

**A02**

**F/TH/22/0953**

**PROPOSAL:** Erection of a two storey 66-bed care home (Use Class C2) with associated services, car parking and landscaping with access onto Northwood Road following demolition of existing building

**LOCATION:** Land South Of Millennium Way Broadstairs Kent

**WARD:** St Peters

**AGENT:** Mr Luke Thorpe

**APPLICANT:** LNT Care Developments

**RECOMMENDATION:** Approve

Subject to the following conditions:

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

**GROUND:**

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

- 2 The development hereby approved shall be carried out in accordance with the submitted drawing numbered CT10 2NH-A-03A, received 29 November 2022; drawings numbered CT10 2NH-A-05.1, CT10 2NH-A-05, CT10 2NH-A-04-A, SDL-033.2,SDL-090.3C, and CYSH-PREM-2250 X 3000 X 2100, received 11 July 2022; and plans numbered AMA/21510/SK002 and AMA/21510/SK/001, received 26 October 2022.

**GROUND:**

To secure the proper development of the area.

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

**GROUND:**

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

- 4 Development shall not begin in any phase (except for demolition/ site clearance) until a detailed sustainable surface water drainage scheme for the site has been submitted to (and approved in writing by) the local planning authority. The detailed drainage scheme shall demonstrate that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100 year storm) can be accommodated and disposed of without increase to flood risk on or off-site.

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

- that silt and pollutants resulting from the site use can be adequately managed to ensure there is no pollution risk to receiving waters.
- appropriate operational, maintenance and access requirements for each drainage feature or SuDS component are adequately considered, including any proposed arrangements for future adoption by any public body or statutory undertaker.
- The final discharge rate from the site shall be a minimum of a 50% reduction in the peak runoff rate over the current rate to reduce peak discharge to the receiving sewer.

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

**GROUND:**

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

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

**GROUND:**

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

- 6 If, during development, significant contamination is suspected or found to be present at the site, then works shall cease, and this contamination shall be fully assessed and an appropriate remediation scheme agreed with the Local Planning Authority. The approved works shall be implemented within a timetable agreed by the Local

Planning Authority and shall be of such a nature as to render harmless the identified contamination given the proposed end use of the site and surrounding environment, including controlled waters. Prior to first occupation/use and following completion of approved measures, a verification report shall be submitted to the Local Planning Authority for approval.

**GROUND:**

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

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

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

**GROUND:**

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

8 Prior to the first occupation of the development hereby approved, details of the design of the 3no. electric vehicle charging points, to be located as shown on the approved plan numbered CT10 2NH-A-03A, shall be submitted to, and approved in writing by, the Local Planning Authority, and thereafter implemented and maintained as approved.

**GROUND:**

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

9 No development shall take place (including ground works, vegetation clearance) until a construction environmental management plan (CEMP (Biodiversity)) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) should incorporate the mitigation measures detailed in the Native Ecology Preliminary Ecological Appraisal dated 29th April 2022. The CEMP shall include the following:

- a) Risk assessment of potentially damaging construction activities;
- b) Identification of 'biodiversity protection zones';
- c) Practical measures (both physical measures and sensitive working practises) to avoid or reduce impacts during construction (may be provided as a set of method statements);
- d) The location and timing of sensitive works to avoid harm to biodiversity features;

- e) The times during construction when specialist ecologists need to be present on site to oversee works;
- f) Responsible persons and lines of communication;
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person;
- h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP (Biodiversity) shall be adhered to and implemented throughout the construction period in accordance with the approved details.

**GROUND:**

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

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

- a) Identify those areas/features on site that are particularly sensitive for badgers and bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory;
- b) Show how and where external lighting will be installed so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory.
- c) Details of the types of lighting to be used including their fittings, illumination levels and spread of light

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

**GROUND:**

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

11 Prior to the first occupation of the development hereby approved, full details of both hard and soft landscape works, to include

- species, size and location of new trees, shrubs, hedges and grassed areas to be planted. This shall include native hedge planting to the north, west and southern boundaries, and a line of trees adjacent to the eastern boundary of the site;
- the treatment proposed for all hard surfaced areas beyond the limits of the highway, which shall include the use of paving to all parking spaces, as agreed by the agent in correspondence received 2nd December 2022;
- walls, fences, other means of enclosure proposed;
- ecologically sensitive soft landscaping that includes the retention and enhancement of existing vegetation where possible, in accordance with the guidance contained within the Preliminary Ecological Appraisal (Native Ecology, 2022);
- ecological enhancements including bat/bird boxes;

- retention of the existing landscape buffer adjacent to the southern boundary of the site;

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

12 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

14 Existing trees, shrubs and hedgerows identified for retention within the development site or existing trees growing on an adjacent site, where excavations, changes to land levels or underground works are within the crown spread, shall be protected in accordance with BS 5837 2012 using the following protective fence specification - o Chestnut paling fence 1.2m in height, to BS 1722 part 4, securely mounted on 1.7m x 7cm x 7.5cm timber posts driven firmly into the ground. The fence shall be erected below the outer most limit of the branch spread or at a distance equal to half the height of the tree, whichever is the furthest from the tree, unless otherwise agreed in writing with the Local Planning Authority. The protective fencing shall be erected before the works hereby approved or any site clearance work commences, and shall thereafter be maintained until the development has been completed. At no time during the site works shall building materials, machinery, waste, chemicals, stored or piled soil, fires or vehicles be allowed within the protective fenced area. Nothing shall be attached or fixed to any part of a retained tree and it should not be used as an anchor point. There shall be no change in the original soil level, nor trenches excavated within the protective fenced area.

**GROUND:**

To Protect existing trees and to adequately integrate the development into the environment, in accordance with Thanet Local Plan Policy QD02.

15 Prior to the first use of the development hereby permitted, the vehicular access and associated vehicle crossing point onto Northwood Road, and the pedestrian crossing, including dropped kerb and tactile paving, as shown on the approved plan numbered AMA/21510/SK002 should be completed and made operational.

**GROUND:**

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

16 Prior to the first use of the development hereby approved visibility splays of 2.4 x 43 metres shall be provided to the access on to Northwood Road as shown on the approved plan no AMA/21510/SK/001 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.

17 The area shown on the approved plan numbered CT10 2NH-A-03A for vehicle parking and manoeuvring areas, shall be kept available for such use at all times and such land and access thereto shall be provided prior to the first occupation of the development hereby permitted.

**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

18 Prior to the first occupation of the development, the secure cycle parking facilities, as shown on approved drawing no. CT10 2NH-A-03A and and CYSH-PREM-2250 X 3000 X 2100 shall be provided and thereafter maintained.

**GROUND:**

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

19 The timescales and targets as set out within the travel plan received 7th July 2022 shall be implemented in full prior to and concurrently with the first use of the building hereby approved.

**GROUND:**

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

20 The development hereby permitted shall be constructed using red brick, render, timber effect composite cladding, concrete roof tiles, and anthracite window frames, as confirmed by the agent in correspondence received 2nd December 2022, unless otherwise agreed in writing by the Local Planning Authority.

**GROUND:**

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

21 Prior to the construction of the external surfaces of the development hereby approved samples the materials to be used in the construction of the building(s) shall be submitted to, and approved in writing by the Local Planning Authority. Development shall be

carried out in accordance with the approved samples unless otherwise agreed in writing by the Local Planning Authority.

