

D06

F/TH/23/0236

PROPOSAL: Erection of 2No 4 bed two storey detached dwellings together with change of use of 3No barns to 1No 5 bed and 1No 4 bed two storey semi-detached dwellings and 4No 3 bed two storey semi-detached dwellings and change of use of 2No 3 bed dwellings to 1No 3 bed dwellings with associated landscaping following demolition of menage and associated stables/storage.

LOCATION: Crumps Farm Shuart Lane South BIRCHINGTON Kent

WARD: Thanet Villages

AGENT: Mrs Susanna Sanlon

APPLICANT: St. John's College (Cambridge)

RECOMMENDATION: Defer & Delegate

Defer and delegate to officers for approval subject to the receipt of a legal agreement securing the contribution towards altering the speed limit in the village and the following conditions:

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

GROUND:

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

2 The proposed development shall be carried out in accordance with the submitted application as amended by the revised drawings numbered 30216B_200, 30216B_201, 30216B_202, 30216B_203, 30216B_204, 30216B_205, 30216B_225 Rev A, 30216B_230 Rev B, 30216B_231 Rev B, 30216B_235 Rev B, 30216B_236 Rev A, 30216B_240 Rev A, 30216B_310 Rev A, 30216B_315 Rev A, 30216B_320 Rev A, 30216B_325 Rev A, 30216B_330 Rev B 30216B_335 Rev A, 30216B_415 Rev A, 30216B_420 Rev A, 30216B_425 Rev A, 30216B_430 Rev A, 30216B_435, received 14 February 2023, 30216B_105, 30216B_215 Rev B, 30216B_220 Rev B, received 03 March 2023, 30216B_210 Rev C, 30216B_410 Rev B received 18 April 2023, 05, 30216B_110 Rev G received 26 June 2023, 30216B_112 Rev G, 30216B_115 Rev D, 2203230-001 Rev B, 2203230-003 Rev A received 14 August 2023.

GROUND;

To secure the proper development of the area.

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

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

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

GROUND

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

4 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 NPPF.

5 The development hereby permitted shall be compelled in accordance with the submitted Bat Survey and Mitigation Strategy, KB Ecology, November 2022, received 14 February 2023.

GROUND

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

6 A landscape management plan (including long term design objectives), management responsibilities and maintenance schedules for all landscape areas, other than small,

privately owned, domestic gardens, shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development or any phase of the development, whichever is the sooner, for its approved use. The amenity areas shall be managed in accordance with the approved landscape management plan in perpetuity.

GROUND

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

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

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

GROUND

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

8

No development shall commence until a site characterisation and remediation scheme has been submitted to and approved in writing by the Local Planning Authority and the remediation scheme has been implemented in accordance with the approved details. The site characterisation, remediation scheme and implementation of the approved remediation scheme shall be carried out in accordance with the following criteria (a) Site Characterisation An investigation and risk assessment, in addition to any assessment provided with the planning application, shall be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment shall be undertaken by competent persons and a written report of the findings shall be submitted to and approved in writing by the Local Planning Authority, and shall include

- o A survey of the extent, scale and nature of contamination

- o An assessment of the potential risks to
- o Human health
- o Property
- o Adjoining land
- o Groundwaters and surface waters
- o Ecological system

- o An appraisal of remedial options and a recommendation of the preferred options

The site characterisation report shall be conducted in accordance with British Standards and current DEFRA and Environment Agency best practice.(b) Submission of remediation scheme A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include all works to be undertaken, proposed remediation objectives and remediation criteria, a timetable of works and site management procedures. The scheme shall ensure that the site cannot be considered as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.(c) Implementation of Approved Remediation Scheme The approved remediation scheme shall be carried out in accordance with its terms prior to the commencement of the development other than that required to carry out remediation. The Local Planning Authority shall be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out shall be submitted to and approved in writing by the Local Planning Authority

GROUND

To ensure that the proposed site investigation, remediation and 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.

9 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.

10 Prior to the commencement of development hereby approved an arboricultural method statement shall be submitted to and approved by the Local Planning Authority and should be carried out in accordance with the approved details.

GROUND

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

11 All hard and soft landscape works, including ecological enhancement features, shall be carried out in accordance with the approved details. The works shall be carried out prior to the first occupation/use of any part of the development, or in accordance with a programme of works to be agreed in writing with the Local Planning Authority.

Following completion of the landscape and enhancement works, photographic evidence of implementation shall be submitted to and approved in writing by the Local Planning Authority in order to verify the works have been completed in accordance with the approved plans, and to enable the full discharge of this condition. 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 as those originally planted, unless written approval to any variation is provided by the Local Planning Authority. All ecological enhancement features shall thereafter be maintained.

GROUND

In the interests of the visual amenities of the area, biodiversity enhancement, and to adequately integrate the development into the environment in accordance with Policies QD02, SP30 and GI04 of the Thanet Local Plan

12 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 the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100 year storm) can be accommodated and disposed of within the curtilage of the site without increase to flood risk on or off-site. The drainage scheme shall also demonstrate that silt and pollutants resulting from the site use and construction can be adequately managed to ensure there is no pollution risk to receiving waters.

GROUND

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

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

GROUND

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

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

GROUND

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

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

GROUND

To safeguard the 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.

16 Prior to the installation of any external windows and doors, joinery details at a scale of 1:5 of the windows and doors to include sections through glazing bars, frames and mouldings 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 and advice contained within the National Planning Policy Framework.

17 The rooflights hereby approved shall be 'conservation style' rooflights, set flush with the roof plane.

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 advice as contained within the National Planning Policy Framework.

18 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.

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

GROUND

To safeguard the significance of the adjacent Listed Buildings, Conservation area and the visual amenities of the area in accordance with Policies HE02, HE03 and QD02 of the Thanet Local Plan and the advice contained within the National Planning Policy Framework.

20 Prior to the first use of the site hereby permitted, the vehicular access and associated vehicle crossing point onto the highway, as shown on the approved plan numbered 30216B_110 Rev G and 2203230-001 Rev B should be completed and made operational.

GROUND

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

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

GROUND

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

22 Prior to the first occupation of the development hereby approved, details of the design of the electric vehicle charging points, to be located as shown on the approved plan numbered 30216B_110 Rev G shall be submitted to, and approved in writing by, the Local Planning Authority, and thereafter implemented and maintained as approved.

GROUND

To protect air quality, in accordance with Policy SP14 of the Thanet Local Plan and the advice as contained within the NPPF

23 Prior to the first occupation of the development, the area shown on approved plan 30216B_110 Rev G for the parking and manouvering of vehicles shall be operational. The area approved shall thereafter be maintained for that purpose.

GROUND

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

24 Prior to the first occupation of the development, the secure cycle parking facilities, as shown on approved drawing no. 30216B_110 Rev G 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.

25 Prior to the first occupation of the development, the refuse storage and collections points, as shown on approved drawing no. 30216B_110 Rev G shall be provided and thereafter maintained.

GROUND

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

26 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.

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

GROUND

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

28 Prior to the first occupation of the development hereby permitted, the footpath along the boundary of the site with Shuart Lane, as shown on the approved plan numbered 30216B_110 Rev G should be completed and made operational.

GROUND

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

29 Prior to the first occupation of the development hereby approved visibility splays shown on the submitted plans 2203230-001 Rev B shall be provided with no obstructions over 1.05m above carriageway level within the splays, which shall thereafter be maintained.

GROUND

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

30 Prior to the first occupation of the dwelling the following works between the dwelling and the adopted highway shall be complete

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

GROUND

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

INFORMATIVES

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

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.

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/>

It is the responsibility of the applicant to ensure, prior to the commencement of the development hereby approved, that all necessary highway approvals and consents where required are obtained and that the limits of highway boundary are clearly established in order to avoid any enforcement action being 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 such legislation and common law. It is therefore important for the applicant to contact KCC Highway and Transportation to progress this aspect of the works prior to commencement on site

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.

