

**A01**

**R/TH/23/1032**

**PROPOSAL:** Reserved matters application for the approval of layout, scale, landscaping and appearance for the erection of 138 dwellings (Phase 1) pursuant to outline permission OL/TH/20/0847 (Outline application for the erection of up to 450 residential dwellings) with highways infrastructure works, new public open space, public realm works, landscaping and associated works.

**LOCATION:** Land And Buildings On The North West Side Of Shottendane Road MARGATE Kent

**WARD:** Salmestone

**AGENT:** Mr Daniel Rosson

**APPLICANT:** Places for People Developments

**RECOMMENDATION:** Approve

Subject to the following conditions:

1 The development hereby approved shall be carried out in accordance with the submitted drawings: P103D, P104 D, P105 E, P106 C, P107 C, P112 C, P115 C, P123 D, P125 B, P130 C, P131 B, P132 D, P136 C, P138 C, P140 C, P142 D, P143 E, P144 A, P150 E, P151 F, P152 D, P153 D, CSA/6441/100/B/ C, CSA/6441/101/B/PHASE 1 C, CSA/6441/102/B/PHASE 1 C, CSA/6441/103/B/PHASE 1 C, CSA/6441/104/B/PHASE 1 C, CSA/6441/105/B/PHASE 1 C, CSA/6441/106/B/PHASE 1 C, CSA/6441/107/B/PHASE 1 B, P-350 P4, P-351 P2, 10749-259 P2, Phase 1 Drainage 45% CC and 10749-510 T3.

**GROUND:**

To secure the proper development of the area.

2 Prior to the first occupation of the development hereby permitted, the access roads as shown on the submitted plan numbered P101U received 5th April 2024 shall be provided and made operational (unless otherwise agreed in writing through the Construction Management plan - condition 20 on OL/TH/20/0847).

**GROUND:**

In the interests of highway safety in accordance with the advice contained within the National Planning Policy Framework.

3 Prior to the occupation of any relevant dwelling within the development hereby permitted, the vehicle parking space/s relating to that dwelling, including the unallocated or

visitor parking spaces for use by that dwelling, as shown on the approved plan numbered 106C shall be provided and permanently retained.

**GROUND:**

In the interests of highway safety in accordance with the advice contained within the National Planning Policy Framework.

4 Prior to the occupation of any relevant dwelling within the development hereby permitted, the visibility splays as shown on the approved plan numbered 44A received 5th April 2024 shall be provided for any access relating to that dwelling, including the sight lines from behind the Copenhagen crossings (or any relevant crossing as agreed with LPA in consultation with KCC) with no obstructions over 1.05 metres above carriageway level within the splays, which shall thereafter be maintained.

**GROUND:**

In the interests of highway safety and in accordance with the advice contained within the National Planning Policy Framework

5 Prior to the occupation of any relevant dwelling within the development hereby permitted approved, pedestrian visibility splays of 2 metres by 2 metres behind the footway on both sides of any access relating to that dwelling, with no obstructions over 0.6 metres above footway level, shall be provided and thereafter maintained.

**GROUND:**

In the interests of highway safety and in accordance with the advice contained within the National Planning Policy Framework

6 Prior to the occupation of the relevant part of the development, the vehicle turning areas as shown on the approved plan numbered P101U received 5th April 2024 shall be provided for all parking and carriageways serving the relevant dwellings, and thereafter permanently retained.

**GROUND:**

In the interests of highway safety and in accordance with the advice contained within the National Planning Policy Framework

7 Prior to above ground works hereby permitted, details of the electric vehicle charging points to be provided within the development as outlined on plan numbered P106C, including their type and design, shall be submitted to and approved in writing by the Local Planning Authority. The electric vehicle charging points shall be provided prior to the first occupation of the respective dwelling it serves and thereafter maintained.

**GROUND:**

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

8 Prior to the occupation of any relevant dwelling/unit within the development hereby permitted, the refuse storage facilities relating to that dwelling/unit shall be provided and thereafter maintained, including the refuse collection points, in accordance with the approved plans numbered P101U received 5th April 2024.

