

D06

OL/TH/20/0335

PROPOSAL: Outline application for the erection of 19 houses (two storey) and 18 retirement flats (two storey) with associated parking including access, landscaping, layout and scale together with the change of use of existing storage building to retail following demolition of existing buildings.

LOCATION: W S Cole And Son 116 Monkton Street Monkton Ramsgate Kent

WARD: Thanet Villages

AGENT: Mr Stuart Paine

APPLICANT: Mr Cole

RECOMMENDATION: Defer & Delegate

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

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

GROUND;

As no such details have been submitted 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 Plans and particulars of the reserved matters referred to in Condition 1 above, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.

GROUND;

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

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

GROUND;

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

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

GROUND;

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

5 Any reserved matters applications submitted pursuant to this outline application shall accord with the principles and parameter of the following Parameter Plans received by the Local Planning Authority on the (including any text set out on those Plans to illustrate the development principles):-

AL-100 Rev L Proposed Housing received 8th October 2021

AL-106 Rev D Proposed Housing Types and Heights received 25th May 2021

GROUND;

To ensure that any development is in accordance with and within the parameters of that assessed by the Local Planning Authority and in the interest of achieving sustainable development, in accordance with Thanet Local Plan Policies QD02 and QD03 and the principles with the National Planning Policy Framework.

6 Prior to the occupation of any part of the development hereby approved a Landscape Management Plan shall be submitted to and approved in writing by the Local Planning Authority for all landscaped areas 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 areas.

The approved Landscape Management Plan 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.

GROUND;

In the interests of the visual amenities of the area and to adequately integrate the development into the environment, in accordance with Policies QD02, SP27 and GI06 of the Thanet Local Plan and guidance within the National Planning Policy Framework.

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

GROUND;

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

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

GROUND;

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

9 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.

10 The retirement units hereby permitted shall only be occupied by persons of 55 years of age or over, together with their spouse or partner.

GROUND;

As the proposed development, if not occupied by older persons would be deficient in play space provision, and off-site financial contributions, contrary to Thanet Local Plan Policies QD03, GI04 and SP41.

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

GROUND;

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

12 Prior to the first use/occupation of the development, the area shown for vehicle parking including visitor parking on drawing AL-100 Rev L shall be operational. The area approved shall thereafter be maintained for that purpose.

GROUND;

To provide satisfactory off street parking for vehicles in accordance with Policy TP06 of the Thanet Local Plan and the advice contained within the NPPF.

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

GROUND;

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

14 Prior to the first occupation or use of the development hereby permitted details of the covered cycle parking, which shall be in the form of detailed specification shall be submitted to and approved in writing by the Local Planning Authority.

GROUND;

To promote cycling as an alternative form of transport, in accordance with Policy TP03 and SP43 of the Thanet Local Plan

15 Prior to the first use of the site hereby permitted, the vehicular access and associated highway alterations as shown on the submitted plans or amended as agreed with the Local Planning Authority should be completed and made operational.

GROUND;

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

16 Prior to the first occupation of any dwelling the following works between a dwelling and the adopted highway shall be completed:

- (a) Footways and/or footpaths, with the exception of the wearing course;
- (b) Carriageways, with the exception of the wearing course but including a turning facility, highway drainage, visibility splays, street lighting, street nameplates and highway structures (if any).

GROUND;

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

17 Prior to the first occupation/use of the site hereby approved the provision and maintenance of the visibility splays shown on the submitted plans with no obstructions over 1 metre above carriageway level within the splays, which shall thereafter be maintained.

GROUND;

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

18 The refuse storage facilities as specified upon the approved drawing numbered AL-100 Rev L shall be provided prior to the first occupation of the development hereby approved and shall be kept available for that use at all times.

GROUND;

To secure a satisfactory standard of development and in the interests of the amenities of the area, in accordance with Policy QD02 of the Thanet Local Plan.

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

1. A preliminary risk assessment which has identified all previous uses of potential contaminants associated with those uses, a conceptual model of the site indicating sources, pathways and receptors and potentially unacceptable risks arising from contamination at the site.

2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the written consent of the Local Planning Authority. The scheme shall be implemented as approved.

Any remediation must be carried out in a strictly controlled manner to ensure that contaminants are not exposed and releases allowed to air, land or controlled waters, which could cause pollution, harm or nuisance. Clearing areas, particularly removing hardcover, must be done in a manner not likely to expose contaminants to flushing by incipient rainfall or surface water run-off on the site. Temporary surface water controls and management of any materials movement on site is critical to ensure protection of controlled waters near the site.

GROUND;

To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution in accordance with Policy SE03 of the Thanet Local Plan and the advice contained within the National Planning Policy Framework.

20 Prior to any part of the permitted development being occupied a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

GROUND;

To ensure that the site does not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. In accordance with Policy SE03 of the Thanet Local Plan and the advice contained within the National Planning Policy Framework.

21 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved.

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.

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

GROUND

To protect the district's groundwater, in accordance with Policy SE04 of the Thanet Local Plan, and the advice contained within the National Planning Policy Framework.

23 Prior to the commencement of development, a detailed sustainable surface water drainage scheme for the site shall be submitted to, and approved in writing by, the Local Planning Authority. The detailed drainage scheme shall be based upon the Drainage Strategy prepared by HAPA Architects dated February 2020 and shall demonstrate that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100 year storm) can be accommodated and disposed of without increase to flood risk on or off-site.

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

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

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

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

GROUND;

To ensure the development is served by satisfactory arrangements for the disposal of surface water and to ensure that the development does not exacerbate the risk of on/off site flooding, in accordance with policy CC02.

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

GROUND;

To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants in accordance with Policy SE04 of the Thanet Local Plan, and the advice contained within the National Planning Policy Framework.

25 No development shall take place until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved statement shall be adhered to throughout the construction period and shall provide details of:

- a) Routing of demolition/construction and delivery vehicles to / from site

- b) Parking and turning areas of vehicles for demolition/construction and delivery vehicles, site operatives and visitors;
- c) Timing of vehicle movements (these will be restricted to outside school drop-off and pick-up periods)
- d) wheel washing facilities and their use;
- e) Temporary traffic management / signage
- f) Before and after construction of the development, highway condition surveys for highway access routes should be undertaken and a commitment provided to fund the repair of any damage caused by vehicles related to the development.
- g) Access arrangements
- h) loading and unloading of plant and materials;
- i) storage of plant and materials used in constructing the development;
- j) measures to control the emission of dust and dirt during construction including a scheme for recycling/disposing of waste resulting from construction works
- k) a construction environmental management plan, including details of operation construction times, enclosures for noise emitting equipment, dust and waste management policy and construction site noise management including siting of stationary noisy or vibrating plant equipment.

GROUND;

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

26 Prior to above ground development, details to be submitted showing the provision of 1 Electric Vehicle Charging point per residential property with dedicated parking and 1 in 10 of all non allocated parking, which shall be installed to the specification within Thanet Air Quality Technical Planning Guidance 2016.

GROUND;

In the interest of air quality and amenity in accordance with SE05 of the Thanet Local Plan and paragraph 186 of the NPPF.

27 From the commencement of works (including site clearance when in connection with the approved development), all mitigation measures for reptiles shall be carried out in accordance with the details contained within the 'Reptile Presence Absence Survey Report' (Fellgrove November 2020).

GROUND;

To ensure that the measures considered necessary as part of the ecological impact assessment are carried out as specified to preserve ecology in accordance with Policy SP30 of the Local Plan and paragraph 180 of the National Planning Policy Framework.

28 From the commencement of works (including site clearance when in connection with the approved development), all mitigation measures shall be carried out in accordance with section 3 of the 'Bat Emergence Assessment Report' (Fellgrove August 2021), unless varied by a Natural England licence.

GROUND;

To ensure that the measures considered necessary as part of the ecological impact assessment are carried out as specified to preserve ecology in accordance with Policy SP30 of the Local Plan and paragraph 180 of the National Planning Policy Framework.

29 Prior to the first installation of any external lighting, 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 the lighting columns, the extent/levels of illumination over the site and on adjacent land and the measures to contain light within the curtilage of the site demonstrating that areas to be lit will not disturb bat activity.. The development shall be implemented in accordance with the approved scheme and thereafter maintained as agreed.

GROUND;

In the interests of minimising light pollution and to safeguard the amenities of the locality in accordance with policies SP30, QD02 and SE08 of the Local Plan and the guidance of the National Planning Policy Framework

30 Prior to the construction of any external surfaces of the development hereby approved, details of how the development will enhance biodiversity shall be submitted to, and approved in writing by, the Local Planning Authority. These shall include the installation of bat and bird nesting boxes along with the installation of generous native planting where possible. The approved details shall be provided prior to the first occupation of the development hereby permitted and thereafter permanently retained.

GROUND;

To enhance biodiversity in accordance with policy SP30 and paragraph 180 of the National Planning Policy Framework.

31 Prior to the first occupation of the development hereby approved, and notwithstanding the landscape details as shown on drawing numbered AL-111 Rev D, full details of both hard and soft landscape works, to include

- o species, size and location of new trees, shrubs, hedges and grassed areas to be planted

- o seating areas for the retirement flats

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

GROUND;

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

32 All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the first occupation; of any part of the development, or in accordance with a programme of works to be agreed in writing with the Local Planning Authority. Any trees or plants which within a period of 5 years from the

completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size and species.

GROUND;

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

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

GROUND;

To ensure that flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems, and to ensure that the development as constructed is compliant with and subsequently maintained pursuant to the requirements of paragraph 165 of the National Planning Policy Framework and policy CC02 of the Thanet Local Plan.

34 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 and ensure compliance with the National Planning Policy Framework and policy CC02 of the Thanet Local Plan.

35 The development hereby approved shall be carried out in accordance with the ecology measures detailed on landscaping plan AL-111 Rev D. All measures shall thereafter be retained.

GROUND

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

36 The first floor windows in the west elevation of the retirement flats hereby approved shall be provided and maintained with obscured glass to a minimum level of obscurity to

conform to Pilkington Glass level 4 or equivalent and shall be installed prior to first occupation of the development hereby permitted and permanently retained thereafter.

GROUND

To safeguard the residential amenities currently enjoyed by the occupiers of nearby residential properties in accordance with Policy QD03 of the Thanet Local Plan.

