

D05

F/TH/22/0364

PROPOSAL: Erection of 4No dwellings (3No 3-bed and 1No 4-bed),
conversion of the cow shed to 1No. 3-bed dwelling and
LOCATION: threshing barn into 2No dwellings (1No 3-bed and 1No 5-bed)
together with hard and soft landscaping and associated works

Gore End Farm Minnis Road BIRCHINGTON Kent CT7 9SJ

WARD: Birchington South

AGENT: George Esdaile

APPLICANT: St John's College (Cambridge)

RECOMMENDATION: Defer & Delegate

Defer and delegate to officers for approval subject to the satisfactory completion of a Section 106 agreement within 6 months of the date of this resolution securing the required highway contribution for maintenance of the proposed traffic light system and resolution of the Technical Approval Process to be followed for the new system, and 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 drawings numbered 29973A_200 Rev J, 29973A_210 Rev C, 29973A_211 Rev B, 29973A_220 Rev D, 29973A-221 Rev C, 29973A_222 Rev C, 29973A_225 Rev B, 22973A_230 Rev C, 29973A_231 Rev C, 29973A_240 Rev C, 24073A_241 Rev B, 29973A_250 Rev B, 29973A_251 Rev A, 29973A_275 Rev A and 2104190-002 Rev C.

GROUND:

To secure the proper development of the area.

3 No development shall take place until details of the means of foul and surface water disposal, including details of the implementation, management and maintenance of any proposed Sustainable urban Drainage Systems, have been submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with such details as are agreed and thereafter maintained.

GROUND:

To protect the district's groundwater, and to ensure the development is served by satisfactory arrangements for the disposal of surface water, in accordance with Policies SE04 and CC02 of the Thanet Local Plan and advice contained within the National Planning Policy Framework.

4 Prior to the commencement of any development on site, a Construction Environmental Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Construction Environmental Management Plan shall include the following 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
- (i) Wheel washing
- (j) light control measures
- (k) Hours of construction
- (l) Pollution incident control measures
- (m) site contact details

GROUND:

In the interests of highway safety, neighbouring amenity and heritage, in accordance with Policies QD03 and HE03 of the Thanet Local Plan and the advice contained within the National Planning Policy Framework.

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

GROUND:

To protect air quality, in accordance with Policies SP14 and SE05 of the Thanet Local Plan and the advice as contained within the National Planning Policy Framework.

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

GROUND:

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

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

GROUND:

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

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

GROUND:

To ensure that historic building features are properly examined and recorded.

9 No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of

i. archaeological field evaluation works in accordance with a specification and written timetable which has been submitted to and approved by the Local Planning Authority; and

ii. following on from the evaluation, any safeguarding measures to ensure preservation in situ of important archaeological remains and/or further archaeological investigation and recording in accordance with a specification and timetable which has been submitted to and approved by the Local Planning Authority.

GROUND:

To ensure appropriate assessment of the archaeological implications of any development proposals and the subsequent mitigation of adverse impacts through preservation in situ or by record.

10 Prior to vegetation clearance and prior to works on the Tithe barn the ecological mitigation detailed within the reptile survey mitigation strategy (KB Ecology, November 2021) and bat survey and mitigation strategy (KB Ecology, November 2021) must be implemented as detailed. On completion of the mitigation a letter must be submitted to the LPA demonstrating it has been carried out.

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 National Planning Policy Framework.

11 Within 3 months of the completion of the reptile mitigation an ecological management plan for the receptor site (as detailed in reptile survey mitigation strategy (KB Ecology, November 2021)) must be submitted to the LPA for written approval. It must detail how the reptile receptor site will be managed to ensure it remains suitable for reptiles. The plan must be implemented as approved.

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 National Planning Policy Framework.

12 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

- i) 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;
- ii) 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.
- iii) Detail 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 National Planning Policy Framework.

13 The development hereby permitted shall not be commenced until the following components of a scheme to deal with the risks associated with contamination of the site shall have been submitted to and approved, in writing, by the local planning authority:

Intrusive Investigation

- a) An intrusive investigation and updated risk assessment shall be undertaken by competent persons and a written report of the findings shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the development. It shall include an

assessment of the nature and extent of any contamination on the site, whether or not it originates on the site. The report of the findings shall include:

(i) A survey of the extent, scale and nature of contamination;

(ii) An assessment of the potential risks to:

Human health;

Property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes;

Adjoining land;

Ground waters and surface waters;

Ecological systems;

(iii) An appraisal of remedial options and identification of the preferred option(s).

All work pursuant to this Condition shall be conducted in accordance with the DEFRA and Environment Agency document Model Procedures for the Management of Land Contamination (Contamination Report 11).

b) If investigation and risk assessment shows that remediation is necessary, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the development. The scheme shall include details of all works to be undertaken, proposed remediation objectives and remediation criteria, a timetable of works, site management procedures and a verification plan. The scheme shall ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. The approved remediation scheme shall be carried out in accordance with the approved terms including the timetable, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority shall be given two weeks written notification of commencement of the remediation scheme works.

c) Prior to commencement of development, a verification report demonstrating completion of the works set out in the approved remediation scheme and the effectiveness of the remediation shall be submitted to and approved in writing by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include details of longer term monitoring of pollutant linkages and maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the Local Planning Authority.

GROUND:

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

14 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.

15 The areas shown on the approved plans for vehicle parking, carports 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 any dwelling served by the areas 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 National Planning Policy Framework.

16 Prior to the first occupation of the development hereby approved the visibility splays shown on drawing 2104190-002 Rev C shall be provided and thereafter retained with no obstructions over 0.6 metres above carriageway level within the splays.

GROUND:

In the interest of highway safety in accordance with the advice contained within the National Planning Policy Framework.

17 Prior to the first occupation of any dwelling hereby approved, the vehicular access, signal equipment and pedestrian crossing point (dropped kerb and tactile paving) on the footway shown on drawing 2104190-002 Rev C shall be constructed and fully operational and shall thereafter retained.

GROUND:

In the interests of highway safety, in accordance with the advice contained within the National Planning Policy Framework.

18 Prior to the first occupation of any dwelling hereby approved, the following works between the respective dwelling and the adopted highway shall be complete

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

GROUND:

In the interests of highway safety, and the living conditions of future occupants, in accordance with Policy QD03 of the Thanet Local Plan, and advice as contained within the National Planning Policy Framework.

19 Prior to the first occupation of the development hereby approved, the redundant vehicle crossing to Minnis Road shall be removed and landscaping reinstated in accordance with the specifications set out in the Kent Design Guide.

GROUND:

In the interests of highway safety and visual amenity in accordance with Policy QD02 of the Thanet Local Plan and the advice contained within the National Planning Policy Framework.

20 Prior to the first occupation of any dwelling hereby approved, the secure cycle parking facilities, as shown on approved drawings shall be provided for each respective dwelling 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.

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

GROUND:

In the interests of highway safety and visual amenity in accordance with Policy QD02 of the Thanet Local Plan and the advice contained within the National Planning Policy Framework.

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

GROUND:

In the interests of highway safety and visual amenity in accordance with Policy QD02 of the Thanet Local Plan and the advice contained within the National Planning Policy Framework.

23 Prior to the first occupation of any dwelling hereby approved units the bin storage/collection point to serve the dwellings shall be provided and thereafter retained.

GROUND:

In the interests of highway safety, and the living conditions of future occupants, in accordance with Policy QD03 of the Thanet Local Plan, and advice as contained within the National Planning Policy Framework.

24 Prior to the installation of the rainwater goods, details including the material and a sectional profile shall be submitted to and approved in writing by the Local Planning Authority. The rainwater goods shall be installed in accordance with the approved details.

GROUND:

To safeguard the architectural and historic importance of the listed building and its setting in accordance with Policy HE03 of the Thanet Local Plan and the advice as contained within the National Planning Policy Framework.

