/98/0476 - Continued use of agricultural buildings as B1 and B8 uses in accordance with the provisions of Section 73A (2) (A) and provision of new vehicular access. Approved April 1999.

## PROPOSED DEVELOPMENT

The application is for the erection of 23 dwellings, following demolition of existing buildings, with associated parking, open space and landscaping.

The proposed dwellings would be a mix of one and a half and two storeys in height and would all be served by private amenity/garden areas and vehicle parking spaces. Vehicular access to the site would be taken from an existing access off Monkton Road and the proposal also includes highway works to Monkton Road. These will be considered in more detail in the Highway section of the report.

The applicants originally sought to restrict occupancy of the development to persons over the age of 55, but this element has now been removed from the proposal.

## DEVELOPMENT PLAN POLICIES

### **Thanet Local Plan 2006 - Saved Policies**

- H1 - Residential Development Sites
- H2 - Dwelling Supply
- H4 - Windfall Sites
- H8 - Size and Type of Housing
- H14 - Affordable Housing Negotiations on Housing Sites
- H15 - Rural Local needs Housing
- TR3 - Provision of Transport Infrastructure
- TR4 - New Road and Highway Improvements
- TR12 - Cycling
- TR15 - Green Travel Plans
- TR16 - Car Parking Provision
- TR17 - Retention of Existing Car Parking
- D1 - Design Principles
- D2 - Landscaping

HE11 - Archaeological Assessment  
HE12 - Archaeological Sites and Preservation  
SR5 - Play Space  
CC1 - Development in the Countryside  
CC2 - Landscape Character Areas  
R1 - General Levels of Development  
R3 - Village Services  
R4 - Village Shops  
EP5 - Local Air Quality Monitoring  
EP8 - Aircraft Noise and Residential Development  
EP9 - Light Pollution  
EP13 - Groundwater Protection Zones  
CF2 - Development Contributions

### **Draft Local Plan**

SP13 - Housing Provision  
SP14 - General Housing Policy  
SP22 - Type and Size of Dwellings  
SP23 - Affordable Housing  
SP24 - Development in the Countryside  
SP25 - Safeguarding the Identity of Thanet's Settlements  
SP26 - Landscape Character Areas  
SP27 - Green Infrastructure  
SP28 - Protection of the International and European Designated Sites  
SP29 - Strategic Access Management and Monitoring Plan (SAMM)  
SP35 - Quality Development  
SP36 - Conservation and Enhancement of Thanet's Historic Environment  
SP37 - Climate Change  
SP41 - Safe and Sustainable Travel  
SP44 - Accessible Locations  
E01 - Retention of Existing Employment Sites  
HO1 - Housing Development  
H09 - Housing in Rural Settlements  
HO16 - Rural Housing Need and Exception Sites  
GI01 - Protection of Nationally Designated sites (SSSI) and Marine Conservation Zones (MCZ)  
GI04 - Amenity Green Space and Equipped Play Areas  
GI06 - Landscaping and Green Infrastructure  
QD01 - Sustainable Design  
QD02 - General Design Principles  
QD03 - Living Conditions  
QD04 - Technical Standards  
QD05 - Accessible and Adaptable Accommodation  
HE01 - Archaeology  
HE02 - Development in the Conservation Area  
HE03 - Local Heritage Assets  
CC01 - Fluvial and Tidal Flooding

CC02 - Surface Water Management  
CC04 - Renewable Energy  
SE01 - Contaminated Land  
SE04 - Groundwater Protection  
SE05 - Air Quality  
SE06 - Noise Pollution  
SE08 - Light Pollution  
TP01 - Transport Assessments and Travel Plans  
TP02 - Walking  
TP03 - Cycling  
TP04 - Public Transport  
TP06 - Car Parking

### NOTIFICATIONS

Letters were sent to adjoining occupiers, a site notice posted close to the site and the application publicised in a local newspaper.

Six representations have been received objecting to the application with some people commenting more than once. Their comments are summarised below.

- \* Affect local ecology;
- \* Development too high;
- \* Increase in traffic;
- \* Increase in pollution;
- \* Strain on existing community facilities;
- \* 25 dwellings to house over 55's would put particular strain on local doctor's surgery;
- \* Drainage is a concern;
- \* Would a footpath be provided?
- \* Area is prone to power cuts;
- \* Inadequate parking provision;
- \* Site would not meet the needs of older people;
- \* Lack of public transport;
- \* Loss of privacy;
- \* Noise nuisance; and
- \* Disturbance and impact during construction.

One representation was received neither objecting or supporting the proposal which advised that should the application be granted that a footpath should be provided to link with the existing footpath.

**Minster Parish Council:** Object on the following grounds:

- \* Site provision should be made for 2 parking spaces per household to prevent on road parking;
- \* The road is not flat, but has a gradient falling away from the site which could mean that vehicles would not have an uninterrupted view along the road;
- \* A footpath should be provided by the developer as part of the Section 106;

- \* How is the over 55 occupation going to be enforced?
- \* Why are 3 bed houses proposed if the dwellings are for residents who are over 55?
- \* Some land could be given over as allotments.
- \* If approved, request contribution towards equipment at Minister play areas to mitigate the impact of the increase in population.

## CONSULTATIONS

**Natural England:** Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

This advice should be taken as Natural England's formal representation on appropriate assessment given under regulation 63(3) of the Conservation of Habitats and Species Regulations 2017 (as amended). You are entitled to have regard to this representation.

With regard to European Sites, Natural England does not object to the granting of this permission subject to the advice given below. Natural England advises that the specific measures previously identified and analysed by your Authority to prevent harmful effects on coastal European Sites from increased recreational pressure should be applied to this proposed development at appropriate assessment. Your authority has measures in place to manage these potential impacts through the agreed strategic solution which we consider to be ecologically sound. Natural England is of the view that if these measures, including contributions to them, are implemented, they will be effective and reliable in preventing harmful effects on the European Site(s) for the duration of the proposed development. Providing that the appropriate assessment concludes that these measures must be secured as planning conditions or obligations by your authority to ensure their strict implementation for the full duration of the development, and providing that there are no other adverse impacts identified by your authority's appropriate assessment, Natural England is satisfied that this appropriate assessment can ascertain that there will be no adverse effect on the integrity of the European Site in view of its conservation objectives.

**Environment Agency:** The previous use of the application site 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 is located upon principal aquifer overlain by secondary aquifer.

The reports submitted in support of this application provides 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 considered an unreasonable burden to ask for more detailed information prior to the granting of planning permission.

In light of the above, the proposed development will be acceptable if a planning condition is attached requiring the submission of a remediation strategy carried out by a competent person in line with the guidance of the NPPF.

Without this condition we would object to the proposal because it cannot be guaranteed that the development will not cause or be put at unacceptable risk from unacceptable levels of water pollution.

Other conditions relating to the submission and agreement of a preliminary risk assessment, unexpected contamination, surface water drainage scheme, infiltration of surface water and foundation methods are also considered to be necessary.

