

D03

F/TH/23/1339

PROPOSAL: Erection of 4-storey building accommodating 7No 1-bed and 6No 2-bed self-contained flats, and erection of 4No 2-storey 3-bed semi detached dwellings, together with associated access, parking, and landscaping

LOCATION: Site Of Former Dane Valley Arms Dane Valley Road MARGATE Kent CT9 3RZ

WARD: Dane Valley

AGENT: Reece Lemon

APPLICANT: Thanet District Council SHP

RECOMMENDATION: Defer & Delegate

Subject to the following conditions:

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

GROUND:

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

- 2 The proposed development shall be carried out in accordance with the submitted application as amended by the revised drawings numbered 1025 Rev P08 and 1026 Rev P15, received 05 December 2023; 1107 Rev P09, 3023 Rev P06, 3024 Rev P07, and S4 Rev P02, received 04 December 2023; 1105 Rev P05, 1106 Rev P05, 1108 Rev P07, 1109 Rev P07, 1110 Rev P06, 1111 Rev P07, 1112 Rev P05, 1113 Rev P05, 2025 Rev P03, 2026 Rev P03, 3020 Rev P05, 3021 Rev P05, 3022 Rev P04, 3025 Rev P04, 3026 Rev P05, and 3027 Rev P05, received 06 October 2023.

GROUND;

To secure the proper development of the area.

- 3 Development shall not begin in any phase until a detailed sustainable surface water drainage scheme for the site has been submitted to (and approved in writing by) the local planning authority. The detailed drainage scheme shall be based upon the Civil Drainage Design Strategy dated 15th August 2023 and 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 (with reference to published guidance):

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

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

GROUND

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

- 4 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

- 5 To assess and mitigate the impacts of development on significant archaeological remains:
 - A) Prior to any development works the applicant (or their agents or successors in title) shall secure and have reported a programme of archaeological field evaluation works, in accordance with a specification and written timetable which has been submitted to and approved by the local planning authority.
 - B) Following completion of archaeological evaluation works, no development shall take place until the applicant or their agents or successors in title, has secured the implementation of any safeguarding measures to ensure preservation in situ of important archaeological remains and/or further archaeological investigation and recording in accordance with a specification and timetable which has been submitted to and approved by the local planning authority.
 - C) The archaeological safeguarding measures, investigation and recording shall be carried out in accordance with the agreed specification and timetable.
 - D) Within 6 months of the completion of archaeological works a Post-Excavation Assessment Report shall be submitted to and approved in writing by the local planning authority. The Post-Excavation Assessment Report shall be in accordance with Kent County Council's requirements and include:
 - a. a description and assessment of the results of all archaeological investigations that have been undertaken in that part (or parts) of the development;
 - b. an Updated Project Design outlining measures to analyse and publish the findings of the archaeological investigations, together with an implementation strategy and timetable for the same;
 - c. a scheme detailing the arrangements for providing and maintaining an archaeological site archive and its deposition following completion.

E) The measures outlined in the Post-Excavation Assessment Report shall be implemented in full and in accordance with the agreed timings.

GROUND:

To ensure that features of archaeological interest are properly examined and recorded in accordance with Local Plan policies and the National Planning Policy Framework.

- 6 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.

GROUND

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

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

GROUND

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

- 8 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.

- 9 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.

- 10 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.

- 11 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.

- 12 Prior to the first use of the site hereby permitted, the vehicular access and associated vehicle crossing point onto Dane Valley Road, as shown on the approved plan numbered 1029 Rev P01. should be completed and made operational.

GROUND:

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

- 13 Prior to the first occupation of the development hereby approved, pedestrian visibility splays of 2m x 2m shall be provided to the driveway accesses onto Arlington Gardens and Dane Valley Road, and the vehicular access onto Dane Valley Road, as shown on the approved plan no. 1029 Rev P01, with no obstructions over 0.6m 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.

- 14 Prior to the first occupation of the development hereby approved, visibility splays of 2.4m x 43m behind the footway on both sides of the vehicular access with no obstructions over 0.6m above footway level shall be provided and thereafter maintained, as shown on the approved plan numbered 1029 Rev P01.

GROUND

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

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

GROUND

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

- 16 Prior to the first occupation of the development, the secure cycle parking facilities, as shown on approved drawing no. 1026 Rev P15 and 1107 Rev P09 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.

- 17 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 1026 Rev P15 shall be submitted to, and approved in writing by, the Local Planning Authority, and thereafter implemented and maintained as approved.

GROUND

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

- 18 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.

- 19 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

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

GROUND

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

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

GROUND

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

- 22 The lower half of the upper level windows in the northern and eastern elevations of the flat block hereby permitted, as indicated on plans numbered 3024 Rev P07, and 3023 Rev P06, shall be provided and maintained with obscured glass to a minimum level of obscurity to conform to Pilkington Glass level 4 or equivalent and shall be installed prior to first occupation of the flats hereby permitted and permanently retained thereafter.

GROUND

To safeguard the residential amenities currently enjoyed by the occupiers of nearby residential properties in accordance with Policy QD03 of the Thanet Local Plan.

- 23 The refuse storage facilities as specified upon the approved drawings numbered 1029 Rev P01 and 1107 Rev P09, shall be provided prior to the first occupation of the flats hereby approved, and shall be kept available for that use at all times.

GROUND

To safeguard the residential amenities currently enjoyed by the occupiers of nearby residential properties in accordance with Policy QD03 of the Thanet Local Plan.

- 24 The boundary wall along the eastern boundary of the site shall be erected to a height of 2m, as shown on the approved plan numbered S4-P02.

GROUND:

In the interests of neighbouring amenity, in accordance with Policy QD03 of the Thanet Local Plan.

- 25 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.

- 26 All dwellings hereby approved shall only be occupied to individuals or families who have been nominated by the Council, in accordance with its published allocations policy at the time.

GROUND:

To meet the exception criteria that omits the need to provide 25% first homes on development sites exclusively for affordable housing, in accordance with the Council's First Homes Interim Policy Statement (April 2022), Policy SP23 of the Thanet Local Plan, and the NPPF.

- 27 All dwellings hereby permitted shall be provided with the ability for connection to Superfast Fibre Optic Broadband 'fibre to the premises', where there is adequate capacity.

GROUND:

To serve the future occupants of the development in accordance with Thanet Local Plan Policy SP14 and the guidance within the National Planning Policy Framework.

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

GROUND:

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

- 29 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.

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

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.

There is a street lighting column close to Plot 1, which will need to be relocated, as it will need to be no closer than 0.5m to the proposed driveway for Plot 1. The applicant should consult with the Streetlighting team at KCC to confirm a suitable re-location position for this street lighting column. The relocation of the telecoms pole may also be necessary.