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

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

SITE, LOCATION AND DESCRIPTION

Crumps Farm contains a Grade II Listed historic 8 bay threshing barn, a further smaller historic threshing barn to the east and single storey stores sited along the southern boundary. These buildings appear as a group together from approximately 1870-1890 and given this, their siting and relationship with the main barn, the smaller barn and outbuilding are considered to be curtilage Listed. The site also contains a Dutch barn, a pair of cottages and a number of later single storey buildings and outbuildings. The site appears to have been most recently used as a livery yard.

The southern portion of the site, which contains all of the historic development with the exception of the Dutch barn, is located within the St Nicholas at Wade Conservation Area. Several Listed Buildings are located within close proximity to the site, including Grade I Listed St Nicholas Church, located immediately to the south of the site, and Ambry Court, located opposite the site to the west.

Views of the site can be obtained from Shuart Lane and the public footpaths that are located to the north and east of the site.

RELEVANT PLANNING HISTORY

L/TH/23/0237 - Application for Listed Building Consent for the change of use of 3No barns to 1No 5 bed and 1No 4 bed two storey semi-detached dwellings and 4No 3 bed two storey semi-detached dwellings and change of use of 2No 3 bed dwellings to 1No 3 bed dwellings with associated landscaping following demolition of menage and associated stables/storage. Pending consideration

F/TH/03/0766 -Erection of 2no. buildings to comprise 9no. livery stables (one 5no. stable block and one 4no. stable block) & the change of use & conversion of existing farm building to 3no. livery stables. Granted 16 September 2003

F/TH/03/0316 - Continued use, on a permanent basis, of former agricultural building for the purpose of livery stables for 10 horses, in accordance with the provisions of Section 73A(2)(a). Granted 14 May 2003

F/TH/98/0933 - Retention of use of agricultural building as livery stables for 13 horses in accordance with the provisions of section 73a(2)(a) together with provision of parking area for 10 cars. Refused 27 January 1999

F/TH/93/0757 - Change of use of agricultural building to do it yourself livery and stabling for 15 horses and adjoining tack room. Granted 26 February 1998

TH/89/0785 - Erection of two dwellinghouses. Granted 27 March 1990

PROPOSED DEVELOPMENT

The proposed development is the erection of 2No 4 bed two storey detached dwellings together with change of use of 3No barns to 1No 5 bed and 1No 4 bed two storey semi-detached dwellings and 4No 3 bed two storey semi-detached dwellings and change of use of 2No 3 bed dwellings to 1No 3 bed dwellings with associated landscaping following demolition of menage and associated stables/storage.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan 2020

SP01 - Spatial Strategy - Housing
SP13 - Housing Provision
SP14 - General Housing Policy
SP24 - Development in the Countryside
SP26 - Landscape Character Areas
SP27 - Green Infrastructure
SP29 - Strategic Access Management and Monitoring Plan (SAMM)
SP35 - Quality Development
SP36 - Conservation and Enhancement of Thanet's Historic Environment
SP43 - Safe and Sustainable Travel
SP44 - Accessible Locations
E14 - Conversion of Rural Buildings for Economic Development Purposes
H01 - Housing Development
GI04 - Amenity Green Space and Equipped Play Areas
QD01 - Sustainable Development
QD02 - General Design Principles
QD03 - Living Conditions
QD04 - Technical Standards
HE01 - Archaeology

HE03 - Heritage Assets
HE05 - Works to a Heritage Asset to Address Climate Change
CC02 - Surface Water Drainage
TP01 - Transport Assessments and Travel Plans
TP02 - Walking
TP03 - Cycling
TP06 - Car Parking

NOTIFICATIONS

Letters were sent to neighbouring properties, a site notice was posted close to the site and an advert was posted in the local paper.

Three letters of objection have been received raising the following concerns:

Highway Safety
Pedestrian safety
Increase in traffic
Proposed neighbouring development
Quality of information within the traffic survey
Access for emergency vehicles
Public right of way across the site
Impact upon the church
Impact upon the conservation area
Impact upon local facilities
Drainage
Impact upon the character and appearance of the area

CONSULTATIONS

Environment Agency - Due to the scale, nature and setting of this proposal and the supporting information submitted, we have assessed this proposal as low risk. We, therefore, do not have any specific comments to add.

Please note that although this proposal is considered as low risk, we would still need to be re-consulted if, during development, contamination not previously identified is found to be present at the site. This will be subject to a remediation strategy.

Historic England - Historic England provides advice when our engagement can add most value. In this case we are not offering advice. This should not be interpreted as a comment on the merits of the application.

We suggest that you seek the views of your specialist conservation and archaeological advisers.

KCC Biodiversity - *Updated comments received 19 July 2023*

We have reviewed the ecological information submitted by the applicant and advise that sufficient ecological information has been provided. We have taken this view due to satisfactory information having been provided following our previous response, including:

Photographic evidence to support the barn owl assessment which confirms no evidence of nesting;

Reptile survey information which confirms likely absence of reptiles;

Reference to protection of the Local Wildlife Site during construction through implementation of a CEMP.

If planning permission is granted, we advise that the conditions below are included.

CONSTRUCTION ENVIRONMENT MANAGEMENT PLAN (CEMP)

Prior to commencement of works (including site clearance), a construction environmental management plan (CEMP) will be submitted to and approved in writing by the local planning authority. The CEMP will include the following:

Risk assessment of potentially damaging construction activities;

Identification of 'biodiversity protection zones';

Practical measures (both physical measures and sensitive working practises) to avoid or reduce impacts during construction (may be provided as a set of species or habitat- specific method statements). This should include reference to pre-works surveys and mitigation measures for tree-roosting bats and barn owl;

The location and timing of sensitive works to avoid harm to biodiversity features;

The times during construction when specialist ecologists need to be present on site to oversee works;

Responsible persons and lines of communication;

The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person, and;

Use of protective fences, exclusion barriers and warning signs.

The approved CEMP will be adhered to and implemented throughout the construction period in accordance with the approved details.

LANDSCAPE MANAGEMENT PLAN

A Landscape Strategy Plan (Decimus Designs, June 2023) has been provided which includes retention of c. 40% of existing trees and a predominantly native species planting scheme. We advise that implementation of the Plan is secured by condition, to include habitat management information. Suggested wording:

Prior to completion, a Landscape Management Plan will be submitted to the Local Planning Authority for approval in writing. The Plan will include all habitat retention and creation measures detailed within the Landscape Strategy Plan, Decimus Designs, June 2023, in addition to the following:

Description and evaluation of features to be managed;

Constraints on site that might influence management;

Aims and objectives of management;
Appropriate management prescriptions for achieving aims and objectives;
Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period);
Details of the body or organisation responsible for implementation of the plan, and;
Ongoing monitoring and remedial measures.

The LMP will include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The approved plan will be implemented in accordance with the approved details.

BREEDING BIRD INFORMATIVE INCLUDING BARN OWL

The applicant is reminded that, under the Wildlife and Countryside Act 1981 (as amended), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this Act.

Habitats are present on and around the site that provide opportunities for breeding birds. Any work to vegetation/structures that may provide suitable nesting habitats should be carried out outside of the bird breeding season (1st March to 31st August inclusive) 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. This includes examination by a suitably qualified and experienced ecologist immediately prior to starting work. If any nesting birds are found, works must cease until after the birds have finished nesting

Barn owls have been recorded intermittently roosting at the site. Breeding barn owl are protected against disturbance under Schedule 1 of the Wildlife and Countryside Act 1981 (as amended). Works to structures should be carried out outside of the bird breeding season. Where this cannot be achieved, a pre-works check must be undertaken by a suitably qualified/experienced ecologist. If nesting barn owls are confirmed present, mitigation will be required to avoid disturbance of the birds while nesting. No works should be undertaken in the vicinity until nesting has finished.