37 No deliveries for the use of the shop premises hereby approved shall take place between the hours of 11pm and 7am.

GROUND

To safeguard the residential amenities currently enjoyed by the occupiers of nearby residential properties in accordance with Policy QD03 of the Thanet Local Plan.

INFORMATIVES

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

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. Breeding bird habitat is present on the application site and 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.

Piling can result in risks to groundwater quality by mobilising contamination when boring through different bedrock layers and creating preferential pathways. Thus it should be demonstrated that any proposed piling will not result in contamination of groundwater. If Piling is proposed, a Piling Risk Assessment must be submitted, written in accordance our guidance document "Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention. National Groundwater & Contaminated Land Centre report NC/99/73".

Please ensure that you check the above conditions when planning to implement the approved development. You must clear all pre-commencement conditions before development starts on site. Processing of conditions submissions can take up to 8 weeks and this must be factored into development timescales. The information on the submission process is available here:

<https://www.thanet.gov.uk/info-pages/planning-conditions/>

SITE, LOCATION AND DESCRIPTION

The application site has an irregular rectangular shape and measures approximately 0.93 hectares. There are hedge boundaries and trees around the site.

The western boundary is formed by hedgerows and trees along with the rear of properties fronting Seamark Close which is a mix of bungalows and chalet style bungalows. The southern boundary is formed by the boundary to the Pavilion and associated recreation ground. The eastern boundary is formed by hedgerows and trees together with some buildings along the north part of the eastern boundary, this borders designated countryside, as defined by the Local Plan. The northern boundary of the site fronts Monkton Street; between the parish hall and no. 116, a detached two storey dwelling, opposite the primary school. To the north east of the site nos. 108-114 (even are listed buildings).

In general terms the site is rather overgrown towards the southern end of the site and there are areas within the site used for storage of household items and unwanted vehicles together with derelict buildings. There is an area of hardstanding at the entrance to the site that allows access for vehicles driving into the yard and to the existing buildings on site.

The form and character of the residential development in the locality comprises mainly single and two storey, and a mix of detached, semi-detached and terrace properties.

RELEVANT PLANNING HISTORY

There is no relevant planning history for the application site.

The site adjacent to the east was subject to an outline application for 49 dwellings (reference number OL/TH/19/0409), which was refused by the Planning Committee. The proposal was subsequently dismissed at appeal.

PROPOSED DEVELOPMENT

This application originally sought outline planning permission for the erection of 20 houses (two storey) and 20 retirement flats (two storey) with associated parking including access, landscaping, layout and scale together with the change of use of existing storage building to retail following demolition of existing buildings. The retirement flats would be for the over 55's and the agent has indicated that the applicant would accept a condition to this effect. The application has been amended during the application process reducing the number of units proposed to 19 houses and 18 retirement flats. Appearance is reserved for future consideration.

The layout submitted plans show the residential development positioned to face into the site on to a central access; the residential units having their rear elevations to the site boundaries. With the proposed houses running north to south from Monkton Street and the retirement flats located in the southern part of the site in a horseshoe -shaped arrangement. The submitted plans also show various building heights throughout the site with a mix of two

and 1.5 storey development; the 1.5 storey development is shown adjacent to the boundary of those properties fronting Seamark Close and at the northern part of the site where its width increases. There is a mix of terrace, semi-detached and detached dwellings. With 37 units proposed on the site the density of development on the site would be 39 units per hectare over the whole site (was 43 dph under the original scheme of 40 units).

DEVELOPMENT PLAN POLICIES

Thanet Local Plan

SP01 - Spatial Strategy - Housing
SP13 - Housing Provision
SP14 - General Housing Policy
SP22 - Type and Size of Dwellings
SP23 - Affordable Housing
SP24 - Development in the Countryside
SP26 - Landscape Character Areas
SP27 - Green Infrastructure
SP29 - Strategic Access Management and Monitoring Plan (SAMM)
SP30 - Biodiversity and Geodiversity Assets
SP35 - Quality Development
SP37 - Climate Change
SP41 - Community Infrastructure
SP43 - Safe and Sustainable Travel
SP44 - Accessible locations
E13 - Development for new business in the countryside
E14 - Conversion of rural buildings for economic development purposes
H01 - Housing Development
HO9 - Housing in Rural Settlements
HO18 - Care and Supported Housing
GI04 - Amenity Green Space and Equipped Play Areas
GI06 - Landscaping and Green Infrastructure
QD01 - Sustainable Design
QD02 - General Design Principles
QD03 - Living Conditions
QD04 - Technical Standards
QD05 - Accessible and Adaptable Accommodation
HE01 - Archaeology
CC02 - Surface Water Management
CC05 - District Heating
SE04 - Groundwater Protection
CM01 - Provision of New Community Facilities
TP02 - Walking
TP03 - Cycling
TP06 - Car Parking

NOTIFICATIONS

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

14 representations were received to the initial plans (some objectors have written in more than once) in relation to the initial neighbour consultation carried out. The concerns can be summarised as follows:

- * Queries raised about the height, distance from boundaries of the units, boundary treatments
- * Loss of outlook
- * Affect local ecology
- * Development too high
- * Inadequate public transport provisions
- * Increase in traffic
- * Information missing from plans
- * Loss of privacy
- * Not enough info given on application
- * Out of keeping with character of area
- * Over development
- * Residential Amenity
- * Strain on existing community facilities
- * Impact on traffic or Highways
- * Loss of trees
- * Lack of local facilities
- * Conflict with Local Plan
- * Increase danger of flooding
- * More open space needed on development
- * Increase of pollution
- * General dislike of proposal
- * Loss of parking
- * Noise nuisance
- * Fire risk; as it is a no through road
- * Concern about impact upon the school in terms of parking/traffic movements
- * Seek reduction in numbers of units
- * Inadequate access
- * Inadequate parking provision
- * Inadequate public transport provisions

A further consultation was carried out in November 2020 and as a result 6 representations were received. The concerns can be summarised as follows:

- * Close to adjoining properties
- * Conflict with local plan
- * Development too high
- * Welcome shop
- * Overdevelopment of the site
- * Close to adjoining properties
- * Conflict with local plan
- * Development too high
- * General dislike of proposal

- * Inadequate access
- * Inadequate parking provision
- * Inadequate public transport provisions
- * Loss of light
- * Loss of parking
- * Loss of privacy
- * More open space needed on development
- * Out of keeping with character of area
- * Over development
- * Strain on existing community facilities
- * Traffic or Highways
- * Development too high
- * Affect on local ecology

Survey carried out by local resident which had 20 responses- they summarised nobody liked the development as currently proposed;

7 wanted no development to take place on the site

13 felt the plans as drafted amount to over development and would have too much impact upon existing homes.

A final neighbour consultation took place in May 2021 as a result 27 representations were received and can be summarised as follows:

- * Affect local ecology
- * Close to adjoining properties
- * Conflict with local plan
- * Development too high
- * Increase in traffic
- * Increase of pollution
- * Information missing from plans
- * Loss of privacy
- * More open space needed on development
- * Not enough info given on application
- * Out of keeping with character of area
- * Over development
- * Strain on existing community facilities
- * Traffic or Highways
- * General dislike of proposal
- * Inadequate access
- * Inadequate parking provision
- * Loss of light
- * Loss of privacy
- * Out of keeping with character of area
- * Over development
- * Change in number of units is minor and does not overcome concerns
- * Inadequate public transport provisions
- * Increase danger of flooding
- * Loss of parking

- * Noise nuisance
- * Potentially contaminated land
- * Residential Amenity
- * Request TPO's put on trees on the site

Monkton Parish Council: 07/06/2021 - With reference to the above application, Monkton Parish Council are pleased to note the revised plans indicate an improved roof line to the retirement block and an overall reduction in the number of units. We would also ask that the ecological stipulations are strictly adhered to. Otherwise we would draw your attention to our original comments which remain unchanged.

You will be aware some villagers have objected to this development. Grounds include the number of units, height of the retirement block, height of the houses backing onto Seamark Close, impact on the village and in some cases a general opposition to the principle of development itself. Whilst not all of these objections are valid planning grounds, we would ask that you consider them alongside the planning issues raised by the Parish Council.

24/04/2020 - Due to current circumstances, Monkton Parish Council has not been able to call a meeting to discuss this application. The comments below are based on feedback received from villagers following the Architect's Presentation Evening plus various emails that have since been received.

1 The Parish Council is aware this site has been identified for development in the emerging Local Plan. On this basis we do not have an objection to the principle of development.

2 In general, feedback to the Parish Council indicates support for the application outweighs opposition. That said, opposition is still quite significant, and is firmly opposed to this type of significant development and the consequences it brings in terms of increased traffic and additional pressure on stretched local services and service providers.

3 The form of development, being mainly semi-detached plus a few terraced properties, will hopefully provide housing opportunities for villagers and their families. However, villagers have indicated a higher ratio of 2 bed properties would be welcomed as this would provide a more realistic opportunity for first time buyers. The provision of retirement flats is welcomed as currently none exist.

4 It is noted that the allocation in the Local Plan for this site is for 20 units. The application, however, is for 40 units. This gives rise to a concern about the density of the development and the resulting impact this would have on the village in terms of additional traffic movements, parking issues and increased strain on local services -Minster Surgery in particular, given the number of retirement units proposed.

5 A key objection from residents in Seamark Close is the degree of overlooking that will be created, in particular by the 2 storey retirement flats at the rear of the development. These are sited closest to the Seamark Close properties, which are only single storey. The Parish Council supports this objection and would offer the suggestion that this could perhaps be mitigated by reducing the number of flats to 10, resulting in a single storey block. This would also go some way to reducing the density of the site and resolving the overlooking issues.

6 KCC Highways have highlighted various concerns regarding access arrangements and the visibility splays at the junction with Monkton Street. Clearly these need to be addressed and resolved, and the safety of school children opposite ensured. The Parish Council asks that any solution found is without resort to built-out traffic calming systems or undue parking restrictions.

7 The Parish Council, along with many residents, are concerned that the parking allocation in the plans is significantly under calculated. With barely any local public transport, and recent reductions in the few bus services that do exist, car ownership is vital in Monkton. Typically it is one car per working adult in every household. This can often result in 3 or 4 cars per household. Evidence of this is clearly seen in Seamark Close, adjacent to the site, or Collards Close. In both cases, there is significant on street parking, the necessity of pavement parking and significant congestion (Collards Close in particular).