25 Prior to the construction of the external surfaces of the development hereby approved samples of the materials to be used, including roof tiles, slates and brickwork, 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:

To safeguard the architectural and historic importance of the listed building and its setting in accordance with Policy HE03 of the Thanet Local Plan and the advice as contained within the National Planning Policy Framework.

26 Prior to the installation of any external windows and doors, joinery details at a scale of 1:5 of the windows and doors shall be submitted to and approved in writing by the Local Planning Authority. Such details as are approved shall be carried out concurrently with the development and fully implemented prior to the first occupation of any part of the approved development.

GROUND:

To safeguard the architectural and historic importance of the listed building and its setting in accordance with Policy HE03 of the Thanet Local Plan and the advice as contained within the National Planning Policy Framework.

27 No external walls shall be constructed or rebuilt for the cow shed until a minimum of 1 m square sample panel of flint for the extension to the cow shed demonstrating the colour, texture, face bond and pointing has been erected on site, and inspected and approved, in writing by, the Local Planning Authority. The development shall be completed in accordance with the approved details.

GROUND:

To safeguard the architectural and historic importance of the listed building and its setting in accordance with Policy HE03 of the Thanet Local Plan and the advice as contained within the National Planning Policy Framework.

28 All new window and door openings shall be set within a reveal of not less than 100mm.

GROUND:

To safeguard the architectural and historic importance of the listed building and its setting in accordance with Policy HE03 of the Thanet Local Plan and the advice as contained within the National Planning Policy Framework.

29 Prior to the installation of all external meter boxes/cupboards details of materials and design of the meter cupboards shall be submitted to and approved in writing by the Local Planning Authority and installed accordingly.

GROUND:

To safeguard the architectural and historic importance of the listed building and its setting in accordance with Policy HE03 of the Thanet Local Plan and the advice as contained within the National Planning Policy Framework.

30 The development shall be carried out in full compliance with all identified measures for tree protection during construction detailed within the Arboricultural Tree Survey and Impact Assessment Report unless otherwise agreed in writing by the Local Planning Authority.

GROUND:

In the interests of the visual amenities of the area and to make a positive contribution to biodiversity, in accordance with Policies QD02 and SP30 of the Thanet Local Plan, and the advice as contained within the National Planning Policy Framework.

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

- o species, size and location of new trees, shrubs, hedges and grassed areas to be planted,
- o the treatment proposed for all hard surfaced areas beyond the limits of the highway,
- o walls, fences, other means of enclosure proposed,

shall be submitted to, and approved in writing by, the Local Planning Authority. These details will be based on the details shown on the landscape Strategy Plan 29973A_270 Rev B.

GROUND:

In the interests of the visual amenities of the area and to make a positive contribution to biodiversity, in accordance with Policies QD02 and SP30 of the Thanet Local Plan, and the advice as contained within the National Planning Policy Framework.

32 All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the first occupation; of any part of the development, or in accordance with a programme of works to be agreed in writing with the Local Planning Authority. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size and species.

GROUND:

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

33 A landscape management plan (including long term design objectives), management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned, domestic gardens, shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development or any phase of the

development, whichever is the sooner, for its approved use. The amenity areas shall be managed in accordance with the approved landscape management plan in perpetuity.

GROUND:

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

34 No further alterations, extensions, alterations/additions to the roof, porches, outbuildings, hard surfacing, chimney/flues or microwave antenna shall be carried out to the dwellings hereby approved whether approved by Schedule 2, Part 1, Classes A, B, C, D, E, F, G or H of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order), without the prior permission in writing of the Local Planning Authority.

GROUND:

To safeguard the architectural and historic importance of the listed buildings and its setting and the visual amenities of the area in accordance with Policies HE03 and QD02 of the Thanet Local Plan and the advice contained within the National Planning Policy Framework.

35 No means of enclosure shall be permitted to be constructed on the site or for the dwellings, excluding the approved boundary treatments within condition 31 hereby approved, whether approved by Schedule 2, Part 2, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order), without the prior permission in writing of the Local Planning Authority.

GROUND:

To safeguard the architectural and historic importance of the listed buildings and its setting and the visual amenities of the area in accordance with Policies HE03 and QD02 of the Thanet Local Plan and the advice contained within the National Planning Policy Framework.

INFORMATIVES

Please be aware that your project may also require a separate application for Building Control. Information can be found at:

<https://www.thanet.gov.uk/services/building-control/> or contact the Building Control team on 01843 577522 for advice.

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<https://www.thanet.gov.uk/services/building-control/> or contact the Building Control team on 01843 577522 for advice.

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

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

A formal application for connection to the public sewerage system is required in order to service this development. Please contact Southern Water, Southern House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk.

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

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

Information on how to appeal this planning decision or condition is available online at <https://www.gov.uk/appeal-planning-decision>

SITE, LOCATION AND DESCRIPTION

The application site is located south of Minnis Road in the village of Birchington-on-Sea, a district of Thanet in northwest Kent. The surrounding area is predominantly residential in nature with large settlement areas located to the north, south and west.

The site boundary is formed by Minnis Road to the north; An existing residential dwelling to the east (Gore End Farmhouse), Agricultural fields to the south and the Chatham Main Line railway to the northwest.

The site comprises an agricultural facility with vehicle access from the north-eastern boundary via a vehicle crossover from the south side of Minnis Road. The site contains a threshing barn that is grade II listed and the remains of a cow shed that is curtilage listed. Gore End Farmhouse to the east of the application site is also grade II listed. ev

RELEVANT PLANNING HISTORY

Application Site

L/TH/22/0869 - Application for Listed Building Consent for the conversion of the cow shed to 1No. 3-bed dwelling and threshing barn into 2 No dwellings (1No 3-bed and 1No 5-bed). Approved 15th December 2022.

L/TH/19/1610 - Application for Listed Building Consent for repairs to southern end of barn including underpinning and making good to internal floor level, renew braced and ledged door, removal and rebuilding of sections of brickwork and replacement of rafters and wall plates. Approved 15th January 2020.

Gore End Farm House

FH/TH/21/1301 - Erection of a single storey side and rear extension and two porch extensions, erection of detached double detached garage and brick wall, internal works and associated landscaping following demolition of existing garage. Approved 14th October 2021.

L/TH/21/1302 - Application for Listed Building Consent for internal works and external works including erection of a single storey side and rear extension and associated landscaping following demolition of existing garage and porch extensions. Approved 14th October 2021.

L/TH/21/0156 - Part retrospective application for listed building consent for internal and external works including repairs to windows, repointing, repairs to roof, replacement guttering and downpipes. Approved 8th July 2021.

PROPOSED DEVELOPMENT

Planning permission is sought for the erection of 4 dwellings (3 three bed dwellings and 1 4 bed dwelling, the conversion and extension of the threshing barn into 2 dwellings (1 three bed and 1 five bed dwelling) and the conversion of the cow shed to a 3 bed dwelling together with hard and soft landscaping and associated works.

DEVELOPMENT PLAN POLICIES

SP01 - Spatial Strategy - Housing
SP14- General Housing Policy
SP26 - Landscape Character Areas
SP29 - Strategic Access Management and Monitoring Plan (SAMM)
SP30 - Biodiversity and geodiversity Assets
SP35 - Quality Development
SP36 - Conservation and Enhancements of Thanet's Historic Environment
SP37 - Climate Change
SP43 - Safe and Sustainable Travel
SP44 - Accessible Locations
E16 - Best and Most Versatile Agricultural Land
H01 - Housing Development
GI04 - Amenity Green Space and Equipped Play Areas
QD01 - Sustainable Development
QD02 - General Design Principles
QD03 - Living Conditions
QD04 - Technical Standards
HE01 - Archaeology

HE03 - Heritage Assets
CC02 - Surface Water Management
SE03 - Land affected by contamination
SE04 - Groundwater Protection
SE05 - Air Quality
TP02 - Walking
TP03 - Cycling
TP06 - Car Parking

REPRESENTATIONS

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

Eleven representations have been received objecting to the proposal with some people objecting more than once. Their comments are summarised below.

