

D08

F/TH/23/1475

PROPOSAL: Erection of 36no. dwellings, with vehicular access onto Tothill Street, and associated landscaping

LOCATION: Land On The West Side Of Tothill Street RAMSGATE Kent

WARD: Thanet Villages

AGENT: Mr Andrew Watson

APPLICANT: Ms Amy Tamplin

RECOMMENDATION: Defer & Delegate

Defer and delegate for approval subject to the submission of a legal agreement within 6 months securing the required financial contributions 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:

Site Layout 110222/FA/P2(B)/SL01 - Rev H

Tothill St Access 8949-GA-001 Rev. P5

Greenhill Gardens Access 8949-SK-002 Rev B

Storey Heights Plan 110222/FA/P2(B)/SL02 - Rev D

Dwelling Types Plan 110222/FA/P2(B)/SL03 - Rev D

Tenure Plan 110222/FA/P2(B)/SL04 - Rev D

Parking Plan 110222/FA/P2(B)/SL05 - Rev D

Refuse Plan 110222/FA/P2(B)/SL06 - Rev D

Materials Plan 110222/FA/P2(B)/SL08 - Rev D

Boundary Treatment Plan 110222/FA/P2(B)/SL09 - Rev D

M42(2)/M4(3) Plan 110222/FA/P2(B)/SL10 - Rev D

Colour Site Layout 110222/FA/P2(B)/SL11 - Rev C

Hard Landscaping Plan 110222/FA/P2(B)/SL12 Rev C

Street Scenes - Sheet 1 110222/FA/P2(B)/SS1 Rev B

House Type BLA Elevations & Floor Plans 110222/BLA/FA/P2(B)/EP

House Type BRC Elevations & Floor Plans 110222/BRC/FA/P2(B)/EP Rev A

House Type BRC-HIPPED Elevations & Floor Plans 110222/BRC-H/FA/P2(B)/EP Rev C

House Type BUR-HIPPED Elevations & Floor Plans 110222/BUR-H/FA/P2(B)/EP Rev D

House Type CUL Elevations & Floor Plans 110222/CUL/FA/P2(B)/EP
House Type HAZ Elevations & Floor Plans 110222/HAZ/FA/P2(B)/EP
House Type WYC Elevations & Floor Plans 110222/WYC/FA/P2(B)/EP
House Type SH51 Elevations & Floor Plans 110222/SH51/FA/P2(B)/EP
House Type SH52 Elevations & Floor Plans 110222/SH52/FA/P2(B)/EP Rev A
House Type SH55 Elevations & Floor Plans 110222/SH55/FA/P2(B)/EP Rev A
House Type M3/M1 Elevations & Floor Plans 110222/M3-M1/FA/P2(B)/EP
Single Garage Elevations & Floor Plans 110222/SG/FA/P2(B)/EP
Twin Garage Elevations & Floor Plans 110222/TG/FA/P2(B)/EP
Planting plans: 6142-LLB-EA-E1-DR-L-0021-S4-P05, 6142-LLB-EB-E1-DR-L-0028-S4-P04,
6142-LLB-EB-E2-DR-L-0029-S4-P05, and 6142-LLB-XX-XX-
Landscape Masterplan DR-L-0007-S4-P06

GROUND;

To secure the proper development of the area.

3 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.

4 No drainage systems infiltration of surface water drainage into the ground is permitted 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 protect vulnerable groundwater resources in accordance with Policy SE04 of the Thanet Local Plan, and the advice contained within the National Planning Policy Framework.

5 Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated by a piling risk assessment that there is no resultant unacceptable risk to groundwater. 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.

6 Prior to the first occupation of the development hereby permitted, a verification report shall be submitted to, and approved in writing by, the Local Planning Authority, demonstrating that the ecological enhancement features detailed within Biodiversity Method Statement (Bakerwell; October 2023) have been installed.

GROUND

To make a positive contribution to biodiversity, in accordance with Policy SP30 of the Thanet Local Plan, and the advice as contained within the NPPF.

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

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

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

GROUND

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

8 (i) Prior to the first occupation of the development hereby permitted, an Archaeological Post Excavation Assessment Report covering the investigations carried out within the development site shall be submitted to and approved in writing by the local planning authority. The Post-Excavation Assessment Report shall include an Updated Project Design and accompanying timetable for further analysis, publication and archive deposition of the findings of the archaeological investigations.

(ii) The archaeological publication shall be produced in accordance with the programme and timetable set out in the report.

GROUND

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

9 No development shall take place until protective fencing has been erected around the archaeological exclusion zone (excluding the access point), in accordance with details to be submitted to, and approved in writing by, the Local Planning Authority. The protective

fencing shall be installed prior to the commencement of works on site, including site clearance, and shall remain in situ throughout the construction period.

GROUND:

To ensure that due regard is had to the preservation in situ of important archaeological remains. in accordance with Policy HE01 of the Thanet Local Plan and the advice contained within the National Planning Policy Framework.

10 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.

11 Development shall not begin in any phase until a detailed sustainable surface water drainage scheme for the site has been submitted to (and approved in writing by) the local planning authority. The detailed drainage scheme shall demonstrate that 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 without increase to flood risk on or off-site. The design shall promote the use of infiltration SuDS and shall only dispose of surface water off-site for those parts of the site where infiltration presents an unacceptable risk to controlled waters.

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.

12 No building on any phase (or within an agreed implementation schedule) of the development hereby permitted shall be occupied until a Verification Report, pertaining to the surface water drainage system and prepared by a suitably competent person, has been submitted to and approved by the Local Planning Authority. The Report shall demonstrate 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.

13 The development hereby permitted shall be carried out in accordance with the construction management plan dated 8th November 2022.

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.

14 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.

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

GROUND:

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

16 Prior to the first occupation of the development hereby permitted, the site access onto Tothill Street and associated improvements, along with the pedestrian uncontrolled crossing point, as shown on drawing numbered 8949-GA-001 Rev. P5, and the emergency access onto Greenhill Gardens, as shown on drawing numbered 8949-SK-002 Rev B (or amended as agreed in writing by the Local Planning Authority), shall be completed and made operational.

GROUND:

In the interests of highway safety.

17 Prior to the first occupation of the development here permitted, the improvements to the Tothill Street approach to the Minster Roundabout, as shown on drawing numbered 8949-GA-002 Rev. A (or amended as agreed in writing by the Local Planning Authority), shall be completed and made operational.

GROUND:

In the interests of highway safety.

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

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

GROUND:

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

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

GROUND:

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

20 A landscape management plan (including long term design objectives), management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned, domestic gardens, shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development or any phase of the development, whichever is the sooner, for its approved use. The amenity areas shall be managed in accordance with the approved landscape management plan in perpetuity.

GROUND:

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

21 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.

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

GROUND:

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

23 The windows to be provided in the eastern rear elevation roofslope of unit nos. 215-231 hereby approved (as shown on plan numbered 110222/FA/P2(B)/SL01 Rev H) shall be provided and maintained with a cill height of not less than 1.7 metres above the finished internal floor level.

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 No further roof alterations, extensions or openings, 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 to unit nos. 215-231 (as shown on plan numbered 110222/FA/P2(B)/SL01 Rev H) 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.

INFORMATIVES

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

It is the responsibility of developers to have the appropriate waste storage facilities and containers in place prior to the property being occupied. For more information, please contact Waste and Recycling on 01843 577115, or visit our website <http://thanet.gov.uk/your-services/recycling/waste-and-recycling-storage-at-new-developments/new-developments/>

Only clean uncontaminated water should drain to the surface water system. Roof drainage shall drain directly to the surface water system (entering after the pollution prevention measures). Appropriate pollution control methods (such as trapped gullies and interceptors) should be used for drainage from access roads and car parking areas to prevent hydrocarbons from entering the surface water system. There should be no discharge into land impacted by contamination or land previously identified as being contaminated. There

should be no discharge to made ground. There must be no direct discharge to groundwater, a controlled water.

Piling can result in risks to groundwater quality by mobilising contamination when boring through different bedrock layers and creating preferential pathways. Thus, it should be demonstrated that any proposed piling will not result in contamination of groundwater. If Piling is proposed, a Piling Risk Assessment must be submitted, written in accordance with EA guidance document "Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention. National Groundwater & Contaminated Land Centre report NC/99/73".

SITE, LOCATION AND DESCRIPTION

The site is located to the north of Minster, and until recently was in agricultural use. Through the adoption of the Thanet Local Plan 2020, the rural confines boundary of the village has been amended to enclose all of the application site other than the area proposed for the cemetery expansion, which remains outside of the village confines.

The application site lies adjacent to Tothill Street, and adjoins properties in Fairfield Road, Greenhill Gardens, and Prospect Road/Gardens. These residential areas lie adjacent to the southern and eastern boundaries of the site. To the west of the site is agricultural land. The north of the site borders Minster Cemetery, beyond which is the Holiday Inn; and agricultural land, beyond which is the A299.

