

**D06**

**OL/TH/18/1488**

PROPOSAL: Outline application for the erection of up to 214no. dwellings, cemetery expansion, and associated access, with all other

LOCATION: matters reserved

Land On The West Side Of Tothill Street Minster RAMSGATE  
Kent

WARD: Thanet Villages

AGENT: Mrs Claire Mills

APPLICANT: The College Of St John The Evangelist And Mr Spanton

RECOMMENDATION: Defer & Delegate

Subject to the following conditions:

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

**GROUND:**

As no such details have been submitted.

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

**GROUND:**

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

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

**GROUND:**

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

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

**GROUND:**

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

5 The proposed development shall be carried out in accordance with the submitted application as amended by the revised site access plan numbered 8949-GA-001 Rev P5, and the revised highway mitigation works plan numbered 8949-GA-002 Rev B, received 13 March 2019; the revised parameter plan numbered 365\_198\_002 Rev B, received 1st February 2019; and the emergency access plan numbered 8949-SK-002 Rev B, received 31 October 2018.

**GROUND:**

To secure the proper development of the area.

6 No development shall take place (including any ground works, site or vegetation clearance) until a method statement for has been submitted to and approved in writing by the local planning authority. The content of the method statement shall include the:

- a) Purpose and objectives for the proposed works;
- b) Detailed design(s) and/or working method(s) necessary to achieve stated objectives;
- c) Extent and location of proposed works, including the identification of a suitable receptor site, shown on appropriate scale maps and plans;
- d) Timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction;
- e) Persons responsible for implementing the works, including times during construction when specialist ecologists need to be present on site to undertake / oversee works;
- f) Use of protective fences, exclusion barriers and warning signs;
- g) Initial aftercare and long-term maintenance (where relevant);
- h) Disposal of any wastes for implementing work.

The works shall be carried out in accordance with the approved details and shall be retained in that manner thereafter.

**GROUND:**

In order to safeguard protected species that may be present, in accordance with Policy SP30 of the Thanet Local Plan and advice as contained within the NPPF.

7 As part of the first submission of the reserved matters application for the development hereby permitted, an air quality emissions statement that provides details of how the air quality damage costs, as calculated within the emission mitigation assessment reference PBA 37720/3007, dated July 2018, are to be used to achieve air quality improvements through the development, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

**GROUND:**

To protect air quality, in accordance with Policy SE05 of the Thanet Local Plan and advice contained within the National Planning Policy Framework

8 Prior to the commencement of the development hereby permitted, details of the electric vehicle charging points to be provided within the development, including their location and design, shall be submitted to and approved in writing by the Local Planning Authority. The electric vehicle charging points shall be in the form of one active charging point per allocated parking space, and one active charging point per ten unallocated parking spaces. The electric vehicle charging points shall be provided prior to the first occupation of the development and thereafter maintained.

**GROUND:**

To protect air quality, in accordance with Policy SE05 of the Thanet Local Plan and the advice as contained within the NPPF

9 A Landscape and Ecological Management Plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior to the first occupation of the development. The content of the LEMP shall include the following:

- a) Description and evaluation of features to be managed;
- b) Ecological trends and constraints on site that might influence management;
- c) Aims and objectives of management;
- d) Appropriate management options for achieving aims and objectives;
- e) Prescriptions for management actions, together with a plan of management compartments;
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period);
- g) Details of the body or organisation responsible for implementation of the plan;
- h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

**GROUND:**

To ensure the long term management of habitats, species and other biodiversity features, in accordance with Policy SP30 of the Thanet Local Plan and advice as contained within the NPPF.

10 Details to be submitted in pursuant of condition 1 above for landscaping shall include an ecological enhancement plan demonstrating what ecological enhancements will be incorporated into the site. The enhancements must be incorporated into the site as approved prior to the first occupation of the development hereby permitted.

**GROUND:**

To enhance biodiversity, in accordance with Policy SP30 of the Thanet Local Plan and advice as contained within the NPPF.

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

**GROUND:**

To ensure that the proposed development will not cause harm to human health or pollution of the environment, in accordance with Policy SE03 of the Thanet Local Plan and the advice contained within the National Planning Policy Framework.

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

**GROUND:**

To ensure that the proposed development will not cause harm to human health or pollution of the environment, in accordance with Policy SE03 of the Thanet Local Plan and the advice contained within the National Planning Policy Framework.

13 Any facilities for the storage of oils, fuels or chemicals shall be provided with secondary containment that is impermeable to both the oil, fuel or chemical and water, for example a bund, details of which shall be submitted to the local planning authority for approval. The minimum volume of the secondary containment should be at least equivalent to the capacity of the tank plus 10%. If there is more than one tank in the secondary containment the capacity of the containment should be at least the capacity of the largest tank plus 10% or 25% of the total tank capacity, whichever is greatest. All fill points, vents, gauges and sight gauge must be located within the secondary containment.

The secondary containment shall have no opening used to drain the system. Associated above ground pipework should be protected from accidental damage. Below ground pipework should have no mechanical joints, except at inspection hatches and either leak detection equipment installed or regular leak checks. All fill points and tank vent pipe outlets should be detailed to discharge downwards into the bund.

**GROUND:**

To ensure that the proposed development will not cause harm to human health or pollution of the environment, in accordance with Policy SE03 of the Thanet Local Plan and the advice contained within the National Planning Policy Framework.

14 The details to be submitted in pursuant of condition 1 above shall show no development (other than the vehicular access road) within the area identified on the parameter plan reference 365\_198\_002 Rev B as the archaeological exclusion zone, or the area north of this zone. Full details of any landscaping/planting proposed within this area shall be provided as part of the landscaping reserved matters application.

**GROUND:**

To ensure that due regard is had to the preservation in situ of important archaeological remains. in accordance with Policy HE01 of the Thanet Local Plan and the advice contained within the National Planning Policy Framework.

15 No development shall take place until protective fencing has been erected around the archaeological exclusion zone (excluding the access point), in accordance with details to be submitted to, and approved in writing by, the Local Planning Authority. The protective fencing shall be installed prior to the commencement of works on site, including site clearance, and shall remain in situ throughout the construction period.

**GROUND:**

To ensure that due regard is had to the preservation in situ of important archaeological remains. in accordance with Policy HE01 of the Thanet Local Plan and the advice contained within the National Planning Policy Framework.

16 No development shall take place until a scheme detailing the arrangements for the interpretation of the archaeology within the development site have been submitted to, and approved in writing by, the Local Planning Authority. Examples of how to relay and interpret the archaeology and history of the site can include, but are not limited to, the use of materials, landscaping, public art and the provision of historical interpretation boards. The details submitted pursuant to this condition shall include location, design, dimensions and materials of any fixed interpretation and a timetable for their implementation. The interpretation scheme shall be carried out in full accordance with the approved details and timetable and maintained in accordance with the approved details.

**GROUND:**

To ensure the development makes a positive contribution to local character and distinctiveness, through historical interpretation, in accordance with Policy HE01 of the Thanet Local Plan and the advice contained within the National Planning Policy Framework.

17 No development 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 Policy HE01 of the Thanet Local Plan and the advice contained within the National Planning Policy Framework.

18 Within 9 months of the completion of the on-site archaeological mitigation works referred to in condition 17 above, a Post Excavation Assessment Report shall be submitted to and approved in writing by the local planning authority. The Post-Excavation Assessment Report shall include an Updated Project Design and accompanying timetable for further analysis, publication and archive deposition of the findings of the archaeological investigations. The archaeological publication shall be produced in accordance with the programme and timetable set out in the report.

**GROUND:**

To ensure that features of archaeological interest are properly examined and recorded in accordance with Policy HE01 of the Thanet Local Plan and the advice contained within the National Planning Policy Framework.

19 Prior to the commencement of the development hereby approved, a scheme to demonstrate that the internal noise levels within the residential units and the external noise levels in back gardens and other relevant amenity areas will conform to the standard identified by BS 8233 2014, Sound Insulation and Noise Reduction for Buildings - Code of Practice, shall be submitted to and approved in writing by the Local Planning Authority. The work specified in the approved scheme shall then be carried out in accordance with the approved details prior to occupation of the premises and be retained thereafter.

**GROUND:**

In the interests of amenity for future occupiers in accordance with Policy QD03 of the Thanet Local Plan and the advice contained within the NPPF

20 No development 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 protect the district's groundwater, in accordance with Policy SE04 of the Thanet Local Plan, and the advice contained within the National Planning Policy Framework.

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

**GROUND:**

To ensure the development is served by satisfactory arrangements for the disposal of surface water and to ensure that the development does not exacerbate the risk of on/off site flooding, in accordance with Policy CC02 of the Thanet Local Plan and advice contained within the NPPF

22 Development shall not begin in any phase until a detailed sustainable surface water drainage scheme for the site has been submitted to (and approved in writing by) the local planning authority. The detailed drainage scheme shall demonstrate that the surface water

generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100 year storm) can be accommodated and disposed of without increase to flood risk on or off-site. The design shall promote the use of infiltration SuDS and shall only dispose of surface water off-site for those parts of the site where infiltration presents an unacceptable risk to controlled waters.

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

- . that silt and pollutants resulting from the site use can be adequately managed to ensure there is no pollution risk to receiving waters.
- . appropriate operational, maintenance and access requirements for each drainage feature or SuDS component are adequately considered, including any proposed arrangements for future adoption by any public body or statutory undertaker.

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

**GROUND:**

To ensure the development is served by satisfactory arrangements for the disposal of surface water and to ensure that the development does not exacerbate the risk of on/off site flooding, in accordance with Policy CC02 of the Thanet Local Plan and advice contained within the NPPF

23 No building on any phase (or within an agreed implementation schedule) of the development hereby permitted shall be occupied until a Verification Report, pertaining to the surface water drainage system and prepared by a suitably competent person, has been submitted to and approved by the Local Planning Authority. The Report shall demonstrate the suitable modelled operation of the drainage system where the system constructed is different to that approved. The Report shall contain information and evidence (including photographs) of details and locations of inlets, outlets and control structures; landscape plans; full as built drawings; information pertinent to the installation of those items identified on the critical drainage assets drawing; and, the submission of an operation and maintenance manual for the sustainable drainage scheme as constructed.

**GROUND:**

To ensure the development is served by satisfactory arrangements for the disposal of surface water and to ensure that the development does not exacerbate the risk of on/off site flooding, in accordance with Policy CC02 of the Thanet Local Plan and advice contained within the NPPF

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

**GROUND:**

To ensure that the proposed development will not cause harm to human health or pollution of the environment, in accordance with Policy SE03 of the Thanet Local Plan and the advice contained within the National Planning Policy Framework.

25 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 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 proposed development will not cause harm to human health or pollution of the environment, in accordance with Policy SE03 of the Thanet Local Plan and the advice contained within the National Planning Policy Framework.

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

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

**GROUND:**

In the interests of highway safety and neighbouring amenity, in accordance with Policy QD03 of the Thanet Local Plan and the advice contained within the NPPF.

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

**GROUND:**

In the interests of highway safety, in accordance with the advice contained within the NPPF.

28 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, in accordance with the advice contained within the NPPF.

29 Prior to the first use of the cemetery hereby permitted, a monitoring and maintenance plan in respect of the cemetery, including a timetable for monitoring and the submission of reports to the Local Planning Authority, shall be submitted to, and approved in writing by, the

Local Planning Authority. The reports as specified in the approved plan, including details of any necessary contingency action arising from the monitoring, shall be submitted to, and approved in writing by, the Local Planning Authority.

**GROUND:**

To ensure that the site does not pose any further risk to the water environment by managing anyon-going pollution issues, in line with paragraph 170 of the National Planning Policy Framework.

30 Prior to the first occupation of the development hereby permitted, the site access onto Tothill Street and associated improvements, along with the pedestrian uncontrolled crossing point, as shown on drawing numbered 8949-GA-001 Rev. P5, and the emergency access onto Greenhill Gardens, as shown on drawing numbered 8949-SK-002 Rev B (or amended as agreed in writing by the Local Planning Authority), shall be completed and made operational.

**GROUND:**

In the interests of highway safety.

31 Prior to the first occupation of the development here permitted, the improvements to the Tothill Street approach to the Minster Roundabout, as shown on drawing numbered 8949-GA-002 Rev. B (or amended as agreed in writing by the Local Planning Authority), shall be completed and made operational.

**GROUND:**

In the interests of highway safety.

32 Prior to the first occupation of the dwelling the following works between the dwelling and the adopted highway shall be complete

- (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 the living conditions of future occupants, in accordance with Policy QD03 of the Thanet Local Plan, and advice as contained within the NPPF.