- Inadequate access;
- Increase in traffic;
- The road network is not fit for purpose;
- The bridge will be obstructed;
- Concerned about the amount of land being offered for development across Thanet by St John's College, CXambroidge;
- Site is just starting to recover from works to repair the railway bridge;
- More works will mean more disruption to wildlife;
- Bats used to roost under the bridge, but will be unlikely to return;
- Thanet needs affordable and social housing, but these homes will be out of reach of most in need of housing;
- Already many over housing developments granted in Thanet;
- Should bring empty homes back into use as well as converting vacant commercial buildings to residential;
- Thanet is a tourist destination and development already in the area has changed the character of Birchington;
- Local Authority needs to place equal emphasis on the history and nature of Thanet as a whole;
- The site is the only green space in an already overdeveloped area;
- The site will be overdeveloped;
- The integrity of the listed barn and other historic buildings will be permanently destroyed;
- The buildings and structures on the site have been allowed to decay for a number of years;
- Minnis Road is already congested adding a 3rd set of permanent lights will make things worse;
- Wildlife such as owls, foxes and hedgehogs have been seen on the site;
- There are trees and plants on the site;
- Site is of historic importance and value;
- Buildings should be restored and used for their original purposes;
- Loss of privacy from plots 1 and 7 to my property;

- How will the application site be screened from my property?
- Was not made aware of the full proposed development when I purchased my property;
- Keep Birchington a village;
- Close to adjoining properties;
- Increase in pollution;
- Biodiversity assessments are flawed as took place 2 months after clearance works associated with the repair of the bridge;
- Site embedded in the history of Birchington and Thanet;
- Increase in foot, cycle and car traffic from the development will make the narrow and problematic route to Minnis Bay unsustainable;
- Disruption from this development could block essential bus and emergency vehicles access and deny local residents their right to unhindered access into and out of the bay;
- This site is not included in the larger application OL/TH/20/1755 and is not, therefore, essential for housing;
- Application contrary to council's housing strategy in the Local Plan;
- General dislike of the proposal;
- Out of keeping with the character of the area;
- Government and councils need to work together to prevent the continual destruction of farmland and conversion of farm buildings to other uses to prevent the UK's risk of food insecurity;
- Noise nuisance;
- Strain on existing community facilities;
- Loss of outlook;
- Concerns about noise and disturbance during construction;
- Any access to this proposal should link with the access and road proposals for OL/TH/20/1755.

One neutral representation has also been received which whilst raising issue of increased traffic generation considers that the application has paid considerable attention to the historic nature of the site and its relationship with the adjoining grade II listed farmhouse and the proposed palette of materials is also sympathetic. They advise that they support the application.

Birchington Parish Council: Further comment - Site exit too close too bridge

Initial comment - Not supported on highway grounds.

CONSULTATIONS

Natural England: No objection subject to 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.

Natural England advises that the specific measures previously identified and analysed by your Authority to prevent harmful effects on coastal European Sites from increased recreational pressure should be applied to this proposed development at appropriate assessment.

Your authority has measures in place to manage these potential impacts through the agreed strategic solution which we consider to be ecologically sound. Natural England is of the view that if these measures, including contributions to them, are implemented, they will be effective and reliable

in preventing harmful effects on the European Site(s) for the duration of the proposed development.

Providing that the appropriate assessment concludes that these measures must be secured as planning conditions or obligations by your authority to ensure their strict implementation for the full duration of the development, and providing that there are no other adverse impacts identified by your authority's appropriate assessment, Natural England is satisfied that this appropriate

assessment can ascertain that there will be no adverse effect on the integrity of the European Site in view of its conservation objectives.

Southern Water: Southern Water records show the approximate position of public foul rising main within 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.

Please note:

- The 250 mm rising main requires a clearance of 3 metres on either side of the rising main to protect it from construction works and to allow for future maintenance access.
- No development or tree planting should be carried out within 3 metres of the external edge of the rising main without consent from Southern Water.
- No soakaway, swales, ponds, watercourses or any other surface water retaining or conveying features should be located within 5 metres of a rising main.
- All existing infrastructure should be protected during the course of construction works.

Please refer to: southernwater.co.uk/media/3011/stand-off-distances.pdf

KCC Archaeology: The proposal site is archaeologically sensitive, lying in a rich archaeological landscape as evidenced by the numerous crop marks in nearby fields, the results of geophysical survey and trial trenching on the nearby major application site west of Birchington plus numerous discoveries detailed on the Kent HER. In particular a complex medieval settlement landscape has been identified in the fields to the south. The farm itself is a historic farmstead, shown on early maps and dating at least to the 16th century though the layout has been altered at various stages. Within the application site are two historic buildings proposed for conversion, a Grade II Listed Threshing barn and a curtilage listed Cow Barn. The Threshing Barn appears to have fabric dating to the 16th century.

The submission is accompanied by an Archaeological Desk-based Assessment (Canterbury Archaeological Trust, Oct 21) and a Heritage Statement (Clague Architects, Feb 2022).

With respect to the impacts of the proposals on Built Heritage Assets I note the assessment included in the Heritage Statement. The Council's Conservation Officer should lead on advice with respect to whether the proposals are acceptable, however should permission be granted I would recommend the inclusion of a condition that secures more detailed recording and analysis of the historic buildings and the farmyard before works are carried out. The following clause would be appropriate:

AR7 No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of building recording in accordance with a written specification and timetable which has been submitted to and approved by the Local Planning Authority.

Reason: To ensure that historic building features are properly examined and recorded.

With respect to the archaeology within the site I agree with the conclusions of the Archaeological Desk-based Assessment that should permission be granted archaeological evaluation should be undertaken and further appropriate mitigation measures agreed. The following condition would be appropriate:

AR5 No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of

- i. archaeological field evaluation works in accordance with a specification and written timetable which has been submitted to and approved by the Local Planning Authority; and
- ii. following on from the evaluation, any safeguarding measures to ensure preservation in situ of important archaeological remains and/or further archaeological investigation and recording in accordance with a specification and timetable which has been submitted to and approved by the Local Planning Authority.

Reason: To ensure appropriate assessment of the archaeological implications of any development proposals and the subsequent mitigation of adverse impacts through preservation in situ or by record.

KCC Biodiversity: It has confirmed that there is a day roost for common pipistrelles and a low population of common lizards. The bat surveys were carried out at the end of the survey season but it's likely that the August survey would have recorded a maternity roost if present.

I would suggest that the mitigation is appropriate and I would recommend that the following conditions are included:

Prior to vegetation clearance and prior to works on the Tithe barn the ecological mitigation detailed within the reptile survey mitigation strategy (KB Ecology, November 2021) and bat

survey and mitigation strategy (KB Ecology, November 2021) must be implemented as detailed. On completion of the mitigation a letter must be submitted to the LPA demonstrating it has been carried out.

AND

Within 3 months of the completion of the reptile mitigation an ecological management plan for the receptor site (as detailed in reptile survey mitigation strategy (KB Ecology, November 2021)) must be submitted to the LPA for written approval. It must detail how the reptile receptor site will be managed to ensure it remains suitable for reptiles. The plan must be implemented as approved.