BAT MITIGATION STRATEGY

All mitigation for bats will be carried out in accordance with the details contained in the Bat Survey and Mitigation Strategy, KB Ecology, November 2022, unless additional measures are required by Natural England. Should Natural England require less mitigation than that detailed within the report, then all remaining measures will be included as enhancements under NPPF 2021. Bat mitigation, and any enhancements, will be implemented as above and retained thereafter.

BIODIVERSITY ENHANCEMENT PLAN

Suggested wording: Within three months of works commencement (to ensure that integral features can be accommodated), details of how the development will enhance biodiversity will be submitted to, and approved in writing by, the local planning authority. This will include measures detailed within Section 4.10 of the Preliminary Ecological Appraisal report (KB Ecology, June 2022), including integrated and tree-mounted Woodstone/Woodcrete boxes for bats and for red or amber listed bird species. Bat boxes will include those suitable for summer and winter roosting. Two barn owl boxes will also be included in suitable locations within the site. The approved measures will be implemented and retained thereafter.

SENSITIVE LIGHTING PLAN

Artificial lighting has been proven to significantly impact on the behaviour of insects, birds, bats, and other nocturnal mammals. This is relevant to the habitats of the adjacent Local Wildlife Site, retained and created/enhanced areas of vegetation, and any proposed features such as bat and bird boxes. If planning permission is approved, we advise that the avoidance of increased artificial lighting impacts is secured through provision of a sensitive lighting plan. The Plan should be designed in accordance with National Planning Policy Framework 2021 and the Bat Conservation Trust's 'Guidance Note 8: Bats and Artificial Lighting 08/18' (or subsequent updates). Suggested wording:

Prior to completion, a lighting design plan for biodiversity will be submitted to and approved in writing by the local planning authority. The plan will show how and where external lighting will be installed and will include a baseline lighting assessment for the site/site boundaries. The Plan will detail the expected vertical and horizontal light spill in lux levels, so that it can be clearly demonstrated that areas to be lit will not increase lighting impacts on Local Wildlife Site, and areas of retained/proposed landscaping and biodiversity enhancement. All lighting shall be installed in accordance with the specifications and locations set out in the plan and be maintained thereafter. During occupation, no additional lighting will be installed without prior written agreement from the Local Planning Authority.

THANET AND CANTERBURY SAMMP

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 Plan (SAMMP) to mitigate for additional recreational impacts on the designated sites and to ensure that adequate means are in place to secure the mitigation before first occupation.

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 SAMMP there is a need for an appropriate assessment to be carried out as part of this application.

Initial comments received 11 May 2023

We have reviewed the ecological information submitted in support of this application and advise that additional information is sought from the applicant prior to determination of the planning application. This includes:

- o Further details of the barn owl assessment
- o Clarification regarding the presence / likely absence of reptiles
- o Assessment of potential impacts on the adjacent Local Wildlife Site.

This information should be included within a revised Preliminary Ecological Appraisal (or Ecological Impact Assessment if additional surveys are undertaken) and will need to be submitted prior to determination of the planning application. This is in alignment with paragraph 99 of the ODPM 06/2005, which states "it is essential that the presence or otherwise of protected species and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision"

DETAILED COMMENTS

Barn owl Section 3.5 of the Preliminary Ecological Appraisal (KB Ecology, June 2022) states: "Evidence of roosting barn owl *Tyto alba* was found in the Grade II listed threshing barn but nesting activity was not recorded and is not expected." The site photographs indicate free flight access into the barn and the surrounding habitat is described as suitable for foraging and potentially nesting. Barn owls do not build nests and require a cavity, hollow or a wide ledge in an elevated and hidden location. While it is acknowledged that the barn was visited for both the PEA and bat surveys during the bird breeding season and no sightings of parent birds were made, due to the hidden nature of nesting areas we require clarification of the extent of evidence recorded. This should include details of any ledge/platform and field signs such as white splashing, including clearly labelled photographs.

Reptiles

We require clarification regarding the potential for the site to support reptiles. Section 3.4 of the PEA report states: "There is restricted suitable reptile habitat on site in the shape of long grass and areas of nettles and ruderals. Such areas are regularly disturbed by the yard activities and thus the likelihood of reptiles being present is low. However slow worms are known to be present locally and could thus be present on site and hibernate under tree roots."

Given the above it is understood that reptile surveys have not been undertaken. However, section 4.4 of the PEA appears to provide a reptile mitigation strategy which refers to the site supporting a population of reptiles and outlines a trapping/translocation program:

"The proposal entails large garden areas and the creation of a 'Landscaped green buffer zone'. Thus it is expected that it will be possible to retain the population by enhancing an area of land outside the works footprint (with creation of brash/log piles and management aiming at enabling tussocky grassland to develop with areas to be mown on rotation).

Prior to any ground works starting, a relocation exercise should take place, entailing the erection of reptile-proof fence around all area of the site where ground works will take place, following some strimming (to force animals out of the trapping area), the installation of refuges and the trapping of animals for a number of sessions¹⁸ between March and October, during suitable weather conditions (i.e. cool weather with no heavy rain but sunny intervals between showers, and ambient air temperatures between 10-20C)."

We require further information as to whether the site is deemed sufficiently suitable for reptiles to require a presence/likely absence survey. Should this be the case then survey results and details of any required mitigation will need to be submitted prior to determination (in EclA format).

Local Wildlife Sites

The proposed development is located adjacent to TH 13 St Nicholas at Wade Churchyard Local Wildlife Site (LWS). These sites are non-statutory designated sites which are important for the conservation of wildlife in Kent and it should be demonstrated within the proposals that impacts to the LWS have been considered and mitigated for. This LWS has been designated for its grassland and lichen communities. An assessment of potential impacts of the development on the LWS during both construction and operation phases, including dust, lighting, hydrology, exposure and shade, is required.

KCC Flood and Water Management - Unfortunately the surface water drainage strategy is incomplete. We would therefore recommend the application is not determined until a complete surface water drainage strategy has been provided for review.

At a minimum, a drainage strategy submission must comprise:

A location plan

A site layout

A drainage proposal schematic or sketch

A clear description of key drainage features within the drainage scheme (e.g. attenuation volumes, flow control devices etc.)

Information to support any key assumptions (e.g. impermeable areas, infiltration rates etc.)

Supporting calculations to demonstrate the drainage system's operation and drainage model network schematic

Drainage strategy summary form (from our Drainage and Planning Policy Statement)

Consideration of key questions and / or local authority planning policy requirements.

KCC Highways - *Updated comment received 08 September 2023*

Revised plans have been submitted which now demonstrate the truing of a 13m long refuse vehicle, and these are acceptable.

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

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

Completion and maintenance of the access shown on the submitted plans prior to the use of the site commencing.

Provision and maintenance of the visibility splays shown on the submitted plans 2203230-001 Rev B with no obstructions over 1.05metres above carriageway level within the splays, prior to the use of the site commencing.

Use of a bound surface for the first 5 metres of the access from the edge of the highway. Provision of measures to prevent the discharge of surface water onto the highway.

Completion of the following works between a dwelling and the adopted highway prior to first occupation of the dwelling: (a) Footways and/or footpaths, with the exception of the wearing course; (b) Carriageways, with the exception of the wearing course but including a turning facility, highway drainage, visibility splays, street lighting, street nameplates and highway structures (if any).

Provision and permanent retention of the vehicle loading/unloading and turning facilities shown on the submitted plans 2203230-003 Rev A prior to the use of the site commencing.

Provision and permanent retention of the vehicle parking spaces shown on the submitted plans 30216B_110 Rev G prior to the use of the site commencing.

Provision and permanent retention of the Electric Vehicle charging spaces shown on the submitted plans prior to the use of the site commencing. All Electric Vehicle chargers provided for homeowners in residential developments must be provided to Mode 3 standard (providing a 7kw output) and SMART (enabling Wifi connection). Approved models are shown on the Office for Low Emission Vehicles Homecharge Scheme approved chargepoint model list: <https://www.gov.uk/government/publications/electric-vehicle-homecharge-scheme-approved-chargepoint-model-list>

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.