**GROUND:**

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

22 All new window and door openings shall be set within a reveal of not less than 75mm.

**GROUND:**

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

23 The refuse storage facilities as specified upon the approved drawing numbered CT10 2NH-A-03A and SDL-033.2 shall be provided prior to the first occupation of the care home hereby approved, and shall be kept available for that use at all times.

**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.

24 The development hereby permitted, including site clearance, shall be carried out in accordance with the mitigation measures as set out within section 9 of the Preliminary Ecological Appraisal (Native Ecology 29th April 2022).

**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.

**SITE, LOCATION AND DESCRIPTION**

The site is located on the edge of Westwood Town Centre, in an area that is partially allocated for employment use and partially allocated for housing. The site fronts onto Northwood Road, but there is an access road leading from Millennium Way to the site. The site is mainly undeveloped land that is covered with vegetative growth, small trees and brambles. There is one existing building within the site, which is a 2-storey flat roof building that is metal clad. The building was constructed under a historic planning consent but has never been in operation, and has no utilities, windows, internal staircase etc. To the rear of the site is a substation, but this falls outside of the application site.

Adjacent to the site to the north is an existing commercial garage building, which is 2-storey in height and metal clad, and a 3-storey building that was previously used for student accommodation associated with the former Christchurch University, which is part metal clad and part brick.

Opposite the site and to the south are residential properties including terraced and semi-detached properties in the form of bungalows, chalet style bungalows, and 2-storey properties. Some of the properties are more traditional in design. The palette of material includes red brick, render and in some cases cladding.

### RELEVANT PLANNING HISTORY

F/TH/99/0920 - Provision of telecommunications signal regeneration facility comprising the erection of 4no. 2-storey buildings together with associated plant enclosures, modular pre-cast cabin, generator, electricity cabinet, access road, car parking, landscaping and boundary treatments

GRANTED - 10th March 2000

### PROPOSED DEVELOPMENT

The application is for erection of a detached 2-storey pitched roof building to accommodate a 66no. Bedroom care home (C2 Use Class). The building includes a lounge/dining room at each level, with a cafe at ground floor level and a shop, salon and clinic space at first floor level.

A new vehicular access into the site is being created from Northwood Road, and 25no. off street parking spaces are being provided, including 3no. electric vehicle charging points and 2no. disabled spaces.

A large external amenity area is being provided around the building, which is 15m deep to the rear, a minimum of 11m wide to the northern side, a minimum of 20m wide to the southern side, and a minimum of 28m depth to the front.

### DEVELOPMENT PLAN POLICIES

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

Policy SP14 - General Housing Policy  
Policy SP30 - Biodiversity and Geodiversity Assets  
Policy E01 - Retention of existing employment sites  
Policy HO1 - Housing Development  
Policy HO18 - Care and Supported Housing  
Policy QD01 - Sustainable Design  
Policy QD02 - General Design Principles  
Policy QD03 - Living Conditions  
Policy HE01 - Archaeology  
Policy CC02 - Surface Water Management  
Policy SE04 - Groundwater Protection  
Policy SE05 - Air Quality  
Policy TP02 - Walking  
Policy TP03 - Cycling  
Policy TP06 - Car Parking

## **Broadstairs and St Peters Neighbourhood Plan**

Policy BSP9 - Design in Broadstairs & St Peter's

Policy BSP11 - Retention of Employment Space

Policy BSP12 - Full Fibre Broadband connections

### NOTIFICATIONS

Neighbouring occupiers have been notified and a site notice posted. Two letters of objection have been received raising the following concerns:

- Lack of parking,
- Location of access

Two letters of support have been submitted in which the care home is viewed as a much needed facility, within an attractive setting, which would result in less traffic generation than housing would, and which will create employment.

**Broadstairs Society** - The society offers no adverse comments on this application.

**Broadstairs Town Council** - No comment

### CONSULTATIONS

**TDC Strategic Planning** - we acknowledge the need for this type of accommodation, but such schemes should be directed to one of the many suitable housing allocations in the Local Plan, rather than one of the few retained employment sites.

Our main concern remains the loss of employment land and in particular the range and choice of employment land supply. Urban employment sites have been steadily eroded and lost to higher value uses over the years. We have few sustainable urban sites in the supply and as such would wish to protect them. It is understood that the loss would be 0.37ha but these incremental losses add up to harm.

We note and accept the additional information regarding marketing but would emphasize that policy E01 requires all tests to be met.

While the development would create employment, these sites are retained for "core" employment uses (many things create employment, but would not be suitable here). As part of the Local Plan process an assessment was made of Thanet's employment need and as stated much of this was not in uses that required traditional employment sites. As only 30% of projected employment growth was on traditional employment sites a comprehensive exercise was carried out reviewing all employment sites with a view to releasing land for alternative uses in line with the NPPF. 30 hectares of employment land was released. The multidisciplinary review team included colleagues from economic development. Sites which remained (both allocated and retained) naturally become more important in terms of future

supply. Furthermore the plan identifies employment sites that were suitable for flexible uses (this not being one of them) which although NPPF compliant further restricts supply.

Our concern relating to the immediate supply and the deliverability issues at Manston Business Park remain. We would wish to point out that the vast majority of the remaining land in the allocation is not part of the TDC/KCC joint venture and as such we have no control over its future.

It is stated that there is no risk of significant adverse effects on the proposed care home or of unreasonable restrictions being placed on existing businesses as the proposals have substantial separation from a low impact indoor-based logistics use. There is however no guarantee of longevity of the existing use/occupier and the situation could change in the future.

**TDC Environmental Health** - An AQ statement has been submitted in support of the application. The report concludes that potential air quality impacts generated by operations of the care home will be negligible. However the construction phase will require dust minimisation.

The plans indicate 3 electric vehicle charging points will be incorporated within the development and therefore achieve the 10% requirement. This is compliant with SE05 recommended standards.

Safeguarding conditions for a construction management plan, EV chargers and unsuspected contamination are recommended.

**TDC Arboricultural Officer** - These comments are based on documents provided with the application, a site visit on 25th July 2022 and various publicly available aerial photos and Google Street View images.

The Application proposes a new Care Home on land to the south of Millennium Way.

The site has been colonised with scrub and young trees, recorded in the tree survey as predominantly Sycamore, Prunus (Plum family) and Hawthorn, but none are considered of significance in planning terms. The majority have a stem diameter of less than 200mm. Trees with a stem diameter of less than 150mm are normally classed as "Low Quality" within a British Standard 5837 survey.

The proposed plans show a number of landscape buffer zones around the boundaries. Depending on how these areas are to be managed / maintained, existing trees of good form and in good physiological condition could be retained within the areas and form a framework for additional landscaping. However none of the existing trees are considered of such significance to be considered a constraint on development.

**KCC Strategic Commissioning** - We have had contact with LNT Developments on potential sites in Thanet since 2019 and more recently we have specifically discussed the development of this scheme. If successful, they would be looking to work with KCC on the scheme, intend to join the council's DPS framework for older people's residential care, and

would be looking to provide services for people with dementia, which is a target population for KCC in line with the current market position statement and accommodation strategy. As such, we are supportive of the development. They have advised indicatively that the scheme would employ staff in the region of 52 FTE, which may assist with the decision in respect of the former employment status of the land.

I hope this provides some clarification if anything else required please let me know

### **KCC Highways -**

#### *(Final Comment)*

Further to previous comments dated 26 August 2022, further details have been outlined to illustrate the visibility splays, refuse freighter tracking and details of the requested pedestrian crossing at the access.