The parking allocation and arrangements suggested in these plans, although on the generous side of what is technically required, still do not meet the reality of parking demand here in Monkton. This must be addressed, otherwise it will result in parking overspill onto Monkton Street where there is absolutely no provision to meet it.

Given this problem can - and should - be overcome at this stage in the planning process, we ask that plans are modified to accommodate further parking provision (to also include provision for the Village Hall and shop).

8 The Parish Council supports residents of Seamark Close who are concerned about the definition of the boundary line of the site, and the use of their fencing to define it. We would therefore ask for assurances to be put in place that this will not be the case.

In addition, clarification is needed regarding the mature trees along this boundary line, in particular the ownership of one of the trees which is shown as within the development site but which is actually within the garden of a Seamark Close resident.

The Parish Council also notes that no provision appears to have been made for a Community Infrastructure Levy or Section 106 payment to Monkton Parish Council for the benefit of the village.

The Parish Council would appreciate these comments being taken into consideration when making your decision.

Monkton Residents Association 05/05/2020 - Objection - Raise concerns about the additional traffic and parking issues and the additional strain that more development will put on limited and fragile facilities. Support the Parish Councils comment that the retirement flats be reduced to 10, thus the building would become single storey, helping to reduce the density of the site and would also help to alleviate the overlooking which existing residents are understandably concerned about.

CONSULTATIONS

Natural England: On the basis of the appropriate financial contributions being secured to the relevant scheme. NE concurs with your authority's conclusion that this is suitable

mitigation, as such the proposed developments will not have an adverse effect on the integrity of Thanet Coast and sandwich Bay SPA and Ramsar site.

Environment Agency: 16/04/2020 - We consider that planning permission could be granted for the proposed development if planning conditions are included. Without these conditions, the proposed development poses an unacceptable risk to the environment and we would object to the application. The conditions relate to contamination, surface water drainage and foundation designs using penetrative methods.

The previous use of the proposed development site presents a medium to high risk of residual contamination that could be mobilised during construction to pollute controlled waters. Controlled waters are sensitive in this location because the proposed development site is located upon a Principal aquifer overlain by a Secondary aquifer and in an SPZ3.

The reports submitted in support of this planning application provides us with confidence that it will be possible to suitably manage the risk posed to controlled waters by this development. Further detailed information will however be required before built development is undertaken. It is our opinion that it would place an unreasonable burden on the developer to ask for more detailed information prior to the granting of planning permission but respect that this is a decision for the LPA.

Contaminated material that is (or must be) disposed of is waste. Therefore, its handling, transport, treatment and disposal are subject to waste management legislation, which includes:

Duty of Care Regulations 1991

Hazardous Waste (England and Wales) Regulations 2005

Environmental Permitting (England and Wales) Regulations 2016

The Waste (England and Wales) Regulations 2011

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically in line with British Standard BS EN 14899:2005 'Characterization of Waste - Sampling of Waste Materials - Framework for the Preparation and Application of a Sampling Plan' and that the permitting status of any proposed treatment or disposal activity is clear. If in doubt, we should be contacted for advice at an early stage to avoid any delays.

If the total quantity of hazardous waste material produced or taken off-site is 500kg or greater in any 12 month period, the developer will need to register with us as a hazardous waste producer. Refer to the hazardous waste pages on gov.uk for more information.

Southern Water: No discharge of foul water from the site shall be discharged into the public system until offsite drainage works to provide sufficient capacity within the foul network to cope with additional flows are complete. Southern Water is currently in the process of designing and planning delivery of offsite sewerage network reinforcements. As previously advised Southern Water seeks to limit the timescales to a maximum of 24 months from a firm commitment of the development.

The Council's Building Control officers or technical staff should be asked to comment on the adequacy of soakaways to dispose of surface water from the proposed development. 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, a condition is attached to the consent: relating to means of foul and surface water sewerage disposal.

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.

Southern Water requires a formal application for a connection to the water supply to be made by the applicant or developer.

It is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.

The proposed development would lie in very close proximity to a Source Protection Zone around one of Southern Water's public water supply sources as defined under the Environment Agency's Groundwater Protection Policy. Southern Water requires the following condition to be complied with.

KCC Flood Water Management: Initially raised an objection on the site, on the basis that there was insufficient information provided for them to provide a detailed consultation response on the application. This was based on the fact that the Drainage Strategy submitted with the application did not relate to the application site, but an adjoining site.

Following the receipt of a drainage strategy for the application site, they commented as follows.

The drainage strategy proposes utilisation of permeable pavements leading to soakaways.

A ground investigation has been recently undertaken with the site boundaries at locations which are suitable to allow the design to be completed. This information satisfies our comments on our previous response. However, we would expect the ground investigation to confirm the actual infiltration rates and half drain times for the depths from surface level as proposed. This applies to permeable paving for the most part as the infiltration within the superficial layer will vary causing potential issues post completion. We would expect an updated Ground investigation Report confirming the above infiltration rates to depths of 0.5m from Ground Level within the detailed design Submission.

Should your authority be minded to grant permission for the proposed development, we recommend conditions are attached relating to a detailed sustainable surface water drainage, protection of groundwater resources and flood risk from the site.

KCC Highways and Transportation: Initially raised no objection on the principle of the application, given its allocation within the Local Plan, that the likely limited peak hour traffic generation being unlikely to have a severe impact on the capacity of the highway network, and the residual number of additional trips generated is likely to be less than this when the existing use of the site and proximity of the site to the primary school is taken into account. They consider that vehicular trips associated with the proposed village shop are likely to be mostly from drivers already passing the site and therefore already on the highway network. They did, however, seek clarification on a number of detailed points.

Following the submission of additional plans/additional information, they commented further.

May 2021 - I now have no objection in respect of highway matters.

The predicted peak hour trip generation of 14 movements is unlikely to have a severe impact on the capacity of the highway network, and the residual number of additional trips generated is likely to be less than this when the existing use of the site and proximity of the site to the primary school is taken into account. Vehicle trips associated with the proposed village shop are likely to be mostly from drivers already passing the site and therefore already on the highway network.

I note the issues raised in the safety audit regarding relocation of the bus stop cage markings and would advise that, with the other parking restrictions proposed, it may not be necessary to relocate the bus cage and the details can be resolved through the separate highway approval process. The other items raised in the safety audit can also be dealt with through this process.

The proposals require the implementation of parking restrictions in Monkton Street to provide suitable visibility and manoeuvring room at the access, with the potential loss of 3 existing on-street parking spaces. However, these are replaced within the site access in a row of 7 spaces which can also be used for the village hall and proposed shop. The proposed parking restrictions are extended into the site access to ensure there is no obstruction to vehicles leaving/joining the highway.

The total amount of parking proposed within the site (including 3 replacement spaces for those existing ones potentially lost on-street) is acceptable, such that it is unlikely to lead to unacceptable parking on the existing highway.

Demolition and construction can be managed through a plan to be agreed by condition, to include the restriction of vehicle movements during school drop-off and pick-up times.

Therefore I would not recommend refusal on highway grounds subject to the following being secured by condition:

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

(a) Routing of demolition/construction and delivery vehicles to / from site

- (b) Parking and turning areas for demolition/construction and delivery vehicles and site personnel
- (c) Timing of vehicle movements (these will be restricted to outside school drop-off and pick-up periods)
- (d) Provision of wheel washing facilities
- (e) Temporary traffic management / signage
- (f) Before and after construction of the development, highway condition surveys for highway access routes should be undertaken and a commitment provided to fund the repair of any damage caused by vehicles related to the development.
- (g) Access arrangements

Provision of measures to prevent the discharge of surface water onto the highway.

Provision and permanent retention of the vehicle parking spaces shown on the submitted plans prior to the use of the site commencing, including the retention of the 7 spaces adjacent to the village hall for public use.

Provision of electric vehicle charging points in accordance with Local Plan policy to Mode 3 standard (providing up to 7kw) and SMART (enabling Wifi connection). Approved models are shown on the Office for Low Emission Vehicles Homecharge Scheme approved chargepoint model list

Use of a bound surface for the first 5 metres of the access from the edge of the highway.

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.

Completion of the access and associated highway alterations shown on the submitted plans or amended as agreed with the Local Planning Authority prior to the use of the site commencing

Completion of the following works between a dwelling and the adopted highway prior to first occupation of the dwelling:

- (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).

Provision and maintenance of the visibility splays shown on the submitted plans with no obstructions over 1 metre above carriageway level within the splays, prior to the use of the site commencing.

Other comments

The application form indicates that the new access road within the site is to remain private. Consequently I confirm the total amount of parking proposed within the site (including 3 replacement spaces for those existing ones potentially lost on-street) is acceptable, such

that it is unlikely to lead to unacceptable parking on the existing highway. However, you may wish to consider the following matters:

1. Lack of effective speed restraint measures in the proposed access road.
2. Better provision and distribution of unallocated/visitor parking within the site, particularly in relation to the proposed shop.
3. Manoeuvring room required for a larger refuse vehicle than that currently shown.
4. Visibility for pedestrians crossing the turning head to/from the retirements flats, and the obstruction of the same by cars parked in adjacent spaces.
5. The size of vehicle likely to be servicing the shop and the loading bay/manoeuvring room provided for the same.
6. Provision of cycle parking for all proposed uses on the site.
7. Potential use of the new access road by parents during school drop-off and pick-up times.

KCC Archeology: 05/08/2020 - The site lies in an archaeologically sensitive area on an elevated spur overlooking the former Wantsum Sea Channel which has been a focus for settlement and activities from early times. The fields north of the village are known to be rich in buried archaeological landscapes as seen from aerial photographs while finds of Iron Age, Roman and Saxon date have been made to the west of the present site. Recent work on both the land to the rear of the White Stag and at 150 Monkton Street has also revealed remains of medieval date including medieval settlement and enclosures to the rear of the main village street. The work at the White Stag has also identified a substantial prehistoric monument.

The site itself has seen partial development in its northern half including some buildings that date back into the early 19th century according to map sources. The southern area is relatively undeveloped. As with the adjacent proposals I am satisfied that archaeological matters can be addressed through a condition on any forthcoming consent and recommend that the following clause for a programme of archaeological works be attached should the application be permitted.

