

D07

F/TH/23/1352

PROPOSAL: Erection of 9No 3-bed and 2No 4-bed two storey dwellings, following demolition of existing garages, together with reconfiguration of parking area, alterations to informal play area and refuse storage space, and landscaping

LOCATION: Land At Staner Court Manston Road RAMSGATE Kent

WARD: Newington

AGENT: Mr R Lemon

APPLICANT: Thanet District Council SHP

RECOMMENDATION: Defer & Delegate

Defer and delegate the application for approval subject to the transfer of the stated financial contributions as set out above to the Planning Department and the following safeguarding conditions:

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

GROUND:

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

2 The proposed development shall be carried out in accordance with the submitted application as amended by the revised drawings numbered :

1036 Rev P12

Received 18 December 2023

2035 Rev P03

2036 Rev P03

2037 Rev P03

2038 Rev P03

Received 13 October 2023

1120 Rev P06

1121 Rev P06

1122 Rev P06

1123 Rev P06

1124 Rev P06
1125 Rev P06
1126 Rev P06
1127 Rev P06
1128 Rev P06

2070 Rev P06
2071 Rev P06
2072 Rev P06
2073 Rev P06
2074 Rev P06
2075 Rev P06
2076 Rev P06

3030 Rev P06
3031 Rev P06
3032 Rev P06
3033 Rev P06
3034 Rev P06
3035 Rev P06
3036 Rev P06
3037 Rev P06
3038 Rev P06

Received 10 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 prepared by Pick Everard (22/12/2023) 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 Where infiltration is to be used to manage the surface water from the development hereby permitted, it will only be allowed within those parts of the site where information is submitted to demonstrate to the Local Planning Authority's satisfaction that there is no resultant unacceptable risk to controlled waters and/or ground stability. The development shall only then be carried out in accordance with the approved details

GROUND

To protect vulnerable groundwater resources in accordance with Policy SE04 of the Thanet Local Plan, and the advice contained within 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 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.

7 Prior to the first occupation of the 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 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.

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 Piling using penetrative methods shall not be carried out other than with the written consent of the local planning authority. The development shall be carried out in accordance with the approved details.

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 permitted, details of the measures to be taken to protect the public sewers shall be submitted to, and approved in writing by, the Local Planning Authority. Development shall be carried out in accordance with the approved details.

GROUND

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

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

GROUND

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

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

- species, size and location of new trees, shrubs, hedges and grassed areas to be planted,
- the treatment proposed for all hard surfaced areas beyond the limits of the highway,
- walls, fences, other means of enclosure proposed,
- ecological enhancements to be provided within the sit, to include the measures recommended in section 9 of the Preliminary Ecological Appraisal (Lloyd Bore March 2023),
- details of the community garden,
- details of the informal playspace,

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.

13 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 and completed in accordance with a programme of works to be submitted to and approved in writing by 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

14 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

15 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 the mitigation measures as set out within

Appendix D of the Air Quality Assessment, along with the following details:

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

Development shall be carried out in accordance with the approved details.

GROUND

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

16 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.

17 The area shown on the approved plan numbered 1036 Rev P12 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 dwellings hereby permitted.

GROUND

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

18 Prior to the 1036 Rev P12 of the development, the secure cycle parking facilities, as shown on approved drawing no. shall be provided and thereafter maintained.

GROUND

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

19 The escape road/footpath as shown on the approved plan numbered 1036 Rev P12 shall only be used by vehicles when a fire tender is blocking the main access road. Removable bollards shall be installed at either end of the escape road, which shall only be removed when the escape road is in use by vehicles. The removable bollards shall thereafter be maintained.

GROUND

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

20 The area shown hatched (both existing and new) on the submitted site plan numbered 1036 Rev P12, shall be marked on site prior to the first occupation of the development hereby permitted, and thereafter maintained for emergency vehicles only.

GROUND:

In the interests of public safety by enabling access for fire tender vehicles.

21 Prior to the first occupation of the development hereby permitted, details of a pedestrian crossing point to be provided at the junction of Staner Court and Manston Road, shall be submitted to, and approved in writing by, the Local Planning Authority. The pedestrian crossing point shall be provided prior to the first occupation of the development.

GROUND:

In the interests of pedestrian movement and safety, in accordance with Policy TP02 of the Thanet Local Plan.

22 No further alterations or extensions to the roof of unit numbers 4-7, whether approved by Class B or C 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 residential amenities currently enjoyed by the occupiers of nearby residential properties in accordance with Policy QD03 of the Thanet Local Plan.