Drawing CT10 2NH-A-03B has been submitted which outlines the proposed parking with a 'buffer' at the northern aspect of the car park, which allows for sufficient vehicle turning. A pedestrian footway has also been provided between the car park and the cycle store. I understand that 8 cycle spaces are proposed, which is acceptable. Details can be secured by a suitable condition.

Drawing CT10 2NH-A-03A has been submitted to illustrate a 13 metre refuse freighter accessing the site. This is considered acceptable.

Drawing AMA/21510/SK/001 illustrates visibility splays of 2.4 x 43 metres, where there shall be no obstruction above 1 metres within the splay.

Drawing AMA/21510/SK/002 illustrates a pedestrian crossing at the access, including a dropped kerb and tactile paving. The applicant should be made aware that this will be subject to a separate S278 Agreement with KCC Highways to enable alterations to the public highway.

In line with the above, I confirm that I raise no objection on behalf of the local highway authority subject to safeguarding conditions.

#### *(Initial Comment)*

The proposal seeks to provide a 66 bed care home, encompassing 25 car parking spaces (2 disabled and 3 EVC spaces) plus a servicing / emergency bay, and 8 cycle spaces. Access is proposed via a priority junction via Northwood Road. An existing access is located off Millennium Way by way of a shared access, which is not considered as part of this application.

The submitted Transport Statement outlines that 58 staff will be employed at the site, working shift patterns, with a maximum of 24 staff on site at any one time during the day. A total of 12 staff (6 per shift) cover night shifts between 20:00-08:00.

SPG4 parking standards outline 1 space per 2 staff (non residential) and 1 space per 6 beds or residents, and 1 cycle parking space per 10 beds. This equates to a total of 23 car parking and 6 cycle parking spaces.

It is noted that provision is made for mobility scooter parking and charging at the reception. Visitor times are proposed to be unrestricted, where it is considered that visitors will not visit during peak times.

Full details of the cycle storage facilities are required, although this can be secured by a suitable condition.

Vehicle speeds of 30mph are assumed along Northwood Road. Suitable visibility splays are required to be illustrated at the access measuring 2.4 metres x 43 metres to the nearside kerb edge in either direction, with no obstruction above 1 metres within the splays.

The bin store is located to the northern parameter of the building. Para 5.5 of the TS states that direct access will be provided for refuse vehicles. It is assumed that refuse freighters will access the site? Full details are required. If access is required, suitable tracking of a 13 metres refuse freighter will be required.

Pedestrian crossing facilities, including dropped kerbs and tactile paving are required at the access. Should this be on highway land, a Section 38 Agreement will be required subject to the receipt of planning approval.

#### Travel Plan

A Travel Plan has been submitted as part of the the ST submissions to promote sustainable travel. The following points have been highlighted:

- A Travel Plan Coordinator will be appointed as a liaison point.
- Public transport, walking and cycling route details supplied to all visitors, alongside a notice board on site.
- Full details of alternative modes of transport to be provided to all staff at induction.
- A season ticket subsidy scheme should be fully explored.

The aim of the TP seeks to achieve an overall shift reduction of 15% from private cars by staff and visitors.

I suggest that the Travel Plan is secured by a suitable condition.

In line with the above, confirmation is required regarding the following:

- Refuse strategy and access arrangements;
- Plans illustrating suitable visibility splays of 2.4 x 43 metres.
- Submission of suitable pedestrian crossing facilities at the access on Northwood Road.

#### **KCC Biodiversity -**

*(Final Comment)*

We have reviewed the ecological information submitted by the applicant and advise that sufficient ecological information has been provided.

If planning permission is granted, we advise that conditions securing the implementation of the ecological mitigations and enhancements contained within the Native Ecology Preliminary Ecology Appraisal (PEA) (April, 2022) are attached. Suggested condition wording is provided below.

Developer contributions may need to be provided due to the increase in dwellings within the zone of influence of a Special Protection Area/Ramsar site.

Suitable mitigations for foraging and commuting bats, hedgehog, and nesting birds are provided within the Native Ecology report submitted with the application. These mitigations should be secured through conditions relating to:

- o A Construction Environmental Management Plan (CEMP) for the site;
- o A bat sensitive lighting plan;
- o An ecologically sensitive soft landscaping plan where vegetation is retained and enhanced on-site where possible, in line with the guidance contained within the PEA (Native Ecology, 2022);
- o Appropriate ecological enhancements such as bat/ bird boxes within designs;
- o The long-term, appropriate management of created/retained habitat features on-site secured through a Landscape and Ecology Management Plan (LEMP).

The above is in accordance with the National Planning Policy Framework (NPPF) which sets out how planning policies and decisions should contribute to and enhance the natural and local environment by: 'Minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressure'.

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).

The requirement for developer contributions to mitigate for recreational impacts upon this SPA and Ramsar Site will need to be assessed by Thanet District Council. Where there is a possibility that residents will be mobile enough to make recreational excursions, Thanet District Council will need to ensure that the proposals fully adhere to the agreed approach within the Strategic Access Management and Monitoring Plan (SAMMP) to mitigate for additional recreational impacts on the designated sites and to ensure that adequate means are in place to secure the mitigation before first occupation.

*(Initial Comment)*

More information needed. It is noted that the submitted planning statement makes reference to a preliminary ecological appraisal carried out for the site. It is requested that this document be made available to the Kent County Council Ecological Advice Service for review in order that our advice be fully comprehensive and based on all available information for the site.

**KCC Archaeology** - I note that advice was provided by my colleague for two previous applications at this site OL/TH/12/0574OL & OL/TH/13/0126. Both applications were for seven buildings on the site and our advice was that a programme of archaeological works condition should be applied to any consent forthcoming. The applications were subsequently withdrawn.

I have reviewed the present application and note the high archaeological potential of the area arising from the significant multiperiod archaeology that has been found in the area of the business park to the north including remains of Neolithic, Bronze Age and Iron Age date. A Palaeolithic hand axe was found in brickearth deposits in the college site immediately to the north. A Bronze Age gold penannular ring was found by a detectorist close to the area of the site according to Portable Antiquities Scheme database. The site has been mostly remained open land and relatively undisturbed.

Given the above archaeological potential and the potential impacts of groundworks from the development across the site, it would be appropriate to make provision in any forthcoming planning consent for a programme of archaeological works. The works should initially take the form of archaeological evaluation with subsequent measures to mitigate through preservation and/or further investigation as appropriate.

**KCC SUDs** - Kent County Council as the Lead Local Flood Authority have reviewed the Drainage Strategy prepared by Andrew Moseley Associates dated June 2022 and have the following comments:

1. It is understood from the report that the surface water for the site will be managed through attenuating the surface water in a Geo-Cellular soakaway system before discharging to a combined sewer at a rate of 5.9 l/s.

It is noted that in section 6.7.3 Southern Water would accept a rate of 5.9 l/s into the combined sewer. This has been calculated as a 30% betterment to the existing rate.

As per KCC Drainage and Planning Policy Statement (2019) we would seek a minimum of a 50% reduction in the peak runoff rate over the current rate, providing there is an existing connection to the sewer system. We would accept for refinement of rate to be undertaken as part of the detailed design stage condition.

If an existing connection is not present, then the peak runoff rate from the development must be as close to the greenfield runoff rate from the development as reasonably practicable for the same rainfall event.