KCC Economic Development: 07/06/2021 - Primary Education

The proposal gives rise to up to 5 additional primary school pupils during occupation of the development. This need, cumulatively with other new developments in the vicinity, can only be met through the delivery of the new Manston Green Primary School.

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

The County Council requires a financial contribution towards the new Manston Green Primary School of £6,800 for each 'applicable' house (x19) ('applicable' means: all dwellings, except 1 bed units of less than 56 sqm GIA, and any sheltered accommodation subject to legal restriction for occupants aged over 55 in perpetuity).

Please note this process will be kept under review and may be subject to change (including possible locational change) as the Local Education Authority has to ensure provision of

sufficient pupil spaces at an appropriate time and location to meet its statutory obligation under the Education Act 1996 and as the Strategic Commissioner of Education provision in the County under the Education Act 2011.

KCC will commission additional pupil places required to mitigate the forecast impact of new residential development on local education infrastructure generally in accordance with its Commissioning Plan for Education Provision 2021-25 and Children, Young People and Education Vision and Priorities for Improvement 2018-2021.

Secondary School Provision

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

The proposal is projected to give rise to 4 additional secondary school pupils from the date of occupation of this development. This need can only be met through the new Thanet Secondary School.

The County Council requires a financial contribution towards the new Thanet Secondary School at £5,176.00 per applicable house (x19) and £1,294.00 for any 'applicable' flats ('applicable' means: all dwellings, except 1 bed units of less than 56 sqm GIA, and any sheltered accommodation subject to legal restriction for occupants aged over 55 in perpetuity).

The County Council also requires proportionate contributions towards the Secondary School land acquisition cost at £1,511.11 per 'applicable' house (x19) and £377.78 per applicable flat.

The site acquisition cost is based upon the actual land price paid for the freehold transfer of the site.

Please note where a contributing development is to be completed in phases, payment may be triggered through occupation of various stages of the development comprising an initial payment and subsequent payments through to completion of the scheme.

The new secondary school accommodation will be provided through the new Thanet Secondary school and delivered in accordance with the Local Planning Authority's Infrastructure Delivery Plan (where available); timetable and phasing.

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

Community Learning

There is an assessed shortfall in provision for this service: the current adult participation in both District Centres and Outreach facilities is in excess of current service capacity.

To accommodate the increased demand on KCC Adult Education service, the County Council requests £16.42 per dwelling towards the cost of providing additional equipment and

resources for the Margate Adult Education Centre for the new learners from this local development.

Youth Service

To accommodate the increased demand on KCC services the County Council requests £65.50 per dwelling towards additional equipment and resources for the Youth Service in Thanet to meet the needs of the additional attendees from this local development.

Libraries

This new development will generate new borrowers for the Library service. KCC are the statutory library authority. The library authority's statutory duty in the Public Libraries and Museums Act 1964 is to provide 'a comprehensive and efficient service'. The Local Government Act 1972 also requires KCC to take proper care of its libraries and archives.

There is an assessed shortfall in provision; bookstock in Thanet at 953 items per 1000 population is below the County average of 1134 and both the England and total UK figures of 1389 and 1492 respectively.

The County Council therefore requests £55.45 per household to address the direct impact of this development, and the additional services and stock will be made available at Minster Library as and when the monies are received.

Social Care

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

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

- o a proportionate monetary contribution of £146.88 per household towards specialist care accommodation in Thanet to meet the local needs identified upon social care services.
- o The Ministry of Housing, Communities and Local Government identified in June 2019 guidance Housing for older and disabled people the need to provide housing for older & disabled people is critical. Accessible and adaptable housing enables people to live more independently and safely. Accessible and adaptable housing provides safe and convenient homes with suitable circulation space and suitable bathroom and kitchens. Kent Social Care request these dwellings are built to Building Reg Part M4(2) standard to ensure they remain accessible throughout the lifetime of the occupants to meet any changes in the occupant's requirements.

Waste

Kent County Council is a statutory 'Waste Disposal Authority', responsible for the safe disposal of all household waste arising in Kent, providing Household Waste Recycling Centres (HWRC) and Waste Transfer Stations (WTS). Each household produces an

average of a quarter of a tonne of waste per year to be processed at HWRC's and half a tonne per year to be processed at WTS's. Existing HWRC's and WTS's will be over capacity by 2020 and additional housing has a significant impact on the manageability of waste in Kent.

A contribution of £54.47 per household is required towards a Materials Recycling Facility and the extension and upgrading of the existing Household Waste Recycling facilities in Margate, to mitigate the impact arising from this development, and accommodate the increased waste throughput within the Borough.

Broadband: Fibre to the premise/gigabit capable

The NPPF (para 112) and The Department for Digital, Culture, Media and Sport requires full fibre connection to new developments being gigabit capable fibre optic to the premise connection for all.

Please include a Planning Condition to provide 'fibre to the premise' (FTTP) broadband connections to all premises of gigabit capacity.

Developers are advised to make early contact with broadband providers, as there can be a lead in time for cable installation and associated infrastructure.

Clinical Commissioning Group: Request a contribution towards the refurbishment, recognifuration and/or extension of the existing Minster Surgery and/or Birchington Medical Centre - total amount of £25,488.

KCC Ecological Advice Service: Initial comments requested additional information relating to reptile and bat emergence surveys.

Reptiles

As only a small population of common lizards are present on-site, we accept that they can be accommodated on-site. However, the site plan is unclear where this habitat/receptor site is.

The report states "Prior to any works commencing, a hand search of any natural or artificial refugia will be carried out by a suitably qualified ecologist. If any reptiles are found, they are to trans-located to a pre-arranged and agreed mitigation and compensation area". We advise that this receptor site is clearly denoted on a revised site plan.

Once this has been provided to, and agreed by, the local planning authority, we advise that a condition is attached to any granted planning permission (to safeguard reptiles during construction).

Roosting Bats

The bat emergence surveys identified a day roost for a single Common Pipistrelle within building 1 (as labelled in the report). As all bats and their roosts are protected, and because the building will be demolished, mitigation measures under a Natural England licence will be needed to facilitate works.

A European protected species mitigation (EPSM) licence will be required to carry out the proposed development due to the impacts upon roosting bats. The Conservation of Habitats and Species Regulations 2017 requires Thanet District Council, the competent authority, to have regard to the requirements of the Habitats Directive in the exercise of their functions. As such, Thanet District Council must consider whether it is likely that an EPSM Licence from Natural England will be granted, and in so doing must address the three tests when deciding whether to grant planning permission for the proposed development. The three tests are that:

1. Regulation 55(2)(e) states: a licence can be granted for the purposes of "preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment".
2. Regulation 55(9)(a) states: the appropriate authority shall not grant a licence unless they are satisfied "that there is no satisfactory alternative".
3. Regulation 55(9)(b) states: the appropriate authority shall not grant a licence unless they are satisfied "that the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range."

We are only able to comment on test three; favourable conservation status.

To maintain favourable conservation status, the following measures have been proposed:

- Externally mounted bat boxes provisioned prior to works commencing.
- 'Soft strip' of roofing material/roost features under supervision of an ecologist.
- Installation of bat roosting space within the new builds.

Given the 'low' importance of this roost, we advise that the proposed measures are sufficient and should be secured (subject to variation from Natural England) via a condition with any granted planning permission.

We also advise that the operational development has a sensitive external lighting design. As such, we advise that the condition is included with any granted planning permission.

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 decision from the Court of Justice of the European Union has detailed that mitigation measures cannot be considered 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.

Breeding Bird Informative

Habitats are present on and around the site that provide opportunities for breeding birds. Any work to vegetation/structures that may provide suitable nesting habitats should be carried out outside of the bird breeding season (March to August) to avoid destroying or damaging bird nests in use or being built. If vegetation/structures need to be removed during the breeding season, mitigation measures need to be implemented during construction. 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 an informative is included with any planning consent.

Biodiversity and Ecological Enhancement

Under section 40 of the NERC Act (2006), and paragraph 180 of the NPPF (2021), biodiversity must be maintained and enhanced through the planning system. Additionally, in alignment with paragraph 180 of the NPPF 2021, the implementation of enhancements for biodiversity should be encouraged.

To provide meaningful biodiversity net-gain, the development must have:

- A native species only-landscape plan.
- Areas of wildflower meadow (ideally within the reptile receptor area).
- Integrated bird bricks (ideally for Swifts) or bat bricks.
- Gaps in closeboard fencing for reptiles, hedgehogs, etc.

To secure the implementation of enhancements, we advise that a condition is attached to any granted planning permission.

Kent Police: Initial comment - If this application is approved we strongly request a Condition be included to address the points below and show a clear audit trail for Design for Crime Prevention and Community Safety to meet our and Local Authority statutory duties under Section 17 of the Crime and Disorder Act 1998.

Having reviewed the application on-line these issues need to be addressed, including:

1. It is important that there is access control to reduce the opportunity for unauthorised access to the sides and rear of the retirement flats.
2. The perimeter, boundary and divisional treatments should all meet a min of 1.8m in height with 1.8m high gates that are lockable from both sides. The gates should be sited to the front building line to avoid creating a recess. The planting to the front gardens should be maintained at a max of 1m to aid natural surveillance. Corner properties require a more defined and robust treatment to avoid their frontages from becoming used as desire lines.
3. Cul-de-sacs that are short in length and not open by being linked to other areas by cycle routes or footpaths for example, can be very safe environments where residents can benefit from lower crime.
4. We strongly recommend that the lighting plan is completed by a lighting engineer, e.g. a Member of the ILP or the Society of Light and Lighting. We find that where areas lack appropriate lighting, homeowners install security lighting that can cause conflict and light pollution.
5. The parking requires maximum natural surveillance, signage and clear enforceable management practices to cover the 7 parking spaces to the north of the site. The area should be lit (not bollard height) to help reduce potential for vehicle crime, the fear of crime or ASB, as should the parking for the retirement home that also requires signage and clear enforceable management practices.

6. All external doorsets to the residential dwelling houses including the patio/French doors and all ground floor or potentially vulnerable (from flat roofs) windows are to achieve PAS 24:2016 certified, not ADQ that only requires testing to PAS 24:2012.

For the retirement flats we strongly advise:

7. The access control for the shared main entry doorset leading into a reception or communal area should meet providing access to segregated flats, bedsit or individual bedrooms. We recommend that the applicant consider "A GUIDE FOR SELECTING FLAT ENTRANCE DOORSETS" 2019" for dual fire and security.