Provision and permanent retention of the internal pedestrian footpath, as indicatively shown on site plan 30216B_110 Rev G, prior to the use of the site commencing in accordance with details to be submitted to and approved by the Local Planning Authority.

The applicant is to progress by their best endeavours the implementation of a Traffic Regulation Order for a 20mph zone through the village, to include The Street, The Length, Manor Road, Shuart Lane, Down Barton Road and Court Road, in accordance with details to

be submitted to and approved by the Local Planning Authority. This should be implemented prior to the first occupation at the site.

Updated comments received 27 July 2023

Further to my previous comments, revised plans and information have been submitted. Having reviewed these I have the following comments to make.

A drawing has been submitted demonstrating the tracking for a 13m long refuse vehicle, however there is no scale bar against which I can assess this. In addition tracking needs to be demonstrated within the site itself, to show that a vehicle of this size has sufficient space to enable it to turn around so it can exit in a forward gear.

I am satisfied with the revisions to the parking layout, however I do need to see the tracking for a refuse vehicle within the site to confirm the EV charging space for plot 5 will not impinge on this.

Bicycle storage for Plots 7,8 and 9 is acceptable.

I note the comments regarding maintaining access to the adjacent farmland which is acceptable.

A pedestrian footway has been provided internally within the site, running parallel with Shuart Lane and this is acceptable. No additional pedestrian signage has been indicated on any plans, but I am content to apply a suitable worded condition for this aspect.

I am still of the opinion that the requested 20mph zone through the village is the most appropriate way to improve pedestrian safety for future residents within the village, and as such our request for this to be implemented as part of this application remains.

The applicant has stated that as an alternative they would be willing to provide a footway link to PROW TE2 which runs to the northwest of the site. This would also require PROW TE2 to be upgraded to ensure it is suitable for pedestrians to use. However this route would be unlit and in my eyes not attractive for pedestrians and future residents to use. I would also have concerns that the area this PROW crosses is land that houses livestock, and it would not be safe for pedestrians to be expected to use this as a regular access from the village to their homes, especially at night. The PROW team here at KCC would need to be consulted on this aspect and can provide figures and further details for this upgrade.

The proposed footway link has not been demonstrated on any plans, This footway link is outside of the red line area for this application, and I am unable to find a blue line drawing confirming the extent of land under the ownership of the applicant. I would point out that if the section of PROW TE2 requiring an upgrade does not fall on land owned by the applicant, then the applicant would have to seek permission from the land owner. In addition this may also restrict the ability of the applicant to provide a footway link to PROW TE2.

Initial comments received 16 May 2023

The proposals are for redevelopment of the site to provide a total of 9 three and four bedroom dwellings. The site is located on Shuart Lane, a rural road serving a small number of dwellings which commences at The Street and terminates before the A299 Thanet Way.

A Transport Assessment has been submitted to accompany this application. Having reviewed this and other relevant submitted documents I have the following comments to make.

The existing access to the site is to be used, albeit re-designed so it is suitable to serve the proposed 9 dwellings.

TRICS has been interrogated to determine the traffic movements that will be generated by the proposals. This has shown that the proposals will generate 4 two way movements in the AM peak (08.00 - 09.00hrs) and 5 two-way movements in the PM peak (17.00 - 18.00hrs), with a total of 37 way two movements over a 12 hour period. As such the traffic movements generated by the proposed 9 dwellings would have a negligible impact on the highway network, and in line with the NPPF cannot be classed as severe. As such in terms of highway capacity and safety this proposal would not warrant a recommendation of refusal on these grounds.

An Automated Traffic Counter survey was conducted to determine driven speeds on Shuart Lane in the location of the existing access. This has demonstrated the driven speeds are low in this vicinity, (17.7mph northbound and 23.2mph southbound). Visibility splays based on these speeds have been demonstrated on the proposed site access plan and I am content to accept these.

Tracking has been shown for a 12.1m long refuse vehicle, however, Thanet District Council Refuse Services team use vehicles that are 13m long. In addition tracking has only been shown for a vehicle making a right turn in/ left turn out of the site. We would expect to see all directions shown, to ensure the access is appropriately designed (a refuse vehicle may visit this site first prior to visiting other properties located further north along Shuart Lane).

I note that an access is to be retained to the remainder of land belonging to the applicant between Plots 4 and 5, however I could see no narrative to explain why this will remain.

I note that the site plan has been re-submitted, which would appear to take into account the comments of the PROW team here at KCC. However the plan does not show the full extent of the site (especially Plot 1), or indicate the PROW TE1 itself to show that the proposed block plan does not interfere with this PROW.

The parking allocation is acceptable, the only comment I would make is that the visitor parking bays are not obvious and located at the two furthest ends of the site. However as the site is not to be adopted, this is an observation only. I do note that the EV charging bay for Plots 5 may interfere with the turning circle of a refuse vehicle. In addition the parking for Plot 6 is located opposite the plot itself, how would the EV charging point be provided?

Plots 7,8 and 9 do not appear to have bicycle storage facilities - the storage buildings at the rear of the gardens may provide this but there is no narrative to confirm this.

Shuart Lane is rural in nature, however the development has the potential to increase pedestrian footfall along here. Given the narrow lane here, and to provide a safer means for residents to access the village, the applicant should provide an internal footpath, that links from within the site, close to the entrance, along the boundary to Plot 9 and emerge at the south western most corner of the site, onto Shuart Lane. In addition, 'Pedestrians in Road' warning signs should be placed at the entrance of Shuart Lane, to advise drivers to be vigilant with their speed.

In addition, to facilitate improved safety for pedestrians, we would ask the applicant to implement a 20mph speed limit zone throughout the village. Due to geometry constraints in the vicinity of the site, it is not possible to install additional pedestrian footways on neighbouring roads, to provide safe access to local amenities. However the implementation of a 20mph zone throughout the village will be of benefit not just to new residents but also to the village as a whole, providing a safer pedestrian environment where they do have to use the main carriageway to navigate through the village. The cost of this would be no more than £15,000 (exact figures can be confirmed prior to any decision being made on this application).

KCC Public Rights of Way - Updated comments received 07 September 2023

The revised plans have addressed my concerns, but I must stress that there should be no planting within a metre and a half of the footpath adjacent to the east of plot 1. Neither should there be any obstructions on this side such as parking or storage.

Plot 1 has been adjusted, as long as this reflects the actual build I have no further objections.

Initial comments received 21 March 2023

The proposed development directly affects Public Right of Way TE1A the location of which is indicated on the attached extract of the Network Map of Kent. The Network Map is a working copy of the Definitive Map. The existence of the right of way is a material consideration.

The Definitive Map and Statement provide conclusive evidence at law of the existence and alignment of Public Rights of Way. While the Definitive Map is the legal record, it does not preclude the existence of higher rights, or rights of way not recorded on it.

We do not appear to have been consulted on this application. The application makes no reference to Public Right of Way TE1A and is not shown on the plans, which is directly affected by the proposals. As the application is currently presented, I must object to it for the above reason. I would ask that the applicant submit an amended application reflecting the existence of the right of way, and indicating how it will be dealt with. Having looked at the plans, plot 1 appears to obstruct the public right of way.