We anticipate from HR Wallingfords Greenfield Runoff Rate estimation tool that the runoff rate will be considerably lower than the proposed rate and could lead to extremely small orifices that could block easily. Under this scenario we would accept flow rates limited to a minimum of 2 l/s.

2. As of the 10th of May 2022, the Environment Agency's climate change allowances have been updated. As part of this update, revisions have been made to the 'Peak Rainfall Intensity Allowances' that are used in applying climate change percentages to new drainage

schemes. The LLFA would now seek the 'upper end' allowance is designed for both the 30 (3.3%) and 100 (1%) year storm scenarios. The latest information on the allowances and map can be found at the following link:

<https://www.gov.uk/guidance/flood-risk-assessments-climate-change-allowances>

3. At the detailed design stage, we would expect to see the drainage system modelled using 2013 FeH rainfall data in any appropriate modelling or simulation software. Where 2013 FeH data is not available, 26.25mm should be manually input for the M5-60 value, as per the requirements of our latest drainage and planning policy statement (June 2019).

In view of the above points we would seek for a detailed design condition to be placed on this application should consent be granted, in addition to our verification report condition.

Southern Water - Please see the attached extract from Southern Water records showing the approximate position of water mains in the immediate vicinity of the development site. The exact position of the public asset must be determined on site by the applicant in consultation with Southern Water, before the layout of the proposed development is finalised.

- The 12 inch water distribution mains require a clearance of 6 metres on either side of the water distribution mains to protect it from construction works and to allow for future access for maintenance.
- No excavation, mounding or tree planting should be carried out within 6 metres of the external edge of the public water distribution mains without consent from Southern Water.
- No new soakaways, swales, ponds, watercourses or any other surface water retaining or conveying features should be located within 5 metres of a public water distribution mains.
- All existing infrastructure, including protective coatings and cathodic protection, should be protected during the course of construction works.

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.

Our investigations indicate that Southern Water can facilitate foul sewerage disposal to service the proposed development. Southern Water requires a formal application for a connection to the public sewer to be made by the applicant or developer.

Submitted drainage strategy shows Surface water will be discharged from the site to a public combined sewer. However, it will first be attenuated on site and discharged at a 30% betterment compared to the existing contributing flows. Any existing discharge of surface water run off to the public sewer will have to be proven by means of Topographical and/or CCTV survey report showing the existing connection points, pipe sizes, gradients and calculations confirming the proposed surface water flow will be no greater than the existing contributing flows.

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

The applicant should be advised that a wastewater grease trap should be provided on the kitchen waste pipe or drain installed and maintained by the owner or operator of the premises. It should be noted that under the Water Industry Act 1991 it is an offence to "throw, empty, turn or permit to be thrown or emptied or to pass into any drain or sewer connecting with a public sewer. any matter likely to injure the sewer or drain or to interfere with the free flow of its contents.

**Environment Agency** - We have assessed this application as having a low environmental risk. We therefore have no comments to make.

**Natural England** -

*(Final Comment)*

Our response of 400513 was issued in error. Please go ahead and deal with this proposal as you would any other C2 care home application in line with your authority's agreed strategic approach to protecting the Thanet Coast SPA and Ramsar site (and update your HRA accordingly).

*(Initial Comment)*

DESIGNATED SITES [EUROPEAN] - NO OBJECTION SUBJECT TO SECURING APPROPRIATE MITIGATION

This advice should be taken as Natural England's formal representation on appropriate assessment given under regulation 63(3) of the Conservation of Habitats and Species Regulations 2017 (as amended). You are entitled to have regard to this representation. With regard to European Sites, Natural England does not object to the granting of this permission subject to the advice given below.

**Kent Police** -

1. Perimeter, boundary and divisional treatments must be 1.8m high. Any alleyways must have secure side gates, which are lockable from both sides, located flush to the front building line. Further clarifications required regarding boundary heights/ types. Additional fencing may be required to secure the parking area, sides and rear of the building.
2. We recommend a vehicle gate be installed at the beginning of the access road, in order to prevent unauthorised access onto the site, with an accompanying pedestrian gate both with controlled access via a fob/ card or access controlled by reception.
3. Parking - To help address vehicle crime, security should be provided for Motorbikes, Mopeds, Electric bikes and similar. SBD or sold secure ground or wall anchors can help provide this. We recommend an entrance gate to the parking area is installed with access control for the users. To minimise the opportunity for crime, vehicles should be parked in areas with natural surveillance, where vehicles can be seen from an "active" window.
4. New trees should help protect and enhance security without reducing the opportunity for surveillance or the effectiveness of lighting. Tall slender trees with a crown of above 2m rather than low crowned species are more suitable than "round shaped" trees with a low crown. New trees should not be planted within parking areas or too close to street lighting. Any hedges should be no higher than 1m, so that they do not obscure vulnerable areas.
5. Corner properties require defensible spaces to avoid desire lines that can cause conflict. This can be provided by planting of prickly plants or knee rails/ fences, for example.
6. Lighting. 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.

7. All external doorsets (a doorset is the door, fabrication, hinges, frame, installation and locks) including internal flat entrance and individual bedroom doors to meet PAS 24: 2016 UKAS certified standard, STS 201 or LPS 2081 Security Rating B+. Please Note, PAS 24: 2012 tested for ADQ (Building Regs) has been superseded and is not suitable for this development.

8. Windows on the ground floor or potentially vulnerable e.g. from flat roofs or balconies to meet PAS 24: 2016 UKAS certified standard, STS 204 Issue 6:2016, LPS 1175 Issue 8:2018 Security Rating 1/A1, STS 202 Issue 7:2016 Burglary Rating 1 or LPS 2081 Issue 1.1:2016 Security Rating A. Glazing to be laminated. Toughened glass alone is not suitable for security purposes.

9. Bedroom windows on the ground floor require a defensive treatment to deflect loitering, this can be achieved via planting of prickly plants or knee rails outside of windows.

10. Access Control and Security Compartmentalisation- For the main communal doors audio/visual door entry systems controlled by reception are required to prevent unauthorised access. It is vital that members of the public cannot freely walk around the building, they must be let in via reception and must be limited to what areas they can access.

11. We advise on the use of ground/ wall SBD or sold secure anchors within a secure cycle storage area. If shelters are used we recommend they are located in areas with natural surveillance and covered by CCTV as a secondary layer of security to deter theft.

12. We recommend bins be secured to prevent being used to aid potential offenders in accessing upper levels of the building or easing access over walls and fences.

13. Mail delivery to meet SBD TS009 are strongly recommended for buildings with multiple occupants along with a freestanding post box of SBD/Sold Secure approved Gold standard, unless this will be managed by a warden/ receptionist.

14. CCTV is advised for all communal entry points to monitor who enters/ exits the premises.

## COMMENTS

The application is brought before members as a departure to Policies HO1 and E01 of the Thanet Local Plan.

### **Principle**

The site lies within an area that is partially allocated for employment use, and partially allocated for residential use. The proposal is for a 66no. bed care home in C2 use.

- *Loss of Employment Land*

The site lies partially within the Thanet Reach employment site. Policy E01 of the Thanet Local Plan states that the site should be retained as an employment site, supporting uses B1, B2 and B8 (or equivalent), which are storage, office, industrial uses.