KCC Highways: Further comment - Further to my previous comments, revised plans and information has been submitted. These address the issues I raised though I would make the following comments:

1. I omitted to state in previous responses that an Electric Vehicle Charging space is required for each dwelling. However I am content that a condition can be applied for this, should the LPA be minded to approve this application.
2. Bicycle storage has been indicated as a central storage area and individual storage units within the rear garden of each dwelling. Further clarity on which is to be provided is required, but I am content to apply a suitably worded condition to address this.
3. Plans have been submitted demonstrating the tracking for a 13m long refuse vehicle, which demonstrate a vehicle this size can enter and exit the site.
4. The operation of the proposed Traffic Light system to provide access to this site requires further assessment by the Traffic and Network team here at KCC. In principle this system would provide safe egress to this site, however should this application be approved by the LPA, it should be on the proviso that a full Technical Review is required, along with the provision of access to the system to provide maintenance. No works should commence until a full Technical Review has been conducted and approved in writing by the highway authority. This may require further amendments to the submitted plans. A Deed of Easement can be secured via a S278 Agreement to ensure access to all the equipment required for the safe operation of the Traffic Lights.
5. Careful consideration would need to be given to the Construction Management Plan, and how safe access will continue to be provided during the construction phase.

I refer to the above planning application and confirm that provided the following requirements are secured by condition or planning obligation, then I would raise no objection on behalf of the local highway authority:-

- Submission of a Construction Management Plan before the commencement of any development on site to include the following:
 - Routing of construction and delivery vehicles to / from site
 - Parking and turning areas for construction and delivery vehicles and site personnel
 - Timing of deliveries
 - Provision of wheel washing facilities
 - Temporary traffic management / signage
- Submission of full construction and operation details of the proposed Traffic Light system, including the extents of any adoptable area to Kent County Council Highways and Transportation, to be approved in writing by the Highway Authority prior to any works commencing.

- Prior to the first occupation of any dwelling hereby approved, the vehicular access into the site, traffic light signal equipment and pedestrian crossing point (dropped kerb and tactile paving) on the footway shown on the submitted plans 2104190-002 Rev C shall be constructed and fully operational, and shall thereafter retained/maintained in good working order.
- Provision and maintenance of the visibility splays shown on the submitted plans 2104190-002 Rev C with no obstructions over 0.6 metres above carriageway level within the splays, prior to the use of the site commencing.
- Use of a bound surface for the first 5 metres of the access from the edge of the highway. Provision of measures to prevent the discharge of surface water onto the highway. Completion of the following works between a dwelling and the adopted highway prior to first occupation of the dwelling:
 - (a) Footways and/or footpaths, with the exception of the wearing course;
 - (b) Carriageways, with the exception of the wearing course but including a turning facility, highway drainage, visibility splays, street lighting, street nameplates and highway structures (if any).
- Provision and permanent retention of the vehicle loading/unloading and turning facilities shown on the submitted plans prior to the use of the site commencing.
- Provision and permanent retention of the vehicle parking spaces and garages shown on the submitted plans 29973A_200 Rev J prior to the use of the site commencing. Provision and permanent retention of Electric Vehicle charging points prior to the use of the site commencing in accordance with details to be submitted to and approved by the Local Planning Authority.
- Provision and permanent retention of secure, covered cycle parking facilities prior to the use of the site commencing in accordance with details to be submitted to and approved by the Local Planning Authority.
- Prior to the first occupation of the development hereby approved, the redundant vehicle access to Minnis Road shall be removed and landscaping reinstated in accordance with details to be submitted and approved by the Local Planning Authority.

Informatives

It is important to note that planning permission does not convey any approval to carry out works on or affecting the public highway.

Any changes to or affecting the public highway in Kent require the formal agreement of the Highway Authority, Kent County Council (KCC), and it should not be assumed that this will be given because planning permission has been granted. For this reason, anyone considering works which may affect the public highway, including any highway-owned street furniture, is advised to engage with KCC Highways and Transportation at an early stage in the design process.

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

Works on private land may also affect the public highway. These include works to cellars, to retaining walls which support the highway or land above the highway, and to balconies,

signs or other structures which project over the highway. Such works also require the approval of the Highway Authority.

Kent County Council has now introduced a formal technical approval process for new or altered highway assets, with the aim of improving future maintainability. This process applies to all development works affecting the public highway other than applications for vehicle crossings, which are covered by a separate approval process.

Should the development be approved by the Planning Authority, it is the responsibility of the applicant to ensure, before the development is commenced, that all necessary highway approvals and consents have been obtained and that the limits of the highway boundary have been clearly established, since failure to do so may result in enforcement action being taken by the Highway Authority. The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under the relevant legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.

Initial comment: The proposals are for a development of 7 dwellings, with the existing access to be closed up and a new access to the site provided further to the west.

In general the highway authority (HA) is satisfied with the proposals. The provision of 7 dwellings is unlikely to lead to any notable increases in traffic movements compared to the site's existing permitted use. Trip generation movements have been assessed as part of the Transport Statement, and having carried out my own assessment using TRICS, I concur with the figures submitted. The development will result in 3 additional car movements in the 8am - 9am morning peak, which is approximately one car leaving the development every 20 minutes.

Having assessed the plans and information submitted, including a Transport Statement, I have the following comments to make:

Access

The existing access is already served by a three way traffic signal system, which is currently activated when vehicles exit the site, and traffic is held at either end of this narrow stretch of Minnis Road.

The submitted site plans show a proposed new access further to the west. This will again be controlled by a traffic light system.

The current submitted site plan shows the proposed new traffic light to be sited within the applicants land. Having spoken to our Traffic and Network Solutions Asset Manager, he has pointed out that we would prefer this to be sited within land that falls under the control of KCC Highways and Transportation, to ensure we can maintain the traffic light and resultant detection systems which will need to be installed within the highway. As such we would seek to adopt the proposed new access for a distance of approximately 6m back from the stop line to enable this. The alternative would be for a Deed of Easement to be agreed between the applicant and KCC Highways and Transportation, which would allow us (in our capacity as the Local Highway Authority) to access the land at any time to maintain our Assets.

The applicant will need to contact our Traffic and Network Solutions Asset Manager directly to agree the design and scope of the works required here and the resulting costs (for which the applicant is responsible). This will need to be submitted prior to any recommendation of approval for this development from ourselves

I am content with the visibility splays proposed. Whilst a splay of only 2.4m x 28m (which equates to driven speeds of 22 mph) can be achieved to the west, driven speeds will be low here, even in the event of a traffic light failure.

There is a street lighting column located close to the proposed new access, which has not been indicated on any of the site plans. This column will need to be located a minimum distance of 1.5m from the new access. Revised plans should include this feature, so its position can be fully assessed. This may result in the street column having to be moved to the northern side of Minnis Road, which would be at the applicants expense.

Plans have been submitted demonstrating the tracking for a 12m refuse vehicle, however there is no scale bar against which I can verify this. In addition Thanet District Council do use 13m long refuse vehicles, so this length of vehicle should be demonstrated. These drawings currently indicate that there will be over-run of the kerb at the entrance. As such the applicant needs to supply revised drawings with either a larger radii or demonstrate over-runnable area's (which will need to be constructed to withstand this) to enable a vehicle this size to exit the access without over-running the kerb on the north side of Minnis Road. Tracking should also be provided for within the site, to show that a vehicle this size has adequate space to turn around.

I do note the comment from Thanet Refuse team, as the site will remain in private ownership. However, due to the traffic light controlled system of entering and exiting the site, it will be necessary for a refuse vehicle to enter and exit this site to carry out collections.

A dedicated pedestrian access is proposed, with tactile paving on both sides of Minnis Road. Suitable pedestrian visibility splays can be achieved. However, I note the comments in the Road Safety Audit, and the potential for residents to take a more desirable line to cross the road. I would recommend providing a pedestrian footway round the easternmost side of the entrance, to lead residents to the appropriate crossing area.

Parking

Two parking spaces are indicated for each dwelling. However the proposed site plan does not indicate the provision of the visitor parking bay.

Bicycle storage is mentioned in the transport statement, however this has not been indicated on the site plan. This can be in the form of a shed in the rear garden, and at the ratio of one space per bedroom.