33 Prior to the first occupation of the development hereby granted a Travel Plan and a programme for implementation shall be submitted to and approved in writing by the Local Planning Authority. The agreed programme shall thereafter be implemented in full.

**GROUND:**

To facilitate the use of alternative means of transport in accordance with Policy TP01, SP43 and the advice contained within the NPPF.

34 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 and to adequately integrate the development into the environment in accordance with Policies QD02 and GI04 of the Thanet Local Plan

35 A landscape management plan (including long term design objectives), management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned, domestic gardens, shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development or any phase of the development, whichever is the sooner, for its approved use. The amenity areas shall be managed in accordance with the approved landscape management plan in perpetuity.

**GROUND:**

In the interests of the visual amenities of the area and to adequately integrate the development into the environment in accordance with Policies QD02 and GI04 of the Thanet Local Plan

36 The development hereby permitted shall be constructed to a high standard of energy efficiency to the equivalent of Level 4 of the Code for Sustainable Homes, unless otherwise agreed in writing by the Local Planning Authority.

**GROUND:**

All new buildings and conversions of existing buildings must be designed to reduce emissions of greenhouse gases and have resilience to function in a changing climate, in accordance with Policy QD01 of the Thanet Local Plan.

37 The development hereby permitted shall be constructed in order to meet the required technical standard for water efficiency of 110litres/person/day, thereby Part G2 Part 36 (2b) of Schedule 1 Regulation 36 to the Building Regulations 2010, as amended, applies.

**GROUND:**

Thanet is within a water stress area as identified by the Environment Agency, and therefore new developments will be expected to meet the water efficiency optional requirement of 110litre /person/day, in accordance with Policy QD04 of the Thanet Local Plan.

38 Details to be submitted in pursuant of condition 1 above shall include an Open Space Specification, which shall accord with the principles as shown within the submitted Landscape Strategy Plan no. 37720-3003-04. The Open Space Specification shall:

- Identify the location and extent of the main areas of formal and informal open space to be provided, which shall accord with the minimum requirements as set out within Policy GI04 of the Thanet Local Plan;

- Outline any local play space to be provided, providing also a detailed specification of any equipped play areas. Such play space shall be provided at a rate of at least 0.85 hectares per 1000 population (following criteria as stated in Thanet Local Plan 2020 Policy GI04) of which at least 0.25 hectares shall be equipped play area in accordance with the Local Planning Authority's Supplementary Planning Document "Planning Obligations and Developer Contributions - April 2010

- Identify how the relevant areas of public open space and play areas are to be laid out, paved, planted or equipped; and

The landscaped areas, open space and play space shall be laid out and implemented in accordance with approved plans and shall be permanently retained thereafter and used for and made available for public amenity and play space purposes only.

**GROUND:**

In the interests of the visual amenities of the area and to adequately integrate the development into the environment, and provide local play space, in accordance with Policies QD02, GI04 and GI06 of the Thanet Local Plan and guidance within the National Planning Policy Framework.

39 All dwellings hereby permitted shall be provided with the ability for connection to Superfast Fibre Optic Broadband 'fibre to the premises', where there is adequate capacity.

**GROUND:**

To serve the future occupants of the development in accordance with Thanet Local Plan Policy SP14 and the guidance within the National Planning Policy Framework.

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

a) Identify those areas/features on site that are particularly sensitive for badgers and bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory;

b) Show how and where external lighting will be installed so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory.

c) Details of the types of lighting to be used including their fittings, illumination levels and spread of light

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

**GROUND:**

In order to limit the impact upon protected species that may be present, in accordance with Policy SP30 of the Thanet Local Plan and the advice as contained within the NPPF.

41 Prior 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 unless otherwise agreed in writing by the Local Planning Authority.

**GROUND:**

In the interests of visual amenity in accordance with Policy QD02 of the Thanet Local Plan

42 The details to be submitted in pursuant of condition 1 above for scale shall show no development exceeding 1.5 storeys in height in the area as annotated on the approved parameters plan; and all other development not exceeding 2-storeys in height to eaves level.

**GROUND:**

To limit the impact upon the character and appearance of the area and neighbouring amenity, in accordance with Policies QD02 and QD03 of the Thanet Local Plan.

43 The details to be submitted in pursuant of condition 1 above shall show all units in compliance with the Nationally Described Space Standards as set out within Policy QD04 of the Thanet Local Plan; and accessible and adaptable accommodation provided in accordance with Policy QD05 of the Thanet Local Plan.

**GROUND:**

To achieve high standards of living accommodation in accordance with Policies QD03, QD04 and QD05 of the Thanet Local Plan.

44 The details to be submitted in pursuant of condition 1 above for landscaping shall include details of all existing boundary treatments where the site adjoins neighbouring residential properties, and details of new boundary treatment required in order to achieve secure and private boundary treatment for both existing and future occupiers.

**GROUND:**

To achieve secure and private amenity space for existing and future occupiers, in accordance with Policy QD03 of the Thanet Local Plan.

**INFORMATIVES**

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

It is the responsibility of the applicant to ensure, prior to the commencement of the development hereby approved, that all necessary highway approvals and consents where required are obtained and that the limits of highway boundary are clearly established in order to avoid any enforcement action being by the Highway Authority. The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under such legislation and common law. It is therefore important for the applicant to contact KCC Highway and Transportation to progress this aspect of the works prior to commencement on site

It is the responsibility of developers to have the appropriate waste storage facilities and containers in place prior to the property being occupied. For more information, please contact Waste and Recycling on 01843 577115, or visit our website <http://thanet.gov.uk/your-services/recycling/waste-and-recycling-storage-at-new-developments/new-developments/>

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

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

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 SO21 2SW (Tel: 0330 303 0119) or [www.southernwater.co.uk](http://www.southernwater.co.uk).

#### SITE, LOCATION AND DESCRIPTION

The site is located to the north of Minster, and is currently in agricultural use. Through the adoption of the Thanet Local Plan 2020, the rural confines boundary of the village has been amended to enclose all of the application site other than the area proposed for the cemetery expansion, which remains outside of the village confines.

The application site lies adjacent to Tothill Street, and adjoins properties in Fairfield Road, Greenhill Gardens, and Prospect Road/Gardens. These residential areas lie adjacent to the southern and eastern boundaries of the site. To the west of the site is agricultural land. The north of the site borders Minster Cemetery, beyond which is the Holiday Inn; and agricultural land, beyond which is the A299.

The site consists of open countryside, with hedge planting along a number of the boundaries. Adjoining the western boundary of the site is Bridleway TE29, which connects the A299 to the north with Prospect Road to the south, and provides an off-road link to an existing cycle route adjacent to Canterbury Road West.

### RELEVANT PLANNING HISTORY

No relevant planning history

### PROPOSED DEVELOPMENT

The application is in outline form, for the erection of up to 214no. dwellings. All matters are reserved other than access. The access into the site is served from Tothill Street, with an emergency access onto Greenhill Gardens. The application also proposes a change of use of land for the extension of Minster Cemetery.

A parameter plan has been submitted with the application, which identifies the location of the cemetery extension site, the area of land forming an archaeological exclusion zone safeguarded from development, and the area of land where the development of housing would be restricted to one and a half storeys in height, adjoining the rear boundaries of properties within Greenhill Gardens. An illustrative masterplan has also been submitted, which indicates the potential location of the proposed dwellings.

Highway mitigation works associated with the development include improvements to Tothill Street roundabout, in the form of widening works to create an additional lane leading onto the roundabout.

### DEVELOPMENT PLAN POLICIES

#### **Thanet Local Plan 2020**

HO1 - Housing Development  
HO10 - Land at Tothill Street Minster  
CC02 - Surface Water Management  
GI04 - Amenity Space/Equipped Play  
HE01 - Archaeology  
QD01 - Sustainable Design  
QD02 - Design  
QD03 - Living Conditions  
QD04 - Technical Standards  
QD05 - Accessible Accommodation  
SE05 - Air Quality  
SP01 - Spatial Strategy Housing  
SP14 - General Housing Provision  
SP22 - Housing Types  
SP23 - Affordable Housing  
SP29 - SAMM Plan  
SP30 - Biodiversity

SP43 - Safe and Sustainable Travel

TP01 - Transport Assessment

TP02 - Walking

TP03 - Cycling

TP06 - Car Parking

## NOTIFICATIONS

Neighbouring occupiers have been notified and a site notice posted. 42 letters of objection have been received. The concerns raised include the following:

- Loss of Grade 1 agricultural land,
- Impact upon properties in Greenhill Gardens,
- Impact upon breeding birds,
- Impact to aquifer,
- Loss of habitat,
- Bats will be affected by building works,
- Brownfield sites should be developed before greenfield sites,
- Highway safety due to increased traffic, and more people crossing the road,
- Direct access onto Thanet Way should be provided,
- An independent traffic flow assessment should be carried out,
- Strain on facilities in the village. Lack of space in the school and surgery
- Overlooking from the properties adjacent to the boundary of the site,
- Loss of security. Currently some properties have gates from their properties in their rear boundary onto the field,
- Noise impact from the new residential properties,
- Loss of light to existing properties,
- Increased pollution,
- Limited public bus service within the village,
- Traffic mitigation measures will result in the loss of a grass verge that adds to the character and sense of community in the village,
- Traffic mitigation measures have failed to take into account the volume of traffic turning into and out of Minster Services,
- Emergency access is impracticable,
- Problems with utilities due to the extent of development within Minster. Current sewerage system is overloaded,
- Risk of flooding,
- Road mitigation works will give the feeling of an industrial estate,
- Lack of parking availability,
- Loss of views across the Wantsum if 3-storey buildings go ahead,
- Would result in an overdevelopment and destroy the nature of the village,
- Proposed development should include energy conservation measures,
- Contribution to school for expansion works should be made,
- No secondary school nearby,
- Contribution to doctors surgery for expansion works should be made,
- Impact upon future occupiers if airport comes back into use,
- Path to rear of existing properties not wanted as this could lead to anti-social behaviour,

- Only single storey buildings should be allowed to retain neighbouring privacy and views,
- 3-storey terraced buildings would appear out of character,
- Site is part of the Northern Slopes of the Wantsum Channel and should not be built upon,
- Cemetery will lose its rural setting,
- Village hall is overflowing when there are meetings,
- Minster is a village not a town,
- Trees should not unnecessarily be lost,
- Dust during construction works,
- Minster Parish Council does not support it,
- Affected properties should be provided with secure fencing and landscaping to reduce noise and disturbance, and preserve security and privacy.

**Minster Parish Council** - The parish council objects to the application on the following grounds (as summarised):

- Application site is in the countryside. Proposal will therefore conflict with the countryside policy CC1, along with the landscape protection policy CC2, and the village gap policy R2,
- Draft Local Plan is at an early stage, and therefore carries little weight, with a large number of unresolved objections,
- Question the scale of housing provision proposed in the draft local plan, which we think is excessive in view of the relatively weak local economy,
- Scale of housing provision proposed on the site, which can only be accommodated by increasing the harm to the character of the countryside, and/or at the expense of the amenity of existing properties adjacent to the site,
- The proposed development would not affect views south-westwards in the direction of Preston and Stourmouth. However, it would significantly and adversely affect views south-eastwards towards the village, the "landmark" spire of St Mary's Church, and beyond to Pegwell Bay and the sea,
- the Parish Council remains concerned about the impact of development adjacent to the existing bungalows in Greenhill Gardens, and property in Tothill Street, in terms of outlook and overlooking,
- We note the location of a secondary emergency access point in Greenhill Gardens. Although only used in emergency situations, we wonder whether this location is a safe one, given that it is close to two sharp bends with limited visibility

If, on the basis of other material planning considerations (such as the current local housing land supply position), Thanet District Council decides that outline planning permission should be granted in this case, then the Parish Council wishes the following comments to be considered in order to manage and mitigate the impact of the application proposals:

- would like planning conditions to be attached by the District Council in any outline permission to give guidance on housing types at the reserved matters stage, in order to ensure that as far as possible, the development delivers affordable housing and housing specifically tailored to local needs, (Minster Housing Needs Survey carried

- out in 2013 found a need for up to 29 homes for local people who are in need of affordable housing, comprising 6 single people, 13 couples and 10 families),
- wishes to see robust planning conditions to ensure that green spaces within the development are well planned with provision of generous landscaping using native species, which are locally sourced and appropriate to the thin chalk soils; arrangements for replacement of any failed planting; and ongoing management and maintenance of green spaces,
  - urge TDC to impose planning conditions requiring details of fencing and enclosure, and landscaping, in the vicinity of these properties, at an appropriate scale, at the reserved matters stage,
  - The Parish Council welcomes the proposals for the upgrading of off-site highways in connection with the proposed development at the A299/Tothill Street junction, particularly measures to reduce queuing at the southern arm of the junction leading into the village; however, we are concerned about the timing of this upgrade and request that any section 106 agreement requires this to be implemented at the commencement of site development, so it is available for construction traffic,
  - The proposed development will add to pressure on local schools. We strongly urge the council to ensure that any financial contributions from the developers for the upgrading of local schools, secured by section 106 agreement, are directed in the first instance to Minster C of E Primary School and not to schools in other parts of Thanet distant from Minster.
  - The District Council (in liaison with KCC as lead local flood authority and Southern Water as foul drainage utility) should ensure that adequate arrangements are made for the provision and ongoing management and maintenance of surface water drainage and foul drainage from the site. We would like to see a comprehensive surface water drainage scheme- to intercept, store or slow down flows- secured by planning condition,
  - We support the cemetery extension proposals included in the application and, if permission is granted, wish to be party to discussions with the District Council and the applicants on any section 106 agreement provisions to effect the transfer to, and laying out and ongoing management and maintenance of the cemetery, by the Parish Council.
  - We are pleased to note that a preliminary ecological appraisal has been undertaken and that potential ecological enhancements could be secured through planning conditions and/or a section 106 agreement attached to any future planning permission, and the opportunity may be taken to mitigate any recreational impacts arising from residential development on the Thanet Coast and Sandwich Bay SPA,
  - We welcome the archaeological assessment work done so far and the additional information this has yielded about Minster's long history. We note that the illustrative masterplan layout takes into account the areas of greatest archaeological interest and that exclusion zones are proposed to safeguard them.