**Southern Water:** There is a public sewer in the immediate vicinity of the site. The exact position of the sewer must be determined.

If any sewer is 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.

Foul sewage disposal can be provided for this development and a formal application would be required for a connection to the public sewer. An informative to this effect should be attached to any grant of planning permission.

The planning application form makes reference to drainage using Sustainable Urban Drainage Systems (SUDS). Under current legislation and guidance SUDS rely upon facilities which are not adoptable by sewerage undertakers. Therefore, the applicant will need to ensure that arrangements exist for the long term maintenance of the SUDS facilities. It is critical that the effectiveness of these systems is maintained in perpetuity. Good management will avoid flooding from the proposed surface water system, which may result in the inundation of the foul sewerage system. Thus, where a SUDS scheme is to be implemented, the drainage details submitted to the Local Planning Authority should:

- Specify the responsibilities of each party for the implementation of the SUDS scheme
- Specify a timetable for implementation
- Provide a management and maintenance plan for the lifetime of the development.

This should include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

Request that should this application receive planning approval, a condition is attached to this grant of consent to require the submission and approval of details 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.

**Kent Police:** Having reviewed the application, some issues need to be addressed. The applicants/agents should contact the local designing out crime officers to consider Crime Prevention Through Environmental Design.

**KCC Flood and Waste Water Management:** Satisfied in principle with the drainage design where surface water will be infiltrated via a permeable paving system. Accept that soakaways would not be viable due to the limited size of the site.

Would recommend that conditions relating to the following are attached to any grant of planning permission - the submission and agreement of a detailed sustainable surface water drainage scheme and a verification report.

**KCC Archaeology:** The site lies on the south Thanet scarp slope which is rich in archaeology. Crop mark evidence seen on aerial photographs of the land to the north and north west shows numerous crop marks of multi period dates including enclosures, defensive trenches and trackways. Although there are none recorded from the immediate vicinity of the development site this may be due to the brick earth deposits which feature close to the site which mark the limit of cropmark visibility in this area. The site itself has been a farm complex since at least the early 19th century with buildings now demolished shown on the Tithe Map. Of the present buildings only building 1 outside the site and building 2 within the same date to the 19th century. Building 2 certainly features on the 2nd Edition OS map of the late 19th century but may have been extended from a smaller building that dates back to the mid 19th century.

Given the archaeological potential of the site which proposes new development and demolition of the buildings within the site I would advise that provision should be made in any forthcoming consent for a programme of archaeological works.

Given that Building 2 is of 19th century date and part of a historic farmstead I would recommend that there is also provision for appropriate recording of the structure before demolition.

**KCC Biodiversity:** We have reviewed the ecological information submitted in support of this planning application and advise that sufficient information has been provided.

Designated 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, Thanet District 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.

Bat

As concluded in the report, there is negligible roosting potential for bats on-site. Therefore, we are satisfied that no further information is required regarding roosting bats.

Lighting - Lighting can be detrimental to commuting and foraging bats so we advise that the external lighting of the development should be designed in a way that negates the impact on bat activity.

To mitigate against potential adverse effects on bats, and in accordance with paragraph 180 of the National Planning Policy Framework 2019, we suggest that the Bat Conservation Trust's Bats and Lighting in the UK guidance is consulted in the lighting design of the development. We advise that the incorporation of sensitive lighting design for bats is submitted to the local planning authority and secured with an attached condition with any planning permission. Suggested wording:

"Prior to occupation, a lighting design plan for biodiversity will be submitted to, and approved in writing by, the local planning authority. The plan will accord with the recommendations detailed in section 4.2.2 of the Preliminary Ecological Appraisal dated October 2018 and will:

Identify those areas/features on and around the site that are particularly sensitive for bats;  
Show how and where external lighting will be installed so that it can be clearly demonstrated that areas to be lit will not disturb bat activity.  
All external lighting will be installed in accordance with the specifications and locations set out in the plan and well maintained thereafter in accordance with the plan."

Invasive species - The ecology report has identified a stand of Japanese Knotweed on-site. Due to its capacity to be invasive and degrade biodiversity value in the wider environment if allowed to spread, this non-native species is listed under Schedule 9 of the Wildlife and Countryside Act 1981 (as amended).

As such, we advise that plans to safely and compliantly remove Japanese Knotweed from the site are produced. To secure the implementation of Japanese Knotweed removal from the site, we suggest a condition is attached to any granted planning permission. Suggested wording:

"Prior to the commencement of development, an invasive non-native species removal plan will be submitted to, and approved by, the local planning authority. The plan will detail the containment, control and removal of Japanese Knotweed on-site. The measures will be carried out in accordance with the approved scheme."

Breeding Bird Informative - Habitats are present on and around the site that provide opportunities for breeding birds. Most notably, the development proposal will entail the loss of a Swallow nesting site and recommend that this loss is mitigated for, as detailed in the enhancement section (below).

Any work to vegetation or structures 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 suggest the following informative is included with any planning consent:

"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 present on the application site and are to be assumed to contain nesting birds between 1st March and 31st August, unless a recent survey has been undertaken by a competent ecologist and has shown that nesting birds are not present."

Ecological Enhancements - In alignment with paragraph 175 of the National Planning Policy Framework 2019, the implementation of enhancements for biodiversity should be encouraged. The ecology report recommends appropriate enhancements that can be incorporated in the development, including the provision of Swallow nesting areas. We are particularly supportive of this enhancement proposal as the development will entail the loss of nesting space for Swallows; a species which has undergone population decline. To secure the implementation of enhancements, we advise a condition is attached to planning permission, if granted. Suggested wording:

"Prior to the completion of the development hereby approved, details of how the development will enhance biodiversity will be submitted to, and approved in writing by, the Local Planning Authority. This will include the implementation of recommendations in section 4.4 of the Preliminary Ecological Appraisal (Corylus Ecology. October 2018), which includes the provision of a Swallow nesting site. The approved details will be implemented and thereafter retained."

**KCC Highways:** Initially advised that they considered the proposal would be unlikely to have a significant impact on the highway in capacity terms given the extant uses of the site. They did, however, raise concerns that there was no connection between the site and the existing footway network to the east. Which would mean that pedestrians seeking to utilise bus services or facilities in Minster would have to walk along the 60 mph road with no opportunity to step off the road to avoid vehicles. This was the subject of detailed discussions between the applicants and KCC Highways and amended plans were received which proposed a footway connection from the site to the existing footway to the east.

KCC Highways have now commented on these amended plans. I refer to the amended plan submitted for the above on 19th March and note that the application red line now includes land to provide the footway connection and associated works along Monkton Road as previously requested. As previously advised the proposals are unlikely to have a severe impact on the highway in capacity terms bearing in mind the extant uses on the site. The access and parking arrangements are acceptable.

