

D01

OL/TH/20/0847

PROPOSAL: Outline application for the erection of up to 450 residential dwellings (including market and affordable housing), structural planting and landscaping, formal and informal public open space and children's play area, sustainable urban drainage, with vehicular access points, including associated ancillary works and operations, from Hartsdown Road, Shottendane Road and Manston Road including access

LOCATION: Land On The North West And South East Sides Of Shottendane Road MARGATE Kent

WARD: Salmestone

APPLICANT: Gladman Developments Ltd

RECOMMENDATION: Defer & Delegate

Defer and delegate for approval subject to the receipt of a legal agreement securing the required planning obligations as detailed in the report and the following conditions:

1 Approval of the details of the layout, scale, 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. Development thereafter shall be carried out in accordance with the approved details.

GROUND: As no such details have been submitted in respect of these matters as the application is in outline. In accordance with Section 92 of the Town and Country Planning Act 1990.

2 Any application for approval of the reserved matters for the first phase of the development shall be made to the Local Planning Authority before the expiration of 3 years from the date of this permission. Any application for approval of the reserved matters for any remaining phases shall be made to the Local Planning Authority before the expiration of 5 years from the date of this permission.

GROUND: In accordance with Section 92 of the Town and Country Planning Act 1990.

3 Each phase of the development shall be begun within two years of the date of approval of the final reserved matters to be approved for that phase.

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

4 The phasing of the development shall not be carried out other than in accordance with the approved Phasing Parameter Plan numbered 2019-057-201 Rev A and received on 18th January 2021 subject to any revisions to the approved phasing plan submitted and approved in writing by the Local Planning Authority pursuant to this condition. This condition does not prevent the construction periods of any phase running concurrently with other phases.

GROUND: To secure the programming and phasing of, and an orderly pattern to the development in accordance with the phasing arrangements that have been assessed.

5 The reserved matters submitted in accordance with Condition 1 in respect of each phase shall include the following details in respect of that phase to the extent that they are relevant to the reserved matters application in question:-

Layout

- o The layout of routes, buildings and spaces;
- o The block form and organisation of all buildings;

- o The distribution of market and affordable dwellings within that phase including a schedule of dwelling size (by number of bedrooms and floorspace);
- o The location of dwellings designed to seek to meet the Local Planning Authority's Accessible and Adaptable Accommodation;
- o Full details of the approach to cycle parking including the location, distribution, types of rack, spacing and any secure or non-secure structures associated with the storage of cycles and the location and form of open areas;
- o The extent and layout of public open spaces and play space within the phase to be provided following the criteria as stated in Thanet Local Plan 2020 Policy GI04.
- o Full details of measures to prevent the discharge of surface water onto the highway.
- o Details of surface water drainage capable of accommodating for all rainfall durations and intensities up to and including the climate change adjusted critical 100 year storm. This should be demonstrated within an outline site wide drainage strategy, supported by appropriate ground investigation and calculations.

Scale and Appearance

Scale, form and appearance of the architecture within each phase, including frontage design and public / private realm definition and boundary treatments.

Landscaping

The landscape design and specification of hard and soft landscape works within each phase, including details surveys of all trees, shrubs and hedges in that phase, giving details of all trees having a trunk diameter of 75mm or more to include species type, spread of crown, height, diameter of trunk and condition assessment, details of existing trees, shrubs and hedges to be retained and details of new trees, shrubs, hedges and grassed areas to be planted, together with details of the species and method of planting to be adopted, details of

walls, fences, other means of enclosure proposed. Any such details shall be accompanied by the Landscape Management Plan and Open Space Specification for that phase.

Each phase of the development shall be constructed and laid out in accordance with those details submitted to and approved in writing by the Local Planning Authority.

GROUND: In the interests of achieving sustainable development, in accordance with Thanet Local Plan Policy QD02, and the principles within the National Planning Policy Framework.

6 Any reserved matters applications submitted pursuant to this outline application shall accord with the principles and parameters of the Parameter Plan CSA/4430/122 and Landscape Strategy Plan no. CSA/4430/118 Rev F received 13th November 2020 including any text set out on those Plans to illustrate the development principles).

GROUND: For the avoidance of doubt, so as to ensure that any development is in accordance with and within the parameters of that assessed by the Local Planning Authority for the purposes of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 and in the interest of achieving sustainable development, in accordance with Thanet Local Plan Policy QD02, and the principles with the National Planning Policy Framework.

7 The development hereby approved shall be carried out in accordance with the approved plans no. SK09 Rev E received 12th March 2021, SK10 Rev A and SK11 received 7th July 2020, subject to final design and highway authority adoption requirements.

GROUND: To secure the proper development hereby approved and in the interests of highway safety and providing adequate safe highways infrastructure and capacity in accordance with Thanet Local Plan Policies SP21 and SP45.

8 Prior to the commencement of each phase, or part thereof, an Open Space Specification for the phase shall be submitted to and approved in writing by the Local Planning Authority, to accord with principles shown in plan no. CSA/4430/118 Rev F. 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 details submitted under condition 1;

* Outline any local play space to be provided, providing also a detailed specification of any equipped play areas. Such play space shall be provided following the criteria as stated in Thanet Local Plan 2020 Policy GI04 of which at least 36% 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;

* Identify and demonstrate the "Trim Trail" proposed through plan CSA/4430/118 Rev F to encourage dog-walking within the site; and

The landscaped areas, open space and play space in any phase 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.

9 Prior to the commencement of each phase, or part thereof, a Landscape Management Plan for the phase in question shall be submitted to and approved in writing by the Local Planning Authority for all landscaped, open space and play areas identified in the Open Space Specification for the phase which shall include long term design objectives, details of who it to have ongoing management responsibilities for the area and how those arrangements will be secured in perpetuity and annual maintenance schedules for all landscaped, open space and play areas within the phase. The approved Landscape Management Plan for each phase shall be implemented and adhered to as approved subject to any minor revisions thereto as may be approved in writing by the Local Planning Authority. The public open spaces in that phase shall be permanently retained and maintained thereafter in accordance with the approved Landscape Management Plan for that phase and used for and made available as public open space for public amenity 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.

10 No development shall take place until fencing has been erected around the area identified as an Archaeological Exclusion Zone on plan no. CSA/4430/122 Rev C received 13th November 2020, in a manner to be agreed with the Local Planning Authority. The temporary fencing shall be retained for the duration of the construction works in that phase, or part thereof. No development groundworks, landscaping or planting shall take place in the Archaeological Exclusion Zone without the consent of the Local Planning Authority.

GROUND: To ensure that due regard is had to the preservation in situ of important archaeological remains in accordance with Thanet Local Plan Policy HE01 and advice in paragraph 189 of the National Planning Policy Framework.

11 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 due regard is had to the preservation in situ of important archaeological remains in accordance with Thanet Local Plan Policy HE01 and advice in paragraph 189 of the National Planning Policy Framework.

12 Prior to the occupation of any dwelling in a respective phase, a scheme of interpretation that includes information boards in public open space areas in that phase of the development should be agreed with the Local Planning Authority. The scheme should include the location for information boards, their content and timetable for their establishment. The interpretation boards will be established in accordance with the agreed scheme.

GROUND: To ensure that due regard is had to important archaeological remains in accordance with Thanet Local Plan Policy HE01 and advice in paragraph 189 of the National Planning Policy Framework.

13 No development shall take place on each respective phase of development until a detailed surface water drainage scheme, to manage surface water run-off from the development (for up to and including the climate change adjusted 100 year storm event) for that phase has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be based on the Section 6 of the submitted Flood Risk Assessment (Enzygo, May 2020) and shall also include:

- the phasing for the implementation of the surface water drainage scheme.
- 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 scheme shall be constructed in full accordance with the approved details and shall be managed/maintained in accordance with the approved maintenance and management details for the lifetime of the development.

GROUND: To ensure the development is served by satisfactory arrangements for the disposal of surface water and they are incorporated into the proposed layouts, in accordance with Thanet Local Plan Policy CC02.

14 No infiltration of surface water drainage into the ground is permitted other than with the written consent of the Local Planning Authority. Where infiltration is to be used to manage the surface water from the development hereby permitted, it will only be allowed within those parts of the site where information is submitted to demonstrate to the Local Planning Authority's satisfaction that there is no resultant unacceptable risk to controlled waters and/or ground stability. The development shall only then be carried out in accordance with the approved details.

GROUND: To protect vulnerable groundwater resources, in accordance with Thanet Local Plan Policy SE04 and paragraph 180 of the National Planning Policy Framework.

15 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 surface water drainage systems, carried out by a suitably qualified professional, has been submitted to the Local Planning Authority which demonstrates the suitable modelled operation of the drainage system such that flood risk is appropriately managed, as approved by the Lead Local Flood Authority.

GROUND: To ensure that flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems, and to ensure that the development as constructed is compliant with and subsequently maintained pursuant to the requirements of paragraph 165 of the National Planning Policy Framework.

16 No development shall take place until a scheme for sewerage disposal from the development has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall include details of any additional infrastructure required to mitigate the additional flows created by this development. The development shall be constructed and thereafter maintained in accordance with the approved details.

GROUND:

To prevent pollution in accordance with Thanet Local Plan Policy SE04 and guidance contained within the National Planning Policy Framework.

17 No development shall commence until a site characterisation and remediation scheme has been submitted to and approved in writing by the Local Planning Authority and the remediation scheme has been implemented in accordance with the approved details. The site characterisation, remediation scheme and implementation of the approved remediation scheme shall be carried out in accordance with the following criteria:

(a) Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, shall be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment shall be undertaken by competent persons and a written report of the findings shall be submitted to and approved in writing by the Local Planning Authority, and shall include:

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

The site characterisation report shall be conducted in accordance with British Standards and current DEFRA and Environment Agency best practice.

(b) Submission of remediation scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and shall be submitted to and approved in writing by the Local Planning Authority, if required by part (a) of the condition. The scheme shall include all works to be undertaken, proposed remediation objectives and remediation criteria, a timetable of works and site management procedures. The scheme

shall ensure that the site cannot be considered as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

(c) Implementation of Approved Remediation Scheme

The approved remediation scheme shall be carried out in accordance with its terms prior to the commencement of the development other than that required to carry out remediation. The Local Planning Authority shall be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out shall be submitted to and approved in writing by the Local Planning Authority

GROUND:

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

18 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.

19 No development shall take place on any phase until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The Construction Environmental Management Plan shall include amongst other matters details of:

- * Hours of construction working;
- * routing of construction and delivery vehicles to/from site,
- * parking and turning areas for construction and delivery vehicles and site personnel,
- * timing of deliveries,
- * measures to control noise affecting nearby residents;
- * temporary traffic management/signage,
- * any temporary access arrangements to the site for construction purposes,
- * wheel cleaning/chassis cleaning facilities;
- * dust control measures;
- * lighting control measures;
- * water quality protection measures;

- * precautionary measures to protect Badgers (as per section 7.5.39 of submitted Environmental Statement)
- * maintenance of vehicular access to Margate Cemetery, Crematorium and Waste & Recycling centre throughout construction.
- * pollution incident control and
- * site contact details in case of complaints.

The construction works shall thereafter be carried out at all times in accordance with the approved Construction Environmental Plan, unless any variations are otherwise first submitted to and approved in writing by the Local Planning Authority.

GROUND: In the interests of highways safety and the residential amenities of nearby residents, in accordance with Policy QD02 and QD03 of the Thanet Local Plan.

20 No development shall take place on any phase (or part thereof) until a Highways Work Phasing Plan, outlining the implementation of highways works detailed in condition 21, has been submitted to and approved in writing by the Local Planning Authority. The Highways Work Plan should include details of the mitigation proposed in that phase (or part thereof) including the new link road through the site plus its associated access points and footways, how these will be completed and made operational. The works shall be carried out in accordance with the agreed phasing plan including the timings for the provision of each respective element of infrastructure.

GROUND: In the interests of highway safety and traffic flow, to ensure the sufficient highways infrastructure is provided to serve the development in accordance with Thanet Local Plan Policies SP21 and SP45.

21 No development shall take place in any respective phase, until full final details of the proposed highways works have been submitted to, and approved in writing by, the Local Planning Authority. These details shall include:

- Local distributor standard link road
- Potential 32m Roundabout Junction on Manston Road;
- Potential 40m Roundabout Junction on Shottendane Road;
- Right turn lane Priority Junction on Hartsdown Road.

All submitted details shall substantially accord with the geometrical layout as those submitted in the plans numbered plans no. SK09 Rev E received 12th March 2021, SK10 Rev A and SK11 received 7th July 2020.

These works shall be implemented and operational in accordance with the timings within the Highways work phasing plan in condition 20.

GROUND: In the interests of highway safety and traffic flow, to ensure the sufficient highways infrastructure is provided to serve the development in accordance with Thanet Local Plan Policies SP21 and SP45

22 Details submitted pursuant to condition 1, insofar as they relate to each phase of development, shall include the final route, specification, geometry and waiting restrictions of the link road through the site within the area of deviation shown on the parameter plan. The link road and associated footway/cycleways, should be provided to an acceptable local distributor standard in accordance with the most up to date revision of the Kent Design Guide and include details of the pedestrian crossing provision and bus stop infrastructure where appropriate. These works shall be implemented and operational in accordance with the timings with the Highway Works Phasing Plan.

GROUND: In the interests of highway safety and traffic flow, to ensure the sufficient highways infrastructure is provided to serve the development in accordance with Thanet Local Plan Policies SP21 and SP45.

23 Details pursuant to condition 1 above shall include the provision of means and routes of access for pedestrians and cyclists within each phase of the development to and from the surrounding footway and cycleway network. No building within that phase shall be occupied until all such routes and means of access within the phase serving that building are constructed and ready for use and thereafter shall be retained for their approved purpose.

GROUND: In the interests of highway safety and to facilitate the use of alternative means of transport, in accordance with Thanet Local Plan Policies SP45 and TP03.

24 Details submitted pursuant to condition 1 in respective of each phase of the development, shall demonstrate safe emergency access to the satisfaction of the Local Highway Authority and Fire Rescue Service.

GROUND: In the interests of safe access in new development in accordance with Thanet Local Plan Policy QD02 and paragraph 127 of the National Planning Policy Framework.

25 Details submitted pursuant to condition 1 in respective of each phase of the development, shall include the proposed roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, driveway gradients, car parking, turning areas and street furniture and bus stops/borders to be laid out and constructed. The details agreed shall be provided and permanently retained.

GROUND: In the interests of highway safety and traffic flow, to ensure the sufficient highways infrastructure is provided to serve the development in accordance with Thanet Local Plan Policies SP21 and SP45.

26 Details pursuant to condition 1, insofar as they relate to each phase of development, shall include the provision of adequate secure covered cycle parking facilities within that phase, in accordance with standards to be agreed with the Local Planning Authority. Such facilities as approved shall be made available for use prior to the occupation of the unit for which they are provided to meet relevant parking and layout standards, and thereafter shall be retained for their approved purpose.

GROUND: In the interests of highway safety and to facilitate the use of alternative means of transport, in accordance with Thanet Local Plan Policy TP03.

27 Prior to first occupation of each respective dwelling, the completion of the following works between a dwelling and the adopted highway should have occurred in accordance with details submitted pursuant to condition 1: (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 safe access in new development in accordance with Thanet Local Plan Policy QD02 and paragraph 127 of the National Planning Policy Framework.

28 Details pursuant to condition 1, shall include details of the number, type and location of Electric vehicle charging points (EVCP) on the basis of 1 Electric Vehicle Charging point per residential property with dedicated parking and 1 in 10 of all non allocated parking. These shall be installed and operational to the specification agreed prior to the occupation of the residential units to which they relate.

GROUND: In the interest of air quality and amenity in accordance with SE05 of the Thanet Local Plan and paragraph 181 of the NPPF.

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

GROUND: In the interests of ensuring appropriate air quality in accordance with SE05 of the Thanet Local Plan and paragraph 181 of the NPPF.

30 Prior to the first occupation of 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 approved in condition 29, 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: In the interests of ensuring appropriate air quality in accordance with SE05 of the Thanet Local Plan and paragraph 181 of the NPPF.

31 Prior to the submission of the first reserved matters application under condition 1, a Ecological Design Strategy, addressing ecological enhancement and mitigation across the whole site as outlined in Section 7 of the submitted Environmental Statement shall be

submitted to and approved in writing by the Local Planning Authority. The Ecological Design Strategy shall include the following:

- a) Purpose and conservation objectives for the proposed works;
- b) Review of site potential and constraints
- c) Detailed design(s) and/or working method(s) to achieve stated objectives;
- d) Extent and location/area of proposed works on appropriate scale maps and plans;
- e) Type and source of materials to be used where appropriate, e.g. native species of local provenance;
- f) Timetable for implementation demonstrating that works are aligned with the proposed phasing of development;
- g) Persons responsible for implementing the works; and
- h) Details of initial aftercare and long term maintenance and management.
- i) Details of provision of calcareous grassland on site as outlined in 7.8.3 of the applicant's Environmental Statement.

The Ecological Design Strategy shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

GROUND: In the interests of preserving and enhancing biodiversity and ecological potential, and to adequately integrate the development into the environment, in accordance with Policies QD02 and GI06 of the Thanet Local Plan and the National Planning Policy Framework.

32 Details pursuant to condition 1 above shall demonstrate compliance and alignment with the agreed Ecological Design Strategy as approved in condition 31.

GROUND: In the interests of preserving and enhancing biodiversity and ecological potential, and to adequately integrate the development into the environment, in accordance with Policies QD02 and GI06 of the Thanet Local Plan and the National Planning Policy Framework.

33 Prior to the commencement of each phase, or part thereof, a detailed outdoor lighting scheme shall be submitted to, and approved in writing by, the Local Planning Authority. The scheme shall include details of the type of lights, the orientation/angle of the luminaries, the spacing and height of lighting columns, the extent/levels of illumination over the site and on adjacent land and measures to contain light within the curtilage of the site. The lighting scheme submitted must demonstrate that the lighting design will accord with the details set out in sections 7.5.31, 7.5.32 and 7.5.33 of the Environmental Statement; Chapter 7 (Wardell Armstrong June 2020). The development shall be implemented in accordance with the approved scheme and thereafter maintained as agreed.

GROUND: In the interests of minimising light pollution, to safeguard the amenities of the locality and to mitigate the impact on biodiversity, in accordance with policy SE08 of the Thanet Local Plan and paragraph 175 of the National Planning Policy Framework.

34 Details pursuant to condition 1, insofar as they relate to each phase of development, shall include an explanation of how the proposed layout meets Secure by Design, in accordance with advice received from Kent Police.