**GROUND:**

To safeguard the residential amenities of future occupiers in accordance with Policy QD03 of the Thanet Local Plan.

9 Prior to the first occupation of each respective dwellinghouse within the development hereby permitted, the secure cycle parking facilities, as shown on approved drawing numbered P106C 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.

10 Prior to the first occupation of dwellings within plots 80-91, 116-126 and 127-138, details of the cycle storage facilities within the buildings, including type of racking, shall be provided to and agreed in writing by the Local Planning Authority. The cycle storage as agreed shall therefore be provided prior to the occupation of the respective units to which they serve 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.

11 Prior to the first occupation of each block of self-contained flats, the doorstep playspace/amenity area associated with that block shall be made available for use, as shown on plans numbered CSA/6441/106B. The play space/amenity area shall thereafter be maintained.

**GROUND:**

In order to provide a safe doorstep play area in accordance with Policies QD03 and GI04 of the Thanet Local Plan.

12 Prior to the construction of the external surfaces of the development hereby approved, samples of the materials to be used, as shown on plan numbered P103D, 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.

13 All new window and door openings shall be set within a reveal of not less than 60mm.

**GROUND:**

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

14 Prior to the installation of the windows and doors hereby approved, details and manufacturer's specification of the windows and doors shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

**GROUND:**

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

15 All hard and soft landscape works, including ecological enhancement features, shall be carried out in accordance with the submitted plans CSA/6441/100 Rev C, CSA/6441/101 Rev C, CSA/6441/102 Rev C, CSA/6441/103 Rev C, CSA/6441/104 Rev C, CSA/6441/105 Rev C, CSA/6441/106 Rev C and CSA/6441/107 Rev B and the Landscape Management Plan (dated July 2023). 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. 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, biodiversity enhancement and to adequately integrate the development into the environment in accordance with Policies SP30, QD02 and GI04 of the Thanet Local Plan.

16 The play space as identified on the plan numbered CSA/6441/107 Rev B shall be provided in accordance with the identified details and made available for use prior to the occupation of any of plots 100-138 of the development hereby approved.

**GROUND:**

To provide playspace in accordance with Policy GI04 of the Thanet Local Plan

17 Prior to the commencement of development hereby approved, a Stage 1 Road Safety Audit for the spine road and associated junctions, (Hartsdown Road right turn lane and Shottendane Road roundabout) to include the proposed Toucan crossing on the spine road and Copenhagen Crossings, shall be submitted to, and approved in writing by,

the Local Planning Authority. The development shall be carried out in accordance with the agreed measures in consultation with the Local Planning Authority and any recommendations shall be implemented prior to the first operation of the highway.

**GROUND:**

In the interests of highway safety and to mitigate any adverse transport impact in accordance with Policy TP01 of the Thanet Local Plan and the advice contained within the National Planning Policy Framework.

18 Prior to the occupation of the 23rd dwelling hereby approved, the temporary bollards shown on plan 37E shall be installed, restricting vehicular access, and thereafter maintained throughout construction, unless replaced by the permanent bollards as approved.

**GROUND:**

In the interests of highway safety

19 Prior to the occupation of either/any of plots 29, 30, 31, details of the precise location, design and method of use of the permanent bollards to be installed at the entrance to the emergency access from the spine road as shown on plan number P101U received 5th April 2024, shall be submitted to and approved in writing by the Local Planning Authority and the bollards shall be installed in accordance with the approved details, and thereafter maintained.

**GROUND:**

In the interests of highway safety

INFORMATIVES

Thanet District Council recommends that all developers work with a telecommunication partner or subcontractor in the early stages of planning for any new development to make sure that Next Generation Access Broadband is a fundamental part of the project. Access to superfast broadband should be thought of as an essential utility for all new homes and businesses and given the same importance as water or power in any development design. Please liaise with a telecom provider to decide the appropriate solution for this development and the availability of the nearest connection point to high speed broadband.