I therefore now have no objections in respect of highway matters subject to the following being secured by condition:

- o Submission of a Demolition and Construction Management Plan before the commencement of any development on site to include the following:

(a) Routing of demolition and construction and delivery vehicles to / from site (b) Parking and turning areas for demolition construction and delivery vehicles and site personnel (c) Timing of HGV movements (these are likely to be restricted during school drop-off and pick-up times) (d) Provision of wheel washing facilities (e) Temporary traffic management / signage

- o Provision of measures to prevent the discharge of surface water onto the highway.
- o Provision and permanent retention of the vehicle parking spaces and turning areas shown on the submitted plans prior to the use of the site commencing.
- o All Electric Vehicle chargers provided for homeowners in residential developments must be provided to Mode 3 standard (providing up to 7kw) and SMART (enabling Wifi connection).
- o Use of a bound surface for the first 5 metres of the access from the edge of the highway.
- o Provision and permanent retention of the cycle parking facilities shown on the submitted plans prior to the use of the site commencing.
- o Completion and maintenance of the access shown on the submitted plans prior to the use of the site commencing.
- o Provision and maintenance of the visibility splays shown on the submitted plans with no obstructions over 1 metre above carriageway level within the splays, prior to the use of the site commencing.

**KCC Economic Development:** 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.

The Planning Act 2008 and the Community Infrastructure Levy Regulations 2010 (the CIL Regulations) (Regulation 122) require that requests for development contributions of various kinds must comply with three specific legal tests:

1. Necessary, 2. Related to the development, and 3. Reasonably related in scale and kind.

These tests have been duly applied in the context of this planning application and give rise to the following specific requirements

Primary Education - £4,534 per dwelling. Total £104,305. Towards Manston Green Primary School.

Secondary Education - £4,687 per dwelling. Total £107,801. Towards new Thanet Secondary School.

Secondary land - £1511.11 per dwelling. Total £34,755.55. Towards new Thanet Secondary School land acquisition cost.

Community Learning - £16.42 per dwelling. Total £377.66. Towards additional equipment and resources at Broadstairs Adult Education Centre.

Youth Service - £66.50 per dwelling. Total £1506.50. Towards additional resources for the youth service in Thanet.

Libraries - £55.45 per dwelling Total Project £1,275.35. Towards additional resources and stock at Minster Library.

Social Care - £146.88 per dwelling. Total £3,378.24. Towards specialist care accommodation within Thanet. (All homes to be built as wheelchair accessible and adaptive dwellings in accordance with Building Regulations Part M4(2).

Waste - £92.72 per dwelling. Total £2,132.56. Towards materials recycling facility and improvements to Margate Household Waste Recycling Centre to provide additional capacity for new users.

High Speed fibre optic Broadband: **INFORMATIVE:** Kent County 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. We understand that major telecommunication providers are now offering Next Generation Access Broadband connections free of charge to the developer.

**Thanet Clinical Commissioning Group:** Requested £13,500 towards refurbishment, reconfiguration and/or extension of Minster surgery, required as a result of the development proposed.

**TDC Environmental Health:** Would request the addition of a condition requiring the submission and agreement of a Construction Environmental Management Plan.

**TDC Contamination Officer (before amendments):** The application is supported by a Desk Study Report. Based on the previous onsite historic agricultural and industrial unit uses. Can confirm that the report recommends that further intrusive investigation is undertaken to test the conceptual model. This should comprise investigation of ground conditions to determine-

The nature/extent of any made ground potentially impacted by historic site uses;

The extent and integrity of the head deposits;

Deeper groundwater conditions; and

Gas generation potential of the site.

Recommend that a condition requiring the submission and approval of a risk assessment.

**TDC Housing Officer:** The application proposes 30% affordable housing in line with policy.

**TDC Conservation Officer (before amendments):** Hoo Farm and the wall and gates at Hoo Farmhouse are grade II listed and in close proximity to the site. The barn to the north east of the farmhouse is not listed in its own right, but forms part of the historic curtilage of Hoo Farmhouse and therefore can be regarded as part of that listed building for planning purposes. The farmhouse and its outbuildings form a coherent historic farmstead group of

some historic interest. The main heritage consideration is therefore the effect of the proposed development on the setting of Hoo Farmhouse and its wall as designated heritage assets. Therefore the statutory duty in Section 66(1) of the Act requires the decision maker to have special regard to the desirability of preserving these buildings and their setting.

The proposed development would be located very close to the farmhouse group and would, in my view, have an effect on its setting, on the character of the historic farmstead and on the character, amenity and appearance of the surrounding countryside. The overall level of harm may be assessed as considerable, but less than substantial. However in the view of the considerable importance and weight which must be accorded to the desirability of preserving the setting of the heritage assets, I consider that by reason of the height, design and location of the carports closest to the listed group, this element of the development would have an adverse impact on the setting of the heritage assets. The carport would be viewed within the context of the wider Hoo Farmhouse group and therefore I consider that this would introduce an unacceptable impact on the setting of the heritage assets.

## COMMENTS

The application is to be considered by Planning Committee as a departure from the saved policy CC1 of the Thanet Local Plan.

The key issues in the determination of this application include the principle of development, character and appearance, living conditions, transportation, affordable housing, planning obligations, and other material considerations.

### **Principle**

In line with Section 38(6) of the Planning and Compulsory Purchase Act 2014, planning decisions must be taken in accordance with the 'development plan' unless material considerations indicate otherwise. The requirements of the National Planning Policy Framework (NPPF) are a significant material consideration in this regard. The NPPF states that housing applications should be considered in the context of the presumption of sustainable development. In determining whether housing on the site would be acceptable, the need for housing in the district will therefore need to be balanced against other issues such as the impact upon the countryside, sustainability of the site, character and appearance of the proposed development and highway safety.

The application site fronts the north side of Monkton Road between the villages of Monkton to the west and Minster to the east so is in the countryside for planning purposes. The site has no allocation in either the adopted or Draft Local Plan. The site contains a number of buildings, some farm outbuildings and some newer buildings, which are currently used for light industrial and storage purposes. The majority of the site is hard surfaced or established unmade tracks and there are areas of open storage. Given this, officers consider that the site is previously developed land.

*Housing supply*

The proposal is contrary to the aims of Saved Policy H1 of the Thanet Local Plan which states that residential development on non-allocated sites will be permitted on previously developed land within the existing built up confines unless specified by other Local Plan Policies. Saved Policy R1 of the Thanet Local Plan 2006 also limits development at rural settlements to minor development within the confines. Draft Policy H01 states that permission for new housing development will be granted on 1) sites allocated for residential development and 2) Non-allocated sites within the confines of the urban area and villages as shown on the policies map, subject to meeting other relevant Local Plan policies.

As set out above, officers considered that the application site is previously developed land, but it does lie outside the confines of an urban area or village.

The NPPF states that housing applications should be considered in the context of the presumption of sustainable development. In determining whether housing on the site would be acceptable, the need for housing in the district will therefore need to be balanced against other issues such as the impact upon the countryside, sustainability of the site, character and appearance of the proposed development and highway safety.

