

D05

F/TH/22/0979

PROPOSAL: Erection of a four storey building with mansard at third floor level to accommodate 5No. commercial units (Use Class E) with associated shopfronts at ground floor level, together with 39 Self contained flats (32No 1-bed , 5No 2-bed and 2No 3-bed). self contained flats together with refuse and cycle stores and external playspace, following demolition of existing buildings

LOCATION: 60 To 68 High Street And 1 To 11 George Street RAMSGATE Kent CT11 9RS

WARD: Central Harbour

AGENT: Mr Matthew Gerlack

APPLICANT: Mr David Sherrin

RECOMMENDATION: Defer & Delegate

Defer and delegate to officers for approval subject to the receipt of a signed legal agreement securing the contributions towards the SAMMs project and stated planning obligations within 6months and the following safeguarding 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 22/488/PL01 Rev D, 22/488/JG/PL02 Rev A1, 22/488/JG/PL03 Rev B1, 22/488/JG/PL04 Rev A1, 22/JG/PL06 Rev A, 22/488/JG/PL07, 22/488/JG/PL08 and 22/488/JG/PL09 Rev B2.

GROUND:

To secure the proper development of the area.

3 No development shall take place until a detailed sustainable surface water drainage scheme for the site has been submitted to (and approved in writing by) the local planning authority. The detailed drainage scheme shall demonstrate that best endeavours have been made in reducing surface water contributions to the combined sewer. This submission shall also demonstrate that surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100 year storm) can be accommodated and disposed of without increase to flood risk on or off-site.

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

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

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

GROUND:

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

4 The development hereby permitted shall not be occupied until a Verification Report, pertaining to the surface water drainage system and prepared by a suitably competent person, has been submitted to and approved by the Local Planning Authority. The Report shall demonstrate that the drainage system constructed is consistent with that which was approved. The Report shall contain information and evidence (including photographs) of details and locations of inlets, outlets and control structures; landscape plans; full as built drawings; information pertinent to the installation of those items identified on the critical drainage assets drawing; and, the submission of an operation and maintenance manual for the sustainable drainage scheme as constructed.

GROUND:

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

5 No development shall take place (excluding demolition) hereby approved, the applicant, or their agents or successors in title, shall secure the implementation of a watching brief to be undertaken by an archaeologist approved by the Local Planning Authority so that the excavation is observed and items of interest and finds are recorded. The watching brief shall be in accordance with a written programme and specification, which has been submitted to and approved in writing by the Local Planning Authority.

GROUND:

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

6 No demolition or development shall commence until a method statement setting out the details and specifications of works to safeguard impact of works in relation to the no. 70 High Street (in particular its side elevation) have been submitted to and, agreed in writing, by the Local Planning Authority.

GROUND:

To preserve the character of the Grade II Listed structure attached to the application site in accordance with Policy HE03 of the Thanet Local Plan and the advice contained within the National Planning Policy Framework.

7 Prior to the construction of the external surfaces of the development hereby approved, samples of the materials to be used thereon shall be submitted to, and approved in writing by, the Local Planning Authority. Development shall be carried out in accordance with the approved samples unless otherwise agreed in writing by the Local Planning Authority.

GROUND:

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

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

GROUND:

To secure a satisfactory external treatment and to safeguard the special character and appearance of the designated heritage asset in accordance with Policy HE02 of the Local Plan and advice contained within the National Planning Policy Framework.

9 All new windows and doors to the High Street and George Street elevations shall be timber and prior to the installation of any windows and doors within these elevations, 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 secure a satisfactory external treatment and to safeguard the special character and appearance of the designated heritage asset in accordance with Policy HE02 of the Local Plan and advice contained within the National Planning Policy Framework.

10 All new windows and doors to the Meeting Street elevation shall be Heritage UPVC and prior to the installation of any windows and doors within this elevation, details 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 secure a satisfactory external treatment and to safeguard the special character and appearance of the designated heritage asset in accordance with Policy HE02 of the Local Plan and advice contained within the National Planning Policy Framework.

11 In the event of the commercial elements of the premises being used for the cooking or preparation of hot food that would require the installation of an extract ventilation system, details of the location, size, type and design of the system shall be submitted to and agreed in writing by the Local Planning Authority. Prior to the commencement of such a use, the extract ventilation system shall be installed in accordance with the approved details.

GROUND:

In the interests of the residential amenities of the occupiers of surrounding dwellings in accordance with Policy QD03 of the Thanet Local Plan and the advice contained within the National Planning Policy Framework.

12 Prior to the first use of the premises, details of any plant (including ventilation, refrigeration and air conditioning) or ducting system to be used in pursuance of this permission shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details. The scheme shall ensure that the noise generated at the boundary of any noise sensitive property shall not exceed Noise Rating Curve NR35 as defined by BS8233 2014 Guidance on Sound Insulation and Noise Reduction for Buildings and the Chartered Institute of Building Engineers (CIBSE) Environmental Design Guide 2006. The equipment shall be maintained in a condition so that it does not exceed NR35 as described above, whenever it's operating. After installation of the approved plant, no new plant or ducting system shall be used without the prior written consent of the Local Planning Authority.

GROUND:

In the interests of the residential amenities of the occupiers of surrounding dwellings in accordance with Policy QD03 of the Thanet Local Plan and the advice contained within the National Planning Policy Framework.

13 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 special character and appearance of the area as a Conservation Area in accordance with Policy HE02 of the Thanet Local Plan and the advice as contained within the NPPF.

14 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 secure a satisfactory external treatment and to safeguard the special character and appearance of the designated heritage asset in accordance with Policy HE02 of the Thanet Local Plan and advice contained within the National Planning Policy Framework.

15 Prior to the installation of any external lighting, full details of the external lighting, including their fittings, illumination levels and spread of light shall be submitted to, and approved in writing by, the Local Planning Authority. The lighting installation shall then be carried out in accordance with the approved details.

GROUND:

To ensure that light pollution is minimised in the interest of the visual and residential amenities of the area, in accordance with Policy SE08 of the Thanet Local Plan.

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

GROUND:

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

17 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 litre /person/day, in accordance with Policy QD04 of the Thanet Local Plan.

18 If, during development, significant contamination is suspected or found to be present at the site, then works shall cease, and this contamination shall be fully assessed and an appropriate remediation scheme agreed with the Local Planning Authority. The approved works shall be implemented within a timetable agreed by the Local Planning Authority and shall be of such a nature as to render harmless the identified contamination given the proposed end use of the site and surrounding environment, including controlled waters. Prior to first occupation/use and following completion of approved measures, a verification report shall be submitted to the Local Planning Authority for approval.

GROUND:

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

19 No fans, louvres, ducts or other similar apparatus shall be installed externally in the building without the prior written approval of the Local Planning Authority.

GROUND:

In the interests of the residential amenities of the occupiers of surrounding dwellings in accordance with Policy QD03 of the Thanet Local Plan and the advice contained within the National Planning Policy Framework.

20 Prior to the first use or occupation of the development, the secure cycle parking facilities hereby approved shall be provided and thereafter maintained.

GROUND:

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

21 No doors/windows associated with the development hereby approved shall open out over the highway.

GROUND:

In the interests of highway safety.

22 Prior to the first occupation of the development hereby permitted, the refuse storage facilities, as shown on approved drawings shall be provided and thereafter maintained.

GROUND:

In the interests of residential amenity in accordance with Policies QD02 and QD03 of the Thanet Local Plan.

23 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,
- o ecological enhancements to be provided within the site.

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

GROUND:

In the interests of the visual amenities of the area and to 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.

24 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

25 Prior to the commencement of the development hereby approved, details of the construction of the ceilings and floors that separate the (first floor residential units from ground floor commercial units) shall be submitted to and approved by the Local Planning Authority. The ceilings and floors shall resist the transmission of airborne sound such that the weighted standardised difference (DnT, W + Ctr) shall not be less than 53 decibels. The weighted standardised difference (DnT, W) a spectrum adaption term, Ctr, is quoted according to BS EN ISO 16283-1:2014 Acoustics - Field measurement of sound insulation in buildings and of building elements Part 1: Airborne sound insulation. The work shall then be carried out in accordance with the approved details prior to occupation of the premises and be retained thereafter.