TDC Waste and Recycling: Suspect that this small development would be private then thebins will need to be presented at the front boundary of the development on collection day

TDC Conservation Officer: Gore End Farm is a site occupied by a substantial Grade II designated timber frame barn as well as a FarmHouse, of which the farm house has been separated from the ownership of the site. This application looks to convert the barn to a residential use as well as construct other properties within its context.

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

Guidance under the National Design Guide Section C2, Paragraph 45 highlights that when determining how a site may be developed, it is important to understand the history of how the place has evolved. The local sense of place and identity are shaped by local history, culture and heritage, and how these have influenced the built environment and wider landscape and paragraph 47 which states Well-designed places and buildings are influenced positively by the local vernacular, including historical building typologies such as the terrace, town house, mews, villa or mansion block, the treatment of façades, characteristic materials and details.

NPPF Section 16, Paragraph 197 states, In determining applications, local planning authorities should take account of (a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation as well as (b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and (c) the desirability of new development making a positive contribution to local character and distinctiveness.

Under the Listed Buildings and Conservation Areas Act 1990, Section 16 Paragraph 2 it states In considering whether to grant listed building consent for any works the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Previously pre application advice was sought as part of this scheme of which some concerns were raised in that the main designated barn would need to remain the dominating feature to the site with any additional construction appearing as a secondary entity. Materials should be appropriate for use in the context of the historical environment and site complex. This would appear to have largely been adhered to and the scheme amended appropriately.

The conversion of the listed barn itself is being proposed to two large scale properties, within a reduced level of implication to the core structure of the building and its timber frame to facilitate this. The height of the beams allows for a second floor without reorganisation of the frame with the windows proposed in the roof line which is a later addition and to be replaced as part of the proposal. A small section of fabric is required to be removed and replaced at the south end of the building where the fabric currently has degraded and is partially collapsed which is a positive as it needs to be repaired regardless.

In addition to the conversion of the barn there is an extension proposed to the East Elevation. This is being proposed in a matching material palette and facilitates a larger layout for the proposed accommodation outside of the constraints of the core listed barn structure. Some concerns were raised regarding the size of this element however I would still consider that it is subservient to the main barn itself whilst additionally supporting its successful and sympathetic conversion. As such I would consider the harm caused through its intrusion both to setting and appearance, as well as physical fabric at the contemporary linking section, to be outweighed by the future sustainability and maintenance of the heritage asset.

Windows proposed throughout the scheme are largely situated in new areas of development or fabric, for example the roof of the main barn is a modern material which is due to be replaced, incorporating roof lights.

Looking at historic maps it would appear that the site has historically been occupied by smaller out buildings which would have likely been associated with the use of the barn and the surrounding agricultural land. The proposal of the buildings surrounding the barn have been organised in a manner which protects the setting and appearance of the most central listed property whilst appearing subservient and providing comfortable garden and landscaping space. Overall protecting the significance of the site and its historical integrity.

The cow barn is a structure located within the complex which has been flagged to be possibly curtilage listed due to its position, age and materiality. This too is being converted by the proposal in a manner appropriate for what remains of its form and significance.

Adjacent to the site is Gore End Farm Farm House which would have once been incorporated as part of this complex but has since been separated. This is a designated building in its own right at Grade II listed. The proposed development of this land is considered to negatively implicate the setting of this site given that it has always been read in context with the adjacent buildings throughout its various stages of development.

Overall I am convinced that the application has fully considered the implication to the listed property as well as the setting and appearance of the surrounding site and complex. Limited implication to the fabric of the listed building being proposed to effectively facilitate the conversion sympathetically. As such I would consider that the scheme complies with the aforementioned local and national legislation and I do not object to the proposed.

If this application was to be approved I would suggest the submission of window details, roof sample and rain water details through condition.

TDC Arboricultural Advisor: I've had a look at the tree survey and, although there are no photographs, it does appear that none of the existing trees would be a significant constraint on development.

The recent Landscaping Strategy Plan appears to be just that - a proposed strategy without any details. It shows the location of new native hedge planting and native trees without any details as to species, size at planting, spacing within the hedge etc. A number of the trees

are directly south of the gardens to Units 3 to 6, some of which appear relatively small. Depending on species, there may be shading issues as any new trees mature.

TDC Contamination: A phase (1) contamination assessment has been carried out and submitted with application. It recommends near-surface soil sampling be undertaken within the upper 1m of the subject site to establish whether any residual contaminants associated with the site's agricultural use are present. The Conceptual Site Model identifies the potential for contamination associated with agricultural use to be present within the near surface. Therefore the following conditions shall apply:

CONTAMINATED LAND

The development hereby permitted shall not be commenced until the following components of a scheme to deal with the risks associated with contamination of the site shall have been submitted to and approved, in writing, by the local planning authority:

Intrusive Investigation

a) An intrusive investigation and updated risk assessment shall be undertaken by competent persons and a written report of the findings shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the development. It shall include an assessment of the nature and extent of any contamination on the site, whether or not it originates on the site. The report of the findings shall include:

- (i) A survey of the extent, scale and nature of contamination;
- (ii) An assessment of the potential risks to:

Human health;

Property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes;

Adjoining land;

Ground waters and surface waters;

Ecological systems;

- (iii) An appraisal of remedial options and identification of the preferred option(s).

All work pursuant to this Condition shall be conducted in accordance with the DEFRA and Environment Agency document Model Procedures for the Management of Land Contamination (Contamination Report 11).

b) If investigation and risk assessment shows that remediation is necessary, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the development. The scheme shall include details of all works to be undertaken, proposed remediation objectives and remediation criteria, a timetable of works, site management procedures and a verification plan. The scheme shall ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. The approved remediation scheme shall be carried out in accordance with the approved terms including the timetable, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority shall be given two weeks written notification of commencement of the remediation scheme works.

c) Prior to commencement of development, a verification report demonstrating completion of the works set out in the approved remediation scheme and the effectiveness of the remediation shall be submitted to and approved in writing by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with

the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include details of longer term monitoring of pollutant linkages and maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the Local Planning Authority.

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

COMMENTS

This application is reported to Planning Committee at the request of Cllr Kup for Members to consider the impact of the proposed development on highway safety.

The key issues in the determination of this application include the principle of development, character and appearance, impact on designated heritage assets, impact on trees, living conditions, highways, drainage and flooding, ecology, Archaeology and contamination.

Principle

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

The application site is a mix of previously developed and non previously developed land, but within the settlement as defined by the Thanet Local Plan 2020. Policy SP01 of the Local Plan (Spatial Strategy - Housing) states that the primary focus for new housing development in Thanet is the urban area. Policy H01 (Housing Development) states that permission for new housing development will be granted on sites allocated for this purpose and on non allocated sites within the confines of the urban area and villages.

It is noted that the site lies at the northern end of one of the Council's Strategic Housing Allocations (SP16 - Birchington) for up to 1,600 dwellings and associated infrastructure. Whilst forming part of the allocated site, the site encompasses a self contained part of the allocation adjacent to Minnis Road and is under separate ownership from the wider site allocation. It is not considered that the development of this site would compromise the ability

of the wider site to meet the policy requirements or prejudice the scheme coming forward, and it is not considered that the development proposed is contrary to the policy by virtue of not providing a masterplan and meeting the policy requirements for the 1600 house scheme, given the definitive ownership separation between the site and the wider strategic development.

Furthermore, the council does not currently have a 5 year housing supply and, as such, the tilted balance set out in paragraph 11 of the National Planning Policy Framework applies. This states that applications for housing should be considered in the context of the presumption in favour of sustainable development. Paragraph 11 of the NPPF describes the presumption in favour of sustainable development and closes by saying that where development plan policies are out of date, planning permission should be granted "unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole or specific policies in this Framework indicate development should be refused".