23 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.

24 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.

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

GROUND

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

SITE, LOCATION AND DESCRIPTION

The site is located north of Manston Road. To the west of the site is a recently constructed housing development accommodating 2-4 storey residential development, with a mix of terraces, semi-detached units and flats. To the east and north of the site are semi-detached 2-storey dwellings. Opposite the site is a commercial development 'Flambeau', and Manston Tesco and petrol station. There is a mix of character in the area, with buildings that vary in scale and use. Within the site itself is a 15 storey block of flats to the centre, and three flat roof 3-storey blocks of flats to the front. The remainder of the site provides parking provision and amenity space to serve the units, with the parking consisting of both open bays, and a row of flat roof garages adjacent to the western boundary of the site. To the rear of the site is a substation, and small storage units are also located around the site that serve some existing residents.

RELEVANT PLANNING HISTORY

No relevant planning history.

PROPOSED DEVELOPMENT

The proposal is for the erection of 9No 3-bed and 2No 4-bed two storey dwellings at the rear of the site, and the reconfiguration of the parking area, following the demolition of the existing garages. Additional landscaping is proposed, along with an informal play area to the rear, new planting adjacent to the front boundary, and a new community garden area to the east of the site. An enlarged hatched area for emergency vehicles along with a new additional access for emergency use is provided.

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

NOTIFICATIONS

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

- Removing storage for tenants,
- will affect tenants quality of life

- Anti social behaviour from more residents being present,
- Loss of green space for tenants,
- Increased noise disturbance from more families living on site,
- Lack of parking, and concerns regarding the expectation that there is spare on street capacity, causing amenity and safety issues for residents who can't park within the site and are forced to park on street
- Removal of the CCTV outside of flats 108-113
- Formal parking in front of entrance to tower block will impact on access for deliveries and emergency vehicles,
- Impact on residents during construction works,
- Loss of light from development and proposed trees,
- Disabled parking space is a benefit.

CONSULTATIONS

KCC Highways and Transportation -

(Final Comment)

Additional comments have been requested following statutory comments from Kent Fire & Rescue which stated that while the emergency access to the newly proposed houses appears satisfactory, the operational response to an incident at Staner Court is likely to be impeded as a result of the proposal.

A revised plan has been submitted, thus illustrating the retention and expansion of the hatched area to the front of the 15 storey Staner Court building (1-89).

It is noted that the revision of the layout sees an overall reduction of 2 parking spaces across the site, which equates to 62 parking spaces across the site. The current Staner Court provides 40 spaces, with the parking beat survey seeing an additional 7 vehicles parked in the garage parking area. 14 spaces are retained for the new dwellings. In line with, two parking spaces could be lost without objection.

The amendments see the creation of a escape road / footpath to the east of Block A, thus providing an alternative access in the event of a fire or incident.

(Initial Comment)

Thank you for your consultation in relation to the above planning application.

The proposal seeks to provide 11 additional dwellings at Staner Court, following the demolition of existing garages at the site. Staner Court is located approximately 30 metres from the Manston Road / Tesco roundabout whereby a central splitter island is approximately 8 metres west of the access. Double yellow line parking restrictions are present along the B2050 Manston Road for its length west of Meridian Close and Princess Margaret Avenue. Double yellow lines are also present for approximately 25 metres of the access of Staner Court from the junction with Manston Road.

Staner Court currently has four blocks of flats, three of which are 3 storey in height, and one

block housing units 1-89 which is 15 storeys in height. It is understood that Staner Court is currently within the ownership of Thanet District Council and is not adopted by KCC Highways.

At the western parameters of the site are 23 garages which are considered to be under utilised.

The proposal seeks to redevelop this area to provide 11 dwellings where the garages are located and the northern section of the site where there is an area of hardstanding, while reconfiguring the the current parking arrangements.

Car Parking and Site Layout

64 car parking spaces are proposed throughout the site, retaining 50 spaces for the existing Staner Court residents and 14 spaces for the proposed 11 dwellings. All spaces are proposed to be unallocated.

The site currently has 36 parking spaces and 6 accessible spaces for the current flats. There are areas of informal parking within the site which appear to be utilised. To ascertain the car ownership 2011 Census data has been analysed to ascertain that affordable housing has a lower car ownership than outlined in IGN3 parking standards.

4 parking spaces are proposed on either side of the access, where full visibility should be maintained at all times.

Tracking for a 13 metres refuse freighter and a fire tender have been illustrated, which indicates sufficient turning within the site.