GROUND: To ensure the proper development of the site without prejudice to the amenities of the occupants, in accordance with Thanet Local Plan Policies QD02 and QD03.

35 No phase of the development shall commence until details and samples of the materials to be used in the construction of the external surfaces of the development hereby permitted in that phase have been submitted to, and approved in writing by, the Local Planning Authority. The phase shall be carried out using the approved materials.

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

36 Details pursuant to condition 1 shall show no development on land identified as "Safeguarded land for potential future road" on plan no. CSA/4430/122 received 13th November 2020.

GROUND:

In the interests of safeguarding strategic routes for the provision of key road schemes, in accordance with Policy SP47 of the Thanet Local Plan.

37 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.

38 Prior to the commencement of any highways works, a Parking Restriction Strategy, detailing the full extents of the proposed Traffic Regulation Order for double yellow lines on Hartsdown Road and the internal link road infrastructure, shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The Strategy shall be progressed through the applicant's best endeavours.

GROUND: In the interests of highway safety.

39 Prior to the occupation of any dwelling hereby approved, a final Travel Plan, to substantively accord with the Framework Travel Plan June 2020 by Icen Projects 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.

40 Details pursuant to condition 1 for the relevant phase adjacent to designated footpath TM14 shall show the footpath retained and identify access points onto and connection with pedestrian routes through the proposed development.

GROUND: To facilitate the use of alternative means of transport and retention and potential upgrading of TM14, in accordance with Thanet Local Plan Policies TP03 and SP21 and guidance within the National Planning Policy Framework.

41 Prior to the occupation of any dwellings within each respective phase, a copy of a Homeowner information pack, setting out measures to encourage considerate pet ownership, minimising light spill and not causing excessive and extended noise, information on how residents can minimise their impact on the surrounding wildlife, such as breeding birds and providing information on the European designated sites in the locality and their significance, shall be submitted to and approved in writing by the Local Planning Authority. This as agreed shall be provided to occupiers of each new dwelling at the point of occupation.

GROUND:

To ensure satisfactory mitigation measures in accordance with Policy SP28 of the Thanet Local Plan, and guidance within the National Planning Policy Framework.

42 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 with 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.

43 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.

44 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

SITE, LOCATION AND DESCRIPTION

The application site measures some 19.5 hectares and is located on the southern settlement edge of Margate and is two arable fields. The northern field appears an elongated, L-shaped parcel that has boundaries adjoining Shottendane Road and Hartsdown Road, wrapping around Shottendane Farm to the east. The southern field forms a broadly square-shaped field, located between Shottendane Road and Manston Road, with its eastern / south east boundary abutting the built development of Firbank Gardens and Sycamore Close. The site is divided through its centre by Shottendane Road, which largely runs southwest to the north-east, to the junction with Hartsdown Road, Tivoli Road, College Road and Nash Road (locally known as Coffin House Corner).

A residential area is situated to the northeast of the southern parcel, whilst a cluster of residential properties and some farm buildings are located to the southwest. Shottendane Farm is located adjacent to the eastern boundary of the northern parcel. Hartsdown Road is located to the north-east of the site, with Margate Football Club approximately 80m to the north. Hartsdown Park and Tivoli Park are located adjacent to Margate Football Club and are separated by a Public Right of Way (PRoW). The town of Margate is located beyond. Agricultural land lies to the northwest, west and south of the proposed development site. Further to the north west sits the suburban village of Garlinge and the residential areas located within its southern extent. To the immediate south is the Cemex Margate Concrete Plant and the Margate Refuse and Recycling Centre. Margate Cemetery is located to the south-east beyond Manston Road, which runs along the south-eastern border of the site.

RELEVANT PLANNING HISTORY

There is no relevant planning history for the application site.

PROPOSED DEVELOPMENT

The application is an outline application with access points at site boundaries to be considered at this stage with all other matters (appearance, landscaping, layout and scale) reserved for future consideration. It is for the erection of up to 450 residential dwellings (including market and affordable housing), structural planting and landscaping, formal and informal public open space and children's play area, sustainable urban drainage, with vehicular access points, including associated ancillary works and operations, from Hartsdown Road, Shottendane Road and Manston Road including access.

Although the application is in outline form, an indicative masterplan has been submitted to demonstrate how the 450 residential units could be accommodated within the site. A series of parameter plans has also been submitted. These plans show areas of open space/landscaping throughout the development including areas of landscaping to the edges of the site. The parameter plans show areas with taller buildings concentrated around the centre of the site and lower dwellings adjacent to the boundaries of the site. These will be described in more detail below in the Character and Appearance section of the report. The overall density of the residential development of the site is 34 dwellings per hectare - but this will vary in the different areas of the site.

The proposal also includes highway works including the provision of a distributor link road and new roundabouts on Shottendane Road and Manston Road and access arrangements from the existing highway network to the proposed development site. These will be considered in more detail in the Highway section of the report.

The application is accompanied by an Environmental Statement as required under The Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan 2020

SP01 - Spatial Strategy - Housing
SP10 - Margate
SP13 - Housing Provision
SP14 - General Housing Policy
SP21 - Strategic Housing Site - Land North and South of Shottendane Road
SP22 - Type and Size of Dwellings
SP23 - Affordable Housing
SP24 - Development in the Countryside
SP25 - Safeguarding the Identity of Thanet's Settlements
SP26 - Landscape Character Areas
SP27 - Green Infrastructure
SP29 - Strategic Access Management and Monitoring Plan (SAMM)
SP30 - Biodiversity and Geodiversity Assets
SP31 - Biodiversity Opportunity Areas
SP34 - Provision of Accessible Natural and Semi-Natural Green Space, Parks, Gardens and Recreation Grounds
SP35 - Quality Development
SP36 - Conservation and Enhancement of Thanet's Historic Environment
SP37 - Climate Change
SP38 - Healthy and Inclusive Communities
SP41 - Community Infrastructure
SP43 - Safe and Sustainable Travel
SP44 - Accessible Locations
SP45 - Transport Infrastructure
SP47 - Strategic Routes
E02 - Home Working
E03 - Digital Infrastructure
E16 - Best and Most Versatile Agricultural Land
H01 - Housing Development
GI04 - Amenity Green Space and Equipped Play Areas
QD01 - Sustainable Development
QD02 - General Design Policies
QD03 - Living Conditions
QD04 - Technical Standards
QD05 - Accessible and Adaptable Accommodation
HE01 - Archaeology

HE03 - Heritage Assets
CC02 - Surface Water Management
SE04 - Groundwater Protection
SE05 - Air Quality
SE06 - Noise Pollution
SE08 - Light Pollution
CM02 - Protection of Existing Community Facilities
TP01 - Transport Assessments and Travel Plans
TP02 - Walking
TP03 - Cycling
TP04 - Public Transport
TP06 - Car Parking

NOTIFICATIONS

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

Fifty representations objecting to the proposal have been received with some people writing in more than once. They make the following summarised comments.

- Affect local ecology
- Close to adjoining properties
- Development too high
- General dislike of proposal
- Inadequate access
- Inadequate parking provision
- Increase danger of flooding
- Increase in traffic
- Increase in pollution
- Loss of light
- Loss of parking
- Loss of privacy
- Noise nuisance
- Not enough information given on the application
- Out of keeping with the character of the area
- Application will lead to more congestion at Coffin Corner
- Lack of community facilities for existing residents let alone additional residents
- The density of the proposed development should be reduced
- The combined impact on traffic and other issues on the surrounding area from this and nearby proposals will be unacceptable
- Shottendane Road needs widening
- There are many community facilities in the area generating traffic (eg school, crematorium, cemetery and refuse tip). The impact on these needs to be monitored
- Congestion is already common on the surrounding road network without this development

- Increased water runoff created by this development
- In the application site part of the land given to the community by the Hartsdown family?
- Why do more houses need to be built?
- This is one of the driest areas in UK - development will increase the demand for water
- New development should be in small numbers on brownfield sites to encourage its integration
- Overdevelopment
- No bus service to help address highway concerns
- Site is in a semi rural area with diverse wildlife populations, therefore, there would be a loss of wildlife habitat
- Inadequate public transport provision
- Manston Road floods in times of heavy rain
- More open space needed on the development
- Impact on property prices - will we be compensated for any loss
- Loss of views from existing dwellings
- No benefits to the existing community from this development
- Increase in crime
- Farm land should be retained especially given the pandemic
- Potential for emergency vehicles to be caught on traffic congestion given the increase in traffic from this development
- Impact on residential amenity during construction works
- Unlikely that existing local residents will be able to afford the so called affordable homes, so other people will be drawn to the area
- Overlooking
- Increased risk of flooding
- Total housing allocation for Thanet is too high
- Thanet is losing its charm due to overdevelopment
- You cannot undo a large housing estate once built
- Potential for trespass onto surrounding agricultural land
- Bridleways and footpaths will be lost to urban sprawl
- Residents in the proposed development will be reliant on the car as no local facilities
- Why are no additional community facilities proposed in the development
- Proposed affordable housing is only 10% which is way below the national average. Has this been challenged by the Council?
- Why is housing development being allowed to proceed when the road infrastructure is not in place?
- The construction of the inner ring road is dependent on developers building sections through their development sites - will the road ever be completed?
- What will happen if cricket balls get hit onto the road?
- When will the community woodland be planted?
- Will the proposed drainage system be able to cope with sustained rainfall?
- Intrusion into open countryside on the edge of the urban area
- Archaeological remains could be disturbed,
- Increase in noise, dust and pollution

- Irreparable damage to existing hedgerows
 - Thanet, and particularly Birchington and Westgate, is shouldering a disproportionate number of houses to fulfil a national strategy
 - Leasehold properties can cause problems and should not be part of this development
 - Thanet is in danger of becoming one big housing estate
 - Proposed development will impact on the ability of local farmers to farm their land and other vehicles will get in the way of agricultural traffic
 - Loss of trees
 - The topography of the site is highly challenging
 - Houses on the higher areas of land will be particularly visible
 - Plans do not allow for adequate softening of the development edges
 - Adequate wintering bird surveys have not been completed so the potential impact of the development on the Golden Plover has not been properly assessed.
 - Development is financially unviable despite already providing a decreased proportion of affordable housing
 - Development is contrary to the provisions of the Local Plan and the National Planning Policy Framework
 - Councils should not be held to ransom over the amount of affordable housing which can be delivered on housing sites
 - Local Plan policies require new development to integrate on to the landscape - this is not the case with this development
 - Original notification letters about this development from the council referenced its location incorrectly. Although this was remedied, it is not clear that all residents received the amended letter
 - If water cannot drain from the application site due to development problems will be caused elsewhere
 - Why are people still homeless in Thanet when there is all this house building?
 - There is no need for this development as there are at least 2 existing housing developments between Shottendane Road and Westwood Cross
 - Need to preserve existing outdoor spaces not build on them
 - SSSI coastline already under pressure from increased visitor numbers
 - Renowned long views will be lost
 - Upland chalk area, which is highlighted as significant in character, will be lost
 - Loss of food security at the expense of housing
 - New housing and roads will cause additional light pollution
 - There has already been a huge loss of jobs in the area due to Covid 19.
- Representations objecting to the application have also been received from a planning consultant acting on behalf of some of the local residents. Their comments are summarised below.
- Status of the submitted masterplan is unclear
 - Plans indicate that the proposed highway would cut through the site in the area most at risk of flooding
 - Impact of the highway proposals on Shottendane Road not adequately addressed

- Trees and hedges will be destroyed along Shottendane Road, although the retention of landscaping is extolled as a virtue of the scheme
- The major area of open space/children's play area are located in the area most at risk of flooding and therefore less suitable for recreational use
- Much of the proposed open space within the scheme will be provided due to issues such as archaeology, flood risk or the fact that they are expensive or difficult to develop rather than as a virtue of the scheme
- Landscaping is not sufficient to mitigate the impact of the proposed development on the surrounding area
- Housing layout needs to be more imaginative to minimise its impact
- Getting to play areas and open spaces will require people (including children) to cross roads - a highway safety issue
- Only 10% affordable housing proposed which fails to meet the Local Planning Authority's 30% for new developments
- The policy allocation states that the site will provide 550 new homes - only 450 being delivered creating a shortfall
- No single storey units proposed within the development
- The assumptions in the viability assessments need checking
- Development is contrary to Local Plan policies and the scheme as submitted would lose Thanet 100 new homes overall and 120 new affordable units for local people.

One neutral representation was also received on the application which stated that there was a need for a construction management plan to be produced to avoid impacting on the existing nearby facilities.

Thanet Campaign for the Protection of Rural England (CPRE): update comment

Given the current economic situation there will likely be post brexit and covid reexamination of major highway infrastructure such as Thanet Parkway;

Thanet has an impractical and unsustainable target for housing;

The Local Plan needs an early radical review, which cannot be done whilst there is uncertainty about Manston Airport;

TDC Cabinet has launched a 6 week consultation on a review of the Council's Statement of Community Involvement; and

It would seem sensible and appropriate to defer consideration of the three development proposals at Shottendane, Westgate/Garlinge and Birchington.

Initial Comment Reject this application:

- Not be consistent with the Adopted Local Plan
- Not provide 30% affordable housing
- be unlikely to provide under S106 agreements an acceptable contribution to Local Public Infrastructure and it would be premature insofar that the major Highway Proposals associated with the Proposed Development could not be guaranteed
- premature until the implications of Surface Water Drainage have not been sufficiently addressed or assessed

- premature until the implications of Foul Water Drainage have been sufficiently addressed or assessed particularly in conjunction with potential sequential development in Garlinge /Westgate

British Horse Association: Horse riding is a sport which engages a high population of people living with disabilities, women and participants over the age of 45. Nearly 40% of those do not participate in any other form of physical activity. The contribution of equestrianism to the economy is also far from insignificant.

Thanet is a district with a high density of horse riders, carriage drivers and associated equestrian businesses. We would ask for some benefits from the proposed development for example the upgrade of footpath TM14 to unrestricted bridleway status and CIL monies could be utilised to improve the off road network for higher status users of the public rights of way network for new and existing residents.

Margate Civic Society: Object to the application on the following grounds.

- Now a greater appreciation of the climate problem;
- Traffic congestion remains unresolved and this development will exacerbate this situation. The effect of the airport decisions on transportation is still unclear;
- There is a pressing need for affordable social housing. Thanet is a low income area with many private renters approaching retirement as well as issues resulting from the pandemic;
- Not much sign of housing commensurate employment;
- Loss of prime agricultural land should be a last resort; and
- At present, this is the wrong development in the wrong place.

Margate Cricket Club: Not currently objecting to this development, provided that our two concerns are accounted for and actioned.

The possible risk of increased flooding to the area which could affect our playing field and ability to play cricket and facilitate other leisure activities. I do note on the plans the installation of a basin, but we are unsure whether this will be enough to avoid flooding.

The sighting of the vehicle, cycle and pedestrian access and proximity of the housing to our land boundary (right hand side as you stand from Hartsdown Road), raises concerns as to the safety of residents, vehicles, houses etc within this planned development from cricket balls which can cause severe damage to both property and life. For planning to be approved we feel the following condition should be applied which is for the developer and builders to supply, erect and maintain within the development land boundary side a suitable netting structure along the entire length of the boundary that was referred to previously. We suggest this be at an approximate height of 20 meters due to how high cricket balls can be hit, and for this to be discussed and agreed with our management committee to ensure suitability and effectiveness. Other clubs in Kent based in residential areas have similar provisions in place and we do not feel that these essential safety measures should be a financial liability to us given that we have been established in this location for many years.

CONSULTATIONS

Historic England: No comment.

Natural England: Originally raised concerns that a Habitats Regulation Assessment had not been submitted and additional information was required in relation to wintering birds.

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

Environment Agency: This site overlies a chalk aquifer, any pathways for contamination must be strictly controlled to avoid pollution of the principle aquifer.

Developments should not be brought forward until relevant upgrades in main sewer provision are made for new development areas. Cesspits and septic tanks pose a risk to water quality in principal and secondary aquifers and cumulative impacts of new developments must be considered. Multiple single discharges to ground cannot fall under the binding rules exemptions and developments of more than one property will not be considered for individual discharges to ground in principle. In addition all risks from potential contamination must be identified so that appropriate action can be taken. Therefore, in completing any site investigations and risk assessments the applicant should assess the risk to groundwater and surface waters from any unexpected contamination which may be present and where necessary carry out appropriate remediation.

Planning permission could be granted for the proposed development subject to planning conditions relating to unexpected contamination and surface water infiltration. Without these conditions, the proposed development poses an unacceptable risk to the environment and we would object to the application.

Southern Water: The exact position of the public assets must be determined on site by the applicant in consultation with Southern Water, before the layout of the proposed development is finalised. Please note:

- The 100 mm diameter foul rising main requires a clearance of 3 metres either side of the rising main to protect it from construction works and to allow for future access for maintenance.
- The public water main requires a clearance of 6 metres on either side of the water main to protect it from construction works and to allow for future access for maintenance.

- No development or tree planting should be carried out within 3 metres of the external edge of the public rising main without consent from Southern Water.
- No excavation, mounding or tree planting should be carried out within 6 metres of the external edge of the public water main without consent from Southern Water.
- No soakaway, swales, ponds, watercourses or any other surface water retaining or conveying features should be located within 5 metres of a public rising main and public water main.
- All existing infrastructure, including protective coatings and cathodic protection, should be protected during the course of the construction works.

Should planning approval be granted then Southern Water recognises its obligations under the new charging regime to provide capacity in the existing sewerage system to accommodate the needs of the proposed development. Any such network reinforcement will be part funded through the New Infrastructure Charge with the remainder funded through Southern Water's Capital Works

Programme. Southern Water and the Developer will need to work together in order to review if the delivery of our network reinforcement aligns with the proposed occupation of the development, as it will take time to design and deliver any such reinforcement. It may be possible for some initial dwellings to connect, pending network reinforcement. Southern Water will review and advise on this following consideration of the development program and the extent of network reinforcement required. Southern Water will carry out detailed network modelling as part of this review which may require existing flows to be monitored. This will enable us to establish the extent of works required (if any) and to design such works in the most economic manner to satisfy the needs of existing and future Customers.

The planning application form makes reference to drainage using Sustainable Urban Drainage Systems (SuDS). Under certain circumstances SuDS will be adopted by Southern Water should this be requested by the developer. Where SuDS rely upon facilities which are not adoptable by sewerage undertakers the applicant will need to ensure that arrangements exist for the long-term maintenance of the SuDS facilities. It is critical that the effectiveness of these systems is maintained in perpetuity. Good management will avoid flooding from the proposed surface water system, which may result in the inundation of the foul sewerage system. Thus, where a SuDS scheme is to be implemented, the drainage details submitted to the Local

Planning Authority should:

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

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

This initial assessment does not prejudice any future assessment or commit to any adoption agreements under Section 104 of the Water Industry Act 1991. Please note that non-compliance with Sewers for Adoption standards will preclude future adoption of the foul and

surface water sewerage network on site. The design of drainage should ensure that no groundwater or land drainage is to enter public sewers.