GROUND:

In the interests of the residential amenities of the occupiers of surrounding dwellings in accordance with Policy QD03 of the Thanet Local Plan and the advice contained within the National Planning Policy Framework.

26 An acoustic assessment of compliance with condition (25) shall be submitted to the Local Planning Authority prior to occupation of the premises hereby permitted. Any further mitigation measures recommended in the assessment to meet the criteria stated within condition (25) shall be submitted in writing for the written approval of the Local Planning Authority within 1 month of the assessment. All works which form part of the approved scheme shall thereafter be implemented in accordance with a timetable to be agreed in writing by the Local Planning Authority and thereafter maintained.

GROUND:

In the interests of the residential amenities of the occupiers of surrounding dwellings in accordance with Policy QD03 of the Thanet Local Plan and the advice contained within the National Planning Policy Framework.

27 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 be in accordance with BS5228-1:2009+A1:2014: Code of Practice for Noise and Vibration on Construction and Open Sites and IAQM Guidance on the Assessment of dust from demolition and construction 2014; the Plan shall include mitigation measures. The management plan shall also include the following:

- (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

The development should be carried out in accordance with the approved details.

GROUND:

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

28 The demolition hereby permitted shall not be undertaken before a contract for the carrying out of works of redevelopment of the site has been made for the erection of the building hereby approved.

GROUND:

To safeguard the special character and appearance of the area as a Conservation Area in accordance with Policy HE02 of the Thanet Local Plan and the advice as contained within the NPPF.

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

GROUND:

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

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.

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.

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 where required are obtained and that the limits of the highway boundary are clearly established in order to avoid any enforcement action being taken by the highway authority.

Across the county there are pieces of land next to private homes and gardens that do not look like roads or pavements but are actually part of the road. This is called 'highway land'. Some of this land is owned by The Kent County Council (KCC) whilst some are owned by third party owners. Irrespective of the ownership, this land may have 'highway rights' over the topsoil. Information about how to clarify the highway boundary can be found at <https://www.kent.gov.uk/roads-and-travel/what-we-look-after/highway-land/highway-boundary-enquiries>

The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under such legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.

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

Thanet District Council is committed to reducing crime and the fear of crime through design. We strongly advise the applicant to contact external bodies such as Kent Police Crime Prevention Design Advisors (CPDAs) to ensure that a comprehensive approach is taken to Crime Prevention and Community Safety before making any application for the development.

The applicant is reminded that Bats and their roosts are protected at all times by the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended). Planning permission for development does not provide a defence against prosecution under this legislation or substitute for the need to obtain a bat licence if an offence is likely. If bats or evidence of bats is found during the works, the applicant is advised to stop work and follow advice from an independent ecologist or to contact Natural England.

Any work to vegetation/structures that may provide suitable nesting habitats should be carried out outside of the bird breeding season (March to August) to avoid destroying or

damaging bird nests in use or being built. If vegetation/structures need to be removed during the breeding season, mitigation measures need to be implemented during construction. This includes examination by an experienced ecologist prior to starting work and if any nesting birds are found, development must cease until after the juveniles have fledged.

For the avoidance of doubt, the provision of contributions to as set out in the unilateral undertaking 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 forms a large town centre plot on the corner of the High Street and George Street, Ramsgate. It is currently occupied by a two storey building which from its architecture appears to date from the 1980s. Within the current building are a number of commercial premises at ground and first floor, including a charity furniture shop, a cafe, arts academy, and vacant units.

The site forms part of the primary shopping frontage of Ramsgate town centre and within the Ramsgate Conservation Area. The rear of the site is accessible by vehicles as it fronts the Meeting Street surface car park.

RELEVANT PLANNING HISTORY

F/TH/19/1621 - Change of use of first floor from storage to performing arts studio (use class D2). Approved 11th February 2020.

PROPOSED DEVELOPMENT

Planning permission is sought for the demolition of the existing building and the erection of a four storey building with mansard at third floor level to accommodate 5 No. commercial units (Use Class E) with associated shopfronts at ground floor level, together with 39 Self contained flats (32 1-bed, 5 2-bed and 2 3-bed). self contained flats together with refuse and cycle stores and external playspace.

It should be noted that the application as originally submitted was for the erection of a four storey building with mansard at third floor level to accommodate 5 No. commercial units (Use Class E(e)) with associated shopfronts at ground floor level, together with 40 Self contained flats (34 1-bed, 4 2-bed and 2 3-bed). self contained flats together with refuse and cycle stores and external playspace, but this was amended following officer concerns about the lack of natural light to 2 of the proposed one bed units.

DEVELOPMENT PLAN POLICIES

SP01 - Spatial Strategy - Housing
SP04 - Economic Growth
SP08 - Primary Shopping Area
SP11 - Ramsgate
SP22 - Type and Size of Dwelling
SP23 - Affordable Housing
SP29 - Strategic Access Management and Monitoring Plan
SP30 - Biodiversity and Geodiversity Assets
SP35 - Quality Development
SP36 - Conservation and Enhancement of Thanet's Historic Environment
SP37 - Climate Change
SP41 - Community Infrastructure
SP43 - Safe and Sustainable Travel
SP44 - Accessible Locations
E04 - Primary and Secondary Frontages
H01 - Housing Development
GI04 - Amenity Green Space and Equipped Play Areas
QD01 - Sustainable Development
QD02 - General Design Principles
QD03 - Living Conditions
QD04 - Technical Standards
QD05 - Accessible and Adaptable Accommodation
HE01 - Archaeology
HE02 - Development in Conservation Areas
HE03 - Heritage Assets
CC02 - Surface Water Management
SE03 - Contaminated Land
SE04 - Groundwater Protection
SE06 - Noise Pollution
TP02 - Walking
TP03 - Cycling
TP06 - Car Parking
TP08 - Freight and Service Delivery

REPRESENTATIONS

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

35 representations have been received objecting to the proposal. Their comments are summarised below.

- * Close to adjoining properties;
- * Development too high;
- * General dislike of the proposal;
- * Inadequate parking provision;
- * Increase in traffic;

- * Loss of parking;
- * Noise nuisance;
- * Not enough information given on application;
- * Overdevelopment;
- * Strain on existing community facilities;
- * No consultation by the applicants to current tenants in the building;
- * Will surrounding buildings be compensated for loss of trade during construction?
- * Out of keeping with character of the area;
- * Affect local ecology;
- * Increase in pollution;
- * Conflict with Local Plan;
- * Inadequate access;
- * Inadequate public transport provision;
- * Loss of light;
- * More open space needed on the development;
- * Existing units and their occupiers provide essential services for the local community;
- * The existing building has been here for a significant period of time and is part of the Ramsgate's social history;
- * Priority should be to re-use existing empty homes not build more;
- * Loss of privacy;
- * Development will negatively affect footfall to the top of the High Street and hamper further development;
- * Visitors will not come to the town and community and creative events will be inhibited;
- * Should be building small businesses, not tearing them down;
- * The performing arts studio should be protected as a community hub;
- * Development will be for financial gain;
- * Information missing from plans;
- * What is the timescale for this development?
- * Already difficult to cross the road with children in this area;
- * Increased pressure on existing parking;
- * Loss of existing business units will be a loss to Ramsgate town centre which is just recovering as a high street destination;
- * The proposed flats appear very small;
- * Flats will probably not be for locals but holiday homes;
- * Potential loss of footpath for wheelchair access;
- * Businesses within the site have invested time and money to do up their spaces/shops and still have years on their leases;
- * This is not what is meant by regeneration of the high street;
- * Only a very small number of flats will be family units, the rest will be one beds;
- * The proposed development will loom over the buildings opposite and present an unacceptable impact on the appearance and balance of the street; and
- * The appearance of the proposed building is not like the existing and just looks to replicate nearby shops and flats.

Ramsgate Town Council: The development is supported in principle and the external design is good, however, 34 No 1-bed flats is too dense and a better balance of flats is required; it is recommended that the number of 1-bed flats be reduced to 24.