I suggest an improved pedestrian crossing with tactile paving is provided at the Staner Court/Manston Road junction. This should be secured by way of a suitable condition, and will be subject to a separate Section 278 Agreement.

Parking Beat Survey

A parking beat survey has been conducted to assess the parking available on the streets surrounding Staner Court at 04:30 on 23 February 2023 and 00:30 on 24 February 2023. The night surveys are considered appropriate to establish when the parking is likely to be most saturated in residential areas.

The survey indicates that spaces are available on Princess Margaret Avenue and Auckland Avenue.

Staner Court - 23 February only 1 bay was unoccupied and 6 additional cars parked not in bays. On 24 February only 2 bays were unoccupied with 6 cars not in bays. This indicates 38-39 parked vehicles for the existing residents.

In line with the above I 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.

Kent Fire and Rescue -

(Final Comment)

Thank you for your letter advising of amended plans, dated 19 December 2023, your reference F/TH/23/1352, regarding means of access for the Fire and Rescue Service.

I can confirm that due to the amendments made (Drawing Number 02815-HMY-STA-XX-D-A-1036- Rev P12 Staner Court Rd-Site Plan-Proposed), it is my opinion that the emergency access requirements for the Fire and Rescue Service under the above Act 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. 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.

(Initial Comment)

The Fire Statement dated 7 July 2023 confirms that Fire appliances will have access to within 45m of all points inside each individual dwelling.

Whilst it is my opinion that the Fire Service emergency access under the above Act to the newly proposed houses appears to be satisfactory, it is my opinion that an operational response to an incident at Staner Court is likely to be impeded as a result of the proposal. In accordance with the County of Kent Act, the proposed new buildings should not render inadequate existing means of access for the Fire Service to a neighbouring building.

KCC SUDs -

(Final Comments)

Kent County Council as Lead Local Flood Authority have reviewed the updated Civil Drainage Design Strategy prepared by Pick Everard (22/12/2023) and would raise no further objections at this stage. We would however raise the following points for consideration at detailed design:

1. For any existing drainage features proposed to be utilised a CCTV survey should be conducted to confirm their presence and condition.

2. We would seek for a full network model of the proposed drainage network to be carried out, using appropriate software. The following items should be considered when undertaking the modelling:

Simulations against the varying storm events that include the 1 or 2, 30 and the 100 year events.

Appropriate application of 'upper end' climate change percentages for both the 30 and 100 year events. The climate change rates to be applied can be found at:

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

The utilisation of the FEH 2022 rainfall dataset where possible. Should FEH not be used, the LLFA would request the M5-60 value is uplifted to 26.25mm.

The outputs as presented should also contain the pipe/ manhole schedule to

illustrate the design modelled through the simulations (the identification of pipes and manholes in the calculations should be reflected on the accompanying drainage layout drawings).

Inclusion of the critical summary events within the outputs.

No surcharging of the network should be experienced for the 1 or 2 year events, unless where unavoidable at features such as flow controls, and no flooding for the 30 year event.

Should the Local Planning Authority be minded to grant planning permission for the proposed development, the LLFA would request for the following conditions to be attached:

(Initial Comment)

Kent County Council as Lead Local Flood Authority have reviewed the Civil Drainage Design Strategy report prepared by Pick Everard (15/08/2023). We understand that surface water will be discharged via three soakaways across the site. We note that infiltration testing has been undertaken and the rates achieved support the use of infiltration at this site. As such we have no objection in principle to the proposals outlined however would require further information at this stage:

1. Section 2.1.4 of the report suggests the site is not located in any source protection zone, however it appears that the site is located within an SPZ 2. As such we would recommend consultation is undertaken with the Environment Agency's groundwater protection team regarding the use of infiltration on this site, and their comments included within the submission.

2. No details regarding pollution mitigation have been provided. With the utilisation of soakaways on site, suitable levels of pollution treatment are required. The LLFA would seek for the CIRIA SuDS Manual guidance to apply, notably Section E Chapter 26. This would require the inclusion of either SuDS features or proprietary treatment to remove pollutants, prior to the soakaway. This is to ensure that groundwater is protected and is of particular importance considering presence of a source protection zone.

3. It is unclear how the road/parking area will be drained. We would expect for this to drain to the soakaways, with sufficient pollution mitigation, and would require confirmation as to whether this is the case.

We would recommend a holding objection until the above points have been addressed.