SITE, LOCATION AND DESCRIPTION

The site is located within the urban confines, on land that formerly occupied Dane Valley Arms Public House, on the corner of Dane Valley Road and Arlington Gardens. The site lies opposite open recreational space that lies outside of the urban confines boundary and within the green wedge, and is close to Sure Start children's centre. The site itself is previously developed land, but there is no evidence of the former building on site, which was demolished following fire damage a number of years ago. Since then the site has been boarded up. The site is hard surfaced, with an existing vehicular access onto Dane Valley Road and a wide lowered kerb to Arlington Gardens. Existing residential properties lie adjacent to the northern and eastern boundaries of the site. The existing neighbouring properties in Arlington Gardens are 3-storey semi-detached properties, and the neighbouring properties in Dane Valley Road are 2-storey terraced properties.

RELEVANT PLANNING HISTORY

F/TH/17/1407 - Redevelopment of site for the erection of two,three and four storey buildings containing 5no. 1-bed flats, 5no. 2-bed flats, 5no. 3-bed houses, 2no. 4-bed houses with associated parking, bin and cycle storage, together with micro pub on the ground floor following demolition of existing buildings - Granted - 11th September 2019

F/TH/16/1265 - Erection of 3 and 4 storey building comprising of 23no. self contained flats - Withdrawn - 21st December 2016

F/TH/11/0177 - Erection of 9no. houses and a four-storey building containing 1no. three-bed flat and 3no. two-bed flats and public house at ground floor, following demolition of existing building - Granted - 16th June 2011

PROPOSED DEVELOPMENT

The application is for the erection of a part 4-storey, part 3-storey building containing 13no. self-contained flats, consisting of 7no. 1-bed and 6no. 2-bed; and the erection of 4no. 2-storey 3-bed semi-detached dwellings. An access is proposed onto Dane Valley Road, which will serve 6no. parking spaces located to the rear of the site. Each of the dwellings are provided with a single parking space to the front of the property, and a further 8no. Parking spaces are proposed to the front of the flat block fronting Arlington Gardens. A soft landscaping area is proposed to the front of the flat block onto Dane Valley Road, and a small landscaped area is proposed to the northern side of the building. Each dwelling is provided with a rear garden. Refuse storage and cycle storage for the flats are provided internally within the building, and accessed from the rear. All of the units are being provided as affordable housing.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan 2020

SP01 - Spatial Strategy - Housing
SP02 - Implementation
SP13 - Housing Provision
SP14 - General Housing Policy
SP22 - Type and Size of Dwellings
SP23 - Affordable Housing
SP29 - Strategic Access Management and Monitoring Plan (SAMM)
SP30 - Biodiversity and Geodiversity Assets
SP35 - Quality Development
SP41 - Community Infrastructure
SP43 - Safe and Sustainable Travel
SP45 - Transport Infrastructure
HO1 - Housing Development
GI04 - Amenity Green Space and Equipped Play Areas
QD01 - Sustainable Design
QD02 - General Design Principles
QD03 - Living Conditions
QD04 - Technical Standards
QD05 - Accessible and Adaptable Accommodation
HE01 - Archaeology
CC02 - Surface Water Management
CC04 - Renewable Energy
SE04 - Groundwater Protection
SE05 - Air Quality
SE06 - Noise Pollution
CM02 - Protection of Existing Community Facilities

TP01 - Transport Assessments and Travel Plans
TP02 - Walking
TP03 - Cycling
TP06 - Car Parking

NOTIFICATIONS

Neighbouring occupiers have been noticed and a site notice posted. One letter of objection and one letter of support has been received.

The main concerns raised are:

- Block of flats is not in keeping with the houses in the surrounding area,
- Increased number of units will add strain to local amenities,
- Potential security issues,
- Wooden fence on boundary, which is likely to be damaged from adjacent proposed carpark, needs to be replaced with a brick wall.

The letter of support confirms support for the application and suggests it should be a delegated decision.

CONSULTATIONS

KCC Highways and Transportation -

(Final Comment)

Further to my previous comments, revised plans have been submitted which address all my earlier concerns.

The street lighting column on Arlington Gardens, outside proposed Plot 1, will need to be relocated at the applicants expense. This will form part of the works for the construction of the vehicle crossovers, and will be dealt with as part of the vehicle crossover application that will need to be made to Kent County Council, should the LPA be minded to approve this application.

The telecom's pole will also need to be moved, this is for the applicant to discuss with the asset owner.

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.

(Initial Comment)

Thank you for your consultation in relation to the above planning application. I have the following comments to make with respect to highway matters :-

This site has been subject to a previous application (F/TH/17/1407), which had been granted permission by the local planning authority. The current proposals are for 13 flats and four houses, which are all to be promoted as affordable housing.

A Transport Statement has been submitted and having reviewed this and other documents that have been submitted I have the following comments to make:

I would concur with the trip generation figures, and these are robust as they are based on privately owned dwellings as opposed to affordable housing. These show there would be 2

arrivals and 8 departures in the morning peak and 6 arrivals and 2 departures in the evening peak. This would not be classed as having a severe impact on the local highway network and as such is not a reason to object to this application.

Parking allocation - I note the justification for a reduced parking allocation for the site, which demonstrates that the average car ownership for affordable housing is less than for private dwellings, and I am content to accept this. Only one visitor space is being provided, and parking standards for a suburban area would require a minimum of 3 visitor parking spaces to serve the site. However, given that Census 2011 data shows that car ownership for a flat is 0.4 cars per dwelling, I am satisfied that additional spaces may be available within the site, and to object to a development on a shortfall of two visitor parking spaces would be unreasonable.

There are no scale bars on the plans demonstrating the tracking for a fire tender or a car. I would point out that the plans for the fire tender need to demonstrate it can turn around within the parking area to the rear. No tracking has been submitted for a refuse vehicle, however I would expect this to collect from the roadside, and would not need to enter the parking area to the rear of the plot.

No plans have been submitted demonstrating visibility splays. Based on the 30mph speed limit here splays of 2.4m x 43m are required in both directions, with no obstruction over 0.6m within the splays. In addition pedestrian visibility splays of 2m x 2m are required either side of any access.

I have concerns with the boundary wall adjacent to Plots 1 and 17 - there is no annotation to demonstrate the height of this and this will impede on visibility for drivers exiting from the parking spaces adjacent to these walls. The boundary feature here should be no higher than 0.6m for a setback of 2m from the back of the footway.