A full allocation of housing for the plan period has been identified within the Draft Local Plan, which in addition to the properties built, granted planning permission, empty properties to be brought back into use, and windfall sites, will exceed the Council's requirement of 17,140 of residential units during the plan period up until 2031. The Draft 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.

In terms of housing need, the inspectors have not amended any of the figures put forward by the Council within their report, and therefore based upon the information contained within the Draft Local Plan, and supported by the Inspectors' report (para 160-177), specifically paragraph 174 where the Inspector accepted that 'the number of dwellings expected to come forward in the first five years from adoption (7,015) exceeds the five-year housing requirement (6,084)', it is considered that the Council do have a 5 year housing supply equating to 5.77 years (with a 20% buffer).

It is, however, acknowledged that this is a full application for 23 residential units on a previously developed site which could be considered to make a modest contribution towards the Council's housing site as a windfall housing site.

#### *Countryside development*

The application site lies within an area designated as countryside as defined by the Thanet Local Plan. Policy CC1, covers this issue; development in the countryside. This policy 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. The development would result in the loss of countryside, which it is recognised has an intrinsic value within the environment.

Policy SP24 of the Draft Local Plan considers development within the countryside, and provides a list of development within the countryside that is permitted through the policy, which includes the redevelopment of a brownfield site for a use that is compatible with its countryside setting and its surroundings. It also states that isolated homes sites in the countryside will not be permitted unless they fall within one of the exceptions identified in the National Planning Policy Framework.

As set out above, officers considered that the application site is previously developed land (therefore a brownfield site), but it does lie outside the confines of an urban area or village. Therefore as the redevelopment of a brownfield site, an assessment is required as to whether the proposal would affect the visual character and appearance of the countryside and area.

### *Sustainability*

The NPPF details that there are three dimensions to sustainable development: economic (building a strong economy), social (providing the supply of housing required to meet the needs of the present and future generations, with accessible local services) and environmental (contributing to protecting and enhancing our natural, built and historic environment). The three roles of sustainable development are mutually dependent. Paragraphs 7-10 of the Framework indicate that 'sustainability' should not be undertaken in isolation but should be sought jointly and simultaneously. Sustainable development also includes 'seeking positive improvements in the quality of the built, natural and historic environment as well as in people's quality of life.'

In this case the site is a previously developed site to the rear of Hoo Farm currently utilised for light industrial and storage between the villages of Monkton and Minster. The villages of Monkton and Minster both offer a good range of services and facilities. Monkton has a village hall, church, primary school and recreation ground whilst Minster has an even wider range of facilities with some shops, post office, primary school and a railway station. The appeal site is within 2 km of most of these facilities and not far from the built-up confines of either village; it is not therefore an isolated location.

There is no footway alongside Monkton Road linking the site to Minster, the closest village, but the proposed development would include a footpath from the development on the north of Monkton Road to link it to the existing footway to the east. Given that the road is relatively wide and straight with good visibility and there is some street lighting at night, the fact that the site is served by limited bus services (with bus stops in close proximity to the site) and the road forms part of a recognised national cycle route, the site is considered to be in a relatively sustainable location and future occupiers would not be wholly reliant on the private car.

### *Loss of existing employment uses*

It is noted that the redevelopment of the site, would lead to the displacement of the light industrial and storage uses currently carried out on site. The site is not an allocated employment site and at the time of the officer site visit, it was noted that some buildings

appeared unused and levels of people working on site appeared low. Whilst it is noted that this is a snapshot in time, it is considered that there are some benefits from the redevelopment of the site for residential purposes, such as visual improvements and the nature of traffic generated from the site. Whilst it is noted that the redevelopment of the site has the potential to adversely affect the operation of the employers currently operating from the site, it is also noted that there is a good supply of purpose built employment sites or other areas which would be more suited for employment uses. It is not, therefore considered, that there is any in principle objection to the loss of employment uses on the site.

## **Character and Appearance**

The NPPF states that planning decisions should aim to ensure that development should aim to ensure that developments will function well and add to the overall quality of the area; establish a strong sense of place; respond to local character and history; reflect the identity of local surroundings and materials; and are visually attractive as a result of good architecture and appropriate landscaping (paragraph 127). Saved policy D1 of the Local Plan outlines that the design of all new proposals must respect or enhance the character and appearance of the area particularly in scale, massing, rhythm and use of materials.

### *Landscape impact*

Paragraph 170 of the NPPF stipulates that the planning system should contribute to and enhance the natural and local environment by, amongst other things, protecting and enhancing valued landscapes. The Planning Practice Guidance (PPG) states where appropriate, Landscape Character Assessments should be prepared to complement Natural England's National Character Area profiles. Landscape Character Assessment is a tool to help understand the character and local distinctiveness of the landscape and identify the features that give it a sense of place.

Saved Policy CC2 of the Thanet Local Plan 2006 - Landscape Character Area applies to the site. The site forms part of the Wantsum North Shore Landscape Character Area, where "development will only be permitted that would not damage the setting of the Wantsum channel, and long views of Pegwell Bay, the Wantsum channel, the adjacent marshes and the sea..." Policy SP24 of the draft Local Plan takes forward the Landscape Character Areas forward and characterises the application site as lying within the North Slopes character area. The policy states that this area largely comprises the distinctive and often quite steep hill slopes leading down from the Central Chalk Plateau to the former Wantsum Channel. The landscape is very open with few features and the former shoreline is more distinct in some places than in others, with the variation in the contour pattern. From the upper slopes it affords extensive views across the whole of the former Wantsum Channel to the slopes on the opposite banks and in many places to the sea. The former shoreline is more distinct in some places than in others, with the variation in the contour pattern. However, it also provides the unique setting of the former channel side villages of Minster, Monkton, Sarre and St Nicholas, and the smaller, originally farm based, settlements of Shuart, Gore Street and Potten Street. These elements provide important visual evidence of the growth of human settlement, agriculture and commerce in the area.

In this case the application site has a number of buildings on it in various locations, sizes, mass and design, it is largely hard surfaced and there are also areas of open storage within the site. The existing buildings are of no particular architectural quality and appear to have been placed on the site at various times with their uses also evolving. They are generally large (either in height or mass) solid structures, designed to be functional and their construction including materials generally reflect this. Given the scale and mass of these buildings, views, albeit glimpses of them can be achieved from various points within the surrounding area and it is appreciated that there are structures and uses taking place on the site.

It is considered that the redevelopment of the site would retain the perception that the area was developed and in use, but have the potential to provide visual enhancements. Whilst physically, there would be more built form on the site (by number and in the north east of the site), it would have smaller footprints which would be broken up and have landscaped amenity space around them when compared to the large building footprints currently seen on the site. It is also appreciated that the proposed materials would be more traditional and reflect the materials of the existing development along Monkton Road, rather than the existing metallic clad structures currently on the site. Views of the site from the north are available from an access road which passes through the site and connects to the solar farm and farm land, however the use of this route is limited, and any view of the site is framed against the collection of buildings on the site and the surrounding landscaping.