Southern Water - This Planning Application is located within the Source Protection Zone 2 of our Manston2 groundwater abstraction, near the Source Protection Zone 1. Southern Water do not object to this planning application on the condition that the drainage report is revised to consider the highly sensitive groundwater setting of which the proposed development is located. The proposed soakaway system does not include adequate treatment systems to protect the groundwater quality within this sensitive groundwater location. Consideration of the groundwater flow mechanics is also required to inform upon

the drainage design, and this is currently missing from the Drainage Report and Plan. Southern Water would expect to see enhanced treatment included in the Surface Water design, prior to run-off entering soakaway features, as per the CIRIA C753 SuDS Manual guidance.

The revised drainage design will need to be reviewed and approved by Southern Water to discharge this condition.

It appears that the applicant is proposing to divert a public combined sewer. Any public sewer diversion proposals shall be approved by Southern Water under Section 185 of the Water Industry Act. An application should be made using Southern Water's Get Connected Service at developerservices.southernwater.co.uk

- The 150 mm diameter gravity sewer requires a clearance of 3 metres on either side of the gravity sewer to protect it from construction works and to allow for future maintenance access.
- No development or tree planting should be carried out within 3 metres of the external edge of the public gravity 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 public or adoptable gravity sewers.
- 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. In order to protect public sewers, Southern Water requests that if consent is granted, the following condition is attached to the planning permission; The developer must agree with Southern Water, prior to commencement of the development, the measures to be taken to protect the public sewers. Southern Water requires a formal application for a 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.

KCC Biodiversity -

We have reviewed the information submitted by the applicant and advise that sufficient ecological information has been provided. We have taken this view due to a Preliminary Ecological Appraisal having been submitted which concludes limited potential for impacts on protected or priority species. Bat surveys have been completed at the site: no evidence of roosting bats was identified and bat commuting/foraging activity within the site was low. Developer Contributions will need to be provided due to the increase in dwellings within the zone of influence of a Special Protection Area.

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

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.

There is limited potential for S41/Priority species hedgehog to occur within the site. Precautionary working methods are advised during construction, to be secured by condition.

Hedgerows and trees to be retained within the site and its boundaries shall be protected during construction in line with standard arboriculture best practice (BS5837:2012). We advise incorporating the above measures into the Construction Management Plan and to secure this as a condition of any planning permission approved.

Artificial lighting has been proven to significantly impact on the behaviour of insects, birds, bats, and other nocturnal mammals. This is relevant to retained vegetation within/bordering a site and any proposed enhancements such as native species landscaping and bat / bird boxes. 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 2023 and the Bat Conservation Trust's 'Guidance Note 8: Bats and Artificial Lighting 08/23'. Suggested wording:

Under section 40 of the Natural Environment and Rural Communities (NERC) Act 2006 and paragraphs 174 and 180 of the National Planning Policy Framework (NPPF) 2021, biodiversity should be maintained and enhanced through the planning system. Appropriate recommendations for breeding birds and invertebrates are detailed within Section 9 of the PEA report. Confirmation of the number, type and exact location of these features is required. The landscaping plans show a minor increase in greenspace under the proposals around the boundary and built areas. While we welcome the native tree and hedgerow planting scheme, we take the view that there is an unnecessary amount of nonnative shrub planting proposed. As shown by the recently published BSBI Plant Atlas 2020, non-native species now outnumber native species growing in the wild, contributing to widespread decline of insects and associated wildlife. The use of native species planting within developments provides an important opportunity to halt and reverse this trend. Many of the species proposed have negligible biodiversity value and we advise that the scheme is revised to include a higher proportion of native species, and the complete removal of potentially invasive species such as cherry laurel and cotoneaster. We also would prefer to see mixed species hedgerows in place of the single species hornbeam hedgerows proposed, and use of wildflower rich turf in amenity areas. As much of the site will comprise buildings and hardstanding, in order to achieve measurable net gain in accordance with NPPF 2023 we also advise that green walls are included as recommended within the PEA. We advise that a Biodiversity Enhancement Plan is secured by condition, and that the Plan includes revision of the planting scheme and associated documents

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, Choose an item. 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.

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. The nearest diffusion tube (TH90) in Meridian Close near Staner Court shows very low baseline levels of pollution 18ug/m³ in 2022. Operational Impacts associated with the development are negligible and construction impacts will require mitigation measures as specified in Appendix D of the report.

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 lead and therefore remediation measures are required and the following condition recommended:

Kent Police - We recommend the applicant follows SBD guidance to address designing out crime to show a clear audit trail for Designing Out Crime, Crime Prevention and Community Safety and to meet our Local Authority statutory duties under Section 17 of the Crime and Disorder Act 1998. The points below identify my recommendations for the layout and design of this scheme;

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 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."