The site consists of open countryside, with hedge planting along a number of the boundaries. Adjoining the western boundary of the site is Bridleway TE29, which connects the A299 to the north with Prospect Road to the south, and provides an off-road link to an existing cycle route adjacent to Canterbury Road West.

RELEVANT PLANNING HISTORY

R/TH/23/1474 - Application for the reserved matters of outline permission OL/TH/18/1488 "Outline application for the erection of up to 214no. dwellings, cemetery expansion, and associated access, with all other matters reserved" for the approval of appearance, landscaping, layout and scale of development within phase 2 (81No dwellings).
Pending

R/TH/22/1393 - Application for the reserved matters of outline permission OL/TH/18/1488 "Outline application for the erection of up to 214no. dwellings, cemetery expansion, and associated access, with all other matters reserved" for the approval of appearance, landscaping, layout and scale of development within phase 1 (133no. dwellings)
Granted - 19/06/2023

OL/TH/18/1488 - Outline application for the erection of up to 214no. dwellings, cemetery expansion, and associated access, with all other matters reserved.
Granted - 03/09/2021

PROPOSED DEVELOPMENT

The application is for the erection of 36no. dwellings, including 2no. 1-bed flats, 2no. 2-bed flats, 3no. 2-bed houses, 26no. 3-bed houses, and 3no. 4-bed houses.

Access to the units is via Tothill Street, and parking is provided in the form of 2no parking spaces per dwelling.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan 2020

SP01 - Spatial Strategy - Housing
SP22 - Type and Size of Dwellings
SP26 - Landscape Character Areas
SP29 - Strategic Access Management and Monitoring Plan (SAMM)
SP30 - Biodiversity and Geodiversity Assets
SP35 - Quality Development
HO1 - Housing Development
HO10 - Land at Tothill Street
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
HE03 - Heritage Assets
CC02 - Surface Water Management
CC04 - Renewable Energy
CC05 - District Heating
SE04 - Groundwater Protection
SE05 - Air Quality
SE06 - Noise Pollution
SE08 - Light Pollution
TP02 - Walking
TP03 - Cycling
TP06 - Car Parking

NOTIFICATIONS

Neighbouring occupiers have been notified and site notice posted on site. Eight letters of objection have been received raising the following concerns:

- Impact on character of area,
- Houses will be too small,

- Loss of space,
- Impact on vegetation and trees,
- Impact on infrastructure,
- Increased traffic,
- Increased pollution levels,
- Impact on highway safety,
- Increased noise,
- Safety of swale and impact on wildlife due to depth,
- Mosquitos from standing water,
- Flood sensitive area,
- Impact on bridleway.

Minster Parish Council - With regard to the above, Minster Parish Council wish to place a holding OBJECTION subject to clarification that properties that bound Greenhill Gardens will be 1.5 storey in line with the bungalows that they will back on to. Also that permitted development rights will be withdrawn on these properties to ensure that they cannot be extended to make them 2 storey buildings at a later date to protect residents of Greenhill Gardens.

Supplementary submission:

“Please accept this as a supplementary submission from Minster Parish Council in addition to our previous holding one.

However, given the very serious safety concerns that are obvious now that cross-sections of the eastern swale intended for the site are now known and publicly available, Minster Parish Council most strongly OBJECTS to this application.

In fact it also requests that the TDC Planning Department revisits the earlier applications and ensures that this objection is reflected on those regarding the swales included in the already "consented" applications.

The latest application by BDW is the first to carry any cross-section drawings of what are referred to as swales, either shown or mentioned in any of the various applications pertaining to this whole site to date. No other documents show these, unless they are held by the Planning Department and haven't been published.

The relevant application history for the site as a whole

1. OL/TH/18/1488 "Outline application for the erection of up to 214no.dwellings
2. R/TH/22/1393 "Application for the reserved matters of outline permission OL/TH/18/1488 "Outline application for the erection of up to 214no.dwellings"
3. CON/TH/22/1694 "Application for approval of condition 21 (Surface Water Drainage) attached to Planning Permission OL/TH/18/1488" - no documents made available for the Parish Council or members of the public to see or comment on.
4. F/TH/23/1475 "Erection of 36no. dwellings, with vehicular access onto Tothill Street" - this one

Given the design and layout of the drawings for the swale at the rear of the properties in Greenhill Gardens and the considerable difference in level, we consider that the proposal is fundamentally unsafe given the proximity of the adjacent footpath and adjacent properties. In fact one could liken the proposal to an open sewer of old, albeit for surface water.

This can be clearly seen from the diagrams below taken from the submitted drawing "Plot Sections - Plots 218 and 215", ref 6881.SK41. The Drawing (Rev A) also states "Updated to suit Thanet District Council comments". However, those comments are not available on the Planning Portal and they have not been made available for public scrutiny or comment.

Two cross-sections have been included in this drawing and this information below appertains to the southernmost one. However, the swale north or south of this point (B-B on the drawing) could be even deeper still.

The pale horizontal lines are 1m apart which allows for the confirmation of the measurements as shown on the drawing.

The proposed vertical sides appear to be constructed from stone-filled gabions

The depth of the western side is approximately 2m and the eastern side approximately 2.5m at cross-section B-B

Different height fences and hedges respectively form the boundaries either side of the proposed swale and a 1.2m post and rail fence separates the swale from a 2m footpath running the length of the rear of the Greenhill Garden properties.

An eminent retired ex-emergency medicine hospital consultant who was in charge of the A&E department at the Queen Elizabeth the Queen Mother Hospital in Margate and living in Minster has shared his horror of this design with us and also other risks eg that associated with potential standing water that could be held in the swale

"It is in my professional opinion, and I am seriously concerned, that the proposals for surface water drainage on the eastern side of the site is a potentially fatal or life- changing accident waiting to happen given the nature of the design and potential height of a vertical fall.

For example, if a person (youth or older) was to sit on the post and rail fence as shown, their head could be at about 4m above the bottom of the swale. Should they then fall backwards into it, their injuries could be catastrophic. Should a younger person, e.g. a child manage to get through the fence, then their injuries could be as bad.

I realise that the depth of the swale isn't consistent along its length and any flows will be slowed in places, but that aspect too, has its own drawbacks as people can drown in only an inch of water.

Then of course one should also consider the safety of any animals that may fall into the swale, both domestic and wild. There is little chance of them getting out very easily."

".....[the swale] is liable to attract mosquitoes. Given that there are now reports of the Asian Tiger Mosquito spreading through Europe and soon expected in the UK, these are carriers of tropical viruses such as Zika, Chikungunya and Dengue. Paris has already started

fumigating areas of the city and there are reports of the mosquitoes nearing the Channel coast already."

We wholeheartedly concur with this expert medic's recommendation that the application should be refused until the swale is replaced by a suitably secured sub-surface conduit (e.g. concrete pipe or similar that is sufficiently protected to prevent access to animals or children) to convey any surface water to the attenuation ponds.

We also recommend that unless TDC has in-house expertise contributing to the planning process, it is suggested that the Health and Safety Executive is consulted on this submission, and this proposed swale specifically.

As there are no specifications and cross-sections for the proposed swale on the western side of the whole development site, then Minster Parish Council are unable to scrutinise and comment accordingly, therefore that too should be similarly reviewed for all potential safety issues."

Additional Comments:

"Minster Parish Council has previously submitted supplementary objections to F/TH/23/1475 and R/TH/23/1474.

Please accept this strong OBJECTION as another supplementary submission from Minster Parish Council to each of these in addition to our previous objections - and the same is also applicable to any other previously consented applications for the same site, ie OL/TH/18/1488 and CON/TH/22/1694.

Following files loaded on the planning portal against both F/TH/23/1475 and R/TH/23/1474 in the past two weeks, MPC holds the view that the very serious safety concerns continue to remain, so hence our objections to each.

F/TH/23/1475:

Amended Plan: Plots 218 and 225 sections (TDC file ref F_TH_23_1475-PLOTS_218_AND_225_SECTIONS-1179264.pdf) uploaded to the planning portal.

R/TH/23/1474:

Amended Plan: SECTIONS (TDC file ref R_TH_23_1474-SECTIONS-1179330.pdf) uploaded to the planning portal

Amended Plan - PLOTS 218 AND 225 SECTIONS (TDC file ref R_TH_23_1474_SECTIONS- 1179330.pdf PLOTS_218_AND_225_SECTIONS-1178815.pdf) uploaded to the planning portal

In fact all of these latest drawings (drawing 6881.SK41 Rev B) are actually one and the same and all show the same errors and inaccuracies in them:

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F/TH/23/1475:

F_TH_23_1475-PLOTS_218_AND_225_SECTIONS-1179264.pdf

R/TH/23/1474: R_TH_23_1474-PLOTS_218_AND_225_SECTIONS-1178815.pdf

R/TH/23/1474: R_TH_23_1474_SECTIONS-1179330.pdf

To start with, in the schematics the title of Section A-A (Plot 218) is an incorrect reference as it should read 128 (as in the drawing above it)

BUT worse still is the fact that the schematics of the new, shallow, cross-section of the swale at point B-B could never be constructed if the measurements on the drawings are followed. MPC is at a loss to understand how the revised sections could be posted on the planning portal on the 8th and 19th with such inherent inaccuracies. It's been redrawn as a shallow sided swale, but the invert levels have not changed so the cross section now contradicts itself. It is still 2m deep according to levels. The swale at A-A is 530mm deep and the swale at B-B remains at 2080mm deep. Whoever KJM in the Stewart Michael Associates office is (BDW's agents) has not been doing their checking job properly, viz.