Given this, it is considered that the proposed residential development would have a neutral impact on longer views in the landscape character area, when compared to the current development on the site. It is appreciated that the site provides opportunity for landscape planting within the proposed development and to fill in gaps in existing boundary landscaping together with the provision of new soft landscaping. These will help assimilate the development into the village and surrounding area and would be a required condition of any development coming forward on the site. Given this it is considered that the only major visual effects would be in close proximity to the site and from direct views from Monkton Road. Generally, the site would have minor and negligible visual effects on the local context (once built out) and the redevelopment of this site is not considered to detrimentally change the fundamental characteristics of the wider landscape.

The application when originally submitted proposed an additional to two dwellings on land to the east of the access road. Officers objected to the dwellings in this area as it was noted that this area was clearly open countryside and not previously developed land. These dwellings have been removed from the proposal.

#### *Design, layout and density*

Paragraph 122 of the NPPF states that planning policies and decisions should support development that makes efficient use of land, taking into account: a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it; b) local market conditions and viability; c) the availability and capacity of infrastructure and services - both existing and proposed - as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use; d) the desirability of maintaining an area's prevailing character and

setting (including residential gardens), or of promoting regeneration and change; and e) the importance of securing well-designed, attractive and healthy places. Paragraph 123 states where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site.

Twenty three dwellings on the site would give a density of 29 dwellings per hectare which is considered to be in keeping with other development in the immediate vicinity and on the edge of the village confines. The proposal is for a mix of terraced, semi-detached dwellings between 1.5 and 2 storey in height which is in keeping with the general pattern of development within the area. The proposed layout appears spacious with dwellings interspersed with landscaping and views into the surrounding countryside retained through parts of the development.

The houses are fairly traditional in design and, whilst varied house styles are proposed, they would appear as a cohesive small development. The use of materials which are common in the area and nearby villages such as brick, clay tile timber weatherboarding and hanging tiles will also help to ground the development within the surrounding area. This approach is considered acceptable in this location, especially given the guidance within the NPPF that Local Planning Authorities should not stifle design or seek to impose a particular architectural style on proposed developments. Units 22 to 25 would sit as a terrace fronting Monkton Road next to the existing terrace nos. 139 to 145 Monkton Road and would be the most readily visible part of the new development given their road frontage position. They are proposed as two storey brick dwellings and designs cues from adjoining terrace are noted, such as their traditional style, bay windows and chimneys. This approach by the applicant is welcomed and helps to provide a visual link between the existing development and new.

A landscaped/green area is proposed at the head of the access road and other landscaping proposed to the edges of the site. It is considered appropriate to secure details of how the landscaped area and any other areas of landscaping outside of garden/private amenity areas would be planted and managed in the long term, especially the 3 wide landscape zone on the northern boundary of the site. It is considered that this is likely to be via a Landscape Management Company and it is considered appropriate that this would be secured within a Section 106 agreement.

On the basis of the information submitted, the impact of the development upon the character and appearance of the surrounding area is considered to be acceptable, subject to safeguarding conditions relating to issues such as materials and landscaping.

### *Heritage Impact*

The National Planning Policy Framework (NPPF) 2018 states that when considering the impact of a proposed development on the significance of a designated heritage asset; great weight should be given to the asset's conservation. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance (paragraph 193). The NPPF goes on to state in paragraph 196 states that where a development proposal would lead to less than substantial harm to the significance

of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including where appropriate, securing its optimum viable use.

Hoo Farmhouse and its wall are both grade II listed and sit to the south western corner of the application site. The application as originally submitted proposed a series of parking barns to this corner of the site. The Council's Conservation Officer did not raise an objection to the residential redevelopment of the application site, but expressed concerns about the impact of bringing built form closer to the new built form (parking barns) in the area closest to the listed building and wall. The current scheme proposes that this corner of the application site would be used only for the parking of vehicles removing built form in close proximity to the heritage assets. The majority of the residential development of the site is therefore situated behind existing development (in relation to the listed structures) or in the place of existing industrial buildings.

As such, it is considered that the proposed development would not have a significantly harmful effect on the identified heritage assets in terms of their setting or their historic integrity.

### **Living Conditions**

Paragraph 117 of the NPPF states that planning decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Paragraph 127 states that planning decisions should ensure that all developments (a) function well and add to the overall quality of the area for the lifetime of the development; (b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping, (c) are sympathetic to local character and history including the surrounding built environment and landscape setting, (d) establish or maintain a strong sense of place, (e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and (f) create places that are safe, inclusive and accessible with a high standard of amenity for existing and future users.

Saved policy D1 of the Local Plan seeks to provide development which allows for a good standard of accommodation for its future occupiers/users. This aim is taken forward in the draft Local Plan in its Quality of Development chapter.

The nearest properties to the development are the two buildings adjacent to the site (to the rear of Hoo Farm) which benefit from an extant planning approval for residential conversion, Hoo Farmhouse and nos. 139 to 145 Monkton Road.

The two buildings which benefit from the prior approval for residential conversion lie adjacent to the west boundary of the application site and are identified as being in the ownership of the applicant for this application. The proposed dwellings closest to these properties have been designed to minimise any impact on these buildings and parking spaces to serve these buildings have been incorporated into the application. It is therefore not considered that the proposed development would have an adverse effect on the residential amenities of their future occupiers.

The closest part of Hoo Farmhouse sits some 30 metres diagonally from the south western corner of the application site, with the nearest part of the closest proposed dwelling set some 24 metres away from that point. Given the distances and the orientation of the farmhouse to the proposed development, it is not considered that there would be an adverse impact from the development on the residential amenities of the occupiers of that property in terms of loss of privacy, outlook or the loss of light or creation of a sense of enclosure.

The occupiers of nos 139 to 145 Monkton Road would see new development both to the rear and east of them through this application. Parking spaces are proposed to the rear of nos. 143 and 145 with plot 21 of the proposed development located to the rear of nos. 141 and 139. Nos. 141 and 139 have approximately 16 metres from their rear wall to their rear boundary with an additional area of service road/parking area (of approximately 9 metres narrowing to 5 metres) separating them from the rear boundary of plot 21. The rear wall of plot 21 would sit approximately 2m from its rear boundary at its closest point giving a total distance from its rear elevation to the rear elevation of nos. 141 and 139 of approximately 29 metres. Unit 21 has been designed as a bungalow with accommodation within the roof slope but without any south facing windows, meaning there are no first floor windows proposed facing no.139 and 141. Given the distances involved, the design of unit 21 and the added separation of the access road/parking area, it is not considered that there would be an adverse effect on the residential amenities of the occupiers of these properties from plot 21 in terms of loss of privacy, outlook or the loss of light or creation of a sense of enclosure. It is recommended that a condition removing permitted development rights for roof extensions would be required for unit 21 to ensure that no first floor development (at a higher land than the neighbours) is permitted which could impact on the living conditions of the neighbouring properties.