8. Doorsets and windows on the ground floor or potentially vulnerable e.g. from flat roofs should meet PAS 24: 2016 UKAS certified standard. The ground floor bedroom windows require a defensive treatment i.e. defensive ground treatment or defensive planting to protect privacy and avoid nuisance.

9. Care should be taken to ensure that there is no unauthorised access throughout the building. To prevent the lift and stairwell providing unrestricted access onto a residential landing, each resident should have access to their floor only via a security encrypted electronic key (e.g. fob, card, mobile device, key etc.) both on the stairwell/landing door and lift. Access to stairwells from the communal lobby should be restricted to residents to reduce the risk of anti-social behaviour or criminal activities. Unrestricted egress from a landing into the stairwell and from the stairwell to the communal lobby/emergency fire exit should be provided at all times.

10. If approved, site security is required for the construction phase. There is a duty for the principle contractor "to take reasonable steps to prevent access by unauthorised persons to the construction suite" under the Construction (Design and Management) Regulations 2007. The site security should incorporate plant, machinery, supplies, tools and other vehicles and be site specific to geography and site requirements.

Secured by Design (SBD) is the UK Police flagship initiative addressing designing out crime and security. The Gold award incorporates the security of the external environment together with the physical security specification of the home. Silver offers those involved in new developments, major refurbishment and the individual the opportunity to gain an award for the level of physical security provided. SBD requires doorsets and windows to be certified by an approved independent third-party certification body e.g. (UKAS) in the name of the final manufacturer/fabricator, exceeding ADQ that only require testing to PAS 24:2012. Independently certificated products that meet recognised security standards have been responsible for consistently high reductions in crime as verified by numerous independent academic research studies of 87% reduction in burglaries in new homes. This design could, if the above points are achieved, attain an award. If the applicant is interested, they can find the application forms at www.securedbydesign.com.

If the points above are not addressed, they can affect the development and local policing.

Further comment Following the receipt of amended plans, they commented further. "parking restrictions to the internal spine road can be addressed at detailed design stage" as mentioned on plan (C829/04). It is important that placement of the parking spaces, lighting, maximised surveillance opportunities and management policy avoid potential nuisance and conflict.

Parking courts can create an opportunity for crime if they are not covered by natural surveillance from neighbouring properties.

Please note, whilst we are not qualified lighting engineers, any lighting plan should be approved by a professional lighting engineer (e.g. a Member of the ILP), particularly where a lighting condition is imposed, to help avoid conflict and light pollution. Bollard lighting should be avoided, SBD Homes 2019 states:

"18.3 Bollard lighting is purely for wayfinding and can be easily obscured. It does not project sufficient light at the right height making it difficult to recognise facial features and as a result causes an increase in the fear of crime. It should be avoided."

Lighting of all roads including main, side roads, cul de sacs and car parking areas should be to BS5489-1:2020 in accordance with SBD and the British Parking Association (BPA) Park Mark Safer Parking Scheme specifications and standards.

TDC Tree Officer: 17/06/2020 - It is important I believe to retain the marginal trees including Sycamores (where appropriate, whilst reducing significantly the seedling sycamore numbers along the hedge lines), retaining the codominant hawthorns along the boundaries and along the mixed native hedging. There is a particularly good Walnut (*Juglan regia*) on the site approx a third of the way down the site on the left, though this does not appear on the arboriculture report. It would also be good to retain some of the mature trees within the proposed development to soften the development within (although there are not that many). At the bottom of the site where the old people's apartments are proposed it would be good to retain a width 7m minimum to create a reasonable wildlife corridor through the site a more diverse range of native genus/species trees/shrubs could be introduced to make this more diverse and aesthetically pleasing.

TDC Housing Strategy: Within Thanet District Council's Local Plan (adopted July 2020), SP23 requires residential development schemes for more than 10 dwelling units, including mixed use developments incorporating residential and developments with a combined gross floor area of more than 1,000 square meters shall be required to provide 30% of the dwellings as affordable housing. The affordable housing shall be provided in proportions set out in the Strategic Housing Market Assessment or successive documents.

The contribution of 30% affordable housing (AH) across the 19 units, (which excludes the retirement care facility) should be split 70% Affordable Rent (AR) and 30% Shared Ownership (SO). This generates approximately 6 units for Affordable Housing Provision, and 4 being for AR and 2 being for SO. However, the exact tenure can be confirmed during the course of the application process.

TDC Environmental Health: 22/04/2020 - Would suggest a condition relating to a construction environmental management plan, is attached to an approval. Whilst the development is not within the AQMA the development has the potential to impact on the air quality and therefore as an informative it may be wise for the developer to consider adding Electric Vehicle charge points to the plans.

TDC Contaminated Land Officer: 11/05/2020 - This department concurs that based on the historic builder's yard use, dumping of unclassified waste at the site, potential for the presence of asbestos within existing building structures and location within a Zone 3 Groundwater SPZ, safeguarding conditions should be applied if planning permission is granted relating to contaminated land

TDC Conservation Officer: 07/12/2020 - I would like to state that I have no objections to the proposal from a heritage perspective and believe there is a reduced level of impact to the nearby listed buildings given the distance between the proposed development and the existing heritage assets.

TDC Refuse Officer: We will certainly want to be consulted on the refuse provision and access for this development.

COMMENTS

This application is called to committee by Cllr Pugh, for Members to debate the impact of the proposed development on Monkton, as it is a brownfield site in the centre of the village and the retirement flats would be a welcome addition to the village.

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

Principle

In line with Section 38(6) of the Planning and Compulsory Purchase Act 2014, planning decisions must be taken in accordance with the 'development plan' unless material considerations indicate otherwise. The requirements of the National Planning Policy Framework (NPPF) are a significant material consideration in this regard.

The site is an allocated site for future housing development within the Local Plan (116 Monkton Street- for 20 units), policy HO9 - Housing in Rural Settlements relates specifically to housing and covers this site. Any proposed development on this site needs to comply with the criteria of this policy. The criteria are:

- 1) The proposal being compatible with the size, form, character and scale of the settlement; and
- 2) In the case of major development proposals accessible community services will be available.

With regard to the provision of a shop, this would be classed as a community use and Monkton does not currently have such a facility. Policy E13 outlines that new development for economic development in the countryside will be permitted when well-designed a sustainable location at an appropriate scale and form. The proposed shop would reuse an existing building, be located centrally in the village and would provide a benefit to the village in terms of the services available for residents. Therefore the proposal would accord with Policy E13.

In light of the above and with the site being an allocated housing site within the Local Plan and the general support for rural business/community facility, it is considered that the proposal would comply with the NPPF's presumption in favour of sustainable development. Provided the proposed development accords with the provisions of the development plan, including Policy H09, the principle of residential and retail development on the site can be supported. All other material planning considerations will now be considered.

Character and Appearance

Paragraph 130 of the 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 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 174 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.

Policy SP35 relates to the quality of development and states that new development will be required to be of high quality and inclusive design. 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.

Landscape impact

Paragraph 174 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. Thanet Local Plan Policy SP26 (Landscape Character Area - Stour Marshes) identifies the land characterised by a vast, flat, open landscape defined by the presence of an ancient field system, defined by an extensive ditch and dyke system, the sea walls and isolated groups of trees. The policy requires development proposals to take particular care to avoid skyline intrusion and the loss or interruption of long views of the coast and sea and proposals should demonstrate how the development will take advantage of and engage with these views. It adds that development should generally be directed away from the Stour Marshes as this is largely undeveloped and key to retaining the island character of Thanet.

In this case the application site is largely undeveloped land currently used as storage in part. The site falls downhill from north to south from around 5.60 AOD, in the north of the site, to around 3.25 AOD to the south of the site.

The site has, however, been identified as a site for residential development in the local plan. As such the impact of such development on the surrounding countryside was considered at various stages throughout this housing allocation process. It is, however, recognised that the application site is the same as the allocated site in terms of area, but the application proposes 17 more residential units and a shop over and above that of the allocation. This would thus increase the density of development on the site from that envisaged and would, therefore, also potentially impact more or have a different impact on that considered through the Local Plan process upon the surrounding development, character and countryside. The impact on landscape character from this increase in the number of residential units and introduction of a new retail/commercial use therefore falls to be considered.

Given that the boundary to the south and east of the site is not adjacent to existing development, but open countryside, the proposed development has the potential to be visible in a range of views particularly from the recreation grounds and a track to the east. The submitted Landscaping plan (AL-111 Rev D) indicates that soft landscaping would be provided to the west, south and east site boundaries, although specifics in terms of species, planting densities and sizes are not given. This would be a required condition to ensure suitable planting is planned for the site..

The main entrance point to the site is from Monkton Street, just south of the entrance is a car parking area for 7 vehicles, whilst there is some soft landscaping on the entrance corner of the site this could create quite a harsh appearance. The submitted scheme however indicates that this would be a resin bonded permeable gravel, which would give a softer appearance. Further parking associated with the four terrace properties on the opposite side of the new road and visitor parking on both sides of the road (4 spaces) would add to the area of hardstanding. It is, however, appreciated that these spaces are interspersed by soft landscaping, including trees. Both these areas will be clearly visible from Monkton Street looking into the site however with the use of different road/footpath/parking surfaces it will not harm the visual entrance point into the estate in my view.

The proposed layout shows that the built form retirement block would be within a distance of 5.8m from the western site boundary and 8m of the south site boundary and just under 8m from the eastern site boundary. In terms of dwellings the distance to the site boundaries would vary but range from between approximately 6-10m (closest being that of the dwelling opposite the loading bay/turning point, south of the shop. It is appreciated that the retirement flat building has a horse shoe footprint, thus taking away part of the mass of the building from the boundary. The built form of the two storey (first floor in the loft space) flats would be seen against the pavilion to the south and countryside, however, the built form is shown to be set in from the site boundaries and the roof design could, if, appropriately designed reduce its mass, and therefore prominence to the countryside.

The proposed dwellings along the eastern boundary comprise semi-detached and detached - where their rear elevations are facing adjacent countryside. These dwellings incorporate a degree of separation between each other, which would give a pleasant rural character. These units would all be one and a half and two storey in height (units types E and D). The exact height of these units are 8m to the ridge for type D units and 7.8m to the ridge level for the type E units.