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

7. All external doorsets (a doorset is the door, fabrication, hinges, frame, installation and locks) including 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.

8. 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.

9. 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.

10. 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.

11. 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.

12. 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.

13. Mail delivery to meet SBD TS009 are strongly recommended for buildings with multiple occupants along with a freestanding post box of SBD/Sold Secure approved Gold standard. 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.

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

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

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.

ANALYSIS

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

Principle

Policy HO1 of the Thanet Local Plan states that permission for new housing development will be granted on non-allocated sites within the confines of the urban area. The site lies within the urban area of Ramsgate, and is previously developed land, currently occupying garages and hard surfacing serving parking space, and as such the principle of housing development on the site is considered to be acceptable, subject to other material considerations.

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.

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.

The application is for the removal of a row of existing garages, and the erection of four blocks of 2-storey dwellings, which include both terraced and semi-detached units. The existing site accommodates a 15 storey block of flats to the centre of the site, and three 3-storey blocks of flats to the front of the site. The proposed dwellings would be located to the rear of the site and to the western side. In addition to the houses, a number of parking areas are proposed around the site to accommodate the replacement and proposed parking.

The proposal will result in the development of open hard surfaced space within the site that is currently poorly utilised. Whilst the proposal will intensify the use of the site, the site is located adjacent to a high density housing development to the west (where terraced units and flat blocks back onto the site), and semi-detached units back onto the eastern boundary of the site from Princess Margaret Avenue, and therefore the proposed housing development for terraced and semi-detached units within the site would appear in keeping with the surrounding pattern of development. The proposed houses are spread out, with sufficient spacing available between each block so to minimise the visual impact. The units are 2-storey in scale, in keeping with the scale of development outside of the site, and smaller in scale than the existing flat blocks within the site, thereby again minimising the dominance of the development.

The proposed development enables the retention of the sub-station, and the replacement of existing parking, whilst also providing 11no. affordable housing units for which there is a need. Each of the houses are of a good size, with garden and defensible space between the front windows and the pavement. Additional soft landscaping is being provided around parking areas and to the sides of the dwellings, which will help to soften the development, especially when compared to the existing situation on site, which is fully hard surfaced. New landscaping is also proposed to the front of the existing flat blocks to the front of the site, and within the community garden and informal playspace, significantly increasing the extent of soft landscape features within the site. As such it's not considered the proposed development would appear cramped within the site, or negatively impact upon visual amenity.

The proposed units have pitched roofs, with double bay features to the front elevations, and deep floor to ceiling windows. The windows have brick detailing above, and a wide entrance is proposed with a door and an adjoining floor to ceiling window. The buildings will be constructed using buff bricks, beige/grey windows frames, and grey tiles. The dwellings differ in design to the existing flat blocks on the site, but this is expected given that the proposal is for smaller dwellings. Whilst they differ they will complement the existing development and the quality of design proposed will seek to enhance the overall appearance of the site. The units will appear in keeping with the character of the surrounding area, with the materials and style of units not dissimilar in appearance to the dwellings on the adjacent housing development to the west.

Overall the layout, design, scale, and appearance of the development is considered to result in a good quality development that achieves optimum use of the site for affordable housing

provision, whilst enhancing and better utilising areas for existing residents. The proposal is therefore considered to comply with Policy QD02 of the Thanet Local Plan.

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'.

Proposed Block A is located to the rear of no. 51 Meridian Close, which is a flat above a garage block. The main habitable room windows of the flat appear to face towards the proposed Block A, however, there is a distance of 12.8m between the closest proposed unit and the neighbouring flat, and this distance is considered to be acceptable for avoiding a significant impact to neighbouring outlook.

The front windows within Block A face towards the parking area within the site, and there is a distance of 21m from the nearest rear window in Block A and the existing 3-storey block of flats to the front of the site, which is considered to be an acceptable distance to prevent significant overlooking. The impact of Block A upon neighbouring amenity is therefore considered to be acceptable.

Block B is located to the rear of the site, and backs onto properties in King Charles Avenue. The proposed dwellings back onto the parking court serving the units in King Charles Avenue, along with the rear gardens of nos. 12-14. There is a distance of 21m between the proposed rear elevation of Block B and the existing rear elevations of the neighbouring properties, which is considered to be, on balance, acceptable, given the distance achieved and the presence of surrounding properties that would have some views towards the gardens of the neighbouring properties (Staner Court and those in Meridian Way). The front windows to Block B face towards the parking area within the site and therefore raise no concerns. The impact upon neighbouring amenity from Block B is therefore considered to be acceptable.