It is important to note that planning permission does not convey any approval to carry out works on or affecting the public highway.

Any changes to or affecting the public highway in Kent require the formal agreement of the Highway Authority, Kent County Council (KCC), and it should not be assumed that this will be a given because planning permission has been granted. For this reason, anyone considering works which may affect the public highway, including any highway-owned street furniture, is advised to engage with KCC Highways and Transportation at an early stage in the design process.

Across the county there are pieces of land next to private homes and gardens that do not look like roads or pavements but are actually part of the public highway. Some of this highway land is owned by Kent County Council whilst some is owned by third party owners. Irrespective of the ownership, this land may have highway rights over the topsoil.

Works on private land may also affect the public highway. These include works to cellars, to retaining walls which support the highway or land above the highway, and to balconies, signs or other structures which project over the highway. Such works also require the approval of the Highway Authority.

Kent County Council has now introduced a formal technical approval process for new or altered highway assets, with the aim of improving future maintainability. This process applies to all development works affecting the public highway other than applications for vehicle crossings, which are covered by a separate approval process.

Should the development be approved by the Planning Authority, it is the responsibility of the applicant to ensure, before the development is commenced, that all necessary highway approvals and consents have been obtained and that the limits of the highway boundary have been clearly established, since failure to do so may result in enforcement action being taken by the Highway Authority. The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under the relevant legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.

Guidance for applicants, including information about how to clarify the highway boundary and links to application forms for vehicular crossings and other highway matters, may be found on Kent County Council's website:

<https://www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/highways-permissions-and-technical-guidance>. Alternatively, KCC Highways and Transportation may be contacted by telephone: 03000 418181

Attention is drawn to the detailed comments of the Kent Police dated 26th September 2023

## SITE, LOCATION AND DESCRIPTION

The application site is phase 1 of a wider site granted outline planning permission for the erection of up to 450 residential dwellings (including market and affordable housing), structural planting and landscaping, formal and informal public open space and children's play area, sustainable urban drainage, with vehicular access points, including associated ancillary works and operations, from Hartsdown Road, Shottendane Road and Manston Road including access which was granted on appeal on the 23rd February 2022 (OL/TH/20/0847 refers).

The Phase 1 site is currently agricultural/grazing land and measures 6.53 hectares. It abuts Hartsdown Road at its northern end, wrapping around Shottendane Farmhouse and including the central roundabout and the realignment of Shottendane Road. An agricultural field abuts the western boundary, separating the site from Hartsdown Academy.

### RELEVANT PLANNING HISTORY

NM/TH/23/1550 - Application for a non material amendment of planning permission OL/TH/20/0847 (Outline application for the erection of up to 450 residential dwellings (including market and affordable housing), structural planting and landscaping, formal and informal public open space and children's play area, sustainable urban drainage, with vehicular access points, including associated ancillary works and operations, from Hartsdown Road, Shottendane Road and Manston Road including access) to allow changes to the requirements for the temporary fencing around the Archaeological Exclusion Zone as shown on Parameter Plan CSA/4430/122 Rev C - Granted 18 December 2023.

OL/TH/20/0847 - Outline application for the erection of up to 450 residential dwellings (including market and affordable housing), structural planting and landscaping, formal and informal public open space and children's play area, sustainable urban drainage, with vehicular access points, including associated ancillary works and operations, from Hartsdown Road, Shottendane Road and Manston Road including access. Refused 22nd July 2021. Allowed on appeal 23rd February 2022.

### PROPOSED DEVELOPMENT

The principle of developing the site for up to 450 dwellings, and the access into the site, along with all off-site highway works and the securing of the financial contributions and affordable housing, was approved through the previous outline application (Application reference OL/TH/20/0847).