CONSULTATIONS

Natural England: Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

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

This advice should be taken as Natural England's formal representation on appropriate assessment given under regulation 63(3) of the Conservation of Habitats and Species Regulations 2017 (as amended). You are entitled to have regard to this representation.

With regard to European Sites, Natural England does not object to the granting of this permission subject to the advice given below.

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.

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

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

The drainage strategy provided by the applicant states that the proposed surface water flows from the development are reduced from the existing contributing flows. This discharge can be permitted, if proven to be connected and it is ensured that there is no overall increase in flows into the surface water system. The applicant will be required to provide a topographical site survey and/or a CCTV survey showing the existing connection points, pipe sizes,

gradients and calculations confirming the proposed flow will be no greater than the existing contributing flows.

If the applicant has not already provided documentation demonstrating compliance with the surface water hierarchy reflected in part H3 of the Building Regulations, as shown below, we will require this to be provided where surface water is being considered for discharge to our network. Whilst reuse does not strictly form part of this hierarchy, Southern Water would encourage the consideration of reuse for new developments.

- Reuse
- Infiltration
- Watercourse
- Storm Sewer
- Combined Sewer

The submitted drainage details indicate the SuDS to be maintained within private ownership and maintenance.

However, under certain circumstances SuDS will be adopted by Southern Water should this be requested by the developer. Where SuDS form part of a continuous sewer system, and are not an isolated end of pipe SuDS component, adoption will be considered if such systems comply with the latest Sewers for Adoption (Appendix C) and CIRIA guidance.

Where SuDS rely upon facilities which are not adoptable by sewerage undertakers the applicant will need to ensure that arrangements exist for the long-term maintenance of the SuDS facilities. It is critical that the effectiveness of these systems is maintained in perpetuity. Good management will avoid flooding from the proposed surface water system, which may result in the inundation of the foul sewerage system.

Thus, where a SuDS scheme is to be implemented, the drainage details submitted to the Local Planning Authority should:

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

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

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

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

This initial assessment does not prejudice any future assessment or commit to any adoption agreements under Section 104 of the Water Industry Act 1991. Please note that non-compliance with Sewers for Adoption standards will preclude future adoption of the foul and surface water sewerage network on site. The design of drainage should ensure that no groundwater or land drainage is to enter public sewers.

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

Our investigations indicate that Southern Water can facilitate water supply to service the proposed development. Southern Water requires a formal application for a connection to the water supply to be made by the applicant or the developer.

KCC Flood and Water Management: Kent County Council as the Lead Local Flood Authority (LLFA) have reviewed the Drainage Impact and Flood Risk Assessment prepared by Tridax Ltd dated 14th July 2022 and have the following comments:

1. It is understood from the report that the surface water will be managed through discharging via the existing surface water outlets into the public combined sewer system at an unrestricted rate.

We also note that there may be scope to install a soakaway in the communal garden to discharge roof drainage from the rear elevation although this requires further investigation as part of the detailed design works.

2. As per KCC Drainage and Planning Policy Statement (2019) we would usually seek a minimum of a 50% reduction in the peak runoff rate over the current rate.

We understand from the design presented that achieving a 50% reduction with the space of the site would likely not be possible and therefore the continuation of an unrestricted discharge into the combined sewer looks to be the only feasible solution. We acknowledge that there would be the creation of a 100m² that would no longer be contributing to the combined sewer.

The LLFA would advise as part of the detailed design works the incorporation of rainwater harvesting systems are explored. The LLFA would seek for best endeavours to reduce discharge rates where possible and would seek that this is considered as part of the detailed design stage.

3. Further to the above, any proposed connection into the surface water sewer should be made in discussion with Southern Water and we would advise that they are consulted with these proposals also. It is noted within the report that the existing connections to the combined sewer are not proven at this stage and a CCTV survey was advised and should be undertaken as part of the detailed design stage.

4. As of the 10th of May 2022, the Environment Agency's climate change

allowances have been updated. As part of this update, revisions have been made to the 'Peak Rainfall Intensity Allowances' that are used in applying climate change percentages to new drainage schemes. The LLFA would now seek the 'upper end' allowance is designed for both the 30 (3.3%) and 100 (1%) year storm scenarios. The latest information on the allowances and map can be found at the following link:
<https://www.gov.uk/guidance/flood-risk-assessments-climate-change-allowances>.

Should the LPA be minded to grant approval to the proposed development, we would request for the following conditions to be attached:

Condition:

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

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

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

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

Reason:

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

Condition:

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

Reason:

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

This response has been provided using the best knowledge and information submitted as part of the planning application at the time of responding and is reliant on the accuracy of that information

KCC Biodiversity: No ecological information has been submitted with this application. As a result of reviewing the data we have available to us, and the information submitted with the planning application, we advise that the proposed development has limited potential to result in ecological impacts. We have taken this view due to the location of the site, the position, type and condition of the existing building, the limited availability of vegetated habitats for protected or priority species within the site and immediate surrounding area, and the lack of local records. As such, we are satisfied that there is no requirement for an ecological survey to be carried out at this time.

Protected Species and Habitats

The site lies 715m inland of the Thanet Coast Special Area of Conservation (SAC) and within the Impact Risk Zones of Thanet Coast SSSI located 1.3km to the north-east, and Sandwich Bay to Hacklinge Marshes SSSI located 1.7km south-west. Aerial photographs indicate that the red-line boundary of the site comprises built development. Vegetation is limited to tree planting associated with adjacent parking areas to the rear of the building.

No records of protected species have been made for the site or surrounding 1km area within the last ten years. There are no mapped ponds within 250m of the site, although garden ponds may be present. There are no GCN records within the MAGIC Map Application for within 5km of the site.

Roosting Bat Informative

The site photographs have been reviewed and the existing building has limited suitability for roosting bats – artificial lighting is present alongside the building and the nature of the building materials provide limited opportunity for crevice roosting species; no roof voids are present due to flat roofing. It is advised that the following informative accompanies any planning permission:

The applicant is reminded that Bats and their roosts are protected at all times by the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended). Planning permission for development does not provide a defence against prosecution under this legislation or substitute for the need to obtain a bat licence if an offence is likely. If bats or evidence of bats is found during the works, the applicant is advised to stop work and follow advice from an independent ecologist or to contact Natural England.

Breeding Bird Informative

There is potential for the existing building to support breeding birds. It is advised that the following informative accompanies any planning permission:

Any work to vegetation/structures that may provide suitable nesting habitats should be carried out outside of the bird breeding season (March to August) to avoid destroying or damaging bird nests in use or being built. If vegetation/structures need to be removed during the breeding season, mitigation measures need to be implemented during construction. This includes examination by an experienced ecologist prior to starting work and if any nesting birds are found, development must cease until after the juveniles have fledged.

Habitat Regulations Assessment (HRA)

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

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

We note Natural England have been consulted with regard to HRA and are “of the view that if the (SAMMS) 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”, and are “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”, providing that no other adverse impacts are identified during the appropriate assessment by Thanet District Council.

Conditions or Obligations should be put in place to secure the measures and contributions required.

Biodiversity Net Gain and Enhancements

Under section 40 of the NERC Act (2006), paragraph 174 of the NPPF (2021) and the Environment Act (2021), biodiversity must be maintained and enhanced through the planning system. Additionally, in alignment with paragraph 180 of the NPPF 2021, the implementation of enhancements for biodiversity should be encouraged.

Paragraph 180 of the NPPF 2021 states that “opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity”. In addition to any necessary compensation and mitigation measures, the applicant should ensure that the proposed development provides ecological enhancement measures.

Examples of suitable ecological enhancements for the site include:

- Green roofs and walls with native planting
- Urban tree planting
- Native-species landscaping in association with access and parking areas
- Integral or wall-mounted bat boxes
- Integrated or wall-mounted bird boxes, including those for declining species, such as Swifts, House Sparrow and Starlings.

Lighting and Biodiversity

Planning decisions should limit the impact of pollution from artificial light on nature conservation (NPPF Para 125). The proposals should include details of any artificial lighting within the development and an assessment of the impact of proposed lighting on nature conservation (during construction and operational phases, including possible impacts on mitigation and compensatory habitats), and should demonstrate that adverse impacts would be avoided. With regard to the proposals artificial lighting impacts on ecological enhancements should be avoided.