Block C backs onto the same parking court within King Charles Avenue, and therefore the proposed windows in the rear elevation are not considered to result in any loss of privacy concerns. The front windows within Block C face towards the parking area within the site, and the external open space serving the overall site, which will provide some additional natural surveillance of the space, but no loss of neighbouring amenity. The impact upon neighbouring amenity from Block C is therefore considered to be acceptable.

Block D is setback further than Block C, and backs on to the rear gardens serving nos. 18-20 King Charles Avenue. Through the amended plans the buildings have moved closer to nos. 18-20, in order to accommodate additional parking to the front of the site, however, a

minimum distance of 21m from the proposed first floor rear windows and the nearest corner of no.18 can be achieved, which will limit the impact upon neighbouring privacy.

Block D lies adjacent to the rear boundary of the properties no.54-56 Princess Margaret Avenue. There is a distance of 18.5m between the proposed side elevation of Block D, and the main existing rear elevation of no.54. There is a closer distance of 13m to a single storey projection to the rear of no.54, but again this distance is considered to be acceptable for protecting outlook, and the single storey structure appears to be an extension of the existing garage in any case. In addition a tree is located within the neighbours garden between the single storey projection and proposed Block D, which will screen views of the proposed development. No side windows are proposed Block D meaning no overlooking will occur to no.54. The front windows in Block D face towards the parking area within the site and the external open space serving the overall site, which will provide some additional natural surveillance of the space, but no loss of neighbouring amenity. The impact upon neighbouring amenity from Block D is therefore considered to be acceptable.

Other issues have been raised by existing residents within the site regarding the increase in people living within the site, and the potential impact from additional noise, and anti-social behaviour, and the impact it could have upon their quality of life. It is accepted that a large number of people already live within the site, and this will increase the number further, but the application is only for 11no. dwellings, and therefore given they all have their own amenity space, it is not considered that the future occupiers from these units would have a significant impact upon the quality of life of existing residents.

A number of residents have raised concerns regarding their storage units and whether they will be replaced. If storage units are within the lease of a tenant, then the applicant has advised they will either remain in situ or be replaced in an alternative agreed location. This is being dealt with separately by the Tenant and Leasehold Services team and is not a material planning consideration.

In terms of the impact upon future occupiers, all of the houses are provided with doorstep play space, and therefore the proposal is 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.

There is space to the front of the properties for refuse storage, and tracking plans have been submitted to prove that a 13m long refuse vehicle can enter and leave the site in a forward gear. Waste provision is therefore considered to comply with Policy QD03 of the Thanet Local Plan.

The reconfiguration of the external space within the site has resulted in an overall reduction in external amenity space, but the existing amenity space is currently poorly laid out with few facilities. The proposed layout incorporates an informal play area to the centre of the amenity space with the provision of new benches and tree planting. The plans also indicate the provision of a new community garden within a space to the front of the site that is currently soft landscaped, with the creation of new pedestrian access to the site, along with new

planting. The applicant has advised that the final design of the garden will be determined following further consultation with existing residents. Whilst there has been a loss of external amenity space for existing residents, including to the front and side of existing residential blocks fronting Manston Road, the remaining open space, through the enhancements proposed, is considered to result in an overall improvement to the quality and usability of the external open space, and as such the reduction in external amenity space is not considered to be detrimental to the amenity of residents.

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 proposed units will be served from the existing access into the site from Manston Road, which has good visibility, forming a safe access.

Trip Generation

A transport statement has been submitted with the application that considers trip generation from the proposed development. As the site accommodates affordable housing, the trip generation is expected to be lower than for market housing. The assessment shows that the proposal is likely to generate 8 two-way vehicle trips in the AM and 8 two-way trips in the PM peak hours, which is equivalent to one vehicle entering/leaving the network every 8 minutes in the AM and 8 minutes in the PM. As a result the statement confirms that there would be no adverse impact on the network generated by the proposed development. KCC agree with this conclusion and raise no objections to the impact upon the highway network from this proposal.

Parking

The application is removing the existing block of garages and informal car parking space within the site. Consideration has been given in the proposed block plan to both the provision of new parking to serve the new dwellings, in addition to the provision of replacement parking to serve existing residents following the removal of the garages and informal hard surfacing spaces.

There are 40no. parking bays within the site, including 5no. disabled spaces, in addition to the garage block, which provides another 23no. spaces if used for parking and not storage.

