



	ensuring local residents have access to good quality housing, and promoting inward investment through setting planning strategies and policies that support growth of the economy.
<b>Equalities Act 2010 &amp; Public Sector Equality Duty</b>	<p>Members are reminded of the requirement, under the Public Sector Equality Duty (section 149 of the Equality Act 2010) to have due regard to the aims of the Duty at the time the decision is taken. The aims of the Duty are: (i) eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act, (ii) advance equality of opportunity between people who share a protected characteristic and people who do not share it, and (iii) foster good relations between people who share a protected characteristic and people who do not share it.</p> <p>Protected characteristics: age, gender, disability, race, sexual orientation, gender reassignment, religion or belief and pregnancy &amp; maternity. Only aim (i) of the Duty applies to Marriage &amp; civil partnership.</p> <p>In the opinion of the author of this report the Public Sector equality duty is not engaged or affected by this decision.</p>

## 1.0 Background

- 1.1 This planning application was brought before Members on the 19th February 2020, with a recommendation that the application be deferred and delegated for approval subject to the submission of a legal agreement securing the Heads of Terms as set out within the planning committee report (appended to this report - Annex 1). Members agreed to the recommendation, which required the signed legal agreement to be submitted within 6 months of the resolution.

The legal agreement has now been submitted, and was signed and sealed by the Council on the 26th January 2022.

Given the 23 months that have passed since the application was last brought before Members, and given that a new Local Plan has been adopted since the previous application was considered at planning committee, there is a procedural requirement for the application to be brought back to planning committee to seek agreement for its determination.

## 3.0 Analysis

### 3.1 Principle

The application was previously brought to planning committee as it was a departure to Policy H1 of the 2006 Thanet local Plan, as the site is viewed as previously developed land.

Under the current 2020 Thanet Local Plan the site is still an unallocated site, however, the application would comply with Policies SP01 and HO1, which permit the development of sites for housing where they are located within the urban confines. As such the proposal is no longer a departure to the Local Plan.

### 3.2 Character and Appearance

Policy D1 of the 2006 Thanet Local Plan has been replaced with Policy QD02 of the 2020 Thanet Local Plan. The aims of the policy remain the same, to achieve good quality design that appears in keeping with the character and appearance of the area. Under the new policy the proposed development remains acceptable.

One change has been the introduction of Policy QD01, which requires sustainable design with all new residential development in order to reduce emissions of greenhouse gases and have resilience to function in a changing climate. As a result an additional safeguarding condition has been added which requires the development to be constructed to a high standard of energy efficiency, whilst also meeting the technical standard for water efficiency.

### 3.3 Living Conditions

Policy D1 of the 2006 Thanet Local Plan has been replaced with Policy QD03 of the 2020 Thanet Local Plan. The aims of the policy remain the same, to protect the living conditions of neighbouring occupiers, and to provide adequate refuse storage and clothes drying facilities, and where possible doorstep playspace, for the future occupiers.

One change has been the introduction of the nationally described space standards, which set a minimum size for each new residential unit created. The standards are set out within Policy QD04 of the Thanet Local Plan 2020. The minimum requirement for a 1-bed unit is 50sqm (over one floor), and the minimum requirement for a 2-bed unit is 70sqm (over one floor). A unit schedule was submitted with the application, which showed that every unit meets the minimum space standards, and therefore the proposal does comply with Policy QD04 of the Thanet Local Plan 2020.

### 3.4 Transportation

Underground parking provision for 16no. vehicles have been provided as part of the proposal. The current parking requirements are set out within Policy TP06 of Thanet Local Plan 2020, and require that when considering the level of parking provision in respect of proposals for residential development the Council will have regard to the guidance provided in Interim Guidance Note 3. This is the same guidance that was used during the original consideration of the application, and as such there is no material change when considering parking or highway safety.

### 3.5 Affordable Housing and Unit Sizes

Affordable housing provision is required under Policy SP23 of the Thanet Local Plan 2020. A minimum requirement of 30% is required, which was the requirement of the previous affordable housing Policy H14. A minimum of 30% has been secured through the signed legal agreement, and as such the proposal complies with Policy SP23 of the Thanet Local Plan.

In terms of unit sizes and mix, a Local Housing Needs Assessment has recently been carried out, which updates the local housing need; however, the mix remains similar to the previous housing need, and given that the whole of this site may come forward as affordable housing, given its link with an associated development site, the greatest

need of affordable units remains as 1-bed and 2-bed units, which is the size of unit proposed. As such the proposal is considered to comply with Policy SP22 of the Thanet Local Plan 2020.

### 3.6 Other Issues

In terms of ecology, drainage, contamination, and archaeology, the newly adopted policies relating to these respective areas raise no new material considerations when compared to the previous policy assessment.

### 3.7 Financial Contributions

All of the financial contributions previously sought remain justified and valid, and the SPA contribution remains the same as that previously sought, which is now secured through the signed legal agreement. An updated appropriate assessment has been carried out. The proposal therefore complies with the Habitats Regulation, and with Policy SP41 of the Thanet Local Plan 2020, which requires the delivery of relevant and sufficient community and utility infrastructure to mitigate the development.

### 3.11 Conclusion

The proposed development continues to comply with the development plan as recently adopted, with the only exception being in reference to Policy QD01, which in order to be satisfied requires the addition of two further safeguarding conditions. A full set of the conditions as now proposed are attached to this report.

The proposed development will deliver additional housing within the urban area, with an acceptable impact upon the character and appearance of the area, neighbouring and future living conditions, highway safety, and other material considerations. A signed legal agreement has been submitted securing the minimum 30% affordable housing, SPA contribution, and other financial contributions as set out within the Heads of terms. The proposal therefore continues to be considered as sustainable development in accordance with the development plan.

It is therefore recommended that Members approve the application, subject to the safeguarding conditions as recommended.

## **4.0 Options**

4.1 Members approve the application in accordance with the officer recommendation subject to the safeguarding conditions at annex 2.

4.2 Members propose an alternative motion.

## **5.0 Recommendations**

5.1 Officers recommend Members of the Planning Committee to agree option 4.1.

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## Annex List

Annex 1	Planning Committee Report - dated 19th February 2020
Annex 2	Proposed Planning Conditions (as amended)