The policy states that proposals for alternative uses on the site will only be permitted where:

- (i) It has been demonstrated that the site is no longer suitable or viable for employment purposes following an active and exhaustive marketing process for a minimum of 12 months;
- (ii) The proposal would not undermine economic growth and employment opportunities in the area;
- (iii) The proposal would not result in a significant, or harmful reduction in the supply of land available for employment purposes for the remainder of the plan period, having regard to the type of employment land proposed for reuse and its location;
- (iv) The proposal would not prejudice the ongoing operation of remaining businesses nearby; and
- (v) The proposal would result in a good standard of amenity for existing and future occupants.

Policy BSP11 of the Broadstairs and St Peters neighbourhood plan outlines that the redevelopment of land identified for employment use will only be supported where:

- a) The applicant can demonstrate that the site/premises is no longer capable of meeting employment needs; or
- b) Development of the site for other appropriate uses will facilitate the relocation of an existing business to a more suitable site or where there is no reasonable prospect of the site being used for employment uses ; or
- c) Unacceptable environmental problems are associated with the current use of the site and the proposal will remove them; or
- d) Relocation of the employer will make better use of existing or planned infrastructure

A planning statement has been submitted with the application, along with further supporting statements and information needed to attempt to address the policy criteria justification for an alternative use on the site.

The site currently occupies an existing 2-storey flat roof building which is within the employment allocation. The building was constructed under a 1999 consent for 4no. 2-storey buildings to form a telecommunications signal regeneration facility. Whilst the first building was constructed in the year 2000, it was never completed, and this is proven from a visit to the site and a view inside the building, which showed a lack of windows, utilities, and internal staircase between the floors. The building has since stood vacant. Marketing of the building has taken place. Initial information submitted with the application showed that the Acorn Group had marketed the site from the 15th December 2021 as a freehold plot comprising undeveloped scrubland and an unfinished 2-storey commercial building; and that whilst there had been 39 direct enquiries and nine bids/offers to purchase the site, five were for residential development and four were for care accommodation. No offers were made on the basis of the land being reused or redeveloped for an employment use in line with the employment allocation policy (an equivalent B1 or B8 use).

Given the policy requirement for a minimum of 12 months marketing, further marketing information was requested. A letter has been submitted from Watson Day chartered surveyors who confirm that they commenced marketing of the premises in July 2020, and that advertising took place on their own website along with other national portals, and that within these 15 months of marketing they received no offers of interest. A copy of the particulars from the marketing period has been submitted. These reconfirm the state of the building as having no windows or services, advise of the previous planning consent, and that enquiries should be made with the Council as to potential future uses. The plan attached to the particulars outlines the existing building, and what appears to be a pedestrian access onto Northwood Road, but does not indicate the provision of vehicular access up to the site boundary. The submission of this additional marketing information proves that the site has been marketed for a minimum of 12 months (approximately 21 months of marketing has been achieved), and this should be considered alongside the fact the site has remained unoccupied for a minimum of 20 years. The proposal therefore complies with point one of the policy criteria for considering alternative development.

Criteria two and three of Policy E01 permit alternative uses where the proposal would not undermine economic growth and employment opportunities in the area, and will not result in a significant or harmful reduction in the supply of land available for employment purposes. Within the planning statement submitted with the application the applicant makes reference to the Council's Employment Land Review and the over supply of employment land within the district, whilst also the restrictions on this site due to its predominantly residential location, which could limit potential employment uses.

As part of the Employment Land Update and Economic Needs Assessment July 2018 the southern part of Thanet Reach was de-allocated as it was concluded that the site did not contribute positively to the employment land review. The site has since been allocated for residential use. The application site now forms part of a much smaller employment allocation to the southern side of Millenium Way, which includes the former Christchurch University student accommodation building, a garage workshop, and then the building contained within the application site that has never been in use.

The Local Plans team have been consulted and advise that their main concern remains the loss of employment land and in particular the range and choice of employment land supply. They advise that urban employment sites have been steadily eroded and lost to higher value uses over the years, and that there are few sustainable urban sites in the supply and as such they would wish to see them protected. Whilst the loss would be only 0.37ha, they advise that these incremental losses add up to harm, and therefore they object to the proposal.

Whilst this policy view is acknowledged and understood, and any proposal that resulted in the loss of employment land would not normally be looked upon favourably, in this instance there are specific site characteristics that require consideration to be given to the merits of an alternative use on the site.

Planning permission has historically been granted for a telecommunications regeneration facility on the site with access from Millenium Way. One of the buildings was constructed making this an extant consent, yet the building has never been occupied and has stood

vacant for 20 years with the remainder of the application site undeveloped. One restriction has been the planning condition (no.15) attached to the historic consent, which prevents the building or land being used for any other purpose within use classes B1 or B8 without further planning permission being sought, with the ground being the potential impact upon neighbouring amenity. The distance to neighbouring residential properties, along with the restrictions on the use of the site, may have potentially deterred businesses from purchasing the site, and may indicate why the site has remained unoccupied for at least 20 years.

A further point is that through the 2020 Local Plan adoption, within which the adjacent land to the west was de-allocated from employment use and allocated as residential use, the residential boundary was extended close to the commercial building within the application site, removing the ability for direct vehicular access into the site due to the presence of the existing substation between the vehicular access and the application site. It is not known if a new vehicular access to the front of the site in Northwood Road would be possible given the proximity to a junction opposite, so the employment building is effectively landlocked until a new vehicular access onto Northwood Road is applied for, with uncertainty surrounding its acceptability. The original Millenium Way access was provided with a bellmouth junction to serve larger commercial vehicles and to avoid the need for independent commercial accesses onto Northwood Road, a busy classified road. The uncertainty surrounding a vehicular access to serve the site significantly reduces the chances for a future commercial use of the site.

The fourth criteria requires that the proposal would not prejudice the ongoing operation of remaining businesses nearby. This is reinforced by paragraph 187 of the National Planning Policy Framework (NPPF), which states that planning decisions should ensure that new development can be integrated effectively with existing businesses. The proposed care home would be located adjacent to a working garage and a building that has planning permission for student accommodation. Given that student accommodation is another form of residential use the proposed care home would not impact upon this. In terms of the garage, whilst there would be some conflict with noise from the garage and its impact upon the care home, there will be a distance of 28m between the proposed care home and the garage, which is further than the housing allocation site to the garage, which is only a distance of 17m. As such we have already accepted a relationship through the Local Plan whereby residential units can be located a minimum distance of 17m to the garage. The form and layout of the proposed care home, which provides a larger building to the centre of the site, enables a greater distance to the garage than that likely through a housing application on the housing allocation site. Furthermore, there are no openings within the rear elevation of the garage, which is the elevation opposite the proposed care home, and therefore given the distance, the housing allocation site, and the design of the garage, it is unlikely that the proposed care home would prejudice the ongoing operation of the garage, and no mitigation is specifically required within the proposal to ensure that unreasonable restrictions are not placed on the existing business.

The final criteria is that the proposal would result in a good standard of amenity for existing and future occupants. Given the size of the site and the central location of the building there are good distances to each boundary, which limit the impact upon amenity for both future and existing residents. A full analysis of the impact is provided within the living conditions

section of this report, but the layout as proposed generally results in few amenity concerns, therefore complying with this final requirement within the policy.