In addition the hedge and fence fronting the site on Dane Valley Road and Arlington Gardens will need to be kept to below a height of 0.6m to ensure it does not obstruct visibility, especially adjacent to parking space No 10.

There is a street lighting column close to Plot 1 that has not been demonstrated on the proposed site plans. I suspect this will need to be relocated, as it will need to be no closer than 0.5m to the proposed driveway for Plot 1. I would advise the applicant to consult with the Streetlighting team here at KCC to confirm a suitable re-location position for this street lighting column.

There is also a telecom's pole that has not been demonstrated on the proposed site plan - is this being relocated? Please can the applicant provide some commentary on this. I note an Electric Vehicle Charging point is proposed for each parking space, which is acceptable.

Bicycle storage for the flats - there are no details on the type of storage system to be used internally within the space demonstrated. I do need to see these details to ensure the proposed storage system will fit and provide adequate space for storage as well as the removal of bikes. One space per flat is the minimum requirement.

It would appear a footway is proposed to the rear of Plots 16 & 17, adjacent to the gates that provide access to the rear gardens. I do not feel this is necessary, and its removal would provide additional turning space with the rear parking court here.

I look forward to further information being submitted to assist me in determining this application. from a highway perspective.

Kent Fires and Rescue Service - I can confirm that on this occasion it is my opinion that the emergency access requirements for the Fire and Rescue Service under the above Act appear to have been met.

Fire Service access and facility provisions are also a requirement under B5 of the Building Regulations 2010 and must be complied with to the satisfaction of the Building Control Authority.

As the development involves flats it will be subject to a full BR consultation should planning be granted where access will again be examined under B5. A full plans submission should be made to the relevant building control body who have a statutory obligation to consult with the Fire and Rescue Service.

KCC PROW - No comments

KCC Archaeology - Thank you for consulting on the above development proposal. The site lies in an area that is rich in archaeology with numerous crop mark sites known from the Dane Valley, evidence of rich buried landscapes dating from prehistoric times. Close to the application site are evidence of Bronze Age ring ditches to the south, a probable Iron Age enclosure and trackway close to the east and north and early medieval burials, enclosures and prehistoric ring ditches found to the north east. Prehistoric flints were found at Bolscombe Crescent adjacent to the site.

The site itself has been previously developed with the public house but there are areas that may not have been heavily affected and where archaeological remains could survive. Given the rich potential of the area and the potential for impact on archaeological remains I would recommend that provision in any forthcoming consent is made for a staged programme of archaeological works through condition.

KCC Biodiversity -

(Final Comment)

We have reviewed the ecological information and we advise that sufficient information has been provided to determine the planning application.

We are satisfied with the conclusion that (with the exception of breeding birds) the site has limited potential to support protected/notable species. We have taken this view as the vegetation on site has only established in the last 3-4 years and the site is largely isolated due to it being in an urban area and surrounded by fencing/walls.

(Initial Comment)

No ecological information has been submitted with this application. As a result of reviewing the data we have available to us, and the information submitted with the planning application, we advise that further information is sought from the applicant with regards to the potential for ecological impacts to arise.

The satellite photos demonstrate that the site is partially vegetated and has some limited connectivity to the surrounding residential gardens therefore there is a need to consider the likelihood of protected/notable species to be present.

To establish the potential for protected species presence, that must be taken account of in the planning decision, in the first instance, high quality, labelled, photographs of the site and the construction zone should be requested. These can then be reviewed by Kent County Council Ecological Advice Service (KCC EAS). These photographs may satisfy

KCC EAS that no ecological surveys are necessary at the site. However, where photographs are inconclusive, or indicate possible features suitable for protected species, a simple Ecological Impact Assessment (EclA) may need to be undertaken by a suitably qualified ecologist, in accordance with good practice guidelines. Any EclA would need to include the following:

- o Details of the impacts of development proposals on the ecological baseline established via a Preliminary Ecological Appraisal (PEA) and any additional surveys undertaken;
- o Details of any appropriate and achievable ecological mitigation measures;
- o Identification of any residual ecological effects after avoidance and mitigation measures have been considered, and any compensation measures required to offset residual effects;
- o Details of ecological enhancement measures; and
- o Provision of sufficient information to determine whether the project accords with relevant nature conservation policies and legislation.

The above is in line with paragraph 99 of 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".

KCC SUDs - Kent County Council as Lead Local Flood Authority have the following comments:

We have reviewed submitted information and understand it is proposed to drain the site via 4 soakaways across the site to 0.024m/hr in the 1 in 100 year +45% event. While we have no objection to the proposals, at the detailed design stage, we would expect to see the drainage system modelled using FeH rainfall data in any appropriate modelling or simulation software. Where FeH data is not available, 26.25mm should be manually input for the M5-60 value, as per the requirements of our latest drainage and planning policy statement (November 2019); the FSR dataset should not be used:

Southern Water - Southern Water requires a formal application for a connection to the public foul 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.

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.

Environment Agency - We have reviewed the below information and have the following comments to make:

- o Geo-Environmental Assessment Report produced by Ecologia Ltd (Ref: EES 23.023.1, dated 24th August 2023)
- o Civil Drainage Design Strategy produced by Pick Everard (Ref: 221510-PEV-ZZ-ZZRP-C-0104, dated 15th August 2023)

Environment Agency position

We have no objection to the proposed development, subject to the following conditions being included on any permission granted. Without these conditions we would object in line with Paragraph 174 of the National Planning Policy Framework (NPPF).

TDC Waste and Recycling -

(Final Comment)

We are happy with the amended plans.

(Initial Comment)

Access to the bin store needs to be direct from either Dane Valley Road or Arlington Gardens not via a footpath to the side of the development

TDC Environmental Health -

Air Quality

The application has been supported by an air quality assessment which has been reviewed. The report has used appropriate methodology and baseline monitoring to consider operational and construction related air quality impacts. Operational Impacts associated with the development are negligible and construction impacts will require mitigation measures as specified in Appendix D of the report. The proposal includes 20 parking spaces all fitted with EVCP

Contaminated Land

The application has been supported by Phase 2 land Contamination Assessment which includes intrusive investigation and soil sampling across the development site. The assessment indicates there is a moderate risk for end users exposed to copper and zinc and therefore remediation measures are required and the following condition recommended:

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

Applicants/agents should consult us as local Designing out Crime Officers to address CPTED.

We use details of the site, relevant crime levels/type and intelligence information to help design out the opportunity for Crime, Fear of Crime, Anti-Social Behaviour (ASB), Nuisance and Conflict.