A parking beat survey has been submitted as part of the transport statement. The survey looked at existing on-site parking, and on-street parking within the local area. The survey was carried out over a two day period in the early hours of the morning. In both instances all but one or two of the parking bays were occupied within the site, proving the need for the replacement of at least the existing 40no. Bays. In surrounding roads spaces were consistently identified in Princess Margaret Avenue (approximately 41no. spaces) and Auckland Avenue (approximately 10no. spaces).

The proposal provides for 64no. spaces. They are all unallocated but equate to 50no. replacement parking spaces and 14no. spaces to serve the proposed 11no. dwellings. The transport statement considers this provision to be adequate to address the loss of garages and parking bays within the site, and to accommodate the necessary parking provision for the affordable units.

KCC Highways has been consulted and advise that night surveys are the most appropriate as they establish when the parking is likely to be the most saturated in residential areas, and therefore the submitted parking beat surveys are considered to be acceptable. Based on the information provided KCC advise that they are satisfied with the proposed parking provision, but they recommended that a pedestrian crossing with tactile paving be provided at the Staner Court/Manston Road junction. This has not been shown on the plan but has been agreed by the applicant to be provided on site, which can be secured by condition.

Amendments have since been made to the parking arrangement on site following comments by Kent Fire and Rescue, which has reduced the overall number of parking spaces to 62no. (48 replacement spaces and 14no. proposed). KCC have been re-consulted and advise that on the basis the parking beat survey had only identified 40no. parking bays and 7no. garages in use, the provision of 48no. replacement spaces would still accommodate the current need, especially given the capacity for on street parking in the surrounding area. As such, no objections are raised to the parking provision proposed.

Tracking

Tracking plans have been submitted within the transport statement for a 7.9m fire service vehicle, a 13m long refuse vehicle, and a 4x4 vehicle of 4.9m in length. The tracking plans prove that these vehicles can enter and leave the site in a forward gear. KCC Highways has raised no concerns with the proposed tracking.

Fire and Rescue

The originally submitted layout plan showed the provision of parking spaces to the front of Staner Court, and the loss of the hatched area that has previously been used to keep the area to the front of Staner Court clear for fire engines during emergency use.

Kent Fire and Rescue were consulted on the application, and raised concerns on the grounds that an operational response to an incident at Staner Court would be likely to be impeded as a result of the proposal, by affecting the existing access to the tower block.

A meeting took place between the Council and consultees in order to understand the concerns of Kent Fire and Rescue and resolve them. The two issues they raised were that the new parking to the front of the tower block would restrict access by the fire engine, including its ability to get as close as possible to the building, whilst also restricting access for evacuation. They recommended that the spaces to the front be removed and the former hatched area be reinstated and enlarged so that good access to the building could be maintained.

Their further request was for an additional access road to be provided to serve the proposed dwellings to the rear of the site, providing the ability for occupiers in vehicles to leave the site should a fire engine block the main access.

The amended site plan shows both of these amendments. Kent Fire and Rescue have been consulted and advise that on the basis of the amended plans the emergency access requirements for the Fire and Rescue Service under the County of Kent Act 1981 Section 53 have been met.

For the proposed dwellings a Fire Statement has been submitted (dated 7 July 2023), which confirms that Fire appliances will have access to within 45m of all points inside each individual dwelling. Kent Fire and Rescue advise that the impact upon the new dwellings is therefore satisfactory.

The proposed development is therefore considered to have an acceptable impact upon public safety.

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 Ramsgate, and the immediately surrounding area, which consists of:

- 1 bed - 8 live applications on TDC's housing register in CT12 6HR
- 2 bed - 2 live applications on TDC's housing register in CT12 6HR
- 3 bed - 4 live applications on TDC's housing register in CT12 6HR

The overall need as identified on the TDC housing register is:

- 1-bed - 49%
- 2-bed - 18.8%
- 3-bed - 23.9%
- 4-bed - 6.7%

The proposal is for 100% affordable housing on the site, consisting of 9no. 3-bed houses and 2no. 4-bed houses, 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 3-bed and 4-bed units in the immediate area, and as such the proposal, which provides both of these unit sizes, is considered to comply with Policy SP22 of the Thanet Local Plan.

Ecology

The site is previously developed land, and is hard surfaced. An ecological impact assessment has been submitted with the application that has found no suitable habitat on site for any protected species, and therefore no additional surveys have been recommended. In any case a bat survey report has been submitted with emergence survey results for bats, which indicates that bats are not using any part of the structure for roosting. It also advises that bat sensitive lighting is not required.