Soft landscaping is proposed and precise details could be secured via condition, I am satisfied that the distance to the site boundary of the two storey built form is appropriate so that additional tree planting (where there are gaps) and a perimeter hedge could be incorporated to help assimilate the development into the surrounding countryside and not create harm to the landscape character area.

It is clear that there will be a change to the current qualities of this landscape with the introduction of a development of this scale, although some change was envisaged through the housing allocation of the site. It is considered that the site layout and the amount of development would provide sufficient opportunities for the development to form a logical extension to the village that does not harm the wider landscape character area or countryside. It is considered that the proposal is acceptable in visual impact terms and as such complies with the requirements of Thanet Local Policy SP26.

In terms of the shop- located at the northern part of the site it would be surrounded by existing built form to the north and west. As it is also proposed to utilise an existing storage building for the shop/cafe, it is not considered to harm the landscape character area.

Design, layout, building heights and density

The application site measures some 0.93 hectares. The proposed development of 37 residential units - 19 dwellings and 18 retirement flats over the 0.93 hectares would give a density of 39 dwellings per hectare. It is appreciated in terms of density within Monkton village that development concentrated along Monkton Street is of higher density, with the side roads off the main street being newer developments of a less dense form with more space around units leading out into the surrounding countryside. Whilst it is considered that this scheme has a higher density than that that is seen in Seamark Close, it is considered by officers that it is of a density that would be appropriate in this location which borders onto countryside, adjacent to the existing residential development. As such the proposed development is considered to respect this characteristic of Monkton.

No formal details on house designs have been provided at this stage, as appearance is reserved for future consideration, only indicative plans have been submitted. However, the plans and supporting information show that the proposed development would predominantly take the form of two storey buildings but would also include some one and a half storey dwellings adjacent to Seamark Close and as scale is being agreed at this point, if permission was approved this would need to be adhered to within a future reserved matters application.

Officers consider that this approach would not harm the character of the area, with a mix of two and single storey development in the area. The detailed design of properties would be subject to consideration at the reserved matters stage (should this application be approved) to ensure their acceptability. It is considered appropriate that a condition would be attached to any planning consent to limit the height of units to the scale currently being considered.

The number of units, scale and layout of the amended scheme when compared to existing development on adjacent sites would respect the character of this village on the edge of defined countryside, whilst not detracting from the visual amenities of the area. The impact upon the character and appearance of the area is therefore considered to be acceptable.

Impact upon designated heritage assets

Section 66 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 which 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 the building or its setting or any features of special architectural or historic interest which it possesses.. The NPPF 2021 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 199). The NPPF goes on to state in paragraph 202 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. Policy HE3 states that the Council supports the retention of local heritage assets. Proposals that affect both designated and non-designated heritage assets, will be assessed by reference to the scale of harm, both direct and indirect, or loss to, the significance of the heritage asset in accordance with the criteria in the National Planning Policy Framework.

It is confirmed that the site is not within the Conservation Area. Nos. 108, 110, 112 and 114 Monkton Street are listed. These properties form a terrace and extend back off Monkton Street. The listed description refers to these properties as Delce Cottages and the Old Post Office and both are Grade II listed. The list description describes these buildings as mid 18th Century two storey with painted brick and plain tiled roof.

It is not considered that the access arrangement would impact upon the setting of these properties as they are separated by no. 116 Monkton Street.

The nearest unit to the listed properties would be two storey, it would not be immediately sited to the rear but offset to the west. At the present time it is noted that the site contains an existing two storey building much closer to these buildings that is of a poorer design quality. Given that the proposal seeks to demolish this existing building and increase the level of separation between the listed cottages and the proposed new dwellings it is considered by officers that the impact upon the setting of the listed buildings is neutral, with the significance of those assets preserved. The Conservation Officer also confirms that there are no objections to the proposal.

Living Conditions

Paragraph 119 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.

Policy QD03 of the Local Plan deals specifically with living conditions. This policy states that all new development should:

- 1) Be compatible with neighbouring buildings and spaces and not lead to the unacceptable living conditions through overlooking, noise or vibration, light pollution, overshadowing, loss of natural light or sense of enclosure.

- 2) Be of appropriate size and layout with sufficient usable space to facilitate comfortable living conditions and meet the standards set out in QD04.
- 3) Residential development should include the provision of private or shared external amenity space/play space, where possible.
- 4) Provide for clothes drying facilities and waste disposal or bin storage, with a collection point for storage containers no further than 15 metres from where the collection vehicle will pass.

There are existing residential properties on the western site boundary (Seamark Close), which back onto the site and also in part, to Monkton Street. A site layout plan forms part of the application and the scale of the proposed development is also known, but only some indicative elevation plans have been submitted at this stage as appearance is a reserved matter. An assessment of the impact upon the amenity of neighbouring properties cannot be fully undertaken at this stage with information such as the location of windows and other features not known and will need to be considered at the reserved matters stage.

The key areas for the consideration of the impact upon the amenity of the occupants of neighbouring properties are issues of overlooking, overshadowing and whether or not the dwellings will be overbearing.

In regard to the relationship between the site and dwellings adjacent to Seamark Close it is confirmed that those dwellings would be 32m from the proposed dwellings and 24m from the proposed retirement flats. The proposed dwellings are indicated to be 1.5 storey (type E) at this point and the retirement flats 2 storey - with first floor accommodation in the loft space. Given the distances and heights of the building adjacent to the application site boundary it is considered that there will be sufficient distance for first floor rear windows within a roof slope with no overbearing impact due to the height of the proposed buildings. It is noted that the retirement flats are shown to have windows at first floor level in the western elevation and these would need to be conditioned so that they are fitted with obscure glazing.

The proposed dwellings to the northeast (type B) are shown to be two storey terrace properties. The proposed siting of these terrace properties- to the southeast means there would be no impact upon no. 114 Monkton Street.

With regard to the proposed shop located at the northern end of the site, this is a conversion of an existing building. The building is some distance from the land/properties outside the applicant's ownership, given this relationship I consider there to be no material harm. In regard to operating hours, the Councils Environmental Health Team have not requested any restrictions on the establishment in terms of operating hours, however they recommend a condition relating to deliveries; no deliveries shall take place between 11pm and 7am.

Overall, it is considered that the site is of sufficient size to ensure that appropriate measures can be designed into the scheme to ensure loss of privacy and loss of daylight is mitigated effectively. It is unlikely that the proposed development would result in any significant neighbour amenity issues.

The proposed development is therefore considered to be acceptable in terms of the living conditions of adjacent neighbouring properties, in accordance with Policy QD03 of the Thanet Local Plan and paragraph 130 National Planning Policy Framework.

Doorstep playspace is required for all 2-bed units or more under Policy GI04 of the Thanet Local Plan, along with refuse storage, clothes drying and cycle storage space. The submitted layout plans demonstrate that each of the dwellings has an enclosed doorstep playspace. Concern was expressed initially about the amount of amenity space some dwellings had and their usability. The scheme has since been amended so that dwellings have a good sized amenity space that is suitable for purpose. It is appreciated that due to the retention of trees on the site that some of the gardens would be shady (in the middle section of the site, however it is still considered that the space would be useable for the occupants.

In terms of the retirement flat block at the southern end of the site, there is land formed by the horseshoe shape of the building and to the rear, this includes attenuation ponds (surface water runoff to avoid flooding) and reptile receptor site. It is considered that there is still sufficient space for the occupiers therein and features such a seating areas for residents and refuse storage could be accommodated.

In terms of refuse storage for the flats this is to the north of the flats and against the eastern boundary of the site, not details of this are provided however, it is shown to be set in from the boundary and a perimeter hedge runs to the rear; details of the bin and recycling area could be safeguarded by condition.

In terms of the living conditions of the future occupiers of the proposed dwellings, Policy QD03 requires new development to be of an appropriate size and layout with sufficient usable space to facilitate comfortable living conditions and meet the standards set out in Policy QD04, which are the National Described Space Standards (March 2015). Paragraph 130 of the National Planning Policy Framework requires development to provide a high standard of amenity for existing and future users, with all windows serving primary habitable rooms required to provide an acceptable level of outlook, natural light and ventilation for the rooms. The proposed dwellings/flats (shown on drawing AL-100 Rev K) meet all of these criteria in terms of the overall floor space and are therefore considered policy compliant at this stage, although matters relating to outlook, natural light and ventilation would need to be considered at the reserved matters stage.

It is noted that there would be some disruption to the residential amenities of existing residents in the surrounding area during construction works. These works would, however, be temporary and would be controlled by a construction management plan to minimise disturbance to residents, as recommended by the Environmental Health team.

Overall the proposal will not significantly harm the residential amenity of existing residential occupiers that border the site and in terms of space standards and provision of gardens for future residents in accordance with Policy QD03 and QD04 of the Thanet Local Plan and the National Planning Policy Framework.

Transportation

Paragraph 110 of the NPPF states that in assessing applications for development it should be ensured that adequate opportunities to promote sustainable transport modes have been taken up; safe and suitable access to the site can be achieved for all users and any significant impacts from the development on the transport network (in terms of capacity and congestion) or on highway safety, can be cost effectively mitigated to an acceptable degree. It goes on to state that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe (paragraph 111). Applications for development should give priority to pedestrian and cycle movements and secondly (as far as possible) facilitate access to high quality public transport, address the needs of people with disabilities and reduced mobility, create places that are safe, secure and attractive, allow for the efficient delivery of goods and access by service and emergency vehicles and be designed to enable charging of plug in and other ultra low emission vehicles (paragraph 112). These aims are reflected in the Council's Local Plan policies.

This application is an outline application to agree the principle of developing up to 37 residential units on the site and change of use to create a retail unit together with access to the development utilising part of the existing access road to the site; although this would need to be widened.

The proposal provides two off-street parking for each dwelling with 4 visitor spaces to the south of the shop and 7 just off Monkton Street and a total of 28 parking spaces for the retirement flats.

KCC Highways were satisfied that the traffic generation from the scheme (peak hour trip generation of 14 movements) would be unlikely to have a severe impact on the wider highway network. Initial concerns were raised regarding the scheme including the lack of a full speed survey to determine visibility at the access, questions raised regarding the ability to achieve suitable visibility more detailed highway design aspects, swept paths based on an acceptable size of vehicle, details of measures to prevent parking in this initial section of the access road.