Incorporating the below points would show a clear audit trail for Designing Out Crime, Crime Prevention and Community Safety and to meet our and Local Authority statutory duties under Section 17 of the Crime and Disorder Act 1998, thus meeting any crime prevention condition which the local authority may request at a later date as the application progresses.

1. Consideration should be given to the provision of informal association spaces for members of the community, particularly young people. These must be subject to surveillance but sited so that residents will not suffer from possible noise pollution, in particular the green spaces surrounding the site and the any parking areas/ courts to the rear of the. These areas must be well lit and covered by natural surveillance from neighbouring properties.
2. Perimeter, boundary and divisional treatments must be a minimum of 1.8m high. Any alleyways/ side entrances must have secure side gates, which are lockable from both sides, located flush to the front building line. I note on the plan that side access gates are shown,

is it essential only residents can gain access to this space.

3. We generally advise against the use of parking courts as they can create an opportunity for crime. Where unavoidable, the areas must be covered by natural surveillance from an "active" window e.g. lounge or kitchen and sufficient lighting - the same recommendations apply to on plot parking bays. In addition, we request appropriate signage for visitor bays to avoid conflict and misuse.

4. New trees should help protect and enhance security without reducing the opportunity for surveillance or the effectiveness of lighting. Tall slender trees with a crown of above 2m rather than low crowned species are more suitable than "round shaped" trees with a low crown. New trees should not be planted within parking areas or too close to street lighting. Any hedges should be no higher than 1m, so that they do not obscure vulnerable areas.

5. Please note, whilst we are not qualified lighting engineers, any lighting plan should be approved by a professional lighting engineer (e.g. a Member of the ILP), particularly where a lighting condition is imposed, to help avoid conflict and light pollution. Bollard lighting should be avoided, SBD Homes 2019 states: "18.3 Bollard lighting is purely for wayfinding and can be easily obscured. It does not project sufficient light at the right height making it difficult to recognise facial features and as a result causes an increase in the fear of crime. It should be avoided." Lighting of all roads including main, side roads, cul de sacs and car parking areas should be to BS5489-1:2020 in accordance with SBD and the British Parking Association (BPA) Park Mark Safer Parking Scheme specifications and standards.

6. All external doorsets (a doorset is the door, fabrication, hinges, frame, installation and locks) including folding, sliding or patio doors to meet PAS 24: 2021 UKAS certified standard, STS 201 or LPS 2081 Security Rating B+. Please Note, PAS 24: 2012 tested for ADQ (Building Regs) has been superseded and is not suitable for this development.

7. Windows on the ground floor or potentially vulnerable e.g. from flat roofs or balconies to meet PAS 24: 2021 UKAS certified standard, STS 204 Issue 6:2016, LPS 1175 Issue 8:2018 Security Rating 1/A1, STS 202 Issue 7:2016 Burglary Rating 1 or LPS 2081 Issue 1.1:2016 Security Rating A. Glazing to be laminated. Toughened glass alone is not suitable for security purposes.

8. Bedroom windows on the ground floor require a defensive treatment, such as prickly planting/ knee railings, to deflect loitering, especially second bedrooms often used by children.

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

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

11. Cycle and Bin Stores must be well lit and lockable, with controlled access for the residents within the flats. We advise on the use of ground/ wall SBD or sold secure anchors within the cycle storage area and sheds of dwellings.

12. Mail delivery to meet SBD TS009 are strongly recommended for buildings with multiple occupants along with a freestanding post box of SBD/Sold Secure approved Gold standard. For the houses, we recommend SBD TS008. If mail is to be delivered within the lobby, there must be an access controlled door leading from the lobby to the apartments/ stairs on the ground floor to prevent access to all areas.

13. CCTV is advised for all communal entry points and to cover the mail delivery area.

COMMENTS

The application is brought before Members as Thanet District Council is the land owner and applicant.

Principle

The site is brownfield land within the urban confines, and is allocated for housing under Policy HO1 of the Thanet Local Plan for a notional 13no. units. Planning permission has previously been granted for the redevelopment of the site for the erection of two, three and four storey buildings containing 5no. 1-bed flats, 5no. 2-bed flats, 5no. 3-bed houses, 2no. 4-bed houses with associated parking, bin and cycle storage, together with micro pub on the ground floor. This permission expired on the 11th September 2022.

This application is for a similar proposal, but removes the micropub, whilst maintaining the same 17no. residential units. The proposal is also for 100% affordable housing across the site, with Thanet District Council (TDC) being the applicant, with the intention being to construct the development and fill the units with people on the Council's housing register.

- *Proposed housing*

Policy HO1 of the Thanet Local Plan states that permission for new housing development will be granted on sites allocated for this purpose. The site is listed within the policy as an allocated site, and as such the principle of housing development on the site is acceptable and in accordance with policy. This policy is to be considered in conjunction with other relevant policies in the Local Plan.

The policy further requires that all development proposals comply with the relevant requirements of Policy SP14, whilst also demonstrating that adequate infrastructure will be in place to serve each unit.

- *Loss of Community Facility*

The site is currently vacant, but was previously occupied by a public house that served the community. The building was substantially damaged in 2016 as a result of a fire; however, street view images on google show that the building was boarded up in 2012, and therefore presumably closed between 2009 (when the google images show it open) and 2012. The functional use of the site as a community facility has therefore been lost for a period of at least 10 years, which is a material consideration; although at the same time the definition of a community facility within the Thanet Local Plan includes vacant land that was last lawfully used as a community facility or previously occupied by a building whose last lawful use was for a community facility, and therefore the site still needs to be considered under the community facility policy.

Policy CM02 of the Thanet Local Plan states that 'proposals which would result in the loss of a community facility will not be permitted unless it can be demonstrated: there is alternative local provision which is accessible to the local community and the proposal will not undermine the ability of the community to meet its day to day needs; or every reasonable attempt has been made to secure an alternative community use and the site is not viable for redevelopment to provide alternative community facilities; or alternative provision of at least equivalent, or where possible, improved community benefit is provided in a convenient accessible location to serve the existing community'.

Further information is provided within the preamble of the policy that advises of the details needed to be included within the justification document submitted with any future planning application. It includes marketing evidence that demonstrates attempts have been made to secure the future viability of a community use on the site.

No marketing evidence has been submitted with the application, but following the 2019 consent for the residential development and micropub the site was marketed, with a number

of enquiries made to the Council by different interested parties. There has been no success in the development of the site under the previous consent, and eventually the Council purchased the site. Since the site has been purchased by the Council no marketing of the site has taken place, and therefore it cannot be argued that every reasonable attempt has been made to secure an alternative community use on the site, so the proposal cannot be argued under point 2 of the policy.