**TDC Bereavement Services Manager and Registrar** - I've had a look at the Planning Statement and the land allotted looks fine, however, it would be interesting to see any plans of the layout of the cemetery extension. The calculations for the number of burials to accommodate the new housing development has been included, but the calculations don't take into account the rise in the predicted annual death rate in Thanet. It's not a great number (1600 to 1700) but could have an impact on the 15 years of burial land available.

It's also worth considering at this point, that burial space at Margate is in short supply and whilst we are carrying out extensive clearing works at Ramsgate Cemetery to create additional burial space to ensure burials are available to Thanet Residence for the future, the choice could be limited.

With regard to the groundwater surveys, there are changes being made to current legislation and groundwater risk assessments are now being suggested for both existing and new cemeteries. When I made enquiries for these risk assessments for Margate and Ramsgate Cemeteries, it was also suggested that an Unexploded Ordnance should be carried out, due to our location. I'm guessing Minster would also be considered a high risk area, and couldn't find any mention of this type of survey.

## CONSULTATIONS

### **KCC Highways and Transportation -**

*(final comment)*

I refer to the above planning application and note the site is allocated in the adopted Thanet Local Plan 2020 under policy HO10, for up to 250 dwellings. The application is for 214 dwellings and in highway terms addresses the requirements of the policy through the following:

#### Provision of vehicular access to Tothill Street

Suitable access is provided in Tothill Street and includes a new uncontrolled pedestrian crossing point to the south, allowing access to the bus stop on the east side of Tothill Street.

#### Links to existing development to the south restricted to pedestrian, cycle and secondary emergency access

A connection is shown to Greenhill Gardens to the south of the site and this will be protected with bollards or similar to ensure no vehicular access apart from emergency vehicles.

#### Provision of improvements to the Tothill Street/A299 roundabout.

The Tothill Street approach to the roundabout will be widened to provide additional queuing capacity.

#### A proportionate contribution to off-site improvements at the Spitfire junction.

A contribution of £166,000 has been agreed towards improvements at the Spitfire Junction and associated approach roads.

The impact of the proposals on the capacity of the highway network has been assessed and is not considered to be severe with the mitigation measures identified above taken into account.

The access proposals and roundabout improvements have been subject to an independent safety audit, and will be carried out by the developer through a s.278 agreement with the highway authority.

The internal layout and parking provision are not for consideration at this time and will form part of any reserved matters application should outline consent be granted.

The routing and timing of HGV movements related to construction can be resolved through a Construction Management Plan.

I would therefore not recommend refusal in respect of highway matters subject to safeguarding conditions.

*(Interim comment)*

I refer to the additional information submitted for the above on 24th January and confirm that the distribution of vehicle trips is now acceptable. The vehicle tracking at both the site access junction and the proposed Tothill Street roundabout approach improvements is also acceptable.

I note the capacity assessment for the site access junction in Tothill Street and confirm it is acceptable.

I also note the proposed uncontrolled crossing point in Tothill Street (as requested) and await the safety audits for both this and the roundabout approach improvements, which are due to be submitted in due course.

I note the comments regarding the B2050 Manston Road/Spitfire Way/Manston Road junction but would highlight the following:

1. The Manston Road North arm is pushed over capacity in the pm peak by the proposed development, with the RFC increasing from 0.81 to 0.90. The increase in delays to vehicles using this arm is also significant in both the am and pm peaks, as a result of the development.
2. The Spitfire Way arm is pushed over capacity in the am peak by the development, with the RFC increasing from 0.88 to 1.06. The increase in delays to vehicles using this arm is also significant in both peaks but particularly in the am, where the delay increases by nearly half as much again.

The above is clearly not insignificant and this impact needs to be mitigated. The applicant therefore needs to consider an improvement scheme to provide such mitigation. It is accepted that there is currently uncertainty over the ultimate final nature of this junction and timing of its alteration, in relation to other developments in the area and the emerging Thanet Transport Strategy. A contribution based on the cost of the above mitigation scheme for the Tothill Street site would therefore be more appropriate to avoid abortive work and provide flexibility.

With regard to the comments on pedestrian and cycle connections, it should be noted that cyclists are currently unable to use the existing public right of way to the west of the site. Further consideration may therefore need to be given to cycle access.

I shall therefore be pleased to receive additional information as highlighted above and I am happy to discuss further with the applicant's consultant.

*(Initial comment)*

I refer to the above planning application and note the site is allocated for residential development in the Draft Local Plan to 2031 dated July 2018. The following information/clarification/amendments are required in order to further assess the proposals:

1. The distribution and assignment of vehicular trips is noted, however a further breakdown is required on how this has been derived from the 'Travel to Work' Census data and/or existing turning counts. The Origin and Destination census data and subsequent calculations used to arrive at the proportions shown for each route should be provided.

2. The improvements to the Tothill Street arm of the Minster Roundabout are noted, however a safety audit of the proposed highway alterations is required together with a designer's response to any issues raised. Vehicle swept paths should also be provided to demonstrate that all vehicles likely to use the junction can do so in an acceptable manner. In particular it should be demonstrated that there is sufficient room for a car and bus/articulated vehicle to both manoeuvre through the Tothill Street arm at the same time, i.e. a larger vehicle should not have to use both approach lanes and therefore reduce queuing capacity. I am aware that articulated vehicles also exit from Laundry Road and the swept path of these therefore needs to be considered in relation to both the junction approach and the proposed 'keep clear' markings at the hotel access.

3. It is noted that the proposals add further queuing and delays at the B2050 Manston Road/Spitfire Way/Manston Road junction and the applicant should therefore consider measures to mitigate this impact. Bearing in mind the intended improvement of this junction as part of the emerging Thanet Transport Strategy, a contribution may be more appropriate than the applicant actually carrying out any works which may subsequently be abortive.

4. A capacity assessment should be carried out for the site access junction with Tothill Street.

5. The size of refuse vehicle shown using the site access point in Tothill Street is not comparable with that currently being used by the local authority. A vehicle approximately 12 metres in length needs to be considered and further details can be obtained from Thanet District Council.

6. Pedestrians from the development will need to access the existing bus stop on the east side of Tothill Street and an uncontrolled crossing point with dropped kerbs and tactile paving should therefore be provided. This should be in a location to provide adequate visibility for pedestrians crossing and will also require a safety audit and designer's response (and should encompass the proposed site access point).

7. The pedestrian crossing point at the proposed site access should be located on, or as close as possible to, the desire line on the existing footway in Tothill Street.

8. The existing footway fronting the site in Tothill Street is relatively narrow and should therefore be widened to 2 metres.

9. A connection should be made to the existing cycle route to the north of the site. There does not appear to be sufficient room to achieve this in Tothill Street and therefore the connection should be made through the land to the north of the application site, to provide direct access to/from the cycleway network.

I shall be pleased to comment further on the proposals once further information is submitted in relation to the above.

**KCC PROW** - (*final comment*) An update on TE29 at the above application site; we've worked out the meaning and therefore costings from Denise's original response.

The section north of the development red line to the A299 would come out at a cost of £29,000 approx. Our response is that either the developer improves the whole length of the route or makes improvements to width and surface within the site and then it would be a s106 contribution of £29,000 for us to complete. My ideal preference would be that it is all done as one by them during construction.

The workings are as follows :

TE29 N section of 206m x 3m width x £40per metre bound surface + 15% PROW = £29,000. This is using current prices.

(*Initial comment*) Thank you for your consultation letter regarding the above planning application. Public Bridleway TE29 would be directly affected by the proposed development. The location of this path is indicated on the attached extract of the Network Map. The Network Map is a working copy of the Definitive Map. The existence of the Public Right of Way (PROW) is a material consideration.

Bridleway TE29 provides important pedestrian, equestrian and cycle access to and from the development site and links to a wider walking, equestrian and cycling network, providing opportunities for sustainable travel in the area. The bridleway provides an important off-road link from the development site to an existing cycle route adjacent to Canterbury Road West, providing access to surrounding villages of Monkton and Sarre.

The proposed development will have a significant impact on bridleway TE29 through increased use and loss of amenity. Users of the route currently experience expansive views across the surrounding countryside which will be substantially and adversely affected by the development.

We support the proposed green open space, buffer adjacent to the PROW. This area will help mitigate the loss of open countryside views that users of the bridleway currently enjoy. The bridleway is currently a grass unmade track, increased use could potentially damage the surface causing it to become muddy and unusable during periods of wet weather.

The points raised above highlight the importance of bridleway TE29 in providing a link to sustainable travel choices and access to the wider countryside. Because of this we would expect that the surface of the bridleway is improved by the applicant and the route is surfaced to a minimum width of 3 metres.

We are pleased to see that informal provision for walkers and cyclists has been provided within traffic free, area of open space in line with Kent Design guidance. However, it is not clear from the application the orientation of the proposed housing. In line with Kent Design guidance new housing must front onto open green spaces containing pedestrian and cycle routes to maximise natural surveillance and help facilitate a safer environment for path users; we would also expect the same surveillance for the existing bridleway adjacent to the site.

Please make the applicant aware that any informal foot / cycle path within the development site, that is not a public right of way will not be maintained by KCC's PROW and Access Service. We welcome the applicant's consideration for future management, ownership and responsibility of these green spaces and foot/cycle recreational path surfaces. The applicant will need to clearly identify proposals to facilitate ease of future maintenance and management. We ask that this future management can be included as a planning condition if appropriate to do so.

Where the surfacing work on bridleway TE29 cannot be completed by the applicant as part of the development, we ask that additional Section 106 Agreement funding is allocated to enable surface work to be completed along the entire length of the route to help mitigate increased use as the area is developed. We ask for a Section 106 contribution for the sum of £80,730 to cover the cost of upgrading this bridleway.

Please make the applicant aware that the details of any PROW surfacing will need to be provided and approved by the PROW and Access Service prior to any work taking place. We would request early and direct engagement with the developer regarding any PROW issues.

Overall the site access has been well considered in the layout and design of the proposed development. Aforementioned improvements to the PROW network will further increase the opportunities available to residents for recreation, active travel and exercise. I therefore have no objection to the proposal subject to the applicant fully addressing the points raised above.

This response is made on behalf of Kent County Council Public Rights of Way and Access Service. The views expressed should be considered only as the response of the County Council in respect of public rights of way and countryside access matters relating to the application.

**Natural England** - Thank you for consulting Natural England on the above Appropriate Assessments (AAs).

Please be advised that on the basis of the appropriate financial contributions being secured to the relevant scheme, Natural England concurs with your authority's conclusion that this is suitable mitigation, as such the proposed developments will not have an adverse effect on

the integrity of Thanet Coast and Sandwich Bay SPA and Ramsar site. Should the proposal change, please consult us again.

## **TDC Environmental Health -**

### *Air Quality*

Air Quality impacts have been assessed against relevant standards and using appropriate methodology. The conclusions are sound. However, it is worth noting that there will inevitably be a small worsening of air quality but is correctly quantified as negligible and well below health objectives. It is also true that at Mount Pleasant residential park current levels (without development) are shown to exceed the nitrogen dioxide annual health objective; and with the development a 0.5ug/m<sup>3</sup> worsening. The assumption (para 4.4.6) that baseline conditions are predicted to decrease well below health objectives is in accordance with DEFRA guidance but is still an 'assumption'. Receptor 5 (114 Tothill Street) has the worst impacts at 1ug/m<sup>3</sup> but this is still in an area well below the health objective.