Land uses such as general hardstanding that may be subject to oil/petrol spillages should be drained by means of oil trap gullies or petrol/oil interceptors.

We request that should this application receive planning approval, the following condition is attached to the consent: "Construction of the development shall not commence until details of the proposed means of foul and surface water sewerage disposal have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water."

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, the following informative is attached to the consent: A formal application for connection to the water supply is required in order to service this development.

KCC Flood and Water Management: Kent County Council as Lead Local Flood Authority have the following comments:

The application is supported by a Flood Risk Assessment Report (Enzygo, May 2020). The major risk of flooding to the site is from surface water, with flow path in the northern parcel of the site. In addition to utilising Environment Agency surface water flood maps, the applicant has presented a surface water model of the site to confirm the overland flow paths within the site, overlaid with the proposed layout of the site, demonstrating how the proposed development interacts with the flood paths.

The drainage strategy proposes to utilise infiltration to drain surface water runoff as summarised below:

Residential dwellings SUDS: It is proposed that plot soakaways will serve the individual dwellings, to be designed for the 1:100 year rainfall event plus climate change. We welcome the mitigation measures set out in Section 5 of the Flood Risk Assessment report to protect the residential dwellings from flooding.

Highway: It is proposed to drain surface water runoff from highway to soakaway trench, to be designed for the 1:30 year event and located within the low risk flow path zone. In Section 5 of the Flood Risk Assessment report, the applicant proposes that highway routes through the surface water flood path could be raised using a series of box culverts to allow free conveyance under the highway and minimise floodplain displacement. We have no objection to the proposals, however we would recommend that during detailed design, the applicant takes into consideration requirements outlined in the informative section below.

Should your local authority be minded to grant permission for this development, we would recommend the following conditions:

Condition:

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 within the curtilage of the site without increase to flood risk on or off-site.

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

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

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

Reason:

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

Condition:

Where infiltration is to be used to manage the surface water from the development hereby permitted, it will only be allowed within those parts of the site where information is submitted to demonstrate to the Local Planning Authority's satisfaction that there is no resultant unacceptable risk to controlled waters and/or ground stability. The development shall only then be carried out in accordance with the approved details.

Reason:

To protect vulnerable groundwater resources and ensure compliance with the National Planning Policy Framework.

Condition:

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.

Reason

To ensure that flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems, and to ensure that the development as constructed is compliant with and subsequently maintained pursuant to the requirements of paragraph 165 of the National Planning Policy Framework.

Informative

1. Highway Design

Design criteria

The proposed SUDs for highway runoff is to be designed for the 1:30 year event. The applicant shall refer to SUDs Policy 2 of Kent County Council (KCC) Drainage and Planning Policy document (available at www.kent.gov.uk) for design requirements for rainfall events between 1:30 and 1:100 year events for highways.

KCC recommends that at detailed design, the proposal should consider the requirements of SUDS Policy 2 with supporting information.

Highway drainage maintenance

The applicant is proposing box culverts for section(s) of the highway. If the proposed highway or sections of it are proposed to be adopted, then any associated culverts will be under the maintenance of KCC drainage team. We recommend that the applicant has early consultation with KCC drainage team regarding the design culverts, to capture their requirements in regard to the maintenance of all drainage assets.

2. Exceedance Routes

At the detailed design stage, we would expect to see detailed exceedance plans provided, indicating the extent of flooding with reference to actual proposed levels. It should be ensured that key access routes are not blocked and that no property flooding occurs in these areas. All exceedance must be contained within the site boundary to ensure that there is no increase in flood risk elsewhere. We expect that optimisation could be made to the drainage networks to reduce exceedance volumes where it is necessary to do so.

KCC Ecology: We have reviewed the ecological information submitted in support of this outline planning application and advise that sufficient information has been provided by the applicant. We are satisfied with the results of the further surveys which concluded that terrestrial protected species, e.g. reptiles and dormice, are unlikely to be present.

Thanet and Canterbury SAMMS

The development includes proposals for new dwellings within the zone of influence (7.2km) of the Thanet Coast and Sandwich Bay Special Protection Area (SPA) and Wetland of International Importance under the Ramsar Convention (Ramsar Site). Therefore, Thanet District Council will need to ensure that the proposals fully adhere to the agreed approach within the Strategic Access Management and Monitoring Strategy (SAMMS) to mitigate for additional recreational impacts on the designated sites and to ensure that adequate means are in place to secure the mitigation before first occupation.

A recent decision from the Court of Justice of the European Union has detailed that mitigation measures cannot be taken into account when carrying out a screening assessment to decide whether a full 'appropriate assessment' is needed under the Habitats Directive. Therefore, we advise that due to the need for the application to contribute to the Thanet Coast and Sandwich Bay SAMMS, there is a need for an appropriate assessment to be carried out as part of this application.

Bats and Lighting

The static bat surveys recorded at least six bats species, including the uncommon Nathusius' Pipistrelle. Whilst bats are unlikely to be roosting on-site, the results show that foraging and commuting bats are utilising the site. As such, the most significant impact on bat activity is likely to be from lighting once the development is operational.

Sections 7.5.31 to 7.5.33 outline the principles to limit the impact of lighting, which we advise are appropriate. To ensure that the proposed lighting measures are implemented in alignment with the lighting plan at each reserve matters phase, we advise that a condition is attached to planning permission (if granted). Suggested wording:

At each reserve matters phase, it will be demonstrated that the lighting design will accord with the details set out in sections 7.5.31, 7.5.32 and 7.5.33 of the Environmental Statement; Chapter 7 (Wardell Armstrong June 2020). The agreed details will be implemented thereafter.

Breeding Birds

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

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

Once operational, breeding birds are likely to be impacted by recreational disturbance and cat predation. To address this, it is proposed that a 'New Homeowner Information Pack' (NHIP) will be given to all new homeowners, which we are highly supportive of. The pack will include information on how residents can minimise their impact on the surrounding wildlife, such as breeding birds.

Ecological Enhancements

In alignment with paragraph 175 of the National Planning Policy Framework 2019, the implementation of enhancements for biodiversity should be encouraged. The proposed landscape plan outlines the open areas, habitat creation and enhancement features. This includes:

- Wildflower meadow creation, with appropriate seed mixes supplied;
- Native hedgerow and boundary vegetation;
- Gaps in closeboard fencing to allow movement of species like hedgehogs;
- Provision of bird and bat boxes.

We would strongly recommend that all ornamental planting is replaced by native planting to ensure maximum biodiversity value can be gained, and that bird boxes (bird bricks) are integrated within the fabric of the new builds.

To ensure that enhancements are implemented, we advise that an ecological enhancement plan is secured via an attached condition (if planning permission is granted). In addition to the proposals cited above, the plan should also include appropriate management prescriptions. Suggested wording:

Prior to the start of works (including site clearance), a site-wide ecological enhancement plan will be submitted to, and approved by, the local planning authority. The plan will include details of enhancements within the built area and open space, and associated management prescriptions.

We advise that a reserve matters condition is included to ensure the agreed measures are implemented. Suggested wording:

At each reserve matters phase, the submitted plans will demonstrate alignment with the agreed outline ecological enhancement plan, as part of condition X.

KCC Public Rights of Way and Access Service: Public Footpath TM14 would appear to be directly affected by or abuts the proposed development. The location of the 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.

As a general statement, the KCC PROW and Access Service are keen to ensure that their interests are represented with respect to our statutory duty to protect and improve PROW in the County. The team is committed to achieve the aims contained within the KCC Rights of Way Improvement Plan (ROWIP). This aims to provide a high-quality PROW network, which will support the Kent economy, provide sustainable travel choices, encourage active lifestyles and contribute to making Kent a great place to live, work and visit.

KCC PROW have no objection to the application, however as per our response of 25th August 2020, request the following is conditioned in the event of the application being approved:

Prior to a determination of the application the following is requested:

- A scheme of access / construction is agreed to clarify the path alignment, surfacing, width and signage
 - Delivery of this agreed scheme before construction commences.
 - The applicant considers the improvements detailed below regarding the wider improvements to the PROW network. We request that the applicant also investigates providing monetary contribution towards this provision. This would enable improvements onsite and offsite to mitigate the impact of this application and make it more sustainable
- Impact on Public Footpath TM14

The PROW network is a valuable resource that provides significant opportunities for outdoor recreation and active travel. We would request that the applicant clarifies the alignment of the site boundary in relation to the route of TM14, as there are conflicting plans and references within the documents of the application. (Vol.2 Appx 10 2.19 of the Transport Assessment vs Development Framework Plan, Illustrative Master Plan). KCC PROW would advise early engagement and would be happy to attend on site if necessary, in order to resolve this matter. We are still awaiting engagement with the applicant.

We welcome the intention to provide improvements to TM14, (ref. Transport Assessment Vol.2 Appx. 10). KCC PROW would propose upgrading to a Public Bridleway, allowing pedestrian and cycle use, providing active travel connectivity towards Margate centre as well as providing a significant link in the surrounding network which is also well used by equestrians. We would also advise access from the development onto TM14 which would be resolved with the issue of alignment. Without such access, the applicants stated objectives to “encourage active modes of travel for all users by offering safe and viable alternatives” would not be realised.

Following clarification of the PROW alignment, if the route is indeed outside the development boundary, KCC PROW would intend to approach the landowner regarding upgrade to Public Bridleway. This would provide a significant link in the area network which is currently well established by all users. We would request contribution by s106 for improvements to the route as above, an estimate of which would be £68-70,000 to include clearance, resurfacing, width definition and signage as detailed in the above-mentioned scheme of access / construction.

Impact on wider PROW network

KCC policy is to meet future demand by providing well planned new provisions, including green infrastructure to facilitate sustainable travel patterns. The PROW network provides an important element of this infrastructure and to this end, we examine all applications with regard to the wider area. It is therefore imperative that we use this opportunity to provide sustainable access from the site to employment, school and recreation for pedestrians and cyclists.

As correctly identified in the Planning Statement there are multiple PROW in the proximity of the development site, namely Public Footpaths TMX15, TM13 and Public Bridleways TM11 and TM15. The network here is well used by all modes and the development provides a huge opportunity to invest in Active Travel using the already available network to encourage walking and cycling, reducing pressure on roads especially the rural lanes and strengthening

connections into Margate. The leisure opportunities are of a similar significance, with connectivity to National Cycle Routes and the proximity to the coast, with increased pressure on the English Coast Path, the Viking Coastal Path, and greater access to the tourism amenities so vital to the District. As referenced in the Framework Travel Plan, the new residents of the development and current residents of the area are “well located to take advantage of existing local services” of which the PROW network is a significant asset. KCC PROW would therefore request that contributions are made to wider improvement for surfacing, upgrading and enhancement of the above routes. Appx 1 of the Planning Statement s106 Draft Head of Terms – accordingly we request a specific category for Public Rights of Way within the Highways and Public Transport section.

Please make the applicant aware that any proposed work on the surface of the paths must be approved and authorised by the Highway Authority, in this case Kent County Council's Public Rights of Way and Access Service. PROW diversions or extinguishments should be considered at an early stage. Where it is probable that consent will be granted, it is sensible to initiate consultation on proposed alterations to the path network as soon as possible. It is important that Thanet District Council are able to make the necessary Orders at the point at which consent is given.

KCC Archaeology: “As you know I have previously provided advice prior to application (response dated 14th November 2019 to submitted Scoping Report) and have been involved in extensive discussion with the applicant's archaeological consultant and agreed and monitored archaeological survey and evaluation of the proposed development site. I advised that issues concerning the effects of development on built heritage assets and their setting should be led on by the council's conservation team and will therefore concentrate this response to the archaeology of the site.

Summary of Scoping Advice with respect to Archaeology

In response to the Scoping Report I highlighted that the site lies in an area which is rich in archaeology, explained the significance and unique character of the archaeology of Thanet and described known highlights for baseline evidence in the site and its surroundings. I explained that given the archaeological potential of the site it will be important to establish where archaeology will have an influence on development planning.

I welcomed that Archaeology and Heritage was to be scoped in as a topic in the EIA and advised that:

- Baseline Conditions for archaeology should be established through a programme of initial desk-based assessment, geophysical survey and trial trench evaluation;
- The desk-based assessment should include up to date mapping of cropmarks and adjacent site features and should be modelled on topography of the site and its surroundings. Geophysical survey should be added to that model;
- Trial trenching is needed to test the model;
- Following all stages of advance fieldwork the desk based assessment should be updated, the archaeology potential modelled using all sources and a statement of significance produced in accordance with current Historic England guidance that can be used to inform discussions on the master planning of development and the EIA.

- It would be important to set out in the study the impact of development on the setting of undesignated heritage assets and highlighted the barrows and early medieval cemeteries known on the southern parcel of development.
- The EIA should set out how the impacts will be mitigated through masterplan design and / or subsequent investigation.
- The development proposals should include consideration of what additional benefits can emerge from archaeological works for example on site interpretation.

The Application

The submission includes the following documents in connection with the archaeology of the site:

Environment Statement Vol 1 Chapter 9 Archaeology & Cultural Heritage -
 Environment Statement Vol 2 Appx 9.1 Archaeology & Cultural Heritage Legislation, Policy & Guidance –
 Environment Statement Vol 2 Appx 9.2 Criteria for Defining Significance of Effect
 Environment Statement Vol 2 Appx 9.3 Heritage Assessment
 Environment Statement Vol 2 Appx 9.4 Geophysical Survey Report
 Environment Statement Vol 2 Appx 9.5 Archaeological Evaluation Report
 Environment Statement Vol 2 Appx 9.6 Archaeological Watching Brief Report

The applicant and their heritage consultant have responded well to my advice on the Scoping Report. The submission includes a comprehensive desk based heritage assessment that has taken account of the survey and trial trenching works and identified the archaeological potential of the site and its significance. In summary:

The south eastern area of the site includes the remains of a Bronze Age barrow cemetery which was later the focus of an early medieval cemetery. This can be seen on aerial photographs and the presence of a ring ditch and one burial was picked up in the evaluation. The barrow cemetery and the main part of the medieval cemetery lies on the south boundary and extends out of the site. It is sited to be prominent on a ridge overlooking land to the south. An early medieval cemetery had previously been excavated on Manston Road and may have been associated with the remains found in the site. A Neolithic pit was also found during evaluation trenching in the south eastern area of the site. Although undesignated the archaeological remains in the south eastern area of the site can be considered of a significance that merits preservation in-situ.

Archaeological remains elsewhere within the development site include a small group of pits of possible Neolithic date and an enclosure and field boundaries of Iron Age date. The site also included evidence of the former brickworks and brickearth extraction. The central part of the development site along Shottendane Road was found to include deeper deposits of colluvium while archaeological remains on the upper slopes were shallower.

Table 9.1 in vol 1 Chapter 9 of the EIA details the consultation undertaken with myself during and following the archaeological work and the outcome of discussion. I have, as described, advised that the south eastern area of the site where the Bronze Age barrow cemetery and

the Early Medieval cemetery is located should be preserved in-situ while other areas of archaeology be subject to a programme of archaeological investigation and recording should planning permission be granted. An 'Archaeological Exclusion Zone' was proposed by the applicant to cover the archaeological constraints in the south east of the site which I agreed was appropriate. This is illustrated in Figure 5 of Appendix 9.3

Safeguarding of Archaeological Remains

The proposal to preserve the archaeology in the south eastern part of the site is welcome. The Archaeology Exclusion Zone that was proposed has been incorporated in an area of open space in this area of the site. This is illustrated in the parameters plan (Appendix 1.3). In this area below ground impacts will be avoided (including tree planting) and it is understood that the area will be set as meadow or grassland. This is reflected in the Landscape Strategy Plan dated May 2020 (CS/4430/118). Maintaining this area as grassland will benefit the buried heritage assets in removing further plough attrition and also preserves elements of the setting of the former barrows and cemeteries located on the prominent ridge overlooking land to the south. I agree that there may be some negligible impact on setting with the introduction of built form in views the north west but in my view this is offset by the benefits to the heritage assets from the open space proposals.

I recommend that any forthcoming consent provision is made to secure the preservation of archaeological remains in the area identified as an 'Archaeological Exclusion Zone'. The area should be fenced off during construction works to avoid accidental damage and the details of how it will be preserved during landscaping works specifically agreed. This can be secured through an appropriately worded condition and I suggest the following wording:

No development shall take place until fencing has been erected around the area identified as an Archaeological Exclusion Zone on drawing XXXX, in a manner to be agreed with the Local Planning Authority. No development groundworks, landscaping or planting shall take place in the Archaeological Exclusion Zone without the consent of the Local Planning Authority.

Reason : To ensure that important archaeological remains are preserved in-situ in the development and not adversely affected by construction works.

Archaeological Investigation and Recording

Elsewhere on the site development works will likely impact on archaeological remains. The archaeological assessment, survey and evaluation has not identified any further remains that warrant preservation in-situ measures and I am satisfied that these can be mitigated through an appropriate scheme of archaeological investigation and recording. Such further archaeological works which will likely comprise a combination of strip, map and sample excavation and targeted watching brief works. This can be secured through the following condition for a programme of archaeological works:

AR1 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.

Reason: To ensure that features of archaeological interest are properly examined and recorded.

Interpretation

As mentioned in the submission there is an opportunity for interpretation of the archaeology of this site, in particular the Bronze Age barrows and early medieval cemetery and the former brickworks in the public open space areas of the development. It would be appropriate to require a scheme of interpretation through information boards as part of the development. I would recommend that a condition is included that secures an appropriate scheme of archaeological interpretation and suggest the following wording:

Prior to development a scheme of interpretation that includes information boards in public open space areas of the development should be agreed with the Local Planning Authority. The scheme should include the location for information boards, their content and timetable for their establishment. The interpretation boards will be established in accordance with the agreed scheme.

Reason: To ensure that the archaeological interest of the development site is appropriately interpreted and presented in the public realm.

KCC Highways: Thank you for your consultation in relation to the above outline planning application for the consideration of access. I have the following comments to make with respect to highway matters :-

Transport Assessment

The Transport Assessment (TA) demonstrates that across the study area the proposed development will lead to both net reductions in traffic flows and additional traffic pressure, due to the redistribution of background traffic on the local highway network as a result of on-site road infrastructure provision. This application includes the provision of key highway infrastructure required by the Thanet Transport Strategy (TTS), which supports the growth earmarked within the adopted Local Plan, namely two strategic link roads and new junctions appropriate to such, providing a valuable contribution towards the future capacity and resiliency of the local highway network. In time this infrastructure will help to on manage traffic pressure at the existing constrained junction of Coffin House Corner and along the busy A28 Corridor. The package of road interventions included within the TTS, are commonly referred to as the Inner Circuit Route Improvement Strategy (ICRIS).