On that basis, it is considered that residential development on the site should be considered acceptable in principle.

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

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

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

The application site comprises a mix of previously and non previously developed land which once formed part of an agricultural holding with the adjoining farmhouse. It is clear, however, that the application site has not been used for agricultural purposes for a number of years. The site forms part of a Strategic Allocation for residential development in the Local Plan where the loss of agricultural land has been considered and weighed against the need for housing through the policy process. Therefore policy E16 does not apply to this proposal, and the general presumption to safeguard best and most versatile agricultural land does not apply to this site

Character and Appearance

Paragraph 130 of the National Planning Policy Framework (NPPF) states decisions should ensure that developments will function well and add to the overall quality of the area, are

visually attractive as a result of good architecture, layout and appropriate and effective landscaping, sympathetic to local character and history, establish or maintain a strong sense of place, and optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development and create places that are safe, inclusive and accessible.

Policy SP26 (Landscape Character Areas) states that development proposals should demonstrate how their location, scale, design and materials will conserve and enhance Thanet's local distinctiveness. The application site lies within the Central Thanet Undulating Chalk Farmland Area. This area is identified as agricultural land that performs a settlement separation function. These areas of high quality agricultural land are of value for farmland and roosting coastal birds. The openness and undeveloped character of the farmland contributes to the essentially rural character and relatively dark skies. Whilst Policy QD02 outlines that the primary aim of new development is to promote or reinforce local character and provide high quality and inclusive design that is sustainable in all other respects. Proposals should therefore relate to surrounding development, form and layout, be well designed, pay particular attention to context and identity of location, scale, massing, rhythm, density, layout and materials, and be compatible with neighbouring buildings and spaces. Any external spaces and landscape features should be designed as an integral part of the scheme.

As set out above, the application site forms part of a larger strategic housing allocation within the local plan so the change from part of an agricultural holding to residential has already been generally accepted, but it falls, however, to assess the detail of the proposed scheme. The proposal would see the erection of 4 new dwellings on the site together with the conversion of the existing threshing barn (with an extension) to a further 2 dwellings and the conversion of an extended cow shed to form a further dwelling.

The application is supported by a Design and Access Statement which states in summary that the key consideration for the proposed site layout is to reinstate the former courtyard plan which has been lost over the past century, placing particular emphasis on the listed barn which will be the focal point of the development and set the precedent for quality across the site. The hierarchy of the site is to be maintained in order to ensure that the farmhouse and the barn retain their primary status. The proposed additional housing has been kept to a minimum scheme and that the proposals offer a visual buffer of development from the current confines of the village which will retain the existing rural outlook across the farm site. The southern edge of the site will provide a green buffer between the current open countryside and any future development.

It is considered that the proposed scheme does resemble a farm complex and takes its lead from historic images of the farm holding over the years. The Threshing Barn and Farmhouse (although the farmhouse itself is not within the application site) remain the focal buildings. The proposed development is low density with large open spaces around buildings both in terms of amenity space for each of the proposed units and landscaping areas to the south and north west of the site which helps soften the appearance of the new development converted buildings and integrate them into the site. The spacious development retaining the Threshing Barn and the farmhouse as the key features is considered to fit with the aim of Thanet Central Undulating Chalk Farmland landscape character area. The new buildings (plots 4-6) are proposed to be constructed with a brick plinth, black timber cladding to external walls and kent peg piles, with a two storey height

terrace row with a barn hipped roof, whilst plot 7 proposes a mostly single storey I-shaped building with gable ended two storey element using brickwork with corbel detailing and natural slate. Due to the siting of the new buildings and the landscape buffer to the south of the site, combined with the materials and design of the properties, it is considered that the development would not appear cramped or out of keeping with built form in the vicinity, preserving the character of the area.

Given the above, it is considered that the development has no adverse impact on the character or appearance of the surrounding area.

Impact upon Designated Heritage Assets

The site contains the Grade II listed Threshing Barn and the curtilage listed cow shed and is adjacent to the listed Gore End Farm House.

Sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a statutory duty on Local Planning Authorities to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess and section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 which requires decision makers to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas. The NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset; great weight should be given to the asset's conservation. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. The NPPF goes on to state that where a development proposal would lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including where appropriate, securing its optimum viable use.

Policy SP36 of the Council's Local Plan is a strategic policy which states that the council will support, value and have regard to the historic or archaeological significance of Heritage Assets. Policy HE03 (Heritage Assets) is also relevant to this application. It states that proposals that affect both designated and non-designated heritage assets, will be assessed by reference to the scale of harm, both direct and indirect, or loss to, the significance of the heritage asset in accordance with the criteria in the National Planning Policy Framework.

The application is supported by a Heritage Statement which sets out the significance of the building and reasoning and effect of the proposed works on its architectural and historical significance. It states that *"the proposals include the preservation, conversion and extension of the Grade II Listed Gore End Barn and Curtilage Listed Cow Barn to form three residential dwellings. The Grade II listed barn is largely intact, but is currently deteriorating and requires significant structural repairs to reverse its decline. The residential proposals are deemed appropriate and necessary to provide a viable long-term use to secure the future role and maintenance of the heritage assets. The restoration of the existing barns would considerably enhance the significance and setting of the site. New built form of modest scale will create the remaining four dwellings. The two additional proposed buildings are between 1 and 2 storeys in height of good sensitive design and hierarchy which avoids repetition and maintains the privacy and intervisibility of Upper Gore End Farmhouse and*

Gore End Barn as the key prominent buildings on this historic farmstead site. The development aims to maintain key views across the site, including views towards and away from the listed buildings. Existing historic routes into the site from Minnis Road to the north, and from the open countryside to the south, have also been considered and are proposed to be maintained for pedestrian movement as part of the proposals. It concludes that the development is not projected to be detrimental to the site in regards to its heritage assets and local importance."

The Council's Conservation Officer has reviewed the application and raises no objection. She states that on the basis that the proposed conversion of the listed structures (the listed barn and the curtilage listed cow shed) would ensure that they are protected from falling into disrepair with limited alterations proposed to facilitate the conversion. She also notes that looking at historic maps it would appear that the site has historically been occupied by smaller out buildings which would have likely been associated with the use of the barn and the surrounding agricultural land. The proposal of the buildings surrounding the barn have been organised in a manner which protects the setting and appearance of the most central listed property whilst appearing subservient and providing comfortable garden and landscaping space. Overall protecting the significance of the site and its historical integrity.

The proposed development has been designed around the existing listed Threshing barn and the curtilage listed cow shed on the site and reflects historic farm yard style development which previously existed within the site. Care has been taken to sympathetically convert the listed barn and curtilage listed cow shed with sensitive and subservient extensions and respect the adjoining farmhouse and the spacing around it and its link to the application site. This is helped by designing dwellings that are appropriate for their location within the site and maintaining most of the established landscaping around the site's boundaries.

It is considered important that high quality materials are utilised throughout the development to reflect and enhance those of the listed barn and curtilage listed cow shed and other dwellings within the area. It is considered appropriate in this instance to secure samples of materials to be used within the development via a condition. It is also considered that windows and doors within the development should be timber and set within reveals. This will also be secured via a planning condition.

In addition, to ensure no impact on the listed structures from subsequent alteration of the new dwellings, permitted development rights would be required to be removed from altering the buildings, and from erecting boundary treatments different from the traditional rural post and rail stated in the design and access statement.

Given the above, it is considered that, with appropriate safeguarding conditions, the proposed development would comply with the aims and objectives of policies SP36 and HE03 of the Local Plan and the guidance of the NPPF.

Impact on Trees

A Tree Survey has been submitted to support the application to assess the health of the trees and the impact of the proposed development on the trees together with a Landscape

Strategy Plan which shows areas of new planting, but does not give details of species or the size of specimens when planted.