The Emission Mitigation Assessment has calculated damage costs at £266,749. Safeguarding conditions are recommended.

### *Noise*

Following on from my air quality comments below, I have had the opportunity to review the Noise Impact Assessment carried out by PBA (July 2018). The assessment has been carried out in accordance with appropriate guidance, using correct methodology and impacts assessed against relevant criteria. The Assessment of aircraft noise impact is also correct given the airport's current lawful use and planning status.

Calculated internal road traffic noise levels indicate that some observable adverse levels will require consideration and I recommend a condition requiring subsequent detailed assessment of the acoustic specification of the building fabric during the final design proposal to meet BS8233 is submitted for approval.

### *Contamination*

I am writing further to review of the application for 214 dwellings, cemetery expansion and associated works [...] at the above.

Further to review of the associated Phase 1 Report (Ref. 37722/3501/R1/Rev02, PBA, July 2016) there is not anticipated to be a significant risk from potential on-site sources of contamination.

However, give the scale of the development and location overlying sensitive groundwater resources, this department recommends that the following conditions be applied to safeguard the development, should planning permission be granted:

It is noted that the EA (letter ref. KT/2018/124914/01-L01) also requires additional monitoring measures with respect to the potential impacts of the cemetery extension on sensitive (SPZ1/SPZ2) groundwater resources.

**KCC SUDs** - Kent County Council as Lead Local Flood Authority have the following comments:

We have reviewed the Flood Risk Assessment and Drainage Strategy (PBA, August 2018) and note the proposals for SuDS to be incorporated into the development with some infiltration and some off-site discharge.

Ground Investigations demonstrate generally favourable ground conditions for the use of infiltration. The proposed strategy however relies on a single soakaway for roof water and a single attenuation tank for highway run-off. We will not accept a final design reliant on a single point discharge to ground due to the increased consequences of failure and single discharge point in a location closest to the Minster Public Water Supply Abstraction Point. We would expect to see infiltration features spread out through the development as per source control principles (such as individual property roof water soakaways). However, given this is an outline application, we consider this may be dealt with prior to reserved matters approval.

The report is supported by a Hydrogeological Risk Assessment. Whilst we would defer detailed comment on groundwater protection matters to the Environment Agency, we note that the assessment may use a precautionary approach and does not necessarily account for the attenuating properties of the proposed SuDS scheme.

It is generally acknowledged that residential development has a low pollution hazard level. As a number of SuDS components have been considered suitable for the development, it may be possible to utilise component specific performance information to assess and demonstrate whether the SuDS components reduce the pollution hazard to acceptable levels, enabling highway drainage to be disposed of via infiltration for those parts of the site where the offset from the pumping station is sufficient and risk sufficiently low. We would recommend the applicant undertakes discussion with the Environment Agency's Groundwater Protection Team prior to any submissions for reserved matters approval to minimise disposal of surface water to combined sewer (or any other outfall off-site) and therefore minimise increased risk of flooding elsewhere.

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

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

All existing infrastructure, including protective coatings and cathodic protection, should be protected during the course of construction works. No excavation, mounding or tree planting

should be carried out within 6 metres of the public water main without consent from Southern Water.

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

The application details for this development indicate that the proposed means of surface water drainage for the site is via a watercourse. The Council's technical staff and the relevant authority for land drainage consent should comment on the adequacy of the proposals to discharge surface water to the local watercourse.

Following initial investigations, Southern Water can provide a water supply to the site. Southern Water requires a formal application for connection and on-site mains to be made by the applicant or developer. We request that should this application receive planning approval, an informative is attached to the consent.

**Environment Agency** - With regards to this application and taking account of all relevant surveys, assessments and previous communications we have no objection to the development in principle providing the following conditions and informatives are attached to any permission granted.

The design of infiltration SuDS may be difficult or inappropriate in this location due to the SPZ1 setting for parts of the site. We therefore request that the following planning condition is included in any permission granted. Without this condition we would object to the proposal in line with paragraph 170 of the National Planning Policy Framework because it cannot be guaranteed that the development will not be put at unacceptable risk from, or be adversely affected by, unacceptable levels of water pollution.

We will also require confirmation that all foul drainage will be to mains sewer at detailed stage, alternatives will not be acceptable in this sensitive setting and there is mains provision nearby. A timetable requirement for connection prior to occupation should be part of any condition at detail stage.

#### *Cemetery Extension*

With regards to the cemetery extension, we have previously indicated the following with regards to the HRA. Although the submitted HRA has identified that the cemetery extension poses a low risk to groundwater, the site itself is in a high risk setting as it is adjacent to an SPZ 1, it is within a Safeguard Zone due to elevated nitrate levels, and is within 500m of a Public Water Supply well. Due to this high risk setting we feel it appropriate and it to be in line with our guidance to carry out long term groundwater monitoring for a period of 3 years after the first interment. Monitoring should take place at a minimum frequency of 6 monthly. We direct the applicant to our guidance Cemeteries and burials:

groundwater risk assessments on the GOV. UK website for the suite of determinands that should be monitored. We therefore request a safeguarding condition.

and under WFD to prevent deterioration of a water quality element to a lower status class or cause deterioration of a protected area (SGZ).

We would also request that as part of this condition requirement the remaining monitoring data collected as a baseline is submitted in an updated HRA for the cemetery.

Due to the sensitivity of the site the construction activity should also be required to undertaken under an approved CEMP.

### *Fuel, Oil and Chemical Storage*

Care should be taken during and after construction to ensure that all fuels, oils and any other potentially contaminating materials should be stored (for example in bunded areas secured from public access) so as to prevent accidental/unauthorised discharge to ground. The area's for storage should not drain to any surface water system.

Where it is proposed to store more than 200 litres (45 gallon drum = 205litres) of any type of oil on site it must be stored in accordance with the Control of Pollution (oil storage) (England) Regulations. Drums and barrels can be kept in drip trays if the drip tray is capable of retaining 25% of the total capacity of all oil stored.

### **KCC Biodiversity -**

#### Summary

We have reviewed the ecological information submitted in support of this planning application and advise that sufficient information has been provided. If planning permission is granted, we advise that a condition securing the implementation of a:

- o Biodiversity Method Statement;
- o Ecological Design Strategy; and,
- o Landscape and Ecological Management Plan.

Developer Contributions will need to be provided due to the increase in dwellings within the zone of influence of a Special Protection Area. An Appropriate Assessment will need to be undertaken due to the likely significant effect upon the Thanet Coast SPA and Ramsar site.

#### Statutory Designated Sites

The development includes proposals for new dwellings within 6km of the Thanet Coast & Sandwich Bay Special Protection Areas (SPAs) and Wetlands of International Importance under the Ramsar Convention (Ramsar Sites). Thanet District Council will need to ensure that the proposals fully adhere to the agreed approach within the Strategic Access Management and Monitoring Plan (SAMMP) 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. The submitted information has confirmed they will

contribute to the SAMMP to enable them to demonstrate that they will avoid a likely significant effect on the designated sites. However a recently decision from the Court of Justice of the European Union means that an Appropriate Assessment is required to be carried out by Thanet Council. The ruling 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 there is a need for an appropriate assessment to be carried out as part of this application.

#### Protected Species

The submitted ecological report has carried out the required range of protected species surveys and taken into consideration any detrimental impacts. We are satisfied with the conclusions of the ecological report in relation to any potential impacts that the proposed development may have on any protected species or sites. Mitigation measures have been proposed for breeding birds, reptiles, bats, and habitats. We advise that these measures are brought together into a single document and secured as a condition of any granted planning application.

#### Ecological Enhancements

The application provides opportunities to incorporate features into the design which are beneficial to wildlife, such as native species planting or the installation of bat/bird nest boxes. Suggestions have been provided within the submitted ecological report. We advise that measures to enhance biodiversity are secured as a condition of any granted planning permission. This is in accordance with the NPPF "opportunities to incorporate biodiversity in and around developments should be encouraged".

#### Ecological Management

There are opportunities to provide further net gains for biodiversity through the implementation of a landscape and ecological management plan. We advise that a management plan is formulated that demonstrates how the proposed development (including any landscaped areas and retained ecological features) will maintain and enhance biodiversity long term.

**KCC Archaeology** - Thanet being a gateway to early peoples, ideas, trade and invasion has a distinctive archaeological resource that includes heritage assets that can be unique and of national and sometimes international significance. The site lies in an area that is generally rich in archaeology with buried landscapes from prehistoric, Roman, Saxon and medieval times known in the fields and open ground on the southern slopes of Thanet around Minster. The site itself was known to contain archaeological assets as cropmarks visible on aerial photographs indicated the presence of a number of prehistoric ring ditches (the remains of Bronze Age barrows), a trackway and enclosures. The Kent Historic Environment also records the finding of Roman burials in the cemetery in the north while excavations at the Tothill Services and on the East Kent Access Road have also indicated the rich archaeology of the area around Mount Pleasant, the highest ground on Thanet.

As described in the submission, the applicant has been engaged in discussions with myself with respect to pre-application assessment and evaluation and subsequently on mitigation including through development design. The works have included desk based assessment, geophysical survey and targeted evaluation trenching. The reports associated with these have been included in the application documents. The archaeological works have identified significant archaeological remains in the fields covered. In particular the northern area of the site includes a Roman track or road, likely to be 'Dunstrete' the main Roman route into Thanet crossing the site. Alongside this road, mainly to its north are two small settlements of Roman date with distinctive and mostly unique to Thanet sunken featured buildings. As seen elsewhere on Mount Pleasant the remains of a Bronze Age barrow cemetery survive in the site, mainly focused (as far as is presently visible) in the north western area of the site, but with substantial outliers to the south. The southern area of the site included a complex of enclosures possibly associated with a post medieval quarry or medieval activity. Also within the southern area a buried soil of early prehistoric date was identified beneath a thick deposit of colluvium. Other finds across the site include remains of later prehistoric date. It is important to note that the evaluation trenching was a targeted work that sought to identify the most significant archaeology for the purposes of development design and mitigation. Other remains are likely to lie across the site that have yet to be identified.

#### Preservation in situ of Archaeology

As a result of the works it is clear that there are significant non-designated heritage assets on the site which merit preservation in situ. In discussions with the applicant we have highlighted that the Roman road should be preserved in-situ and enhanced through design of the development that references it. In addition we have sought the preservation of the two areas of settlement to the north of the road and the majority of the Bronze Age barrows. The submitted Parameter Plan highlights two barrows within the residential area and the Roman road route as archaeological exclusion zones. Outside the current application site but having had an influence on the western boundary of the proposed cemetery extension are further barrows and an area of settlement that should be considered as exclusion areas. Furthermore the triangular area north of the Roman road and south of the present cemetery should be considered an area where preservation should be sought as far as possible due to the presence of settlement activity through we have accepted the principle of the access road from Tothill Street crossing it and the Roman road as is mentioned in the Design and Access Statement.

We are pleased to see that the proposed development design as shown in the Illustrative Masterplan has taken account of the archaeology constraints by having:

- Excluded archaeology in the north west field from the development red line, having limited the western boundary of the cemetery;
- Arranged open space to accommodate the preservation of two substantial Bronze Age barrows;
- Used the Roman trackway to form the northern boundary of the development site with the northern perimeter road offset but reflecting it. As well as protecting the Roman road itself this enhances the heritage asset by maintaining it as a visible point of reference;

- Limited development in the triangle of land south of the cemetery to an access road crossing it and the Roman road.

We note that the present masterplan is illustrative at present for the purposes of this Outline Application. I would recommend that the principles adopted for the preservation of archaeology be continued through into detail design and are secured through a relevant condition on any outline consent. It would be helpful to discuss the wording of such a condition that would help to secure both the preservation in terms of development layout and subsequent engineering or landscaping works. In the first instance I would suggest:

During development works arrangements should be in place to protect such excluded areas from construction works.