Conversely, as anticipated, the development is likely to lead to an increase in traffic movements on the Shottendane Road corridor, largely attributable to enabled through movements rather than new movements that are generated by site-specific trips. Therefore, it is appropriate for this application to be viewed within the context of the ICRIS, which in time will provide strategic improvements to this part of the network, increasing the capacity of this link and managing increases in traffic flows. As improvements come forward, there is

likely to be a marked improvement to highway network resiliency that will benefit the whole District.

This application must therefore be considered within the context of the emerging TTS. In this case we would not consider it appropriate to address all the residual impacts of the proposed development in every location, as this would fail to acknowledge the balance with benefits it offers to the network as the Local Plan growth is realised.

It is worth noting that one potential area of interest that must be balanced is the impact of development on the Manston/Shottendane Road junction (which modelling outputs suggest will be under increased queueing and delay), although it should be further acknowledged that this junction forms part of the ICRIS and is therefore due to be upgraded in the future. Therefore, the most appropriate strategy would be to undertake a single improvement scheme that is compatible with the longer term, at an appropriate juncture. The Highway Authority would not consider it an efficient use of developer contributions to reactively make ad hoc improvements at this time. It would be more appropriate to employ such funds flexibly considering the network as a whole and support the emerging ICRIS.

Please note that this position will need to be reviewed as residual impacts of each strategic development site is considered throughout the lifetime of the current Local Plan and any subsequent review. It is important to highlight that the TA provides a robust assessment as it is modelled on the 550 homes in the original strategic allocation, not the maximum of 450 now coming forward under this proposal and essentially represents a 'worst-case scenario' on which we can make a case for this site to support the Strategy to an appropriate degree. Taking the above in account, an appropriate Section 106 obligation in the form of a monetary contribution to the ICRIS would be necessary and appropriate in the view of the Highway Authority. We are confident that on balance, given the scale and nature of the development, the combination of and an appropriate contribution and the on-site infrastructure as offered constitutes suitable mitigation across the network for the proposed development.

It would be essential in our view that any such contributions can be applied flexibly by the Highway Authority to effectively accommodate any changes in local circumstances over the timescale of the proposed development build-out. This acknowledges that the appropriate contributions from this development would support part of a larger framework of measures across the TTS and any ad-hoc improvements that may be required to mitigate the highway impacts, should future needs and residual impacts dictate.

Masterplan

Based on the plans submitted, we are satisfied with the alignment of the internal link roads and note that the applicant has offered additional land to assist in the provision of future highway improvement schemes in relation to the Inner Circuit Strategy. It is essential that the relevant land parcels within the application red line are secured through appropriate provisions within the Section 106 agreement, with the ability of the KCC as the Local Highway Authority to call upon these without charge, should external funding opportunities accelerate the delivery of on-site infrastructure (directly by KCC).

We recommend that the location and form of pedestrian/cycle crossing points required by us along the link roads should be secured with any planning conditions.

It will be necessary for the Section 106 agreement to include a requirement for all internal spine roads and associated junctions and infrastructure to be subject to a Section 38 highway agreement. This is essential to secure the consistency and deliverability of the ICRIS in the future.

Phasing Plan

The phasing plan has been resubmitted and now indicates that the complete link road between Manston Road and Hartsdown Road, including the roundabout on Shottendane Road is to be provided within the first two phases of development, meaning that the benefits attributable to the internal link road and this section of the ICRIS may be experienced earlier in the build-out of development. We would, however, recommend that a suitable housing trigger be negotiated through the Section 106 agreement for the delivery of the link road in a timely manner to mitigate the impact of development as these first phases build out.

Site Accesses

The Highway Authority is satisfied that suitable access points have been offered to serve this development and to accommodate the additional flows and types of vehicular traffic that will utilize this section of the ICRIS. The provision of new roundabout junctions on Manston and Shottendane Road, as well as the proposed priority junction with right-turn lane on Hartsdown Road have all been subject to a Stage 1 Road Safety Audit and addressed in the designer's responses, which we are in agreement with. Matters which would be subject to detailed design under a S278 agreement have also been identified, in particular the final form of pedestrian/cycle facilities at these junctions. The Highway Authority require confirmation that the Local Planning Authority (LPA) are comfortable with this approach within the framework of the NPPF, which defines access as "accessibility to and within the site, for vehicles, cycles and pedestrians in terms of positioning and treatment of access and circulation routes and how these fit into the surrounding access network". The views of the LPA in relation to this specific point would be welcomed. We require further flexibility through the Section 106 process to enable KCC Highways to progress this section of the ICRIS, along with the associated access junctions, in the event of an existing external funding bid (the Major Road Network fund) coming forward.

We would further recommend that a parking restriction strategy for the new Hartsdown Road priority junction should be required by way of condition, to ensure that appropriate extents of a Traffic Regulation Order are agreed with the Highway Authority, in order to prevent significant displacement of parked vehicles associated with the nearby Margate Football ground on match days.

Bus Access

The site remains outside of the preferred maximum walking distance for public transport access (400m is the optimal walking distance for convenient access) and there are as of yet no clear proposals from the applicant to improve public transport accessibility. Therefore, in

the short/medium term it is possible that the attractiveness of bus travel may be reduced. Whilst the walking distance to local bus stops is not the only factor that will have a bearing on bus patronage, it remains an extremely influential one.

It is unlikely, given the limited scale of the development that local bus providers would be able to deliver a bespoke commercially sustainable service to this site, although in the longer term, delivery of the ICRIS will provide the opportunity for local bus services to be enhanced in relation to this site, in a more commercially sustainable way. On balance, taking the ICRIS into account, at this stage we do not consider that the less optimal bus access arrangements would be objectionable on this occasion, however we would recommend that the Section 106 agreement has the flexibility to spend the appropriate financial contribution on pump-priming bus services if it is viewed by us that such will mitigate the impact of the development, until such time as the ICRIS facilitates new commercially viable bus services.

Further to this, it is important that the future needs of bus stopping provision are considered within the internal link road arrangement and indicative future locations identified through an appropriately worded condition.

Framework Travel Plan

Generally, we are satisfied with the scope of the submitted framework, although we would welcome the inclusion of any additional measures to encourage modal shift away from the private car. Typically for larger housing developments sustainable measures such as electric cycle provision, cycle hire, car sharing schemes, electric pool cars, bus vouchers are considered, and we would welcome further input into the final agreed Travel Plan, the production of which can be attached by way of condition to any planning approval.

Further to the previously stated Section 106 requests, we would further recommend the following matters are dealt with by appropriately worded conditions attached to any approval:

-

- Submission of a Construction Management Plan before the commencement of any development on site to include the following:
 - Routing of construction and delivery vehicles to/from site
 - Parking and turning areas for construction and delivery vehicles and site personnel
 - Timing of deliveries
 - Provision of wheel washing facilities
 - Temporary traffic management/signage
 - Any temporary access arrangements to the site for construction purposes.
- Provision of measures to prevent the discharge of surface water onto the highway.
- The proposed roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, driveway gradients, car parking, turning areas and street furniture and bus stops/borders to be laid out and constructed in accordance with details to be submitted to and approved by the Local Planning Authority.
- Full design and geometrical details of the internal link road within the area of deviation allowed for within the parameter plans to be provided to the LPA and

approved in writing prior to the commencement of the development. This should include pedestrian crossing provision and bus stop infrastructure where appropriate.

- Completion of the following works between a dwelling and the adopted highway prior to first occupation of the dwelling, in accordance with details to be submitted to and approved by the Local Planning Authority:
- 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).
- Provision of appropriate footway/cycleway links to the existing footway for each phase of the development in accordance with details to be submitted to and approved by the Local Planning Authority.
- The applicant is to submit a Parking Restriction Strategy, detailing the full extents of the proposed Traffic Regulation Order for double yellow lines on Hartsdown Road and the internal link road infrastructure, prior to the commencement of any works. This should consequently be agreed by the Highway Authority and progressed through the applicant's best endeavours.
- Provision and permanent retention of secure, covered cycle parking facilities prior to the use of the site commencing in accordance with details to be submitted to and approved by the Local Planning Authority.
- Provision and permanent retention of the vehicle parking spaces and/or garages in accordance with details to be submitted to and approved by the Local Planning Authority.

INFORMATIVE: It is the responsibility of the applicant to ensure, before the development hereby approved is commenced, 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 taken by the Highway Authority.

Across the county there are pieces of land next to private homes and gardens that do not look like roads or pavements but are actually part of the road. This is called 'highway land'. Some of this land is owned by The Kent County Council (KCC) whilst some are owned by third party owners. Irrespective of the ownership, this land may have 'highway rights' over the topsoil.

Information about how to clarify the highway boundary can be found at <https://www.kent.gov.uk/roads-and-travel/what-we-look-after/highway-land/highway-boundary-enquiries>

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 Highways and Transportation to progress this aspect of the works prior to commencement on site.”

Kent County Council: The County Council has assessed the implications of this proposal in terms of the delivery of its community services and is of the opinion that it will have an additional impact on the delivery of its services, which will require mitigation either through the direct provision of infrastructure or the payment of an appropriate financial contribution.

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

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

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

Secondary Education - £5,176.00 per applicable house and £1294.00 per applicable flat. Towards the new Thanet Secondary School;

Secondary Land - £1,511.11 per applicable house and £377.78 per applicable flat. Towards the new Thanet secondary school land acquisition cost.

Special Education Needs and Disability Schools - £1051.82 per applicable house and £262.96 per applicable flat. Towards the expansion of existing special needs schools.

(applicable housing excludes 1 bed units of less than 56sqm gross internal area and any sheltered accommodation).

Community Learning - £16.42 per dwelling. Total £7,389.00. Towards additional classes and resources at Margate Adult Education Centre.

Youth Service - £65.50 per dwelling. Total £29,475.00. Towards additional equipment and resources for Thanet youth Services.

Libraries - £55.45 per dwelling. Total £24,952.50. Towards additional stock, services and equipment at Margate Library.

Social Care - £146.88 per dwelling. Total £66,096.00. Towards specialist accommodation in Thanet. All homes built as wheelchair accessible and adaptable dwellings in accordance with building regulations part M 4(2).

Waste - £92.72 per dwelling. Total £41,724.00. Towards materials recovery facility and improvements at Margate Household Waste and Recycling Centre.

Broadband - Condition: Before development commences details shall be submitted for the installation of fixed telecommunication infrastructure and High-Speed Fibre Optic (minimal internal speed of 1000mb) connections to multi point destinations and all buildings including residential, commercial and community. The infrastructure installed in accordance with the approved details during the construction of the development, capable of connection to commercial broadband providers and maintained in accordance with approved details. Reason: To provide high quality digital infrastructure in new developments as required by paragraph 112 NPPF.

Kent Fire and Rescue: The off site access requirements of the Fire and Rescue Service have been met.

Kent Police: We have reviewed this amended outline application with regard to Crime Prevention Through Environmental Design (CPTED) and in accordance with the National Planning Policy Framework (NPPF).

The Applicants/agents have not yet consulted us as Designing out Crime Officers (DOCO's) to address CPTED and incorporate Secured By Design (SBD) as appropriate. We use details of the site, relevant crime levels/type and intelligence information to help design out the opportunity for Crime, Fear of Crime, Anti-Social Behavior (ASB), Nuisance and Conflict.

There is a carbon cost for crime and new developments give an opportunity to address it. Using CPTED along with SBD guidance, policies and academic research would be evidence of the applicants' efforts to design out the opportunity for crime.

We refer them to SBD Homes 2019 in order that they can produce a suitable Designing Out Crime Plan. The points in our previous response have not been addressed.

This is a significant site and therefore layout, permeability, lighting, parking and physical security must be addressed before Reserved Matters.

This information is provided by Kent Police DOCO's and refers to situational crime prevention. This advice focuses on CPTED and Community Safety with regard to this specific planning application.

Kent and Medway Clinical Commissioning Group: NHS Kent and Medway Group (CCG) has delegated co-commissioning responsibility for general practice services in Thanet Kent and is the body that reviews planning applications to assess the direct impact on general practice.

I refer to the above outline planning application which concerns the proposed residential development comprising up to 450 new dwellings.

The CCG has assessed the implications of this proposal on delivery of general practice services and is of the opinion that it will have a direct impact which will require mitigation through the payment of an appropriate financial contribution.

In line with the Planning Act 2008 and the Community Infrastructure Levy Regulations 2010 (the CIL Regulations) (Regulation 122) requests for development contributions must comply with the three specific legal tests:

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

We have applied these tests in relation to this planning application and can confirm the following specific requirements.

General Practice - Total chargeable units - 450. Total £388,800.00. Towards creating capacity at the Limes Medical Practice or within the Primary Care Network.

This proposal will generate approximately 1080 new patient registrations when using an average occupancy of 2.4 people per dwelling. The proposed development falls within the current practice boundary of The Limes Medical Practice.

There is currently limited capacity within existing general practice premises to accommodate growth in this area. The need from this development, along with other new developments, will therefore need to be met through the creation of additional capacity in general practice premises. Whilst it is not possible at this time to set out a specific premises project for this contribution we can confirm that based on the current practice boundaries we would expect the contribution to be utilised as set out above. Any premises plans will include the pooling of S106 contributions where appropriate.

General practice premises plans are kept under regular review as part of the GP Estates Strategy and priorities are subject to change as the CCG must ensure appropriate general medical service capacity is available as part of our commissioning responsibilities.

Planning for growth in general practice is complex; physical infrastructure is one element but alongside this workforce is a critical consideration both in terms of new workforce requirements and retirements. Any plans developed need to support delivery of sustainable services for the future.

In addition to the above we request that any agreement regarding a financial contribution:

- Allows the contribution to be used towards new general practice premises in the area serving this population (should GP Estates Strategy identify future requirement) and not just limited to the practices detailed above.
- Allows the contribution to be used towards professional fees associated with feasibility or development work for existing or new premises.
- Supports the proactive development of premises capacity with the trigger of any healthcare contribution being available linked to commencement or at an early stage of development.

The CCG is of the view that the above complies with the CIL regulations and is necessary in order to mitigate the impacts of the proposal on the provision of general practice services.

TDC Planning Policy: It is noted that the application provides for less than the housing capacity identified in the Local Plan, under Policy SP21. There are two points I would make about this:

Firstly, the 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.

Secondly, in the case of this site, one of the primary reasons for its allocation was that it plays a key role in helping to deliver the wider Inner Circuit (the new inner relief road that seeks to reduce pressure on the existing urban road network)(Policy SP47). Because of the nature and topography of the site, the provision of the new road links appears to have impacted on the capacity of the site, but the delivery of these road links is critical to the functioning of the Inner Circuit.

As long as there is no reasonable means of increasing the level of housing provision at the site, I do not consider this to be an issue that should alter the in-principle policy position in relation to the site.

I also note that the application provides a level of affordable housing that does not meet the normal policy requirement for new development. This is obviously regrettable, but as set out above, the priority provision to be made on this site is new road links, and I am also aware that there are other significant calls on contributions and obligations for this site.

I am not in a position to comment in detail on the submitted viability assessment, but if it has been independently verified, then I think we would have to accept this on this occasion.

TDC Conservation Officer: “The land on the North West and South East side of Shottendane Road is currently an undeveloped green field site which was allocated for housing through strategic local planning policies. Nearby to the site there are numerous listed properties ranging from Grade II* to Grade I, with the closest assets being Shottendane Farmhouse as well as numerous listed assets incorporated into Margate Cemetery Site at varying distances around 1.5km from the site.

Thanets adopted Local Plan, policy HE02, states within Section 7 ‘The character, scale and plan form of the original building are respected and the development is subordinate to it and does not dominate principal elevations.’ As well as Section 8 which states ‘Appropriate materials and detailing are proposed and the development would not result in the loss of features that contribute to the character or appearance of the [conservation] area. New development which would detract from the immediate or wider landscape setting of any part of a conservation area will not be permitted.’

Additionally under the Listed Buildings and Conservation Areas Act 1990, Section 16 Paragraph 2, In considering whether to grant listed building consent for any works the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. As well as Section 66 Paragraph 1 which states when considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Reviewing the outline application which has been submitted it is evident that an attempt has been made to create visual as well as physical barriers between the development proposed and the heritage assets within close proximity of the site.

Shottendane Farmhouse, at present exists, secluded amongst its site and largely encompassed by other typical smaller scale ‘farm buildings’ and general paraphernalia as well as large amounts of vegetation and landscaping. This application looks to retain such vegetation whilst stepping back the proposed development physically from the listed property by orienting the proposed so that the gardens back onto the existing tree line. In principle I believe this positioning of the properties is an acceptable distance from the heritage asset whilst not directly negatively impacting its setting.

Margate Cemetery encompasses 11 different listed assets and structures within its grounds. The closest of which to the proposed development sits as an access gate from Shottendane Road and is a set of historic gates affronting the cemetery listed in 2003. Due to the presence of this asset the development has responded by setting back quite considerably the proposed scheme as detailed in their design access and heritage statement as ‘out of respect for the cemetery and its heritage assets’. It instead proposes to utilise the space for new landscaping reflective of that that already exists in the area as well as lining of Shottendane Road. This boundary keeping and clear separation from the heritage assets is

a sympathetic approach to the constraints of the site and one I believe to be respectful of their setting and character.

Noted within the design access and heritage statement that the site is known to have a high level of archaeological remains, including Iron Age Finds, as well as two barrows and prehistoric remains all found at varying locations. Should this application be approved then I believe an archaeological watching brief should be carried out whilst excavations are underway. Under the NPPF National Guidance section 189 it states 'As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.' I appreciate that an assessment has taken place as part of this outline application and if areas of archaeological interest are impacted by proposed works further field assessments should be undertaken.

Looking at the proposed building heights, although they are not being defined by this application, I can acknowledge that it has been proposed through their design to lessen their impact to the heritage assets through their gradual increase towards the centre of the site, away from the listed assets. However I would further encourage that this is in fact implemented when the style and scale of the proposed dwellings is configured, should this application be approved, and that where possible all impacting properties, in close proximity to the heritage assets, should be retained at no taller than 2 storeys. I note in particular the section close to the East of Area A, as per figure 5.9 of the Design and Access Statement which extends upward to a 3 storey building. Foreseeing the design of properties, although also not applicable under an outline application, I would advise that they are somewhat reflective of the historic character found prevalent throughout Margate and referenced within the Design Access and Heritage Statement.