The public house use has not been replaced on an alternative site, and the micropub is no longer proposed on this site, so the development is not justified under the third point of the policy as the community facility has not been replaced.

Point one of the policy considers the impact of the loss of the community facility on the community, with it being necessary to prove that the loss of the facility will not undermine the ability of the community to meet its day to day needs. As mentioned above, the functional use of the site as a community facility was lost at least 10 years ago when the public house was closed. This is a substantial period of time, and therefore the community is no longer relying upon this site to provide a community facility that is in demand. Evidence submitted with the application looks at the proximity of the nearest public houses to the site. The nearest three establishments are within 1.1 miles/ 1.85 km of the site - between 13 and 20 minutes' walk - and include: The Wheatsheaf, family pub chain; The Tap Room, bar; and Banks Ale and Wine House, bar. Of these three, the Wheatsheaf is an easy walking distance of the application site and a well used family facility that offers both food and drink, and which serves the same catchment as the former public house on the application site would have served.

A public consultation was also carried out with existing residents prior to the submission of the application, and no record of a demand for a public house or alternative community facility was raised by local residents. Opposite the site is Sure Start, which provides a childrens nursery and children's centre with community hall space, and is an important community facility that serves the community, showing the presence of existing community facilities within the immediately surrounding area, which may be the reason why no demand for a continued community use on this site has been made by residents. It is also useful to note that within the 2017 application a neighbouring comment objected to the micropub use, claiming there is no need for the facility.

It seems reasonable to conclude that given the site is within walking distance of three existing public house uses, that the community use on the site has been lost for a period of at least ten years, and that there appears to be no local demand for a continued community use on the site, that the loss of the community facility would not undermine the ability of the community to meet its day to day needs, and there is alternative local provision which is accessible to the local community. Furthermore, the site is allocated for housing under Policy H01, and the provision of 100% affordable housing is a significant social benefit that needs to be weighed against the social harm resulting from the loss of a potential community use on the site, for which there appears to be no demand.

On balance, the proposal is considered to comply with Policy CF1 of the Thanet Local Plan, and given the support provided through Policy HO1, the principle of the development is considered to be acceptable.

Character and Appearance

Policy QD02 of the Local Plan outlines that the primary planning aim of new development is to promote or reinforce local character and provide high quality and inclusive design that is sustainable in all other respects. Proposals should therefore relate to surrounding development, form and layout, be well designed, pay particular attention to context and identity of location, scale, massing, rhythm, density, layout and materials and be compatible with

neighbouring buildings and spaces. Any external spaces and landscape features should be designed as an integral part of the scheme.

An application was previously approved for the development of the site for 7no. 2-storey houses and a 4-storey flat block with micropub. The decision expired in September 2022, so is no longer extant, however, the previous decision shows the scale of development and number of units on the site that has previously been considered acceptable.

The proposed development follows a similar format to the previously approved scheme. In terms of the scale of development the proposal is again for 2-storey houses and a 4-storey flat block. In terms of the layout a similar approach has been taken, with the houses located to the north and east of the site, adjacent to existing 2-storey residential properties in the street, and the flat block on the corner of Arlington Gardens and Dane Valley Road, providing a larger prominent landmark building on the corner of the site on the lowest ground level. The proposed houses follow a similar pattern of development to that previously approved, and visible in the streetscene, with the houses fronting Dane Valley Road of staggered front building lines, and the houses in Arlington Gardens following the front and rear building lines of the adjacent existing dwellings. The proposed houses are semi-detached, which is characteristic of the majority of dwellings in the area.

The access has changed location and is now served from Dane Valley Road, but the parking court remains located to the rear of the site to provide additional parking to serve the scheme. Spacing exists between the houses and the flat block, with 5.4m to the northern houses and 6m to the eastern houses (when measured from the flat block), allowing for some spaciousness around the building. Overall the layout of the units, access and parking areas are considered to be acceptable, and in keeping with the surrounding pattern of development, and the previous consent.

A landscaping scheme has been submitted with the application showing that whilst parking spaces will be located to the front of the flats and houses, varying colours of asphalt will be used, which will help to break up the extent of hard surfacing. Soft landscaping is proposed to the front of the flat block onto Dane valley Road, with the block plan suggesting that tree and hedge planting will take place along the frontage, along with a low black metal railings. Gardens are provided to each dwelling, along with a shared community space to serve the flats within the gap between the dwellings and the flats. Whilst this space would ideally be larger and located to the rear, as it was within the previous approval, the previous approval did not meet the nationally described space standards as it was approved prior to this legislation, and therefore the affordable units now proposed require a large footprint, which restricts the external space. Overall the landscaping proposed is considered to be acceptable, enabling some softening of the development from the street that will help improve the impact upon the locality.

In terms of the design, the proposed development has a traditional design, with the houses featuring pitched roofs and double height front bay windows. The buildings are constructed from brick, with the windows set within reveals. The dwellings have similar eaves height to the neighbouring properties, and as the land level drops, the ridge height of the units also reduces, which is characteristic of properties in the road. The windows are large in proportion, with brick detailing above. Whilst the units are not of the same design as neighbouring properties, there is not a need to mimic the neighbouring property design, with the site large enough to accommodate its own character. There is an opportunity for a high quality development design on this site that can enhance the appearance of the area. The proposed dwellings would sit comfortably within the streetscene, with the proportions, reveals, bay and detailing enhancing what is otherwise a simple building design. The design of the dwellings is therefore supported.

The flat block is a large building, but its dominance and scale has been reduced through its design, which splits the building into three elements. These three elements are clear from Dane Valley Road, where the three gable ends are visible. The elevations again stagger, following the same pattern of development as the adjacent houses, which helps to break up the main elevation onto Dane Valley Road. On Arlington Gardens the elevation is broken up through the setback of the central section. The building is entirely brick, but it has been broken up with a brown brick to ground floor level, and a red brick above, which has helped to break up the building vertically. Large windows are again proposed, which help to lighten the appearance of the building, and on the solid wall a number of recessed brick panels have been used to add depth to the building, and again create interest through this simple detailing. The main block fronting Arlington Gardens appears 3-storey, but the 4-storey height is clear within the third block that fronts Dane Valley Road, with a window in the gable at third floor level, and further windows that are partially in the roofspace on the side elevation fronting the internal access. The window projections, along with the windows below, create an interesting elevation that will be visible in long views along Dane Valley Road. Overall the proposed flat is considered to be a good design that achieves an active frontage to each of the three main elevations. Whilst the building is quite dominant in views from Dane Valley Road, there are examples of larger buildings of 3-storey in height close to the site, and the original public house building on the site was a tall 3-storey building with a steep pitched roof, so a building of the scale proposed is not considered to appear significantly out of keeping with the area, especially bearing in mind the previously approval on the site that allowed a 4-storey development. On balance, the design and scale of the proposed flat block is considered to be acceptable, and to represent a suitable enhancement of the site.