I note and agree with the advice of Minster Parish Council that there should be some provision for archaeological interpretation within the development site, possibly through interpretation boards in appropriate locations. We would be pleased to discuss this further with the applicant prior to submission of a detailed application. The following condition or similar should be included on the outline consent if granted:

#### Investigation of Archaeology

While the most significant archaeology on the site has been considered and arrangements are made to preserve in-situ, there are remaining areas where archaeology will be impacted by development works. The overburden deposits on the site are mostly shallow and buried archaeology will be affected by most forms of ground modification. Provision should be made for a programme of archaeological works to investigate and record archaeology that will be affected by development. It is likely that the form of works would largely be in the form of Strip, Map and Sample excavation although where the deeper buried prehistoric soils survive under the colluvium there may need to be targeted trenching in that area. The following condition would be appropriate:

To assist with the discharge of the archaeological condition above it may be appropriate to separate the discharge of the subsequent post excavation works though the inclusion of the following condition:

#### **TDC Strategic Housing Manager - (final comment)**

Pleased that they have agreed that they will provide 30% on site. We can be more flexible on the split now and accept 60/40 now following the adoption of the housing strategy last year.

The housing needs surveys were done but they had a less than 5% take up so we can't really use them for evidence.

#### *(Initial comment)*

I have had a look at the application and no detail given other than 30 % AH which I am happy with. The split must be in line with policy 70/30.

If anything else is proposed then we would need to see a viability assessment to support this.

The Parish Council mentioned in their letter that the needs survey is out of date (2013) - for information I am undertaking these at the moment for all the parishes and findings should be available April time.

**Primary Care Team (CCG)** - NHS Thanet CCG (TCCG) now has the responsibility for requesting Section 106 (s106) health care contributions, on behalf of developments in areas where CCG practices are located. TCCG wishes to apply for such assistance and a healthcare contribution is therefore requested against the above development in accordance with the recognised Thanet District Council Planning Obligations and Contributions Guidance.

Inevitably, any increase in the local population has a knock-on effect in terms of health care and TCCG would seek to apply this s106 contribution to meet these extra demands placed upon the local primary care health service. With regards to this particular application, despite being modest in size in its own right, it poses a risk to the provision of primary care in the locality as many practices are actively managing their patient list due to lack of clinical capacity, both in terms of workforce and physical accommodation.

Using the current NHS England guidance for premises sizing, the closest surgery to the development, Minster Surgery, is considered to be appropriately sized for its existing patient list size however growth pressures from any additional housing will inevitably require investment in the premises. Any development is going to increase the pressure on access to core GP services from the site and will need mitigation.

The development is likely to increase the local population by c.600 - again using the current NHS England guidance of allowing 0.08 sqm per patient, this project is likely to require an additional 48sqm of space, roughly equating to 2 consulting rooms plus additional waiting and circulation space. We have taken the benchmark figure of £3,000 per sqm for development of GP space (as provided by NHS Property Services).

#### **KCC Accommodations -**

*(Final comment)*

KCC Education have kindly rerun the Education statistics following the Consultant's comment below, as attached. These show a lower Secondary yield of 37 Secondary pupils from this development.

Being an Outline application, wherein the final detailed mix will not be known until Reserved Matters approval, we would suggest the s106 sets out the following contributions: Secondary at £3534.79 per 'applicable house & £798.31 per 'applicable' flat ('applicable' excludes 1 bed units of less than 56sqm GIA) to reflect the lower yield.

In regards to the s106 Heads of Terms, we attach Dot Maps showing pupil home locations of the most likely Secondary School expansions. All are subject to agreement and timing. As

you will see for all the schools pupils travel from across the whole of Thanet, and from outside the Borough from Canterbury and Dover Districts also. Any radii from the site will need to include the whole of Thanet Borough, but by using a radii from the Tothill site (near the western boundary of Thanet District), the radii will also include both Dover and Canterbury Districts. Hence, we propose expansion of Secondary schools within Thanet District to ensure the spend is retained within Thanet Borough (including any new Secondary School developed in the District).

We would request Thanet also include a Planning Condition for Broadband. The Department for Digital, Culture, Media and Sport requires full fibre connection to new developments being gigabit capable fibre optic to the premise connection for all. Namely, as referenced in NPPF para 112:

*(Initial comment)*

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.

#### Primary Education

The proposal gives rise to up to 60 additional primary school pupils during occupation of the development. This need, cumulatively with other new developments in the vicinity, can only be met through the delivery of Phase 1 of the new Manston Green Primary School.

This proposal has been assessed in accordance with the KCC Development Contributions Guide methodology of 'first come, first served' assessment; having regard to the indigenous pupils, overlain by the pupil generation impact of this and other new residential developments in the locality.

The County Council requires a financial contribution towards Phase 1 of new Manston Green Primary School of £4535 for each 'applicable' house (x214) & £1134 for any 'applicable' flats ('applicable' means: all dwellings, except 1 bed units of less than 56 sqm GIA, and any sheltered accommodation).

Please note this process will be kept under review and may be subject to change (including possible locational change) as the Local Education Authority has to ensure provision of sufficient pupil spaces at an appropriate time and location to meet its statutory obligation under the Education Act 1996 and as the Strategic Commissioner of Education provision in the County under the Education Act 2011

KCC will commission additional pupil places required to mitigate the forecast impact of new residential development on local education infrastructure generally in accordance with its Commissioning Plan for Education Provision 2018-22 and Delivering Bold Steps for Kent - Education, Learning and Skills Vision and Priorities for Improvement, Dec 2013.

.....

Secondary School Provision

The impact of this proposal on the delivery of the County Council's services is assessed in Appendix 1

A contribution is sought based upon the additional need required, where the forecast secondary pupil product from new developments in the locality results in the maximum capacity of local secondary schools being exceeded.

The proposal is projected to give rise to 43 additional secondary school pupils from the date of occupation of this development. This need can only be met through Phase 1 of the new Thanet Secondary Free School.

The County Council requires a financial contribution towards Phase 1 of the new Thanet Secondary Free Secondary School of £4687 for each 'applicable' house (x214) & £1172 for any 'applicable' flats ('applicable' means: all dwellings, except 1 bed units of less than 56 sqm GIA, and any sheltered accommodation).

The County Council also requires proportionate contributions towards the new Secondary School land acquisition cost at £2773.01 per applicable house and £693.25 per applicable Flat.

The site acquisition cost is based upon current local land prices and any section 106 agreement would include a refund clause should all or any of the contribution not be used or required. The school site contribution will need to be reassessed immediately prior to KCC taking the freehold transfer of the site to reflect the price actually paid for the land.

Please note where a contributing development is to be completed in phases, payment may be triggered through occupation of various stages of the development comprising an initial payment and subsequent payments through to completion of the scheme. The new secondary school accommodation will be provided through Phase 1 of the new Thanet Secondary Free School and delivered in accordance with the Local Planning Authority's Infrastructure Delivery Plan (where available); timetable and phasing.

Please note this process will be kept under review and may be subject to change as the Local Education Authority will need to ensure provision of the additional pupil spaces within the appropriate time and at an appropriate location.

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Community Learning

There is an assessed shortfall in provision for this service: the current adult participation in both District Centres and Outreach facilities is in excess of current service capacity, as shown in Appendix 2, along with cost of mitigation. To accommodate the increased demand on KCC Adult Education service, the County Council requests £20.63 per dwelling towards the cost of providing portable equipment for the new Learners in Ramsgate, local to the development.

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Libraries

This new development will generate new borrowers for the Library service. KCC are the statutory library authority. The library authority's statutory duty in the Public Libraries and Museums Act 1964 is to provide 'a comprehensive and efficient service'. The Local Government Act 1972 also requires KCC to take proper care of its libraries and archives. There is an assessed shortfall in provision; bookstock in Thanet at 953 items per 1000 population is below the County average of 1134 and both the England and total UK figures of 1389 and 1492 respectively.

The County Council therefore requests £48.02 per household to address the direct impact of this development, and the additional stock will be made available at Minster Library as and when the monies are received.

.....  
**Social Care**

The proposed development will result in additional demand upon Social Care (SC) (older people, and also adults with Learning or Physical Disabilities) services, however all available care capacity is fully allocated already, and there is no spare capacity to meet additional demand arising from this and other new developments which SC are under a statutory obligation to meet. In addition, the Social Care budgets are fully allocated, therefore no spare funding is available to address additional capital costs for social care clients generated from new developments.

To mitigate the impact of this development, KCC Social Care requires:

- o a proportionate monetary contribution of £76.75 per household (as set out in Appendix 3) towards Age UK Thanet -for older people/dementia local to the development.

- o please ensure the delivery of 2 Wheelchair Adaptable Homes (as part of the affordable housing element on this site), with nomination rights given in consultation with KCC Social Care; need as evidenced below:

**Historic England** - No comment

## COMMENTS

This application is brought before members as a call in by Cllr Reece Pugh, to allow Members to consider the potential risk of flooding, the environmental impact, the associated traffic issues, and the pressure being put on local services.

### **Principle**

The proposed housing site falls within the village confines of Minster. The proposed cemetery extension falls outside of the village confines. All of the application site is non-previously developed land, currently in agricultural use. The area proposed for housing is allocated for housing under Policy HO10 of the Thanet Local Plan, with the policy stating that 'land is allocated for up to 250 dwellings with an approximate average density of 35 dwellings per hectare'. The proposal is for 214no. dwellings, and therefore the proposed number of units fall below the number allowed through the allocation.

Whilst the application provides for less housing than the housing capacity identified in the Local Plan, under Policy HO10, the Local Plans Manager has advised that housing numbers set out in the Local Plan are necessarily estimates based on anticipated land take of dwellings (including estimates of development densities); other built elements of the scheme; infrastructure and open space, and so on. Inevitably, some sites will accommodate more dwellings and some less than the estimated capacities set out in the Local Plan, but usually this will balance out over the Plan period. In this case, archaeology work carried out prior to the submission of the application has led to the need for an archaeological exclusion zone, which prevents the development of the very northern section of the site, thereby reducing the developable site area and ultimately reducing housing numbers across the site. The Local Plans Manager has advised that as long as there is no reasonable means of increasing the level of housing provision at the site, he does not consider this to be an issue that should alter the in-principle policy position in relation to the site. It is therefore considered that the principle of the proposed development complies with Policy HO10.

The proposal further complies with Policy HO1, which states that 'permission for new housing development will be granted on sites allocated for this purpose'; as well as Policy SP01 of the Thanet Local Plan, which states that the primary focus for new housing development in Thanet is the urban area as identified on the Policies Map. The principle of the proposed housing development on the site is therefore considered to be acceptable and in accordance with these policies.

Policy HO10 advises that the proposal should be informed by, and address, the provision, location and type of the open space; the provision of a vehicular access to Tothill Street, and links southwards with existing development restricted to pedestrian and cycle routes; the provision of an emergency access; and the provision of improvements to the Tothill Street/A299 Roundabout and a proportionate contribution to off-site junction improvements at Spitfire Way. Reference is also made to the proximity of the site to the cemetery and former transport depot, and its location in an area with sensitive groundwater requiring protection, thereby requiring the need for a contamination assessment. These issues are assessed within the report.

Policy HO1 requires that compliance is provided with Policy SP14 of the Thanet Local Plan. This policy requires that the development be provided with adequate infrastructure, provide an appropriate mix of dwellings to meet the requirements of Policy SP22; provide affordable housing to meet the requirements of Policy SP23; provide accessible homes to meet the requirements of Policy QD05; and comply with policies relating to the Protection of International and European Designated Sites and associated Mitigation Strategy. These issues are again assessed within the report.

The National Planning Policy Framework (NPPF) indicates that applications for housing should be considered in the context of the presumption in favour of sustainable development. The application site is sustainably located, within walking distance of the centre of Minster where there are a number of facilities and services, including retail units and a primary school. The site is also on a bus route, and walking distance of the train station.

The principle of housing development on the site is therefore considered to be acceptable subject to the requirements of Policies HO10 and SP14 being complied with, along with other material considerations, including the impact upon the landscape character area, and highway safety.

The cemetery extension area is located outside of the village confines, in the countryside. Policy SP24 of the Thanet Local Plan states that development on non-allocated sites in the countryside will be permitted for the retention and/or development of accessible local services and community facilities. The extension of the cemetery was originally a requirement of the site allocation policy within the Draft Local Plan, but was removed from the policy by the Inspector at examination, who considered there to be no justified need for the extension. Whilst it is no longer a policy requirement, the change of use of the land continues to be shown on the submitted parameter plan, with the applicant advising that it is still their intention to offer the land for sale to Minster Parish Council to enable this local community facility to come forward in the future should they desire it. The change of use of the land to cemetery use is considered to comply with Policy SP24 of the Thanet Local Plan, and is therefore considered to be acceptable in principle.

### **Loss of Agricultural Land**

The NPPF states where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality. It is noted that the glossary of the NPPF defines best and most versatile land as land in grades 1, 2 and 3a of the Agricultural Land Classification.