A terrace of four dwellings is proposed fronting Monkton Road to the east of the no.139 and the existing access road. The terrace would sit further back from Monkton Road and be wider in depth than the existing terrace. The closest property to no. 139, Plot 22, would sit some 3 metres from its western flank boundary with no 139 set in another metre from its eastern boundary giving a total separation distance of four metres. It is noted that no windows at ground or first floor are proposed in the western flank wall of plot 22. It is considered that given this together with the distances between the existing dwelling and the proposed, the slight change in orientation, that there would be no adverse effect of no. 139 in relation to overlooking, overbearing or other impact on the residential amenities of its occupiers from unit 22 of the proposed development.

The development has been designed and laid out to ensure that there is no direct overlooking or other adverse effect on residential amenities for future occupiers between proposed dwellings, although it is considered appropriate to ensure that conditions are imposed to secure the obscure glazing and retention of WC and bathroom windows.

In terms of the living conditions for the future occupiers of the development, it is considered that each unit would be provided with adequate levels of light and ventilation and be served by a vehicle parking space as well as each having an area of amenity space which would provide space for bin storage, clothes drying and doorstep playspace.

All new residential development is required to meet the Nationally Described Space Standards to ensure a good standard of accommodation for future occupiers. The proposed

units would meet the respective standards and given the above they are considered to provide a good standard of accommodation for future occupiers.

### **Affordable Housing**

Paragraph 60 of the NPPF says that local planning authorities should use their evidence base to ensure that their local plans meet the full, objectively assessed needs for housing in the housing market area, as far as is consistent with the policies set out in this Framework. This is reinforced by the guidance at paragraph 61 which states that the size, type and tenure of housing needed for different groups should be assessed and reflected in planning policies (including, but not limited to, those who need affordable housing and the needs of different groups in the community. Where planning authorities have identified that affordable housing is needed paragraph 62 says that they should set policies for meeting this need on site, unless off-site provision or financial contribution of broadly equivalent value can be robustly justified and the agreed approach contributes to the objective of creating mixed and balanced communities. Such policies, the NPPF says, should be sufficiently flexible to take account of changing market conditions over time. Therefore it is for planning authorities to determine whether affordable housing is required and, in the absence of a national threshold within the NPPF, to set their own thresholds for provision.

Affordable Housing is dealt with through Policy H14 of the Thanet Local Plan setting out 30% as the starting point for negotiations on all qualifying developments of more than 15 dwellings or sites of more than 0.5 hectares. Due to the number of dwellings proposed there is a requirement for affordable housing. The Housing Officer confirms that there is a housing need for affordable units in this area and confirms that they would expect to see a 30% affordable which all sizes of proposed units for the development reflected in that offer.

Based on the provision of 23 units in total on the site the affordable housing requirement would be to provide 7 (6.9) units.

The provision of the affordable housing would be secured through a legal agreement which also secure a requirement for 100% nomination rights for potential occupants to be controlled by TDC to ensure that people on the local housing register are housed in the affordable housing units.

The applicant has confirmed that they will be willing to enter into a Legal Agreement to secure 30% on site affordable housing in line with current standards.

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

Policy H8 of the Thanet Local Plan requires that for development of 10 units or more there should be a mix in the size and type of housing. The proposal is for the provision of 4 detached, 2 semi-detached and 17 terraced dwellings ranging between one and two storeys in height.

The Strategic Housing Market Assessment confirms that there is a need for 2 and 3 units as well as detached, semi-detached and terraced units. Given the countryside location, it is considered appropriate that the development is low density within fairly spacious plots and no more than two storeys in height is considered acceptable. This application would provide 12 two bed units and 11 three bed units and this mix is considered acceptable.

Policy H8 also requires that 15% of the development is provided as lifetime homes. The lifetime homes standard no longer exists and standards relating to accessible and adaptable homes are now covered by Part M4(2) and M4(3) of the Building Regulations. Government guidance advises that Local Planning Authorities can set out a policy in their Local Plans to secure enhanced accessibility or adaptability by reference to Part M4(2) and/or M4(3) of the Building Regulations. Policy QD05 of the draft Local Plan sets out the Council's policy in this regard - Accessibility provision in new developments as required by Building Regulations Part M4 shall be provided as follows: 1) 10% of new build developments will be expected to be built in compliance with building regulation part M4(2) (accessible and adaptable); 2) 5% of the affordable housing units on housing developments will be expected to be built in compliance with building regulations part M4(3) wheelchair user dwellings. It is considered that this policy has significant weight given the stage the draft Local Plan has reached. Applied to this application for 23 residential units, it is considered that 2 (2.3) units should meet Part M4(2) of the building regulations and 1 unit meet Part M4(3). The applicants have advised that Unit 6 would be capable of meeting the requirements of M4(3) with all other units capable of meeting M4(2). From reviewing the proposed development it is confirmed that unit 6 would be capable of meeting the requirements of M4(3) and two units within the development could meet M4(2).

It is therefore considered that the proposal complies with saved Policy H8 of the Thanet Local Plan and Policy QD05 of the Draft Local Plan in achieving an appropriate mix in the size and type of housing.

### **Play Provision**

The Council's Planning Obligations and Developer Contributions Supplementary Planning Document (SPD) (adopted in April 2010) states that for new residential developments of 10 to 49 units a developer will be expected to make a contribution payment for the maintenance and upgrade of play facilities within 0.87km of the site.

There is an existing play area within Minster which is considered likely to be used by the future residents of the proposed development. Minster Park is managed and maintained by Minster Parish Council who advise that they have two existing pieces of equipment which are dangerous and need replacing and removed a roundabout which was not replaced due to the expense of securing a new one, plus some benches that are due for repair or replacement.

The contribution from the proposed development has been calculated at £24,500 in accordance with the above mentioned SPD and it is considered that it could be utilised by the Parish Council to upgrade their equipment and facilities at the park.

The financial contribution has been agreed by the agent and will be included within the legal agreement.

### **Highways**

Paragraph 108 of the NPPF states that in assessing applications for development it should be ensured that adequate opportunities to promote sustainable transport modes have been taken up; safe and suitable access to the site can be achieved for all users and any significant impacts from the development on the transport network (in terms of capacity and congestion) or on highway safety, can be cost effectively mitigated to an acceptable degree. It goes on to state that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe (paragraph 109). Applications for development should give priority to pedestrian and cycle movements and secondly (as far as possible) facilitate access to high quality public transport, address the needs of people with disabilities and reduced mobility, create places that are safe, secure and attractive, allow for the efficient delivery of goods and access by service and emergency vehicles and be designed to enable charging of plug in and other ultra low emission vehicles (paragraph 110). These aims are reflected in the Council's Local Plan policies.

The Planning Statement submitted in support of the application deals with highway matters. It states that the proposed development would utilise the existing access road currently serving the site, but that this would be upgraded to provide appropriate visibility splays. It highlights that the proposed residential development would be likely to generate not only a smaller number of movements, but also more car movements as opposed to van/HGV movements which currently occur from the site. It concludes that this will improve both highway safety and the residential amenity for local occupiers. Parking for the proposed development is provided at 1 space per 2 bed dwelling and 2 spaces per 3 bed dwelling with one visitor space - giving a total of 35. It is also noted that parking (4 spaces - 2 for each unit) for the two buildings (outwith the application site, but within the same ownership) which are the subject of the extant approval for residential conversion would be provided with the application site.