This is an application for the reserved matters of phase 1 of the outline consent for the approval of appearance, landscaping, layout and scale for 138 dwellings. Phase 1 comprises land located in the northernmost area of the development site and extends to approximately 6.53 hectares and also includes the attenuation basin which is located within a later phase of the development and a pumping station located to the south west of the land outlined within the extant planning permission.

Phase 1 includes a right hand junction from Hartsdown Road, linked by the new distributor link road connecting the realigned Shottendane Road (Design Code Principle 8) with a new roundabout junction at the centre of the wider development site. The link road is adjoined by a 4m wide cycleway and pedestrian footway. Secondary roads would provide access to the proposed housing either side of the link road.

The layout consists of a mix of detached, semi-detached and terraced houses and apartment blocks at 2, 2 and half storey and 3 storeys in height, consisting of 12 1-bed flats, 23 2-bed flats, 13 2 bed houses, 51 3-bed houses and 39 4-bed houses.

Parking is provided in the form of one or two spaces per dwelling depending upon size, with an additional 74 visitor or unallocated parking spaces. Electric charging points have been provided throughout the development at 1 per dwelling.

The design of the dwellings is traditional, with the use of pitched and hipped roofs. The palette of materials consists of red and reddy brown brick, render and tile hanging and grey and brown roof tiles.

This application proposal includes 1.71 hectares of public open space, including a new linear park and trim trail and two local areas of play (LAPs) within the linear park. The proposed SUDs basin would be sown with wildflower/grass mix.

## DEVELOPMENT PLAN POLICIES

SP01 - Spatial Strategy - Housing  
SP10 - Margate  
SP13 - Housing Provision  
SP14 - General Housing Policy  
SP21 - Strategic Housing Site - Land North and South of Shottendane Road  
SP22 - Type and Size of Dwellings  
SP23 - Affordable Housing  
SP24 - Development in the Countryside  
SP26 - Landscape Character Areas  
SP27 - Green Infrastructure  
SP29 - Strategic Access Management and Monitoring Plan (SAMM)  
SP30 - Biodiversity and Geodiversity Assets  
SP31 - Biodiversity Opportunity Areas  
SP34 - Provision of Accessible Natural and Semi-Natural Green Space, Parks, Gardens and Recreation Grounds  
SP35 - Quality Development  
SP36 - Conservation and Enhancement of Thanet's Historic Environment  
SP37 - Climate Change  
SP38 - Healthy and Inclusive Communities  
SP41 - Community Infrastructure  
SP43 - Safe and Sustainable Travel  
SP44 - Accessible Locations  
SP45 - Transport Infrastructure  
SP47 - Strategic Routes  
E02 - Home Working  
E03 - Digital Infrastructure  
E16 - Best and Most Versatile Agricultural Land  
H01 - Housing Development  
GI04 - Amenity Green Space and Equipped Play Areas  
QD01 - Sustainable Development  
QD02 - General Design Policies  
QD03 - Living Conditions  
QD04 - Technical Standards  
QD05 - Accessible and Adaptable Accommodation



HE01 - Archaeology  
HE03 - Heritage Assets  
CC02 - Surface Water Management  
SE04 - Groundwater Protection  
SE05 - Air Quality  
SE06 - Noise Pollution  
SE08 - Light Pollution  
CM02 - Protection of Existing Community Facilities  
TP01 - Transport Assessments and Travel Plans  
TP02 - Walking  
TP03 - Cycling  
TP04 - Public Transport  
TP06 - Car Parking

### NOTIFICATIONS

Letters were sent to neighbouring property occupiers, 4 site notices were posted close to the site and an advert was posted in the local paper.

No representations have been received.

### CONSULTATIONS

#### **Kent County Council Highways - Development Management:**

##### *Final comment:*

Further to my previous comments on the above planning application and further consultation with the applicant, revised drawings and information have been submitted.

The proposed new spine road between Hartsdown Road and Shottendane Road will be constructed in phases throughout the buildout of Phase 1. It has been agreed that the access onto Hartsdown Road will serve the 138 dwellings proposed under this phase, with the roundabout at the junction with Shottendane Road to be constructed and open prior to the occupation of the 139th dwelling, which will come under the construction of Phase 2 of this development.