KCC Public Rights of Way: No comment.

KCC Highways: Nil parking is proposed which is acceptable due to the town centre location of the site.

A cycle store is accessed via George Street, where residents will be allocated 1 or 2 spaces depending on the number of bedrooms.

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

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 a 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.

Guidance for applicants, including information about how to clarify the highway boundary and links to application forms for vehicular crossings and other highway matters, may be found on Kent County Council's website:
<https://www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/highways-permissionsand-technical-guidance>. Alternatively, KCC Highways and Transportation may be contacted by telephone: 03000 418181.

KCC Economic Development: The County Council has assessed the implications of this proposal in terms of the delivery of its community services. These impacts will require mitigation, either through the direct provision of infrastructure or the payment of an appropriate financial contribution.

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

Necessary;
Related to the development; and
Reasonably related in scale and kind

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

Community Learning - £16.42 per dwelling. Total £656.80. Towards additional resources, equipment and services at Broadstairs Adult Education Centre to assist with the education and training of the new learners from this development.

Youth Service - £65.50 per dwelling. Total £2,620.00. Towards additional equipment and resources for Thanet youth Services in Thanet to enable early prevention and outreach provision in the vicinity of this development.

Libraries - £55.45 per dwelling. Total £2,218.00. Towards additional resources, equipment and book stock (including digital infrastructure and resources) to be made available at Ramsgate Library.

Social Care - £146.88 per dwelling. Total £5,875.20. Towards specialist accommodation in Thanet. All homes built as wheelchair accessible and adaptable dwellings in accordance with building regulations part M 4(2).

Waste - £92.72 per dwelling. Total £2,178.80. Towards improvements at Thanet Household Waste and Recycling Centre to increase capacity.

Broadband - Condition: Before development commences details shall be submitted for the installation of fixed telecommunication infrastructure and High-Speed Fibre Optic (minimal internal speed of 1000mb) connections to multi point destinations and all buildings including residential, commercial and community. The infrastructure installed in accordance with the approved details during the construction of the development, capable of connection to commercial broadband providers and maintained in accordance with approved details. Reason: To provide high quality digital infrastructure in new developments as required by paragraph 114 NPPF.

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

Applicants/agents should consult us as Designing out Crime Officers (DOCO's) to address CPTED and incorporate Secured By Design (SBD) as appropriate. We use details of the site, relevant crime levels/type and intelligence information to help design out the opportunity for Crime, Fear of Crime, Anti-Social Behaviour (ASB), Nuisance and Conflict.

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

We request a condition for this site to follow SBD Homes 2019 and SBD Commercial 2015 guidance to address designing out crime to show a clear audit trail for Designing Out Crime, Crime Prevention and Community Safety and to meet our Local Authority statutory duties under Section 17 of the Crime and Disorder Act 1998.

1. Perimeter, boundary and divisional treatments must be 1.8m high. Any alleyways/ side entrances must have secure side gates, which are lockable from both sides, located flush to the front building line to optimise surveillance.

2. Parking - To help address vehicle crime, security should be provided for Motorbikes, Mopeds, Electric bikes and similar. SBD or solid ground or wall anchors can help provide this. To minimise the opportunity for crime, vehicles should be parked in areas with natural surveillance, where they can be seen from an "active" window i.e. lounge or kitchen. Not providing secure parking for a development of this size can result in conflict and misuse of the local area as well as nuisance parking.

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

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

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

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

5. For the main communal doors audio/visual door entry systems are required. We strongly advise against trade buttons and timed-release mechanisms, as they permit unlawful access and have previously resulted in issues with Crime and ASB.

6. We recommend "A GUIDE FOR SELECTING FLAT ENTRANCE DOORSETS 2019" for buildings featuring multiple units, any covered access must deflect loitering that can stop residents and their visitors from using it without fearing crime. Entrance doors must be lit and designed to provide no hiding place.

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

8. For cycle storage, we advise on the use of ground/ wall SBD or sold secure anchors within a lockable shed or storage area. Bin storage must also be secure with access control. Please note commercial and residential bin and cycle stores must be segregated to prevent conflict.

9. CCTV is advised for all communal entry points (both commercial and residential buildings) and the mail delivery area to monitor who enters/ exits the buildings.

10. For the commercial buildings we also recommend alarms be installed, preferably with an autodial function, as an additional layer of security.

11. Mail delivery to meet SBD TS009 are strongly recommended for buildings with multiple occupants along with a free standing post box of SBD/Sold Secure approved Gold standard. If mail is to be delivered within the lobby, there must be an access-controlled door leading from the lobby to the apartments/ stairs on the ground floor to prevent access to all areas. This standard would also be suitable for the commercial buildings, if there will be no dedicated personnel responsible for accepting mail.

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

NHS Kent and Medway: NHS Kent and Medway has delegated co-commissioning responsibility for general practice services in East Kent and is the body that reviews planning applications to assess the direct impact on general practice.

I refer to the above full planning application which concerns the proposed residential development comprising up to 40 dwellings.

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

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

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

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

For 40 flats £22,032 towards refurbishment, reconfiguration and/or extension of Dashwood Medical Centre and/or The Grange Practice and/or East Cliff Medical Practice and/or Summerhill Surgery and/or Newington Road Surgery and/or towards new general practice premises development in the area.

Justification for infrastructure development contributions request - This proposal will generate approximately 61 new patient registrations based on the dwelling mix provided. The proposed development falls within the current practice boundaries of Dashwood Medical Centre, The Grange Practice, East Cliff Medical Practice, Summerhill Surgery and Newington Road Surgery.

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

TDC Housing: Within Thanet District Council's Local Plan (adopted July 2020), SP23 requires residential schemes of 10 or more units to provide 30% of the dwellings as affordable housing, including extra care facilities falling under the Use Class C3.

To be policy compliant, a contribution of 30% affordable housing (AH) across the 40 units (whole site) is required. The 30% AH shall be split 25% First Homes, 70% Affordable Rent (AR) and 5% Shared Ownership (SO) which equates to 12no. AH units - split 3no. FH, 7no.AR and 2no. SO. However, the exact tenure split can be confirmed during the course of the application process.

In the submitted Design & Access Statement prepared by Kudos ADS on behalf of JDP (Ramsgate) Limited (no date), it provides the following statement: "The proposed development is for the erection of a new building providing 40 new apartments, including affordable housing, and the creation of 5 commercial units."

Upon review of the application, it requires a contribution of 30% affordable housing to be compliant with Policy SP23. The exact mix, tenure and location of the units can be discussed and confirmed during the application process.

TDC Environmental Health: Thank you for consulting Environmental Protection on the above planning application; the following comments are offered in relation to: Air Quality, Noise and Contaminated Land.

Air Quality

As the development does not propose any parking spaces and there is existing retail in use at ground floor no air quality conditions are proposed other than the control of dust through a CEMP.

Noise

The Design and Access Statement states: "6.5 SOUND INSULATION

The scheme has been designed to comply with Part E of the Building Regulations. The existing building lends itself to the conversion of the building. The floors are comprised of a steel deck with cast concrete which will provide excellent standards of density and resistance against the passage of air borne sound. New construction will be timber frame and designed to meet current Robust details and a specification will be agreed with an Acoustic Engineer to manage compliance with Part E of the Building Regulations.

The applicant will commission a Noise Impact Assessment upon the relaxation of the current lockdown Regulations. This report will focus upon the noise impact of the development upon the adjoining properties / occupiers."

Approved document E only seeks to attain adequate insulation between residential dwellings. The sound reduction necessary for separating the first floor flats from ground floor retail will need to go beyond this, and the following condition is recommended:

Condition - COMMERCIAL/RESIDENTIAL NOISE TRANSMISSION

Prior to the commencement of the development hereby approved, details of the construction of the ceilings and floors that separate the (first floor residential units from ground floor

commercial units) shall be submitted to and approved by the Local Planning Authority. The ceilings and floors shall resist the transmission of airborne sound such that the weighted standardised difference (DnT, W + Ctr) shall not be less than 53 decibels. The weighted standardised difference (DnT, W) a spectrum adaption term, Ctr, is quoted according to BS EN ISO 16283-1:2014 Acoustics - Field measurement of sound insulation in buildings and of building elements Part 1: Airborne sound insulation. The work shall then be carried out in accordance with the approved details prior to occupation of the premises and be retained thereafter.