Policy E16 of the Local Plan relates to best and most versatile agricultural land and states

*"Except on sites allocated for development by virtue of other policies in this Plan, planning permission will not be granted for significant development which would result in the irreversible loss of best and most versatile agricultural land unless it can be clearly demonstrated that: 1) the benefits of the proposed development outweigh the harm resulting from the loss of agricultural land, 2) there are no otherwise suitable sites of poorer agricultural quality that can accommodate the development, and 3) the development will not result in the remainder of the agricultural holding becoming not viable or lead to likely accumulated and significant losses of high quality agricultural land."*

The application site comprises undeveloped greenfield land, still actively in use for agricultural purposes. The site is a Strategic Allocation for residential development in the Local Plan where the loss of agricultural land has been considered and weighed against the need for housing through the policy process. Therefore policy E16 does not apply to this proposal, and the general presumption to safeguard best and most versatile agricultural land does not apply to this site

### **Impact on Landscape Character Area**

The site lies within the Chalk Plateau Landscape Character Area, which is characterised as a generally flat or gently undulating landscape, with extensive, unenclosed fields under intensive arable cultivation. This open landscape is fragmented by the location of large scale

developments such as the former airport, Manston Business Park and a sporadic settlement pattern to the north of the airport. The character of this area is also defined by the proximity of the edges of the urban areas. This character area contains the highest point on the island at Telegraph Hill. The elevated plateau results in long distance panoramic views to the south over Minster Marshes and across Pegwell Bay and, in the west, across the Wantsum. The elevated central chalk plateau also forms a skyline in many views back from lower landscapes in Thanet, including the coast and marshlands.

Policy SP26 of the Thanet Local Plan states that development proposals should demonstrate how they respect and respond to the character, key sensitivities, qualities and guidelines of the relevant landscape character areas, as detailed in the Landscape Character Assessment (LCA), and that all development should seek to avoid skyline intrusion and the loss or interruption of long views of the coast and the sea.

A Landscape and Visual Impact Appraisal has been submitted with the application. The appraisal confirms that there are locally accessible views of the site from the public right of way to the west, and the cycle route/footpath to the north. Views from the south and east are limited due to the presence of properties and hedgerow along Tothill Street. Due to the land rising and plateauing to the north the report states that there are no perceptible medium and long-distance views from the north. Views from the north, however, will be possible from the access road below the A299, along with long distance views from the A299 when approaching from the west where boundary landscaping is less dense.

The assessment acknowledges that the change in use of the land from open agricultural use to residential use will cause a change in the local landscape character. However, the site has a backdrop of residential development, and the site itself contains limited landscape features. Part of the site is located south of the existing cemetery, and therefore parts of the development site would be obscured by existing vegetation.

The assessment considers a number of viewpoints. Viewpoint 1 is taken from the public way to the north west of the site. The assessment advises that the foreground of this view would remain as green space, and part of the development site is proposed for the cemetery expansion. From this view the assessment advises that whilst new houses would be seen, they would be seen in the context of existing properties. The new dwellings would be setback from the bridleway with a green corridor, including new tree and hedgerow located along the western boundary to provide some screening of the development. Similarly, from viewpoints 2 and 3, different locations along the western bridleway, the proposed public open space along with the green corridor will be visible. Viewpoint 4 is a long distance view from the west, within a scheduled monument, which given the distance would mean that housing would only be visible from a very small part of the view, with existing properties again forming the backdrop. Viewpoint 5 is taken from Greenhill Gardens to the south, with views toward the green corridor on the western boundary and fields beyond due to the low density nature of the scheme.

It would appear that the proposal would have no or very limited landscape effects, given the infill location of the site adjacent to existing development, the backdrop of existing development, meaning that there will be limited impact upon the skyline, the surrounding topography and boundary landscaping, which limits long panoramic views across the site,

along with the low density nature of the proposed development. The impact upon the Landscape Character Area from the development of the site is therefore considered to be acceptable.

The assessment has taken into account the opportunities and constraints of the area, along with a sensitive design approach, to create a landscape strategy for the site, which proposes to limit harm to the setting of the site, and the views from the surrounding area. The strategy seeks to create a landscaping buffer along the western boundary of the site, strengthening boundary vegetation with native species that also benefit biodiversity; retain and connect onto existing footpath/bridleway/cycle links; create wetland channels and features as part of the surface water management scheme; provide public open spaces, small copses, and other tree/hedgerow planting within the site to enhance the landscape setting of the site; along with other ecological enhancements. This strategy is supported, and it is therefore recommended that the landscaping scheme submitted with any future reserved matters application be based upon these landscape strategy principles.

The proposed development is therefore considered to comply with Policy SP26 of the Thanet Local Plan, and paragraph 170 of the NPPF.

### **Open Space**

Policy GI04 of the Thanet Local Plan requires that new residential development make provision for appropriate amenity green space and equipped play areas to meet the standards set in tables 10, 11 and 12 within the policy.

The proposal is for 214no. units, resulting in a predicted population of 514. Using this figure, the following open space provision within the site is required: 0.3 hectares of amenity green; 0.13 hectares of children's playspace; 0.92 hectares of semi-natural greenspace; and 0.1 hectares of allotment space. Whilst the table requires public park and garden provision, this is only viable on the larger strategic housing sites.

The proposal provides a large area of open space due to the reduced number of dwellings proposed when compared to the allocation number. This is a result of the archaeological exclusion zone to the north of the site, which can be used for landscaping purposes only. A plan has been submitted which breaks down the open space provision to formal and informal open space. The formal open space provision they've suggested is achievable within the site is 0.57ha, which covers the amenity greenspace, allotment space and play space. This exceeds the 0.53ha requirement. The informal open space provision, which covers the landscaping buffer to the west, the landscaping area to the north above the archaeological exclusion zone, along with other landscaping areas within the site, is proposed at 4.12ha, significantly exceeding the 0.92ha requirement.

On the basis that the number of units proposed can be achieved alongside the necessary open space requirements, the proposed development is considered to comply with Policy GI04 of the Thanet Local Plan. The legal agreement seeks to secure the provision of open space and play provision in accordance with an open space specification and programme to be submitted via condition for each phase of the development.

## **Character and Appearance**

### *Proposed Housing*

The proposal is to develop an area of land west of Tothill Street, that is currently undeveloped agricultural land. Whilst the site currently provides long open views across the fields when entering the village, the space is not considered to be intrinsically beneficial given the extent of open space surrounding the village. Existing residential properties border the site to the south and east, and residential development is located opposite the application site, so the development of the site for residential would appear in keeping with the surrounding character of the area.

The proposal is for 214no. units, on a site allocated for 250no. units, and therefore the density of development is particularly low. The net density is at 30.5 dph, and the gross density is at 16.5 dph, which would be sympathetic to the open rural character and setting of the surrounding area. The illustrative masterplan shows that at a density of 16.5 dph, large areas of open space can be achieved to the north and south of the site, along with a landscape buffer to the western boundary, a setback of development from Tothill Street to the east, and areas of informal open space and play provision provided within the developable area. This low density provision will therefore enable a good quality form of development to be achieved within the site, with many soft landscaping enhancements.

The roads surrounding the development contain a mix in building types and scales. Within Fairfield Road to the south of the development can be seen 2-storey terraced and semi-detached properties, and bungalows; within Greenhill Gardens are predominantly semi-detached bungalows and chalet bungalows, and within Tothill Street are predominantly 2-storey detached dwellings.

The illustrative layout plan shows that a variety of building types would be achieved across the site, including terraced, semi-detached and detached units, and it is understood some flatted development. The illustrative masterplan shows that the different unit types could be spread across the site preventing a concentration of any particular unit type within a single area. As such, it is considered that the space within the site would allow for a development to come forward through reserved matters that provides a range of unit types in keeping with the surrounding pattern of development. For this reason it is not considered that any future development is likely to cause harm to the character and appearance of the area, subject to detailed design at reserved matter stage.

### *Impact upon Heritage Asset*

The site boundary is 180m from the Holiday Inn, a Grade II Listed building. Between the listed building and the application site is the cemetery, along with substantial planting. Given the distance it is not considered that the proposed development would be viewed within the context of the listed building, and as such the development would not impact on and would preserve the setting, and significance of, the listed building.

### *Cemetery Expansion*

The proposal includes the change of use of land to the west of the existing cemetery for cemetery use as part of future expansion. This change of use will have limited impact upon the character of the area, with any proposal likely to retain the open appearance of the site, with the provision of limited boundary planting in keeping with the existing cemetery layout and appearance. As such the proposed cemetery expansion is not considered to cause harm to the character and appearance of the area.

## **Transportation**

The application site is an allocated housing site to the north of Minster. The site is located within the village confines, and is considered to be sustainably located in its proximity to services and facilities within the village centre of Minster. Minster village offers a number of retail and commercial units, including public houses and cafes. There is a community hall, a doctor surgery, and Minster Primary School, all of which are walking distance from the site. The site is on a bus route, and the village contains a train station to the south. To the north of the site is Minster Services, containing a restaurant, cafe and retail units. Given this, the site is considered to be sustainably located.

Policy HO10 of the Thanet Local Plan states that proposals for the development of the site will need to provide vehicular access to Tothill Street, and links southwards with existing development restricted to pedestrian and cycle routes in order to limit additional traffic movement in the vicinity of Monkton Road and High Street; provide an emergency access; provide improvements to the Tothill Street/A299 Roundabout and a proportionate contribution to off-site junction improvements at Spitfire Way.

### *Principle of housing development*

A transport assessment has been submitted with the application, along with a travel plan. The transport assessment has assessed the implications of the proposed development on the surrounding highway network. The transport assessment concludes that the capacity assessments that have been undertaken demonstrate that the impact from the development upon the surrounding highway network will not be significant. The majority of junctions are predicted to operate within capacity in all of the highway modelling scenarios tested, with the exception of the junction of the B2190 Minster Road/A299/Tothill Street, and the junction of the B2050 Manston Road/Manston Road/Spitfire Way, both of which have been identified within Policy HO10 for improvements.

Mitigation has been proposed through the application submission to deal with the capacity issues at both of the junctions. For the Tothill Street junction it is proposed to make improvements to the Tothill Street arm of the roundabout junction through road widening that creates an additional lane leading onto the roundabout. These improvements will increase the capacity on the Tothill Street arm of the junction, thereby reducing queuing within the AM and PM peak hours. No mitigation was originally proposed for the Spitfire Way junction.

KCC Highways were consulted, and advised that a safety audit and vehicle swept path analysis be submitted for the proposed Tothill Street highway improvements, along with a designers response to any issues raised. KCC also requested that a financial contribution be

submitted for the Spitfire Way junction, in order to mitigate the impact, and go towards the improvements planned to this junction through the Thanet Transport Strategy.

Vehicle swept path plans and safety audits have been submitted, along with amended plans that adjust the Tothill roundabout mitigation works in line with the designers response. KCC advise that following the submission of these swept path plans, safety audit, and amended plans, they are satisfied that these particular mitigation works will deal with the increased vehicle movements created through the development by widening the approach to the roundabout to create additional queuing capacity.

In terms of the Spitfire junction mitigation works, there was initially resistance to the need for any mitigation by the applicant's highway consultants, but KCC were clear in their view that the lack of any spare capacity at this junction meant that the increased vehicle movements created by the proposal would cause severe harm to the highway network. This harm had been identified through the assessment of the site during the site allocation process, leading to its inclusion within Policy HO10 for the site mitigation requirements.

As a result, the applicant's highway consultants produced a scheme for mitigation works at the Spitfire junction, and a proportionate financial contribution of £166,000 based upon this mitigation scheme was requested and agreed. As such, this off site financial contribution, alongside the highway improvement works at Tothill Street roundabout, will be secured within the legal agreement.

Subject to this mitigation, the proposed development will have an acceptable impact upon the highway network.

#### *Junction on site entrance*

The proposal is for the erection of 214no. dwellings, with a single access onto Tothill Street. Whilst the application is in outline form, the access is a matter for consideration through this application. A further emergency access onto Greenhill Gardens is also proposed using a removable bollard.

During the initial consultation, KCC advised that a capacity assessment needed to be carried out for the new Tothill Street access, and that tracking plans needed to be submitted for 13m long refuse vehicles. In terms of pedestrian movement, KCC advised that due to the number of pedestrians from the development that may need to access the existing bus stop on the eastern side of Tothill Street, an uncontrolled crossing should be provided in a location that takes into account the desire line from the site. Furthermore they advised that the existing footway fronting the site on Tothill Street needed to be widened to 2m, and there needed to be a cycle connection to the north to provide direct access onto the cycleway network.

A capacity assessment has been submitted, which shows the access design to be adequate for the number of units proposed. Tracking plans have also been submitted proving that refuse vehicles can enter and leave the site in a forward gear.