KCC Biodiversity has been consulted who advise that sufficient ecological information has been provided, which concludes limited potential for impact upon priority species, no evidence of roosting bats, and only low activity of commuting/foraging bats.

KCC advises there is limited potential for impact to hedgehogs, but recommends that precautionary working measures be taken during construction works.

In terms of ecological enhancements, KCC has advised that they support the new tree and hedge planting, but recommend more native species be introduced in order to increase biodiversity gain. A condition requiring a biodiversity enhancement plan submission, which should include the native species as well as the enhancement measures identified within section 9 of the Preliminary Ecological Appraisal, namely bird boxes and next bricks.

The proposed development will result in the loss of grass area, but the increase in planting of trees and hedgerow will provide sufficient enhancement to biodiversity assets, and therefore subject to safeguarding conditions, the impact upon biodiversity is considered to be acceptable.

Drainage

A drainage design strategy has been submitted with the application. It states that the site does not lie within a Source Protection Zone, and therefore it is feasible to discharge water via infiltration, and that the site is at low risk of flooding.

Existing drainage on the site is to the existing combined sewer in Staner Road, or to a gravity pipeline that drains through existing soakaways within the site.

The proposed drainage will follow the same route, using the combined sewer and three existing soakaways across the site.

KCC SUDs has been consulted and advise they have no objections to the principle of the proposals, however, the suggestion that the site does not lie within a source protection zone is incorrect, with the site lying within source protection zone 2. As such they advised that the EA should be consulted, and that details of pollution mitigation be provided. Southern Water concur with this advice and have recommended the same.

Revised details have been submitted showing that a stormceptor would be used to separate oil, grease, and sediment from stormwater runoff, which would therefore deal with any pollution during infiltration.

KCC SUDs raise no objections to the additional details, but recommend safeguarding conditions requiring the submission of a sustainable surface water drainage scheme, in addition to details relating to infiltration. Southern Water also raises no objections subject to safeguarding conditions.

The Environment Agency has raised no objections to the proposed drainage strategy, subject to only clean uncontaminated water draining to the surface water system, which can be achieved with the use of the stormceptor.

The impact upon flood risk and water resources is therefore considered to be acceptable subject to conditions, 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 £4,876. The applicant has agreed to this 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 £97,693.53.

Community Learning and Skills £376.31
Integrated Children's Service £814.55
Libraries £688.93
Adult Social Care £1,989.68
Waste Disposal and Recycling £572
Special Educational Needs and Disabilities Provision £6,158.13
Secondary Education New Build £61,459.09
Secondary Education Land £25,634.84

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 £87,093.93, 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 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 December 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 advises that the nearest diffusion tube (TH90) in Meridian Close near Staner Court shows very low baseline levels of pollution 18ug/m³ in 2022, and that Operational Impacts associated with the development are negligible. Environmental Health has advised that the report has used appropriate methodology and baseline monitoring to consider operational and construction related air quality impacts.

The report has considered dust effects from construction, with the risk of dust soiling identified as 'Medium Risk', and the risks associated with human health deemed as 'Low Risk'. The dust nuisance can be mitigated through mitigation measures, which have all been listed within Appendix D of the Air Quality Assessment.

Environmental Health has recommended a construction management plan condition that includes the mitigation measures set out within the assessment. Subject to this 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 Geo-Environmental Assessment report, which identifies only a low to moderate risk to human health from shallow contamination associated with made ground present on site from previous development, has been submitted. Further works are commended including the submission of a remediation strategy and a piling risk assessment. The Environment Agency has raised no objections subject to safeguarding conditions regarding unsuspected contamination, piling and drainage. Environmental Health has been consulted, and advised that safeguarding conditions requiring the submission of a remediation scheme and verification report to be submitted should be attached, and therefore subject to these conditions being attached, the proposal is considered to comply with Policy SE03 of the Thanet Local Plan.

Fire Safety

The Health and Safety Executive has been consulted on fire risk. They've reviewed the application and have advised that they are content with the fire safety design of the development, and do not consider that the proposed dwellings would pose an obstacle for

fire appliance access to Staner Court. The impact upon public safety is therefore considered to be acceptable.

Conclusion

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

The proposal will regenerate an area that currently accommodates dilapidated garages and a poor parking layout with unusable spaces. The proposal will re-provide the parking spaces plus provide additional parking to serve the new development, whilst achieving new housing and improved landscaping, along with an informal play area and community garden.

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, with significant weight applied to the social, economic and environmental benefits of the proposal, including the provision of 100% affordable housing.

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/23/1352

Project

Land At Staner Court Manston Road RAMSGATE Kent