There will of course be an adjustment in the sense of openness and agricultural character of the area around the site if this application was to be approved. However through review of the proposal and as aforementioned above I believe this to have a less than significant impact to that of the setting of the multiple heritage assets by nature of the developments orientation and stepping in of the siting of proposed dwellings. By nature of the size of this proposal there will of course be some harm caused however not that of a level to the detriment of the historical character and appearance of the surrounding environment, for these reasons I do not object to this application or the work proposed."

TDC Housing: As per Thanet District Council's Local Plan (adopted July 2020), SP23 requires residential schemes of 10 or more units to provide 30% of the dwellings as affordable housing, including extra care facilities falling under the Use Class C3. To be policy compliant, a contribution of 30% affordable housing (AH) across the 450 units (whole site) is required. The 30% AH shall be split 70% Affordable Rent (AR) and 30% Shared Ownership (SO) which equates to 135no. AH units - split 94no. AR and 31no. SO. However, the exact tenure can be confirmed during the course of the application process.

Upon review of the submitted Planning Statement (Nov 2020), the level of affordable housing proposed does not align with the above policy. Therefore,

it is strongly recommended that the viability appraisal is assessed by an independent 3rd party viability assessor.

TDC Environmental Health: Environmental Statement - Chapter 11 Air Quality Assessment. The assessment has been carried out in accordance with Defra's Technical Guidance LAQM TG(16) and the conclusions that operational impacts are negligible are accepted. However, the site will also require that an Emissions Mitigation assessment is undertaken and offsetting measures incorporated into the development. I understand that dwellings will be fitted with low NoOx boilers but must also incorporate Electric Vehicle charging points. A construction management plan must also include measures to minimise dust and noise nuisance.

The following conditions are suggested:

STANDARD AIR QUALITY MITIGATION

Residential of 10 or more units:

All gas-fired boilers to meet a minimum standard of <40mgNOx/kWh

1 Electric Vehicle charging point per dwelling with dedicated / allocated parking or 1 charging point per 10 spaces (unallocated parking)

EV Charger details to be provided:

Prior to the erection of the building(s) hereby approved, written and illustrative details of the number, type and location of Electric vehicle charging points (EVCP) shall be submitted to and approved in writing by the local planning authority before any of the units are first brought into use. The EVCP shall be maintained and kept in good working order thereafter as specified by the manufacturer.

EMISSIONS MITIGATION ASSESSMENT

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

EMISSIONS STATEMENT

Prior to the first use of 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 [] dated [], 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.

CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN

Prior to the commencement of the development a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority.

The Construction Environmental

Management Plan shall include amongst other matters details of: hours of construction working; measures to control noise affecting nearby residents; wheel cleaning/chassis cleaning facilities; dust control measures; lighting control measures; pollution incident control and site contact details in case of complaints. The construction works shall thereafter be carried out at all times in accordance with the approved Construction Environmental Management Plan, unless any variations are otherwise first submitted to and approved in writing by the Local Planning Authority.

TDC Contamination: It appears that the assessment of the land undertaken to date only relates to 'agricultural land'. Our historic mapping database indicates that there is an old brick field (date of mapping: 1834-1893) to the South of Shottendane Farm, within the application area (see attached); and a cemetery or graveyard in close proximity to the East of the development.

As such, the assessment of the land quality must include surveys of potential contaminative features of concern; including a preliminary risk assessment of potential impacts on new residential receptors and sensitive groundwater resources from identified sources. Further intrusive investigation may also be required to confirm the existence of complete pollutant linkages associated with these former/current land uses.

This information can be secured via planning condition.

COMMENTS

The application has been called to Planning Committee by Cllr Candy Gregory on the grounds of loss of farmland, highway safety and capacity issues, impact on community facilities and flood risk.

Principle

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that all planning applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

The application site is non previously developed land, but within the settlement as defined by the Thanet Local Plan 2020. Policy SP01 of the Local Plan (Spatial Strategy - Housing) states that the primary focus for new housing development in Thanet is the urban area. Policy H01 (Housing Development) states that permission for new housing development will be granted on sites allocated for this purpose and on non allocated sites within the confines of the urban area and villages. The application site is a Strategic Allocation within the Local Plan under policy SP21 - Land north and south of Shottendane Road. The wording of this policy is set out in full below:

“Land is allocated for up to 300 dwellings at land north of Shottendane Road, and up to 250 dwellings at land south of Shottendane Road, with an approximate average density of 35 dwellings per hectare net.

Proposals will be judged and permitted only in accordance with a Masterplan for the whole site which should include:

- 1) a minimum of 4.4 ha of open space – this may be spread over both sites but must be readily accessible to both sites;*
- 2) linkages to new and existing public transport infrastructure, including bus and rail services;*
- 3) a local distributor link road between Shottendane Road and Manston Road, including new roundabouts on Shottendane Road and Manston Road and a new junction with Hartsdown Road;*
- 4) the reconfiguration of the Coffin House Corner signal controlled junction and the Manston Road and Shottendane Road junction;*
- 5) Provision for the retention and/or upgrading of designated footpath TM14;*
- 6) a proportionate contribution to necessary off-site highway improvements in accordance with Policy SP47.*

Masterplanning will be informed by and address:

- 1) pedestrian and cycle access between the two sites;*
- 2) appropriate landscape treatment in order to provide an appropriate transition between the development and the adjacent open countryside;*
- 3) A Heritage Impact Assessment to assess effects on St Johns Cemetery and sites/memorials within it and consideration of the setting of Shottendane Farm House;*
- 4) an assessment of potential implications of policies CSW16 and DM8 of the Kent Minerals and Waste Local Plan (or subsequent revision) and the need (if any) to mitigate any potential impacts on waste management capacity;*
- 5) the capacity of any utility services and infrastructure and any need (and provision of) improved or additional infrastructure (as may be advised or reasonably required by service providers).*

All development proposals must be planned and implemented in a coordinated manner and accompanied by an infrastructure delivery and phasing plan.

Proposals will be accompanied by a Transport Assessment which shall:

- 1) assess the impact of development on the local road network;*
- 2) identify measures to promote multi-modal access, including footway and cycleway connections, an extended bus service accessible to the residential development and rail linkages.”*

Given the site’s allocation within the Local Plan, the development of the site for residential development is acceptable in principle subject to the criteria within the policy being met, which will be assessed within this report.

It is noted that the policy proposes 550 dwellings on the site (300 dwellings to the north of Shottendane Road and 250 to its south) and the application before us for consideration application proposes a total of 450 dwellings. The applicants advise that the reduction in the

number of units proposed has followed an iterative design process that has taken account of relevant policy, opportunities, and constraints (including technical constraints), as well as the surrounding landscape context, to allow the site to accommodate the expectations of the relevant allocation policy

The Council's Policy Team have considered this reduction in numbers and advises that the housing numbers set out in the Local Plan are necessarily estimates based on factors such as anticipated land take of dwellings (including estimates of development densities); other built elements of the scheme; infrastructure and open space. 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 the case of this site, it is agreed that one of the primary reasons for its allocation was that it plays a key role in helping to deliver the wider Inner Circuit (the new inner relief road that seeks to reduce pressure on the existing urban road network)(Policy SP47). Specific factors have been demonstrated by the applicant to impact the capacity of the site, due to the nature and topography of the site and the provision of the new road links. On this basis the reduction in the number of proposed dwellings from the allocation is considered appropriate when balanced against the delivery of critical road links and the drainage requirements of development on this site. Therefore, there is no in principle objection to this reduced provision of dwellings.

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. A series of soil tests were undertaken by the applicants and confirms that 50% of the site is grade 3a, 49% grade 3b and 1% non agricultural. Given this only 50% of the application site comprises best and most versatile agricultural land. 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.

Phasing and Timing

The applicant has indicated in their submitted documents and phasing parameter plan that they intend to deliver the development in four phases. Phase 1A would be to the north west part of the site (essentially an L-shaped area running from Hartsdown Road to adjacent to Firbank Gardens to the south) and would include the new roundabout on Shottendane road. Phase 1B would be the majority of land to the east of Shottendane Road and would include a new roundabout on Manston Road. Two smaller phases 2 and 3 are then proposed. Phase 2 being the north eastern area of the application and phase 3 straddling Shottendane Road to the east of the application site.

Officers consider that the proposed phasing plan is acceptable in that it would allow for the development of highways infrastructure internally to serve the new development as construction increases. It is considered appropriate to impose a condition to secure the phasing of the development in this manner.

The applicant has requested that if permission is granted that 5 years in total should be provided for which all applications for the approval of reserved matters must be made (with the first reserve matters within 3 years following approval), rather than the statutory 3 years for all submissions. Given the number of units proposed, to provide flexibility within the current economic circumstances and the potential interdependence with highways funding (discussed below in the Planning Obligations section), that in the event that permission is granted 5 years for submission of reserved matters applications would be appropriate in accordance with Section 92 (4) of the Town and Country Planning Act.

Mix and Type of Units

The application is in outline form and, therefore, the exact unit sizes or types are not being agreed at this stage. Policy SP22 (Type and Size of Dwelling) states that proposals for housing development will be expected to provide an appropriate mix of market and affordable housing types and sizes having regard to the SHMA recommendations as may be reviewed or superseded. The Council will encourage proposals for residential development to incorporate a higher ratio of houses to flats. Given the application is at outline stage, the submission does not fix the detail of the mix and type of unit to be provided, and this would need to come forward as part of the reserved matters application. Given the size of the application site, it is considered that the application would be able to meet the requirements of Policy SP22 in providing a mix of size and type of dwellings.

Policy QD05 of the Local Plan sets out the Council's policy in regard to accessible and adaptable accommodation, with-10% of new build developments will be expected to be built in compliance with building regulation part M4(2) (accessible and adaptable) and within any affordable provision, 5% should be wheelchair accessible homes complying with building regulations part M4 (3) (wheelchair user). This would be conditioned to be provided within any subsequent reserved matters applications.

Character and Appearance

Paragraph 127 of the National Planning Policy Framework (NPPF) states decisions should ensure that developments will function well and add to the overall quality of the area, are visually attractive as a result of good architecture, layout and appropriate and effective landscaping, sympathetic to local character and history, establish or maintain a strong sense of place, and optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development and create places that are safe, inclusive and accessible. Whilst Paragraph 170 of the NPPF stipulates that the planning system should contribute to and enhance the natural and local environment by, amongst other things, protecting and enhancing valued landscapes. The Planning Practice Guidance (PPG) states where appropriate, Landscape Character Assessments should be prepared to complement Natural England's National Character Area profiles. Landscape Character Assessment is a tool to help understand the character and local distinctiveness of the landscape and identify the features that give it a sense of place.

Policy QD02 of the Thanet Local Plan outlines that the primary aim of new development is to promote or reinforce local character and provide high quality and inclusive design that is sustainable in all other respects. Proposals should therefore relate to surrounding development, form and layout, be well designed, pay particular attention to context and identity of location, scale, massing, rhythm, density, layout and materials, and be compatible with neighbouring buildings and spaces. Any external spaces and landscape features should be designed as an integral part of the scheme.

The site lies within the Undulating Chalk Farmland Character Area, which is characterised as a particular landscape feature in Thanet and consists of four landscape character areas: C1: St Nicholas-at-Wade Undulating Farmland, C2: Central Thanet Undulating Farmland; C3: St Peter's Undulating Farmland; and C4: Newlands Farm. The application site is C2 - Central Thanet undulating Farmland. Some of these character areas are important for their long distant views to the marshes and sea while in others the agricultural land performs a settlement separation function. These areas of high quality agricultural land are of value for farmland and roosting coastal birds. The openness and undeveloped character of the farmland contributes to the essentially rural character and relatively dark skies.

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 site is broadly representative of the wider landscape which, as described in the local landscape character assessment, is open, large scale farmland which intensively farmed and has few hedgerows and vegetation along the field boundaries. The character of the site is influenced by stark urban edges, nearby residential edges and busy roads and is separated from the wider arable landscape by the cluster of built form to the immediate southwest. The level of hedgerow vegetation on some of the field boundaries, together with the adjacent built up area and undulating landform of the wider landscape, mean that views of the site are generally contained to the neighbouring areas. There are some middle and longer distance partial views available from vantage points to the southwest. These views are generally

limited to within 1.5 to 2km of the site, with intervening land form and field boundary vegetation preventing views from further afield. The development will result in the loss of arable farmland and this is considered to be a significant effect upon the landscape character of the site during construction and immediately following construction. However hedgerow, tree and wildflower meadow planting enhancement is proposed within the landscape strategy plan around all edges of the site , which will mitigate the effects on the wider landscape character by breaking up views of the proposed development with structural planting.

Given the proximity to the site, receptors such as Shottendane Road, Manston Road, the residential properties on Manston Road, Firbank Gardens, Sycamore Close and Shottendane Farm and the residential property at St John's Cemetery are likely to experience views of construction activities and of the proposed development following construction. Given that currently the site is open farmland, the proposed change to residential on this allocated housing site would inevitably result in landscape change from adjoining roads. In the applicant's Landscape visual impact assessment, the effects of these views are considered to be significant, however with the proposed planting this will reduce landscape harm from the development. It is considered that the establishment of mitigation planting will reduce the majority of visual impacts to avoid significant harm to the landscape character areas. However, given the proximity of public footpaths TM14 (on the southern boundary), TM12 (alongside the Cricket Club) and TM13 (a short distance west of the site) to the site, significant visual effects of local significance will be experienced.

Overall, it is considered that the proposal would have a noticeable visual impact from the change of use of the site from arable to residential, but that the most noticeable impact would be during the construction phases and immediately following them with the impact of the development being mitigated overtime by maturing of landscaping with the site and to its edges. It is also noted that long distance views of the site are limited due to the intervening built form, established landscape boundaries and the undulating topography of the surrounding area, but that there would be significant views from public vantage points such as footpaths adjoining/in close proximity to the site, although these will be mitigated to some extent when planting becomes established. On the whole it is considered that given the above, there would be limited impact upon the skyline, and long distance views across the site would be limited by landscaping to the edges of the application site and throughout the development 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 boundaries of the site, strengthening boundary vegetation with native species that also benefit biodiversity; retain and connect onto existing footpath/bridleway/cycle links; create features as part of the surface water management scheme; provide public open spaces, 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.

Design, layout and density

The application site comprises agricultural land to the north and south of Shottendane Road with vehicular access points proposed from Shottendane Road, Manston Road and Hartsdown Road. There is some existing residential development and other development bordering/and or in fairly close proximity to the application site so the development of the site for residential would appear in keeping with the surrounding character of the area.

The application is in outline with all matters reserved except for access. Consequently details of the proposed appearance, layout and scale of the residential development are not for consideration at this stage. An illustrative masterplan has been provided to demonstrate that the proposed numbers of dwellings, open space and accompanying infrastructure can fit within the site. The application has also been supported by a number of parameter plans which show building heights, green infrastructure, phasing and the proposed land uses across the site.

The application site as a whole measures some 19.5 hectares in total, with some 6.3 hectares of the site to be open space/green infrastructure which would leave a developable area of some 13.2 hectares. Up to 450 dwellings are proposed within this application, so this would give a gross density of some 23 dwellings per hectare (dph) and a net density of some 34 dwellings per hectare on the developable area of the application site. Whilst it is noted that these densities are lower than the approximate average density of 35 dwellings per hectare set out in the policy, this is due to the fact that a lower number of dwellings is proposed than within the allocation. It is not considered that the proposal makes inefficient use of the application site and this matter has been considered earlier in this report. It is considered that these densities would be sympathetic to the open rural character and setting of the surrounding area. The illustrative masterplan shows that at a density of 23 dph, areas of open space can be achieved to the north and south of the site, together with landscaped buffers to the edges of the application site 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 of styles of buildings including detached, semi detached and terraced properties. Given the size of the application site it is considered that a variety of building types could be achieved across the site, including terraced, semi-detached and detached units, and potentially some flatted development. 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.

Building Heights

No details on house designs have been provided at this stage. The parameter plans show that the proposed development would predominantly take the form of two storey dwellings with some areas of the site having some higher buildings (2 and half storey with some limited 3 storey buildings). These areas are to the middle of the site and around the main road links through the site.

Officers consider that this approach would reflect the scale and pattern of existing development in the local area and is considered appropriate. Building heights would be controlled through planning conditions in relation to the heights parameter plan which reflects the design and access statement, in order that any reserved matters application must accord with these design principles.

Green Infrastructure

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. In this instance, given that the development proposes some 450 residential units, there would be a requirement for the development to provide Local Areas of Play, Local Equipped Areas of Play, Multi Use Games Area and a contribution towards a Neighbourhood Equipped Area for play (NEAP).

Policy SP21 states that the allocated scheme should provide a minimum of 4.4 hectares of open space which may be spread over both sites (north and south of Shottendane Road) but must be readily accessible to both sites.

The proposal is for 450 no. units, resulting in a predicted population of 1080 (based on a predicted occupancy of 2.4 people per dwelling). Using this figure, the following open space provision within the site is required (under table 12 of the Local Plan): 0.6 hectares of amenity green; 0.25 hectares of children's playspace; 1.8 hectares of semi-natural greenspace; and 0.2 hectares of allotment space. The green infrastructure will be an important part of a successful scheme given that the site adjoins the open countryside. The submitted plans indicate a linear park within the northern part of the site which would be semi rural in character to help integrate the proposed development with the open countryside beyond. A network of green corridors spread throughout the site allowing for informal play areas and 2 equipped play areas (one located centrally within the site and 1 in an area of open space adjacent to Manston Road). An archaeological exclusion zone, which can be used for landscaping purposes only is also proposed to the south of the application site. Whilst allotments have not been shown on the proposed landscape strategy plan, the extent of open space would allow for the provision of a policy compliant amount within the larger areas.

In all, the proposed development would provide some 6.3 hectares of formal and informal open space which would exceed the 4.4 hectares of open space required within the

allocation. The parameter plans submitted show the open space to be distributed throughout the site and accessible to future occupiers of both sides of the site (north and south) as required by Policy SP21, as well as surrounding residents, with local equipped areas of play located on each parcel of land ensuring sufficient distribution for new residents.

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. Planning conditions seeking details of the open space specification and a landscape management plan prior to the commencement of each phase are recommended to be imposed in line with local policies. Details of long term maintenance arrangements for all open space is required to be provided and would be secured through the associated Section 106 agreement.