The proposed levels circled in yellow show it drops from 25.560 on top of the east side to 22.720 at invert (the bottom), a drop of 2.84m, ie. 25.560 22.720 That's over a distance highlighted in green of 44.15 42.15 2m. That drop over that distance is a slope of 1 in 0.7 (or a 55 degree slope). Clearly soil won't stand at 55 degrees so support like a gabion basket is required (which is what was shown in the original application (four on top of each other to achieve the drop required)).

The sections contradict themselves and should never have been issued from the design office as they have not undergone even basic checks.

Therefore, MPC has major concerns as to the accuracy of the submitted drawings and just what is going to be the cross-section at B-B.

That only answers that point in the swale, assuming A-A remains the same. What is not known are the cross-sections along the whole of the swale bounding the rear of the properties in Greenhill Gardens, which means that unless confirmed otherwise by other drawings, the original deep-sided trench may have been moved elsewhere without such being advised?

Without a long section of the swale, which has not been provided, there is no way of telling if either the cross sections detail the wrong levels and are 1 in 3 sloped swales or if the diagrammatic view has been manipulated and does not show what the levels say. The MPC objection to the deep trench previously identified stands on the information presented.

A 666mm deep, 1 in 3 sided swale, as previously advised for B-B could work; but BDW need to produce a cross section that details this and produce the long section with similar cross-sections (not any deep trench) that will inform the weir locations to slow downstream velocity.

MPC recommend that TDC Planning take this up with BDW as a matter of urgency and that BDW are asked to submit a long section drawing showing the cross-sections throughout the length of the eastern swale.

Please apply this Objection to each of the relevant applications.”

Additional Comments:

“Minster Parish Council has previously submitted supplementary objections to F/TH/23/1475 and R/TH/24/1474, etc, the last only this week.

Please accept this submission as yet another supplementary OBJECTION from Minster Parish Council to each of these in addition to our previous objections - and the same is also applicable to any other previously consented applications for the same overall site, including OL/TH/18/1488 and CON/TH/22/1694.

Upon further scrutiny of some of the latest documents submitted regarding surface water drainage, and compared to their earlier counterparts it is becoming clearer as to why the proposed eastern swale depth has been such a mess, although it is noted that today's upload of cross-section B-B now has corrected matching depths included. But there are issues that remain for some of the new routing of water that had been intended to flow into the swale adjacent to plot 225.

Phase1 house driveways at the north of the site discharge into the top end of the swale. Phase 2A driveways were due to be piped (via easements) under the exit road to then enter the eastern swale. To get the falls to work the applicant needed the swale to be over 2m deep near plot 225. However, the Phase 2B application no longer takes drainage from the drives of plots 149 to 174 into the eastern swale, it is piped under the west side of the exit road in a 450mm diameter carrier pipe - see the first two drawing extracts below,

However, there is a major flaw on the latest drawing - see the third drawing extract below. The 450mm diameter carrier pipe discharges into a 225mm diameter carrier pipe at manhole MH S341. Obviously big into small doesn't work. Water would then enter a bioretention strip (which is of questionable capacity) - that is potentially lots of water into a narrow retention strip, beyond which other drainage measures, etc could see them overcome and the potential for water reaching the Greenhill Garden properties beyond the end of the site.

One has to remember the SuDS strategy for potentially contaminated driveway drainage relies on a treatment train: porous paving, bioretention strip, vegetated swale, then sediment pond then hydro braked discharge to combined foul sewer.

The full treatment train cannot now be claimed for Phase 2A houses, especially plots 149 to 174 - they have porous paving, sealed pipe, questionable bioretention strip then sediment pond. MPC would expect that TDC and KCC SuDS look closer at the currently proposed detail; that TDC dismiss these applications; that Southern Water be asked if they should request oil interceptors to now be included in any updated proposed design.

Phase 1 has received detailed consent, Phases 2A and 2B are not yet determined - but it is most concerning that such simple matters keep being overlooked and errors made that would potentially be difficult to correct at a later stage.

Please apply this Objection to each of the relevant applications affected by this overall drainage strategy.”

CONSULTATIONS

KCC Highways -

(Final Comment)

I am now in receipt of further plans that have been submitted to address my previous concerns. I am satisfied that the red line boundary to the road fronting these dwellings has been amended to allow for adequate turning provision for all vehicles serving this phase of the development without having to rely on other phases coming forward.

Off site-works have previously been agreed at the OL stage on application OL/TH/18/1488 and include a new uncontrolled pedestrian crossing point over Tothill Street allowing access to the bus stop on the east side, provision of improvement works to the Tothill Street/A299 roundabout and a proportionate contribution of £166k towards the Spitfire junction and associated approach roads. The off site works will be carried out prior to any occupation of the site.

All conditions relating to this site are attached to the OL application and I am satisfied that the submitted plans now meet KCC Highways requirements and do not wish to raise any objections to the submitted application.

(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 :-

It is indicated on the application sheet that some of the internal roads will be offered for adoption in order that they become publicly maintainable. A plan is therefore required demonstrating the extent of adoptable highway limits.

It is not clear from the submitted details how the standard roads become shared surface as no entry treatment has been identified and the general arrangement details still appear to show pedestrian safeguarding areas alongside the edge of carriageway. An engineering drawing clearly showing carriageway widths, shared surface entry details, footway and verge details and service margins in accordance with Kent Design Guide will greatly assist in the site appraisal. It should also include the materials to be used.

The shared surface width of 4.8m still allows two cars to easily pass and this section of highway should be encouraging a target speed of not more than 15mph. A 4.8m carriageway width is likely to encourage on street parking outside of purposely dedicated spaces to the detriment of other road users. The typical design parameter for a shared surface is a width of 4.1m. The width can vary but there should be sufficient space for two vehicles to pass each other at least every 40m and these spaces must be intervisible. The introduction of some pinch points along the shared surface section would double as a speed restraint. A minimum width however of 6m is required behind the 90 degree parking spaces to allow for manoeuvring and the spaces themselves should be a minimum of 2.5m wide increasing by an additional 0.2m on sides abutting a physical restraint such as a wall, hedge, barrier or tree.

Parking space for mobility impaired provision for unit 243 should be closer to the unit it serves, ideally at the end of the pedestrian walkway leading to that unit.

Parking spaces on driveways should be 6m in depth fronting a garage and 5m otherwise. There should not be driveways so long a third car should attempt to squeeze into the remaining space resulting in footways being overhung and obstructed. I would therefore like to see the depth of driveways reduced to plots 233, 234, 23, 237, 238 and 215.

Motorcycle parking should also be incorporated into the design where banks of parking spaces are located details of which can be found:

<https://parkingstandards.co.uk/Standard/Kent%20-%202021-09-01.pdf>

Noting that this phase forms part of the bigger proposal it will be necessary to ensure that a turning head is provided opposite plots 224 and 230 in the unlikely event that this phase came forward in isolation for any length of time, and did not have appropriate turning facilities for residents and delivery vehicles. The red line will need to be amended to accommodate these changes. Ideally the footway/cycleway connection to Greenhill Gardens should also be included in the red line to ensure that sustainable connections are included from the outset for these residents.

The footways behind the parking spaces should stay in private ownership and not form part of the shared surface but rather part of the private development footprint.

The service margins should wrap entirely around the shared surface area and can reduce to 0.5m where services are not located but to accommodate vehicle overhang and up to 2m in width where underground apparatus is to be installed.

I look forward to further details being submitted addressing the above points.

KCC Accommodation - The County Council has assessed the implications of this proposal in terms of the delivery of its community services and is of the opinion that it will have an additional impact on the delivery of its services. These impacts will require mitigation, either through the direct provision of infrastructure or the payment of an appropriate financial contribution. A summary of the projects serving the development and proportionate contributions requested is set out in Table 1.

KCC Biodiversity -

(Final Comment)

We have reviewed the ecological information submitted with this planning application in conjunction with the ecological information submitted as part of applications CON/TH/23/1660 and CON/TH/23/1476.

We are satisfied that appropriate ecological mitigation can be carried out for the species present within the redline boundary and wider site to avoid a breach of wildlife legislation. We highlight that as this is a full application and not a reserved matters application associated with OL/TH/18/1488 an ecological appraisal should have been submitted as part of the application and not only a Preliminary Biodiversity Net Gain Assessment and

biodiversity method statement.