An acoustic assessment of compliance with condition (x) shall be submitted to the Local Planning Authority prior to occupation of the premises hereby permitted. Any further mitigation measures recommended in the assessment to meet the criteria stated within condition (x) shall be submitted in writing for the written approval of the Local Planning Authority within 1 month of the assessment. All works which form part of the approved scheme shall thereafter be implemented in accordance with a timetable to be agreed in writing by the Local Planning Authority and thereafter maintained.

Condition – Construction Environmental Management Plan

Prior to the commencement of the development a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The Construction Environmental Management Plan shall be in accordance with BS5228-1:2009+A1:2014: Code of Practice for Noise and Vibration on Construction and Open Sites and IAQM Guidance on the Assessment of dust from demolition and construction 2014; the Plan shall include mitigation measures.

Condition - CONTROL OF EXTERNAL APPARATUS

Prior to the erection or installation of any extraction system at the site details of such shall be submitted to and agreed in writing by the Local Planning Authority. No extraction system other than that agreed in writing by the Local Planning Authority shall be erected or installed at the site.

No fans, louvres, ducts or other similar apparatus shall be installed externally without the prior written approval of the Local Planning Authority.

Contaminated Land

Condition - UNSUSPECTED CONTAMINATION

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.

TDC Waste and Recycling: We have concerns regarding the proposed access to the bin store via Meeting Street car park. We already collect from a couple of properties via that location and are worried about restricted access due to inconsiderately parked vehicles.

As with all new developments we wish to be kept advised of progress. As always we have concerns around access, parking, street furniture placement and residents being moved onto the site prior to building works being completed. For us to collect we will need to see proof of vehicle tracking, site completion and will need to make a site visit prior to collections starting.

TDC Conservation Officer: *Further Comment* - 60 To 68 High Street And 1 To 11 George Street is a site located within Ramsgate Conservation Area, in close proximity to the main shopping thoroughfare of Ramsgate.

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. 'NPPF Section 16, Paragraph 197 states, In determining applications, local planning authorities should take account of (c) the desirability of new development making a positive contribution to local character and distinctiveness.

The existing building is proposed for demolition, given it offers little to the setting and appearance of the surrounding conservation area by virtue of its heavy form and design. As such the premise of its demolition is considered acceptable.

On initial review of the application some concerns were raised regarding the scale of the proposed and the relationship that this had with the surrounding roof scape. This has been addressed by alterations to the roof line to accommodate a more shaped approach with the use of dormers and a mansard form. Although I would consider that some harm is still caused here the overall benefit of the regeneration outweighs this implication.

The design of the proposed has taken some contemporary queues combined with traditional proportions and an overall vertical emphasis. The hope here is that it successfully integrates into the surrounding environment by representing modern and historic elements of the surrounding environment.

As per the NPPF Section 16, Paragraph 197 this new development would make a positive contribution to the surrounding area and as such I do not object to the proposed. Overall the site will be improved and as such so will the setting and appearance of the surrounding environment.

Initial Comment - Following a review of the initial application I would make the following comments-

Overall scale is quite large however I do appreciate that there is precedent in the immediate surrounding environment and existing street scene.

That being said I do have some concerns with the relationship the proposed mansard has with the adjacent property, especially that on the South facing elevation. This appears quite

stark against the existing roof form on the left hand side. I think a stepped roof form here would create a more cohesive integration.

Reviewing the roof plans, the angle of the mansard roof is minimal and would ideally be increased to be fully legible so that it was fully perceivable as such. At the moment it is incredibly steep.

Reviewing the information provided there appears to be a reduced level of evaluation of the impact of the proposed development of the adjacent listed properties. It has been made clear that they are adjacent and relevant, however no extended further review of the scheme has been provided. A large amount of the focus has been on the surrounding conservation area as a whole, which is still necessary, however a greater level of detail needs to be provided for the listed properties.

I think the key to this application will be quality materials and features, cohesively integrating it into the surrounding conservation area and that of the adjacent listed properties. Overall I do believe this scheme to be amendable to a stage where it is not considered to cause significant harm to the nearby heritage assets.

COMMENTS

This application is reported to Planning Committee at the request of Cllrs Austin and Wing for Members to consider the potential overdevelopment of the site and mix of flat sizes proposed.

The key issues in the determination of this application include the principle of development, character and appearance, impact on designated heritage assets, living conditions, highways, affordable housing and mix of units, drainage and flooding, ecology and archaeology.

Principle

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

Policy SP01 states that the primary focus for new housing development in Thanet is the urban area. Policy H01 refines this approach stating that permission for new housing development will be granted on sites allocated in the plan for residential development and non allocated sites within the confines of the urban area and villages. Policy SP11 seeks to support continued regeneration and development of Ramsgate and seeks to support main town centre uses in accordance with Thanet Local Plan Policy E04 which refers to Primary and Secondary Frontages within the town centre. The policy states residential uses will be permitted above ground floor level only.

The High Street frontage of the application site lies within Ramsgate town centre. The town centre is largely characterised by retail/commercial development on the ground floors with

residential units above. This development would largely follow this pattern and is considered that there are no in principle objections to the proposed development. The George Street frontage of the site is not within the town centre and the development takes the opportunity to create residential accommodation at ground level as well as the upper floors in this part of the development, not objection is raised in relation to this as George Street is almost wholly residential in nature.

It is also noted that the proposal will make a contribution to the Council's housing supply and this is welcomed. 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, and paragraph 120 outlines how "substantial weight" should be given to the value of using suitable brownfield land within settlements for homes. Paragraph 125 states that "where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site". The Council currently cannot demonstrate a 5 year supply of housing, therefore, positive weight in the determination is given to the provision of 39 units on a brownfield site in a town centre location.

Character and Appearance

The application site is within the Ramsgate conservation area and there are several listed buildings within the surrounding area. Given this, an assessment of the impact of the proposed development on the historic and architectural importance of the conservation area and listed building are required.

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. Policies HE02 (Development in Conservation Areas) and HE03 (Heritage Assets) are also relevant to this application. HE02 states that within conservation areas, development proposals which preserve or enhance the character or appearance of the area will be permitted and states that where proposals are for extensions that they will be granted

where the character, scale and plan form of the original building are respected and the extension is subordinate to it and does not dominate principal elevations, 8) Appropriate materials and detailing are proposed and the extension would not result in the loss of features that contribute to the character or appearance of the conservation area. Policy HE03 states 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 Ramsgate Conservation Area Appraisal was adopted in March 2022. The application site is identified as lying within character area 2 in the appraisal - the historic commercial core. This encompasses the town centre and is arranged along 4 principal streets - High Street, Harbour Street, Queen Street and King Street. It states that most buildings within that character area have a commercial function, often with flats to the upper floors, and that development is very dense and built hard up to the pavement, with a prevailing height of three to four storeys. The application site is identified as being "*unsympathetic twentieth century commercial units*" and identified as an opportunity for enhancement.

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

This application would see the demolition of the existing building and the erection of a four storey building incorporating a mansard roof.

The existing building is considered to be of little architectural merit and, as noted above, is identified in the Ramsgate Conservation Area Appraisal as an opportunity for enhancement. No objection is, therefore, raised to its demolition.

Adjacent to the application site on the High Street is no. 70, a Grade II Listed three storey property used as offices with accommodation at roof level within a mansard roof. The surrounding section of the High Street contains predominantly three storey properties (with some four story examples) with a mixture of Georgian, Victorian and 20th architecture with pitched, hipped and mansard roofs. On the George street frontage, the site is opposite a large single storey flat roof addition at the rear of multiple High Street properties, and is directly adjacent to no.13 George Street, a three storey 20th century property. Further down George Street within the same section of the road is a large 4 storey development on the

corner of George Street and Meeting Street, approved in 2003 and accommodating 20 flats, with a mansard roof, rendered ground floor with brick above.

