

**D07**

**F/TH/23/1689**

PROPOSAL: Erection of 30No 3-bed and 10No 4-bed dwellings with associated landscaping and parking, and access onto Manston Road

LOCATION: Land East Of Haine Road RAMSGATE Kent

WARD: Newington

AGENT: Mr Ian Rhodes

APPLICANT: Mr Ian Rhodes

RECOMMENDATION: Defer & Delegate

Defer and delegate the application for approval, subject to the submission of a signed legal agreement securing the heads of terms set out within this report within 6 months and the following conditions:

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

**GROUND:**

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

2 The development hereby approved shall be carried out in accordance with the submitted drawings numbered:

- 23104 - C101 B Coloured Site Plan 24.5.24
- 23104 - C102 A Coloured Street Scenes 24.5.24
- 23102 - P101 D Site Plan 231129 24.5.24
- 23102 - P102 C Cycle Storage Plan 24.5.24
- 23103 - P103 B Refuse Plan 24.5.24
- 23103 - P104 B Parking Plan 24.5.24
- 23104 - P105 B Accessible Units Plan 24.5.24
- 23104 - P106 B Street Elevations and Sections AA-BB-CC 24.5.24
- 23104 - P110 House Types HT42 20.12.23
- 23104 - P111 A House Types HT32 - HT40 24.5.24
- 23105 - P112 House Types HT31 20.12.23
- 23105 - P113 House Types HT31 20.12.23
- 23105 - P114 B House Types HT46 24.5.24
- 23105 - P116 B House Types HT46 24.5.24
- DO0359 - 002 N Hardworks MP - 2 of 4 19.6.24
- DO0359 - 003 N Hardworks MP - 3 of 4 19.6.24

DO0359 - 006 N Softworks MP - 2 of 4 19.6.24

DO0359 - 007 N Softworks MP - 3 of 4 19.6.24

**GROUND;**

To secure the proper development of the area.

3 Prior to the construction of any dwelling hereby approved, details of a detailed sustainable surface water drainage scheme for the site shall be submitted to (and approved in writing by) the local planning authority. The detailed drainage scheme shall be based upon the Drainage Design Statement Prepared by WSP dated June 2021 and shall demonstrate that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100 year storm) can be accommodated and disposed of within the curtilage of the site without increase to flood risk on or off-site.

The drainage scheme shall also demonstrate (with reference to published guidance):

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

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

**GROUND:**

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

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

**GROUND:**

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

5 Prior to the construction of any dwelling hereby approved, details of the means of foul drainage shall be 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.

6 Prior to and during construction the ecological mitigation within the Landscape and Ecology Management Plan (Ecology Solutions; January 2024) shall be implemented as detailed. If works have not commenced within 2 years of the date of the report, a review, and if necessary, update of the mitigation within the Landscape and Ecology Management Plan, shall be carried out and the updated details submitted to and approved in writing by the Local Planning Authority.

**GROUND:**

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

7 The area shown on the approved plan numbered 23102/P104B 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

8 Prior to the first occupation of each dwelling, the secure cycle parking facilities associated with that dwelling, as shown on approved drawing no. 23102/P102C, 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.

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

**GROUND:**

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

10 Prior to the first use of the site hereby permitted, the vehicular access and associated vehicle crossing point onto the highway, as shown on the approved plan numbered P101 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 dwelling the following works between the dwelling and the adopted highway shall be complete

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

**GROUND:**

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

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

- o species, size and location of new trees, shrubs, hedges and grassed areas to be planted,
- o the treatment proposed for all hard surfaced areas beyond the limits of the highway,
- o walls, fences, other means of enclosure proposed,
- o ecological enhancements to be provided within the site , to include integrated bird, bat and insect bricks

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

**GROUND:**

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

13 All hard and soft landscape works, including ecological enhancement features, shall be carried out in accordance with the approved details. The works shall be carried out 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

14 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

15 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

16 The development hereby permitted shall be carried out in accordance with the mitigation measures as set out within the noise impact assessment (Sharps Redmore) dated December 2023.

**GROUND:**

In the interests of amenity for future occupiers of the development, in accordance with Policies SE06 and QD02 of the Thanet Local Plan.

17 Prior to the commencement of development hereby permitted, details of a scheme for protecting external amenity spaces (gardens, patios, larger balconies, roof gardens and terraces) from nearby industrial/commercial/airport noise shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall ensure that, upon completion of the development, good acoustic design will be used to achieve the lowest practicable rating levels in external amenity spaces. Development shall be carried out in accordance with the approved details.

**GROUND:**

In the interests of residential amenity in accordance with Policy SE06 of the Thanet Local Plan.

## SITE, LOCATION AND DESCRIPTION

The site is located south of Manston Road, where works have commenced for phase 1 of the Manston Green development. The site was formerly open fields, but is now under construction. The site is accessed from both Manston Road and Haine Road, and lies within the urban confines.