Whilst the proposal will result in the loss of a site allocated within the local plan for employment use falling within the equivalent of a B1 or B8 use class, the policy permits alternative uses if a number of criteria are proven to be met. The analysis above proves that all of the criteria can be met, with the only concern being the impact on economic growth and Council's employment land supply. However, whilst there is an objection from the Local Plans Officer, it is considered that the deallocation of the adjacent employment land to the west, and the resulting boundary change and loss of direct vehicular access to the site, along with the proximity of the site to residential properties, has impacted upon the probability for a future commercial use of the site. This is further proven by the lack of any occupation on the site for the past 20 years. The proposed care home will generate approximately 52no. full-time equivalent roles, and whilst these do not fall within the use classes required through the policy, this will achieve an added economic benefit.

On balance, given the points raised above, the proposed care home is considered to represent an acceptable departure to Policy E01 of the Thanet Local Plan, whilst also addressing the criteria stated within Policy BSP11 of the Broadstairs Neighbourhood Plan.

#### *- Loss of Housing Land*

The site lies partially within an area allocated for housing within the Thanet Local Plan under Policy HO1 (Thanet Reach southern part). The allocation site as a whole has a site area of 2.71 ha, and is allocated for a notional 80no. units. The application site covers an area of 0.55 ha, equating to 20.3% of the specific housing site allocation area.

Policy HO1 of the Thanet Local Plan states that alternative development on non-strategic sites allocated for residential development will not be permitted.

Paragraph 11.27 of the Thanet Local Plan states that proposals for retirement homes, sheltered housing and extra care housing will, unless circumstances indicate otherwise, be regarded as residential dwellings and subject to usual planning policies for residential development; however, where accommodation provides a higher level of care, such as nursing homes, then such uses will be regarded as Class C2, to be considered under Policy HO18 of the Thanet Local Plan.

The Strategic Housing Market Assessment sets out the housing needs for the district, and the Thanet Local Plan identifies sites to meet this general housing need; but the Plan does not make specific allocations for older persons' housing need (as these cannot always easily be identified, and often depend upon individual developers' proposals). Housing allocation sites covered by Policy HO1 are therefore solely identified for the purpose of C3 units (dwellinghouses), with C2 units (residential institutions) covered by Policy HO18.

Policy HO18 states that the Council will seek to approve applications that provide accommodation for those in the community with care needs; and where such accommodation falls within use class C2, proposals will be expected to demonstrate that

they are suitably located to meet the need of the occupiers including proximity and ease of access to community facilities and services.

Whilst Policy HO18 supports proposals for C2 use, C2 uses are not counted as part of the same land supply calculation for housing. As such the proposed accommodation achieved by the care home facility would not technically contribute to the Council's housing supply, and the council cannot support applications that would significantly diminish housing land supply, or put the 5-year land supply position at risk without good justification.

However, the government has released guidance for councils to be used in the preparation of planning policy on housing for older and disabled people, which advises that for residential institutions consideration can be given to the amount of accommodation that is released in the housing market from those occupiers moving to the residential institution. The amount of accommodation likely to be released is calculated based upon the average number of adults living in a household (identified as 1.55). For the proposed 66no. bedroom care home it is therefore expected that approximately 43no. dwellings would be vacated and released into the housing market.

There is a notional allocation of 80no. units for the whole allocated housing site, but for the proportion of the site subject of this proposal, this would equate to 16no. units. Therefore, whilst the development of the site for a care home use would result in the loss of land for potentially 16no. housing units, which would have contributed towards the district's housing supply, the proposed care home use is anticipated to release approximately 43no. units into the housing market, achieving additional housing supply that exceeds the allocation number.

The Planning Policy Manager has advised that he does not object to this approach so long as there is no reduction in the contribution of the site to housing land supply as set out in the Thanet Local Plan. As set out in the calculation above, the proposal will enable the site to contribute effectively to housing land supply within the district, but this is based upon the residential units vacated and released into the housing market being within the Thanet District.

One way of controlling this would be through an occupancy condition that limits a proportion of future residents within the care home to being local residents of Thanet, however the applicant is not agreeable to this condition on moral and commercial grounds, considering that the decision to offer accommodation to future occupiers should be based upon need and not their former address. Whilst it will therefore not be possible to agree a control on occupancy and secure the provision of released homes within Thanet, it is reasonable to assume that a large proportion of the future care home occupants will currently reside within the local area. Only 37% of the future care home residents would need to currently reside within the Thanet area to secure an equivalent number of released homes to the 16no. sought through the housing allocation policy.

In addition to this, consideration needs to be given to the weight applied to Policy HO18. The Council's Local Housing Needs Assessment 2021 shows that Thanet has a relatively old age structure in terms of older people, with 24% of the population aged 65 and over in 2019, compared to 18% nationally. Thanet is projected to see a notable increase in the older person population, with the number of people aged 65 and over projected to increase by

48% over 20 years (until 2040), compared to a general population growth of 23%. The data identifies a need within Thanet of 1,286 additional care bedspaces.

The Strategic Commissioning Group at KCC has been consulted and has advised that they have been in contact with the applicant on potential sites in Thanet since 2019, and more recently they have been specifically discussing the development of this scheme. KCC has advised that if the application were successful the applicant has advised that they will work with them to provide services for people with dementia, which is a target population for KCC (in line with the current market position statement and accommodation strategy). As such KCC has advised that they are supportive of the development.

The site is in a sustainable location on the edge of the town centre, and therefore future occupiers would have easy access to facilities and services, and the local bus service is within walking distance of the site.

Whilst the proposal will result in a departure to Policy HO1, the proposed care home will provide a form of older person accommodation for which there is an identified need within the Local Housing Needs Assessment 2021. Furthermore, it is reasonable to assume that the proposed care home could enable up to 43no. housing units to be vacated within the local area and released into the housing market, which can be calculated as contributing towards the Council's housing supply, and which would exceed the allocation number for the site. The proposal is supported by Policy HO18, which seeks to approve applications for suitably located accommodation for those with care needs.

It is therefore considered that, on balance, given the limited impact to the Council's housing supply and the weight that can be applied to Policy HO18 in this instance, the proposal is considered to represent an acceptable departure to Policy HO1 of the Thanet Local Plan.

## **Character and Appearance**

### *- Layout, Scale and Design*

Policy QD02 of the Local Plan outlines that the primary planning 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. Policy BSP9 of the Broadstairs and St Peters Neighbour plan states that development proposals that conserve and enhance the local character and sense of identity of the Plan area will be encouraged.

The proposed care home building is detached and 2-storey in height. The height is in keeping with surrounding development which ranges from single storey to 3-storey in height. The building is large in scale, given its need to accommodate 66no. bedrooms and a range of other services; however, the large size of the site has enabled the building to be significantly setback, behind the front building line of both neighbouring buildings, and a minimum of 20m from both side boundaries, allowing for a spacious setting around the

building. In terms of the layout there are two wide buildings, one to the front and one to the back, that are joined by a central section. This separation in the main blocks provides the opportunity for plenty of window openings, and the presence of a fully pitched roof with no flat roof elements and quite a limited ridge height, as the depth of each individual building is only 16m. This layout prevents a deep side elevation from forming as there is a 11m space in between the two blocks when viewed from the side. As a result of this design the scale is considered to be acceptable and in keeping with the character of the area.

The layout provides for a building to the centre of the site, with vehicular access into the site from Northwood Road, which leads to a wide parking area to the front of the building. The plan currently indicate that the parking area and access will be tarmac, but the agent has agreed that the parking spaces could be paved in order to enhance the visual impact of the parking area to the front of the site. Around the building is external amenity space to serve the future occupiers of the development. A pedestrian path extends fully around the building, which provides access to planting areas and seating, achieving a variety of spaces that can be used by future residents. The layout is considered to be acceptable and in accordance with Policy QD02.