The proposed development would largely maintain the character established in the historic commercial core of Ramsgate of commercial buildings with residential above. Whilst the proposed building would be a single building, the introduction of a number of separate frontages and doors to the ground floor, together with its vertical emphasis would add interest to the building and read as several units turning the corner of the High Street and George Street in a uniform way reflecting the traditional pattern of development on this site and within the surviving surrounding area but with a modern design and approach. The materials proposed (including brick, render, and slate) are all materials found in the surrounding area and will help to add interest to and break up the mass of the proposed building. The introduction of an amenity area, albeit small to the rear of the building, is also welcomed.

The proposal has been amended during the consideration of the application to propose timber windows to the High Street and George Street elevations with heritage UPVC vertical sliding sash windows to the Meeting Street elevations. This has been confirmed with the revised Design and Access Statement for the application. This approach is welcomed and is considered an appropriate balance with the primacy of the elevations, with the High Street and George Street being prominent and highly visible and the Meeting Street elevation being to the rear and less prominent.

Concerns have been raised by local residents as to the height of the proposed building. It is noted that historically there were buildings of some 3 to 4 storeys on the application site and taller buildings are characteristic of corner plots generally and that buildings within the commercial core of Ramsgate are generally of a similar scale with a vertical emphasis. Given this, it is not considered that the height of the proposed building would be out if keeping with the character or appearance of the surrounding area and the fact that the top floor is set within the mansard roof will help to lessen any perception of its height.

The Council's Conservation Officer has reviewed the proposal and raises no objection to the development on the basis that the design of the proposed has taken some contemporary cues combined with traditional proportions and an overall vertical emphasis and that it successfully integrates into the surrounding environment by representing modern and historic elements of the surrounding environment. She concludes that the proposed development would make a positive contribution to the site and the setting and appearance of the surrounding environment.

The views of the Conservation Officer are acknowledged and shared. It is, however, noted that the introduction of domestic and non domestic paraphernalia such as downpipes and meter boxes in appropriate locations have the potential to downgrade an otherwise positive scheme. As such it is considered appropriate that details and the location of proposed drainage goods and meter boxes shall be submitted and agreed with the Council. This would be secured via a condition as would details of materials for the proposed building.

No. 70 High Street to the west of the application site is a Grade II listed building. It is 4 storeys with a basement and it is considered that the proposed building would sit

comfortably against this building in terms of height and design and would more readily reflect the historic relationship between no. 70 and buildings on the application site. It is, however, recognised that there is a need to safeguard no. 70 during the demolition of the existing building and the construction of the proposed building and it is considered appropriate to secure details of how this will be achieved via a condition.

It is also recognised that the application site is in fairly close proximity to the Grade I St George Church. As set out above, the proposed development would reflect the scale and form of historic development on the application site and whilst it is accepted that it may affect specific views of the church that are currently achieved, it is not considered that the development affects the significance of the church.

With the appropriate safeguarding conditions, it is considered that the proposed development would meet the guidance of policies SP35, SP36, QD02 and HE02 of the Local Plan and the advice in the NPPF.

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 and QD04 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 states the requirement for all new dwellings to meet the Nationally Described Space Standards (March 2015). Policy GI04 states that new family dwellings (those with 2 or more bedrooms) will be expected to incorporate garden space in order to provide a safe "doorstep play area" for young children. With doorstep playspace being defined as playspace for young children which is immediately adjacent to, closely visible and safely accessible from the dwellings served.

It is considered appropriate to assess both the standard of accommodation that will be provided for future occupiers with the proposed development and also the impact of the proposed development on surrounding occupiers. Each will be considered in turn below.

The new units would meet the standards required under policy QD04, but concerns were raised when the application was originally submitted as to whether 2 of the proposed ground floor 1 bed flats would receive adequate light and ventilation. The applicants considered this and subsequently combined the two units to make one larger 2 bed unit. Following this change, it is considered that all of the proposed flats would have adequate light and ventilation. It is noted that there are limited areas where amenity space could be provided

other than to the rear of the application site where a small area of amenity space is proposed to serve the residents of the proposed development. The constraints of this town centre site are, however, noted and this must be considered together with the sustainable location of the site and that occupiers would be within walking/cycling distance of the beach and other open spaces. It is also noted that a contribution to the open space area in Boundary Park has been requested from the applicants and confirmed in the submitted unilateral undertaking.

Concerns were originally raised by Environmental Health about the impact of the non residential uses on the residential amenities of future occupiers. As such, they have advised that a condition requiring details of the construction of floors and ceilings within the building to be submitted and agreed to minimise the transmission of airborne sound between residential and non residential uses with works carried out in accordance with these approved details. An assessment of compliance with the approved details would also need to be conditioned. It was also considered appropriate to condition that details of any extraction system, fans, ducts or similar plant should be submitted to and approved by the Council prior to their erection/installation to ensure that the noise impact of them do not cause an adverse impact on the residential amenities of the residential part of the proposed development and also surrounding occupiers.

Given the above and the recommended safeguarding conditions, it is considered that the proposed development would provide a good standard of residential accommodation for future occupiers.

It now falls to consider the impact on the proposed development on adjoining occupiers.

Nos. 59, 61, 63, 65, 67, 69 and 71 High Street, are located opposite the High Street Frontage of the application site. These buildings are mainly traditional in appearance and vary between 2 and 3 storeys in height, with commercial at ground floor levels and presumably residential to the upper floors. Whilst it is noted that the proposal would add additional windows to the upper floors facing these buildings, there would be some 20 metres between the proposed development and the closest of these building and given this, it is not considered that there would be any adverse impact from the proposed development on these properties in terms of overlooking or loss of light.

To the east of the application site across George Street lies no. 58 High Street. The building is now vacant and ranges from 3 storeys fronting the High Street to single storey as it returns into George Street. There are no openings within the flank elevation of no. 58 facing the application site and it is not considered that there would be any adverse impact on no. 58 from the proposed development. It is also noted that there is some potential for obscure views from the development to rear area of no. 31 to 35 Cavendish Street which also lie to the east of the application site. It is, however, noted that any such views would at the best be angled and the area is already only semi private as an access way runs to the rear of these buildings. Given this, the general close knit pattern of development within such historic areas and the fact that there is some 25 metres between the proposed development and these areas, it is not considered that there will be any significant adverse impact on these buildings from the proposed development.

No 13 George Street sits to the south of the application site. This building is 3 storeys in height and has a commercial unit to the ground floor with residential accommodation to the upper floors. It also appears that there may be a roof terrace to the property. There is the potential for overlooking from windows in the south elevation of the proposed development, but it is considered that this could be dealt with via a condition requiring any such windows to be obscure glazed.

No 70 High Street, sits to the west of the application site and is 4 storeys with a basement. Again this is in commercial use at ground floor with residential to the upper floors. It is noted that there is a two storey rear extension which projects along the boundary between no 70 and the proposed development which appears to be in residential use. This projection has windows to its end, but projects past the proposed rear elevation of the proposed development and it is not considered that there would be any adverse impact from the proposed development on the residential amenities of the occupiers of that part of the property. It is, however, noted that there is a window, currently boarded up, in the rear elevation of no 70 at third floor level. It is set in from the flank wall of the no. 70 and it is noted that the roof of the proposed building pitches away from no 70 at that point. Given this, it is not considered that there would be any adverse impact on the amenities of occupiers of no. 70 from loss of light or through the creation of a sense of enclosure.

As such, it is considered that the proposed development would provide a good standard of accommodation for future occupiers as well as not having a detrimental impact on the residential amenities of surrounding occupiers.

Highways

This proposal is for 39 new residential units and 5 commercial units on an application site in an extremely sustainable location within Ramsgate town centre within walking distance of many services and facilities and close to public transport connections. It is noted that no vehicle parking is proposed to serve the development, but secure and covered cycle parking would be provided to serve the occupiers of the proposed residential units.

Policy TP06 outlines that within the town centre of Ramsgate new development will not be required or expected to provide on site car parking spaces. It is, therefore, considered that the proposal would be highly unlikely to have a detrimental impact on the public highway given the existing on-street parking controls in the vicinity of the site and the highly sustainable location of the development. In addition, to the rear of the site is a public surface car park which whilst not available to residents, provides a paid parking provision.