## RELEVANT PLANNING HISTORY

R/TH/21/1109 - Reserved matters application pursuant to outline permission OL/TH/14/0050 Application for outline planning permission including access for the erection of 785 dwellings, highways infrastructure works (including single carriageway link road), primary school, small scale retail unit, community hall, public openspace for the approval of layout, scale, appearance and landscaping for the erection of 296 residential dwellings (phase 3)"  
Granted - 21/09/2023

R/TH/21/1082 - Reserved matters application pursuant to outline permission OL/TH/14/0050 for the erection of 785 dwellings, highways infrastructure works, primary school, small scale retail unit, community hall, and public openspace, for the erection of 227no. residential dwellings (phase 2a and 2b), with consideration of layout, scale, appearance and landscaping  
Granted - 16/01/2023

R/TH/19/0499 - Application for reserved matters attached to outline permission OL/TH/14/0050 for the approval of layout, scale, appearance and landscaping for the erection of 220 residential dwellings (phase 1)  
Granted - 18/10/2019

OL/TH/14/0050 - Application for outline planning permission including access for the erection of 785 dwellings, highways infrastructure works (including single carriageway link road), primary school, small scale retail unit, community hall, public openspace.  
Granted - 13/07/2016

## PROPOSED DEVELOPMENT

The proposal is a full application for the erection of 30No 3-bed and 10No 4-bed dwellings with associated landscaping and parking, and access onto Manston Road. The site lies within the boundaries of phase 1 of the outline permission, and is supported by the access and open space provision that was approved through the original outline permission.

## DEVELOPMENT PLAN POLICIES

### **Thanet Local Plan 2020**

SP01 - Spatial Strategy - Housing

SP02 - Implementation  
SP15 - Strategic Housing sites - Manston Green  
SP14 - General Housing Policy  
SP22 - Type and Size of Dwellings  
SP23 - Affordable Housing  
SP29 - Strategic Access Management and Monitoring Plan (SAMM)  
SP30 - Biodiversity and Geodiversity Assets  
SP34 - Provision of Accessible Natural and Semi-Natural Green Space, Parks, Gardens and Recreation Grounds  
SP35 - Quality Development  
SP38 - Healthy and Inclusive Communities  
SP41 - Community Infrastructure  
SP43 - Safe and Sustainable Travel  
SP45 - Transport Infrastructure  
HO1 - Housing Development  
GI04 - Amenity Green Space and Equipped Play Areas  
GI06 - Landscaping and Green infrastructure  
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  
SE08 - Light Pollution  
CM01 - Provision of New Community Facilities  
TP01 - Transport Assessments and Travel Plans  
TP02 - Walking  
TP03 - Cycling  
TP04 - Public Transport  
TP06 - Car Parking

## NOTIFICATIONS

Neighbouring occupiers have been notified and a site notice posted. No representations have been received.

**Ramsgate Heritage and Design Forum** - No objections

## CONSULTATIONS

**KCC Highways** -

*(Final Comment)*

Further to previous comments dated 22 April 2024, additional details have been submitted dated 28 May 2024. Amendments were requested with regard to refuse vehicle tracking which illustrated points of overrun. While the layout remains as per the approved outline reserved matters (R/TH/19/0499), the previous tracking was for an 11.2 metres long vehicle as opposed to the current requirement for a 13 metres refuse freighter. The most recent tracking illustrates that there will be minor overhang by the vehicle chassis, which will not cause damage to the adoptable footway. Any minor alterations can be dealt with during the Section 38 Adoption process. In line with the above, I confirm that I raise no objection on behalf of the local highway authority, subject to safeguarding conditions.

*(Initial Comment)*

The proposal seeks a full application for the development of 40 (30x3 bed and 10x4 bed) dwellings, with access onto Manston Road.

The site forms an addition to an extant outline application (OL/TH/14/0050) for 785 dwelling. A subsequent reserved matters application (R/TH/19/0499) for 220 dwellings (phase 1) was granted. The current application seeks to provide 40 dwellings, which is an additional 13 to the original reserved matters consent.

Tracking (drawing 50.1 Rev D) has been submitted to illustrate a 13 metres refuse vehicle swept paths through the site. It is noted that while there are additional dwellings, the layout remains as per the approved R/TH/19/0499 reserved matters. The previous tracking was for a freighter measuring 11.2 metres in length. As per Thanet Waste and Recycling guidance, the most recent submission (drawing 02.0 Rev B) illustrates a 13 metres refuse freighter.

It is clear that there are points where overrun takes place, where larger vehicles turn from the southern road northwards and also vehicle entering the southern highway. As the site is intended to be adopted, I suggest that localised widening takes place to prevent this overrunning as this would not be acceptable when it comes to the Section 38 Agreement and adoption.

I shall be grateful for the submission of amended details to enable further comments to be provided.

**KCC PROW** - No comments

**KCC Biodiversity** -

*(Final Comment)*

We advise that sufficient information has been provided to determine the planning application. When we previously commented we highlighted that the walk over survey detailed within the Landscape and Ecology Management Plan was carried out in 2021 and therefore we were concerned there was a risk that the conclusions of the submitted information may no longer valid.