The grant of planning consent does not entitle the developer to obstruct the Public Right of Way. In order to avoid delays, the diversion or extinguishment of the right of way should be considered at an early stage. Where it is probable that consent will be granted, it is sensible

to initiate consultation on proposed alterations to the path network as soon as possible. It is important that your Authority are in a position to make the necessary Orders at the point at which consent is given

General Informatives:-

1. No furniture may be erected on or across Public Rights of Way without the express consent of the Highway Authority:
2. There must be no disturbance of the surface of the right of way, or obstruction of its use, either during or following any approved development:
3. There should be no Closeboard Fencing or similar structure over 1.2 metres erected adjacent to a highway used by vehicles (including bicycles) or in any circumstance which will block out the views:
4. No hedging or shrubs should be planted within 1.5 metres of the edge of the Public Path. Please also make sure that the applicant is made aware that the granting of planning permission confers on the developer no other permission or consent or right to close or divert any Public Right of Way at any time without the express permission of the Highway Authority.

Natural England - No objection subject to securing appropriate mitigation for recreational pressure impacts on habitat sites (european sites).

This advice relates to proposed developments that falls within the 'zone of influence' (ZOI) for the following European designated site[s], North Kent Special Protection Area (SPA). It is anticipated that new residential development within this ZOI is 'likely to have a significant effect', when considered either alone or in combination, upon the qualifying features of the European Site due to the risk of increased recreational pressure that could be caused by that development. On this basis the development will require an appropriate assessment.

Your authority has measures in place to manage these potential impacts in the form of a strategic solution Natural England has advised that this solution will (in our view) be reliable and effective in preventing adverse effects on the integrity of those European Site(s) falling within the ZOI from the recreational impacts associated with this residential development. 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.

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

- The 150 mm diameter combined sewer requires a clearance of 3 metres on either side of the combined sewer to protect it from construction works and to allow for future access for maintenance.
- No development or new tree planting should be carried out within 3 metres of the external edge of the combined sewer without consent from Southern Water.
- No soakaways, swales, ponds, watercourses or any other surface water retaining or conveying features should be located within 5 metres of a public combined sewer.
- No soakaways, swales, ponds, watercourses or any other surface water retaining or conveying features should be located within 5 metres of a public or adoptable gravity sewer.
- All existing infrastructure should be protected during the course of construction works.

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

Southern Water requires a formal application for a new connection to the public sewer to be made by the applicant or developer.

The Council's Building Control officers or technical staff should be asked to comment on the adequacy of soakaways to dispose of surface water from the proposed development.

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.

TDC Arboricultural Consultant - *Updated comments received 25 August 2023*

The Tree Protection Plan now includes a note that root protection areas, areas of ground protection and no-dig around trees, particularly around the now retained Sycamore in G6, may need to be revised once initial clearance works have taken place to accurately plot trees in relation to the build area. This is acceptable.

It should be in the form of a site specific Arb Method Statement (SSMS), to be submitted for approval under a condition on any grant of planning consent. (See reference to an SSMS in my comments dated 27th June.)

Updated comments received 27 June 2023

My initial comments suggested consideration of the retention of selected trees within groups 3, 6, 7 & 8. I did not suggest retention of the entire groups and accept that the majority are of poor quality. I have no objection to the removal of such trees.

I understand the difficulty of assessing individual trees in dense groups with overgrown vegetation impeding access, but at the time of my site visit a number of trees did appear to be in better condition. However I also understand that clearing around such trees may reveal structural issues, unbalanced canopy growth or incompatible ground levels that mean

retention is not possible. In principle the retention of existing trees of reasonable quality is likely to provide a better landscape setting, as in my experience getting new tree planting established on development sites can be challenging. However I accept this presents its own challenges.

I note that the revised plans propose the additional retention of the larger Sycamore in G6. Having reviewed my notes and photos, and on the basis of the difficulties noted above, I am happy to accept removal of the other trees in G's 6 & 7, also the Hawthorn T3 for a vision splay and the Sycamore in G8 as a small tree not visible from the public realm.

I also note the proposed provision of a footpath just inside the site boundary wall along Stuart Lane. The line of the footpath crosses the root protection areas (rpa's) of T's 4 & 5 and the revised Tree Protection Plan shows ground protection and manual excavation for these areas (also for the driveway and parking area in the rpa of T4). Rather than excavation I would hope the developers would use a "no-dig" construction to prevent root damage.

There is a note on the Tree Protection Plan proposing a site specific method statement for details of the location and specification of fencing and ground protection, provided as a condition on any consent, once initial clearance has taken place. This is sensible but any condition should require implementation of the tree protection measures before any construction related activity other than initial clearance takes place. Note that: - The ground protection / "no-dig" footpath construction may need to be extended to the newly retained Sycamore in G6 - from recollection, the size of the tree suggests the rpa shown on the plan may be too small. - Areas of proposed tree planting and soft landscaping should also be fenced, to protect soils from compaction during any demolition or construction works.

The species suggested in the Landscape Strategy Plan are a reasonable selection but more detailed proposals showing specific locations and planting sizes should be submitted, also perhaps as a condition.

Initial comments received 31 May 2023

These comments are based on documents provided with the application and a site visit on 17th May 2023.

The Application proposes two new detached dwellings and the conversion of existing farm buildings to residential use.

An Arboricultural Survey and Impact Assessment, dated September 2022, has been submitted in support of the application. It identifies six individual trees (4x Sycamore, 1x Hawthorn, 1x Silver Birch) and six groups of trees (predominantly Sycamores, with some Hawthorn and Birch, also a group each of Cypress and of Laurel) on the site. Recommendations in the schedule of trees suggests all but two mature Sycamore are to be removed, but this is not entirely clear from the tree removal plan at Appendix 4 (which suggests T's 1 & 2 (young Sycamore, 7m to 8m in height) are also to be retained).

A tree removal plan from Clague Architects (also dated September 2022) appears to be based on a slightly different tree location base plan. This plan is not annotated with tree numbers from the report, and differs slightly from the plan in the Arb Survey.

These comments are based on the numbering and location provided as part of the Arb Report.

T1 Sycamore Small, young tree, not shown on the Clague plan. Proposed fell to clear utility wires in Arb report. Although on boundary with Shuart Lane it's growing into o/h wires and not considered appropriate to retain.

T2 Sycamore Small, young tree, shown removed on Clague plan and proposed fell to clear utility wires in Arb report. It's growing immediately adjacent to a utility pole and into o/h wires, not considered appropriate to retain.

T3 Hawthorn Group of early mature trees at entrance, proposed fell in Arb report to provide visibility splay, not shown on Clague plan. Potentially nice feature at the entrance, attempt retain if not within vision splay.

T4 Sycamore Mature tree, proposed for retention. Likely multi-stemmed, condition hidden by dense ivy and may need checking / cleaning out but not that close to proposed dwelling so support retention.

T5 Sycamore Mature tree, proposed for retention. As above, likely multi-stemmed, condition hidden by dense ivy and may need checking / cleaning out but away from proposed dwelling so support retention. Crown possibly unbalanced by previous cutting back from adjacent utility pole.

G6 Sycamore Group of trees adjacent to road, in the south-west corner of the site, proposed for removal and replacement. There appears to be a very large Sycamore at the northern end of the group, in apparently good physiological condition, but dense undergrowth hides whether it is a single multi-stemmed tree or a collection of separate stems. It is well away from development and I would like to see some initial clearance to see whether it is suitable for retention. The other trees in the group cannot really be assessed due to the extent of vegetation around them but again some initial clearance may reveal some worthy of retention.

G7 Identified as a "messy" group of Birch, Sycamore and Hawthorn in the Arb report, to be removed and replaced. Not shown on Clague plan. The area is very overgrown with much dead wood, with the majority of trees not seen from the road. Generally support removal and new planting but there is a Sycamore adjacent to the road in the south-west corner of the site that perhaps could be looked at for retention.

G8 Appears to be a relatively young Sycamore surrounded by dense ivy and bramble, proposed for felling and replacement. Unclear if it would be in the garden to Plot 7 or a landscaped green buffer zone shown on proposed site plan. Not a significant tree, and not visible from the road, but could perhaps be retained to provide some age to the landscaping scheme.

G9 Cypress Linear group of trees near barn, proposed for removal. They are in poor condition, previously topped at around 5m, with dead wood and broken branches. Support removal.