Since the submission of the application and the Planning Statement, the application has been amended. Two dwellings have been removed from the application and the applicants now advise that they are seeking to allocate 1 parking space per dwelling and leave the rest unallocated. A total of 38 spaces are now proposed to serve the 23 dwellings, not including the 4 spaces proposed to serve the buildings with the extant consent for residential conversion.

KCC Highways have reviewed the application and supporting information and whilst they did not raise any objection about the detailed layout of the site or the likely highway movements in terms of capacity given the existing use of the site, they had concerns about the lack of connection from the site to the existing footpath to the east of the site. This would likely be the desire line for residents of the development seeking to use services and facilities in Minster and to access public transport with Highways concerned that future occupiers of the development would walk in the road until reaching the existing footway creating a hazard for drivers without the ability to step off the road to avoid vehicles. This point has been the subject of lengthy discussions between the applicants' agent and KCC Highways and the application has now been amended to incorporate the provision of footway from the site eastwards to join the existing footway. KCC Highways have now advised that they have no objection to the amended scheme subject to the imposition of a number of planning conditions. It is also considered appropriate to secure the provision of the footway link via a

Grampian condition, to ensure that the footpath can be delivered prior to the development commencing on site, as the ownership of the land for the footpath is not clear at this time.

It is not considered that the traffic generated from the proposed development would have a significant adverse impact on the wider highway network and it is considered that the proposed accesses would allow for appropriate visibility splays to be provided. The creation of an additional footway would benefit not only the future residents of the application site, but also existing residents of the village.

Given the above, subject to the imposition of safeguarding conditions, it is not considered that there would be an adverse effect from the proposed development on highway safety or parking in the surrounding area.

### **Archaeology**

Thanet is rich in archaeology and saved policies HE11 and HE12 relate to archaeological assessments and preservation.

The Archaeological Officer at KCC has been consulted on the application and states that the site lies on the south Thanet scarp slope which is rich in archaeology. He states that the Historic Environment Records for the area indicate a number of finds in the vicinity of the application site and, therefore, recommends that provision should be made via a condition for a programme of archaeological works. He also advises that building 2 dates back to the 19th century and is likely to be part of the historic farmstead and there should be provision made for recording the structure prior to its demolition.

It is considered appropriate to condition the programme of archaeological works to safeguard against any adverse impact on archaeology from the proposed development.

From reviewing the application, it is noted that the building referred to as "Building 2" by the Archaeology Officer does not in fact fall within the application site, but is one of the buildings adjoining the site which are subject to an extant prior approval for residential conversion. There are, therefore, no plans to demolish this building as part of this application.

### **Ecology and Biodiversity**

The NPPF states at paragraph 170 states that the "planning system should contribute to and enhance the natural and local environment by ... minimising impacts on biodiversity and providing net gains in biodiversity where possible ..." The NPPF continues at paragraph 175 that "if significant harm resulting from the development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.

A Preliminary Ecological Assessment was submitted with the planning application. It concluded that there were no rare or nationally scarce botanical species or habitats within the site, but did identify a stand of invasive Japanese Knotweed in the northern part of the site which will need to be treated and removed to prevent it spreading. It was also identified that there was some habitat suitable for reptiles within the site and recommended

that a detailed reptile survey be carried out. The Reptile Survey states that a presence/likely absence survey for reptiles were carried out at the application site on seven occasions in suitable weather conditions, with no reptiles recorded during the surveys and no further surveys or mitigation strategies are recommended.

Whilst the assessment concluded that the site is of low intrinsic ecological importance; however, it is located within close proximity to a number of statutory and non statutory designated sites. It is, therefore, considered appropriate that a contribution should be made towards the Special protection Area under The Strategic Access management and Monitoring Plan to mitigate against any impact of increased residential pressure on these areas. The assessment also suggests biodiversity enhancement measures for the site that could be incorporated into the design of the site.

KCC Biodiversity have reviewed the assessments and raise no objection subject to the imposition of conditions relating to external lighting, invasive non native species removal and ecological enhancements. The recommended conditions are considered reasonable and necessary to ensure that any ecological harm from the development is mitigated with enhancement measures included.

The impact upon ecology is, therefore, considered to be acceptable subject to the imposition of the recommended safeguarding conditions.

### **Habitat Regulations**

Thanet District Council has produced the 'The Strategic Access Management and Monitoring Plan (SAMM)' which focuses on the impacts of recreational activities on the Thanet section of the Thanet Coast and Sandwich Bay Special Protection Area (SPA). The studies indicate that recreational disturbance is a potential cause of the decline in bird numbers in the SPA. The proposed development is 1km from the Thanet Coast and Sandwich Bay SPA, Ramsar and SSSI. Therefore, to enable the Council to be satisfied that the proposed development will avoid a likely significant effect on the designated sites (due to an increase in recreation) a financial contribution is required to contribute to the district wide mitigation strategy. This has been accepted as an appropriate approach by Natural England.

It is considered that the SAMM request meets the test for inclusion within a Section 106 agreement. The contribution required in this instance would be £8,504 for the 23 units proposed (£320 per 2 bed dwelling and £424 per 3 bed dwelling).

The applicants have agreed to pay this contribution and this would be secured through the legal agreement. An appropriate assessment has been carried out for the development in accordance with the regulations.

### **Drainage and Flood Risk**

Paragraph 155 of the NPPF refers that inappropriate development in areas at risk of flooding should be avoided. Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). The

application site is not within an area prone to flooding and is designated as being of low risk; accordingly the development would not pose a flood risk issue to the wider environment.

A Flood Risk Assessment was submitted in support of the application. It concluded that the risk of flooding for the proposed development is low, the most appropriate manner to manage surface water runoff from the development would be via the use of permeable paving and that the proposals for surface water management would meet the requirements of the NPPF and local planning policy.

Southern Water, the Environment Agency and KCC (Flood and Water Management) were consulted on the application and confirm that they have no objection to the application subject to the imposition of safeguarding conditions including the submission and approval of details relating to foul and surface water disposal, including the use of SUDs and restricting surface water drainage into the ground. The requested conditions are considered to be both reasonable and necessary.

The impact upon flooding and drainage from the proposed development is, therefore, considered to be acceptable subject to the imposition of the recommended safeguarding conditions.

## **Contamination**

Paragraph 170 e) of the NPPF states planning decisions should contribute to and enhance the natural and local environment by preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality. Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.