The Council's Arboricultural Advisor has reviewed the submitted Tree Survey and the Landscaping Strategy Plan. He advises that it does not appear that any of the existing trees would be a significant constraint on the proposed development. He goes on to highlight the lack of detail on the Landscape Strategy Plan and that there may be some issues with shading to the gardens of plots 3 to 6 depending from trees planted to their south as they mature depending on the species chosen.

It is noted that a total of 4 trees, plus 2 groups of trees will be removed from the site. The trees identified to be lost are category C (low quality and value - with a life expectancy of 10 years) and U trees (very low quality and value with any value being lost within 10 years). Whilst the loss of the trees is disappointing it is noted that they are located in areas area with other trees and it is not considered that their loss would be readily apparent when viewing the site either internally or externally, meaning that wider amenity value of the site is not significantly impacted by the proposal

The dwellings have been designed and oriented to ensure that they were not shaded to an extent or in such close proximity to trees that future residents would be likely to seek the removal of trees post occupation. The comments of the Arboricultural Advisor are noted in relation to the possibility of trees potentially shading the gardens of plots 3 to 6, but it is considered that a condition requiring landscaping details to be submitted and agreed with by the Local Planning Authority would allow suitable species and trees to be planted to avoid this issue.

The Tree Survey also sets out tree protection measures and these are generally considered acceptable. The scheme proposes areas to new planting to buffer the open countryside which are not associated with the new plots, and, therefore, a landscape management plan will be required to be submitted prior to the occupation of any dwelling to ensure that the area are sufficient managed through the construction/lifetime of development

With appropriate safeguarding conditions, it is considered that the proposed development could be carried out without a significant impact on the trees and landscaping on the site.

Living Conditions

Paragraph 119 of the NPPF states that planning decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.

Local Plan policies QD03, QD04 and GI04 are also relevant to this application. Policy QD03 (Living Conditions) states that all new development should: 1) Be compatible with neighbouring buildings and spaces and not lead to the unacceptable living conditions through overlooking, noise or vibration, light pollution, overshadowing, loss of natural light or sense of enclosure. 2) Be of appropriate size and layout with sufficient usable space to facilitate comfortable living conditions and meet the standards set out in QD04. 3) Residential development should include the provision of private or shared external amenity

space/play space, where possible. 4) Provide for clothes drying facilities and waste disposal or bin storage, with a collection point for storage containers no further than 15 metres from where the collection vehicle will pass. Policy QD04, requires all new residential development to meet the Nationally Described Space Standards and also a water efficiency standard. Policy GI04 states that new family dwellings (those with 2 or more bedrooms) will be expected to incorporate garden space in order to provide a safe "doorstep play area" for young children. With doorstep playspace being defined as playspace for young children which is immediately adjacent to, closely visible and safely accessible from the dwellings served.

It falls, therefore, to assess the impact of the proposed development on the residential amenities of surrounding occupiers and the standard of accommodation being proposed for future occupiers.

The nearest residential property to the application site on the same side of Minnis Road is Gore End Farmhouse and the occupiers of this property have raised concerns about the impact on the proposed development on their privacy. Plots 1 (the converted cow shed) and 7) are the closest properties on the application site to the farmhouse. Plot 1 has two windows in its flank elevation facing the farm house - a high level window and a boarded low level opening; these would both serve the open plan living area of that dwelling. It is considered that the cow shed would previously be in agricultural use and not residential and that it would, with the other buildings within the historic farmstead, have been used and occupied in conjunction with the farmhouse. It is noted that the cow shed site is adjacent to Minnis Road and further forward of the farmhouse and, as such, any views from these windows would be over the front garden area of the farmhouse and views of this area are already available from public vantage points. Therefore it is not considered that this part of the development would cause significant harm to the living conditions of Upper Gore End Farm.

Plot 7 is a new dwelling, to be built on the remains of what has been identified as a dovecote. The proposed dwelling is essentially single storey with the small two storey element located towards the application site at the furthest point from the farmhouse. It is also noted that there would be over 30 metres between plot 7 and the farmhouse at their closest points and given this, combined with the mainly single storey nature of plot 7 and the intervening boundary treatment, it is not considered that they would be any adverse impact on the residential amenities of adjoining occupiers of the farmhouse from the proposed development in terms of loss of privacy or sense of enclosure.

There are also residential properties on the opposite side of Minnis Road with nos. 86 and 88 Minnis Road being the closest. They would sit opposite the proposed waste and cycle storage building, but would be separated from it by the road (7 metres) and are then set back within their plot by approximately 6 metres. The closest residential property to those dwellings would be the extension of the cow shed (plot 1) which at its closest point would be some 14 metres from the closest point of no. 86, Given the distances involved and the orientation between plot 1 and no. 86, it is not considered that there would be any adverse impact in terms of loss of privacy or sense of enclosure to the occupiers of nos. 86 and 88 Minnis Road.

It is noted that the application site has not been used for a number of years and there may be some noise and disturbance associated with the site being used again as well as comings and goings associated with this use. It is, however, considered that the noise and movements associated with 7 dwellings on the application site would be less than the farm/agricultural use of the site which could recommence without the need for planning permission.

All of the proposed dwellings would be served by a vehicle parking and have private amenity space. It is considered that all properties would achieve a high level of light and ventilation and meet the appropriate national space standards. The properties have been designed to avoid any mutual overlooking or sense of enclosure and it is considered that the proposed dwellings would provide a good standard of accommodation for future occupants.

Given the above, it is considered that the proposed development would meet the criteria of policies QD03, QD04 and GI04 and the guidance of the NPPF.

Highways

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

The proposal would close the existing traffic controlled access and proposes a new access closer to the bridge to the west. The access would also be signal controlled with new dropped kerbs and tactile paving to indicate/facilitate a crossing location to the pedestrian footway to the north of the road. The applicant has submitted a road safety audit as part of the transport submission, which also includes a statement about the sustainability of the site and car parking amounts proposed (14 spaces and 1 visitor space for the 7 dwellings)

KCC Highways have reviewed the proposal and, whilst raising no objection as to the traffic generation from the development, the internal layout of the development or the amount of parking, they advised that they would need to adopt a portion of the application site to allow maintenance of the proposed traffic lights and that a light column on Minnis Road is likely to be need to moved. They also requested swept paths to ensure that a refuse vehicle could enter the site and leave in forward gear. Amended plans have now been received showing the area to be adopted and providing swept paths for the refuse vehicle. The area to be adopted now includes the signals within the site, which will allow control by the highway

authority to ensure safe operation, and the amended plans confirm that the turning from the access is sufficient for larger vehicles.

Taking account of the view of the highway authority, it is considered that the new access is sufficiently designed (as signal controlled) for safe use, with sufficient parking on site and pedestrian routes to and from the site to accord with paragraph 110 of the NPPF. These will need to be conditioned to ensure the provision of suitable parking and manoeuvring space for vehicles, safe access to the dwellings, with surfacing details required as well as measures to prevent surface water discharge to the highway. It is noted, however, that they require an area to be secured within the application site to either be provided for adoption by them or given an easement over to ensure that they are able to deal with any issues with the proposed traffic lights. They also advise that there would be a commuted sum required from the applicants as to the ongoing maintenance of this equipment. This would need to be secured via a S106 legal agreement or undertaking.

Subject to the imposition of conditions including but not limited to provision of the access, visibility splays, vehicle parking and manoeuvring, and the submission of construction and operational details of the proposed traffic light system, the proposal would not have an adverse impact on highway safety or parking from the proposed development. A construction management plan will also be required to ensure any disruption to the road network is minimised during the course of development.

Drainage and flooding

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

Policy CC02 (Surface Water Management) states that "New development is required to manage surface water resulting from the development using sustainable drainage systems (SuDs) wherever possible. SuDs design, together with a robust long term maintenance plan should be included as an integral part of the master planning and design process for new development and should, wherever possible, incorporate multi-functional benefits for people and wildlife.