The biodiversity method statement details that the majority of the ecological mitigation was completed in 2023 and the remaining mitigation must be completed prior to any works commencing within the site.

The Preliminary Biodiversity Net Gain Assessment has detailed that a net gain for both habitats and hedgerows is anticipated to be achieved within the wider site (not this application boundary) and we agree with the conclusion. However as the net gain is achieved largely due to the open space within the wider site rather than this application and therefore we have not commented in detail on the submitted document. We highlight that appropriate management must be implemented within the wider site to ensure that anticipated BNG can be achieved.

Enhancement Features

The Biodiversity Method Statement (Bakerwell; October 2023) has detailed the following enhancements will be incorporated in to this phase

- o 4 integrated bat boxes
- o 2 integrated bird boxes

We advise that the exact aspect of the building/garage is agreed as part of the application. We are satisfied that these measures are appropriate and if planning permission is granted we recommend the following wording:

Prior to occupation a letter must be submitted to the LPA for written approval demonstrating that the ecological enhancement features detailed within Biodiversity Method Statement (Bakerwell; October 2023) have been installed.

Lighting

Lighting can have a negative impact on bats (and other nocturnal species) and therefore any lighting must be designed to minimise light spill particularly as the development is located on the boundary of the wider site.

We recommend that if planning permission is granted the lighting meets the following requirements

- o Be designed following best practice guidance within Bat Conservation Trust/Institute of Lighting Professional's 'Guidance Note 08/23 Bats and Artificial Lighting at Night'
- o Follows the KCC highways dimming regime 40/60% dimming regime so dim by 40% between the hours of 20:00 - 22:00 and then dim by minus 60% between the hours of 22:00 to 05:00.
- o Security lighting is downward facing and on motion sensors

(Initial Comment)

We advise that additional information is required prior to determination clarifying how ecological mitigation will be implemented within the site.

We have reviewed the ecological information submitted with this planning application in conjunction with the ecological information submitted as part of applications CON/TH/23/1660 and CON/TH/23/1476.

We are satisfied that appropriate ecological mitigation can be carried out for the species present within the redline boundary and wider site to avoid a breach of wildlife legislation. We highlight that as this is a full application and not a reserved matters application associated with OL/TH/18/1488 an ecological appraisal should have been submitted as part of the application and not only a Preliminary Biodiversity Net Gain Assessment.

The ecological method statement details that the majority of the ecological mitigation was completed in 2023 but we advise that the applicant must confirm that any mitigation still required will be implemented as detailed within the Biodiversity Method Statement; Bakerwell; October 2023.

The Preliminary Biodiversity Net Gain Assessment has detailed that a net gain for both habitats and hedgerows is anticipated to be achieved within the wider site (not this application boundary) and we agree with the conclusion. However as the net gain is achieved largely due to the open space within the wider site rather than this application and therefore we have not commented in detail on the submitted document. We highlight that appropriate management must be implemented within the wider site to ensure that anticipated BNG can be achieved.

Enhancement Features

No details have been provided on ecological enhancement features to be incorporated into the buildings. If planning permission is granted we recommend that an ecological enhancement plan is submitted as a condition of planning permission.

We recommend the following:

Prior to completion, details of how the development will enhance biodiversity will be submitted to, and approved in writing by, the local planning authority. This will include integrated and/or wall-mounted bird and/or bat boxes. Wall-mounted boxes will be made of woodcrete to secure a suitably long-term and low maintenance biodiversity enhancement for the site. Any boxes for birds will be targeted at red or amber listed species (as per the latest British Trust for Ornithology Birds of Conservation Concern list). The approved measures will be implemented and retained thereafter.

Lighting

Lighting can have a negative impact on bats (and other nocturnal species) and therefore any lighting must be designed to minimise light spill particularly as the development is located on the boundary of the wider site.

We recommend that if planning permission is granted the lighting meets the following requirements

- o Be designed following best practice guidance within Bat Conservation Trust/Institute of Lighting Professional's 'Guidance Note 08/23 Bats and Artificial Lighting at Night' 1
- o Follows the KCC highways dimming regime 40/60% dimming regime so dim by 40% between the hours of 20:00 - 22:00 and then dim by minus 60% between the hours of 22:00 to 05:00.
- o Security lighting is downward facing and on motion sensors

KCC Archaeology - Thank you for consulting on the application which is for Phase 2B of the development at Tothill Street.

As you are aware the Outline consent included conditions to protect, investigate and interpret the archaeology of the site (conditions 14 to 18). These read:

14 The details to be submitted in pursuant of condition 1 above shall show no development (other than the vehicular access road) within the area identified on the parameter plan reference 365_198_002 Rev B as the archaeological exclusion zone, or the area north of this zone. Full details of any landscaping/planting proposed within this area shall be provided as part of the landscaping reserved matters application.

15 No development shall take place until protective fencing has been erected around the archaeological exclusion zone (excluding the access point), in accordance with details to be submitted to, and approved in writing by, the Local Planning Authority. The protective fencing shall be installed prior to the commencement of works on site, including site clearance, and shall remain in situ throughout the construction period.

16 No development shall take place until a scheme detailing the arrangements for the interpretation of the archaeology within the development site have been submitted to, and approved in writing by, the Local Planning Authority. Examples of how to relay and interpret the archaeology and history of the site can include, but are not limited to, the use of materials, landscaping, public art and the provision of historical interpretation boards. The details submitted pursuant to this condition shall include location, design, dimensions and materials of any fixed interpretation and a timetable for their implementation. The interpretation scheme shall be carried out in full accordance with the approved details and timetable and maintained in accordance with the approved details.

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

18 Within 9 months of the completion of the on-site archaeological mitigation works referred to in condition 17 above, a Post Excavation Assessment Report shall be submitted to and approved in writing by the local planning authority. The Post-Excavation Assessment Report shall include an Updated Project Design and accompanying timetable for further analysis, publication and archive deposition of the findings of the archaeological investigations. The

archaeological publication shall be produced in accordance with the programme and timetable set out in the report.

With respect to the above conditions:

C14 & C15 - Phase 2B does not include any area that needs to be excluded and fenced.

C16 - We have agreed in principle to the location of interpretation boards under CON/TH /23/1085 although further detail is still to be finalised and agreed. The interpretation points do not fall within the Phase 2B site so I would be happy to see these dealt with under the Phase 1 and Phase 2A arrangements.

C17 - Archaeological fieldwork has now mostly been completed other than an element of watching brief work in the northern part of the Phase 1 site. This condition does not need to remain in place for the Phase 2B application.

C18 - Archaeological post excavation works are still to be undertaken and I recommend that Condition 18 remains in place. I would advise that it be amended and broken into two parts to allow partial discharge as stages are complete:

- (i) an Archaeological Post Excavation Assessment Report covering the investigations carried out within the development site shall be submitted to and approved in writing by the local planning authority. The Post-Excavation Assessment Report shall include an Updated Project Design and accompanying timetable for further analysis, publication and archive deposition of the findings of the archaeological investigations.
- (ii) The archaeological publication shall be produced in accordance with the programme and timetable set out in the report.

KCC SUDs -

(Final Comment)

Kent County Council as Lead Local Flood Authority have reviewed the Technical Note prepared by Stuart Michael Associates dated 22.01.2024 and have the following comments:

We appreciate the clarification provided and understand that phase 1 included all the sitewide surface water drainage features designed to accommodate these extra units incorporated as phase 2. Therefore we have no objections to this proposal at this stage.

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

(Initial Comment)

Kent County Council as Lead Local Flood Authority have reviewed the Phase 2a Drainage Strategy prepared by Stuart Michael Associates dated 21.11.23 and the Flood Risk Assessment and Drainage Strategy prepared by Stuart Michael Associates dated 17th October 2023 and have the following comments:

It is understood that the proposal is part of an existing development whereby phase 1 included all sitewide surface drainage features and was designed to accommodate the extra units incorporated as phase 2.

Whilst we appreciate the information provided, we seek for evidence to be provided which demonstrates the 'drawdown' of the provisioned allocations for the other areas/ each phase which also connects to the wider strategic network in order to demonstrate that sufficient capacity exists for the proposals. As a minimum we will accept a comparison of the Microdrainage designed to as built impermeable areas

We would request for a holding objection until further information is provided to respond to the comment above.

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

Southern Water - Southern Water have reviewed this planning application, which is located in the Ramsgate B Source Protection Zone 1. Any contamination of groundwater will be realised by our groundwater source in less than 50day.

Southern Water note that the proposed surface water drainage network will be split into two, with roof run off being discharged to ground and surface water run off being discharged to sewer. On the condition that this drainage design is not altered and that environmental best practice is adopted in the CEMP (or similar) i.e., hazardous substances required on site to be stored in a bunded and impermeable area to ensure no accidental spills to ground, contractor to use spill trays when refuelling plant and/or vehicles at all times, etc., Southern Water do not object to this planning application.

Southern Water has no objection to the commencement of construction of the development, if approved by the local planning authority. Southern Water is currently in process of designing and planning delivery of offsite sewerage network reinforcements. Occupation of the development has to be coordinated with the delivery of sewerage infrastructure in order to prevent the increased risk of flooding from sewerage network. No foul and surface water flows from the site shall be discharged into the public system until offsite drainage works to provide sufficient capacity within sewerage network to cope with additional sewerage flows are complete.

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.

Environment Agency - 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 180 of the National Planning Policy Framework (NPPF) and Policies SE03 and SE04 of the Thanet District Council Local Plan.

Natural England - Thank you for your consultation on the above dated 06 December 2023 which was received by Natural England on 06 December 2023. Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

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

This advice relates to proposed developments that falls within the 'zone of influence' (ZOI) for one or more European designated sites, such as 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.

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

TDC Housing Officer - Upon review of the submitted Planning Statement for the Full Application - Residential Phase 2b, created by Savills (UK) Limited on behalf of Barratt David Wilson Homes, dated October 2023, it provides the following unit breakdown:

The proposed percentage split of market to affordable units is compliant with Local Policy SP23 Affordable Housing.

The Site Layout Phase 2(b) Tenure Plan reference number 110222/FA/P2(B)/SL04, Rev A, dated 24/10/2023, created by Carlton Design Partnership on behalf of Barratt David Wilson Homes, states the tenure split for the affordable housing provision. The tenure plan highlights affordable rented properties in pink and shared ownership properties in blue. The plan states only affordable rented properties will be included in this phase of the development.

Upon review of the Schedule of Accommodation, Revision 2(B) FA - Rev B, dated 18/10/2023, created by Carlton Design Partnership on behalf of Barratt David Wilson Homes, it states the following regarding the mix of affordable housing units:

The proposed affordable housing mix aligns with the Strategic Housing Market Assessment (SHMA) updated Aug 2021 and will help meet the overarching needs of the district.

TDC Conservation Officer - The land on the west side of Tothill Street Ramsgate, is a large development at 36 dwellings, out of the historic environment but somewhat close to a Grade II heritage asset site.

The Grade II heritage asset is a 1939 Public House called Prospect Inn, more recently converted to a Premier Inn.

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

Within the NPPF Section 16, 203 it states 'the positive contribution that conservation of heritage assets can make to sustainable communities including their economic viability' and 'the desirability of new development making a positive contribution to a local character and distinctiveness'. NPPF Section 16, Paragraph 203 states, In determining applications, local planning authorities should take account of (c) the desirability of new development making a positive contribution to local character and distinctiveness.

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

Previously adjacent to this site Phases 1 and 2A have been submitted and approved through their relevant application. This application is for 2B which is situated internally to the site and encompassed by approved development. Given the development approved extends close to the heritage site when compared to this application, the harm here is already considered to have been established through the previous housing scheme. The entirety of the site is also designated for housing.

As such, I would consider the implication to the nearby heritage asset to be less than significant, preserving its setting and appearance and therefore meeting with aforementioned legislative requirements. As such I do not object to the proposed development.

Clinical Commissioning Group - NHS Kent and Medway has responsibility for planning healthcare services in Kent and Medway and reviews planning applications to assess the

direct impact on healthcare. I refer to the above full planning application which concerns the proposed residential development comprising up to 36 dwellings. NHS Kent and Medway has assessed the implications of this proposal on delivery of healthcare services and is of the opinion that it will have a direct impact which will require mitigation through the payment of an appropriate financial contribution. In line with the Planning Act 2008 and the Community Infrastructure Levy Regulations 2010 (the CIL Regulations) (Regulation 122) requests for development contributions must comply with the three specific legal tests: 1. Necessary 2. Related to the development 3. Reasonably related in scale and kind. We have applied these tests in relation to this planning application and can confirm the following specific requirements. The calculations supporting this requirement are set out in Appendix 1.

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

1. Perimeter, boundary and divisional treatments must be 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.
2. Parking - To help address vehicle crime, security should be provided for Motorbikes, Mopeds, Electric bikes and similar. SBD or sold secure ground or wall anchors can help provide this. We recommend all parking areas be covered by natural surveillance from an "active" window e.g. lounge or kitchen and sufficient lighting. In addition, we request appropriate signage for visitor bays to avoid conflict and misuse.
3. 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.
4. Corner properties require defensible spaces to avoid desire lines that can cause conflict. This can be provided by planting of prickly plants or knee rails/ fences, for example.
5. Lighting. Please note, whilst we are not qualified lighting engineers, any lighting plan should be approved by a professional lighting engineer (e.g. a Member of the ILP), particularly where a lighting condition is imposed, to help avoid conflict and light pollution. Bollard lighting should be avoided, SBD Homes 2019 states: "18.3 Bollard lighting is purely for wayfinding and can be easily obscured. It does not project sufficient light at the right height making it difficult to recognise facial features and as a result causes an increase in the fear of crime. It should be avoided." Lighting of all roads including main, side roads, cul de sacs and car parking areas should be to BS5489-1:2020 in accordance with SBD and the British Parking Association (BPA) Park Mark Safer Parking Scheme specifications and standards.
6. Play areas must have a self-closing gate, as shown on the plans, to keep animals out and ensure young children cannot leave the area unsupervised. Play equipment must be vandal

resistant (and if made of wood, fire resistant) and not provide areas of concealment or an informal storage area for offenders or materials of crime. The examples of equipment used withing the plans are recommended. We recommend the sales team advice potential buyers of the plots close to the play area of it's location, which would otherwise be missed from the plan. By informing them at this stage, this reduces the possibility of future conflict and/or noise complaints.

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: 2016 UKAS certified standard, STS 201 or LPS 2081 Security Rating B+. Please Note, PAS 24: 2012 tested for ADQ (Building Regs) has been superseded and is not suitable for this development.

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

9. We advise on the use of ground/ wall SBD or sold secure anchors within the cycle storage area or sheds of dwellings. Please note, if at a later date the garages are exchanged for car ports we strongly recommend cycle storage be removed and added to a secure area such as individual cycle storage boxes or lockable sheds.

COMMENTS

The application has been called in by Cllr Abi Smith, to enable members to consider issues regarding the safety of the planned water drainage system, scale and proportions of planned buildings in relation to neighbouring dwellings, and loss of vegetation and trees (particularly along the bridleway).

Principle

The site lies within an area allocated for housing under Policy HO10 of the Thanet Local Plan. The policy allocates the site for up to 250 no. dwellings, with an approximate average density of 35 dwellings per hectare.

An outline application has been approved for the erection of up to 214no. dwellings across the site, with the detail for 133no. of these dwellings approved within the reserved matters application for Phase 1. This leaves 81no. units remaining of the outline consent. A further reserved matters application for the approval of the details of the remaining 81no. units has been submitted, and is currently pending.

This application is a full application for the erection of 36no. dwellings, which when added to the number approved under the outline permission reaches the 250no. residential units that the site is allocated for.

Policy HO10 advises that the proposal should be informed by, and address, the provision, location and type of the open space; the provision of a vehicular access to Tothill Street, and links southwards with existing development restricted to pedestrian and cycle routes; the

provision of an emergency access; and the provision of improvements to the Tothill Street/A299 Roundabout and a proportionate contribution to off-site junction improvements at Spitfire Way. Reference is also made to the proximity of the site to the cemetery and former transport depot, and its location in an area with sensitive groundwater requiring protection, thereby requiring the need for a contamination assessment. These issues are assessed within the report.

The proposal further complies with Policy HO1, which states that 'permission for new housing development will be granted on sites allocated for this purpose'; as well as Policy SP01 of the Thanet Local Plan, which states that the primary focus for new housing development in Thanet is the urban area as identified on the Policies Map. The site falls within the rural confines of the village, thereby complying with these policies.

Policy HO1 requires that compliance is provided with Policy SP14 of the Thanet Local Plan. This policy requires that the development be provided with adequate infrastructure, provide an appropriate mix of dwellings to meet the requirements of Policy SP22; provide affordable housing to meet the requirements of Policy SP23; provide accessible homes to meet the requirements of Policy QD05; and comply with policies relating to the Protection of International and European Designated Sites and associated Mitigation Strategy. These issues are again assessed within the report.

The National Planning Policy Framework (NPPF) indicates that applications for housing should be considered in the context of the presumption in favour of sustainable development. The application site is sustainably located, within walking distance of the centre of Minster where there are a number of facilities and services, including retail units and a primary school. The site is also on a bus route, and within walking distance of the train station.

The principle of housing development on the site is therefore considered to be acceptable subject to the requirements of Policies HO10 and SP14 being complied with, along with other material considerations, including the impact upon the landscape character area, and highway safety.

Character and Appearance

The proposal seeks to retain the access arrangements into the site as previously approved, with the main vehicular access onto Tothill Street, and the emergency access onto Greenhill Gardens. The open space provision, bridleway enhancement works, and on site drainage provision and ecological mitigation as approved through the outline and phase 1 are located within the blue line and will remain, with no alterations to these proposed through this application. The application site also excludes any of the archaeological exclusion areas identified on the parameter plan approved through the outline application.

This application is solely for the erection of 36no. dwellings to the centre and south eastern edge of the site, on land that was previously approved for housing development through the outline application. The uplift in unit numbers created through this application is a result of the density increasing in the area to the south of the site that is awaiting a reserved matters approval; with the combined unit number across the pending reserved matters application

site and this full application site exceeding the number of units that remain outstanding from the outline approval by 36no. units. The increase in units has not resulted in any loss of open space across the site, the only change is in the density of development, and whether the spacing between units remains acceptable and in keeping with the character and appearance of the area.

Layout, open space and landscaping

The application site consists of two parcels of land within the developable area shown on the original parameter plan approved through the outline application. One parcel of land is located to the centre of the site, west of the formal open space; and the other parcel of land is located to the south east of the site, adjacent to the neighbouring boundary with properties in Greenhill Gardens, and located south of the formal open space. The vehicular access to serve the development is from Tothill Street, in the location of the previously approved access.

In terms of the layout, a similar approach has been taken to that used within phase 1. A mix of properties are proposed, including detached, semi-detached, and terraced units, all of which front onto internal access roads. Each property is provided with two parking spaces, and properties are typically setback from the road, with frontage gardens of varying depths achieved.

The central parcel of land contains a good variety of unit types, with varying building lines, and good spacing achieved between units. A row of units front the formal open space containing the Local Equipped Area for Play (LEAP), which helps with the natural surveillance of the space. These units are located closer to the road, with parking positioned in between the properties. To the west of the parcel of land the properties are setback further with parking to the front of the properties. Even with this setback, a distance of 20m is achieved between the rear elevation of the two rows of properties, achieving an acceptable minimum separation distance.

The south eastern parcel of land is located in an area that was indicated on the originally approved parameter plan as containing units to a maximum height of 1.5 storeys, in order to protect neighbouring amenity. The submitted plans show these units as mostly semi-detached, with a single detached unit to the south close to the emergency access into the site. The units are more modest in scale than the other units on the site, with the rear elevations single storey at eaves level. The units are located in a row, fronting onto the internal access road that runs north to south through the site. The units are setback from the road with a small front garden, and parking is arranged in a tandem layout between the units, creating spacing of approximately 5.8m between the pairs of dwellings. Garden depths of approximately 9m are achieved. The layout of these units is considered to be in keeping with the pattern of development viewed both within phase 1 of the development, and within Greenhill Gardens that the site backs onto that also contains a row of semi-detached bungalow units.

In terms of open space provision, the approved open space provision within the outline application significantly exceeded the requirements of Policy GI04 of the Thanet Local Plan. Through this application the open space requirement would increase to address the raised

population within the site; however, it is understood through the submitted plans for both this and the pending reserved matters application that there would still be 3.54ha of Semi-Natural Open Space provided in total (compared to the 1.08ha required), 0.75ha of Amenity Green Space provided (compared to the 0.36ha required), 0.29ha of Play Space provided (compared to the required 0.15ha), and 0.14ha of Allotment /Community Orchard provided (compared to the 0.12ha required). As such the open space provision that will be secured across the whole site, and serve this development, would be acceptable and in accordance with policies GI04 and HO10.

In terms of density, the agent has confirmed that the net density is 30.9 dph, and the gross density is 17.8 dph, which falls below the recommended density within Policy HO10. The proposal therefore complies with this aspect of Policy HO10.

In terms of landscaping, a tree lined street with grass verges was approved through phase 1 for the main access road. The north to south access road requires a similar approach given its status as a secondary access route for emergency vehicles. It was also encouraged that parking courts be broken up with soft landscaping to help provide a visual break within the expanse of hard surfacing. Planting plans have been submitted that show some street planting of trees, although for the majority of the properties within this full application the frontages are too shallow for any realistic tree planting, and the reserved matters application includes properties with deeper frontages which will be relied upon to secure the required tree lined street design. Hedgerow and shrub planting is shown on corner plots, which helps to soften elevations that are not principal elevations.

In terms of hard surfacing a plan has been submitted showing that all driveways will be paved, but the main roads tarmac. This will appear in keeping with the hard surfacing arrangement approved within the phase 1 development.

Overall the layout, open space and landscaping provision is considered to be acceptable and in keeping with the phase 1 layout and arrangement.

Scale, design and materials

Condition 42 of the outline permission stated that the future reserved matters application should show no development exceeding 1.5 storeys in height in the area to the rear of Greenhill Gardens, and no development exceeding 2-storey in height to eaves level elsewhere in the site.

A storey heights plan has been submitted, which shows that all development will be a maximum of 2-storey to eaves, with the development adjacent to Greenhill Gardens 1.5 storey to eaves level. This scale is accepted, and is in compliance with Condition 42 of the outline consent, which would equally apply to this full application. The elevation plans for the units show that whilst partially 1.5 storey to the eaves of a gable projection within the front elevation, the rear elevation of the unit has a single storey eaves level, which will reduce the perceived scale of these units. The design of the units is uniform across the row, although different brick types have been used, along with tile hanging, to increase variation within the streetscene. The gable projections add interest to the units, along with other features such as barn hips, brick arches above windows, and brick detailing.

To the south of the site unit 231 is a full bungalow design, which will sit comfortably at the entrance to the site from Greenhill Gardens, and appear in keeping with the existing bungalows within that road. The unit benefits from bay window features to the front, and a gable projection of smaller proportions to the proposed neighbouring units. Overall the row of units will appear of good design, and in keeping with the character of the area, in accordance with Policy QD02 of the Thanet Local Plan.

For the central parcel of land a greater variety of unit types are proposed due to the mix of terraced, semi-detached and detached units proposed within this area. Features such as bay windows, brick arches above windows, gable projections, and porch canopies are used, along with both hipped and gable roof designs. Three different brick types are used, and two roof tiles, all of which create an interesting street elevation from each view. On corner plots the unit type contains a dual frontage which adds interest to avoid a stark or bland appearance for these properties.

The mix and quality of the unit types is considered to be acceptable, and in keeping with the character of the area, in accordance with Policy QD02 of the Thanet Local Plan.

Living Conditions

Neighbouring occupiers

The main neighbouring occupiers to be affected by the development would be those in Greenhill Gardens that back onto the eastern boundary of the development. As stated above, condition 42 of the outline permission restricted the height of the properties backing on Greenhill Gardens to 1.5 storey, in order to limit the impact upon the occupiers of these properties. The submitted elevations show this, along with a single storey height to eaves level at the rear, backing onto Greenhill rear elevations.

Each of the proposed dwellings have garden depths of approximately 9m, with a swale and footpath to the rear measuring approximately 8m in depth, resulting in a 17m distance between the proposed rear elevation of the unit and the neighbouring boundary. To the neighbouring rear elevation this distance increases to a minimum of 30m.

Concern was raised with the initial submission that the rear elevation contained velux windows that could potentially overlook the neighbouring bungalows. Amended plans have been submitted showing the cill height of the rear velux windows raised to 1.7m, which is considered acceptable for preventing overlooking, subject to a safeguarding condition limiting the cill height, and preventing any future roof alterations under permitted development.

Proposed unit 231 appears to have a closer relationship with the neighbouring properties in Greenhill Gardens, with a distance of only 21m between the corners of the rear elevations of the properties. Whilst this distance is on the limit of what would be considered acceptable, the properties are at oblique angles to one another so there would be no direct loss of outlook or privacy, and a safeguarding condition for the rear windows and roof alterations

would again be applied. On balance, the impact upon no. 24 Greenhill Gardens is likely to be acceptable.

The impact upon neighbouring amenity is therefore considered to be acceptable, and in accordance with Policy QD03 of the Thanet local Plan.

Future Occupiers

Doorstep playspace is provided to all units, which complies with Policies GI04 and QD03 of the Thanet Local Plan.

Within the proposed development the units have been assessed against Policy QD04, which states the minimum space requirements of the units in relation to the nationally described space standards. The smallest 1-bed unit is 65sqm, which exceeds the minimum requirement of 50sqm; the smallest 2-bed is 64.5sqm, which meets the minimum requirement of 61sqm; the smallest 3-bed is 93.6sqm, which exceeds the minimum requirement of 84sqm; and the smallest 4-bed unit is 141.7sqm, which exceeds the minimum requirement of 97sqm. Each of the units therefore achieves the nationally described space standards as set out within Policy QD04 of the Thanet Local Plan.

A plan showing bin storage locations has been submitted, with all bins to be stored within rear gardens, which is considered acceptable.

The impact upon future occupiers is therefore considered to be acceptable and in accordance with policies QD03 and QD04 of the Thanet Local Plan.

Transportation

The accesses into the site have previously been approved, including the main access onto Tothill Street and the emergency access onto Greenhill Gardens. These remain the same through this application, with conditions to be attached similarly to the outline application that would require the construction of the access in accordance with the plans. The access achieves adequate visibility splays, and is therefore a safe and suitable access into the site.

In terms of the additional units, a transport assessment has been submitted with the application. The assessment concludes that the mitigation measures secured through the outline application are sufficient to deal with the increased vehicle movements generated through these additional 36no. dwellings. With the previous outline application there was a requirement for an off-site financial contribution towards Spitfire Way Junction, along with off site highway improvements works to the Tothill Street roundabout, in order to fulfil the policy requirements of Policy HO10 and highway safety concerns.

The previously approved off site highway mitigation works consisted of the widening of the south approach arm to the Tothill Street roundabout, to ease traffic flows. This application would link to the legal agreement secured with the outline application to require that the off-site highway works are completed prior to the first occupation of the development.

A financial contribution of £166,000 was secured for highway improvement works to Spitfire Junction, which formed a proportion of the improvement costs. The contribution was calculated on a per dwelling basis. A further 36no. dwellings will put further pressure on the highway network, and therefore in accordance with the policy requirements a further financial contribution towards these off site highway works is required. Using the same methodology this equates to £27,925. The agent has agreed to this contribution, which will be secured through a legal agreement. Subject to the submission of the legal agreement, the proposal will comply with the highway requirements of Policy HO10.

In terms of parking, a parking plan has been submitted and details are contained within the transport assessment confirming that 1no. parking space will be provided for the 1-bed units and 2-bed affordable units, and 2no. spaces will be provided for the 2-bed market units, and 3-bed/4-bed units. In addition, 4no. visitor parking spaces are proposed. The transport assessment confirms that an EV charging point will be provided for each dwelling, along with a storage shed within gardens for cycle storage.

In terms of the layout, the proposed dwellings will front the internal access road previously approved through phase 1, with all of the units with street frontage, and parking will be provided either to the front or side of the units in a tandem layout. The majority of the road network within the site is shown as a shared surface, with a few footpaths provided along the main access roads.

KCC Highways have been consulted. Queries were raised regarding the turning head of the main access road for refuse vehicles, should this phase be constructed prior to phase 2A, and that the turning head did not fall within the red line. This has been amended with the red line extended to accommodate manoeuvring space for refuse and emergency vehicles. Concern was also raised with the lack of footpaths within the site, and so amended plans were submitted reducing the extent of shared surface and adding designated footpaths where requested by KCC.

Some minor changes to road widths, service margins, and parking spaces were advised, which again were addressed through the submission of amended plans.

Following the submission of the amendments, KCC has advised that they are satisfied that the red line boundary will now allow for adequate turning provision for all vehicles serving this phase of the development without having to rely on other phases coming forward, and that pedestrian safety is achieved through the introduction of the additional footpaths.

The bridleway is not affected through this application. Works to the bridleway were approved through the phase 1 application.

Subject to safeguarding conditions, and the securing of the necessary obligations within the legal agreement, as identified above, the impact upon highway safety is considered to be acceptable.

Affordable Housing

Policy SP23 of the Thanet Local Plan (as updated by the First Homes - Interim Policy Statement, April 2022) states that 'residential development schemes for more than 10 dwelling units, including mixed use developments incorporating residential and developments with a combined gross floor area of more than 1,000 square metres shall be required to provide 30% of the dwellings as affordable housing.

25% of the affordable housing shall be First Homes, at a minimum discount of 30%, or at the discount levels set out in Table 1, 70% shall be Social/Affordable Rent and 5% shall be Intermediate products, unless these levels are amended by successive assessments.

The affordable housing shall be provided in proportions set out in the Strategic Housing Market Assessment or successive documents. The above requirements will only be reduced if meeting them would demonstrably make the proposed development unviable'.

The application proposes 30% affordable housing provision, in the form of 11no. affordable units consisting of 2no. 1-bed flats, 2no. 2-bed flats, 3no. 2-bed houses and 4no. 3-bed houses. A plan has been submitted showing the location of the affordable units, which are all within the northern/central parcel of land. The agent has confirmed that the expected split of the affordable housing will meet the split as set out within the interim Policy Statement (April 2022).

The Housing Officer has been consulted on the number, split and location of the affordable units, and has advised that she has no objections to the proposal, which offers the full 30%; and supports the affordable housing mix, which aligns with the Council's strategic housing market assessment (Aug 2021). No concerns have been raised with the location of the units.

The proposal is therefore considered to comply with Policy SP23 of the Thanet Local Plan, subject to the affordable housing being secured through a legal agreement.

Size and Type of Units

Policy SP22 requires an appropriate mix of housing sizes to be provided, along with a higher ratio of houses to flats.

The proposal includes the provision of 2no. 1-bed flats, 2no. 2-bed flats, 3no. 2-bed houses, 26no. 3-bed houses, and 3no. 4-bed houses. Of these, 22no. 3-bed houses and 3no. 4-bed houses are market units. Whilst the breakdown of the market units doesn't fully comply with the Council's strategic housing market assessment for market housing provision, it does identify 3-bed units as being the greatest need, which complies with the proposal. There is a need for 2-bed units, which haven't been provided, but this is a small part of a larger site where a greater mix is provided overall. Furthermore, the affordable mix complies with the policy, and a large number of 3-bed is provided, which has the greatest need, so overall the mix is not considered to result in a concern, especially as it's resulted in a greater ratio of houses to flats being provided.

Policy QD05 requires that 10% of new development comply with building regulation part M4(2) accessible and adaptable dwellings, and 5% of affordable units comply with building regulations part M4(3) wheelchair user dwellings. A plan has been submitted showing the

location of these units. Four M4(2) units are required, yet the plan indicates 7no. M4(2) will be provided, exceeding the policy requirement. One M4(3) unit is required, yet the plan indicates 2no. M4(3) units will be provided, exceeding the policy requirement.

Given the reasons above, the mix of units proposed is considered to be acceptable, and in accordance with Policy SP22 of the Thanet Local Plan.

Drainage

Policy CC02 of the Thanet Local Plan states that 'new development is required to manage surface water resulting from the development using sustainable drainage systems (SuDs) wherever possible'.

A flood risk assessment and surface water drainage strategy has been submitted with the application. The surface water discharge from the overall development is divided into two separate gravity, piped surface water drainage networks, with one network collecting runoff from the hardstanding areas, roads and driveways, which will discharge to the combined sewer in Greenhill Gardens, and sealed roof water discharging via a pipe and then through infiltration using a tank in the southwest corner of the overall site.

KCC SUDs were consulted and originally raised concerns that sufficient information had not been submitted to demonstrate that sufficient capacity exists for the proposal as part of the wider strategic network within the overall site.

A technical note was submitted that included a comparison of discharge rates and volumes between the approved outline scheme and the current proposal as part of the overall scheme. The note confirms that the proposed surface water drainage strategy covering phase 2 (which includes this site) complies with the approved outline strategy, and the approved discharge rates.

KCC have assessed the technical note, which clarifies that phase 1 included all the sitewide surface water drainage features designed to accommodate these extra units incorporated as phase 2, and as such they raise no objections to the proposal.

In terms of the foul water, the drainage strategy confirms it will be collected by gravity via a proposed piped foul network and will discharge to Southern Water's existing combined sewer in Prospect Road.

Southern Water advise they have no objections to the commencement of construction of the development, even though they are currently in the process of designing and planning the delivery of off site sewerage network reinforcements. They advise that occupation of the development has to be coordinated with the delivery of sewerage infrastructure in order to prevent the increased risk of flooding from the sewerage network, and that no foul and surface water flows from the site shall be discharged into the public system until off site drainage works to provide sufficient capacity within the sewerage network to cope with the additional sewerage flows have been completed. Whilst this may restrict the rate at which the proposed units can be occupied, the principle of the drainage strategy proposal and the commencement of works is agreed by Southern Water.

Concerns have been raised by Minster Parish Council to the drainage strategy, with queries raised in relation to the accuracy of the plans. The applicant's drainage consultant has responded and advised that there had been a typo on one of the plans in relation to the pipe diameter, but otherwise the drainage strategy proposed is achievable, with a larger pipe feeding into a smaller pipe acting as a restrictor to the network to slow down flow and hold back a volume in the larger pipe for storm events. They've also confirmed that the treatment train discussed in the strategy is general for the whole network, although there will be elements that won't go through the full train as described, but are still able to meet the required mitigation indices. The detailed drainage design will require submission under safeguarding conditions for both foul and surface water drainage, with Southern Water and KCC SUDs consulted on any submission for approval. The drainage strategy has been accepted by statutory consultees and therefore subject to these safeguarding conditions the proposal is considered to comply with Policy CC02 of the Thanet Local Plan, which requires the provision of suitable surface water management.