An arboricultural impact assessment has been carried out in relation to the site and its surroundings. 24 individual trees, 27 groups and 9 sets of hedgerows were assessed predominantly as category B trees, meaning moderate quality where retention is desirable. The proposal highway access proposals including the realignment of Shottendane Road and the new roundabout, fundamental for residential development of the allocation, results in the loss of 6 individual trees, 11 groups and one hedgerow. However the proposal would provide the potential for a significant increase in tree cover on the site, mitigating the loss and providing enhancement through new tree and hedgerow planting on the boundaries of the site, along the link road and Shottendane Road, planting within the linear park and open space (with indicative species provided on the Landscape Strategy Plan) whilst protecting existing trees on adjacent site including those subject to Tree Preservation Orders on Margate Cricket Club. Overall the proposal will be able to provide net arboricultural gain across the site whilst providing an appropriate balance between development requirements and retention of trees, in accordance with the principles of Policy GI06 of the Thanet Local Plan.

Impact upon designated heritage assets

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires decision makers in assessing application for planning permission which affects a listed building or its setting, to pay special attention to the desirability of preserving or enhancing the building or its setting or any features of special architectural or historic interest which it possesses. The NPPF 2019 states that when considering the impact of a proposed development on the significance of a designated heritage asset; great weight should be given to the asset's conservation. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance (paragraph 193). The NPPF goes on to state in paragraph 196 states that where a development proposal would lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including where appropriate, securing its optimum viable use. HE02 states that within conservation areas, development proposals which preserve or enhance the character or appearance of the area will be permitted and states that where proposals are for extensions that they will be granted where The character, scale and plan form of the original building are respected and the extension is subordinate to it and does not dominate principal elevations, 8) Appropriate materials and detailing are proposed and the extension would not

result in the loss of features that contribute to the character or appearance of the conservation area.

The impact of the proposed development on nearby heritage assets were assessed within the Environmental Statement (ES) which accompanied the application and included a Heritage Assessment. It identified that the proposal would affect four heritage assets - St John's Cemetery (which is a non designated heritage asset, but has grade II listed gates and gate piers), Shottendane Farmhouse (grade II listed), Railway convalescent Home (Grade II) and Church of St John the Baptist (grade I). The Heritage Assessment concludes that the development of the site "would potentially result in some limited, negligible (less than substantial), harm to the Grade II listed Gates and Gatepiers at St John's Cemetery, and negligible harm to the significance of the non-designated cemetery as a whole. Development would not adversely impact the significance of listed buildings in the interior of the cemetery including two Grade II listed chapels, a Grade II listed war memorial, and Grade II* and Grade II listed tombs. Development would alter agricultural land in close proximity of the Grade II listed Shottendane Farmhouse to open space and built form. This would potentially result in less than substantial harm to the significance of the farmhouse, towards the lower end of this harm spectrum. Any harm to the Grade II listed Railway Convalescent Home (also known as Shottendane Nursing Home) would be de minimis. Taking into account current design proposals, development would not adversely impact the significance of the Grade I listed Church of St John the Baptist. Development would not adversely impact any other designated heritage assets in the wider area."

Both Historic England and the Council's Conservation Officer have reviewed the application. Historic England have advised that they do not wish to provide detailed comment on the application and that advice should be taken from the local Conservation Officer. The Conservation Officer acknowledges that the proposed development has sought to create visual as well as physical barriers between it and the heritage assets within close proximity of the site commenting that:

"Shottendane Farmhouse, at present exists, secluded amongst its site and largely encompassed by other typical smaller scale 'farm buildings' and general paraphernalia as well as large amounts of vegetation and landscaping. This application looks to retain such vegetation whilst stepping back the proposed development physically from the listed property by orienting the proposed so that the gardens back onto the existing tree line. In principle I believe this positioning of the properties is an acceptable distance from the heritage asset whilst not directly negatively impacting its setting. Margate Cemetery encompasses 11 different listed assets and structures within its grounds. The closest of which to the proposed development sits as an access gate from Shottendane Road and is a set of historic gates affronting the cemetery listed in 2003. Due to the presence of this asset the development has responded by setting back quite considerably the proposed scheme as detailed in their design access and heritage statement as 'out of respect for the cemetery and its heritage assets'. It instead proposes to utilise the space for new landscaping reflective of that that already exists in the area as well as lining of Shottendane Road. This boundary keeping and clear separation from the heritage assets is a sympathetic approach to the constraints of the site and one I believe to be respectful of their setting and character."

The Conservation officer also welcomed the fact that building heights increase from the edges of the site towards its centre away from heritage assets and concluded that the proposed development would result in an adjustment in the sense of openness and agricultural character of the area around the site. However any impact from the development is considered to be less than significant impact to that of the setting of the multiple heritage assets by nature of the developments orientation and stepping in of the siting of proposed dwellings. By nature of the size of this proposal, there will of course be some harm caused however not that of a level to the detriment of the historical character and appearance of the surrounding environment.

The views of the Conservation Officer are noted and it is recognised that development on the application site will have some impact on the setting of nearby heritage assets. It is, however, noted that the site is allocated for development in the Local Plan and its impact on designated heritage assets would have been considered during the allocation process. The applicants have sought to minimise the impact on the heritage assets surrounding the site as far as possible at this stage and given the outline nature of the application, it is considered that a form of development could be achieved which would minimise the impact on the setting of the listed farmhouse and surrounding buildings together with its significance. On this basis, this aspect is considered to be acceptable subject to the open space as shown on the Landscape strategy plan being provided with a detailed determination at reserved matter stage.

In principle, the indicative site parameter layout plans shows that the number of dwellings can fit on the site alongside a significant degree of informal and formal open space which is in context and will help to assimilate the development into the countryside, with detailed plans to be submitted at the reserved matters stage.

Living Conditions

Paragraph 117 of the NPPF states that planning decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Paragraph 127 states that decisions should ensure development creates, inclusive and accessible and which promote health and well-being, with a high standard of amenity for future users. Policy QD02 of the Thanet Local Plan outlines that new development should be compatible with neighbouring buildings and spaces, and should be inclusive in its design for all users. It should improve people's quality of life by creating safe and accessible environments and promote public safety and security. Policy QD03 outlines that new development must not lead to unacceptable living conditions through overlooking, noise, vibrations, light pollution, overshadowing, loss of natural light or a sense of enclosure. Policy QD04 states that new dwellings must accord with the National Described Space Standards (March 2015). Policy GI04 states that new family dwellings (those with 2 or more bedrooms) will be expected to incorporate garden space in order to provide a safe "doorstep play area for young children. With doorstep playspace being defined as playspace for young children which is immediately adjacent to, closely visible and safely accessible from the dwellings served.

Neighbouring occupiers

As the application is in outline with all matters reserved with the exception of access; appearance, layout, scale and landscaping would be considered at the Reserved Matters stage. Notwithstanding this, careful consideration would need to be given to privacy and separation distances between existing and proposed dwellings given the range of different heights of dwellings surrounding the site. This may ultimately affect the type of dwelling proposed in particular circumstances. However, it is considered that the applicant can develop a range of design solutions to protect the residential amenities of surrounding residents.

The nearest residential properties are those located within Firbank Close and Sycamore Close with some residential development on Shottendane Road and Manston Road. It is clear that the introduction of built form on the application site would have the potential to alter the outlook from some of these properties which is currently of open agricultural land. There is, however, no right in planning terms to a particular outlook and views cannot be protected. It is considered given the scale and nature of the application site that a scheme could be developed at reserved matters stage to minimise the impact on the residential amenities of surrounding occupiers.

The nearest properties along Shottendane Road and those in Sycamore Close are two storey with some bungalows, whilst those in Firbank Gardens are bungalows.

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 plans do, however, identify areas of different building heights. This highlights that the majority of the proposed residential units, particularly in areas close to the edges of the application site and existing residential development will be limited to 2 storey with some limited 2 and a half storey dwellings. In areas centrally located within the development, the parameter plans show buildings of 2 and 2 and a half storey with limited 3 storey units proposed at key locations. These restrictions mean 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 parameter plan also shows open space separation between the site boundaries and the proposed development parcels, allowing for both separation distance but also intervening landscaping to alleviate any impacts. 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.

Concern has been raised by neighbours regarding the potential for additional noise and disturbance from the proposed development. Given the distances to the nearest residential properties and the fact that the application site straddles Shottendane Road which is a well used main road in its own right, it is 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. Whilst layout is not being agreed at this stage, the parameter plans indicate 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. It is noted that there would be some disruption to the residential amenities of residents either in the surrounding area and potential residents on earlier phases of the site

during construction works. These works would, however, be temporary and would be controlled by a construction management plan to minimise disturbance to residents.

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, and the heights proposed on the parameter plan, 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

The residential amenities for future occupiers also fall to be assessed. As set out above, this is an outline application with only parameter plans submitted at this stage. It is, however, noted that the parameters for the development indicate a large amount of open space spread throughout the site and to its boundaries, as well as enhancements to the road network. Whilst an illustrative masterplan showing a potential layout has been provided, the detailed layouts of the residential areas has not been provided for consideration at this stage so comment regarding the design, appearance provision of private amenity spaces for gardens as well as the necessary parking, waste and recycling requirements of the proposed development cannot be made until reserved matters stage. Given the scale and nature of the application site it is considered that a development could be secured at the reserved matters stage to provide a high standard of accommodation for its future occupiers and a planning condition will require compliance with Policy QD04 for dwellings to meet the Nationally Described Space Standards .

Highways and Transportation

Policy SP21 states that the proposal for the site must provide “linkages to new and existing public transport infrastructure, including bus and rail services, a local distributor link road between Shottendane Road and Manston Road, including new roundabouts on Shottendane Road and Manston Road and a new junction with Hartsdown Road, the reconfiguration of the Coffin House Corner signal controlled junction and the Manston Road and Shottendane Road junction, the provision for the retention and/or upgrading of designated footpath TM14 and a proportionate contribution to necessary off-site highway improvements in accordance with Policy SP47(Strategic Routes). Within the master planning for the site, appropriate pedestrian and cycle access between the two sites (either side of Shottendane road). Is required.

As set out above, this application seeks to agree the principle of up to 450 residential dwellings (including market and affordable housing), with vehicular access points, including associated ancillary works and operations, from Hartsdown Road, Shottendane Road and Manston Road with all matters reserved except access.

The proposed highway works have been the subject of detailed discussions with both the Council and KCC as the Local Highway Authority and form part of the strategic highway

infrastructure works for the district. These strategic works are safeguarded by Policy SP47 (Strategic Routes), which states:

“The following areas, as shown on the Policies Map, are safeguarded for the provision of key road schemes and junction improvements, to support the implementation of the Thanet Transport Strategy, including land at: 1) Birchington strategic housing site 2) B2050 Manston Road, Birchington 3) Shottendane Road (from Birchington to Margate) 4) Shottendane Road-Manston Road - Hartsdown Road housing site 5) Nash Road-Manston Road housing site 6) Nash Road, Margate 7) Nash Road-Westwood strategic housing site 8) Manston Court Road/Star Lane (from Haine Road, Westwood to B2050 Manston Road) 9) From Columbus Way to Manston Road, Birchington The following strategic routes are sufficient in their existing form to provide for the growth envisaged in the Plan.

However, if further development is permitted, including further development at Manston Airport, which has a material impact on the capacity or operation of these routes, the Council will require alternative on-site highway provision where appropriate and/or proportionate contributions towards any improvements or changes to the existing routes which is thereby necessitated: 1) B2050 Manston Road (from Manston Court Road to Spitfire Junction 2) B2190 Spitfire Way (from Spitfire Junction to Columbus Avenue junction). Junction/traffic management improvements are required at the following junctions to ensure the fully effective functioning of the Inner Circuit. Development that compromises the ability to deliver such improvements will not be permitted:

1) Victoria Traffic Lights 2) Coffin House Corner Traffic Lights

The Council expects all new development to make a proportionate contribution to the provision of this key infrastructure.

In the event that there is any delay in site acquisition or assembly in relation to any of the schemes identified in Policy SP47, the Council will, in conjunction with the County Council, make interim highway arrangements to enable allocated development schemes to proceed.”

Proposed highway works include the provision of a distributor link road between Shottendane Road and Manston Road, new roundabouts on Shottendane Road and Manston Road and a new junction with Hartsdown Road.

Highway Capacity

Concerns have been raised by local residents that the proposed development would result in increased congestion on roads surrounding the site.

A Transport Assessment (TA) and other information relating to highways including a stage one safety audit and a travel plan have been submitted to support the application.

The TA considered the likely transport related effects of the proposed development including, amongst others, changes in traffic flows, public transport and highway safety. It concludes that the increase in traffic on the local road network as a result of the development is considered to be minimal and the new link road will provide an attractive

route in and out of Margate and would attract traffic from a wider area, minimising the highway impact on other roads and junctions in the surrounding area. Furthermore the provision of the link road and its associated roundabouts is a key section of Thanet's Strategic Highway network (Inner Circuit), which is safeguarded to support the implementation of the wider transport strategy to support the growth within the Local Plan under Policy SP47.

KCC Highways have reviewed the submitted highway information. They agree the findings of the TA and emphasise the importance of the proposed link road enabling through movements as part of the Inner Circuit Route Improvement Strategy (ICRIS), with the road providing strategic improvements to this part of the network and contributing to a marked improvement to highway network resiliency that will benefit the whole district. Based on the plans submitted, they are satisfied with the alignment of the internal link roads and note that the applicant has offered additional land to assist in the provision of future highway improvement schemes in relation to the Inner Circuit Strategy. Following initial concerns raised about the delivery of this key infrastructure, a phasing plan has been submitted which indicates that the complete link road between Manston Road and Hartsdown Road, including the roundabout on Shottendane Road, is to be provided within the first two phases of development, with the roundabout on Shottendane Road to be provided in the first phase of development. This means that the benefits attributable to the internal link road and this section of the ICRIS may be experienced early in the build-out of the development. They conclude that, taking this into account, an appropriate Section 106 obligation in the form of a monetary contribution to the ICRIS would be necessary and appropriate and that, on balance, given the scale and nature of the development, the combination of an appropriate contribution and the on-site infrastructure as offered constitutes suitable mitigation across the network for the proposed development. In line with the overall phasing plan submitted, the proposed work to the network will need to be phased appropriately to minimise disruption to the network whilst ensuring that the new development is served by the new road network at the appropriate time. Therefore a phasing plan for the highways mitigation will be required prior to the submission of the first reserved matters application.

The provision of the link road and roundabouts accord with the provisions of Policy SP21. The policy also requires the reconfiguration of the Coffin House Corner signal controlled junction and the Manston Road and Shottendane Road junction. This work is part of the planning obligations of a separate planning application (OL/TH/16/1765 - resolution to grant with Section 106 yet to be agreed at the time of writing) however given the direct link to this site, it is considered that any highway contribution from the proposed development (under Policy SP47) could be utilised towards this work.

KCC, as the Highway Authority, also confirm that they are satisfied that suitable access points have been offered to serve this development and to accommodate the additional flows and types of vehicular traffic that will utilise this section of the ICRIS.

Given the above mitigation proposals, there is no empirical evidence to suggest that on balance the development would result in network capacity issues to cause severe congestion as to warrant refusal of the application on this ground. It is also noted that the provision of the portion of the link road (as part of the Thanet Transport Strategy) will not come forward without the associated residential development to enable this provision. The

proposed works and financial contribution towards future off site highway works, are, therefore, considered to mitigate the impact from this development whilst contributing a key new piece of infrastructure towards the Thanet Transport Strategy. On this basis the development would accord with Policy SP21 on highways grounds and Policy SP47 and the matter of planning obligations is discussed later in this report.

Highway Safety

A Stage 1 Road Safety Audit has been carried out by the applicant and submitted as part of the Transport Assessment. This has assessed the access point junctions on Shottendane Road, Manston Road and Hartsdown Road, with requested changes by KCC to the proposed junction on Hartsdown Road (providing a priority right-hand turn lane for traffic travelling south-west). KCC have raised no objections to the designs of the junctions at this stage in the process (including the visibility for vehicles), with a planning condition proposed to ensure substantial compliance with the submitted drawings (allowing for KCC Highways to make minor adjustments through the Section 278 process under the Highways Act). It is therefore considered that safe routes for vehicles, pedestrians and cyclists can be secured via appropriate conditions and informatives. A construction highway management plan will be required prior to any development to ensure appropriate management of the construction period including vehicle routing, loading and unloading, parking and other related requirements are secured. Given the location of the eastern extent of the highways works on Manston, adjacent to both Margate Cemetery, Crematorium and the Waste and Recycling centre, specific consideration should be given to ensure vehicular access to these facilities for the community can continue throughout construction of the development. Therefore, subject to safeguarding conditions, it is not considered that there would be any adverse effect from the proposed development on highway safety.

Public Rights of Way and Walking and Cycling

There is an existing public footpath (TM14) to the southern boundary of the site. The alignment of this footpath would not change as a result of this proposed development. Policy SP21 states that this footpath should be retained and/or upgraded as part of development on the application site. KCC's Public Rights of Way Team have advised that they would like to see this footpath upgraded to a bridleway together with a financial contribution towards things such as clearance, resurfacing and signage. Given the constraints already on the application site, the applicants are not proposing to upgrade the footpath as part of this application. It is noted that the scheme would, however, see the footpath retained in its current form which would ensure that the proposed development complies with the requirements of Policy SP21 in that regard. A condition is proposed for the relevant reserved matters application on land adjacent to the footpath required to show the footpath retained and identify access points onto and connection with pedestrian routes through the proposed development. The requested contribution is discussed within the Planning Obligations section of the report below.

The application submission shows walking, cycling and public transport as integral parts of the draft masterplan for the site, new walking and cycling links both within the site and providing connecting to the surrounding networks. An initial travel plan has been submitted encouraging sustainable travel with a final travel plan to be conditioned. It is proposed for a

new cycleway adjacent to part of Shottendane road and on the new link road through the site and adjacent to the linear park, which will promote cycling routes and facilitating access in accordance with Policy TPO3.

Whilst the detailed layout will be considered through respective reserved matters applications, the parameter plans and illustrative masterplan demonstrate that the development can provide satisfactory transport infrastructure for non-private vehicle movement to meet the requirements of future residents.

Public Transport

The site is within a mile of Margate train station, with the majority of dwellings within 20minutes walking distance of the station. The site is not ideally located in relation to existing commercial bus services. Generally it is reasonable to seek a maximum walking distance of 400 metres for all dwellings to bus stops (to encourage sustainable travel) and there are no clear proposals from the applicant to improve public transport accessibility. Public transport can be accessed from various bus stops in the surrounding area however, the closest stop (Beatrice Road) is some 850 metres from the application site. KCC have commented that “in the short to medium term it is possible that the attractiveness of bus travel may be reduced” and that “this may have an impact on the level of traffic generated from the site” in this period.