A drone view of the site has been provided and confirmed that construction works have already commenced within the wider site and where grassland has established within the footprint we are satisfied that the it will not significantly change the conclusions of the ecological information and the proposed mitigation is still valid.

If planning permission is granted we recommend that the ecological mitigation detailed within the submitted report must be implemented as detailed.

The proposal has is for an additional 30 dwellings within the open space of the development originally proposed under application TH/14/0050. We agree that when considering this application in conjunction with the red line boundary of application TH/14/0050 then the proposal is likely to result in a Measurable Net Gain when taking in to account the landscaping proposed. However we highlight that when considering the redline boundary of this current application in isolation we advise that the proposal is unlikely to result in a measurable net gain (as per the NPPF) as the proposal result in a reduction of landscaping which was expected to have been created/established as part of application TH/14/0050.

The submitted information has provided details of ecological enhancement features which are to be created within the wider site agreed as part of application TH/14/0050. However we advise there is a need for the inclusion of integrated features in to the proposed dwellings. The proposed dwellings are directly adjacent to the open space area and therefore increasing the opportunity for the features to be used by bats, birds or invertebrates.

If planning permission is granted we recommend an ecological enhancement condition is included.

*(Initial Comment)*

We have reviewed the submitted Landscape and Ecology Management Plan and we note that the last walk over survey was carried out in 2021 and therefore there is a risk that the conclusions of the submitted information may no longer valid.

Prior to the determination of the planning application please provide current photos of the site demonstrating that the site has continued to be managed as an arable field or that the construction works have already commenced. If either of these two points are being implemented we advise that we are satisfied that the conclusions of the ecological information are still valid.

The proposal is for an additional 30 dwellings within the open space of the development originally proposed under application TH/14/0050. We agree that when considering this application in conjunction with the red line boundary of application TH/14/0050 then the proposal is likely to result in a Measurable Net Gain when taking in to account the landscaping proposed. However we highlight that when considering the redline boundary of this current application in isolation we advise that the proposal is unlikely to result in a measurable net gain (as per the NPPF) as the proposal result in a reduction of landscaping which was expected to have been created/established as part of application TH/14/0050.

The submitted information has provided details of ecological enhancement features which are to be created within the wider site agreed as part of application TH/14/0050. However we advise that additional information is provided regarding the inclusion of integrated features in to the proposed dwellings. The proposed dwellings are directly adjacent to the open space area and therefore increasing the opportunity for the features to be used by bats, birds or invertebrates.

**KCC SUDs** - Kent County Council as Lead Local Flood Authority have reviewed the Drainage Design Statement Prepared by WSP dated June 2021 and have the following comments:

It is understood from the report that the proposed development forms part of phase 1 of a wider development. The proposed development seeks to replace 27 dwellings already consented within the relevant area under application R/TH/19/0499 with a total of 40 dwellings. The surface water drainage proposal for this area remains the same, utilising infiltration.

The planning statement outlines that it is the intention that the relevant layouts / designs and capacities will be amended to incorporate the additional Dwellings in full accord with the principles of the approved strategy and as such we have no objection to the proposals.

Please note, as of the 10th of May 2022, the Environment Agency's climate change allowances have been updated. As part of this update, revisions have been made to the 'Peak Rainfall Intensity Allowances' that are used in applying climate change percentages to new drainage schemes.

The LLFA would now seek the 'upper end' allowance is designed for both the 30 (3.3%) and 100 (1%) year storm scenarios. The latest information on the allowances and map can be found at the following link: <https://www.gov.uk/guidance/flood-risk-assessments-climate-change-allowances>

Should the Local Planning Authority be minded to grant permission, we would recommend safeguarding conditions are attached to any approval.

**Environment Agency** - No comments

**Southern Water** - Following the review of the submitted documents, we have the below comments for the Planning consultation.

Groundwater Protection Zones

The Southern Water Catchment Hydrogeology Team have reviewed this planning application and it is partially located in the SPZ1 of our Chatham groundwater catchment, very close to the adit system.

The drainage statement includes consultation notes on surface water discharge. Kent County Council have objected to discharge to combined sewer and recommended discharge to ground, and this has also been supported by the Environment Agency. Southern Water was not consulted during this optioneering process. Southern Water do not agree discharge to

ground is appropriate at this location given the proximity to the abstraction and drinking water standards required. This is a very sensitive hydrogeological setting.

The proposed method of surface water management is to discharge directly to ground via a range of single treatment methods. The hydrogeological flow mechanics have not been considered in the drainage strategy report and therefore under appreciate the risk this discharge will have to our drinking water quality. The SuDS Manual states that sensitive groundwater locations require additional treatment measures "in the event of an unexpected pollution event or poor system performance". As this proposed development is in a sensitive hydrogeological location, enhanced groundwater quality protection measures are required. Please note the SuDS manual does not strive to achieve drinking water quality standards, which is required for this proposed development. The Drainage Strategy will need to be revised to ensure the Chatham groundwater drinking water quality is protected.

Overall, there is minimal hydrogeological understanding displayed within the drainage strategy and therefore a Hydrogeological Risk Assessment to detail the site-specific conditions is required. The findings of this report should feed into the Drainage Strategy to provide a technically informed understanding of the groundwater environment to ensure the proposed drainage mechanisms are appropriately considered and designed. Given there are no alternative drainage solutions for the proposed site, Southern Water current OBJECT to this planning application.

#### Foul and Surface Water Drainage

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

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

We request that should this planning application receive planning approval, the following informative is attached to the consent: Construction of the development shall not commence until details of the proposed means of foul sewerage and surface water disposal have been submitted to, and approved in writing by the Local Planning Authority in consultation with Southern Water.

#### Adoption of Sewerage System

This initial assessment does not prejudice any future assessment or commit to any adoption agreements under Section 104 of the Water Industry Act 1991. Please note that non-compliance with the Design and Construction Guidance will preclude future adoption of the foul and surface water sewerage network on site. The design of drainage should ensure that no groundwater or land drainage is to enter public sewers.

#### Water Connection

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.

**Natural England** - Natural England is not able to provide specific advice on this application and therefore has no comment to make on its details. Although we have not been able to assess the potential impacts of this proposal on statutory nature conservation sites or protected landscapes, we offer the further advice and references to Standing Advice.

Natural England advises Local Planning Authorities to use the following tools to assess the impacts of the proposal on the natural environment:

Impact Risk Zones:

Natural England has provided Local Planning Authorities (LPAs) with Impact Risk Zones (IRZs) which can be used to determine whether the proposal impacts statutory nature conservation sites. Natural England recommends that the LPA uses these IRZs to assess potential impacts. If proposals do not trigger an Impact Risk Zone then Natural England will provide an auto-response email.

Standing Advice:

Natural England has published Standing Advice. Links to standing advice are in Annex A

If after using these tools, you consider there are significant risks to statutory nature conservation sites or protected landscapes, please set out the specific areas on which you require Natural England's advice.

Non detailed advice from Natural England does not imply that there are no impacts on the natural environment. It is for the local planning authority to determine whether or not the proposal is consistent with national and local environmental policies. Other bodies and individuals may provide information and advice on the environmental value of this site and the impacts of the proposal on the natural environment to assist the decision making process.

**TDC Housing** - In the submitted Design & Access Statement, Manston Green, Phase 1 - Additional Units Revision A, dated February 2024, created by OSP Architecture on behalf of Places for People, it states the following affordable housing tenure:

Upon review of the whole site affordable housing mix, it is compliant with Local Plan Policy SP23 - Affordable Housing and is supported by TDC's Strategic Housing department. It is somewhat reflective of the districts overarching housing needs as indicated by the Strategic Housing Market Assessment SHAMA (updated 2021) as the table below indicates:

Whilst the proposed mix provides a small over provision of 3 bed units and a small under provision of 1 bed units, it is generally reflective of the district's needs.

In the submitted Design and Access Statement, it also states the specifics of the proposed housing mix for 40 units, as below:

Upon review of the proposed scheme housing mix for the 40 units, it is compliant with the Local Policy Plan SP23 - Affordable Housing.

It would be advantageous to provide a split of tenure for the affordable housing provision, which can be discussed during this process.

In the submitted Coloured Layout Drawing, Manston Green Phase 1 - Additional Units, drawing number 23102 / C101, dated November 2023, created by OSP Architecture on behalf of the Places for People it states the location of the proposed affordable housing units on the 40 unit proposed scheme. The locations of these units are split and integrated across the site and TDC Strategic Housing supports this distribution.

**TDC Environmental Health** - Thank you for consulting Environmental Protection on the above planning application. The site is in close proximity to Manston Airport, railway line, road traffic and B2 general industrial uses. The application is supported with an acoustic assessment of noise exposure for future occupants. The assessment has been carried out by a competent acoustic consultant.

Environmental Health has reviewed the assessment and are satisfied that the correct methodology has been adopted and against relevant criteria. The conclusions are sound and noise is not a justification for refusal subject to safeguarding conditions.

**TDC Waste and Recycling** - We have looked at the refuse vehicle plan and are concerned about the tracking provided. It isn't very clear and to us looks as if the vehicle tracking is going across kerb lines - please request further information

## COMMENTS

The application has been called to planning committee by Cllr Mike Garner to enable members to consider issues of overcrowding through the increased number of units, insufficient landscaping, and impact on southern water infrastructure.

## **Principle**

The site is located within the urban area, on an allocated housing site. The relevant policy is Policy SP15 of the Thanet Local Plan. The policy allocates the site for up to 785 dwellings with an approximate density of 35 dwellings per hectare, and requires that proposals are judged and permitted only in accordance with a masterplan for the whole site that includes a minimum of 6.3ha of open space, a fully serviced area of 2.05ha to accommodate a new two form entry primary school, a range of community facilities, linkages to new and existing public transport, improvements to the roundabout at the junction of Haine Road/Manston Road, and a proportionate contribution to necessary off-site highway improvements.

The development of the entire site has previously received outline and reserved matters consent. The approved outline application was for the erection of up to 785 dwellings; yet the subsequent reserved matters applications submitted for each of the three phases, covering the full extent of the housing areas in the outline, have approved 743no. dwellings in total

(220 within phase 1, 227 within phase 2, and 296 within phase 3), falling short of the approved outline number by 42no. dwellings. This application is for 40no. dwellings, only 13 of which are additional units to phase 1, with the remaining 27no. units being reconfigured as part of this application. The number of units proposed through this application therefore continues to fall within the overall number allocated for the Manston Green site.

The proposed dwellings are located within the approved phase 1 development area to the south. They are located within an area previously approved for the residential development, and do not project into any previously approved open space, or affect the infrastructure previously secured, such as the primary school or community hall. The proposal does not prevent the criteria within Policy SP15 from being met, and as such the proposal would continue to comply with Policy SP15, and is therefore considered to be acceptable in principle.

### **Character and Appearance**

The site is located within an area where there is an extant planning permission for residential development, which provides a fallback when considering the visual impact of the proposed development. The main considerations are therefore whether the insertion of the additional 13no. dwellings, and reconfiguration of the existing 27no. dwellings impacts upon open space, long views of the development, or the pattern of development created from previous consents.

A landscape and visual impact assessment has been submitted with the application to consider the change in layout and design from the introduction of an additional 40no. units in this location. Whilst the dwellings are in a similar location to the previously approved, the main difference between the previously approved and proposed scheme is that the built form of dwellings has moved further west, into land that was previously intended to contain wildflowers/grass meadow seed mix. The introduction of new dwellings has also reduced the spacing between dwellings when viewed from the south, with detached dwellings in the majority of cases being split and widened to create pairs of semi-detached units. The landscape and visual impact assessment has considered these changes, but concludes that there would be limited impact upon the wider landscape character area as the proposed mitigation and enhancement measures would provide an attractive and robust amenity green structure surrounding the built form, with the proposed development well related to the existing and developing urban form of Manston Green. Having looked at the landscape mitigation for the site, whilst some of the wildflower space will be lost, the number of new trees to be planted remains the same, with new tree planting along the western edge of the development adjacent to the new access road. The buffer planting adjacent to Haine Road previously approved will also remain. Whilst some spacing between the development and road will be lost, a setback of 30m to the nearest dwelling from Haine Road will remain, which is considered to be sufficient to achieve the necessary landscape buffer and soft screening of the development to mitigate long views from the countryside.

In terms of the spacing between the units, a minimum gap of at least 4.5m between dwellings is achieved, with this often increased to 6-8m across the southern street elevation of the development. This spacing will continue to give the appearance of a low density development, which is important in this part of the phase that forms the urban edge and the transition area between the urban development and the open countryside beyond. As such, whilst the spacing

has reduced, the proposed spacing continues to be considered acceptable, and therefore the proposed layout is considered to be acceptable.

In terms of the scale of the proposed units, they are all 2-storey, the same as those approved, and therefore are considered to be in keeping with the character of the area and the previously approved scheme.

In terms of the design, the previously approved dwellings were mainly gabled, with attached garages, with the units constructed with black cladding, and red and yellow brick. The proposed dwellings follow the same material palette, but less gabled units are proposed with only the end units on a corner gabled, with the units in between hip roofed. This lower eaves level will give the perception of a smaller scale development in longer views, and whilst the spacing between units has reduced, there were previously attached garages in these gaps with ridge levels that reached the 2-storey eaves levels of the dwellings. The removal of these garages and their replacement with new dwellings will therefore not appear significantly different at lower level, with the main reduction in spacing being at roof level.

The unit designs consist of two main unit types. One is the corner gabled unit with wide frontage windows and black cladding, and the other is a hipped roof brick unit with slightly smaller frontage windows but containing brick detailing and window surrounds. The units appear in keeping with the unit types approved elsewhere on the development, and whilst they contain no particular features to differentiate the units, they are setback a significant distance from the road, particularly to the south, with new tree planting expected to provide screening of the street elevation, and new front hedge planting to each unit to screen the lower levels of the buildings. A simple unit type is therefore considered appropriate given the lack of main street frontage and long distance screening of these units.

In terms of the landscaping, whilst some wildflower area is being lost, the number of trees proposed to be planted remain the same, and hedgerow continues to be used along front boundaries where not conflicting with new parking spaces. To the rear of unit nos. 29-40 a fence was proposed, which raised concerns, but amended plans have since been submitted showing a hedge to the rear of those boundaries, which will soften long distance views. New tree planting also exists within the open space to the south of these units. In terms of hard surfacing, the road and path will be tarmac, but all other hard surfacing including driveways and layby parking will be paved, in keeping with the remainder of the phase.

Overall the impact upon the character and appearance of the area from the additional units, which still fall within the approved outline number, is considered to be acceptable, and in accordance with Policy QD02 of the Thanet Local Plan.

### **Living Conditions**

Policy QD03 of the Thanet Local Plan states that 'all new development should be compatible with neighbouring buildings and spaces and not lead to the unacceptable living conditions through overlooking, noise or vibration, light pollution, overshadowing, loss of natural light or sense of enclosure; be of appropriate size and layout with sufficient usable space to facilitate comfortable living conditions and meet the standards set out in QD04; include the provision of private or shared external amenity space/play space, where possible; provide for clothes

drying facilities and waste disposal or bin storage, with a collection point for storage containers no further than 15 metres from where the collection vehicle will pass'.

Policy SE06 of the Thanet Local Plan states that 'in areas where noise levels are relatively high, permission will be granted for noise sensitive development only where adequate mitigation is provided, and the impact of the noise can be reduced to acceptable levels. Development proposals that generate significant levels of noise must be accompanied by a scheme to mitigate such effects, bearing in mind the nature of surrounding uses. Proposals that would have an unacceptable impact on noise-sensitive areas or uses will not be permitted'.

The proposed dwellings are a distance of 96m from the nearest existing residential property in Ozengell Grange. Given that there is an extant permission, and the proposed dwellings are no closer, and given the exceptional distance, the impact upon neighbouring amenity for existing properties is considered to be acceptable.

In terms of future occupiers of the development, the proposed layout achieves appropriate distance to prevent unacceptable loss of light/outlook or overlooking, with the only exception being plot 14, which is located 10m from its rear boundary, which forms the side boundary to plot 162. This relationship could result in some loss of privacy, and therefore a condition is proposed requiring the boundary treatment to the rear of plot 14 to be increased in height to limit views.

A noise impact assessment has been submitted, which has considered the proximity of the development site to Manston Airport, and the existing outline planning permissions. At the point of the outline applications being approved for the housing development, consideration was given to the impact upon future occupiers from the airport, and this application does not move the housing development any closer to the airport. Mitigation measures have been proposed to ensure that internal noise levels do not exceed the recommended criteria in BS 8233:2014, and the site has been designed to ensure that no properties will be within the 63 dB LAeq16hr noise contour based on the approved use of the airport as an air freight facility. The assessment therefore concludes that subject to mitigation measures, noise from the airport will not cause significant adverse impact to future occupiers.

Environmental Health has been consulted and advises that the assessment has been carried out by a competent acoustic consultant, and they are satisfied that the correct methodology has been adopted and against relevant criteria, with the conclusions sound. As such the impact upon the living conditions of future occupiers as a result of noise from the airport is considered to be acceptable subject to safeguarding conditions securing the necessary mitigation as set out within the noise assessment.

Each of the units comply with the nationally described space standards, and has space for cycle/bin storage.

Each property is provided with a secure doorstep playspace, and an equipped play area has previously been secured within the overall development that would serve the future occupiers of this development.



The proposal will also provide accessible and adaptable accommodation in accordance with the requirements of Policy QD05 of the Thanet Local Plan.

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

## **Transportation**

The application proposes access into the site via Manston Road, which was what was approved on the outline and subsequent reserved matters application. The same general road layout within the site has been used to that approved through the reserved matters.

A transport statement has been submitted with the application. It comments on the 785no. dwellings that were approved under the original outline application, and how the number of units proposed through this application do not exceed that overall outline number. As only 13no. additional dwellings to that approved through the reserved matters application for phase 1 are proposed, the transport statement concludes that the impact would be negligible, with only 10 two-way vehicle trips generated in the AM and 9 two-way vehicle trips generated in the PM peak.

In terms of parking, the proposal continues to meet the minimum parking standards for a suburban edge/village/rural area, with 1.5 spaces provided per 2-bed unit, and 2 spaces provided per 3-bed and 4-bed unit. Fourteen visitor parking spaces have also been provided. Compared to the reserved matters application there is an overall increase of 14no. Spaces for the 13no. Additional units.

A junction capacity assessment of the new access off Manston Road was undertaken as part of the reserved matters application, which identified that the junction would operate well within capacity, with these further 13no. units resulting in again only a negligible impact.

The access has been designed to accommodate a 13m long vehicle and a fire tender. The internal roads have been designed so that these vehicles can enter and leave the site in a forward gear.

KCC Highways have been consulted and advised that whilst the tracking was for a 13m long vehicle (as required), the reserved matters layout accommodated a 11.2m long vehicle, and given the layout remains similar there are now areas where overrunning takes place.

Amended plans have been submitted to address the overruns and widen the access so that the roads are suitable for adoption by KCC. KCC have been further consulted and are satisfied with the tracking plans and all other issues.

The impact upon highway safety is therefore considered to be acceptable, and in accordance with the Thanet Local Plan and the NPPF.

## **Drainage**

Policy CC02 of the Thanet Local Plan states that 'new development is required to manage surface water resulting from the development using sustainable drainage systems (SuDs) wherever possible'. A flood risk assessment has been submitted with the application, which includes a preliminary surface water drainage strategy.

A drainage design statement for phase 1, dated March 2021, has been submitted with the application. It involves a full infiltration system, rather than the discharging to a combined sewer, which was objected to by KCC.

The surface water infiltration drainage strategy therefore consists of roofs draining to the sub-base of private driveways via downpipes and underground pipes; private driveways constructed with porous paving overlaying unlined porous paving sub base; porous paving construction of the highway overlaying unlined porous paving sub-base; and the provision of a large infiltration basin to the south of the site in the public open space. The system has been designed to cope with a 1 in 30 year storm with no flooding, and with a 1 in 100 year (plus 40% allowance for climate change) with limited flooding that is routed away from buildings to the infiltration basin to the south.

It is proposed to discharge foul water via gravity sewer offsite to the nearby 600mm diameter public combined sewer located within Canterbury Road West. Connection to the public combined sewer will be via a Section 98 requisition under the Water Industry Act. A safeguarding condition is proposed requiring details of the foul drainage and how the connection to the public combined sewer will take place for the additional dwellings.

The principle of development for 785no. dwellings have previously been approved, and a drainage strategy has been submitted and approved for phase 1, with part of the proposed drainage infrastructure already in place.

KCC SUDs has raised no objections on the grounds that the drainage strategy has previously been approved, and the intention is that relevant layouts / designs and capacities will be amended to incorporate the additional dwellings so that it continues to accord with the principles of the approved strategy.

An objection has been received from Southern Water regarding the surface water drainage strategy, and the impact that this could have upon drinking water within the source protection zone. They've requested the submission of a Hydrogeological Risk Assessment, and advise that they were not consulted during the decision making process for the surface water drainage strategy. Looking back at the original condition submission, Southern Water were sent copies of the proposed drainage strategy and advised they had no comments subject to the Environment Agency and Building control being satisfied, which they were. The Environment Agency has again raised no objections through this application.

A supporting statement has been submitted by the applicant's drainage consultants that confirm the proposal is only for a small scale extension (for 13no. additional dwellings) to the existing approved scheme for phase 1 (under reserved matters), and that a surface water drainage strategy has been submitted and approved under the outline condition, which Southern Water did not object to at the time (and which covers these additional 13no. units, given that a higher number were approved at outline stage than through reserved matters).

Southern Water has been re-consulted, but has not commented on the supporting statement. In officers view, given the previous approval to the drainage strategy, the principles of which remain the same for this application, and the lack of objection from the Environment Agency, it is considered that the risk to the groundwater source protection zone has been sufficiently mitigated as previously agreed for the infiltration of surface water to the ground.

Subject to safeguarding conditions, the impact upon flood risk and the groundwater source protection zone is considered to be acceptable, and in accordance with Policies CC02 SE04 of the Thanet Local Plan.

## **Biodiversity**

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

Development has commenced on the site and there some site clearance has already occurred. A Landscape and Ecology Management Plan has been submitted with the application, which provides details of the new planting to take place within the site, including new amenity grassland, new trees, scrub and hedgerow, new wildflower grassland, and the ongoing management of both existing and new planting to secure biodiversity benefits.

KCC Biodiversity have been consulted and commented that the last walk over survey was in 2021 so there is a risk that the conclusions of the survey are no longer valid, however, as previously mentioned, the site is under construction so there is no chance of any update on the previous survey as the site has been cleared. The applicant has confirmed this and submitted supporting aerial views of the site, in response to which KCC Biodiversity has advised that they are satisfied that there is unlikely to be a significant change to the conclusions of the ecological information and that the mitigation previously proposed, which includes pre-commencement checks of the site, traffic calming, covering of trenches overnight, and restrictive lighting, has been secured and is still valid.

In terms of biodiversity net gain, the application was submitted prior to the change in legislation, so a 10% increase in biodiversity net gain is not a requirement, but is encouraged through Policy SP30. The landscape and management plan has undertaken biodiversity metric calculations in any case, and identified that a net gain in biodiversity will be delivered as a result of the proposed development. Specifically, an increase in habitat units from approximately 102.79 units to 143.18 units (which equates to a 39.29% increase) and an increase in hedgerow units from approximately 6.66 units to 8.56 units (which equates to a 28.51% increase). KCC Biodiversity has raised no concerns with the submission, and therefore the proposal is considered to achieve the aims of Policy SP30.

Subject to safeguarding conditions requiring the submission of an ecological enhancement plan for the site, and that the ecological mitigation measures be carried out during construction, the impact upon biodiversity is considered to be acceptable, and in accordance with Policy SP30 of the Thanet Local Plan.

## **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 above requirements will only be reduced if meeting them would demonstrably make the proposed development unviable'.

The application proposes 30% affordable housing, in accordance with the 30% secured on the overall site. A plan has been submitted showing the location of the affordable units, which equates to 12no. units, eleven of which are 3-bed, and one that is 4-bed. The units are spread out across the site, with 5no. units to the east, and 7no. units to the west in different terraced/semi-detached blocks.

The Council's Strategic Housing Officer has been consulted who has commented that the affordable housing mix is compliant with Local Plan Policy SP23, and even though the proposed mix provides a small over provision of 3 bed units and a small under provision of 1 bed units, it is generally reflective of the district's needs. The Housing Officer notes the location of the proposed units, which are split and integrated across the site, and they raise no objections to this distribution.

It is intended that the tenure split will follow the tenure split set out within the original agreement with a mix of shared ownership and affordable rent units.

Overall the proposed affordable provision is considered to be acceptable, and in accordance with Policy SP23 of the Thanet Local Plan.

## **Financial Contributions and Obligations**

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

Financial contributions have been sought by KCC towards social care and library provision, and by the Integrated Care Board (ICB) towards healthcare provision, but financial contributions to mitigate the harm on these facilities from increased pressure of additional units was secured through the legal agreement attached to the outline permission, and therefore subject to a clause in the legal agreement that links this application to the original agreement, the mitigation to these facilities has been secured.

A financial contribution has been requested by KCC towards secondary education, special education needs, youth services, and waste, all of which were not included within the original legal agreement for the outline permission. This application is for the erection of an additional 13no. units, with the remaining 27no. units (of the 40no. units being applied for) having been previously approved through the reserved matters application for this phase, and only

requiring relocation through this application. As such KCC has accepted it would be reasonable to only request a financial contribution for the additional 13no. units that have not been approved through the previous phase 1 reserved matters application, and the figures provided below acknowledge this.

A financial contribution towards the Special Protection Area was previously secured at £184 per dwelling. The current rate for 3-bed units is £424, and for 4-bed units is £530. In order to meet the habitats regulations, appropriate mitigation to offset the harm to the SPA from the additional pressure created through the occupation of the new housing needs to be secured. As such an additional £10,660 is required through this application to achieve the difference between the previously secured contribution and the current day evidential requirement.

The following contributions are required:

- A contribution of £72,633.47 towards a new Thanet secondary school or the provision of additional secondary places within the Thanet District non-selective and selective planning group, or any other new secondary school within the District;
- A contribution of £30,295.72 towards secondary education in the form of a new Thanet secondary school land acquisition cost;
- A contribution of £7,277.79 towards the provision of additional SEND places and/or additional SEND facilities within Thanet District;
- A contribution of £962.65 towards youth services, to provide additional resources and equipment for the Youth service in Thanet, including early prevention and outreach services;
- A contribution of £676.00 towards waste services, to provide improvements at Thanet District HWRC to increase capacity;
- A contribution of £10,660 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 will need to be secured through a signed legal agreement. The contributions are considered to be reasonable in scale, appropriate in the location of usage in relation to the site's location, and is required to directly mitigate the impact from the development.

### **Special Protection Area Mitigation and Appropriate Assessment**

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

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

undertaken and a financial contribution is required for all additional residential development to contribute to the district wide mitigation strategy. This approach is set out in the Local Plan under Policy SP29 (Strategic Access Management and Monitoring Plan (SAMM)).

The tariff for this contribution is provided in the SAMM report, and Policy SP29 of the Thanet Local Plan, and consists of £424 per 3-bed units, and £530 per 4-bed (plus) unit, resulting in a total of £18,020. The original outline consent secured £184 per unit, and given that these units will be tied to the original legal agreement, it is reasonable to request the uplift only between the previously secured sum and the current mitigation sum. The difference between the two that is required to be secured through this application is £10,660. The applicant has agreed to this contribution, which will need to be secured through the legal agreement.

Subject to the securing of this contribution, the proposed development has complied with the habitats regulation, and an appropriate assessment has been carried out.

## **Conclusion**

The proposed development is located within the urban confines, on land allocated for housing development, and the increased number of residential units falls within the 785no. site allocation. The proposed development does not affect the provision of the primary school or community facility, and does not result in a significant loss of open space, only a minor loss of wildflower space. As such the principle of development is considered to be acceptable, and in accordance with Policy SP15 of the Thanet Local Plan.

The proposed layout, scale, design and landscaping is considered to be in keeping with the approved pattern of development on the remainder of the site, whilst not impacting upon long views within the landscape character area, and as such the impact upon the character and appearance of the area is considered to be acceptable.

The impact upon neighbouring privacy, highway safety, and the district's water supply is considered to be acceptable, and financial contributions to mitigate harm on infrastructure and facilities have been secured, along with 30% on site affordable housing provision, and the SPA contribution in order to comply with Policy SP29 of the Thanet Local Plan and the habitats regulation.

It is therefore recommended that the members defer and delegate the application for approval, subject to safeguarding conditions and the submission of a signed legal agreement securing the heads of terms set out within this report.

## **Case Officer**

Emma Fibbens

TITLE: F/TH/23/1689

Project Land East Of Haine Road RAMSGATE Kent