The proposal is therefore considered to provide a good quality housing development that appears in keeping with the surrounding pattern of development, and will enhance the character and appearance of the area through the redevelopment of this disused brownfield site. The proposal is therefore considered to be in accordance with Policy QD02 of the Thanet Local Plan, and the NPPF.

Living Conditions

Policy QD03 of the Thanet Local Plan states that 'all new development should be compatible with neighbouring buildings and spaces and not lead to the unacceptable living conditions through overlooking, noise or vibration, light pollution, overshadowing, loss of natural light or sense of enclosure; be of appropriate size and layout with sufficient usable space to facilitate comfortable living conditions and meet the standards set out in QD04; include the provision of private or shared external amenity space/play space, where possible; provide for clothes drying facilities and waste disposal or bin storage, with a collection point for storage containers no further than 15 metres from where the collection vehicle will pass'.

The main neighbouring properties affected by the development are those to the east of the site in Dane Valley Road, those to the north of the site in Arlington Gardens (including no.105 to the rear), and those to the north east of the site in Balcomb Mews.

No.182 Dane Valley Road is located next to the proposed semi-detached units fronting Dane Valley Road. The nearest proposed dwelling is located 2.2m from no.182. The proposed dwelling is staggered, so the front elevation projects forward of the front building line of no.182 by 4m. This projection is characteristic of the pattern of development in this part of the road. When taking the 45 degree line from the centre of the neighbouring properties front window, the proposed development appears to fall exactly on the 45 degree line. In terms of light, there may be some impact later in the day when the sun moves to the west, but in the morning there will be limited impact. To the rear the proposed development does not extend beyond the neighbour's rear elevation, so there will be no impact to windows. On balance, given the

distance and that the 45 degree line is not affected, the impact upon light to and outlook from no. 182 is considered to be acceptable.

No.103 Arlington Gardens is located uphill on a higher ground level. There is an access road between the neighbouring properties and the nearest proposed dwelling, and the proposed dwellings follow the front and rear building lines of the neighbouring property. As such, the impact upon light to and outlook from no.103 is considered to be acceptable.

No.105 Arlington Gardens and no.2 Balcomb Mews are too far from the development to be affected by light or outlook, with the nearest of these dwellings being at least 18m away.

In terms of overlooking, there's a distance of 24m between the nearest direct facing window of proposed block A to the neighbour at no.182 Dane Valley Road, which is considered to be an acceptable distance. From Block B the windows will face the side elevation of the neighbouring property and not the rear amenity space.

There is a distance of 22m to the side elevation of no.105 Arlington Gardens from Block C, which is considered acceptable.

There is a distance of 21m between the side facing windows of Block B to no. 103 Arlington Gardens. This distance is only just considered to be acceptable. Following concerns raised, the lower half of the windows facing the neighbour have been obscure glazed. Therefore this restriction, along with the ground level change with the site on a lower ground level than no.103, along with the distance, the impact upon privacy is considered to be, on balance, acceptable.

The parking court is proposed to the rear of the site, which could cause some noise impact to neighbouring properties; however, the parking court is again on a lower ground level to neighbouring plots, and an existing fence exists to the northern boundary. The existing wall on the eastern boundary appears unstable, and therefore the proposal was to demolish part of the wall and erect a new wall with trellis above. The neighbouring occupiers at no.182 Dane Valley Road has raised concerns with the proposed boundary wall, which includes fencing, and would prefer to see a wall as it is existing. Amended plans have been submitted showing the eastern boundary annotated with a new replacement wall up to 1.8m in height, which should allay the concerns of the neighbouring occupier and reduce noise impact from the parking area. Given these works and the low level of vehicular movements anticipated within the parking area, the impact of the parking area is considered to be acceptable to neighbouring occupiers.

In terms of the impact upon future occupiers, all of the houses are provided with doorstep playspace, and a side garden that's enclosed by 1.2m high black railings has been provided to serve the flats. Whilst small in size, there are no minimum size requirements for doorstep playspace, and given the large open recreational space opposite the site, this doorstep play area is considered to be acceptable. The proposal is therefore considered to comply with Policies GI04 and QD03 of the Thanet Local Plan.

All units meet the nationally described space standards as set out within Policy QD04 of the Thanet Local Plan.

The refuse storage area is located to the front of the houses, and internally within the flat block. The refuse was originally accessed from the side elevation of the flat block, with a refuse vehicle expecting to stop on Arlington Gardens. TDC Waste and Recycling raised concerns with the access, and requested that it be relocated to the rear elevation, so that it is easily accessible from the new internal access road. Amended plans showing this change have been submitted, with the refuse store located within 10m of where the waste collection vehicle will

pass. Waste provision is therefore considered to comply with Policy QD03 of the Thanet Local Plan.

The proposed development is considered to result in an acceptable impact upon amenity for both neighbouring and future occupiers. The proposal is therefore considered to comply with Policies QD03 and QD04 of the Thanet Local Plan.

Transportation

The proposal provides a single vehicular access into the site from Dane Valley Road, which will serve 6no. parking spaces. A single parking space is provided to the front of each of the houses, and a parking area to serve the flats is provided to the front of the flat block, adjacent to Arlington Gardens. This achieves 18no. spaces to serve the 17no. residential units, including 2no. disabled parking spaces. All of the spaces are provided with electric vehicle charging points.

A transport statement has been submitted with the application, The statement has considered the expected trip generation for the proposed dwellings, which consists of 10no. 2-way movements AM peak, and 8no. 2-way movements PM peak. Given these low numbers and taking into account the previous use of the site as a public house, this number of vehicle movements is expected to have no adverse impact on the highway network.

KCC Highways have been consulted, and confirmed they agree with the trip generation figures, which indicate worst case scenario as they're based upon privately owned dwellings rather than affordable dwellings (which are evidenced to provide less vehicle movements than private units). As such KCC considers the impact upon the highway network to be acceptable.

In terms of the parking, the number falls short of the minimum requirement as set out within Interim Guidance Note 3, which requires 1.5 spaces per 3-bed house, plus an additional 0.2 visitor parking spaces per unit. The transport statement provides data of the average car ownership for affordable units, which falls below the normal requirement, suggesting on average 2-bed flats use 0.4 parking spaces, and 3-bed houses 0.9 parking spaces. KCC has advised that they accept the reduced number of parking spaces on the basis of this evidence. All of the spaces for the flats will be unallocated, so it's likely that there could be the minimum 3no. visitor spaces achieved within this parking area if not all of the units use their parking space, which based upon the evidence is likely to be the case.