T10 Birch Mature tree, close to retained buildings, proposed for felling. In poor condition, support removal.

G11 Laurel Likely planted as a hedge and now overgrown. Only partially shown on Clague plan. Support removal.

G12 Identified as Elder, Buddleia and bramble scrub, to be removed to accommodate development proposals. Again, only partially shown on Clague plan. A linear group or overgrown hedge immediately adjacent to an existing farm building, poor condition, support removal.

I noted a couple of other trees, not listed in the survey. One is a young Sycamore, currently growing immediately adjacent to an existing farm building being removed, possibly shown retained on the Site Plan in the garden to Plot 1. I think retention would be optimistic and have no objection to removal.

The other is a young, clipped Holly on the garden boundary of the existing cottage, shown removed on the Clague plan. Not a significant tree, no objection to removal.

TDC Conservation Officer - Updated comments received 15 August 2023

Following a review of the proposed amendments I maintain my no objections to the proposed work.

Initial comments received 03 May 2023

Crumps Farm is a complex of listed, industrial and out building properties located within the St Nicholas at Wade conservation area, a short distance from the main village thoroughfare. This application looks to redevelop the site as whole, demolishing modern functional aspects and then constructing more design conscious residential dwellings.

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.'

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

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

Reviewing the design and access statement the general principle of this application is that where possible the existing fabric is going to be retained where possible and incorporated into the development alongside new features which would not appear out of context in the same setting. Where fabric is failing or past repair a sympathetic or industrial choice has been made in order to reflect the scheme that was approved throughout the rest of the site. Given the nature of the buildings being reinstated and their industrial and functional past, this approach is supported and deemed appropriate and positive. It is clear throughout images included as part of the application, as well as the site visit, that if no action is taken these buildings will degrade further and will likely fail at some point and become unusable.

More specifically the listed barn has been very much treated in the manner discussed above. Features which are currently lost or failing are to be reinstated whilst the main structure and fabric of the barn will remain as it is just incorporated into the scheme. There is no requirement for the removal of the detailed timber frame in order to add an additional floor to the property which is positive, with all remaining lower bays staying intact too. Elsewhere in the scheme newly proposed properties are reflective of the form and palette already in existence across the site and therefore considered to form a cohesive and balanced appearance.

The design approach to the proposed redevelopment appears to be thoughtful of the constraints of the site whilst reflective of the land's agricultural past and functional use. These design principles have not only been applied to the buildings themselves but also any proposed smaller outbuildings and garages. the existing and proposed boundary treatments, hard surfaces and generalised landscaping. All of which combined result in a cohesive scheme which appears appropriately in the context of the existing listed farmhouse whilst retaining character and a clear definitive influence.

The surrounding conservation area will be somewhat impacted by the proposed changes as part of this development due to the nature of change within its context. With that being said the conversion of these properties ensures their future use and maintenance, ultimately improving the external outlook of the site and as such its setting and appearance in the context of the surrounding conservation area.

Overall I would consider the setting and the appearance of the main listed property preserved and improved by the proposed scheme. Whilst the additional assets of historical importance sympathetically converted, ensuring their sustained maintenance and use as part of the farm complex. As such I consider that local and national legislation has been complied with and I do not object to the application proposed.

If this application was to be approved I would suggest conditions providing samples of any external materials alongside a schedule of detailed drawings for the windows as well as a finalised landscaping and hardstanding plan.

TDC Environmental Health - A Phase 1 contamination report has been submitted and reviewed, indicating a low-medium risk for contaminations given the former agricultural use. It recommends sampling and the following safeguarding condition is recommended. In terms of noise impacts, the proposed use will have less potential for adverse effects than the current commercial use.

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

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

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

(ii) An assessment of the potential risks to:

Human health;

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

lines and pipes;

Adjoining land;

Ground waters and surface waters;

Ecological systems;

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

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

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

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

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

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

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

TDC Waste and Recycling - 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.

COMMENTS

This application has been called in to the Planning Committee for a decision by Councillors Reece Pugh and Abi Smith with concerns about increased traffic, the impact upon biodiversity, trees, heritage assets, highway safety, the local community and services.

Principle

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

The NPPF states that housing applications should be considered in the context of the presumption of sustainable development. In determining whether housing on the site would be acceptable, the need for housing in the district will, therefore, need to be balanced against other issues such as the impact upon the countryside, sustainability of the site, character and appearance of the proposed development and highway safety.

Policy SP01 sets out the spatial strategy for the district. It states that the primary focus for new housing is the district's urban area. The supporting text to the policy explains that the strategy has been determined by the size and geography of the district with the largest settlements following the coast forming the urban area. It also reflects constraints such as international and national wildlife designations and the presence of predominantly grade 1 agricultural land beyond the urban area.

Policy SP24 (Development in the Countryside) of the Local Plan states that development on non-allocated sites in the countryside will be permitted for either:

- 1) the growth and expansion of an existing rural business;
- 2) the development and diversification of agricultural and other land based rural businesses;
- 3) rural tourism and leisure development;
- 4) the retention and/or development of accessible local services and community facilities; or
- 5) the redevelopment of a brownfield site for a use that is compatible with its countryside setting and its surroundings. Isolated homes sites in the countryside will not be permitted unless they fall within one of the exceptions identified in the National Planning Policy Framework.

All development proposals to which this policy applies should be of a form, scale and size which is compatible with, and respects the character of, the local area and the surrounding countryside and its defining characteristics. Any environmental impact should be avoided or appropriately mitigated.

At the current time, the District Council cannot demonstrate a 5 year supply of housing land. Consequently, the Council's policy SP01, which focuses housing development within the urban area, is considered out-of-date and the weight attached to this policy is limited. In accordance with paragraph 11 of the NPPF, applications for housing should be considered in the context of the presumption in favour of sustainable development. Paragraph 11 of the NPPF describes the presumption in favour of sustainable development and closes by saying that where development plan policies are out of date, planning permission should be granted "unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole or specific policies in this Framework indicate development should be refused".

The site is located close to the village confines and comprises a number of existing structures including an existing dwelling.

Given the above, the benefits of the development including the provision of additional housing, must be weighed against any harm that may result.

Character and Appearance

As part of the site is located within the St Nicholas at Wade Conservation Area the Council must take into account Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, which requires that in relation to conservation areas, 'special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the area.'

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 SP36 of the Thanet Local Plan states that "The Council will support, value and have regard to the historic or archaeological significance of Heritage Assets.."

Policy HE02 of the Thanet Local Plan states that 'within conservation areas, development proposals which preserve or enhance the character or appearance of the area, and accord with other relevant policies of this Plan, will be permitted'. For extensions the policy requires that 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'; and that '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 of the Thanet Local Plan states that proposals that affect both designated and non-designated heritage assets, will be assessed by reference to the scale of harm, both direct and indirect, or loss and the significance of the heritage asset in accordance with the criteria in the National Planning Policy Framework.

Policy QD02 of the Thanet Local Plan states that the primary planning aim in all new development is to promote or reinforce the local character of the area and provide high quality and inclusive design and be sustainable in all other respects.

The site falls within the St Nicholas at Wade Undulating Chalk Farmland Landscape Character areas as defined by policy SP26 of the Thanet Local Plan. Within these areas development proposals should demonstrate how they respect and respond to the character, key sensitivities, qualities and guidelines of the relevant landscape character areas. All development should seek to avoid skyline intrusion and the loss or interruption of long views of the coast and the sea, and proposals should demonstrate how the development will take advantage of and engage with these views.

Development proposals that conflict with the above principles will only be permitted where it can be demonstrated that they are essential for the economic or social well-being of the area. In such cases, landscape impacts should be minimised and mitigated as far as possible.