Notwithstanding the above, it is considered unlikely that bus providers would be prepared to deliver a bespoke service to the development currently proposed and there is the potential for the walking distance to bus stops to be improved subject to the delivery of previously agreed bus access solutions in nearby strategic housing sites. In the longer term, delivery of the Thanet Transport Strategy (TTS), (specifically the Inner Circuit which includes the Shottendane Road to Manston Road link), will provide opportunities for local bus services to be enhanced in relation to this site in a commercially sustainable way. On balance, whilst it is considered that current bus services in the area are below optimal, it is not considered that this matter alone is sufficient to resist the proposed development given the scope for future bus improvements as part of commuted/future growth on this site and adjacent development.

Overall, KCC Highways has worked closely with the applicants in developing this package of highway works and support the scheme as submitted as it would provide the opportunity to manage new traffic flows in the area whilst providing substantial benefit to the strategic highway network through the proposed delivery of the new link road between Hartsdown Road, Shottendane Road and Manston Road. This is supported by the Thanet Local Plan and KCC Highways strategy to manage growth in the district until 2031.

In terms of the detailed design, the applicants have advised that they intend to meet KCC Highways guidance in relation to car and cycle parking and this will be submitted for assessment at the reserved matters stage. Safeguarding conditions have been proposed by KCC Highways and these are considered to be necessary to ensure that the development comes forward in the interests of highway safety and traffic flow, and to ensure that highways infrastructure is provided to serve the development.

Archaeology

The paragraphs of the NPPF relevant to the protection of heritage assets, including archaeology, have been set out earlier in the report. Policy HE01 of the Local Plan which relates specifically to Archaeology, states that the Council will promote the identification, recording, protection and enhancement of archaeological sites, monuments and historic landscape features, and will seek to encourage and develop their educational, recreational and tourist potential through management and interpretation. Planning permission will be refused without adequate assessment of the archaeological implications of the proposal. Development proposals adversely affecting the integrity or setting of Scheduled Monuments or other heritage assets of comparable significance will normally be refused. Where the case for development which would affect an archaeological site is accepted by the Council, preservation in situ of archaeological remains will normally be sought. Where this is not possible or not justified, appropriate provision for investigation and recording will be required. The fieldwork should define: 1) the character, significance, extent and condition of any archaeological deposits or structures within the application site; 2) the likely impact of the proposed development on these features; 3) the means of mitigating the effect of the proposed development. Recording should be carried out by an appropriately qualified archaeologist or archaeological contractor and may take place in advance of and during development. No work shall take place until a specification for the archaeological work has been submitted and approved by the Council. Arrangements must also be in place for any necessary post- excavation assessment, analysis and publication of the results, and deposition of the archive in a suitable, accessible repository.

Thanet is rich in archaeology and, as the site has been in agricultural use and, therefore largely undisturbed for a number of years, it is considered that there is the potential for archaeological remains to be present on the application site.

The applicants have undertaken a series of archaeological investigations across the site including a desk based assessment and field evaluation (including geophysical survey and trial trench evaluation). The survey work carried out highlighted that there were areas of archaeology within the site including particular remains in the south eastern area of the site which have been assessed as having medium significance. It is proposed that this area would be left free of development with opportunities for improved interpretation of the remains. Archaeological remains have also been identified in the central and northern parts of the site. These are stated as having low archaeological significance and it is proposed that these remains will be investigated and recorded in manner agreed with the Council's archaeological advisor.

KCC Archaeology reviewed the submitted archaeological work and advise that the submitted archaeological survey work is comprehensive. They confirm that the approach proposed by the applicants of preserving the archaeological remains in the south east of the site in situ and that the other remains identified on site do not warrant preservation in situ. It is recommended that provision is made to secure the area proposed to the south east of the site as an 'Archaeological Exclusion Zone', with no development coming forward on this land and protection during construction works, with the investigation and recording of the other remains within the site.

It is considered that the proposed safeguarding conditions would allow the archaeological assessed as having medium archaeological significance to be preserved in situ on site without any below ground impact and the other archaeological remains (identified as having low archaeological significance) to be investigated and appropriately recorded. Given this it is considered that any impact from the proposed development on archaeology would be appropriately managed and mitigated with safeguarding conditions, in accordance with Policy HE01 of the Thanet Local Plan.

Ecology and Biodiversity

Paragraph 170 a) of the NPPF states planning decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan). The NPPF goes on to state that paragraph 170 (d) states that opportunities to incorporate biodiversity improvements in and around development should be encouraged, especially where this can secure measurable net gains for biodiversity.

Thanet Local Plan Policy SP30 (Biodiversity and Geodiversity Assets) states development proposals will, where appropriate, be required to make a positive contribution to the conservation, enhancement and management of biodiversity and geodiversity assets resulting in a net gain for biodiversity assets. Sites should be assessed for the potential presence of biodiversity assets and protected species. For sites where important biodiversity assets, including protected species and habitats including SPA functional land, or other notable species, may be affected, an ecological assessment will be required to assess the impact of the proposed development on the relevant species or habitats. Planning permission will not be granted for development if it results in significant harm to biodiversity and geodiversity assets, which cannot be adequately mitigated or as a last resort compensated for, to the satisfaction of the appropriate authority.

The application is supported by a phase 1 habitat survey and subsequent surveys in relation to bats, reptiles, wintering birds and the land itself, with desk studies into the statutory designated sites of international, national and county levels of importance within 10km of the site. These are The Thanet Coast Special Area of Conservation (SAC), The Thanet Coast and Sandwich Bay Special Protection Area (SPA)/Ramsar site and the Sandwich Bay SAC, The Thanet Coast Site of Special Scientific Interest (SSSI), and the Thanet Coast Marine Conservation Zone (MCZ). One non-statutory designated site was assessed at Chalkhole Farm Roadside Nature Reserve (RNR). The application site is assessed as comprising two arable fields, with vegetation including dense scrub, woodland, scattered trees and grassland whilst supporting protected habitats and species (including birds and hedgehog). The ecological assessments concluded that subject to the implementation of mitigation measures, habitat planting and strengthening etc, it is considered that the development will have a beneficial effect on local wildlife at the site or site local level, with specific measures required on site and in proactive mitigation to ensure that effects on the designated sites (including recreational pressure and nitrogen deposition from increased traffic). These include:

- Specific lighting scheme to minimise impact on bats and nocturnal wildlife at both construction and operational phase, with bat boxes provided.

- New Homeowner Information Park provided to new residents, including measures regarding pets, lighting, noise.
- Strengthening boundary vegetation through native infill planting, with open grassland and wildflower meadow to benefit chalk grassland species and pollinating insects.
- Specific construction protection measures for Badgers, planting of new native hedgerow, shrub and grassland planting for hedgehogs (including holes in boundary fences for roaming).
- Habitat enhancement for nesting birds, in particular on the south-west boundary of the site and including bird boxes.
- Calcareous grassland compensation areas on site to offset any additional nitrogen deposition from development.
- Contribution towards the Strategic Access Management and Monitoring Plan and provision of Trim Trail and open space on site to result in no additional recreational pressure on the Special Protection area.

KCC Ecology, as the Council's competent experts, have advised that the ecological information submitted is appropriate and are satisfied with the results of the further surveys which conclude that terrestrial protected species eg. reptiles and dormice are unlikely to be present. They advise that conditions should be attached to any grant of planning permission to ensure that the mitigation measures outlined are secured, with a detailed strategy for providing and managing the enhancement required. It is proposed to secure this prior to the first submission of a reserved matters application, to ensure that all measures are designed into the detailed layout/landscaping etc.

Concerns were raised initially by Natural England on lack of sufficient information in relation to wintering birds. This queried whether sufficient survey data had been provided to determine if the application site formed functionally linked land for golden plover or other birds associated with the designated sites at the Thanet Coast. Further information was provided by the applicant's environmental consultants, including separate survey work than provided within the Environmental Statement (2019/20) and providing more information about the condition of the site during the survey work. Following re-consultation on this additional work, Natural England has confirmed that they raised no objection to development of the site on these grounds, and the information is considered sufficient to conclude that the site does not act as functionally linked land for golden plover or other birds associated with the Thanet Coast and Sandwich Bay Special Protection Area, and the Thanet Coast SSSI.

European sites are afforded protection under the Conservation and Habitats and Species regulations 2010 (as amended the Habitat Regulations) and there is a duty placed upon the competent authority (in this case TDC) to have regard to the potential impact that any project may have on those sites. 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. To enable the Council to be satisfied that proposed residential development will avoid a likely significant effect on the designated sites (due to an increase in recreation) an appropriate assessment for every application proposing an increase in residential units must be undertaken and a financial contribution is required for all

additional residential development to contribute to the district wide mitigation strategy. This approach is set out in the Local Plan under Policy SP29 (Strategic Access Management and Monitoring Plan (SAMM)). The applicant has agreed to pay the required contribution, with specific measures provided (and to be secured by condition) on site including a linear park with trim trail throughout the northern section of the site to create on-site routes for dog-walkers. Both Natural England and KCC Biodiversity have been consulted on this application. Following the submission of additional information, they raise no objection to the impact of the development on the statutory nature conservation sites subject to the mitigation outlined.

Given the above, it is considered that the development of the site, with the appropriate safeguarding conditions, would not have an adverse effect on biodiversity and protected species. Subject to mitigation, no adverse effect will occur on the integrity of the protected sites in proximity to the application site, either alone or in combination with other projects or plans. The amount of open space on the site also provides the opportunity for an enhancement of biodiversity through the introduction of native landscaping in accordance with paragraph 175 of the NPPF, as well as detailed measures to enhance the environment for protected species. This will be secured by condition to subsequently be outlined at reserved matters stage with the submission of landscaping details.

Appropriate Assessment

The Council have undertaken an Appropriate Assessment reflecting all of the information provided and the confirmation of the provision of the financial contribution towards the SAMM. Having considered the proposed mitigation and avoidance measures to be provided in perpetuity in addition to the scale of onsite open space provision proposed and specific mitigation on site, the conclusion of the assessment is that with mitigation and imposition of safeguarding conditions, the project will have no adverse recreational effects on the integrity of the identified European sites alone or in-combination with other proposed development. Natural England have raised no objections to this assessment and therefore the proposed development, subject to the mitigation measures set out, is not restricted by the Conservation of Habitats and Species Regulations 2017. This appropriate assessment is appended at Annex 5.

Contamination

Paragraph 170 e) of the NPPF states planning decisions should contribute to and enhance the natural and local environment by preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality. Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner. Policy SE03 (land affected by contamination) states that development on land known or suspected to be contaminated or likely to be adversely affected by such contamination will only be permitted where: 1) an appropriate site investigation and assessment (agreed by the Council) has been carried out as part of the application to establish whether contamination is present and to identify any remedial measures necessary to ensure that the site is suitable for the

proposed end use; 2) the proposed remedial measures would be acceptable in planning terms and would provide effective safeguards against contamination hazards during the development and subsequent occupation of the site. Planning conditions will be attached to any consent to ensure that remedial measures are fully implemented, before occupation. In the case of sites where contamination is only considered to be a possible risk, a site investigation will be required by condition.

The Council's Contamination Officer has reviewed the application and notes that historic mapping shows an old brickfield within the application site and a cemetery/graveyard close to the east of the development. They, therefore, advise that a preliminary risk assessment should be carried out for potential impacts on new residential receptors and sensitive groundwater resources from these sources. They advise that this information could be secured via a planning condition and as such, it is noted that this is not an objection to the principle of residential development on the site.

Given the above, it is considered that subject to the imposition of safeguarding conditions, there would be no adverse contamination impacts from the proposed development in the area or for future occupiers of the site.

Air Quality

The UK Air Quality Strategy Regulations 2010 is the method for implementation of the air quality limit values in the UK and provides a framework for improving air quality and protecting human health from the effects of pollution. Paragraph 181 of the NPPF states that planning policies and decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas. Opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management, and green infrastructure provision and enhancement. So far as possible these opportunities should be considered at the plan-making stage, to ensure a strategic approach and limit the need for issues to be reconsidered when determining individual applications. Planning decisions should ensure that any new development in Air Quality Management Areas and Clean Air Zones is consistent with the local air quality action plan. Policy SE05 of the Council's Local Plan relates to Air Quality and states that all major development schemes should promote a shift to the use of sustainable low emission transport to minimise the impact of vehicle emissions on air quality. Development will be located where it is accessible to support the use of public transport, walking and cycling. New development must ensure that users are not significantly adversely affected by the air quality and include mitigation measures where appropriate. All developments which either individually or cumulatively are likely to have a detrimental impact on air quality, will be required to submit an Air Quality and/or Emissions Mitigation Assessment, in line with the Air Quality Technical Planning Guidance 2016 and any subsequent revisions. The Air Quality Assessment should address the cumulative effect of further emissions. The Emission Mitigation Assessment should address any proposed mitigation measures through good design and offsetting measures that would prevent the National Air Quality Objectives being exceeded or reduce the extent of the air quality deterioration. These will be of particular importance within the urban AQMA, associated

areas and areas of lower air quality. Proposals that fail to demonstrate this will not be permitted.

An Air Quality Assessment was submitted to support the application. It states that the site is partially within an Air Quality Management Area (AQMA) declared on the basis of annual average pollution levels. The evaluation of key potential effects has shown that, provided suitable precautions are made in the planning and execution of the construction phase of the development, significant effects on local air quality will be not significant. The assessment has also shown that any increases in pollutant concentrations as a consequence of road traffic associated with the Proposed Development will be considered to be negligible and not significant

The Council's Environmental Health Team assessed the submitted Air Quality Assessment and advise that it has been carried out in accordance with Defra's Technical Guidance. They note, however, that the site will also require that an Emissions Mitigation Assessment (which shall include a damage cost assessment) is undertaken and offsetting measures incorporated into the development. They recommend a condition to that effect is imposed on any grant of planning permission, along with conditions relating to the submission of an emissions (providing details of how the air quality damage costs are to be used to achieve air quality improvements from the development during construction and when in operation), electrical vehicle charging and a construction management plan. The construction management plan should include measures outlined in the dust mitigation assessment carried out within the Environmental Statement.

It is considered appropriate to secure the submission of the emissions strategy prior to any reserved matters application as it will inform the development of the detailed design for the site.

Given, the above, it is considered that the development of the site, with the appropriate safeguarding conditions, would not have an adverse effect on air quality in the district.

Flood Risk and drainage

Paragraph 155 of the NPPF refers that inappropriate development in areas at risk of flooding should be avoided. Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Policy CC02 (Surface Water Management) states that "New development is required to manage surface water resulting from the development using sustainable drainage systems (SuDs) wherever possible. SuDs design, together with a robust long term maintenance plan should be included as an integral part of the master planning and design process for new development and should, wherever possible, incorporate multi-functional benefits for people and wildlife.

The application includes a flood risk assessment, a desk based study to establish the baseline of the water environment, consideration of proposed mitigation and quantification of significance of impact at construction and operational phase of development..

Surface water drainage

The majority of the site lies in Flood Zone 1, thus is at a low risk of flooding. A surface water model has been carried out in the masterplanning of the site, which demonstrates that a combination of the topography and existing flows during prolonged or intense rain events creates a water flow pathway through the northern section of the site (between Hartsdown Road and Shottendane Road). The existing pathway has been incorporated in the proposal through precluding residential development on the surface water pathway, whilst proposing SUDS to retain run-off on site temporarily in basins before infiltration into the existing watercourses. Plot soakaways would service individual dwellings with highway drainage directed to a soakaway trench in the northern parcel, with an infiltration basin as an additional stage of runoff treatment. This would attenuate a 1 in 30year event, with soakaway testing results used to calculate the size of the required basin (total volume 836 cubic metres). KCC as the Lead Local Flood Authority have reviewed the information and conclude that issues relating to flooding and drainage can be dealt with via the imposition of conditions on any grant of planning permission, requiring a detailed surface water drainage scheme, and subsequent verification report. to be submitted and agreed, with surface water infiltration controlled in accordance with the approved details. For storm events in excess of the standard, finished floor levels of new dwellings would be set above existing levels to mitigate the residual risk of overtopping.

Foul Drainage and network capacity

In accordance with criteria in Policy SP21, a report into the network capacity for foul water infrastructure has been submitted with the application. This proposes to utilise an existing connection point on Shottendane Road with all sewers to be built for adoption by Southern Water through an agreement pursuant to the Water and Infrastructure Act 1991. Through the separate legislation, Southern Water has the ability to require network reinforcement to ensure network performance is not detrimentally affected. Within the site additional drainage infrastructure will be required to serve the development, and a condition restricting occupation of the development until sewerage infrastructure is provided is requested by provider Southern Water. Each phase would be restricted in occupation until the infrastructure for that phase has been agreed and provided by condition, to ensure no pollution or flooding would result from the development.

The applicant has identified that during construction, activities such as the potential spillage of pollutants, the introduction of impermeable surfaces (i.e roads), piling and excavation and the change in topography have the potential to affect surface water quality, groundwater levels, flood risk and cause disturbance or contamination within the aquifer located below the site. Therefore the Construction Environmental Management Plan will need to ensure that best practice is employed as outlined in the flood risk assessment to protect water quality.

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.

Crime and Disorder

The NPPF requires that decisions should aim to achieve places which promote safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion. The application is in outline and at this stage raises no issues regarding crime and disorder. Secured by Design principles which will be conditioned to be addressed as part of the Reserved Matters application

Planning Obligations

Policy Background

The relevant Local Plan Policies for considering this site in terms of planning obligations are Policy SP41 (Community Infrastructure) and SP23 (Affordable Housing). Policy SP41 states that development will only be permitted when provision is made to ensure delivery of relevant and sufficient community and utility infrastructure. Where appropriate, development will be expected to contribute to the provision of new, improved, upgraded or replacement infrastructure and facilities. Policy SP23 states that for developments of the scale proposed shall be required to provide 30% of dwellings as affordable housing, with the requirement only reduced if meeting it would demonstrably make the proposed development unviable. The site allocation policy SP21 for the site also requires a “proportionate contribution to necessary off-site highway improvements in accordance with Policy SP47”.

Decisions on planning applications must be underpinned by an understanding of viability, ensuring realistic decisions are made to support development and promote economic growth. Paragraph 57 of the National Planning Policy Framework outlines that it is up to an applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage, and the weight to be given to a viability assessment is a matter for the decision maker having regard to all the circumstances in the case, including whether the plan and the viability evidence underpinning it is up to date, and any change in site circumstances since the plan was brought into force.

In this instance, the applicant has submitted a viability assessment and stated, upon submission, that the application would not, in their view, be able to provide a fully policy compliant scheme in regard to planning obligations, including on site affordable housing provision. It, therefore, falls to consider the submitted viability evidence and the requested contributions/obligations by Thanet Local Plan Policies and Kent County Council as infrastructure provider.