An amended plan has been submitted relocating the uncontrolled crossing point following a safety audit, and improvements are now being made to the public right of way to the west of the site to improve connectivity onto the cycle network (see section below).

The submitted access plan indicates that adequate visibility splays from the site access can be achieved, and a detailed plan for the emergency access onto Greenhill Gardens has been submitted, showing both a retractable bollard, and adequate turning for a fire vehicle.

The detailed layout of the site is not being considered at this stage, although the illustrative masterplan indicates that there will be numerous pedestrian and cycle links throughout the site.

The proposed plans as amended show that a safe and suitable access into the site will be provided, with adequate visibility splays achieved; and there will be safe pedestrian and cycle connections and crossing points provided in order to mitigate the impact from the development. The impact upon highway safety is therefore considered to be acceptable.

#### *Public Right of Way*

A public right of way (bridleway) exists along the western boundary of the application site. The bridleway connects the A299 to the north with Prospect Road to the south. The bridleway is not currently hard surfaced.

The 'Landscape and Visual Impact Assessment' submitted with the application confirms the retention of the public right of way along the western boundary of the site, and proposes the setback of the development from the path, and the creation of a green corridor alongside the public right of way.

Whilst the bridleway falls outside of the application site boundary, concern has been raised by the KCC Public Rights of Way Officer that the proposed development will put additional pressure on the bridleway, which also serves as a cycle path connection onto the strategic cycle network, as well as a footpath link. She advises that Bridleway TE29 provides important pedestrian, equestrian and cycle access to and from the development site and links to a wider walking, equestrian and cycling network, providing opportunities for sustainable travel in the area. The bridleway provides an important off-road link from the development site to an existing cycle route adjacent to Canterbury Road West, providing access to surrounding villages of Monkton and Sarre. The bridleway is currently a grass unmade track, increased use could potentially damage the surface causing it to become muddy and unusable during periods of wet weather. KCC therefore requests mitigation in the form of the resurfacing of the bridleway to create a more sustainable surface for all users, thereby improving pedestrian, cycle and equestrian movement. The resurfacing should be for the entire bridleway from north to south to a minimum 3m width, although if the northern section above the red line boundary cannot be resurfaced by the applicant, KCC has requested a financial contribution of £29,000 to be paid to KCC to enable them to resurface this element of the bridleway.

The applicant has agreed to the resurfacing of the bridleway, although they have drawn attention to the comments of Southern Water, who advise that there is a public water trunk

main running through the site, which could be within close proximity of the western boundary. Southern Water has advised that no excavation is allowed within 6m of the pipe, and therefore should the pipe be identified within 6m of the bridleway, the permission of Southern Water will be required before resurfacing works can take place.

The resurfacing of the bridleway is being secured through the legal agreement, but is subject to the permission of Southern Water.

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

The application is in outline form, and therefore the exact unit sizes are not being agreed at this stage; however, an illustrative layout plan has been submitted, which the design and access statement advises has been created using the housing need identified within the 2016 SHMA. This requirement is stated within Policy SP22 of the Thanet Local Plan, and provides the most up to date information on local housing needs.

If a mix that reflected Policy SP22 were to come forward as part of a future reserved matters application, it would be considered acceptable, as it would address local housing needs in the district and provide a mix of dwelling sizes and types to meet a range of community needs in accordance with the SHMA recommendations.

In terms of the dwelling types, the illustrative layout plan shows a mixture of terraced dwellings, semi-detached dwellings, and detached dwellings, along with self-contained flats and therefore it is considered that an appropriate mix in unit types is proposed to comply with Policy SP22.

Policy QD05 requires that 10% of the development is built in compliance with building regulation part M4(2) accessible and adaptable dwellings, with 5% of affordable units built in compliance with buildings regulations part M4(3) wheelchair user dwellings. A condition will require this provision as part of the reserved matters scheme.

### **Affordable Housing**

Policy SP23 of the Thanet Local Plan requires that 30% affordable housing be provided on sites of 10 units or more. This is also a requirement of Policy SP14 for housing provision.

A viability report was initially submitted with the application, which showed that on the basis of the financial contributions required to mitigate the impact of the development, only 12% affordable housing could be achieved. The report was independently reviewed on behalf of the Council, and following a number of negotiations the applicant has agreed to the provision of 30% affordable housing on site. This is on the basis that the tenure split will include a maximum of 60% affordable rent units, with a minimum of 40% shared ownership units. The Strategic Housing Manager raises no objections to the split, and advises that following the adoption of the housing strategy last year, the split can be more flexible.

As part of the reserved matters application the location and size of the affordable units will be required, but it is expected that they will comply with the SHMA recommendations as set out within Policy SP22 of the Thanet Local Plan.

A legal agreement has been submitted that secures the provision of 30% on site affordable housing. The proposal therefore complies with Policy SP23 of the Thanet Local Plan.

## **Living Conditions**

### *Neighbouring occupiers*

The site adjoins the rear boundaries of residential properties in Fairfield Road and Greenhill Gardens, along with some properties in Prospect Gardens. The site lies opposite properties in Tothill Street. The majority of dwellings within Fairfield Road and Greenhill Gardens are single storey in height; with the properties in Tothill Street mainly 2-storey in height.

The application is in outline form only, so the precise layout and scale of dwellings in relation to neighbouring properties is not known at this stage. The parameter plan has an area highlighted that lies to the rear of properties in Greenhill Gardens. Within this area the height of development is restricted to 1.5 storeys. This restriction on height has been provided due to the single storey nature of the existing dwellings adjacent to this boundary, along with the shallow garden depth of approximately 16m-20m that serve these properties. This restriction means that the scale of development submitted through any future reserved matters scheme will not significantly impact upon the neighbouring occupiers, in terms of loss of light, outlook or creating a sense of enclosure. This maximum storey height restriction is therefore supported. The detailed relationship between proposed properties and existing in regards to privacy will be assessed at reserved matters stage, however the parameters of development indicate that this can be achieved without resulting in significant harm to occupiers.

For proposed development adjoining properties in Fairfield Road there is no restriction on building height on the basis that the garden depths are much deeper, a minimum of 34m. However, any future development proposals will still need to avoid any significant impact upon these neighbouring properties.

The illustrative plan suggests that development fronting Tothill Street will be setback from the road, and is therefore unlikely to have a significant impact upon the existing properties on the opposite side of Tothill Street.

Concern has been raised by neighbouring residents that information within the design and access statement suggests that development of up to 3-storey in height is proposed on the site. As discussed within the character and appearance section of this report, 3-storey development would not be considered acceptable in this prominent rural location, and as such a condition to restrict development to 2-storey in height to eaves level is recommended. This height restriction will limit the potential for overlooking to neighbouring residents.

Concern has been raised by neighbours regarding the potential for additional noise and disturbance from the proposed development. The main vehicular access proposed into the site is to the north, onto Tothill Street. The access is a significant distance from the nearest residential properties in Fairfield Road. Opposite the proposed access is a bus stop within a layby area, beyond which is the side elevation of the nearest neighbouring property in Tothill Street, and then the garden areas of the adjacent neighbours. Given the distances and the

orientation of the nearest neighbouring properties, it's not considered that vehicle movements in and out of the proposed access or within the development would cause significant noise and disturbance to neighbouring occupiers.

The layout is not being agreed at this stage, but the illustrative plan indicates that there is plenty of space for landscaping buffers along the boundaries of the site with neighbouring occupiers, which will help with limiting any noise and disturbance from the development.

Loss of security is a further issue that has been raised by neighbouring residents. A number of properties have rear access gates onto the application site, and other residents are generally concerned about the presence of roads and footpaths being located to the rear of their properties, increasing the potential security risk. The detailed layout is not being considered at this stage, so the location of footpaths and roads are unclear. There is the potential for landscaping buffers between rear boundaries and the development, which will increase the distance to any access routes. As part of any reserved matters, an assessment of the existing boundary treatment to the rear of neighbouring properties will need to be undertaken, with any boundary gaps dealt with through new boundary treatment within the application site.

Due to the limited layout, scale, and design information currently available at this outline stage, the impact upon neighbouring residents can not be assessed in detail; however, given the low density nature of the scheme, the distances available between the proposed development and neighbouring properties, the 1.5 storey height restriction shown on the parameter plan, along with restrictive 2-storey height condition for the remainder of the development, it is considered that the proposed development is unlikely to have any significant impact upon the living conditions of neighbouring occupiers, in accordance with Policy QD03 of the Thanet local Plan, and paragraph 127 of the NPPF.

#### *Future occupiers*

A Noise Impact Assessment has been carried out by PBA (July 2018), and submitted with the application. The assessment looks at the potential impact from aircraft noise on the development, should the airport be brought back into use. Noise associated with aircraft using nearby Manston Airport is likely to fall below the threshold for the onset of significant community noise annoyance from aircraft noise and should therefore be considered acceptable.

The noise report further calculates potential internal road traffic noise levels. The report states that on the basis of the results of the sound survey, and the assumed building fabric constructions, the suggested internal noise levels are likely to be met during both daytime and night-time periods.

For private outdoor amenity areas the noise levels are shown to meet the minimum levels where the amenity areas are shielded from the road by the dwellings. Subject to this form of layout design through the reserved matters application, the noise level is considered to be acceptable.

Environmental Health has been consulted and advises that the assessment has been carried out in accordance with appropriate guidance, using correct methodology and impacts assessed against relevant criteria. Subject to a condition requiring subsequent detailed assessment of the acoustic specification of the building fabric during the final design proposal being applied, the impact upon the noise levels for future occupiers of the development is considered to be acceptable and in accordance with Policy QD03 of the Thanet Local Plan, and paragraph 127 of the NPPF.

## **Biodiversity**

An ecological assessment report has been submitted with the application. The report concludes that no protected species were identified within the site. Mitigation measures have been proposed for breeding birds and reptiles. For breeding birds this includes limiting construction work to outside of bird nesting season. For reptiles this includes a method statement detailing the measures to be undertaken prior to site clearance to minimise potential impacts upon reptiles.

In terms of bats, the nearest building with potential for roosting bats is situated outside of the site, and will therefore not be affected by the proposed scheme. The proposal retains and enhances the site boundaries, with habitats corridors incorporated within the scheme, and an ecologically informed lighting strategy is proposed.

KCC Biodiversity has been consulted and advises that the submitted ecological report has carried out the required range of protected species surveys and taken into consideration any detrimental impacts. KCC are therefore satisfied with the conclusions of the ecological report in relation to any potential impacts that the proposed development may have on any protected species or sites; along with the mitigation measures that have been proposed for breeding birds, reptiles, bats, and habitats.

The application provides opportunities to incorporate features into the design which are beneficial to wildlife, such as native species planting or the installation of bat/bird nest boxes. Suggestions have been provided within the submitted ecological report. KCC advises that measures to enhance biodiversity are secured as a condition of any granted planning permission. In addition to this, conditions requiring a biodiversity method statement, ecological design strategy, and landscape and ecological management plan are recommended. The landscape and ecological management plan will help achieve biodiversity net gains within the site.

Subject to safeguarding conditions, the impact upon biodiversity is considered to be acceptable, and in accordance with Policy SP30 of the Thanet Local Plan and the NPPF.

## **Drainage**

A utilities appraisal report has been submitted with the application, along with a flood risk assessment and drainage strategy.

### *Flood risk and Surface Water Drainage*

The site lies within Flood Zone 1, which is defined as having less than a 1 in 1000 annual probability of river or sea flooding in any year. The risk of flooding is therefore considered to be low; although there is the potential for surface water flooding in an extreme rainfall event. It is likely that the majority of surface water runoff from the existing site, during times of heavy rainfall, currently discharges via overland flow routes to the existing highway of Prospect Road, to the southwest of the site and towards the existing residential properties located to the south of the site.

The flood risk and drainage strategy states that using the illustrative layout plan, approximately 31% of the developable area will be impermeable, comprising of residential dwellings, car parking facilities and associated highway infrastructure, thereby having the potential to generate increased runoff, which needs to be managed on site.

There is currently insufficient capacity for surface water to flow to the existing sewer network, and therefore Southern Water discourages this as an option unless infiltration is not possible. Soakage tests have shown the site to be suitable for the use of infiltration features; however, due to the potential risk to the underlying aquifer, only roof runoff is proposed to discharge via infiltration. This means that surface water from the highways and car parking areas will need to discharge into the public combined sewer. Due to the limited capacity of these sewers, the discharge rate will need to be restricted to greenfield runoff rates.

The roof runoff will discharge via a sealed piped network to a subsurface attenuation tank, in the form of basins, swales, permeable paving and bio-retention areas. An overflow basin is to be located above the sub-surface storage area.