The building has a staggered front elevation with a gable central feature, and a hipped projection to either end creating a balanced elevation with visual interest. There are numerous wide windows within the front elevation, along with a large floor to ceiling glazed element within the central gable. A pitched roof covers the building, which is characteristic of the residential properties within Northwood road. The palette of material consists of red brick, render and timber/tile cladding, which is again in keeping with the area, and helps to break up the elevations. The windows are proposed as dark grey, and will be recessed, and dark concrete tiles for the roof are proposed. The design and access statement confirms that bricks will be used to provide wall and edge detailing to the building design. A street elevation has been submitted, which shows that the building would sit comfortably within the site, and complement the streetscene. The design of the building and associated materials are considered to be acceptable, and in accordance with Policy QD02 of the Thanet Local Plan and Policy BSP9 of the Broadstairs and St Peters Neighbourhood Plan.

#### - *Landscaping and Impact on Trees*

The site is currently undeveloped scrubland with a number of small trees present within the site. None of the trees are protected and many are too small to be considered for protection, with most trees appearing to be self-seeded. To the southern boundary is an area containing trees of greater maturity. The proposed layout shows that these trees are being retained in order to provide a landscape buffer between the proposed care home and the neighbouring properties.

A tree survey has been submitted with the application, which identifies the main trees on the site as Sycamore, Prunus (Plum family) and Hawthorn. The Council's Arboricultural Officer has been consulted and advises that none of the trees are considered to be of significance, with the majority having a stem diameter of less than 200mm.

The trees within the buffer area are considered to be of good form and in good physiological condition, however they have limited visibility from Northwood Road and therefore limited

amenity value from the wider area. The trees are not considered worthy of a TPO, although their retention is encouraged, as shown on the submitted site plan.

A detailed landscaping plan has not been submitted, but the proposed site plan indicates new native hedge planting along the boundaries of the site, and new tree planting to the front of the site, within a new landscape buffer. Such tree planting would be characteristic of the land to the north, where there is a tree line to the front of the commercial buildings, and therefore such planting would appear in keeping with the area, and would enable a tree lined street as encouraged within the NPPF.

Full details of the planting is to be submitted as part of a landscaping condition, which will require the tree line planting to the front of the site, and the native hedge planting, along with further ecological enhancements within the site.

The impact upon trees and the proposed landscaping is therefore considered to be acceptable, and in accordance with Policy QD02 of the Thanet Local Plan.

### **Living Conditions**

Policy QD03 of the Thanet Local Plan requires that all new development 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.

The proposed care home use has a residential character, although there would be additional activity resulting from staff movements and deliveries etc. The proposed building, whilst of an extensive size, will be located towards the centre of the site, with a distance of 20m between the proposed side elevation of the building and the nearest neighbouring side elevation. Given this distance there is not considered to be a significant impact upon neighbouring light or outlook.

In terms of overlooking, there are two first floor windows within the side elevation of the proposed building. These serve a hallway area that contains some informal seating space. There is a 20m separation distance between the proposed first floor side windows and the rear garden area of no.100 Northwood Road. The proposed site plan shows that a landscape buffer will be retained adjacent to the boundary with no.100, which contains existing trees. Given the distance and the presence of trees within the landscape buffer, the rear gardens serving the neighbouring properties will be screened, limiting overlooking. The impact upon neighbouring privacy is therefore considered to be acceptable and in accordance with Policy QD03 of the Thanet Local Plan.

In terms of noise and disturbance, the proposed parking area is a distance of 25m from no.100 Northwood Road, and 31m from the properties opposite the site in Northwood Road. Given this distance the impact upon neighbouring amenity is considered to be acceptable.

To the rear of the site is an area allocated for housing development. The original plan showed a distance of only 10m to the rear boundary, which raised concerns as to whether this could impact upon the delivery of the adjacent site, as buildings would need to be

pushed further from the shared boundary to avoid mutual overlooking. Amended plans have been submitted showing the building moved towards Northwood Road allowing for a 15m distance to the shared boundary. This distance is now considered to be appropriate to limit any impact on the delivery of the adjacent housing site.

For the future residents of the care home, each bedroom is provided with good natural light and outlook. A refuse store is provided within the grounds, along with a large external amenity space to serve the residents. Whilst there is a commercial garage on the adjacent site, there is a minimum distance of 28m between the garage and the proposed care home, and there are no existing openings within the rear elevation of the garage, which is only open between the hours of 08:00 and 17:30 Monday - Saturday. It is therefore unlikely that the garage will create significant noise and disturbance for the future occupiers of the care home, and as such the impact upon the amenity of future occupiers is considered to be acceptable.

The impact upon existing and future residents is therefore considered to be acceptable, and in accordance with Policy QD03 of the Thanet Local Plan.

## **Transportation**

The application proposes the creation of a new vehicular access onto Northwood Road, and the provision of 25no. off street parking spaces, including 2no. disabled spaces, and 3no. electric vehicle charging spaces. A cycle store has been provided on the site plan, with detailed elevation plans submitted, and confirmation that it can accommodate 8 cycle spaces.

A transport statement has been submitted with the application. In considering traffic generation consideration has been given to the intended 58no. Jobs created, and the likely shift patterns for this. Residents within the care home are not expected to have a car. The transport statement concludes that given the proposed staff levels, shift patterns and resulting travel movements identified the proposal is not likely to have a significant traffic impact.

KCC Highways have been consulted and advise that they have no concerns regarding traffic generation on the highway network or parking provision (including consideration of visitors to the site), but required additional details proving that suitable visibility splays of 2.4 metres x 43 metres to the access from the nearside kerb edge in either direction, with no obstruction above 1 metres within the splays, can be achieved. They also requested tracking plans proving that a 13m long refuse vehicle coil enter and exit the site in a forward gear, and a clear plan showing the access and pedestrian crossing facilities, including dropped kerbs and tactile paving.

Additional plans have been submitted showing the visibility splays, tracking for a 13m long vehicle and a detailed access plan showing the pedestrian crossing facilities. On the basis of this additional information KCC Highways has advised that they have no objections to the proposal subject to safeguarding conditions.

A travel plan has been submitted with the application, which contains the following actions.

- A Travel Plan Coordinator will be appointed as a liaison point.
- Public transport, walking and cycling route details supplied to all visitors, alongside a notice board on site.
- Full details of alternative modes of transport to be provided to all staff at induction.
- A season ticket subsidy scheme should be fully explored.

KCC Highways has advised that the aim of the travel plan is to achieve an overall shift reduction of 15% from private cars by staff and visitors, and that the actions proposed will help to achieve this. No concerns have been raised with the travel plan, and KCC recommend that the measures contained within the travel plan are safeguard by condition.

The impact upon highway safety is therefore considered to be acceptable subject to safeguarding conditions, and in accordance with Thanet Local Plan Policies TP02, TP03 and TP06, and the NPPF.

### **Air Quality**

An Air Quality Statement has been submitted with the application, which concludes that the proposed development is not expected to generate any increase in traffic movement when compared to the extant use, and given the sustainable location of the building, expected local staffing, and proposed landscaping, the development is not expected to establish any net impact on local air quality.