KCC have requested visibility splays be provided to the access of 2.4m x 43m in both directions, with no obstructions over 0.6m. In addition, pedestrian visibility splays of 2m x 2m have been requested to each driveway. Plans have been submitted showing that these visibility splays can be achieved.

Kent Fire and Rescue has confirmed that in their view the emergency access requirements for the Fire and Rescue Service appear to have been met.

KCC PROW have raised no objections to the proposed development.

Cycle parking has been provided in the form of one space per flat, within a communal cycle parking area; and one space per bedroom for houses within their designated garden area.

Electric vehicle charging has been provided to each space, which exceeds the requirement, as only one electric vehicle charging space would have been required per 10 unallocated spaces.

In terms of refuse, the refuse for the flats was originally accessed from the side elevation of the flat block, but TDC Waste and Recycling raised concerns with the access, and requested that it be relocated to the rear elevation, so that it is easily accessible from the new internal access road. KCC have requested tracking plans showing that a waste and recycling vehicle can reverse into the access on collection day. Tracking plans for a 10.5m long vehicle have been submitted showing that the necessary turning and reversibility is achievable. The Waste and Recycling team has advised that a 10.4m long vehicle would collect from communal bin stores, and therefore this is acceptable

TDC Waste and Recycling and KCC highways now raise no objections to the collection of waste.

The impact upon highway safety is therefore considered to be acceptable.

Affordable Housing and Mix

Policy SP23 of the Thanet Local Plan requires that for residential development of more than ten units, 30% affordable housing is provided.

The application provides details of the affordable housing need in Millmead, which consists of:

- 1 bed - 12 (all for medical reasons - Band A - Critical need of housing)
- 2 bed - 7 (2 are lacking bedrooms and 5 have a medical need to move)
- 3 bed - 43 (34 are lacking bedrooms and 9 have a medical need)

The proposal is for 100% affordable housing on the site, consisting of 7no. 1-bed and 6no. 2-bed flats, and 4no. 3-bed semi-detached dwellings. which will respond to the current need identified. The proposal will therefore comply with Policy SP23 of the Thanet Local Plan.

An Interim Policy Statement on First Homes provision was adopted by the Council in August 2022. The policy requires that of the affordable housing provision, 70% should be social/affordable rent, 5% should be intermediate housing, and 25% should be first time homes. The applicant is Thanet District Council, and therefore the proposal is for all units to be either social/affordable rent or intermediate, with no first time homes.

Within the Interim Policy Statement a list is provided for when first time homes are not required to be provided, which includes 'developments exclusively for affordable housing, entry-level exception sites, or rural exception sites'. As this site would be exclusively for affordable housing, there would not be a requirement for first time homes, however, there will need to be a condition that will secure the provision of the 100% affordable housing, as without this the application would not comply with the Interim Policy Statement. On the basis that this condition is applied, which is considered reasonable given that the Council will be providing the affordable housing using grant money that is solely allocated for this purpose, greater weight can be applied to the social benefits of the proposal from the provision of this increased level of affordable housing above the policy requirement.

In terms of the size and type of units, the submitted evidence shows that there is a local need for 1-bed, 2-bed and 3-bed units in the immediate area, and as such the proposal, which provides all of these units sizes, and a mix of flats and houses, is considered to comply with Policy SP22 of the Thanet Local Plan.

Ecology

The site is previously developed land, and is hard surfaced. The applicant has confirmed that the site is cleared regularly.

An ecological impact assessment has been submitted with the application. The assessment shows that there is some bramble scrub that could be suitable for nesting birds. No evidence of habitats was found on site. Ecological enhancements are recommended, including the provision of soft landscaping (to contain native species planting and a mixture of low growing grasses and forbs mixed with native shrub species or small trees); and habitat enhancements, including additional ecological features such as low maintenance green walls along with various bird boxes mounted or built into the new buildings to compensate for the loss of nesting potential on site.

KCC has advised that they've reviewed the ecological information and sufficient information has been provided to determine the planning application.

They are satisfied with the conclusion that (with the exception of breeding birds) the site has limited potential to support protected/notable species, and they've taken this view as the vegetation on site has only established in the last 3-4 years and the site is largely isolated due to it being in an urban area and surrounded by fencing/walls.

Subject to safeguarding conditions requiring ecological enhancement the impact upon ecology is considered to be acceptable, and in accordance with Policy SP30 of the Thanet Local Plan.

Drainage

A drainage design strategy has been submitted with the application. The site is a brownfield site, previously serving a public house building. No existing surface water drainage system has been found on site, but there is an existing foul water sewer extending through the site close to the rear boundary, and an existing foul sewer in Arlington Gardens.

The proposal is to provide soakways within the site to collect surface water runoff, which will then soak into chalk to facilitate downward drainage. The submitted plan shows the soakways to be located within the rear carpark area, and adjacent to the front boundary of the site on Dane Valley Road.

Foul drainage will drain via gravity into the existing foul sewer at the western edge of the development in Arlington Gardens.

The Environment Agency has confirmed that they have no comments to make.

Southern Water has raised no concerns with the proposed drainage strategy, but have recommended a safeguarding condition requiring details of the final drainage design. They've also commented that a sewer now deemed to be public could be crossing the development site, and that if any sewer is found during construction works, an investigation of the sewer will need to take place to ascertain its ownership before any further works commence on site.

KCC SUDs have commented that they have no objections to the provision of the 4no. soakaways across the site, however, they've advised that at the detailed design stage they would expect to see the drainage system modelled using FeH rainfall data in any appropriate modelling or simulation software.

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

Special Protection Area Mitigation and Appropriate Assessment

European sites are afforded protection under the Conservation and Habitats and Species regulations 2010 (as amended the Habitat Regulations) and there is a duty placed upon the competent authority (in this case TDC) to have regard to the potential impact that any project may have on those sites.

Thanet District Council has produced the 'The Strategic Access Management and Monitoring Plan (SAMM)', which focuses on the impacts of recreational activities on the Thanet section of the Thanet Coast and Sandwich Bay Special Protection Area (SPA). The studies indicate that recreational disturbance is a potential cause of the decline in bird numbers in the SPA. To enable the Council to be satisfied that proposed residential development will avoid a likely significant effect on the designated sites (due to an increase in recreation) an appropriate assessment for every application proposing an increase in residential units must be undertaken and a financial contribution is required for all additional residential development to contribute to the district wide mitigation strategy. This approach is set out in the Local Plan under Policy SP29 (Strategic Access Management and Monitoring Plan (SAMM)).