A Construction Management Plan is required (Condition 20 of approved Outline Planning Application OL/TH/20/0847), and further discussions are ongoing regarding the detail of the link road and how construction will be managed throughout the various phases.

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:

Prior to the commencement of development submission of Stage 1 Road Safety Audits for the spine road and associated junctions, (Hartsdown Road right turn lane and Shottendane Road roundabout) to include the proposed Toucan crossing on the spine road,

to be submitted to and approved by the Local Planning Authority and Local Highway Authority.

Provision and permanent retention of the vehicle parking spaces and/or garages shown on the submitted plans prior to the use of the site commencing. All Electric Vehicle chargers provided for homeowners in residential developments must be provided to Mode 3 standard (providing a 7kw output) and SMART (enabling Wifi connection). Approved models are shown on the Office for Low Emission Vehicles Homecharge Scheme approved model list: <https://www.gov.uk/government/publications/electric-vehicle-homecharge-scheme-approved-chargepoint-model-list>

Provision and permanent retention of the vehicle loading/unloading and turning facilities shown on the submitted plans prior to the use of the site commencing.

Provision and permanent retention of secure, covered cycle parking facilities prior to the use of the site commencing in accordance with details to be submitted to and approved by the Local Planning Authority.

Completion and maintenance of the accesses shown on the submitted plans prior to the use of the site commencing.

The proposed roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, driveway gradients, car parking and street furniture to be laid out and constructed in accordance with details to be submitted to and approved by the Local Planning Authority.

Provision and maintenance of the visibility splays shown on the submitted plans with no obstructions over 1.05 metres above carriageway level within the splays, prior to the use of the site commencing including those sight lines from behind the Copenhagen crossings on the side roads.

Provision and maintenance of 2 metres x 2 metres pedestrian visibility splays behind the footway on both sides of the vehicle accesses with no obstructions over 0.6m above footway level, prior to the use of the site commencing.

Provision of parking facilities for site personnel and visitors prior to commencement of work on site and for the duration of construction.

Provision of wheel washing facilities prior to commencement of work on site and for the duration of construction.

**Informatives:**

It is important to note that planning permission does not convey any approval to carry out works on or affecting the public highway.

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Across the county there are pieces of land next to private homes and gardens that do not look like roads or pavements but are actually part of the public highway. Some of this highway land is owned by Kent County Council whilst some is owned by third party owners. Irrespective of the ownership, this land may have highway rights over the topsoil.

Works on private land may also affect the public highway. These include works to cellars, to retaining walls which support the highway or land above the highway, and to balconies, signs or other structures which project over the highway. Such works also require the approval of the Highway Authority.

Kent County Council has now introduced a formal technical approval process for new or altered highway assets, with the aim of improving future maintainability. This process applies to all development works affecting the public highway other than applications for vehicle crossings, which are covered by a separate approval process.

Should the development be approved by the Planning Authority, it is the responsibility of the applicant to ensure, before the development is commenced, that all necessary highway approvals and consents have been obtained and that the limits of the highway boundary have been clearly established, since failure to do so may result in enforcement action being taken by the Highway Authority. The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under the relevant legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.

Guidance for applicants, including information about how to clarify the highway boundary and links to application forms for vehicular crossings and other highway matters, may be found on Kent County Council's website: <https://www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/highways-permissions-and-technical-guidance>. Alternatively, KCC Highways and Transportation may be contacted by telephone: 03000 418181

Initial comment

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

Transport Assessment

KCC Highways is broadly in agreement that the interim impact of Phase 1 of development on the local network is acceptable, bearing in mind the benefits the new link roads will offer. We anticipate that Phase 2 of development will facilitate the earliest possible delivery of the link to Manston Road and the new roundabout there to complete the full link through the site.