The single storey barns in the north western corner of the site adjacent to Shuart Lane, the large barn located to the rear of the Dutch Barn, the outbuildings located to the east of the Dutch Barn and the stores adjacent to the listed barn are considered to be of limited historical or architectural merit and, therefore, their demolition is not considered to result in any significant harm to the character and appearance of the area.

The dwellings on plots 2, 3, 5, 6, 7, 8 and 9 would be created through the conversion of existing buildings on the site and are set away from the entrance to the site.

Plots 2 and 3 would be created through the conversion of an existing Dutch Barn. The existing metal cladding would be replaced with new metal cladding and new openings would be inserted in the elevations of the building. These alterations would not significantly alter the form of this building.

Plots 5, 6 and 7 would be created through the conversion of the existing cottages and the attached barn. Plots 8 and 9 would be created through the conversion of the grade II listed barn. Plot 5 is currently two dwellings, however appears to have originally been one dwelling that was converted to two dwellings following the addition of extensions to the eastern and western sides of the property. The demolition of these extensions and the conversion of this building back to a single dwelling is considered to help restore a historic arrangement of this part of the site and improve the appearance of this building. The proposed extension is considered to be of an appropriate scale and design. The existing attached and detached store buildings around these plots would be removed and plots 6-9 would be located within the existing main barn buildings. The corrugated cladding would be removed the elevations and roofs of these barns and replaced with Kent Peg tiles and black weatherboarding. The existing brick and flint plinths would be retained and repointed. A number of doors and windows would be inserted around these barns and the pitched roof midstreys would be resorted to the southern elevation of the listed barn. The applicant has provided historic photographs and the proposed design and arrangement of these buildings would appear to closely reflect the historic design and form.

Plot 1 is a new dwelling that would replace the existing stable and store buildings in the north western corner of the site and would be the closest dwelling to Shuart Lane. The existing buildings are clearly visible from Shuart Lane, the entrance to the site and the public right of way. They are considered to be of limited architectural merit and their removal is not considered to result in any significant harm to the character and appearance of the area. The proposed dwelling would be two storeys in height and constructed from brick and black weatherboarding to the elevations and Kent Peg roof tiles. The design and materials are considered to be appropriate for the character of the area and whilst it would be clearly visible from the public realm, given the quality of the existing buildings in this location the proposed dwelling would have a neutral impact upon the setting of the nearby listed buildings and the adjacent conservation area.

Plot 4 is also a new build dwelling and has been designed as a Dutch Barn similar to the existing Dutch Barn at plots 2 and 3. This dwelling would be positioned on the location of an existing single storey store building and close to the large building that is currently located to the north. Given the existing Dutch Barn on the site the provision of a new dwelling with the same form is considered to be appropriate.

The proposed new build dwellings would not extend closer to the listed barn than the existing Dutch barn and the removal of the existing store buildings around the site is considered to be a significant improvement in the space around the buildings and the wider site. Gardens for the dwellings would be directed towards the boundaries of the site and a green buffer zone is proposed to the rear of the gardens on the northern and eastern

boundaries of the site. The creation of additional space on the site through the removal of a number of the existing buildings and the arrangement of the gardens and buffer zones is considered to provide a suitable transition to the surrounding open countryside.

The existing entrance to the site would be widened and a permeable bound gravel surface is proposed across the site with cobble setts for parking demarcation. The site is currently covered by a mixture of hard surfaces that are in a significant state of disrepair. The proposed hard surfacing would provide a consistent appearance across the site and is considered suitable for the rural and historic context.

The site is largely open with hard surfacing, however there are pockets of trees and soft landscaping around the site and due to the limited recent use a number of areas are overgrown. A tree report has been submitted with the application and reviewed by the Council's Arboricultural Consultant. As noted above the southern part of the site is located within the Conservation Area, however there are no Tree Protection Orders on the site. The initial plan proposed the removal of a number of individual trees and groups within the site. Two large trees were identified for retention on the boundary with Shuart Lane, however the remaining trees and soft landscaping would be removed from this boundary. During the application process an amended plan was submitted to provide a footpath within the site along the boundary with Shuart Lane from the boundary with the church to the entrance to the site. This amended plan has identified an additional tree on this boundary to be retained. The existing trees on the site are considered to be of limited quality and the trees located away from the boundaries are considered to have a limited contribution to the amenity of the area. The removal of the soft landscaping and trees on the boundary with Shuart Lane would be the most visible alteration to the site in terms of existing landscaping. The amended plan has identified the largest trees in this area to be retained and the smaller trees and bushes in this area are considered to be of limited quality and could be removed without permission. The amended landscaping strategy proposes the planting of a large number of trees across the site, with many located on the northern, eastern and southern boundaries. Native hedgerows would also be planted around the boundaries of the dwellings and along the boundary of the proposed footpath. Following the submission of the amended plans, including tree protection measures and details of the no-dig construction of the proposed footpath the Council's Arboricultural Consultant has raised no objection to the development. Full details of the proposed landscaping and an arboricultural method statement would be secured by condition. It is acknowledged that this development would remove some of the existing soft landscaping around the site, however much of this landscaping could be removed without permission and the proposed soft landscaping is considered to be a significant improvement to the quality of the landscaping across the site.

This development would result in a change to the character and appearance of the site, however the alterations are considered to be a sensitive and considered approach to the change of use and redevelopment of the buildings and the site.

Given the existing buildings and the space around the site, this proposal is not considered to result in any significant harm to the character and appearance of the area, the conservation area, or the setting of the adjacent listed buildings. The alterations to the historic buildings on the site would change their character and appearance, however the removal of the modern buildings and stores is considered to be a significant improvement to the arrangement of the site and the proposed new dwellings are considered to be of a suitable scale and design.

Living Conditions

The closest residential dwellings are located to the south and west of the site.

On the western side of the site the closest neighbouring property is Ambry Court located on the western side of Shuart Lane. Given the location of this neighbouring property, the proposed dwellings are not considered to result in any significant loss of light sense of enclosure or overlooking.

The existing store buildings on the southern boundary of the site would be retained and converted to outbuildings for use in association with plots 7, 8 and 9.

No windows are proposed in the first floor southern side elevation of plot 7 and this existing building would not be altered in scale. Plots 8 and 9 would also be located in an existing barn and this building would also not be altered in scale. There would be a separation distance from the southern end of plot 7 to the boundary with the closest neighbour of 12m. There would be a separation distance of 26m from plots 8 and 9 to the closest neighbour. There are no neighbouring properties to the north and there would be a separation distance of 80m to the closest property to the east.

The use of the site for residential development is not considered to result in a significant increase in noise and disturbance compared to the existing use to warrant refusal of the application.

Given the arrangement of the site and the proposed dwellings this development is not considered to result in any significant loss of light sense of enclosure or overlooking to the neighbouring properties.

Noise and disturbance during construction is considered to be temporary in nature and would be covered by other legislation outside of the planning system/

All of the proposed dwellings would exceed the space standards set out in policy QD04 of the Thanet Local Plan and all habitable rooms would receive natural light, outlook and ventilation. All dwellings would also be provided with secure doorstep playspace that would comply with policy GI04 of the Thanet Local Plan. It is therefore considered that the proposed development would provide an acceptable standard of accommodation for the future occupants.

Transportation

The existing vehicular access from Shuart Lane would be used to access the site. Some minor alterations would be required to this access to ensure that adequate visibility and space is provided for vehicles, including refuse lorries to access the site. Tracking plans have been provided during the application process and demonstrate that vehicles up to the size of a 13m long refuse lorry can enter and exit the site in both directions in a forward gear.

Each dwelling would benefit from a minimum of two allocated parking spaces with the larger dwellings being allocated three spaces. Each dwelling would also have an electric vehicle charging point and cycle storage in the rear gardens. Two visitor parking spaces would be provided in the site. Given the proposed number of spaces it is considered that adequate parking would be provided within the site.