Further work has been undertaken by the applicant to look at the detailing of the proposed highway works and KCC Highways have now removed their objection. They consider that if it is necessary to relocate the bus cage the details can be resolved through the separate highway approval process. The other items raised in the safety audit can also be dealt with through this process.

KCC Highways consider that the implementation of parking restrictions on Monkton Street to provide the visibility and manoeuvring room for the access and loss of upto three parking spaces would be offset against the provision of the 7 parking spaces at the front of the site. They consider that the amount of parking proposed within the development is unlikely to lead to unacceptable parking on the existing highway. They concluded that the proposed site access has acceptable visibility and parking arrangements and have no objection subject to conditions.

In terms of refuse truck maneuvering within the site, the plans have been amended at the turning head so that there is more room between the road and parking spaces. The space shown would allow the refuse vehicle to turn at the end of the road when no bins are attached to the rear of the refuse truck. On balance this is considered to be acceptable.

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

Affordable Housing

Paragraph 61 of the NPPF says that local planning authorities should use their evidence base to ensure that their local plans meet the full, objectively assessed needs for housing in the housing market area, as far as is consistent with the policies set out in this Framework. This is reinforced by the guidance at paragraph 62 which states that the size, type and tenure of housing needed for different groups should be assessed and reflected in planning policies (including, but not limited to, those who need affordable housing and the needs of different groups in the community. Where planning authorities have identified that affordable housing is needed paragraph 63 says that they should set policies for meeting this need on site, unless off-site provision or financial contribution of broadly equivalent value can be robustly justified and the agreed approach contributes to the objective of creating mixed and balanced communities. Such policies, the NPPF says, should be sufficiently flexible to take account of changing market conditions over time. Therefore it is for planning authorities to determine whether affordable housing is required and, in the absence of a national threshold within the NPPF, to set their own thresholds for provision.

Affordable Housing is dealt with through Policy SP23 of the Thanet Local Plan setting out 30% on all qualifying developments of more than 10 dwellings. Due to the number of dwellings proposed there is a requirement for affordable housing. The Housing Officer confirms that there is a housing need in the village of Monkton and recommends a mix of 70% affordable rent and 30% shared ownership. This equates to a total of 11 units. The affordable units and their mix would be secured via the Section 106 agreement.

Size and Type of Housing

The application is in outline form unit sizes and types are shown on drawing AL-100 Rev K. Policy SP23 of the Thanet Local Plan requires that affordable housing shall be provided in proportions set out in the Strategic Housing Market Assessment.

The mix and types of dwellings are indicated in the submitted plan, and show 10 no of 3 bed semi-detached houses, 3 no 3 bed detached houses, and 13 1-2 bed flats open market units. This mix would generally accord with Thanet Strategic Housing Market Assessment 2016, which requires 25-30% detached, 25-30% semi-detached, 20-25% terrace and 20-25% flat units. The SHMA recommends 10-15% 1 bed properties, 40-45% 2 bed properties, 30-35% 3 bed properties and 10-15% 4 bed properties. Although it is noted that this scheme does not propose any 1 bed or 4 bed units, this lack of provision would not result in an unbalanced

housing mix for the development, nor impact on the ability of housing development as part of the Local Plan to meet the identified need, due to the scale of the development.

Policy QD05 of the Local Plan sets out the Council's policy in regard to accessibility provision in new developments as required by Building Regulations Part M4 shall be provided as follows:

- 1) 10% of new build developments will be expected to be built in compliance with building regulation part M4(2) (accessible and adaptable);
- 2) Within new build developments which are affordable, a proportion of wheelchair accessible homes; complying with building regulations part M4 (3) (wheelchair user) will be required. This should be provided as part of the affordable element of the scheme.

This application is for 37 residential units and it is indicated that one of the 3 bed semi-detached affordable units will comply with Building Regulations Part M4(3) and two market houses will comply with Part M4(2) of the building regulations. This is considered acceptable and the final layout and compliance with these requirements will need to be demonstrated within the reserved matters application.

Ecology, Biodiversity and Trees

The NPPF states at paragraph 174 that the planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible. The NPPF then states at paragraph 180 that "if significant harm to biodiversity resulting from development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused."

A Preliminary Ecological Appraisal was submitted to support the application. It concluded that the likely outcomes for biodiversity is that there could be a small loss of nesting birds. The replacement of lost trees with nesting boxes for birds integrated into the new landscaping would contribute to a 'no net loss' and with the implementation of suggested bat roost boxes would result in a 'net gain'. If these recommendations are followed the appraisal states that then no local species are likely to be significantly impacted by the proposal.

KCC's Ecology Team reviewed the appraisal and requested that additional information was sought prior to determination. This was in relation to bat emergence/re-entry surveys and reptiles (reptile presence/absence surveys), with the need for an enhancement plan for biodiversity is submitted.

A reptile survey and bat emergence survey have now been provided having taken place earlier this year in the required period.

In regards to the reptiles survey KCC's Ecology Team concluded a low population of reptiles (common lizards) were identified during the reptile surveys. To mitigate this, they agree with the report's findings that trapping and translocation will be necessary with reptiles to be taken to a suitable 'receptor site'.

A landscaping plan has been produced as part of this application (AL-111 Rev D) and this details the location of the reptile receptor site to the south of the flats within the application site, which is considered appropriate, also the location of bat boxes, bat and bird bricks in new build houses and the location of two hibernacula and 4 log/brush piles to promote ecology/biodiversity. KCC's Ecology Team are of the view that this is acceptable to mitigate the impact of the development.

In regards to the bat survey it identified a day roost for a single Common Pipistrelle within a building on site. KCC's Ecology Team advises that the mitigation is acceptable. The mitigation proposed is;

Externally mounted bat boxes provisioned prior to works commencing.

'Soft strip' of roofing material/roost features under supervision of an ecologist.

Installation of bat roosting space within the new builds.

An informative is recommended in terms of breeding birds to advise that it is an offence to remove, damage or destroy the nest of any wild bird while the nest is in use and also advising that the nesting season is between the 1st March and 31st August.

As such matters, subject to safeguarding conditions pertaining to bats, reptiles translocation and biodiversity net gain measures, the application is considered to comply with paragraph 174 of the NPPF and policy SP30 of the Local Plan.

The application has been supported by an Arboricultural Tree Survey and Impact Assessment. The survey recorded a total of 31 individual trees, 2 tree groups on the site or within the immediate vicinity which were surveyed by the assessment. The report details that all of the trees are of poor quality with only 3 trees outside of the site being of moderate quality which are proposed to be retained. They note the trees on site have a negligible amenity value. The report details that 22 trees and the 2 tree groups would be removed as part of the proposal, some removal of lateral branches would be required to the retained trees.

It is appreciated that this site is allocated within the adopted Local Plan for housing and the plan identifies a figure of 20 units for this site. It is expected that a development of that nature would necessitate the removal of some of the trees on the site.

The impact that the loss of these trees will have on the wider community has been considered in arboricultural and ecological terms. It is considered that the trees to be removed can be compensated for through a comprehensive landscaping scheme on the site with appropriate new species of appropriate heights and would therefore result in the net increase in trees within the site that are well maintained. The long term impact of this replacement planting will be for a net increase in canopy cover, providing additional habitat and ensuring that the development blends into the local character of the landscape setting.

The Council Tree Officer notes the Walnut tree that the scheme now clearly proposes to retain. It is also confirmed that hedge planting will be provided to the perimeter of the site. Whilst a 7m wildlife corridor is not proposed to the south of the site as suggested by the Council's Tree Officer this area is to serve as a reptile receptor site and will therefore have benefits of its own.

Taking into account the above it is considered that the revised scheme will comply with policy GI06 - Landscaping and Green Infrastructure including the creation of a reptile receptor site, wildflower planting to create an attractive environment for users and occupiers as well as creating new wildlife habitats and improving biodiversity of the site.

Archaeology

Thanet is rich in archaeology and policy HE01 relates to archaeological assessments and preservation. KCC Archaeology advise that the site lies in an archaeologically sensitive area on an elevated spur overlooking the Former Wantsum Sea Channel which has been a focus for settlement and activities from early times. The fields north of the village are known to be rich in buried archaeological landscapes as seen from aerial photographs while finds of iron age, Roman and Saxon dates have been made to the west of the present site. Recent work on both the land to the rear of the White Stag and at 150 Monkton Street has also revealed remains of medieval date. The work at the White Stag has also identified a substantial prehistoric monument.

They advise that archaeological matters can be addressed through a condition on any forthcoming consent and recommend that a condition securing a programme of archaeological works is attached to any grant of planning consent.

Therefore officers consider that the suggested condition would meet the test for a condition and would safeguard the archaeology on the application site from any adverse effects from the proposed development in accordance with policy HE01 of the Local Plan.

Air Quality

Environmental Health have recommended that conditions are imposed to secure a construction environmental management plan and suggest an informative is attached to any approval relating to the consideration of Electric Vehicle Charging points.

It is considered by officers appropriate to secure the provision of electric vehicle charging points via a planning condition should the application be approved. This would accord to policy SP14 which requires proposals for residential development on sites allocated must provide one electric car charging point for every 10 parking spaces provided in communal areas, or one charging point to be provided for every new dwelling with parking provision within its curtilage.

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.

Contaminated Land

Paragraph 174 e) of the NPPF states planning decisions should contribute to and enhance the natural and local environment by preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development

should, wherever possible, help to improve local environmental conditions such as air and water quality. Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.

The site lies within a Ground Source Protection Zone.

An Environmental Desktop Study and Preliminary Risk Assessment has been submitted in support of this application. It concludes that an intrusive contaminated land investigation is undertaken to determine the actual pollution linkages and to quantify the risk to the receptors. The intrusive investigation may reveal on-site sources of contamination that were not established by the Phase I Desk Study and Site Walkover and thus require modification of the conceptual site model. The assessment recommends that given the coverage of waste materials and derelict sheds on the site it is not considered practicable or safe to carry out site investigation until the waste materials have been cleared from the site.

The Environment Agency raised no objection to the principle of residential development on the site subject to the imposition of conditions relating to contamination, surface water drainage foundation designs using penetrative methods are attached to any grant of planning permission.

TDC's Contamination Officer has reviewed the submitted information and advises that given the historic use of the site; builders' yard requests that safeguarding conditions relating to contaminated land are attached to any grant of planning permission.