Viability

Decisions on planning applications must be underpinned by an understanding of viability, ensuring realistic decisions are made to support development and promote economic growth. Paragraph 57 of the National Planning Policy Framework outlines that it is up to an applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage, and the weight to be given to a viability assessment is a matter for the decision maker having regard to all the circumstances in the case, including whether the plan and the viability evidence underpinning it is up to date, and any change in site circumstances since the plan was brought into force.

Assessing viability requires a realistic understanding of the costs and the value of development in the local area and an understanding of the operation of the market, and should be based on current costs and values. A site is viable if the value generated by its development, the Gross Development Value (GDV), exceeds the costs of developing it and also provides sufficient incentive for the land to come forward and the development to be undertaken. The accepted methodology for assessing this is the residual land value method. This calculates the estimated GDV from the development, subtracts the development cost (including the developer's profit at an agreed level) and compares this residual land value against a Benchmark Land Value (BLV). The BLV is established on the basis of the existing use value of the land plus a premium for the landowner, with the premium required to provide a reasonable return to induce a landowner to sell the site for development or develop the site whilst reflecting the implications of site-specific infrastructure costs.

A viability assessment was submitted by the applicant which is provided at Annex 1. The assessment takes into account local market evidence of sales values and estimated development costs including site-specific road infrastructure. This assessment has been independently assessed by the Council's appointed viability consultant, who has provided comments to the Council (Annex 2). Subsequent to this report, a further review of the road infrastructure costs was commissioned by the applicant, with the findings reviewed by a quantity surveyor on behalf of the Council's appointed viability consultant. The final comments on the viability work from the Council's consultants has been received which will be discussed below.

The Council's appointed consultants for this application also carried out the strategic planning work on the viability of the Thanet Local Plan on behalf of the Council and this work was subject to examination as part of the Local Plan adoption process.

Below is a summary of the main points of the assessment carried out by independent assessor, and the view of officers in relation to this assessment:

The Benchmark Land Value (BLV) submitted considers the site (18.97 hectares excluding highway land) as agricultural land plus a premium to incentivise the landowner to develop the site. In this instance, a rate of £250,000/ha (£100,000 per acre) has been submitted, which has been agreed by the Council's appointed consultants, providing the figure of £4,742,750. This figure has been set taking into account strategic level viability studies, the site circumstances and policy requirements and this figure is considered suitable by officers to compare against the residual land value.

As the application has been submitted in outline form, the detailed values of expected sales has been conducted using an illustrative accommodation mix for market housing and affordable housing. This mix has an increased amount of larger properties than the mix recommended in the Strategic Housing Market Assessment (stated in Policy SP22), for example providing 55% of market dwelling as 3 bed units when the recommended range is 30-35%. This is considered to therefore be a robust mix to assess a best case for GDV. In terms of the values stated, the range of values have been considered to be evidenced when taking account of the location of the site and type of accommodation in the indicative mix. The conclusion of the independent review is that the values reflected are not unreasonable (average value of £3,045/m²), but that the viability could understandably fluctuate (either up

or down) with smaller percentage changes to sales values. On this point the report suggests consideration of a review mechanism once the scheme's design is finalised with reserved matters submission/approval (this is discussed later in the report). The average value for the affordable housing has been modelled at 54% (on the basis of an affordable-need compliant 70/30 split of the affordable provision between affordable rent and shared ownership) which is considered acceptable.

For cost assumptions, the use of the Building Cost Information Service (BCIS) median rate rebased for Kent has been considered acceptable (average cost £1,327/m²), with a contingency rate for all building costs of 5% agreed. Initially, there was divergency between cost assumptions for drainage and highway infrastructure (in particular costs of construction of estate roads, link road, roundabouts, and re-alignment of Shottendane Road, report appended at Annex 3). Submission of further information (provided at Annex 4) subsequently led to an increase in the cost estimates with the Council consultants viability appraisal, predominantly due to the clarification of the units of measurement. This reduces the cost disparity between the appraisals from £3,645,000 to £340,185. This disparity in theoretical 'saving' in cost has been accommodated within the appraisal by increased Section 106 contributions above those modelled in the applicant's appraisal. Therefore, there is now agreement regarding the modelled highways infrastructure costs within the appraisal, with particular importance on the abnormal highway costs as a result of the topography and drainage requirements of the site.

A developer profit allowance of 17.5% of GDV of the market housing and 6% on the affordable housing has been assumed within the viability report, with a total profit of £19,522,010. This is within the range of 15%-20% profit that is considered to be reasonable to enable the development to be delivered under the NPPG, in the current economic circumstances.

The applicant's viability appraisal made provision for contributions covering all requested Kent County Council (KCC) obligations towards Secondary Education (covering provision of new secondary school project and land), Community learning, youth, libraries, social care and waste, which totalled £2,940,269. An identified additional cost for a contribution requested for Healthcare provision of £388,800 from the development was included in the appraisal by the Council's viability consultants. In addition, a request for a contribution toward Special Education Needs and Disability schools totalling £435,453.72 has been received from KCC. The policy required mitigation toward increased recreational pressure at designated sites (the Strategic Access Monitoring and Mitigation plan) totalling £157,500 was not included in the assessment (required by Policy SP29), nor was any provision for an off-site contribution to the Thanet inner circuit. The inclusion of these contributions would further decrease the viability of the development, and the inclusion of all planning obligations discussed in the following section.

Following the review of the applicants review and the Council's consultant running their own scenario, then the residual land value when accounting for values and costs indicate a deficit against the Benchmark Land Value (which has itself been considered reasonable) on the basis of 10% affordable housing provision on site. This viability would be further compromised by the inclusion of the additional requests for contributions by KCC and policy compliance with Policies SP21 and SP29. Therefore, in the interests of delivering the

allocated housing site and given the site specific costs and viability appraisals carried out, it is appropriate to secure 10% affordable housing on this basis, in accordance with Policy SP23.

Infrastructure Obligations

As outlined above, even with a reduction in on-site affordable provision, the evidence before the Council shows that on the absence of current evidence, the development would not be able to accommodate all the requested financial planning obligations required through Thanet Local Plan policies. Below is a table summarising all the requested financial contributions for the development.

Requestor	Contribution per dwelling		Contribution for 450 dwelling scheme
KCC Secondary Education	£5,176	per applicable house	£2,080,752.00
	£1,294	per applicable flat	£62,112.00
KCC Secondary School Land	£1,511.11	per applicable house	£607,466.22
	£377.78	per applicable flat	£18,133.44
KCC Special Educational Needs provision	£1,051.82	per applicable house	£422,831.64
	£262.96	per applicable flat	£12,622.08
KCC Community Learning	£16.42		£7,389.00
KCC Youth	£65.50		£29,475.00
KCC Libraries	£55.45		£24,952.50
KCC Social Care	£146.88		£66,096.00
KCC Waste	£92.72		£41,724.00
Health (CCG)	£864.00	per plot	£388,800.00
TDC SAMMs	£350.00	Average per plot	£157,500.00

Regulation 122 of The Community Infrastructure Levy (CIL) 2010 (as amended) states that a planning obligation may only constitute a reason for granting a planning permission for the development if the obligation is (a) necessary to make the development acceptable in planning terms, (b) directly related to the development and (c) fairly and reasonably related in scale and kind to the development proposed. It is considered that the above requests comply with regulation 122 of the CIL regulations.

A financial contribution has also been requested by the Public Rights of Way team by KCC for £68-70,000 towards upgrading the public bridleway, for clearance, resurfacing, width definition and signage. This has been considered in the highways section above.

The strategic allocation policy for the site requires a proportionate contribution to necessary off-site highway improvements (the Thanet transport strategy as outlined in Policy SP47). Applying the apportionment work carried out with the Local Plan in 2019, the proportionate

cost for the highway contribution linked to this strategic allocation would total £2.46million (approx).

A total planning obligation 'pot' of £3,329,096 has been allocated in the viability assessment toward community infrastructure. In addition, a highways cost within the viability appraisal has been removed which made provision for the realignment of Shottendane Road through the development, which amounted to £1,000,000, and other stated contributions from KCC have been included within the applicant's submitted amount for planning obligations. This means the total available planning obligation figure, on the basis of the viability evidence and applicants submission, is £4,919,853.88.

The contribution towards the SAMMs (to ensure compliance with the Council's Appropriate Assessment) is required to be secured, with the healthcare contribution requested by NHS also secured. This leaves £4,373,553.88 remaining for use to provide community and highway infrastructure.

The Council has discussed the provision of community and highways planning obligations with KCC in light of the viability evidence. On the basis that the site is allocated for housing and would provide key sections of infrastructure, it is important for both authorities to adopt a flexible approach to obligations to ensure that this strategic development is delivered, whilst ensuring that the impacts from the development are acceptably mitigated. Therefore, a per unit "KCC community and highways" obligation will be secured, calculated as £9719.01 per unit, which will be payable to the Council and secured towards the identified projects within the KCC response. This planning obligation will be held and released to KCC upon agreement between KCC Development contributions team, KCC Highways and the Council, to ensure the maximum benefit can be secured for the contribution (for example if forward funding secured national funding for an identified project). This will be on a priority basis to be agreed between the Councils, with education and highways the main priorities due to the scale of the requests for both receive and to ensure sufficient mitigation is in place for the impacts on the development on the community.

This approach provides flexibility in responding to the viability issues of the development of the site in securing required planning obligations, whilst still ensuring that housing and infrastructure delivered through the development of this allocated site occurs. Therefore the proposal is considered to be in accordance with Policies SP41 and SP47 of the Thanet Local Plan.

Review mechanism and Major Road Network bid

Given the outline nature of the development, the size of the scheme (meaning it will come forward in stages/phases) and the reduction in provision of affordable housing on site, it is considered necessary to require a mechanism for the review of the viability of the scheme at defined points throughout the development within the required Section 106 agreement. It is proposed for a review of viability to occur prior to the occupation of 200th dwelling and the 400th dwelling, with any surplus split 50/50 between developer and the Council. Any additional financial contribution received would be secured towards the provision of off-site affordable housing in the district.

Currently Kent County Council have a funding bid for the A28 Major Road Network being considered for the Department of Transport. This, if successful, would result in grant money for the implementation of the Thanet Transport Strategy, which incorporates strategic improvements/realignments and junctions along the A28 Shottendane Road corridor. In regard to this proposal, the grant would result the works to Shottendane road (including the roundabout), Manston Road (including the roundabout) and the two link roads between Manston Road, Shottendane Road and Hartsdown Road being provided by KCC Highways (using the grant money), with a percentage of match-funding to be provided by the developers of this site. This would result in savings to the developer if these works were majority funded by the grant, over and above the current viability position outlined above. Therefore a separate mechanism is required to secure a financial contribution totalling the agreed cost of providing this road infrastructure (or any part of the road infrastructure provided by the grant), minus any required match funding for the bid or any other external funding, towards community and highways infrastructure projects as identified in the KCC consultation response and off-site affordable housing in the district. The trigger for this mechanism should be prior to the implementation of an approved reserved matters application/phase of development, to ensure that a developer knows prior to starting whether the road will be provided by KCC and to accept the level of contribution payable, with the amounts payable upon completion of the relevant section of infrastructure (with occupancy of a specified number of units limited until payment is made). The total savings (if all elements of the bid were provided by KCC) could total £3,696,480 (minus match funding) and therefore this mechanism is considered appropriate to secure necessary planning obligations as identified above.

Heads of Terms

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

- 10% affordable housing on site (70% affordable rent, 30% shared ownership or future affordable housing product)
- £4,373,553.88 towards community and highways infrastructure, to be utilised towards following projects:
 - Off-site contribution to Strategic Route highway improvement as outlined in Policy SP47 of the Thanet Local Plan;
 - the new Thanet Secondary school and associated land acquisition;
 - expansion of an existing special needs school serving this development in Thanet;
 - additional resources at Margate Adult Education Centre;
 - additional equipment and resources for the Thanet Youth service;
 - additional stock, services and resources at Margate Library;
 - specialist care accommodation in Thanet;
 - Materials Recovery Facility and improvements at Margate HWRC;
 - upgrading TM14 route.
- £388,800 towards creating capacity at the Limes Medical Practice or within the Primary Care Network

- Contribution in accordance with Policy SP29 for the Strategic Access Management and Monitoring Plan.
- Review mechanism requiring two additional assessments of development viability to be submitted and agreed prior to the occupation of 200th dwelling and the 400th dwelling, with updated values and cost information at that time, with 50% of any surplus provided the Council for use towards off-site affordable housing in the district within a stated timescale.
- Review mechanism requiring an assessment of development viability in the event of Major road network or other infrastructure funding prior to implementation of each phase (as shown on parameter plan or as agreed) to, with updated values and cost information at that time, with any highway cost savings through grant provided in full to the Council prior to the occupation of any unit in that phase. The obligation shall be utilised towards the community and highways infrastructure as defined above.
- Section 106 agreement to include a requirement for all internal spine roads and associated junctions and infrastructure to be part of an agreement under Section 38 of the Highways Act 1980 with KCC Highways.
- Safeguarding of land required to deliver the link roads and Shottendane Road improvements to enable KCC to deliver the infrastructure in the event that external funding is secured. Relevant land should be transferred to KCC at no/nominal cost (i.e £1 if there needs to be a value) at the written request of KCC.
- In the event that the link road is delivered by the developer, the developer to enter into an agreement under Section 38 of the Highways Act 1980, to ensure the adoption of the link road infrastructure. This is to secure consistent highway network access and management in the future.

Other Matters

Policy SP21 requires an assessment of potential implications of policies CSW16 and DM8 of the Kent Minerals and Waste Local Plan and the need (if any) to mitigate any potential impacts on waste management capacity. The development will not impact on the operation of the Margate Household Waste Recycling Centre on Manston Road (subject to safeguarding conditions including consideration of access to the facility during construction), and KCC have been consulted and requested a contribution from the development towards improvements at the facility. Therefore this matter has been sufficiently dealt with by the proposal.

Concerns have been raised by local residents that not enough information is given on the application. No details or additional information has, however, been received as to what information is considered to be missing. It is noted that this is an outline application with all matters other than access reserved for future consideration so some details (such as the exact location, design and scale of individual dwellings) are not available at this stage, this would however, come forward at reserved matters stage and local residents would be able to comment at that stage. Officers consider that they have sufficient information at this stage to determine the outline application under consideration.

Concerns have also been raised about the impact of the proposed development on property prices in the surrounding area. This is not a material planning consideration.

Local residents have also commented that leasehold properties cause problems and should not be part of the development. It is not normally the place for the Local Planning Authority to control the proposed tenure of dwellings other than in particular circumstances. There is a requirement for affordable housing to come forward as part of this development and the type and tenure of that would be controlled through an affordable housing scheme as part of the S106 agreement. There is, however, no reason to suggest that people in leasehold dwellings are more inclined to anti-social behaviour than occupiers of other types of dwellings and even there are other bodies which would deal with issues like anti-social behaviour.

The potential for trespass onto surrounding agricultural land as a result of the proposed development has been raised. There is no reason to link the proposed development with anti-social behaviour such as trespass and, as set out above, there are other bodies which would deal with such issues should they arise.

Concerns have also been raised about the compatibility of the cricket club and proposed residential development adjoining it. This matter does not affect the consideration of this outline application, but would need to be considered at the detailed reserved matters stage.

Any covenants on the application site would be a civil matter and not considered as part of the determination under planning legislation.

Conclusion

The site is allocated for residential development under Local Plan Policy SP21 and full weight should be given to this policy. The proposal would provide 450 dwellings on this strategically allocated housing site whilst providing key infrastructure as part of the Thanet Transport Strategy. The application has been demonstrated to accord with principles of the site specific policy SP21, whilst adapting to site specific requirements regarding drainage, archaeology and delivery of road infrastructure which will bring forward less dwellings that are allocated for the site. This has also resulted in a reduction in the planning obligations available from the proposed development towards affordable housing, off-site community and highways contributions. This reduction has been assessed in detail and the viability assessment given significant weight, taking account of the specific circumstances of the site, when assessing the application, and review mechanisms are considered to be appropriate to strengthen the Council's ability to seek compliance with Policies SP23, SP41 and SP47 over the lifetime of the project.

The provision of up to 450 dwellings would make a significant contribution to the District's Housing supply, supporting the economic and social dimensions of sustainable development, with employment provided through construction of the site. This contribution to supply should be given great weight given that the Council has not met the Housing Delivery test. The proposed housing development must therefore be viewed in the context of the test in Paragraph 11 of the NPPF, with any adverse impacts of granting permission having to

significantly and demonstrably outweigh the benefits from the scheme to withhold permission.

The provision of the link road from Manston Road to Hartsdown Road will provide clear and demonstrable benefits to the district's transportation network, whilst accommodating additional traffic created from the proposal. Whilst below the policy requirement, the proposal will also provide social benefit through 10% on site affordable housing provision and the creation of a contribution pot to facilitate the delivery of both community and highways projects in the district (with the provision of review mechanisms to ensure policy compliance of the lifetime of the development).

On the environmental dimension of sustainable development, the development would result in the loss of agricultural land and countryside, however, this has been agreed through the Local Plan adoption process. The amount of development proposed on the site can be accommodated without resulting in significant harm to the character and appearance of the area, and in principle the development will not result in significant harm to the living conditions of surrounding residential occupiers with detailed considerations of this at the reserved matters stage. The development has made provision through the submitted parameter plans and Landscape Strategy to provide suitable provision and location of open space and landscaping provision on site to mitigate the change in the landscape, whilst providing biodiversity enhancements which are to be secured by condition. Specific measures with regard to surface and foul drainage, archaeology, contamination, ecology will be secured by condition to ensure compliance with Local Plan Policy and national guidance. The impacts on St Johns Cemetery and the setting of Shottendane Farm House has been taken into account in the development of the parameter plans, with the less than substantial harm mitigated through proposed open space location, retained landscaping and distance between heritage assets and proposed built development.

Overall when considering the Local Plan and National Planning Policy framework as a whole, the proposal constitutes sustainable development, with the identified environmental harm outweighed by the significant economic and social benefits from the proposed development of the allocated housing site. Therefore it is recommended the Members defer and delegate the application to officers for approval, subject to the receipt of a satisfactory Section 106 agreement to secure the required planning obligations within 6 months of this resolution.

Case Officer

Annabel Hemmings

Background Papers:

Annex 1 - Applicants Viability Appraisal

Annex 2 - DSP Viability Review

Annex 3 - Highways Cost review

Annex 4 - Applicant response on Highways cost

Annex 5 – Habitat Regulation Assessment

TITLE:

OL/TH/20/0847

Project

Land On The North West And South East Sides Of Shottendane Road
MARGATE Kent