Southern Water has reviewed the application and raised no objection to the proposal.

It is, however, considered appropriate to secure details of the means of foul and surface water drainage from the site via a condition. With this safeguarding condition, it is not considered that there would be any adverse effect on drainage or flooding from the proposed development.

Ecology

The NPPF states at paragraph 175 that the planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible. The NPPF then states at paragraph 180 that "if significant harm resulting from a development cannot be avoided (through locating on

an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused."

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

The application is supported by a Reptile Survey and Mitigation Strategy. This identified a low population of common lizards and noted that most of the application site has been scraped bare of vegetation during the period that Network Rail used it as a compound for works to the adjacent rail line and vegetation has only recently started to grow back. It is acknowledged in the survey that more of the site would have been used by reptiles previously and as vegetation returns much of the site would be likely to be used by lizards again. They conclude that the proposal will entail the loss of a small amount of reptile habitat, but that this would be mitigated by enhancing the areas of land outside the works footprint (close to the railway line and to south of plots 3 to 6) and through the implementation of a biodiversity focused management plan.

A Bat Survey and Mitigation Strategy is also submitted given that the Threshing barn and cowshed were considered as having moderate suitability for roosting bats. This states that in terms of the cow shed no bats were seen emerging or entering the structure during the bat surveys and no bats or signs of bats were found during the internal or external inspection of that building. In terms of the Threshing barn, it was noted that no bats or signs of bats were found during the internal or external inspection, but it was noted that the ground was covered in pigeon droppings making it difficult to see bat droppings. It was noted that the building contains multiple mortice and tenon joints providing suitable micro roosts including in the winter for hibernation. One common pipistrelle bat was seen entering and emerging from the barn during surveys. It is considered likely that the barn is used as a day roost by this single bat. It concludes that the cow shed requires no mitigation or licence prior to its conversion. The Threshing barn is used as a day roost by a single common pipistrelle bat which is a common species. The roost should be regarded as having a low conservation significance and that works to the building will be supervised by a licensed bat handler and mitigation such as the provision of bat boxes within the proposed development would provide appropriate mitigation.

KCC Ecology have reviewed the submitted assessment and advise that sufficient information has been provided. They raise no objection to the proposal, but advise that the ecological mitigation and enhancement strategies proposed in the Reptile and bat surveys should be conditioned.

The conditions suggested are considered reasonable and it is considered, with these safeguarding conditions in place, that there would be no adverse impact on ecology from the proposed development.

Archaeology

Paragraph 197 of the NPPF states that In determining applications, local planning authorities should take account of: a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and c) the desirability of new development making a positive contribution to local character and distinctiveness. It goes on (paragraph 199) to state that "when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance." In paragraph 202 the NPPF states that "where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

Policy HE01 of the Local Plan relates to Archaeology and states that the Council will promote the identification, recording, protection and enhancement of archaeological sites, monuments and historic landscape features, and will seek to encourage and develop their educational, recreational and tourist potential through management and interpretation.

A desk based Archaeological Assessment has been submitted in support of the application. This states that in reviewing circumstantial evidence about the application site and the surrounding area that archaeological remains might be extant within the proposed development areas and could be destroyed or disturbed by the proposal. They recommend that an archaeological field evaluation, in liaison with local authority archaeologists, would be the most appropriate and effective mitigation to allow development of the application site.

KCC's Archaeological Team have reviewed the application and advise that the application site is archaeologically sensitive with many archaeological discoveries identified in the local area on the Kent Historic Environment Records and finds being discovered via survey work in relation to the nearby major planning application (OL/TH/20/1755). The application site itself is a historic farmstead dating back to the 16th century although altered at various stages. They note the submission of the Archaeological Desk Based Assessment and Heritage statement in support of the application. They state that TDC's Conservation Officer should lead on the acceptability of the proposed works on the built heritage assets, but advise that they would request a condition securing more detailed recording and analysis of the historic buildings and farmyard (a programme of building recording) prior to works commencing. They agree with the conclusions of the Archaeological Desk Based Assessment that should permission be granted that archaeological evaluation should be undertaken and further appropriate mitigation measures agreed and request the imposition of a condition to that effect.

Given the above, it is not considered that, with the imposition of the safeguarding condition, there would be an adverse impact on archaeology from the proposed development and therefore the proposal would comply with policy HE01.

Paragraph 174 of the NPPF states planning decisions should contribute to and enhance the natural and local environment by preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality. Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner. Policy SE03 (land affected by contamination) states that development on land known or suspected to be contaminated or likely to be adversely affected by such contamination will only be permitted where: 1) an appropriate site investigation and assessment (agreed by the Council) has been carried out as part of the application to establish whether contamination is present and to identify any remedial measures necessary to ensure that the site is suitable for the proposed end use; 2) the proposed remedial measures would be acceptable in planning terms and would provide effective safeguards against contamination hazards during the development and subsequent occupation of the site. Planning conditions will be attached to any consent to ensure that remedial measures are fully implemented, before occupation. In the case of sites where contamination is only considered to be a possible risk, a site investigation will be required by condition.

The application is supported by a phase 1 Contamination Assessment. This recommends that near-surface soil sampling be undertaken within the upper 1m of the subject site to establish whether any residual contaminants associated with the site's agricultural use are present with Conceptual Site Model identifying the potential for contamination associated with agricultural use to be present within the near surface.

The Council's Contamination Officer has reviewed the application and agrees with the recommendations of the submitted phase 1 Contamination Assessment. He advises that a condition requiring an intrusive investigation for contamination and updated risk assessment be imposed on any grant of planning permission together with a condition requiring a construction environmental management plan to be submitted and approved as well as a condition relating to unexpected contamination.

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

Other Matters

Thanet District Council has produced the Strategic Access Management and Monitoring Plan (SAMM) which focuses on the impacts of recreational activities on the Thanet Section of the Thanet Coast and Sandwich Bay Special Protection Area (SPA). The studies indicate that recreational disturbance is a potential cause of the decline in bird numbers in the SPA. To enable the Council to be satisfied that the proposed development will avoid a likely significant effect on the designated sites (due to an increase in recreational activities) and to

comply with the Habitat Regulations a financial contribution is required to contribute to the district wide mitigation strategy. This is secured under policy SP29 of the Council's Local Plan. It is considered that the request meets the tests for inclusion within a S106 legal agreement/undertaking. An undertaking has been submitted to secure this contribution and an appropriate assessment carried out.

Under Policy SP14, as an allocated housing site the development is required to provide one electric charging point to be provided for every new dwelling with parking provision within its curtilage. A condition will be imposed to secure details of the charging points and require their provision in accordance with this policy and Policy SE05, to ensure appropriate mitigation is in place regarding air quality impacts from the development.

Conclusion

The application site forms part of a strategic housing allocation within the local plan and whilst separate in ownership from the strategic development, there is no objection to the principle of residential use of the site.

The conversion of the listed barn and curtilage cow shed on the site will ensure their sympathetic repair and bring them back in an active use albeit not the original use they were designed for.

With the imposition of safeguarding conditions, it is considered that there would be no adverse impact on the character or appearance of the area, heritage assets, the living conditions of adjoining occupiers, highways or parking, biodiversity, archaeology, contamination or drainage or flooding

It is, therefore, considered that the benefits of the proposal, including the economic and social benefits that come from the creation of dwellings, outweigh the limited harm to the listed barn and curtilage listed cow shed by their conversion. Therefore it is recommended that the application is deferred and delegated to officers for approval subject to the satisfactory completion of a Section 106 agreement within 6 months of the date of this resolution securing the required highway contribution for maintenance of the proposed traffic light system and resolution of the Technical Approval Process to be followed for the new system, and safeguarding conditions.

Case Officer

Annabel Hemmings

TITLE: F/TH/22/0364

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