KCC Highways have reviewed the application and confirm that they have no objection to the proposal coming forward without the provision of onsite vehicle parking on the basis that this is acceptable given the town centre location of the site. They confirm that, subject to the provision and retention of the proposed cycle parking, they raise no objection to the application.

Whilst the lack of parking has been raised as an objection to the development, the scheme complies with Policy TP06, and there would be no demonstrable harm to the local highway network from the development. Paragraph 111 of the NPPF states that "development should

only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe". Therefore any reason for refusal on this ground would be unreasonable in the view of officers.

Given the above, subject to the imposition of safeguarding conditions to provide cycle parking storage, it is considered that the proposed development would not have an adverse impact on the highway safety or the highway network in the surrounding area.

Affordable Housing

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

Affordable Housing is dealt with through Policy SP23 of the Thanet Local Plan setting out 30% as the starting point for negotiations on all qualifying developments of more than 10 dwellings. The proposal is for 31 dwellings and, therefore, under this policy there is a requirement for 9 (9.3) units of affordable housing.

The applicant has raised viability concerns with the provision of any affordable housing on site, which is set out within the viability section of this report. As a result no affordable housing is proposed through this development.

Policy SP23 states that 'the above requirements will only be reduced if meeting them would demonstrably make the proposed development unviable'. As such it is possible to comply with the policy if a submitted viability assessment demonstrates that the provision of affordable housing on the site is not a viable option.

Subject to the viability justification being accepted, the development would comply with Policy SP23 of the Thanet Local Plan. The viability justification is set out within the viability section of this report.

Viability Appraisal

Decisions on planning applications must be underpinned by an understanding of viability, ensuring realistic decisions are made to support development and promote economic

growth. Paragraph 57 of the National Planning Policy Framework outlines that it is up to an applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage, and the weight to be given to a viability assessment is a matter for the decision maker having regard to all the circumstances in the case, including whether the plan and the viability evidence underpinning it is up to date, and any change in site circumstances since the plan was brought into force.

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

A viability appraisal has been submitted for the scheme. The viability appraisal concluded that no affordable housing provision was achievable, whilst making provision for financial contributions requested by both the Council and KCC and the NHS.

The appraisal provided a number of scenarios outlining a range of amounts of affordable housing on site from 0-25%, all showing a negative residual value (before any comparison to Benchmark Land Value). The appraisal includes the provision of Section 106 contributions requested and outlined in the section below.

The report was reviewed independently by the Council's appointed consultants Dixon Searle Partnership (DSP), who have commented that when using a 15% GDV profit input (at the lower end of the range suggested by Planning Policy Guidance) and with no affordable housing, the scheme produced a residual land value of £260,497, significantly below the DSP determined benchmark land value of £529,000. This would mean that even without any affordable housing provision, the development would fail to reach the stated profit target of 15% GDV whilst supporting a suitable land value. DSP has identified that this is due to sales values being low in relation to build costs, having carried out their own research into property values in the area and assessing those submitted by the applicant (including commercial leases of the 5 units).

The building costs have been assessed in detail by DSP, looking at the allowances in the detailed cost breakdown including price per sqm using the median BCIS rate, external works, drainage, services all within the expected parameters rebased to a Thanet factor (so linked to local costs rather than regional). All percentage costs of fees (sales, agents, architects, marketing etc) are within expected ranges.

Whilst the viability appraisal does not include timings for construction meaning that the cash flow (and borrowing) can be factored in, DSP have run their own appraisal based on timings on similar schemes, indicating a project length of 33 months for construction and sale.

Sensitivity testing has been carried out by DSP in the event of a change in build cost or sales costs, which demonstrate that building cost would need to fall by 5%, or sales cost rise by 5% (without any rise in build cost) for any contribution to affordable housing to be viable. Given the current market circumstances, with predictions of a fall in prices in 2023 with no recovery until 2025, it is agreed that no contribution to affordable housing could be support in the scheme.

Therefore overall the consultants who have independently reviewed the viability appraisal for the housing scheme agree that the proposed development could not support any onsite provision of, or a contribution to affordable housing.

On this basis, the application fails to meet the aims and objectives of Policy SP23 in that it would fail to provide any affordable housing on site or a contribution towards its provision off site. However, the proposal would be in accordance with Policy SP23, as it has been demonstrated with independently assessed evidence that meeting the requirements of the policy would make the scheme unviable - therefore the requirement can be reduced.

Type and Size of Dwelling

Policy SP22 of the Thanet Local Plan requires that proposals for housing development will be expected to provide an appropriate mix of market and affordable housing types and sizes having regard to the Strategic Housing Market Assessment (SHMA) recommendations as may be reviewed or superseded.

The proposal is for the provision of 39 residential units - 2 three bed units, 5 two bed units and 32 one bed units. The Council's SHMA confirms that there is a need for 1 and 2 bed units. It is, however, noted that concerns have been raised about the large number of 1 bed units proposed in the scheme. Whilst it is acknowledged that the proposed development lies within the town centre, it is normally expected that there would be a more balanced mix of units at least in terms of 1 and 2 beds. Policy SP22 states that "Proposals for developments incorporating a higher proportion of flats will need specific justification"

It is, however, noted that the viability assessment supporting the assessment set out the mix proposed would only provide a profit of 15% GDV at the lower end of expected range and altering the mix of units to provide more 2 bed units would be likely to reduce profits even further to a point where the redevelopment of the site would be unlikely to come forward. In addition, the scale and form of development proposed in this town centre location contributes to a residential development comprising flat units rather than dwellinghouses, given the shape and depth of the site and its relationship with Meeting street at the rear.

Policy QD05 of the Local plan relates to accessible and adaptable accommodation. It states that accessibility provision in new developments as required by Building Regulations Part M4 shall be provided as follows: 1) 10% of new build developments will be expected to be built in compliance with building regulation part M4(2) (accessible and adaptable); 2) 5% of the

affordable housing units on housing developments will be expected to be built in compliance with building regulations part M4(3) wheelchair user dwellings.

Applied to this application for 39 residential units, it is considered that 4 units (3.9) would meet Part M4(2) of the building regulations and given that there would be no on site affordable housing provided in this instance, there would be no requirement for units that would meet Part M4(3).

It is, therefore, considered that the proposal will comply with the principles of Policy SP22 of the Thanet Local Plan in achieving an appropriate mix in the size and type of housing given the specific circumstances of the site and the viability position of its redevelopment.

Planning Obligations

Policy SP41 (Community Infrastructure) of the Thanet Local Plan states that development will only be permitted when provision is made to ensure delivery of relevant and sufficient community and utility infrastructure. Where appropriate, development will be expected to contribute to the provision of new, improved, upgraded or replacement infrastructure and facilities.

Such financial contributions would need to be secured via a S106 agreement or unilateral undertaking. The test for such contributions is that they must be fairly and reasonably related in scale and kind to the development proposed.

KCC have been consulted and have advised that there is a need for financial contributions towards community learning, youth service, libraries, social care and waste.

The community learning, youth service, libraries and social care contributions would be £640.38 towards additional resources, equipment and services at Broadstairs Adult Education Centre to assist with the education and training of the new learners from this development, £2,554.50 towards additional equipment and resources for Thanet youth Services in Thanet to enable early prevention and outreach provision in the vicinity of this development, £2,162.55 towards additional resources, equipment and book stock (including digital infrastructure and resources) to be made available at Ramsgate Library and £5,728.32 towards specialist accommodation in Thanet. A contribution of £2,124.33 is also requested towards improvements at Thanet Household Waste and Recycling Centre to increase capacity. It is considered that these requests meet the tests for inclusion within a S106 agreement under the CIL regulations as being necessary to make the development acceptable in planning terms, directly related to the development by virtue of their location and the need arising from new dwellings, and fairly related in scale and kind to the development.

A request has also been made by KCC that all homes be built as wheelchair accessible and adaptable dwellings in accordance with building Regulations Part M 4(2). As set out above, Policy QD05 of the Local Plan sets out the Council's policy in relation to the adaptable and accessible housing. Using this policy 4 dwellings would be required to be built in compliance with building regulations part M4(2). The applicants have agreed to provide these.