KCC SUDs have been consulted. They've advised that the proposed strategy relies upon a single soakaway for roof water and a single attenuation tank for highway run-off, and that they will not accept a final design that is reliant upon a single point discharge to ground due to the increased consequences of failure, and its location close to the Minster Public Water Supply Abstraction Point. KCC has advised that they would expect to see infiltration features spread out through the development as per source control principles (such as individual property roof water soakaways), but are satisfied that the details can be dealt with at the reserved matters stage.

KCC further advise that there may be ways in which to reduce the pollution hazard of the highway runoff, allowing it also to be discharged via infiltration, which will reduce reliance on the combined sewer and help to reduce the risk of flooding, however this again can be dealt with at the reserved matters/conditions stage.

### *Foul Drainage*

A 225mm combined sewer runs west from Tothill Street into Fairfield Road, and continues south along Greenhill Gardens next to the east boundary of the site. A foul water network is located in the south west corner of the site, which serves the existing residential estate.

The proposal is to connect onto the nearest foul water point, which is via a manhole on Prospect Road, in the south west corner of the site. The Environment Agency has advised that all foul drainage will need to be to a mains sewer, and that alternatives will not be

acceptable in this sensitive setting. No concerns have been raised by Southern Water, with a safeguarding condition recommended for further details of the foul drainage to be submitted at the detailed design stage.

#### *Other Utilities*

A public water trunk main is located within the site. The exact position is unclear, but this will need to be determined prior to the layout approval. Southern Water has advised that no excavation, mounding or tree planting will be allowed within 6 metres of the public water main without their written consent.

Southern Water has advised that they can provide a water supply to the site.

The utilities report further advises that there are no capacity problems with either a gas or electricity supply.

Subject to safeguarding conditions, the impact upon flood risk is considered to be acceptable, and in accordance with Policy CC02 of the Thanet Local Plan; and adequate infrastructure to serve the development is considered to be achievable.

#### **Contamination**

A Phase 1 Report (Ref. 37722/3501/R1/Rev02, PBA, July 2016) has been submitted with the application. The report concludes that there is not anticipated to be a significant risk from potential on-site sources of contamination; however, given the scale of the development and its location overlying sensitive groundwater resources, the TDC Contamination Officer recommends safeguarding conditions.

The Environment Agency similarly have no objections subject to safeguarding conditions; but they also advise that the design of the infiltration SuDS may be difficult or inappropriate in this location due to the SPZ1 setting for parts of the site, but it is accepted that this can be dealt with at the condition stage.

With regards to the cemetery extension, the Environment Agency advises that whilst the submitted Hydrogeological Risk Assessment has identified that the cemetery extension poses a low risk to groundwater, the site itself is in a high risk setting as it is adjacent to an Source Protection Zone 1, within a Safeguard Zone due to elevated nitrate levels, and is within 500m of a Public Water Supply well. Due to this high risk setting, the Environment Agency advised that it would be appropriate for long term groundwater monitoring for a period of 3 years after the first interment, with further monitoring taking place at least every 6 months. A condition securing this is provided, with the submission of monitoring reports required following the commencement of the cemetery change of use.

Subject to the necessary safeguarding conditions to limit contamination, the proposed development is considered to comply with Policy SE03 of the Thanet Local Plan.

#### **Air Quality**

An Air Quality Assessment has been submitted with the application. The assessment states that the development is predicted to generate 1982 vehicle movements per day, with no heavy duty vehicles. The total emissions mitigation cost for the development is estimated to be £266,749 over a five year period.

Minimum standard mitigation required to address this impact includes electric vehicle charging point provision for each units, and all gas boilers meeting a minimum standard of <40mgNOx/kWh.

To further reduce the impacts of traffic associated with the development, a residential travel plan has been developed, which seeks to reduce the number of vehicle movements associated with the development, and subsequent emissions by encouraging sustainable transport.

In addition, as part of a reserved matters scheme it is intended to improve the cycleway and footway on site connecting Tothill Street, Greenhill Gardens and the public right of way to the east; provide on-site cycle parking facilities; and provide extensive landscaping features. The PROW officer also requires the resurfacing of the bridleway along the western boundary, which will improve pedestrian and cycleway connections, plus movement by horses.

The report advises that the total of these works/improvements are likely to exceed the estimated damage cost for the development.

Environmental Health has been consulted and advise that the Air Quality impacts have been assessed against relevant standards and using appropriate methodology, and therefore the conclusions are sound. Environmental Health advises that it is worth noting that there will inevitably be a small worsening of air quality, but it has correctly been quantified as negligible, and falls well below health objectives, and as such will not result in significant harm.

Safeguarding conditions are recommended that require the submission of an air quality emissions statement as part of the reserved matters submission to identify the works to be provided to achieve the necessary air quality improvements required to offset the air quality damage costs. Subject to these conditions, the impact upon air quality is considered to be acceptable, and in accordance with Policy SE05 of the Thanet Local Plan.

## **Archaeology**

The site lies in an area that is generally rich in archaeology with buried landscapes from prehistoric, Roman, Saxon and medieval times known in the fields and open ground on the southern slopes of Thanet around Minster. The site itself was known to contain archaeological assets as cropmarks visible on aerial photographs indicated the presence of a number of prehistoric ring ditches (the remains of Bronze Age barrows), a trackway and enclosures. The Kent Historic Environment also records the finding of Roman burials in the cemetery in the north while excavations at the Tothill Services and on the East Kent Access Road have also indicated the rich archaeology of the area around Mount Pleasant, the highest ground on Thanet.

Prior to the submission of the application, the applicant has been in pre-application discussions with KCC Archaeology, in order to determine the level of assessment and evaluation required, and likely mitigation necessary in order to preserve and protect and archaeology of significance.

Archaeology reports have been submitted with the planning application. The archaeological works have identified significant archaeological remains in the fields covered. In particular the northern area of the site includes a Roman track or road, likely to be 'Dunstrete' the main Roman route into Thanet crossing the site. Alongside this road, mainly to its north are two small settlements of Roman date with distinctive and mostly unique to Thanet sunken featured buildings. As seen elsewhere on Mount Pleasant the remains of a Bronze Age barrow cemetery survive in the site, mainly focused (as far as is presently visible) in the north western area of the site, but with substantial outliers to the south. The southern area of the site included a complex of enclosures possibly associated with a post medieval quarry or medieval activity. Also within the southern area a buried soil of early prehistoric date was identified beneath a thick deposit of colluvium. Other finds across the site include remains of later prehistoric date. KCC advises that it is important to note that the evaluation trenching was a targeted work that sought to identify the most significant archaeology for the purposes of development design and mitigation. Other remains are likely to lie across the site that have yet to be identified.

As a result of the works, significant non-designated heritage assets have been identified on the site, which merit preservation in situ. This includes the Roman road, two areas of settlement to the north of the road, and the majority of the Bronze Age barrows.

A Parameter Plan has been submitted with the application, which highlights two barrows within the residential area and the Roman road route as archaeological exclusion zones. Further exclusion areas have been identified, but these lie outside of the application site; although it is advised by KCC that the triangular area north of the Roman road and south of the present cemetery should also be considered an area where preservation should be sought as far as possible due to the presence of settlement activity.

The illustrative masterplan, along with the vehicular access plans, show the provision of the proposed vehicular access into the site to the north of the archaeological exclusion zone, meaning that the access road will need to cross the archaeological exclusion zone to reach the residential units. KCC Archaeology advise that they have accepted this excursion into the archaeological exclusion zone at this point for the purposes of the access road only.

The illustrative masterplan shows no housing development within the archaeological exclusion zones, with these areas restricted to open space/landscaping only. On this basis KCC Archaeology has raised no objections to the proposal; however, a number of safeguarding conditions have been recommended in order to protect archaeology both during construction works and in situ. A condition providing for archaeology interpretation, in response to the comments by Minster Parish Council, is also recommended.

Subject to these safeguarding conditions, and the protection of the archaeological exclusion zones through any future reserved matters application, the impact upon archaeology is considered to be acceptable, and in accordance with Policy HE01 of the Thanet Local Plan.

## **Financial Contributions**

Policy SP41 of the Thanet Local Plan requires that development only be permitted when provision is made to ensure the delivery of relevant and sufficient community and utility infrastructure; including, where appropriate, a contribution towards the provision of new, improved, upgraded or replacement infrastructure and facilities.

Concern has been raised by residents within the village about the impact the proposal will have upon existing services, specifically the local doctors surgery and primary school, which residents are concerned are already at capacity.

### *Healthcare*

The Clinical Commissioning Group have commented on the application and advised that despite being modest in size, the proposed development poses a risk to the provision of primary care in the locality, both in terms of workforce and physical accommodation.

Minster Surgery, whilst considered to be appropriately sized for its existing patient list, will suffer growth pressures from any additional housing, and will therefore require mitigation through investment in the surgery.

The development is likely to increase the local population by approximately 600 people, and therefore an additional 48sqm of surgery space, roughly equating to 2 consulting rooms plus additional waiting and circulation space, will be required. A financial contribution of £144,000 towards Minster Surgery has therefore been requested, which has been agreed by the applicant, and secured through the submitted legal agreement.

### *Education*

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.

KCC has advised that the proposal gives rise to up to 60 additional primary school pupils during the occupation of the development. Whilst residents are keen that any financial contribution goes towards Minster Primary School in order to increase capacity, KCC has advised that Minster Primary School is unable to expand any further, and therefore the financial contribution needs to go towards the nearest strategic education project to the development, which in this case is the new primary school to be erected within the Manston Green development. A financial contribution of £4,535 per house and £1134 per flat towards new primary education has been requested.

KCC have requested a financial contribution of £3,534.79 per house and £798.31 per flat towards new secondary education within the district in order to mitigate the impact from additional children occupying the development. Both education contribution requests have been agreed by the applicant, and secured through the submitted legal agreement.

### *Other Contributions*

KCC have commented that a financial contribution of £10,275.32 is required for additional bookstock at Minster Library in order to mitigate the impact of the additional borrowers generated from this development.

KCC have requested a financial contribution of £16,424.50 towards social care provision, in the form of specialist care accommodation in Thanet for older people/dementia.

KCC have requested a financial contribution of £4,414.19 towards community learning in the form of portable equipment for new learners in Ramsgate.

The applicant has agreed to all of these financial contributions, which have been secured through a legal agreement.

### **Special Protection Area Mitigation and Appropriate Assessment**

Thanet District Council has produced the 'The Strategic Access Management and Monitoring Plan (SAMM)' which focuses on the impacts of recreational activities on the Thanet section of the Thanet Coast and Sandwich Bay Special Protection Area (SPA). The studies indicate that recreational disturbance is a potential cause of the decline in bird numbers in the SPA. The proposed development is within close proximity of 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, as agreed by Natural England.

The tariff for this contribution is provided in the SAMM report, and Policy SP29 of the Thanet Local Plan, consisting of £202 per 1-bed unit, £320 per 2-bed unit, £424 per 3-bed unit, and £530 per 4bed plus unit. This mitigation means that the Council accords with the Habitat Regulations and an appropriate assessment has been undertaken. The applicant has agreed to this contribution, which will be secured through the legal agreement. An appropriate assessment has been carried out on this basis.

### **Heads of Terms**

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

- Special Protection Area (per unit figure)
- Primary Education - £4,535 per house and £1134 per flat
- Secondary Education - £3,534.79 per house and £798.31 per flat
- Libraries - £10,275.32
- Community learning - £4,414.19
- Social care - £16,424.50
- Health Provision - £144,000
- Spitfire Way Junction Highway Works - £166,000

- 30% on-site affordable housing provision
- Off-site highway works to Tothill Street Roundabout junction
- Resurfacing of Bridleway

## **Conclusion**

The application site is located within the village confines, and is allocated housing land. The proposal therefore complies with Policy HO1 of the Thanet Local Plan. The illustrative site layout plan submitted shows that 214no. dwellings can be provided within the site without a significant impact upon the landscape character area, character and appearance of the area, or neighbouring living conditions. The impact upon highway safety has been mitigated through off-site highway improvement works, and a financial contribution to highway improvements at Spitfire Junction. The impact upon archaeology has been mitigated through the presence of archaeological exclusion zones that seek to limit development within the application site boundary. 30% on site affordable housing is proposed, and the applicant has agreed to all of other financial contributions as stated within the Heads of Terms. The proposal is therefore considered to be a sustainable form of development that complies with Local Plan Policy and the NPPF.

It is therefore recommended that Members defer and delegate the application for approval, subject to safeguarding conditions, and the submission of a signed S.106 agreement that secures the stated heads of terms.

## **Case Officer**

Emma Fibbens

TITLE: OL/TH/18/1488

Project Land On The West Side Of Tothill Street Minster RAMSGATE Kent

Scale:

