

D11

F/TH/21/0671

PROPOSAL: Erection of 4no. 1-bed flats, 4no. 2-bed dwellings, 8no 3-bed dwellings, and 17no 4-bed dwellings (single to 3-storey in height), and erection of part 2-storey, part 3-storey detached building accommodating 4no. 2-bed flats and 1no. 3-bed flat, together with associated access, parking and landscaping, following demolition of existing structures.

LOCATION: Land To The North Of Fairlawn Road And The West Of Northwood Road Broadstairs Kent

WARD: St Peters

AGENT: Ms Karen Banks

APPLICANT: Mr Rizwan Ali

RECOMMENDATION: Defer & Delegate

Defer and delegate for approval subject to the receipt of a satisfactory signed legal agreement to secure the required planning obligations and contributions towards the SAMM project within 6 months 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 454-PLN-287 Rev B, 454-PLN-285 Rev C, 454-PLN-212 Rev D, and 454-PLN-210 Rev D, received 19 October 2023; and revised plans numbered 454-PLN-201 Rev C, 454-PLN-211 Rev C, 454-PLN-250 Rev G, 454-PLN-253, 454-PLN-254, 454-PLN-255 Rev G, 454-PLN-260 Rev D, 454-PLN-265 Rev H, 454-PLN-270 Rev F, 454-PLN-280 Rev B, 454-PLN-286 Rev B, 454-PLN-297 Rev A, 454-PLN-298 Rev A, and 5699-LLB-XX-XX-DR-L-0002 rev P03, and 1900 Rev P02, received 04 October 2023.

GROUND:

To secure the proper development of the area.

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

GROUND:

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

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

GROUND:

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

5 Development shall not begin 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 due consideration has first been given to the possibility of utilising infiltration techniques and that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100 year storm) can be accommodated and disposed of within the curtilage of the site without increase to flood risk on or off-site. Should the use of infiltration prove to be beyond being reasonable practical then any surface water leaving site shall not exceed a discharge rate of 2l/s for all rainfall events, in line with proposals set out within the Flood Risk Assessment and Drainage Strategy Report (21/09/2023- Revision P04). The drainage scheme shall also demonstrate that silt and pollutants resulting from the site use and construction can be adequately managed to ensure there is no pollution risk to receiving waters.

GROUND:

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

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

GROUND:

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

7 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.

8 Prior to the commencement of any development on site, a construction management plan to include the dust mitigation measures set out in Section 6 - Table 9 of the Air Quality Mitigation Statement dated April 2023 by Lustre Consulting, and the following, shall be submitted to and approved by the Local Planning Authority.

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

Construction works shall be carried out in accordance with the approved details.

GROUND:

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

9 The area shown on the approved plan numbered 454-A-PLN-212 Rev D for vehicle parking and manoeuvring areas, shall be kept available for such use at all times and such land and access thereto shall be provided prior to the first occupation of the dwelling hereby permitted.

GROUND:

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

10 Prior to the first occupation of the site hereby permitted, the vehicular access as shown on the approved plan numbered 454-A-PLN-212 Rev D should be completed and made operational.

GROUND:

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

11 Prior to the first occupation of the development, the secure cycle parking facilities, as shown on approved drawing no. 454-A-PLN-212 Rev D shall be provided and thereafter maintained.

GROUND:

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

12 Prior to the first occupation of the development hereby approved, visibility splays of 2.4m x 43m shall be provided to the access on to Northwood Road, as shown on the approved plan no. 1900 Rev P01, with no obstructions over 0.6m above carriageway level within the splays, which shall thereafter be maintained.

GROUND:

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

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

GROUND:

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

14 Prior to the first occupation of the development hereby granted, a Travel Plan and a programme for implementation shall be submitted to and approved in writing by the Local Planning Authority. The agreed programme shall thereafter be implemented in full.

GROUND:

To facilitate the use of alternative means of transport in accordance with Policies TP01, SP43, and SE05 of the Thanet Local Plan, and the advice contained within the NPPF.

15 Prior to the commencement of the development hereby approved, an Acoustic Design Statement in accordance with ProPG Planning & Noise 2017 scheme to demonstrate that the internal noise levels within the residential units plots 9-20. and the external noise levels within their back gardens and other relevant amenity areas will conform to the standard identified by BS 8233 2014, Sound Insulation and Noise Reduction for Buildings - Code of Practice, shall be submitted to and approved in writing by the Local Planning Authority. The work specified in the approved scheme shall then be carried out in accordance with the approved details prior to occupation of the premises and be retained thereafter.

GROUND:

In the interests of amenity for future occupiers in accordance with Policy QD03 of the Thanet Local Plan and the advice contained within the NPPF

16 The development hereby permitted shall be constructed and occupied in accordance with the proposed mitigation measures for emissions identified within section 6.2 of the Air Quality Mitigation Statement, dated April 2023 by Lustre Consulting, to off-set against the damage cost calculation set out within section 5.1 of the report, in order to achieve air quality improvements through the development.

GROUND:

To protect air quality, in accordance with Policy SE05 of the Thanet Local Plan and advice contained within the National Planning Policy Framework

17 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.

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

GROUND:

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

19 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.

20 Unit nos. 14, 19, 34 and 35 shall be built in compliance with building regulation part M4(2) accessible and adaptable dwellings, as shown on plan numbered 454-A-PLN-210 Rev D.

GROUND:

To provide accessible accommodation in accordance with Policy QD05 of the Thanet Local Plan.

21 The refuse storage facilities for the self-contained flats shall be provided prior to the first occupation of the associated flat, as shown on plan numbered 454-A-PLN-212 Rev D hereby approved and shall be kept available for that use at all times.

GROUND:

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

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

GROUND:

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

23 Existing trees, shrubs and hedgerows identified for retention within the development site or existing trees growing on an adjacent site, where excavations, changes to land levels or underground works are within the crown spread, shall be protected in accordance with BS 5837 2012 using the following protective fence specification - o Chestnut paling fence 1.2m in height, to BS 1722 part 4, securely mounted on 1.7m x 7cm x 7.5cm timber posts driven firmly into the ground. The fence shall be erected below the outer most limit of the branch spread or at a distance equal to half the height of the tree, whichever is the furthest from the tree, unless otherwise agreed in writing with the Local Planning Authority. The protective fencing shall be erected before the works hereby approved or any site clearance work commences, and shall thereafter be maintained until the development has been completed. At no time during the site works shall building materials, machinery, waste, chemicals, stored or piled soil, fires or vehicles be allowed within the protective fenced area. Nothing shall be attached or fixed to any part of a retained tree and it should not be used as an anchor point. There shall be no change in the original soil level, nor trenches excavated within the protective fenced area.

GROUND:

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

24 Prior to the first occupation of the development hereby approved, full details of both hard and soft landscape works, which shall accord with the principles of the approved landscape masterplan numbered 5699-LLB-XX-XX-DR-L-0002 rev P03, and include the following:

- o species, size and location of new trees, shrubs, hedges and grassed areas to be planted, (which shall include a minimum of 60no. new trees including street and native woodland trees),

- o the treatment proposed for all hard surfaced areas beyond the limits of the highway,

- o walls, fences, other means of enclosure proposed,

- o ecological enhancements to be provided within the site;

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

GROUND:

In the interests of the visual amenities of the area and to make a positive contribution to biodiversity, in accordance with Policies QD02 and SP30 of the Thanet Local Plan, and the advice as contained within the NPPF.

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

Following completion of the landscape and enhancement works, photographic evidence of implementation shall be submitted to and approved in writing by the Local Planning Authority in order to verify the works have been completed in accordance with the approved plans, and to enable the full discharge of this condition. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size and species as those originally planted, unless written approval to any variation is provided by the Local Planning Authority. All ecological enhancement features shall thereafter be maintained.

GROUND:

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

26 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

27 Prior to commencement of works (including site clearance), an Ecological Design Strategy (EDS) will be submitted to, and approved by, the local planning authority. The EDS shall demonstrate how proposals mitigate, compensate and enhance biodiversity during construction and operation. The EDS shall include the following:

- Purpose and biodiversity objectives for the proposed works;
- Review of site potential and constraints;
- Detailed design(s)/planting schedules, and/or working method(s) to achieve stated objectives;
- Show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb bat activity;
- Extent and location/area of proposed works on appropriate scale maps and plans;
- Type and source of materials to be used where appropriate, e.g., native species of local provenance;
- Timetable for implementation demonstrating that works are aligned with the proposed phasing of development where relevant;
- Persons responsible for implementing the works;
- Details of initial aftercare and long-term maintenance, and;
- Details for monitoring and remedial measures.

The EDS shall be implemented in accordance with the approved details and all features shall be retained thereafter.

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.

28 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.

29 No further alterations to the roof or insertion of window openings to unit nos. 1-9 and 29-33, whether approved by Classes A, B or C of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order), shall be carried out without the prior permission in writing of the Local Planning Authority.

GROUND

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

SITE, LOCATION AND DESCRIPTION

The site is located to the west of Northwood Road, and is served by a single access point onto Northwood Road. The land is undeveloped, having historically been used as an orchard.

To the south of the site is Fairlawn Road, which contains a number of 2-storey semi-detached properties. Between the application site and Fairlawn Road is a further undeveloped piece of land that had planning permission granted recently for six units of accommodation initially, and then three units of accommodation (including semi-detached and detached units).

To the west of the site Northwood Road contains 2-storey properties and bungalows, with a mix of detached, semi-detached and terraced units.

To the north of the site is a further undeveloped piece of land, which fronts onto Millenium Way, but is allocated for housing.

To the west of the site are commercial units that are located within the Broadstairs Retail Park, with their rear yard area for loading/unloading located closest to the western boundary of the application site.

The site itself contains a number of trees and hedgerow. Some of the trees have recently been removed. Four of the remaining trees within the site have recently been protected through a Tree Preservation Order.

RELEVANT PLANNING HISTORY

F/TH/16/1357 - Variation of condition 2 and 5 of planning permission F/TH/14/0709 for erection of two storey dwelling to allow repositioning of dwelling, erection of a single storey porch to the front elevation, alterations to height and alterations to fenestration - Granted

F/TH/14/0709 - Erection of two storey dwelling - Granted

F/TH/13/0890 - Installation of 16No. solar panels - Granted

F/TH/11/0297 - Change of use of land to provide for the storage of caravans - Refused

PROPOSED DEVELOPMENT

The application was originally submitted for 44no. residential units. Following negotiation the application has been amended and is now for the erection of 38no. residential units, consisting of 4no. 1-bed flats, 4no. 2-bed flats, 4no. 2-bed dwellings, 1no. 3-bed flat, 8no 3-bed dwellings, and 17no 4-bed dwellings.

The dwellings are 2-3 storey in height with pitched roofs, and consist of detached, semi-detached and terraced buildings. The flats are provided within a 2-3 storey detached pitched roof block to the centre of the site.

Parking is provided in the form of one to two spaces to serve each unit, and each unit is provided with its own garden, with a shared amenity space to serve the flats.

It is intended to retain the trees covered by a Tree Preservation Order.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan 2020

SP01 - Spatial Strategy - Housing
SP22 - Type and Size of Dwellings
SP29 - Strategic Access Management and Monitoring Plan (SAMM)
SP30 - Biodiversity and Geodiversity Assets
SP35 - Quality Development
HO1 - Housing Development
GI04 - Amenity Green Space and Equipped Play Areas
QD01 - Sustainable Design
QD02 - General Design Principles
QD03 - Living Conditions
QD04 - Technical Standards
QD05 - Accessible and Adaptable Accommodation
HE01 - Archaeology
CC02 - Surface Water Management
CC04 - Renewable Energy
CC05 - District Heating
SE04 - Groundwater Protection
SE05 - Air Quality
SE06 - Noise Pollution
SE08 - Light Pollution
TP02 - Walking
TP03 - Cycling
TP06 - Car Parking

Broadstairs and St Peters Neighbourhood Plan

BSP3 - Protecting and Providing Important Trees

BSP9 - Design in Broadstairs & St Peters

NOTIFICATIONS

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

- No of units,
- Increased traffic,
- Impact upon neighbouring living conditions,
- Loss of farmland to housing development,
- Overdevelopment,
- Lack of medical services,
- Loss of mature trees and hedgerow,
- Loss of wildlife habitat,
- Impact on air quality,
- Is access wide enough for two way traffic?,
- Trucks have been seen depositing landfill at the site so a full investigation should be carried out,
- Lack of parking,
- Loss of privacy,
- Highway and pedestrian safety,
- Noise and disruption from construction works.

Broadstairs & St.Peters Town Council - The Planning Committee of the Town Council has considered this application and resolved unanimously to recommend REFUSAL with the following concerns: Overdevelopment of site and density of design, loss of trees, adverse effect on local ecology, loss of privacy and KCC Highways report required regarding access.

Ramsgate Town Council - RTC objects to the application on the grounds that it is considered to be overdevelopment and concerns that the single access point is insufficient.

The Broadstairs Society - OBJECTS most strongly to this proposed development. This is a wildlife location of some significance with impacts far beyond its borders. There is also the matter of traffic congestion that was entirely predictable at the planning stage of all those shopping sheds that purport to be shops, Also the nearby schools which at chuck out time effectively bring the area to a halt. There will be many opposition comments on this proposal, but none of them we suspect will touch upon the root cause of the housing problem being global over population. Bring that under control- say a 150 year world governments initiatives programme down to 1960s levels and we will have no housing problems, along with sufficient farmland with real natural countryside!

CONSULTATIONS

KCC Highways and Transportation -

(Final Comment)

Further to my previous comments dated on the above planning application I confirm that provided the following requirements are secured by condition or planning obligation, then I would raise no further objection on behalf of the local highway authority.

(Interim Comment)

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

1) It is noted that generally, improvements have been made to the layout proposal from the previous plans in terms of parking provision. I would, however, point out that although the total number of visitor parking spaces is adequate, these should be more evenly spread out throughout the site in order to discourage on-street parking. In particular, more spaces could be offered down the western part of the site, to ensure free movement of refuse freighters, emergency and delivery vehicles.

2) Another notable change has been the creation of a shared surface throughout the development, with light segregation for non-motorised users, as opposed to a carriageway and kerbed footway. Although the internal road geometry does lend itself to low vehicle speeds, the number of dwellings served off the internal road and number of related vehicle movements is higher than that which would usually be permitted by the Kent Design Guide for shared surfaces. I would recommend that the kerbed footway at the access from Northwood Road be extended further into the site as far as Units 2 and 33, to assist pedestrians. Furthermore, careful consideration should be given to the type of surfacing used, to indicate a predominantly pedestrian environment, and to keep vehicle speeds down.

I trust the above comments are of use and will consult further when required.

(Initial Comment)

Thank you for your consultation in relation to the above reference development site.

They have used the IGN3 maximum standard for an edge of town centre location, which this is not, it is a suburban location. Combined with the high use of tandem parking and low number of visitor parking bays we would undoubtedly see excessive footway parking, especially on the bends and along the access road. This causes significant problems for refuse, delivery, emergency vehicles accessing the site and we could even see parking overspill onto Northwood Road in the proximity of the bus stops. In order to bring parking provision to where it needs to be would probably mean alterations to layout - an additional 16 parking bays would need to be created for us to consider adoption of the internal roads.

The swept paths for refuse would also need to be amended to show the 13 metre freighters that are in use in the Thanet District.

KCC Biodiversity -

(Final Comments)

SUMMARY - SUFFICIENT INFORMATION PROVIDED

We have reviewed the updated ecological information submitted by the applicant and

advise that sufficient ecological information has been provided.

Under section 40 of the Natural Environment and Rural Communities (NERC) Act 2006 and paragraphs 174 and 180 of the National Planning Policy Framework (NPPF) 2023, biodiversity should be maintained and enhanced through the planning system. As such, if planning permission is granted, we advise the conditions below are included.

Developer Contributions will need to be provided due to the increase in dwellings within the zone of influence of a Special Protection Area.

Ecological Design Strategy

To mitigate for the loss of biodiversity as a result of proposals, and to provide a biodiversity net gain, an Ecological Design Strategy is recommended to be secured by condition if planning permission is granted.

We suggest that the below wording is included if planning permission is granted. This will mitigate for impacts to biodiversity and help ensure compliance with relevant legislation.

We advise that with regards to construction impacts, the below suggested wording does not cover all aspects usually covered within a Construction Environmental Management Plan (CEMP) (such as pollution control, noise, lighting etc. during construction). Therefore, we can help provide wording to form part of any larger CEMP / Construction Management Plan (CMP) condition if required.

The below wording also includes provision for wildlife sensitive lighting. However, where another lighting condition is proposed for this development should planning permission be granted, we advise that text to include wildlife-friendly lighting be included instead within that condition. We can advise further as required.

Thanet and Canterbury SAMMP

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

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

(Interim Comments)

Thank you for your further consultation on this application following our previous advice dated 14th October 2021. We have reviewed the further submissions on ecology and have the following advice.

Bats and other protected species

We advise that, based on the recent climbed inspection of trees with the potential to support roosting bats, that bats are likely to be absent from these trees and other suitable roosting features within the application site. However, we advise a precautionary approach to the removal of all trees and buildings on the site with the potential to support roosting bats and if you are minded to approve this application, recommended condition wording is provided below.

Likewise, we advise that other legally protected species including reptiles and badger are likely absent from the site based upon the surveys results. However, certain species such as hedgehog and nesting birds are likely to be present within suitable vegetation within the application site. Again therefore, a precautionary approach to site clearance is advised should you be minded to approve the application and recommended condition wording is provided below.

Biodiversity losses and net gain

Further to our previous advice on this matter, we have read the letter from Lloyd Bore stating that: "... there is no particular formal requirement to include Biodiversity Net Gain assessment as part of the planning submission". We would remind you in this context that the NPPF, July 2021 requires that: 174. Planning policies and decisions should contribute to and enhance the natural and local environment by: d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures; 180. When determining planning applications, local planning authorities should apply the following principles: a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;

We would normally advise the inclusion of a planning condition requiring the submission of proposals for ecological enhancements to offset biodiversity losses and provide biodiversity gains. However, in this case, as the submitted plans do not include any open space or landscaping proposals nor is it proposed to have any above ground SuDS features (such as vegetated swales, detention ponds etc.) we cannot see any opportunities for mitigating for the loss of the current habitats on the application site and providing any net gains. Therefore, we do not believe that such a condition would be implementable, and therefore would not be acceptable under the tests for applying planning conditions.

(Initial Comment)

Summary - Additional Information Required. We have reviewed the ecological information submitted in respect of this application and we advise that additional information is sought prior to determination of the planning application. As a result of reviewing the data we have available to us (including aerial photos and biological records) and the information submitted with the planning application, we advise that further information is sought with regards to the potential for ecological impacts to arise as a result of the proposed development.

- o Further surveys along with any necessary mitigation measures for bats;
- o Further surveys along with any necessary mitigation measures for badgers.

Any further necessary surveys, and mitigation measures, will need to be submitted prior to determination of the planning application. This is in accordance with paragraph 99 of the ODPM 06/2005 which states: "it is essential that the presence or otherwise of protected species and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision".

Bats

The Preliminary Ecological Appraisal (PEA) submitted with the planning application identifies the line of mature sycamore and horse chestnut trees (W1 and G16 on the Tree Protection Plan) as being of "...high and moderate suitability for roosting bats". The PEA states that: "If impacts to any of the trees of 'moderate' suitability for roosting bats cannot be avoided, elevated tree inspections of the relevant tree(s) will be required to better assess their suitability for roosting bats and, dependent on timing, search for evidence and indicators of roosting bat presence. Elevated tree inspections can be undertaken at any time of year. If the elevated tree inspection confirms the on-site trees are of 'moderate' or 'high' suitability for roosting bats, a bat emergence / re-entry survey or further climbed inspections of these trees will be required within the period May to August, inclusive".

The Bat Report further states that: "The on-site tree line, G16, has 'moderate' and 'high' suitability for roosting bats and will require an elevated tree inspection for roosting bats. These trees are recommended to be retained if possible. If these trees are required to be removed, further emergence survey would be required".

As the submitted development proposals require the removal of all of the trees within G16, then the recommended further surveys must be undertaken to establish the presence or likely absence of roosting bats, prior to the determination of the planning application.

Badgers

The PEA notes that a limitation of the filed surveys of the application site was that no access was possible to survey for signs of badgers within 30metres of the site boundaries outside of the application site. The PEA therefore recommends: "A badger field sign survey of accessible adjacent land areas within 30m of the site boundary should be undertaken within the period October to April (inclusive) with optimal period being March to April, when vegetation is less dense and badger field signs and badger setts are more easily detected. If a badger sett is located within 30m of the proposed development areas, further sett survey and/or mitigation under licence from Natural England may be required".

Again this further survey should be undertaken prior to the determination of the application.

Biodiversity Losses and Net Gain

The proposed development will result in the loss of all current habitats on the application site with the exception of the boundary hedgerows which are proposed to be retained. All of the grassland and scrub habitats plus a large number of mature trees are proposed for removal. This will result in a significant loss of biodiversity. No proposals have been submitted to seek

to offset those losses or provide any ecological enhancements or Biodiversity Net Gain in accordance with the requirements of the NPPF. Paragraphs 4.7 to 4.14 of the submitted PEA recommend the production of a Biodiversity Mitigation Strategy to demonstrate how the required net gain is to be delivered.

The submitted development plans do not include any open space or any landscaping, other than in private gardens. The submitted Landscape Masterplan, is not actually a Masterplan as it does not cover the entirety of the application site and is only an indicative planting plan. As no open space is proposed, no landscaping proposed other than in private gardens and no proposals for biodiversity enhancement have been submitted, we have to advise that the plans as currently will result in a significant net loss of biodiversity contrary to the requirements of the NPPF.

Thanet and Canterbury SAMM

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

KCC Archaeology - Thank you for consulting on the above application for residential development on this piece of agricultural / farm land. The submission includes a desk based study compiled by MOLES Archaeology that provides a good account of the rich archaeological potential of the site and the surrounding area. It also illustrates that the site was the location of a former farm since at least the beginning of the 19th century and possibly the 18th century according to historic maps. The farm appears on the Kent Historic Farmsteads survey and in the Kent Historic Environment Record. Of the present buildings on the site, a couple of barns, the southern one appears to date to the late Victorian period according to historic maps. Significant multiperiod archaeology has been found in the area of the business park to the north including remains of Neolithic, Bronze Age and Iron Age date. A Palaeolithic hand axe was found in brickearth deposits in the college site to the north. A Bronze Age gold penannular ring was found by a detectorist in the area of the site according to Portable Antiquities Scheme database. Other than the farm buildings in part of the site, it has been generally open land and relatively undisturbed.

Given the above archaeological potential and the potential impacts of groundworks from the development across the site, it would be appropriate to make provision in any forthcoming planning consent for a programme of archaeological works. The following condition would be appropriate:

Given the presence of the late 19th century barn on the site it would also be appropriate to secure a rapid historic building survey to ensure that a record is made of the building before it's demolition. The following condition would be appropriate:

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.

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

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

These tests have been duly applied in the context of this planning application and give rise to the following specific requirements (the evidence supporting these requirements is set out in the attached Appendices).

KCC SUDs -

(Final Comment)

Thank you for your consultation on the above referenced planning application. Kent County Council as Lead Local Flood Authority understand that the proposal and subsequent layout of the development has changed since our previous consultation response on the 23rd of September 2021.

With the change to the application, an update has been made to the Flood Risk Assessment and Drainage Strategy report (24th April 2023). The LLFA have subsequently reviewed the report and understand that the principles set out previously have remained unchanged. The principle being the utilisation of permeable paving and below ground cellular attenuation to facilitate a limited 2 l/s discharge rate to the combined sewer.

Whilst the LLFA raise no objections to this same proposal, we did highlight in our previous consultation the need to undertake ground investigations and infiltration testing as part of the future detailed design stage. This request has been strengthened through the findings contained within the Ground Investigation Report (March 2023).

The outcomes of the investigations undertaken to date have identified the extent of the less permeable Thanet Formation is relatively shallow and is underlain by the more permeable Margate Chalk formation (maximum depth of encountering 4.2m bgl). Section 5.8 within the report has indicated that the Margate Chalk might provide higher rates of infiltration through the use of deepbore soakaways. On this basis, we would encourage for testing to be undertaken to a greater depth within the Margate Chalk formation to confirm if infiltration is suitable. The future use of such features would be dependent upon the rates achieved, the stability of the formation, separation distances and groundwater protection.

Please note, the LLFA would still seek for our previously recommended conditions of the detailed design condition and verification report conditions are still attached to the application should consent be granted.

(Interim Comment)

Thank you for your consultation on the above referenced planning application. Kent County Council as Lead Local Flood Authority have reviewed the latest revision of the Flood Risk Assessment and Drainage Strategy report by Considine (21/09/2023-Revision P04) and understand that the surface water drainage proposals remain unchanged from earlier reports. In view of this, the LLFA's previous consultation response (18/05/2023) remains current.

Despite our previous consultation response remaining the same, the LLFA does seek to change the wording to our detailed design condition to instruct for ample consideration of infiltration first before a discharge to sewer.

(Initial Comment)

Kent County Council as Lead Local Flood Authority have reviewed the information submitted and have the following comments to provide the LPA:

The LLFA are aware that the current site is formerly agricultural land and has some existing farm/ store buildings. The proposal presented currently would see this be replaced with a 53 dwelling development. The Flood Risk Assessment and Drainage Strategy report prepared by Considine presents a surface water strategy to serve the development.

The report details that the proposed development would be served by a combination of Type C permeable paving and cellular attenuation. The permeable paved areas would have a below sub-base for below ground storage of surface water within the parking spaces of properties. Two large cellular storage tanks are proposed under the two access roads to attenuate surface water and meet the discharge limitation of 2 l/s for all return periods (100 year event plus 40% climate change).

As permeable paving is proposed for the driveways, it is likely that these will provide a significant contribution for attenuation of surface water. Consideration should be given to future obligation of home owners to maintain and reinstate these features for the lifetime of the development. The LLFA would therefore advise against the installation of these features however, if this option is used then options for restrictive covenants or other agreements will have to be made.

Discharge from the site at 2 l/s would be directed into an existing combined sewer under Northwood Road (new connection). Typically, we would object to discharging into combined sewer systems however, the LLFA are aware that desk based geology mapping shows this area to be underlain by superficial head deposits and the Thanet Formation. These formations may offer limited permeability and as such may be unsuitable for infiltrating features. Despite this, we would advise that an investigation is undertaken on site because the mapping indicates that the site is close to a geological boundary of Upper Chalk and the exact locations of these formations is not certain. These further investigations can be undertaken as part of a detailed design stage.

The LLFA would also advise that Southern Water are consulted with the proposal to connect/ discharge surface water into their combined sewer to determine whether sufficient capacity exists. It is essential that available capacity is present and if not then suitable upgrades may be required to reinforce the network and this should ideally be confirmed by them at this stage.

Southern Water - Our initial investigations indicate that Southern Water can provide foul and surface water disposal to service the proposed development (surface water runoff 2 l/s at manhole reference TR37671401). Southern Water requires a formal application for a connection to the public sewer to be made by the applicant or developer.

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

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

The proposed development would lie within a Source Protection Zone. The applicant will need to consult with the Environment Agency to ensure the protection of the public water supply source is maintained and inform Southern Water of the outcome of this consultation.

Environment Agency - We have no comments to make on this planning application as it falls outside our remit as a statutory planning consultee. Please refer to the attached 'When to consult the Environment Agency' document for guidance on when to consult us.

TDC Environmental Health -

Noise

The site backs on to a retail park; there is a potential for noise associated with goods deliveries and mechanical plant to impact on the new dwellings and mitigation / sound reduction measures may need to be incorporated into the development. A noise assessment is required.

Air Quality

(final Comment)

Thank you for consulting Environmental Health on the updated Emissions Mitigation Assessment April 2023. The revised damage costs are in accordance with DEFRA's AQ damage cost guidance (March 2023) and the proposed mitigation measures set out in 6.2 will offset the costs. The operational mitigation includes EVCP.

(Initial Comment)

The scale of the development (>10 parking spaces) means that standard air quality conditions apply in relation to electric vehicle charge points must be provided to all allocated

parking spaces and 10% of unallocated. An air quality impact assessment is not required as it doesn't meet relevant criteria set out in IAQM Planning for Air Quality or TDC Technical Air Quality Guidance and there are no air quality exceedance areas nearby. An Emissions Mitigation Assessment (Lustre May 2021) has been submitted which includes construction impact assessment as well as damage costs (£22,313) associated with vehicle trip generations. The assessment methodology and conclusions are accepted.

The Air Quality Emissions Statement gives details of proposed EV spec in Appendix A, but safeguarding conditions should be attached.

The report also points the developer toward possible offsetting measures in S6.4; the damage cost goes towards these but can be used for standard mitigation.

Contamination

(Final comment)

No concerns following phase 2 assessment; we only require to keep the unsuspected contamination condition.

(Initial comment)

A Standard condition for a preliminary risk assessment is required.

TDC Arboricultural Officer -

(Final Comments)

Thank you for letting me know about the amended plans.

The Master Site Plan now shows the existing line of Poplars along the western boundary removed and replaced with native hedgerow. I support this amendment, having previously raised the issue of Poplars being an unsuitable species for retention in close proximity to housing and small domestic gardens. Another amendment shows bin and cycle stores moved away from the stems of trees along the eastern boundary, to the edge or outside the root protection areas, also supported.

The changes to the various tree reports and plans appear to mainly reflect the removal of a number of trees and note that a TPO has now been made to protect some of the trees on site, but details otherwise appear unchanged. Other than noted above, my original comments of 5th May 2023 remain valid.

With regard to the arboricultural aspects of the Landscape Masterplan (Rev. P05, dated 19.09.23), the species for proposed street and native woodland trees, native and mixed species ornamental hedges are all appropriate and acceptable. Planting position/spacing, size at planting and establishment/management details are presumably to be provided.

(Initial Comments)

The revised Arboricultural Impact Assessment (AIA) suggest two individual trees and two linear groups of trees would need to be removed to facilitate the proposed development. The individual trees are T1, an early mature, 13m tall Sycamore and T3, an early mature 5m tall

Apple tree. The groups, G8 & G9, are young, 9m tall Lombardy Poplars. All the trees have been identified as Category "C", of poor quality but with an estimated life expectancy of 20+ years (British Standard tree quality assessment criteria). All are said to be in "Fair" physiological and structural condition.

Although T1 is shown to be removed on the Tree Protection Plan (TPP), due to the extent of hard surfacing shown within its root protection area (rpa), both the AIA and Design & Access Statement (D&AS) suggest "no-dig" construction techniques will be used to allow retention of the tree. I do not consider T3 or G's 8 & 9 to be significant to the character and setting of the area, and have no objection to their loss.

The AIA proposes minor pruning works: the cutting back of the canopies of G5 & T10 (all Lombardy Poplars) by 1m to facilitate construction and crown lifting the canopies of G7 (also Lombardy Poplars) to 4m for compatibility with proposed gardens. This represents minor work, of marginal significance to the trees or their contribution the amenity of the area.

Although not specified in the tree surgery schedule at Appendix 4, the AIA suggests there may also be the partial removal of H12, a 6m tall Hawthorn hedge along the northern boundary. The TPP shows the removal of a short length of hedge in the northern corner of the site to accommodate parking spaces, and the cutting back of some lateral growth to reduce encroachment into proposed garden areas. (The partial removal in the northern corner may also be to facilitate a pedestrian 'connection' from the site to the housing allocation to the north side, referred to in the covering letter from Rebus Planning Solutions, dated 27th April 2023.)

The TPP shows the location for protective fencing, ground protection and areas where hard surfacing will be constructed using "no-dig" techniques to safeguard the rpa's of retained trees (specifically T1, G5 & T10). Some specifications and methodology for working practices are described in the AIA, but it also suggests that a detailed Arboricultural Method Statement (AMS) should be produced once final plans, locations for site compounds and storage etc, and service runs have been confirmed. Section 5 of the AIA sets out the areas of work that an AMS should address. The submission and prior approval of an AMS could be made subject of a condition on any consent.

The plans show a number of Lombardy Polar trees retained around the boundaries of the site, particularly G7 along the majority of the western boundary, T10 in the north-west corner and T's 16 & 18 on the eastern boundary with neighbouring domestic gardens. The majority of these trees are described as early mature, around 16m tall, and either of poor shape and form or spindly. Although retention of existing trees is desirable to provide a mature landscape setting and boundary features, Lombardy Poplar trees have the potential to grow very tall and have a high propensity to shed large branches and fail due to weak fork structures or decay. They are not really a suitable species for retention in close proximity to housing and growing over small domestic gardens. The trees in G7, if in early maturity as described, may respond to pollarding but may then produce dense pollard re-growth around large cuts prone to decay, and become a maintenance issue for the new owners.

(N.B.

- The tree survey sheets at Appendix 2 of the AIA lists T's 19 to 23, but these are not shown on the revised Tree Protection and Proposed Site plans. Aerial photos suggest they may have already been removed.
- The survey sheets do not include T18, shown retained on the plans. Cross referencing them with an earlier report and plans, it appears to be a 16m tall, early mature Lombardy Poplar, identified as Category "B", in "Fair" physiological and structural condition, but described as "spindly" and with only a 10+ year life expectancy.)

TDC Open Spaces - Yes there is a play area which could be expanded on the back of the wimpey estate, Vincent Close Playground.

TDC Strategic Housing -

(Final Comment)

Within Thanet District Council's Local Plan (adopted July 2020), SP23 requires residential schemes of 10 or more units to provide 30% of the dwellings as affordable housing, including extra care facilities falling under the Use Class C3. To be policy compliant, a contribution of 30% affordable housing (AH) across the 38 units (whole site) is required. The 30% AH equates to 11no. units, which this development proposes. The 30% AH shall be split 70% Affordable Rent (AR) which equates to 8no. units and 30% Shared Ownership (SO) equates to 3no. units; however, the exact tenure split can be confirmed during the course of the application process.

In the Planning Cover letter dated 27th April 2023 submitted by Rebus Planning Solutions on behalf of Knights Lodge Construction Ltd, states the following:

This statement indicates that the proposal is compliant with policy SP23 and is broadly reflective of the district's housing needs as identified within the SHMA (updated 2021).

This proposal incorporates four units, which meet Building Regulation Part M4(2) and Part M4(3) and contribute towards meeting Policy QD05 requirements. However to be compliant with Policy QD05, the M4(2) units equate to 10% of the whole site, this is 4no. units. The M4(3) units required are 5% of the whole site, this equates to 2no. units. Therefore, Policy QD05 is partly met and to be fully compliant a further two M4(2) units across the whole site is required.

Upon review of the, Proposed Site Layout and Accommodation Schedule, dated 07.11.2022, drawing number 454-A-PLN-210, created by del Renzio & del Renzio, it is apparent that the affordable housing is congregated in one area of the site. It would be advantageous if the 11no. of affordable housing units could be more integrated across the site and dispersed within the market housing.

(Initial Comment)

Within Thanet District Council's Local Plan (adopted July 2020), SP23 requires residential schemes of 10 or more units to provide 30% of the dwellings as affordable housing, including extra care facilities falling under the Use Class C3. To be policy compliant, a contribution of 30% affordable housing (AH) across the 44 units (whole site) is required. The

30% AH shall be split 70% Affordable Rent (AR) and 30% Shared Ownership (SO) which equates to 13no. AH units - split 9no. AR and 4no. SO. However, the exact tenure can be confirmed during the course of the application process. In line with Local Plan Policy QD05 - accessibility provision, accommodation shall be provided as follows:

TDC Waste and Recycling -

(Final Comment)

No objections to this now.

(Initial Comment)

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.

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

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

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

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

Natural England advises that the specific measures previously identified and analysed by your Authority to prevent harmful effects on coastal European Sites from increased recreational pressure should be applied to this proposed development at appropriate assessment.

Your authority has measures in place to manage these potential impacts through the agreed strategic solution which we consider to be ecologically sound. Natural England is of the view that if these measures, including contributions to them, are implemented, they will be effective and reliable in preventing harmful effects on the European Site(s) for the duration of the proposed development.

Providing that the appropriate assessment concludes that these measures must be secured as planning conditions or obligations by your authority to ensure their strict implementation for the full duration of the development, and providing that there are no other adverse impacts identified by your authority's appropriate assessment, Natural England is satisfied that this appropriate assessment can ascertain that there will be no adverse effect on the integrity of the European Site in view of its conservation objectives.

If your authority's appropriate assessment has identified any other adverse impacts from the proposed development in addition to those that may be caused by increased recreational pressure and which have not been addressed by your Authority, you must consult Natural England for further advice on this appropriate assessment. Permission should not be granted until such time as Natural England has been able to consider these additional impacts and respond.

Kent Police - We recommend the use of the Secured By Design (SBD) initiative for this proposal and we are satisfied that the Planning Statement for this project acknowledges 'Design for Crime Prevention - A Kent Design Guide for Developers, Designers and Planners'. Paragraph 4.33 states: 'Providing guidance for developers, Kent Police and planners, the design guidance seeks to ensure that all development proposals incorporate the principles of designing out crime. This guidance document considers how developments can reduce crime by setting out the seven attributes to the provision of sustainable communities which are handed down by Government guidance: Safer Places: The Planning System and Crime Prevention. The purpose of the document is to assist designers and developers in ensuring that developments are accessible and safe and through the careful consideration of (i) access and movement, (ii) structure (iii) surveillance (iv) ownership, (v) physical protection, (vi) activity and (vii) management and maintenance.' Furthermore, Crime Prevention through the Design Process (paragraph 8.19 - 8.35), shows that careful consideration was given to the crime prevention principles and reasonable steps seemed to be taken to incorporate them into the development proposal.

Clinical Commissioning Group - NHS Kent and Medway Group (CCG) has delegated co-commissioning responsibility for general practice services in East Kent and is the body that reviews planning applications to assess the direct impact on general practice. I refer to the above full planning application which concerns the proposed residential development comprising up to 38 dwellings. The CCG has assessed the implications of this proposal on delivery of general practice services and is of the opinion that it will have a direct impact which will require mitigation through the payment of an appropriate financial contribution. In line with the Planning Act 2008 and the Community Infrastructure Levy Regulations 2010 (the CIL Regulations) (Regulation 122) requests for development contributions must comply with the three specific legal tests: 1. Necessary 2. Related to the development 3. Reasonably related in scale and kind We have applied these tests in relation to this planning application and can confirm the following specific requirements. The calculations supporting this requirement are set out in Appendix 1.

COMMENTS

The application has been called to the planning committee by Cllr Mike Garner, on the grounds of unnecessary loss of trees, adverse impact on the biodiversity of the area, and overcrowding.

Principle

The site is non-previously developed land within the urban confines. The site is allocated for housing within the Thanet Local Plan under Policy H01, for a notional 45no. dwellings; however, this includes land to the south that has recently received planning permission for six dwellings initially, and following on from this a revised scheme for three dwellings.

Policy HO1 permits new housing development on sites that are allocated for housing development, subject to compliance with Policy SP14 of the Thanet Local Plan, and providing the necessary infrastructure.

The submitted plan shows a total of 38no. residential units, including 9no. self-contained flats and 29no. dwellings. When added to the number already approved on the site to the south, the number proposed would fall within the notional allocation number, reaching a total of either 44no. or 41no. units (depending upon which of the extent schemes to the south are implemented).

There is a current need for housing in Thanet and, on this basis, the National Planning Policy Framework (NPPF) requires that applications for housing should be considered in the context of the presumption in favour of sustainable development. The application site is sustainably located on the edge of the town centre, which is within easy walking distance of the site. Northwood Road is also on a bus route, and pedestrian links are proposed that would improve pedestrian movement.

The principle of development is therefore considered to be acceptable, and in compliance with Policies SP01 and HO1 of the Thanet Local Plan, subject to other material planning considerations.

Character and Appearance

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

Paragraph 130 of the NPPF states that planning decisions should ensure that developments function well and add to the overall quality of the area; are visually attractive as a result of good architecture and appropriate landscaping; are sympathetic to local character and history; establish and maintain a strong sense of place; and provide a high standard of amenity for existing and future users.

The site is undeveloped, with the only structures being two existing barns that are in a poor condition, and are intended for demolition. No concerns are raised regarding the loss of the structures as they are not located within the conservation area, and have limited historic significance.

The proposal is for the erection of 38no. residential units. The site is to be accessed via the existing access onto Northwood Road, with the new access road into the site looping around the site to create a circular access road, off which are a number of small cul-de-sacs. A full through route for vehicles is not provided, so vehicles will need to turn before exiting the site. However a through route for pedestrians and cyclists is provided.

The proposed units are a mix of detached, semi-detached and terraced units, with a detached flat block to the centre of the site. All of the units are setback from the road, with parking provided within the curtilage of the plots, in addition to soft landscaped frontages.

A row of detached and semi-detached units are provided along the southern boundary of the site fronting the road, with three of these fronting a small cul-de-sac road extension. These units back onto the neighbouring housing site, and will not therefore be viewed in the context of the neighbouring development when considering the design. They will be visible however from Fairlawn Road, and therefore maintaining a development of a similar scale is important. The proposed units that back onto the boundary are 2-3 storey in height, with the rear elevation provided with a 2-storey eaves level. There will be a distance of 10m from the proposed rear elevations to the rear boundary of the site, and a further 24m to the nearest existing property in Fairlawn Road. Unit 1 is located close to the entrance of the site to the south, and is a bungalow. Its setback from the access on land located to the rear of no.74 Northwood road. This unit would be close in proximity to the approved units on the neighbouring housing development, being located to the east of that development; however, the buildings on the neighbouring site, approved most recently, are also bungalows, so unit 1 will appear in keeping with the character of this part of the site with a similar scale development proposed.

Along the western boundary of the site two terraced blocks are proposed that front the main access road. These units back onto the commercial units. Being closest to the town centre the provision of terraced units in this location is considered to be appropriate.

The units along the northern and eastern boundaries consist of semi-detached and detached units with approximately 2m gaps in between. Garden depths of these units range from 10m-15m. On the eastern boundary the units back onto existing 2-storey properties and bungalows in Northwood Road. All of the proposed dwellings have a 2-storey eaves level to the rear, and therefore the scale of these units are considered acceptable when viewed in the context of existing surrounding development.

To the centre of the site and ring road, a 2-3 storey detached flat block is proposed. The building faces towards the access into the site, creating a prominent feature building when entering the site. The building is setback from all sides, creating a spacious setting for this building that is predominantly soft landscaped, with some parking provision provided.

The proposed development has a density of 29 dwellings per hectare. Whilst the site is an edge of centre site, and could therefore potentially accommodate a higher number of units, the site is also located in an area that has quite a suburban appearance, and therefore the number and density of development proposed is considered to be in keeping with the surrounding pattern of development and character of the area.

In terms of the design, the proposed development is quite modern in its appearance, although reference has been made to surrounding development meaning that pitched roofs have been maintained. Given that this site is quite isolated, and is setback from any existing housing development, an individual character for this development would be accepted.

A number of different unit types have been proposed, which will add interest to the overall appearance of the development. For the houses they are all pitched roofs, but the unit types vary between those with parapet projecting features to the front elevation, those with gable frontages and reduced staggered gable projections to the rear, and those with balconettes to the first floor front elevation. In the majority of cases the fenestration consists of large floor to ceiling windows, which lighten the appearance of the units. In terms of materials, an interesting and varied palette of material is proposed, consisting of yellow brick, darker brick stack facades, white render, timber vertical cladding, dark grey aluminium windows and doors, and slate tile roof.

The flat block is larger in scale than the houses, but as mentioned previously it is setback in the site and provided with a spacious setting around the building. Whilst large in size, the building is broken up into three elements, each of which differs in height and design. The largest element is 3-storey in height with full height glazing to the front elevation along with glazed balustrading that serve balconies. It has an asymmetrical shaped roof, which when viewed from the side elevation drops in height towards the rear. The side elevation contains a number of glazing panes, and is broken up with fibre cement panelling to the upper levels and brick at ground floor level. To the rear similar materials are used, in addition to timber panelling to the centre. The central element is setback from the front building line, and has a more traditional gable roof form, with brick, glazing and timber cladding. The ridge height of this element is lower than that of the southern element. The northern element has a roof ridge height that is lower again. This is again an asymmetrical roof, which projects forward in line with the southern elements' front building line. The design mimics the southern element, although only 2-storey in height. The side elevation to the 2-storey northern elements contains a projecting window, and to the rear a number of full height windows are again proposed. Overall the flat block achieves a well-designed unique building, with staggered form that breaks up its scale, and with each elevation providing an active and interesting design, which is necessary given the prominence of this building at the centre of the site.

In terms of trees and landscaping, concern has been raised by residents regarding the loss of trees on the site over the last few years. Since the application was submitted in 2021, a number of trees to the centre of the site have been removed, which was regrettable, however, they were also not protected and therefore such removal was not unlawful. When considering the application proposal, and the fact that the site is allocated for housing, the removal of some trees on the site was inevitable, however, this should have ideally been carried out as part of the planning process, and following an assessment of the trees. The applicant was advised that we would expect to see new tree planting through the application to compensate for the removed trees. Furthermore, the Arboricultural Officer has visited the site and assessed the remaining trees, and a Tree Preservation Order has been placed on four of the trees, including a large Sycamore close to the entrance of the site, a Sycamore and Hawthorn along the eastern boundary, and a Sycamore along the northern boundary.

A landscaping masterplan has been submitted with the application. The plan shows the retention of the four protected trees, and new tree planting in the form of both Street trees, and Woodland Copse tree planting. The landscape masterplan provides a framework for the intended landscaping, and therefore the exact number of new trees to be planted is not certain at this time; however, the landscape architect has advised that the masterplan is indicating approximately 47no. new street trees and 25no. new Native Woodland trees. In order to secure the planting of a high number of new trees within the site, the landscape condition requires the submitted landscape plan to include a minimum of 60no. new trees for planting within the site, which offsets those trees removed, and significantly increases the number of replacement trees.

In addition to this the landscaping plan shows the provision of new scrub/shrub planting, wildflower meadow grassland, native hedge and ornamental hedge, along with the retention of the existing hedge along the northern boundary. There are a number of open amenity areas around the development, including the area to the front and rear of the flat block, along with small pockets of land in corners and adjacent to parking areas. In order to maintain and safeguard these areas in the future, the landscaping plan shows the areas that will be maintained through a management company, which won't fall within individual site curtilages. Overall, whilst there has been a loss of trees on the site, the proposal seeks to retain the protected trees, and provide a substantial amount of new tree and shrub planting, which will soften and enhance the visual impact of the development, whilst providing biodiversity benefits.

In terms of the hard surfacing, the site layout finishes plan shows that there will be no tarmac within the site, other than at the initial entrance, and that the ring road, cul-de-sacs, pavements and parking spaces will all be block paved using four different shades. This treatment is supported.

Overall the proposed development is considered to provide a good quality layout, with buildings of an appropriate scale and interesting design. The number of units proposed comply with Policy HO1 of the Thanet Local Plan, and the surrounding pattern of development, and a substantial landscaping scheme has been proposed. The proposed development is therefore considered to comply with the character and appearance of the area, in accordance with Policy QD02 of the Thanet Local Plan.

Living Conditions

- *Neighbouring occupiers*

Policy QD03 outlines that new development must not lead to unacceptable living conditions through overlooking, noise, vibrations, light pollution, overshadowing, loss of natural light or a sense of enclosure.

Paragraph 119 of the NPPF states that planning decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Paragraph 130 states that decisions should ensure the development creates places that are inclusive and accessible and which promote health and well-being, with a high standard of amenity for future users.

The existing residential properties that would be affected by the proposed development are those in Fairlawn Road, and those in Northwood Road. The nearest property in Fairlawn Road to the development is 34m away, so there will be no loss of light/outlook, or privacy for these residents at this distance.

In Northwood Road the existing properties are either 2-storey, or bungalows, although many of the bungalows contain rear dormer windows giving them a second floor of accommodation. The proposed development is oriented so that no.76 Northwood Road is the closest property to the development, and then the proposed dwellings move further from the eastern boundary, increasing the garden depths of the properties. At the same time the existing properties in Northwood Road also increase their distance to their rear boundary as you move further north, so the distance is at its greatest between no. 84 Northwood Road and plot number 29. At this point the distance between them is 42m. For no.78 there is a distance of 25.5m to the corner of their rear conservatory, and 30m to the corner of the main dwelling, and for no.76 there is a distance of 29.5m to their rear elevation. The existing tree line along this boundary will remain, including 2 TPO trees, providing some screening. Furthermore, the nearest proposed units have been amended so that there are no windows above 2-storey, other than velux windows. Given the distance, unit design, and presence of landscaping for screening, the impact upon the amenities of these properties along Northwood Road is considered to be acceptable, and in accordance with Policy QD03 of the Thanet local Plan.

- *Future Occupiers*

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 55sqm, which exceeds the minimum requirement of 50sqm; the smallest 2-bed is 77sqm, which exceeds the minimum requirement of 61sqm; the smallest 3-bed is 96sqm, which exceeds the minimum requirement of 84sqm; and the smallest 4-bed unit is 171sqm, which exceeds the minimum requirement of 97sqm.

There is a requirement for each property to be required with secure doorstep playspace, as required by Policies QD03 and GI04 of the Thanet Local Plan. Each dwelling is provided with a garden area, and the block of flats is provided with a communal garden area. The proposal is considered to comply with Policies QD03 and GI04 for doorstep playspace.

The proposed dwellings to the west of the site back onto existing commercial units within the retail park, and therefore Environmental Health has advised that there is the potential for noise associated with goods deliveries and mechanical plant to impact on the new dwellings. Mitigation/sound reduction measures may need to be incorporated into the development, and therefore a noise assessment will be required to identify these, but this can be secured via condition.

Refuse stores and cycle stores are provided to the side of the flat blocks, the retention of which will be conditioned.

The impact upon the living conditions of future occupiers is therefore considered to be acceptable, and in accordance with Policies QD03, QD04, and GI04 of the Thanet Local Plan.

Transportation

The proposed development is utilising an existing vehicular access onto Northwood Road. The layout proposed a circular road within the site, although a full circular road for vehicles is not proposed and vehicles will need to turn within one of the cul-de-sac turning heads in order to exit the site in a forward gear. The proposed road will support pedestrian and cycle movement though and a further pedestrian connection point is provided in the north western corner of the site to enable a connection through the adjacent housing allocation site to the town centre. In terms of parking provision, two spaces per dwelling are proposed, along with 1no. Space per flat and 8no. visitor parking spaces.

A transport assessment has been submitted with the application. The assessment confirms that visibility splays of 2.4m x 43m at the access can be achieved; the nearest bus stops are on Northwood Road, a short distance from the site entrance; and Northwood Road has a low record of accidents, with only two recorded over the last five years.

In terms of parking, the initially submitted plans showed an undersupply of parking, but since the plans were amended and the unit numbers reduced, the proposed development now exceeds the car parking standards required for a suburban location. This is also the case for cycle parking, with space available in individual gardens, and storage indicated on the plan for cycle storage for flats.

A shared surface is being provided within the site of 5.5m wide. The proposal includes the widening of the existing access radii to 4.5m (from 2.5m). The shared surface is intended to lower speeds, making it safe for pedestrians and other road users, whilst maximising green space.

In terms of vehicle trips, the assessment states that the proposal is predicted to generate an increase of 19 and 20No. 2-way vehicle movements in the weekday AM and PM weekday peak hours respectively, which equates to on average one additional vehicle movement every 3 minutes during the peak hours. This increase would not have a severe impact on the highway network.

KCC Highways have been consulted on the application, and in response to the amended plans that have increased parking provision on the site, made visitor parking spaces more evenly spread across the site, and extended the formal footpath into the site, they now raise no objections to the proposal subject to safeguarding conditions.

Electric vehicle charging spaces have not been indicated on the plan, but can be secured by way of condition as required by planning policy.

Tracking plans for a 13m long vehicle have been provided within the transport assessment. The waste and recycling team has confirmed they have no objections to the proposed layout.

The Impact upon highway safety is considered to be acceptable, and in accordance with the NPPF.

Affordable Housing

Policy SP23 of the Thanet Local Plan 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. The affordable housing shall be provided in proportions set out in the Strategic Housing Market Assessment or successive documents'.

The application proposes 30% affordable housing, which equates to 11no. Units. Of these units, 70% will be affordable rent, and 30% will be first homes. Whilst one of the first homes units should have been a shared ownership unit, securing a housing provider that will take a single unit is likely to cause difficulties. First homes are a similar product to shared ownership units in that it provides affordable units at a reduced cost. Viability concerns have also been raised by the applicant, and the provision of all 30% units as first homes will help with viability and enable the 70% affordable rent units to be secured.

A plan has been submitted identifying the affordable units, which are adjacent to the western boundary of the site and include 4no. 1-bed flats, 4no. 2-bed houses, and 3no. 3-bed houses.

TDCs Strategic Housing Officer has been consulted on the application, and have advised that whilst the number of affordable units are acceptable, they should be spread across the site and integrated with the market units. Whilst this form of pepper potting is usually encouraged, this is quite a small scheme, and the units offered as affordable achieve the unit mix required and enable adequate management of the units. On balance the affordable housing provision is therefore considered to be acceptable and subject to the submission of a legal agreement securing the provision as identified above, the proposed development is considered to comply with Policy SP23 of the Thanet Local Plan and paragraph 65 of the NPPF.

Size and Type of Units

Policy SP22 of the Thanet Local Plan states that proposals for housing development will be expected to provide an appropriate mix of market and affordable housing types and sizes having regard to the SHMA recommendations as may be reviewed or superseded. It further states that the Council will encourage proposals for residential development to incorporate a higher ratio of houses to flats (as recommended in the SHMA).

A recent Local Housing Needs Assessment (Aug 2021) has been carried out that seeks to update the current recommendations for local housing need. The assessment has identified a shift in housing requirements, with a reduction in the need for 1-bed and 2-bed market units, and an increased need for 3-bed and 4-bed market units. For the affordable units the need remains very similar to the previous recommendation, with a very slight reduction in the

smaller 1-bed units, and a slight increase in all other unit sizes. This assessment is currently under consultation and is yet to be adopted, but provides an indication of the most recent evidence relating to housing needs.

The proposed development provides 38no. residential units, consisting of 4no. 1-bed flats, 4no. 2-bed flats, 4no. 2-bed dwellings, 1no. 3-bed flat, 8no 3-bed dwellings, and 17no 4-bed dwellings. A clear mix of unit types and sizes are provided throughout the scheme, which achieves good quality family accommodation, along with smaller affordable units of accommodation. The mix of units proposed is considered to be acceptable, and in accordance with Policy SP22 of the Thanet Local Plan.

Four accessible units have been provided, with two 1-bed and two 2-bed flats identified for this. The proposal therefore accords with Policy QD05 of the Thanet Local Plan.

Drainage

A flood risk and drainage strategy has been provided. The site is located within flood zone 1, and therefore has a low risk of flooding.

In terms of the proposed surface water drainage strategy, it has been determined that a review of the bedrock mapping shows that the site is unlikely to be suitable for infiltration as it had limited permeability. It is therefore proposed that the site connects to the existing public surface water sewer, and that the flow is restricted through a flow control such as Hydro-Brake. The strategy proposes that a geocellular attenuation tank be provided, which will secure storage sufficient for the 1:100-year event plus 45% climate change allowance. It is proposed that the connection to the public sewer is made via gravity, but this will be determined following investigations at the detailed design stage.

In terms of foul drainage, the strategy has identified an existing 225mm diameter combined sewer within Northwood Road and another combined sewer within Fairlawn Road. As there is no existing development within the site there is no existing foul water system. The proposal is for the foul network to serve the development to connect to the existing public combined sewer in Northwood Road.

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

Southern Water has advised that their initial investigations indicate that there is the capacity to provide foul and surface water disposal to the combined sewer, and a water supply, to service the proposed development, and they therefore have no objections to the proposed drainage strategy, subject to a safeguarding condition securing the submission of the detailed drainage design.

KCC SUDs has advised that they would normally object to discharging into combined sewer systems, however, they are aware that desk based geology mapping shows this area to be underlain by superficial head deposits and the Thanet Formation, which may offer limited permeability and as such may be unsuitable for infiltrating features. Despite this KCC advise that further testing should be carried out to sufficiently rule out infiltration within the site for surface water. Further updates of the drainage strategy has been submitted, and the latest

version includes investigations that raise the possibility of the less permeable Thanet Formation overlain more permeable Margate Chalk formation, meaning there may be scope for higher rates of infiltration through the use of deep bore soakaways. KCC therefore recommends further testing be undertaken at greater depths within the Margate Chalk formation to confirm if infiltration is suitable. KCC are satisfied that this further testing can be carried out via a condition submission.

Subject to safeguarding conditions, the impact upon groundwater protection and flood risk is therefore considered to be acceptable, and in accordance with Policy CC02 of the Thanet Local Plan, which requires the provision of suitable surface water management.

Biodiversity

Policy SP30 of the Thanet Local Plan requires development proposals to make a positive contribution to the conservation, enhancement and management of biodiversity.

An Ecological Impact Assessment has been submitted as part of the application submission. The assessment concludes that no habitats were found on site that were likely to support notable plant species; there are no records of of great crested newts within 1km of the site, and there are no ponds within the site, no great crested newts are scoped out; grassland, hedgerow and scrub provide suitable habitat for reptiles so a presence/likely absence survey for reptiles was conducted in 2021 and again in 2023, and no reptiles were recorded; the site has negligible importance for bird species; on-site habitat is not connected to any extensive areas of off-site woodland or other suitable habitats within the wider landscape so hazel dormice are scoped out; suitable habitat for badger foraging and sett formation were found on site so a badger field sign survey was conducted in 2020 and again in 2023, but no evidence was found; hedgehogs and water vole have also been scoped out.

In terms of bats, the mixture of hedgerows, tree line, grassland, scrub and buildings provide suitable habitats for foraging, commuting and roosting bats, and therefore a bat emergence /re-entry survey of the buildings was carried out in 2021, but identified no bats. Treeline G16 was found to have high to moderate suitability for roosting bats, but lack of bat activity and the low suitability of features present indicated a likely absence of bats. A climbing inspection of the trees took place in 2021, with no evidence identified of roosting bats within the features found on the trees. Two of the trees were identified as having negligibly suitable features, but none of the trees were found to have any evidence of use by roosting bats at the time of the inspection. The line of trees was felled on 15th March 2022 after being checked and left in-situ for a minimum of 24 hours. The updated bat emergence survey undertaken between June and July 2023 did not record bats emerging from either on-site building. A likely absence of roosting bats from these buildings was therefore concluded. A further ground level tree assessment was undertaken on 18th July 2023 to further assess LT1, a line of poplar trees that are to be removed to facilitate development works. All trees within LT1 were classified as having 'negligible' suitability for roosting bats. The trees do support some ivy cover and there is a low-level risk that this could obscure some potential bat roost features. Therefore, as a precaution, the report recommends that these trees are subject to precautionary sectional felling with the timbers left on site overnight after cutting before being removed or processed. In order to compensate for the loss of suitable roosting features, the report recommends that six bat boxes be installed on suitable trees within the

retained hedgerows and on other existing on-Site trees. Common pipistrelle were recorded foraging across the Site during the bat survey in 2021 and 2023. Individual soprano pipistrelle were recorded in flight. Based on the amount of foraging habitat provided by the Site, the species of bat recorded, and the low number and frequency of bat passes recorded during the surveys, the report suggests that the site is of negligible importance for foraging bats. It is also proposed to remove LT1 and replace with a species rich, native hedgerow which will provide foraging and commuting habitat for bats.

In addition, as part of the amended scheme a detailed landscaping plan has been submitted, showing the location of existing boundary hedge to be retained, remaining trees to be retained, new native hedgerow planting, new mixed species ornamental hedge, pollen and nectar wildflower meadow grassland, comprising 80% grass species and 20% wild flowers, new woodland copse tree planting with associated wild flower mix and native shrub species, native shrub/scrub planting, and wildlife beneficial ornamental shrub and herbaceous planting. In addition 4no. timber log piles, 5no. bug hotels, 5no. Bat boxes, and 3no. Bird boxes are proposed.

KCC Biodiversity has been consulted, and advise that sufficient ecological information has been provided. No objections are raised to the proposed report and plan, but KCC recommend that a safeguarding condition be attached requiring that an Ecological Design Strategy be submitted to mitigate for the loss of biodiversity. The strategy would need to include details of initial aftercare and long-term maintenance, including monitoring proposals. Subject to this safeguarding condition, and a condition that secures the landscaping provision as shown, the impact upon biodiversity is considered to be acceptable and in accordance with Policy SP30 of the Thanet Local Plan.

The loss of trees within the site have been covered within the character and appearance section of this report, and details of the Tree Preservation Order that has been placed on four remaining trees has been provided. Further conditions required to retain existing trees include that requiring the provision of protective fencing during construction works, and that requiring details of long-term landscape management, similar to that required for the ecological enhancements.

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.

A desk based archaeological assessment has been submitted and KCC Archaeology has been consulted. KCC advises that the study provides a good account of the rich archaeological potential of the site and the surrounding area. It also illustrates that the site was the location of a former farm since at least the beginning of the 19th century and possibly the 18th century according to historic maps. The farm appears on the Kent Historic Farmsteads survey and in the Kent Historic Environment Record. Of the present buildings on the site, a couple of barns, the southern one appears to date to the late Victorian period according to historic maps. Significant multiperiod archaeology has been found in the area of the business park to the north including remains of Neolithic, Bronze Age and Iron Age date.

A Palaeolithic hand axe was found in brickearth deposits in the college site to the north. A Bronze Age gold penannular ring was found by a detectorist in the area of the site according to Portable Antiquities Scheme database. Other than the farm buildings in part of the site, it has been generally open land and relatively undisturbed. Given the above archaeological potential and the potential impacts of groundworks from the development across the site, KCC advise it would be appropriate to make provision in any forthcoming planning consent for a programme of archaeological works.

As such, no objections are raised to the proposed development subject to a safeguarding condition that requires the implementation of a programme of archaeological work to be carried out, followed by mitigation and/or further investigation as appropriate. Subject to this safeguarding condition the proposal is considered to comply with Policy HE01 of the Thanet Local Plan.

Contamination

A Phase 1 Geo-Environmental Risk Assessment has been submitted with the application. The Preliminary Risk Assessment has highlighted potential pollution linkages associated with identified contamination sources and the future end uses of the site, and therefore a Moderate risk has been assigned. The report recommends that a limited intrusive investigation be undertaken to assess if the potential risks identified are present and how these may impact on the redevelopment of the assessment site. The investigation works should primarily focus on the potential presence of contamination within the shallow soils beneath site, however investigation works also need to consider the potential impact on controlled waters and the potential for ground gas generation.

A subsequent ground investigation report has been submitted, which confirms that there are no contaminants on the site at unacceptable levels within the soils analysed that are likely to impact human health, and therefore the environmental risk is low.

Environmental Health has been consulted and advise that following the submission of these reports, the only safeguarding condition required is one that relates to unsuspected contamination. Subject to this safeguarding condition the impact upon future occupants from contamination is considered to be acceptable, and in accordance with Policy SE03 of the Thanet Local Plan.

Air Quality

An Air Quality Mitigation Assessment has been submitted. The report advises that the proposed development would generate approximately 230 daily vehicle movements, and therefore the total damage cost is calculated as £22,313 over five years, which is an estimate of the costs to society due to the impact of increases in emissions associated with the proposed development.

The report identifies mitigation measures for construction and operational activities. Environmental Health has been consulted and advises that an air quality impact assessment is not required as it doesn't meet relevant criteria set out in IAQM Planning for Air Quality or

TDC Technical Air Quality Guidance and there are no air quality exceedance areas nearby. They accept the methodology and conclusions within the Emissions Mitigation Assessment.

Following the submission of amended plans an updated Emissions Mitigation Assessment has been submitted, within which the total damage cost has been reduced to £9,638 over five years. The operational mitigation proposed includes a travel plan, welcome pack containing information on sustainable transport modes, car club provision. Improved cycle links, cycle storage, green infrastructure, and EV charging spaces. Environmental Health has advised that the revised damage costs are in accordance with DEFRA's AQ damage cost guidance (March 2023) and the proposed mitigation measures set out in 6.2 will offset the costs.

Subject to safeguarding conditions on electric vehicle charging, requiring the mitigation measures to be carried out as set out within section 6.2 of the Emissions mitigation Assessment, and the submission of an environmental construction management plan, the impact upon air quality is considered to be acceptable, and in accordance with Policy SE05 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. This mitigation means that the Council has accorded with the Habitat Regulations and an appropriate assessment has been undertaken. The applicant has agreed to the contributions, which will be secured through a signed legal agreement. An acceptable appropriate assessment has been carried out on this basis.

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 £169,012.51 towards a new Thanet secondary school or the provision of additional secondary places within the Thanet District non-selective and selective planning group;
- A contribution of £70,495.83 towards secondary education in the form of a new Thanet secondary school land acquisition cost;
- A contribution of £16,934.87 towards the provision of additional SEND places and/or additional SEND facilities within Thanet District;
- A contribution of £1,299.98 towards community learning, to provide additional resources, equipment, and classes for the Adult Education Service in Thanet District to assist with the education and training of the new learners from this development;
- A contribution of £2,379.94 towards libraries, to provide additional resources, stock and services (including digital infrastructure and resources) at Broadstairs, Ramsgate and Newington Library;
- A contribution of £2,813.90 towards children's services, to provide additional resources for Integrated Children's Services to enable expansion of capacity within the hubs and provision of outreach work in the vicinity of the development;
- A contribution of £6,873.44 towards adult social care, in the form of specialist care housing provision in the district, adaptation of community facilities, technology to promote independence, multi-sensory facilities and changing place facilities in the vicinity of the development;
- A contribution of £1,976 towards waste services, to provide improvements at Thanet District HWRC to increase capacity;
- A contribution of £38,196 towards health provision, in the form of the refurbishment, reconfiguration and/or extension of Mocketts Wood Surgery within Margate PCN and/or Summerhill Surgery and/or Newington Road Surgery and/or Dashwood Medical Centre and/or The Grange Practice within Ramsgate PCN and/or towards new general practice premises development in the area;
- A contribution of £33,250 towards equipped play provision at Vincent Close playground;
- A contribution of £16,194 towards the Special Protection Area;
- Affordable housing in the form of 30% on site provision.

The applicant has agreed to these contributions and obligations, which have been secured through the submitted signed legal agreement.

Conclusion

The site is an allocated housing site within the urban confines. The number of units proposed does not exceed the notional number set out within Policy HO1, and the density of the development at 29 dwellings per hectare is considered suitable for this edge of centre site. The proposed layout consists of a mix of terraced, semi-detached and detached dwellings, along with a flat block, providing a mix of 1, 2, 3 and 4-bed units. The proposed pattern of development is not out of keeping with the surrounding area, and the scale and design of the proposal is considered to result in an acceptable impact upon visual amenity.

Concerns have been raised by residents regarding loss of trees and wildlife habitats, however, none of the trees removed were protected, and a detailed landscape masterplan

has been submitted showing how it is intended to replace and enhance landscaping on the site, and provide ecological enhancements to serve wildlife. Four trees have recently been protected by a Tree Preservation Order, and it is stated that these trees will be retained, along with a minimum 60no. replacement/new trees. Whilst the development of the site will result in an initial loss in biodiversity, this is expected as the site is allocated for housing, however with the provisions made within the proposal and through the use of planning conditions, the proposal would comply with Policy SP30

KCC raises no concerns on highway safety, and adequate visibility splays can be achieved, in addition to improvements to pedestrian and cycle movement to the town centre. Sufficient off-street parking has been provided and a shared surface has been provided within the site encouraging a reduction in vehicle speeds.

Given the distance to neighbouring properties, there is not considered to be an impact upon neighbouring living conditions.

Planning obligations include the provision of 30% on site affordable housing, and financial contributions to mitigate the harm of the development, which will be secured through a legal agreement.

The proposal provides family dwellings and smaller affordable units on an allocated housing site, which will contribute towards the Council's housing need, and thereby significant social and economic benefits are provided, which outweigh the limited environmental harm, which can be mitigated through the safeguarding conditions identified.

The proposal is therefore considered to be a sustainable form of development within the urban confines, and it is recommended that Members defer and delegate the application for approval subject to safeguarding conditions and the submission of a signed legal agreement securing the identified Heads of Terms.

Case Officer

Emma Fibbens

TITLE: F/TH/21/0671

Project Land To The North Of Fairlawn Road And The West Of Northwood Road
Broadstairs Kent