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

Flooding and Drainage

Paragraph 159 of the NPPF refers that inappropriate development in areas at risk of flooding should be avoided. Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future).

The site lies in Flood Zone 1, thus is at a low risk of flooding. A Drainage Strategy is included with the application. Given the size of the site, however, a site specific Flood Risk Assessment (FRA) is required to be submitted. The Drainage Strategy includes a FRA which concludes based on the available flood risk there are no historic flood incidents recorded on the site from all sources of potential flooding. The pre-development potential flood risk to the site from all sources of flooding is considered to be low. They advise in terms of surface water, drainage seeks to follow the concept of a SuDS management train.

The Environment Agency, Southern Water, KCC as the Lead Local Flood Authority have reviewed the information. KCC initially highlighted that the ground investigation undertaken was not on the site of the proposed application. On this basis they requested that the investigation would need to be carried out within the site boundaries and in the areas of the proposed soakaways to confirm the infiltration rates are adequate for the location of the soakaways with the micro drainage calculations.

Following the receipt of a ground investigation carried out within the confines of the site, KCC have confirmed that they would expect the ground investigation to confirm the actual infiltration rates and half drain times for the depths from surface level as proposed. This is stated to apply to permeable paving for the most part as the infiltration within the superficial layer will vary causing potential issues post completion. An updated ground investigation report would be expected confirming the above infiltration rates to depths of 0.5m from Ground Level within the detailed design submission, however, KCC conclude that conditions requiring a detailed sustainable surface water drainage scheme, Verification Report, pertaining to the surface water drainage system and if infiltration is used to manage the surface water, are attached to any permission.

Given the above, subject to the imposition of the recommended safeguarding conditions it is not considered that the proposed development would have an adverse impact in terms of flooding or drainage.

Open Space

Policy GI04 - Amenity Green Space and Equipped Play Areas states that:

New residential development will make provision for appropriate amenity green space and equipped play areas as detailed within the Plan. The type and amount of open space to be provided will depend on:

- 1) The size and location of the development,
- 2) Existing open space provision near the development site, and
- 3) The number of people likely to live in the proposed development.

New family dwellings* will be expected to incorporate garden space in order to provide a safe "doorstep"*** play area for young children.

In exceptional circumstances where it would be impractical to provide adequate and suitably located playspace as part of the development, then a financial contribution may instead be acceptable to offset the costs resulting from the additional use and need for increased maintenance and play equipment at suitably located existing playspaces and amenity areas.

The developer will be responsible for the funding and arrangement of the ongoing maintenance and management of amenity and play areas which will be secured through a legal agreement.

Monkton's Recreation Area adjoins the site to the south and is the closest play area to the application site. The additional children from the proposed development are likely to have an impact on this play area.

The financial contribution required through the proposed development, which is based upon the calculation contained within the Council's Supplementary Planning Document for Planning Obligations is £16,625 - this is based on the 19 residential units.. This would be available for required upgrades to the Monkton Recreation play area to mitigate the impact

of increased housing and would need to be secured through a legal agreement. It is not considered that the retirement flats, on the basis of a condition restricting usage, would be required to contribute to this mitigation.

An area of play space is not shown on the layout. The Local plan requires new development of 50 or more units to provide equipped play space on site, as the proposal is for less than 50 units this is not required.

On the basis of securing the contribution the proposed development is considered to comply with Policy GI04 of the Thanet Local Plan in relation to play space.

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 - although only appearance is reserved.

The Architectural Liaison & Crime Prevention Officer has raised no objection to the proposal in principle but has commented on the site layout. She considers that planning conditions can be attached to deal with crime/antisocial behaviour aspects under Section 17.

It is however confirmed that some of these aspects go above and beyond that which can be controlled by the Planning system- access control of the flats, external doorsets and window standards. Matters relating to boundary treatments, soft landscaping, lighting plan can be controlled by planning conditions. It is however noted that for example what the police require for lighting may conflict with the aims of light for ecology for example, so a balance would need to be achieved. This would be considered when assessing planning condition submissions.

On this basis the proposal is considered acceptable in this regard.

Financial Contributions

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

KCC Economic Development have been consulted and have advised that there is a need for financial contributions towards primary and secondary education, community learning, youth services, social care and libraries. The primary education contribution would be in the form of £6,800 per house with the exception of sheltered accommodation subject to legal restriction for occupants aged over 55) towards Manston Green Primary school and the secondary contribution is up to £5,167 per house towards the new Thanet secondary school. A contribution for secondary school land is also required of £1,511.11 per applicable house towards land acquisition costs of the new Thanet Secondary School. A contribution of £55.45 per dwelling is also sought towards additional bookstock at the Minster Library to

mitigate the impact of the new borrowers from this development. A contribution to the increased demand on KCC adult Education service of £16.42 per dwelling towards the cost of additional equipment and resources together with £65.50 per dwelling towards additional equipment and resources for the Youth Service in Thanet to meet the needs of the additional attendees from this local development. With regard to social care to mitigate the impact of this development, £146.88 per household towards specialist care accommodation in Thanet to meet the local needs identified upon social care services.

With regard to waste a contribution of £54.47 per household is required towards a Materials Recycling Facility and the extension and upgrading of the existing Household Waste Recycling facilities in Margate, to mitigate the impact arising from this development, and accommodate the increased waste throughput within the District.

The Clinical Commissioning Group (CCG) have requested £25,488 towards refurbishment, recognition and or extension of the existing Minster and or Birchington Medical Centre. The proposal is likely to result in 71 new patient registrations and would come into the boundaries of both of these medical centres.

The requested contributions above are considered to be appropriate to mitigate the impact of the proposed development on local facilities and services and this would need to be secured through a legal agreement.

The CCG also requests that this contribution allows the contribution to be used towards new general practice premises in the area serving this population (should GP Estates Strategy identify future requirements) 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. This proviso is not considered to meet the test of planning obligations under the regulation 122 of the CIL regulations 2010 as it would not be definitively directly related to the development.

Natural England has previously advised that the level of population increase predicted in Thanet should be considered likely to have a significant effect on the interest features for which the Thanet Coast and Sandwich Bay Special Protection Area (SPA) and RAMSAR have been identified.

Thanet District Council produced the 'The Strategic Access Management and Monitoring Plan (SAMM)' to deal with these matters, 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) a financial contribution is required for all housing developments to contribute to the district wide mitigation strategy. This mitigation has meant that the Council accords with the Habitat Regulations.

This would need to be secured through a S106 agreement which provides the required financial contribution for the 37 no 1, 2 and 3 bed residential units to mitigate the additional recreational pressure on the SPA area. The exact number 1 and 2 bed units within the

retirement flats is not known at this stage and therefore the contribution would be the average tariff figure; £350 per unit; equating to a total of £12,950.

Heads of Terms

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

- Special Protection Area - based on the average tariff figure £12,950 (total)
- Primary Education - £6,800 per applicable dwelling towards Manston Green Primary School (total figure £129,200.00)
- Secondary Education - £5,176.00 per applicable dwelling towards the new Thanet Secondary School Park Crescent (total figure £28,711.09)
- Secondary land acquisition - £1,511.11 per applicable dwelling towards the new Thanet Secondary school Park Crescent land acquisition cost (total figure £28,711.09)
- Libraries - £55.45 per dwelling towards additional stock and services at Minster Library to mitigate the impact of the new borrowers (total figure £2,423.50)
- Play equipment - £16,625 towards Monkton Recreation ground total based on 19 units (dwellings)
- Social Care - £ 146.88 per household towards specialist care accommodation in Thanet (total figure £5,434.56)
- Adult Education - £16.42 per dwelling towards additional equipment and resources at the Margate Adult Education Centre (total figure £607.54)
- Youth service - £65.50 per dwelling towards additional equipment and resources (total figure £2,423.50)
- Waste and recycling facilities - £54.47 per dwelling towards improvements at Margate HWRC to increase capacity (total figure £2,015.39)
- CCG - total figure £25,488 towards refurbishment, reconfiguration and or extension of the existing Minster and or Birchington Medical Centre
- 30% on-site affordable housing provision (70% affordable rent and 30% shared ownership; 6 dwellings and 5 retirement flats)

Conclusion

This is an application for outline planning permission for 37 residential units comprising 19 dwellings and 18 retirement flats, a shop and the required infrastructure. Only appearance is a reserved matter.

NPPF paragraph 11 stipulates that plans and decisions should apply a presumption in favour of sustainable development. For decision-taking this means approving development proposals that accord with an up-to -date development plan without delay.

This site is allocated for residential development (20 units) under the adopted Local Plan. The proposed development is for a higher number of dwellings than initially envisaged under the Local Plan. Since the submission of the application, the number of units has been reduced by three in order to address officer concerns about the impact upon the character and appearance of the area including village and landscape character. It is clear from the assessment above that the numbers of dwellings now proposed are considered to be

appropriate to the site's context and would achieve a development appropriate to this rural village location in terms of its density, character and appearance and integration with the countryside and landscape. The proposal would ensure that the living conditions of existing and future residents would be protected from any materially detrimental impacts, subject to the detailed design of the dwellings and flats. Issues pertaining to ecology have now been resolved and can be safeguarded by planning conditions, with safeguarding conditions appropriate to ensure suitable surface water and foul water drainage. There will be no harm to heritage significance for heritage assets and, subject to appropriate conditions, there are no implications for archaeology. Thus the proposal is considered to comply with the environmental aspect of sustainable development.

The proposal includes the provision of a shop, and a mix of 19no. dwellings, including 2 and 3 bedroom family dwellings and 18 retirement flats, 30% of the dwellings (6 units) are proposed to be affordable housing and 5 of the retirement flats. The sustainability of the site has been assessed to be acceptable through the Local Plan, as well as the provision of community facilities on site in the form of a retail shop. This would represent some modest benefits in terms of social and economic elements of sustainable development.

Therefore the development is considered to be in accordance with the Thanet Local Plan and the guidance within the National Planning Policy Framework. It is therefore recommended that Members defer and delegate the application for approval subject to the receipt of an acceptable legal agreement to cover the Heads of term outlined within the report, within 6 months of the resolution

Case Officer

Gill Richardson

TITLE:

OL/TH/20/0335

Project

W S Cole And Son 116 Monkton Street Monkton Ramsgate Kent