Concerns have been received from residents and the parish council regarding the proposed swale to the rear of unit nos. 215-231; however, the swale does not fall within the application site, and was approved through the reserved matters application for phase 1. A section plan has been submitted, however, with this application showing the relationship between the proposed dwellings adjacent to the eastern boundary of the site, and the neighbouring occupiers in Greenhill Gardens, which has led to the concerns regarding its design. The section showed the depth of the swale at approximately 2-2.5m, which residents have queried on safety grounds. KCC SUDs have been further consulted on the safety aspect of the swale, which is being separately considered through a conditions application, and they have raised no concerns. Whilst no concerns have been raised by KCC, the agents have made amendments to the swale design to address residents concerns, and an amended section plan has been submitted showing the depth of the swale reduced to approximately 0.6m. This reduction in depth reduces any safety concerns.. As this is outside of the red line for this full application, this is not a matter that can be considered by the planning committee in the assessment of this planning application, but will be considered through amendments to the technical conditions submission by the Council.

Ecology

Policy SP30 of the Thanet Local Plan requires development proposals, where appropriate, to make a positive contribution to the conservation, enhancement and management of biodiversity and geodiversity assets resulting in a net gain for biodiversity assets.

A biodiversity method statement, which includes ecological enhancement and mitigation measures, and biodiversity monitoring, has been submitted with the application. The statement confirms that updated surveys have been carried out to inform the mitigation strategy, including a site walkover and badger survey (as fresh digging had been noted). Habitats within the application site are found to not have significantly changed as the land was cultivated until recently. No badgers were recorded using the sett within phase 1, with it likely that badgers are commuting through the site instead. No reptiles within the site were recorded, although slow worms were identified just outside of the site on the eastern boundary. In terms of birds, skylarks and starlings were identified within the site. Mitigation

measures have been set out within the report, which have previously been approved for the overall site. The report concludes that providing the mitigation detailed in the report is implemented, the proposal will comply with relevant biodiversity legislation and the NPPF.

In terms of ecological enhancements, the Biodiversity Method Statement (Bakerwell; October 2023) has detailed that 4no. integrated bat boxes and 2no. integrated bird boxes will be incorporated into this phase. KCC are in agreement with these enhancements, subject to a condition requiring verification of their installation prior to the first occupation of the development.

KCC Biodiversity has been consulted and advised that they are satisfied that appropriate ecological mitigation can be carried out for the species present within the redline boundary and wider site to avoid a breach of wildlife legislation. The ecological method statement details that the majority of the ecological mitigation was completed in 2023. KCC has stated that the remaining mitigation must be completed prior to any works commencing within the site.

An external lighting condition is recommended by KCC to prevent a negative impact upon bats, and minimise light spill.

A preliminary Biodiversity Net Gain (BNG) assessment has also been submitted, which has confirmed a gain of 0.60 area habitat biodiversity units and a gain of 7.30 hedgerow biodiversity units (HBU). The Preliminary Biodiversity Net Gain Assessment has detailed that a net gain for both habitats and hedgerows is anticipated to be achieved within the wider site (not this application boundary) and KCC agrees with the conclusion.

Subject to safeguarding conditions the proposed development is therefore considered to comply with Policy SP30 of the Thanet Local Plan.

Habitat Regulations

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. The proposed development is within close proximity of the Thanet Coast and Sandwich Bay SPA, Ramsar and SSSI. Therefore, to enable the Council to be satisfied that the proposed development will avoid a likely significant effect on the designated sites (due to an increase in recreation) a financial contribution is required for the C3 units to contribute to the district wide mitigation strategy, as agreed by Natural England.

The tariff for this contribution is provided in the SAMM report, and Policy SP29 of the Thanet Local Plan, and consists of £320 per 2-bed unit, £424 per 3-bed units, and £530 per 4-bed (plus) unit. A total contribution of £25,642 is required, which the applicant has agreed to. This mitigation means that the Council has accorded with the Habitat Regulations and an appropriate assessment has been undertaken which Natural England have confirmed no objection to. The contributions will be secured through a legal agreement. An acceptable assessment has been carried out on this basis.

Archaeology

Policy HE01 of the Thanet Local Plan requires the identification, recording, protection and enhancement of archaeological sites, with developers required to submit information with the application to enable an assessment of the site.

KCC Archaeology has been consulted, and advised that the site does not include any areas that need to be excluded and fenced. Interpretation boards will need to be installed on the surrounding site, which is being considered separately under conditions that relate to the outline consent, but none of the interpretation points fall within this application site. Archaeological fieldwork has now mostly been completed on the surrounding site, other than an element of watching brief work in the northern part of the Phase 1 site.

As such, no objections are raised to the proposed development subject to a safeguarding condition that requires the submission of a post excavation assessment report (with accompanying information), and the safeguarding condition relating to protective fencing, which whilst falling outside of this application site, should still be erected prior to the commencement of works to protect the land from construction vehicles. Subject to these safeguarding conditions the proposal is considered to comply with Policy HE01 of the Thanet Local Plan.

Financial Contributions and Obligations

Policy SP41 of the Thanet Local Plan requires that development only be permitted when provision is made to ensure the delivery of relevant and sufficient community and utility infrastructure; including, where appropriate, a contribution towards the provision of new, improved, upgraded or replacement infrastructure and facilities.

The following contributions are required:

- A contribution of £230,139 towards Manston Green Primary School or other new schools locally or within the Birchington and Thanet Villages planning group;
- A contribution of £181,583.68 towards a new Thanet secondary school or the provision of additional secondary places within the Thanet District non-selective and selective planning group, or any other new secondary school within the District;
- A contribution of £75,739.32 towards secondary education in the form of a new Thanet secondary school land acquisition cost;
- A contribution of £18,194.48 towards the provision of additional SEND places and/or additional SEND facilities within Thanet District;
- A contribution of £1,231.56 towards community learning, to provide additional resources, equipment and classes delivered locally and at Broadstairs Adult Education Centre;
- A contribution of £2,254.68 towards libraries, to provide additional resources, stock and services (including digital infrastructure and resources) within the local Ramsgate, Minster or Newington Libraries;
- A contribution of £2,517.70 towards youth services, to provide additional resources and equipment for the Youth service in Thanet, including early prevention and outreach services;

- A contribution of £6,511.68 towards specialist care accommodation, assistive technology systems and equipment to adapt homes, adapting Community facilities, sensory facilities, and Changing Places within Thanet;
- A contribution of £1,872 towards waste services, to provide improvements at Thanet District HWRC to increase capacity;
- A contribution of £34,596 towards health provision, in the form of the refurbishment, reconfiguration and/or extension of Minster Surgery, and/or towards other healthcare premises covering the area of development;
- A contribution of £25,642 towards the Special Protection Area;
- A contribution of £27,925 towards improvements at Spitfire Junction and associated approach roads;
- Affordable housing in the form of 30% on site provision.

The applicant has agreed to these contributions and obligations, which will need to be secured through a signed legal agreement. The contributions are considered to be reasonable in scale, appropriate in the location of usage in relation to the site's location, and is required to directly mitigate the impact from the development.

In addition, the legal agreement will need to be linked to the original legal agreement for the site in order to secure the contributions secured through that legal agreement should these dwellings be constructed prior to the dwellings within the reserved matters applications. In linking this application to the previous legal agreement, the following contributions/obligations will be secured should any part of the overall policy site be constructed:

- Resurfacing and widening of bridleway TR29;
- Payment of £29,000 towards the resurfacing and widening (to a maximum of 3m) of the section of bridleway TE29, which runs north of the boundary of the site;
- Payment of £166,000 towards improvements at Spitfire Junction and associated approach roads.

Other Issues

Air Quality

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 flood risk and drainage strategy, with a Phase II site investigation report included within Appendix 2.

The Environment Agency has been consulted and advised that they have no objections to the proposed development subject to safeguarding conditions relating to infiltration, piling, and unsuspected contamination.

Subject to these conditions being attached, the proposal is considered to comply with Policy SE03 of the Thanet Local Plan.

Conclusion

The site is allocated for housing under Policy HO10 of the Thanet Local Plan, and benefits from an extant outline consent for the erection of 214no. Dwellings. This application would increase the total number of units within the site to 250no, units, in accordance with the policy allocation, and as such the principle of development is considered to be acceptable.

The design and layout of the proposed development within two small parcels of land is considered to be in keeping with phase 1 and the surrounding area, and will not reduce open space provision, or impact upon biodiversity mitigation or drainage provision across the site.

The impact upon neighbouring amenity is considered acceptable following the submission of amended plans, and subject to safeguarding conditions that restrict cill heights and future permitted development rights.

The impact upon highway safety is considered to be acceptable, with financial contributions secured for off site highway works in accordance with Policy HO10; and 30% affordable housing and all other financial contributions towards community infrastructure have been agreed, and will be secured through a submitted legal agreement.

The proposed development will deliver sustainable housing within the village confines, which is supported by local plan policy; the benefits of which significantly outweigh the harm.

It is therefore recommended that members approve the application subject to safeguarding conditions, and the submission of a legal agreement within 6 months securing the financial contributions and obligations set out within the report.

Case Officer

Emma Fibbens

TITLE:

F/TH/23/1475

Project

Land On The West Side Of Tothill Street RAMSGATE Kent