The site is located in a Groundwater Source Protection Zone. Draft Local Plan Policy SE04 outlines that "Proposals for development within the Groundwater Source Protection Zones ... will only be permitted if there is no risk of contamination to groundwater sources." A Phase 1 Land Contamination has been submitted in support of this application. It concluded that the site is acceptable in principle for residential development but recommends an investigation of ground conditions to determine the nature/extent of any made ground, the extent of head deposits, deeper groundwater conditions and the gas generation potential of the site. It advises that it would expect any consent for the residential development of the site to be subject to contaminated land conditions that would be required to be discharged prior to the commencement of development works.

The Environment Agency raised no objection to the principle of residential development on the site subject to the imposition of conditions relating to remediation of controlled waters, unexpected contamination, foundation design, infiltration of surface water drainage into the ground and foul drainage on any grant of planning permission.

TDC's Contamination Officer has reviewed the submitted information and raises no objection to the works subject to a condition requiring the submission and approval of a risk assessment being attached to any grant of planning permission.

With the imposition of the requested safeguarding conditions, it is considered that there would be no adverse effect from contamination on the surrounding area/existing residents nor for future occupants of the proposed development.

### **Crime and Disorder**

The NPPF requires that decisions should aim to achieve places which promote safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion.

Kent Police were consulted on the application and advised that neither the applicants or their agents have discussed the application with them. They advise that there are some areas of the development which are of concern including the need for nature surveillance, the requirement for boundary treatments to be at least 1.8m in height as well as the requirement for doors and windows within the proposed development to meet certain Secure By Design standards.

When considering planning applications such as these, there is a requirement to balance design issues, including mitigating/managing the impact of a development on the surrounding area, with minimising the risk of crime and disorder. With this in mind it is considered that the approach taken by the applicants is acceptable given that it seeks to provide natural surveillance of communal/shared areas, but has for example respected its rural location by marking the boundaries of the site by landscaping/trees instead of hard 1.8m high boundary treatments. It is also noted that there will be opportunities for additional security features to be introduced as the development is built out. It is considered appropriate, however, to add an informative to the application inviting the applicants to contact Kent Police for additional Secure by Design advice.

### **Planning Obligations**

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 (including transport infrastructure educational, recreational facilities or affordable housing) the Local Planning Authority will negotiate with the applicant for a contribution towards the cost of such provision, which is fairly related in scale and kind to the proposed development.

Such financial contributions would need to be secured via a Section 106 agreement or unilateral undertaking. The test for such contributions is that they must be fairly and reasonably related in scale and kind to the development proposed.

KCC have been consulted and have advised that there is a need for financial contributions towards primary, secondary schools, secondary land acquisition community learning, youth service, libraries, social care and waste.

The primary education contribution would be £104,305 towards Manston Green Primary School, the secondary education contribution £107,801 towards the new Thanet Secondary School and the secondary land contribution £34,755.55 towards the new Thanet Secondary

School Land Acquisition cost. The community learning, youth service, libraries and social care contributions would be £377.66 towards additional equipment and resources at the Broadstairs Adult Education Centre, £1506.50 towards additional equipment and resources for the youth service in Thanet, £1,275.35 towards additional stock and resources at Minster Library and £3,378.24 towards specialist accommodation in Thanet respectively. A contribution of £2,132.56 is also requested towards improvements at Margate House Waste Recycling Centre. It is considered by officers that the requests for contributions towards primary, secondary schools, community learning, youth service, libraries and social care meet the tests for inclusion in a Section 106 agreement/undertaking. Following the receipt of additional information from KCC about the proposed project to increase the capacity of Margate Household Waste Recycling Centre and recycling facilities as a result of increased housing numbers in the district, including how the figure of £92.72 per dwelling is calculated in relation to the cost of the project, it is considered that this contribution would meet the test of Regulation 122 of the Community Infrastructure Levy Regulations as an appropriate planning obligation reasonably related to the proposed development.

Contributions of £13,500 have been requested for the internal reconfiguration of the Minster Practice to provide additional clinical space and £24,500 for the maintenance and upgrade of play facilities within 0.87km of the site. It is considered that these requests meet the tests for inclusion in a Section 106 agreement/undertaking.

## **Heads of Terms**

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

- \* 30% affordable housing (including 1 unit to meet building regs M4(3));
- \* £104,305 towards Phase 1 of Manston Green Primary school
- \* £107,801 towards the new Thanet secondary school;
- \* £34,755.55 towards land acquisition costs of the new Thanet Secondary Free School;
- \* £1,275.35 towards additional resources and stock at Minster Library;
- \* £377.66 towards additional equipment and resources at Broadstairs Adult Education Centre;
- \* £1,506.50 towards additional resources for youth services in Thanet;
- \* £3,378.24 towards specialist care accommodation within Thanet;
- \* £2,132.56 towards improvements at Margate House Waste Recycling Centre.
- \* £13,500 towards the refurbishment, reconfiguration and/or extension of Minster Surgery;
- \* £17,150 towards the Special Protection Area;
- \* £24,500 towards an upgrade/additional equipment for Minster Park;
- \* Off site highway works to be completed prior to occupation of any dwelling on site in agreement with KCC Highways and Transportation;
- \* Landscape management Plan.

## **Conclusion**

Whilst the site lies within the countryside as identified by the Local Plan, the application site is considered to be previously developed with existing buildings and hard surfacing.

The provision of 23 dwellings would make efficient use of the site and make a contribution to the District's housing supply, supporting economic and social dimensions of sustainable development, with employment provided through construction. All requests for contributions towards education, social, leisure and health care, have been agreed by the applicant, and 30% on-site affordable housing is provided, a new footpath connection along the north of Monkton Road connecting the site with the existing footway network to the east would be provided via this development. Significant weight can, therefore, be attached to this application due to these social and economic benefits.

In terms of the environmental dimension, the proposal would result in the loss of countryside, but it is noted that this land is not read as countryside in its current form and would be seen as replacement for the built form already on the site with limited impact upon the wider landscape character area. The density of the proposed development would be 29 dwellings per hectare, thus in keeping with the rural character of the area, and landscape enhancements are proposed including hedgerows and trees along the boundaries of the site. Kent Highways raise no objection in principle to the proposal, and the proposed access is considered to be both safe and suitable. Therefore overall limited environmental harm would result from the proposal.

It is considered that, with safeguarding conditions and appropriate contributions and items secured via a Section 106 legal agreement, that there would be no adverse impact of the development on ecology, archaeology, flooding, drainage or contamination. There would be no significant adverse impact on heritage assets (adjacent listed buildings/structures) or the residential amenities of adjoining occupiers and a good standard of accommodation would be provided for future residents.

Therefore when considering the framework as a whole, the proposal constitutes sustainable development, as any harm is outweighed by the significant economic and social benefits from the proposal, and the development supports the direction of the draft Thanet Local Plan in relation to Policy SP24. Therefore it is recommended that Members defer and delegate the application to officers for approval subject to the receipt of a satisfactory legal agreement to secure financial contributions, affordable housing and the highway works.

**Case Officer**

Annabel Hemmings

TITLE:

F/TH/19/0173

Project

Hoo Farm 147 Monkton Road Minster RAMSGATE Kent