There are a number of public rights of way in and around the site. TE1A is a public footpath that extends from the entrance of the site alongside Shuart Lane to the crossing with the Thanet Way. TE3 is located to the north of the site, extends across the northern boundary and then to the north west and TE2 extends from Sun Lane to meet TE3 to the north east of the site.

An amended plan has been submitted during the application process relocating plot 1 to ensure that the section of TE1A located within the site would be retained.

The amended plan has also added a public footpath that would run alongside Shuart Lane within the site from the boundary with the church to the existing entrance to the site. This is considered to improve highway safety in this section of Shuart Lane where there is no footpath and also improve connectivity to the public footpath in the northern section of the site.

KCC Highways have indicated that in addition to the above measures to ensure pedestrian and highway safety a 20mph speed limit zone for the village. The applicant has agreed to provide a contribution of £15,000 to facilitate the 20mph speed limit zone. KCC would pursue the Traffic Regulation Order to change the speed limit in the village.

Concern has been raised regarding the requirement for neighbouring accesses to be altered due to the increase in traffic that would result from this development. KCC Highways have reviewed the application and consider that the increase in traffic that would result from this development would be negligible. Given the extant use of the site and the number of dwellings proposed this development is not considered to result in any significant increase in traffic. The development has been reviewed taking into account the arrangement of the neighbouring properties and accesses and any alterations to the access of neighbouring properties would be considered on their own merits where applications are required.

Given the extant use of the site, the number of dwellings that are proposed, the proposed improvements to the access to the site for both pedestrians and vehicles and the changes to the speed limit throughout the village that are proposed by the applicant, this development is not considered to result in any significant harm to highway safety.

Biodiversity

The site has boundaries with open countryside to the north, east and west. A number of the buildings on the site appear to have openings that would be suitable for wildlife and appear to have been unused for an extended period of time. Large areas of the site are also either covered in soft landscaping or are overgrown. It is therefore considered that the site has significant potential for biodiversity.

Immediately to the south of the site the St Nicholas at Wade Churchyard is designated as a local wildlife site under policy GI02 of the Thanet Local Plan. This policy states that "Development which would have a detrimental impact on locally designated wildlife sites will not be permitted unless suitable mitigation can be provided either on or off site within Thanet. Exceptionally, where a strategic need for a proposed development is identified which outweighs the importance of the locally designated sites and cannot be located elsewhere, an equivalent area of habitat will be created elsewhere at a suitable location well related to other existing habitats.

Wherever possible and appropriate, new developments will provide a net environmental gain in accordance with Policy SP30, and include measures to enhance and improve wildlife connectivity to designated wildlife sites."

KCC Biodiversity reviewed the application and considered that the initial submission did not include sufficient information regarding the potential for Barn owls and reptiles on the site and the impacts of the development upon the adjacent local wildlife site. Subsequently a Reptile Survey report, additional ecological statement, and an updated landscaping strategy were submitted. These reports conclude that no reptiles have been found on the site and there are no suitable nesting platforms, ledges or cavities for Barn Owls, however, a small number of pellets were found, indicating intermittent use as a roost. The report recommends that a construction management plan is submitted to minimise dust, noise and light during construction to the adjacent local wildlife site. KCC Biodiversity reviewed the additional information and concluded that sufficient ecological information has been submitted. Consequently they have raised no objection subject to conditions requiring the submission of a construction management plan, landscape management plan, a biodiversity enhancement plan, sensitive lighting plan and for the development to be completed in accordance with the submitted bat mitigation strategy.

The extant uses of the site relating agriculture, horse riding and the dwellings have the potential to generate significant levels of activity and whilst much of the site is overgrown, large areas could be cleared without the need for planning permission.

Given these uses, the locations of the proposed buildings compared to the existing buildings and subject to the conditions requested by KCC Biodiversity this development is not considered to result in any significant harm to biodiversity in the area.

Financial Contributions

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

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

increase in recreation) a financial contribution is required for all housing developments to contribute to the district wide mitigation strategy. This mitigation has meant that the Council accords with the Habitat Regulations.

The applicant has provided a legal agreement securing the SAMM contribution and, therefore, it is considered that the impacts of the development upon the special protection area around the Thanet Coast would be sufficiently mitigated.

The applicant has also agreed to provide a legal agreement securing the £15,000 contribution towards changing the speed limit within the village to 20mph. Therefore subject to the submission of a completed and signed unilateral agreement, the impact upon highway safety is considered to be acceptable.

Drainage

Concern has been raised regarding the impact of the development upon drainage in the area. The site is located in flood zone 1 and therefore has a low probability of flooding from rivers and the sea.

The applicant has indicated that the development would be connected to mains drainage and a formal application would be required by the development to Southern Water for this connection. Southern Water have provided a number of requirements to ensure that existing infrastructure would be protected and the developer has confirmed that they would comply with these requirements.

Kent County Council Flood and Water Management have also reviewed the application and stated that the submitted surface water drainage strategy is incomplete. The applicant has requested that the required information is submitted via a pre-commencement condition. Submitting the information at application stage would allow any required alterations to the layout to be completed prior to determination. Given that the built development is largely located in the same location as existing built development a pre-commencement condition is considered to be acceptable in this instance. Should alterations to the layout of the site be required the applicant would have to submit a further application for planning permission.

It is, therefore, considered that subject to the details of the proposed drainage scheme being submitted by condition, this development would have no significant impact upon drainage or result in an increased flood risk in the area.

Other Matters

Concern has been raised regarding the impact of the development upon local facilities. As the total proposed increase in dwellings on the site is seven this is below the threshold for affordable housing contributions and the level for contributions for community infrastructure in the Thanet Local Plan. An additional eight dwellings in this location is not considered to result in significant harm to community infrastructure or facilities and contributions are not required in this instance.

Comments have been submitted stating that the public right of way has been blocked for a significant period of time. As noted above the amended plans maintain the public right of

way. Maintenance and enforcement of public rights of way is a separate matter that falls outside of the planning system.

Concern has been raised regarding the number of developments in the area. Each case is considered on its own merits. Extant and approved planning applications are considered in the decision making process.

A Phase 1 contamination report has been submitted and reviewed by the Council's Environmental Health Department. This report indicates a low-medium risk for contaminations given the former agricultural use. The Environmental Health Department have recommended conditions securing further investigation and remediation measures if required. A construction management plan has also been requested to secure details to prevent noise and disturbance and pollution.

Given the location and previous use of the site these conditions are considered to be appropriate and necessary in this instance.

Conclusion

The Council cannot currently demonstrate a five year housing land supply. In the absence of a five year housing land supply paragraph 11 of the Framework is triggered and there is a presumption in favour of sustainable development. This requires planning permission to be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the Framework as a whole.

This application would provide eight new dwellings on the site and the existing pair of dwellings would be converted to a single dwelling resulting in an increase of seven dwellings on the site. This is considered to be a modest contribution to the district's housing supply.

This proposal would remove a number of modern buildings and stores from around the site which is considered to improve the setting of the historic buildings on the site that would be retained. The proposed new build dwellings are considered to be of an appropriate scale design and location for the historic character of the site and whilst the change of use of the remaining historic buildings and the wider site to a residential use would be an alteration to its character, the proposed alterations are considered to be a sensitive and considered approach to the listed and historic buildings that are retained on the site.

Following the submission of additional information and subject to the required conditions the proposed development is not considered to result in any significant harm to the living conditions of the neighbouring property occupiers, biodiversity, highway safety, drainage or protected sites in the area.

Whilst there would be some alteration to the character of the site, this would be a local impact and the benefits of providing the additional housing on the site would outweigh this harm. It is therefore considered that this development would comply with the Thanet Local Plan and the National Planning Policy Framework and should be deferred and delegated to officers for approval subject to safeguarding conditions and the receipt of a legal agreement securing the contribution towards altering the speed limit in the village.

Case Officer
Duncan Fitt

TITLE:

F/TH/23/0236

Project

Crumps Farm Shuart Lane South BIRCHINGTON Kent