Environmental Health have been consulted and advise that they support the conclusions of the air quality report that the potential air quality impacts generated by the operations of the care home will be negligible. The impact upon air quality is therefore considered to be acceptable subject to safeguarding conditions that require the provision of electric vehicle charging points and a construction management plan to control dust during construction. The proposal is therefore considered to be in accordance with Policy SE05 of the Thanet Local Plan.

### **Drainage**

Policy CC02 of the Thanet Local Plan states that new development is required to manage surface water resulting from the development using sustainable drainage systems (SuDs) wherever possible.

A drainage strategy has been submitted with the application. The site is in an area identified as having a low probability of flooding on the EA Flood Map and is located in Flood Zone 1.

For foul drainage the intention is to provide a new foul drainage system within the site to connect to the public foul sewer. It is understood that there are not currently any public foul sewers within the site boundary, although further investigations of this are taking place. Southern Water have been consulted and advised that they can facilitate foul sewerage disposal to service the proposed development.

For surface water drainage the drainage strategy considers a number of options, including discharging via infiltration, a watercourse, surface water sewer, or public sewer. The report

concludes that infiltration is not a viable option due to poor ground conditions to support soakaways, and there are no watercourses within close proximity of the site, so this is also not an option. Surface water may need to discharge to a public sewer, and their investigations with Southern Water have identified adequate capacity in the local combined sewerage network to accommodate the surface water. It is expected that an attenuation tank will also need to be provided on site to restrict the discharge rate to the sewer.

Southern Water has advised that they have no objections to the use of a public combined sewer for the site's surface water drainage, but through a detailed drainage plan they will need to be able to prove that the proposed surface water flow will be no greater than the existing contributing flows.

KCC SUDs has advised that as per KCC Drainage and Planning Policy Statement (2019) they would seek a minimum of a 50% reduction in the peak runoff rate over the current rate, providing there is an existing connection to the sewer system, and they would accept for refinement of this rate to be undertaken as part of the detailed design stage condition.

KCC SUDs has advised that if an existing connection is not present, then the peak runoff rate from the development must be as close to the greenfield runoff rate from the development as reasonably practicable for the same rainfall event. Subject to a safeguarding condition requiring the submission of a drainage plan KCC SUDs have no objections to the proposal.

The impact upon groundwater and flood risk is therefore considered to be acceptable, and in accordance with Policy CC02 of the Thanet Local Plan.

## **Biodiversity**

A Preliminary Ecological Appraisal has been submitted with the application, and consideration has been given to potential habitats within the site. The building within the site was inspected for evidence of bats, but no potential roost features were found to be present. Furthermore, no habitat or evidence of Hazel dormice, Badgers, Reptiles, or Great Crested Newts was present on site, and therefore no further survey work or mitigation has been requested.

The appraisal advises that the proposals do not include the severance of any potential foraging or commuting corridors for bats, and habitats within the site offer low suitability for foraging and commuting bats, however, precautionary mitigation is recommended in the form of a careful lighting design within the site.

The appraisal states there is unlikely to be an impact upon hedgehogs other than during construction works, and therefore precautionary mitigation to reduce the risk of killing or injuring individual hedgehog is required during both site clearance and construction works, with hedgehog fencing installed post-development works.

Mitigation is also recommended in relation to nesting birds, through the retention and enhancement of suitable nesting habitat, as well as timings of works. Works to vegetation

should be undertaken outside of bird nesting season, and nesting bird surveys carried out prior to the commencement of works.

KCC Biodiversity have been consulted and advise that sufficient ecological information has been provided with the application, with suitable mitigation identified for foraging and commuting bats, hedgehogs, and nesting birds, which should be secure via condition.

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

### **Impact on SPA**

The proposed development is within 2.5km of Thanet Coast and Sandwich Bay SPA and Ramsar site. The whole of Thanet District falls within a zone of influence for recreational impacts upon the SPA and Ramsar site, and therefore consideration needs to be given to whether the proposed development would result in additional recreational pressure on the SPA.

Natural England initially provided a standard response stating that they had no objection to the proposal subject to appropriate mitigation in the form of a financial contribution being secured through the application.

KCC Biodiversity have provided a comment in relation to the comments received by Natural England, and advise that as the proposed application is for a C2 use providing general and dementia care, there is a question over the mobility of the future occupants and whether they would be likely to visit the SPA for recreational purposes.

The applications' agent has confirmed that there will be no resident staff on-site, that due to the age and situation of residents moving into their care homes they are highly unlikely to own or have use of a car, and that dogs are not normally permitted to stay within the care homes.

Walkers with dogs are cited as a top cause of disturbance to birds within Thanet Coast and Sandwich Bay SPA and Ramsar site, and therefore given that the majority of residents are likely to have limited mobility, and dogs are not allowed within the facility, it seems reasonable to take the view that the SAMM tariff payment should not apply in this instance.

Natural England have been further consulted with the information provided by the agent, and they have advised that the initial comment was provided in error and they are satisfied that the Council can go ahead and deal with this proposal as we would deal with any other C2 care home application, in line with our authority's agreed strategic approach to protecting the Thanet Coast SPA and Ramsar site. The Council's approach is to seek evidence on the mobility of the future occupiers and the option for dog ownership, and if it is confirmed that the residents are unlikely to visit the SPA, and therefore unlikely to increase recreational activity causing disturbance to qualifying species, mitigation is not sought. The submitted information from the agent confirms this and therefore it is considered that mitigation does not need to be secured in this instance. The proposal is therefore considered to comply with Policy SP29 of the Thanet Local Plan.

## **Conclusion**

The proposed care home is on allocated employment land and allocated housing land, however, whilst the proposal will result in the loss of a site allocated within the local plan for employment use falling within the equivalent of a B1 or B8 use class, the policy permits alternative uses if a number of criteria are proven to be met. The analysis above proves that all of the criteria can be met, with the only concern being the impact on economic growth and Council's employment land supply. However, whilst there is an objection from the Local Plans Officer, it is considered that the deallocation of the adjacent employment land to the west, and the resulting boundary change and loss of direct vehicular access to the site, along with the proximity of the site to residential properties, has impacted upon the probability for a future commercial use of the site; and this is further proven by the lack of any occupation on the site for the past 20 years. The proposed care home will generate approximately 52no. full-time equivalent roles, and whilst these do not fall within the use classes required through the policy, this will achieve an added economic benefit.

Whilst the proposal will result in a departure to Policy HO1, the proposed care home will provide a form of older person accommodation for which there is an identified need within the Local Housing Needs Assessment 2021. Furthermore, it is reasonable to assume that the proposed care home could enable up to 43no. housing units to be vacated within the local area and released into the housing market, which can be calculated as contributing towards the Council's housing supply, and which would exceed the allocation number for the site. The proposal is supported by Policy HO18, which seeks to approve applications for suitably located accommodation for those with care needs, and therefore the proposal will provide a social benefit.

The proposed design, scale and layout of the development is considered to be in keeping with the character and appearance of the area, with limited impact upon neighbouring amenity and highway safety. Whilst there will be the loss of undeveloped land including shrubs and young trees, the proposal includes new landscaping that will result in some enhancements, and therefore there will be limited environmental harm.

On balance, given the points raised above, the proposed care home is considered to represent an acceptable departure to Policies E01 and HO1 of the Thanet Local Plan, and is therefore that members approved the application subject to safeguarding conditions.

## **Case Officer**

Emma Fibbens

TITLE: F/TH/22/0953

Project Land South Of Millennium Way Broadstairs Kent