NHS Kent and Medway have requested a contribution of £21,744.00 towards refurbishment, reconfiguration and/or extension of Dashwood Medical Centre and/or The Grange Practice and/or East Cliff Medical Practice and/or Summerhill Surgery and/or Newington Road Surgery and/or towards new general practice premises development in the area. It is considered that this test meets the requirements for inclusion within a S106 agreement from the direct impact from the development on the provision of these services and the applicants have agreed to pay this contribution.

A contribution to the provision of off site open space of £34,125.00 towards facilities in the area is also required for this development. The contribution would be secured towards play equipment and facilities at Boundary Park in Ramsgate, which by location would be affected by the level of housing created, whilst using the open space calculator from the Council's adopted Supplementary Planning Document on Obligations.

The applicants have agreed to the provision of these contributions and a draft undertaking to that effect has been submitted. It is noted, however, that the applicants' bank has yet to sign up to the document. As such, in its current form it would not ensure that the required contributions/mitigation could be secured and therefore a signed legal agreement would still be required.

Habitat Regulations

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.

It is considered that the request meets the tests for inclusion within a S106 agreement. The required SAMM contribution for this development would be £8,912.00. An appropriate assessment has been carried out on the proposal in accordance with the Habitat Regulations.

Drainage and Flooding

Paragraph 150 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 of the Local Plan relates to surface water drainage and states that new development is required to manage surface water resulting from the development using sustainable drainage systems (SuDs) wherever possible.

A Drainage Impact Assessment including a Flood Risk Assessment was submitted with the application. It concludes that the *“site is identified to be within the extent of the Flood Zone 1 (Low Probability) and the development is classified in Table 2 of NPPF as being ‘more*

vulnerable' and is appropriate within this flood zone. It goes on to state that the proposed development will increase the peak flow rate of foul drainage to the public foul sewer from 2.92l/s to 7.92l/s, an increase of 5.0l/s. This is a brownfield development site where surface water runoff currently discharges off site to the adjacent public combined sewer. Approval will be required from Southern Water via an application to connect to the public combined sewer. Due to the development's footprint covering the majority of the site there is limited opportunity to introduce a SUDS solution to cater for the impermeable areas. Surface water run-off volume will continue to discharge off site to the public combined system. It should be noted that there is approximately 100m² of permeable surface finishes being introduced to the final landscaping details that will reduce surface water runoff from this site. There may also be scope to further reduce surface water runoff from the site by introducing a soakaway in the communal garden area to dispose of surface water from the rear roof section. A detailed foul and surface water disposal design will need to be prepared and submitted to the LPA for discharge of any reserved matter should planning approval be granted. Given the above, the site can be adequately drained, and is sustainable in terms of flood risk and that the proposals do not increase the risk to the neighbouring properties."

The Environment Agency, KCC's Flood and Water Management Team and Southern Water were all consulted and raise no objection to the proposal subject to the imposition of a condition to secure details of the proposed foul and surface water drainage schemes.

In this instance, the proposed development would be similar to that which currently exists on the site with most of the development site covered by built form other than a small area to the rear. As such, it is not considered that there would be any adverse impact on flooding or drainage from the proposed development however a condition to provide the proposed details of foul and surface water is required to ensure no adverse effect

Ecology

The NPPF states 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."

KCC Ecology have reviewed the application and confirm that given the nature and location of the site the proposed development has limited potential to result in ecological impacts and, as such, are satisfied that there is no requirement for an ecological survey to be carried out.

Given the location of the site and that the application site is essentially the building with limited space surrounding it, it is considered that there are limited opportunities in this instance to provide ecological enhancements. There is, however, the amenity space proposed to the rear and it is considered that a commitment could be made to provide some enhancements within those spaces through planning conditions..

Given the above, it is considered that the impact upon biodiversity is therefore considered to be acceptable, and in accordance with the NPPF, subject to the imposition of a condition to seek ecological enhancements.

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.

The Historic Environment Records for Kent have been consulted and it is noted that there are no archaeological structures recorded in the immediate surrounding area. It is, however, considered appropriate, given the location of the site in a conservation area and that there are records of historic development on the site, to impose a watching brief condition to ensure that any archaeological finds are recorded as appropriate.

Given this it is not considered that the proposed development would have an adverse impact on archaeology, subject to the imposition of safeguarding conditions.

Crime and Disorder

The NPPF requires that decisions should aim to achieve places which promote safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion.

The comments of the Police Designing Out Crime Officers on this application are noted, but it is considered that they go beyond much of what can be considered at the planning stage. It is considered appropriate that an informative is attached to any grant of planning permission to draw the applicant’s attention to Secure By Design and other initiatives.

Other Matters

Concerns have been raised by the Council's Waste and Recycling Manager about potential difficulties with the collection of waste from the proposed development. The applicants have sought to address their concerns, both commercial and residential bin storage areas are proposed to serve the development and a bin collection area is proposed to the rear of the amenity space proposed to serve the development. They advise that residential waste would be managed by a Facilities Management Team. Residents would be responsible for placing their waste in the correct bins within the storage area with the Facilities Management Team responsible for transferring the appropriate bins to the external collection point adjacent to the Meeting Street Car Park ready for collection and returning the bins to the storage area once emptied.

Concerns have been raised by local residents that the applicants did not carry out any consultation with existing tenants in the building prior to the submission of the planning application. There is no requirement for an applicant to carry out consultation prior to the submission of an application and it is confirmed that the Council has publicised the application via letters, a site notice and an advert in a local newspaper.

Local residents also suggest that the tenants in the existing building, particularly the stage school should be protected. As a town centre site, the proposal meets local plan policy in creating commercial units to much of the ground floor of the proposed building with residential above. It is not, however, for the Council as Local Planning Authority to dictate who should be allowed to occupy a particular commercial unit; such decisions would be a private matter for the owner of the building.

Conclusion

The application site is previously developed land within the built up area of Ramsgate and the proposal would make a modest contribution (39 dwellings), to the District's housing land supply as well as retaining commercial development on the lower floors as would be expected in this town centre location. There is no in principle objection to the proposed development and development of this type (high density on a brownfield site) is supported within the NPPF.

It is recognised that there would be some modest economic and social benefits, with minimal environmental harm from the introduction of built form (which is mitigated by the acceptable design) from the proposed development. The proposed development has been designed to respect its conservation area setting and provides a visual enhancement to this site within its context, and the development is, therefore, considered to preserve the overall significance of the designated heritage asset subject to safeguarding conditions. There are no adverse impacts from the proposal on residential amenity, highway safety or parking or ecology and flooding, subject to safeguarding conditions.

The SAMM and other contributions are proposed to be secured via a legal agreement, meaning that the development will not result in a significant effect on designated sites and provide contributions to local infrastructure. The proposal will not provide affordable housing, however the submission has demonstrated that this scheme would be unviable providing any on-site units, and, therefore, the proposal complies with Policy SP23 of the Local Plan.

The Council are unable to demonstrate a 5 year supply of housing, and therefore there is a presumption in favour of development unless demonstrable harm can be identified. The development will achieve improved social and economic benefits from the increased level of housing provision on the site, which is given significant weight in the determination of the application against paragraph 11 of the NPPF. The development would also preserve the character and appearance of the Conservation area without detrimentally affecting the setting of the adjacent Listed building, whilst enhancing the built form on the site to a more historically appropriate form of modern development given the surrounding architecture in the locality. These factors need to be weighed against the lack of affordable housing provision to be secured, but weight needs to be given to the fact that a full viability assessment has been carried out and these contributions have been accepted as reasonable following an independent assessment.

Given the above, it is considered that the proposed development is acceptable when considered against the policies of the Local Plan and the guidance within the National Planning Policy Framework.

It is therefore recommended that members defer and delegate the application for approval, subject to safeguarding conditions and the receipt of a signed unilateral undertaking securing the SPA and other contributions.

Case Officer

Annabel Hemmings

Annex 1: DSP - Viability Review

Annex 2: DSP 100% Market housing appraisal

TITLE:

F/TH/22/0979

Project

60 To 68 High Street And 1 To 11 George Street RAMSGATE Kent CT11 9RS