The tariff for this contribution is provided in the SAMM report, and Policy SP29 of the Thanet Local Plan, and consists of £202 per 1-bed unit, £320 per 2-bed unit, and £424 per 3-bed units, resulting in a total of £5,030. The applicant has agreed to these contribution. As the applicant is the Council, a unilateral undertaking to secure this contribution cannot be submitted, but the contribution can be transferred to the planning department from the housing department prior to the issuing of any planning permission. Subject to this financial contribution being secured, the impact upon the Special Protection Area will have been appropriately mitigated, with the application complying with the habitat regulations. An appropriate assessment has been carried out on this basis.

Financial Contributions

KCC has requested the following financial contributions, which totals £52,971.80.

Community Learning and Skills £581.57
Integrated Children's Service £740.50
Libraries £1,064.71
Adult Social Care £3,074.96
Waste Disposal and Recycling £884
Adult Social Care £3,074.96
Special Educational Needs and Disabilities Provision £3,079.08
Secondary Education New Build £30,729.56
Secondary Education Land £12,817.42

Thanet District Council are the applicants for the site, with the sole purpose of providing affordable rent housing to meet the needs of residents who are currently on the housing register. The development is being funded by the Council through 55% borrowing, 40% capital receipts, and 5% brownfield grant. The development is not for profit, and will be provided at cost to the Local Authority, with no financial return for at least 21 years, which is the forecast breakeven year. Following this point any revenue generated will go back into the Housing Revenue Account to support future developments. The Council's Finance Manager has confirmed that the payment of any KCC contributions will result in additional borrowing being necessary, which would put pressure on the Housing Revenue Account revenue business plan, which is likely to either stall or require the scaling back of the housing proposed for delivery; however, upon further discussion the applicant has advised that it would be possible to commit to the smaller contribution amounts, which includes everything except the secondary education contribution for both building and land. The secondary education contribution totals £43,546.98, and the applicant has advised that payment of this contribution is likely to take the breakeven year close to 30 years, which is the point at which the scheme

becomes unviable due to the financial risk to the Council. The applicant has also advised that the scheme has not yet been out to tender, and there is the possibility that the development costs in reality exceed the provisional figures used, which could again impact upon the payback period.

Government advice is that, where a development does not comply with planning policy for reasons of non-viability, the local planning authority is entitled to take a view on whether there are benefits from the scheme that justify flexibility. Policy SP41 of the Thanet Local Plan requires the provision of contributions towards the provision of new, improved, upgraded or replacement infrastructure and facilities 'where appropriate'.

The site has been vacant since approximately 2009-2012 when the public house closed, and in 2016 the existing building was demolished, with the site boarded up since. Planning permissions for the site have been granted, but the redevelopment of the site has not come forward, which could be linked to reasons of viability. Local residents and Councillors are keen to see the site regenerated, and the proposal will provide 100% affordable housing, for which there is a significant need, and which is set out as a priority within the Council's Corporate Objectives. The applicant has committed to all of the financial contributions other than the secondary school construction, which would make this not for profit development scheme unviable for the Council. Furthermore, the housing will be delivered within a short timescale, with the delivery expected by October 2025.

On balance, given the benefits of the scheme, and the viability justification provided, the financial contributions offered are considered to be acceptable and in accordance with Policy SP41 of the Thanet Local Plan.

Other Issues

Air Quality

An air quality assessment has been submitted with the application, which concludes that the risk of dust soiling was 'medium risk', risks associated with human health were deemed as 'low risk', with the recommended mitigation for construction dust considered to be adequate to mitigate any harm. TDC Environmental Health advises that the report has used appropriate methodology and baseline monitoring to consider operational and construction related air quality impacts. Operational Impacts associated with the development are negligible and construction impacts will require mitigation measures as specified in Appendix D of the report. The proposal includes 20 parking spaces all fitted with EVCP.

The impact upon air quality is considered to be acceptable and in accordance with Policy SE05 of the Thanet Local Plan.

Contamination

The application has been supported by a Phase 2 land Contamination Assessment which includes intrusive investigation and soil sampling across the development site. The assessment indicates there is a moderate risk for end users exposed to copper and zinc and therefore remediation measures are required. Subject to a condition requiring these remediation measures to be carried out, the proposal is considered to comply with Policy SE03 of the Thanet Local Plan.

Archaeology

KCC Archaeology has advised that the site lies in an area that is rich in archaeology with numerous crop mark sites known from the Dane Valley, evidence of rich buried landscapes

dating from prehistoric times. Close to the application site are evidence of Bronze Age ring ditches to the south, a probable Iron Age enclosure and trackway close to the east and north and early medieval burials, enclosures and prehistoric ring ditches found to the north east. Prehistoric flints were found at Bolscombe Crescent adjacent to the site.

The site itself has been previously developed with the public house but there are areas that may not have been heavily affected and where archaeological remains could survive. A safeguarding condition for a programme of archaeological field evaluation is therefore recommended. Subject to this safeguarding condition the impact upon archaeology is considered to be acceptable and in accordance with Policy HE01 of the Thanet Local Plan.

Conclusion

The site is brownfield land within the urban confines, and is an allocated housing site. The applicant can bring forward housing delivery with 100% affordable housing, which provides significant social and economic benefits.

The proposal will result in the loss of a site that was previously used for community use, however, the site has been vacant for more than ten years, there are existing community facilities within the catchment of the site, there is an existing public house within walking distance of the site, and the development of the site with the previously approved micro pub use has not come forward. As such it is considered that the loss of the site for a continued community use will not impact on the communities ability to meet their day to day needs, in accordance with Policy CF1 of the Thanet Local Plan.

A good quality design is proposed which will appear in keeping with the surrounding pattern of development, whilst enhancing the character and appearance of the area. The impact to highway safety and neighbouring living conditions is considered to be acceptable.

The proposal is therefore considered to result in a sustainable form of development on an allocated housing site, with significant weight applied to the social, economic and environmental benefits of the proposal, including the provision of 100% affordable housing, which are considered to outweigh the limited social harm in this instance resulting from the loss of the community facility. The proposal is therefore considered to comply with the Thanet Local Plan and the NPPF, and it is recommended that members defer and delegate the application for approval subject to the transfer of the financial contributions as set out above to the Planning Department and safeguarding conditions.

Case Officer

Emma Fibbens

TITLE: F/TH/23/1339

Project Site Of Former Dane Valley Arms Dane Valley Road MARGATE Kent CT9 3RZ