Consideration should be given to the provision of a temporary emergency access onto Shottendane Road prior to delivery of the new roundabout.

### Spine Road Design

I note that the applicant is working closely with our design team to agree on a plan that both meets the needs of the development and meets its required operation as part of the wider North Thanet Link scheme. This design review also includes the new junctions on Hartsdown Road and Shottendane Road.

### Layout

There does not appear to be a whole site plan that details the road hierarchy along with dimensions for the proposed roads. Whilst the submitted Design Code section 3.0 details movement hierarchy (which should follow the Kent Design Guide), no one plan demonstrates this. There are five direct accesses onto the spine road on the northern side. This needs to be reduced, and I would suggest removing the accesses in front of Plots 30/31 and Plots 71/62. The remaining 3 accesses can easily serve all the plots in this northern part of the phase. The access to plots 109-117 creates a left/right staggered junction arrangement on Shottendane Road that does not meet the minimum 30 metre separation distance requirement as found in the Kent Design Guide. I could not locate a plan that demonstrated visibility splays for all the proposed junctions. I could not locate a plan demonstrating the extent of roads to be offered for adoption. I could not locate a lighting plan - this information is required along with the proposed adoption plan and soft landscaping plan so that any issues can be identified at this stage and appropriate amendments made if required.

### Tracking

None of the submitted plans within the Transport Assessment have a scale bar so I am unable to assess these.

### Parking Allocation

As stated in the Design Code, suburban standards have been used, which is acceptable. Unfortunately the symbols indicating the plot numbers blot these out, so it is difficult to assess the actual relationship of the parking spaces to each plot without having to then refer to a separate plan. It would also be helpful if the number of bedrooms were included for each Plot, as this has a bearing on the allocation required. There is a large amount of tandem parking proposed for Plots 1-12, 19-26, 53-63, 70, 94-101. Experience has taught us that tandem parking is often underused, and can result in ad hoc on street parking which impacts on service and emergency vehicles and their ability to negotiate a development safely. The vast majority of the visitor parking has been concentrated in one or two areas (namely those areas with tandem parking), with other area's having no provision at all. This needs to be reviewed, and the visitor parking spread more evenly throughout the site.

### Bicycle Storage

Bicycle Storage for Flats 80-93 and 127-138 No scale bar, and it would appear to have less than 1m between the row of Bicycles, which makes removal very difficult. Could we please have details on the type of storage system to be used. Storage of bicycles for flats 118-126 again less than 1m between the row of bicycles and no details on the storage system. The space for all three areas appears large enough, just not set out in the best configuration to allow easy removal by the future users. For the remaining houses it would appear that there is direct access to each rear garden where a storage area is indicated - storage should be at the ratio of one space per bedroom, a shed would be acceptable as long as the dimensions are appropriate.

**Active Travel England:** Active Travel England (ATE) is not currently in a position to support this application and requests further assessment, evidence, revisions and/or dialogue as set out in this response

The approval sought by this Reserved Matters application (REM) is for the approval of layout, scale, landscaping and appearance for the erection of 138 dwellings (Phase 1), pursuant to the outline application.

ATE also understands that the Thanet District Council Local Plan 2020 allocates the Shottendane Road site for residential development under Policy SP21. The wider Shottendane Road site is allocated for up to 550 dwellings. Importantly, the allocation includes a link road through Phase 1 identified as a 'Strategic Route', which is safeguarded in adopted policy to support the implementation of the Thanet Transport Strategy.

It is acknowledged that opportunities for re-assessing the site and certain aspects of the layout may be limited due to the nature of this reserved matters application, however, there remains potential for the proposals to contribute more towards active travel.

As discussed, the site allocation calls for the delivery of a local distributor road through the site facilitated by a series of roundabouts. Paragraph 5.2 of the Transport Assessment (TA) sets out the following:

'The principle of the access arrangements and infrastructure improvements being brought forward and established as part of the Phasing Plan, were determined, and approved at Outline Permission (LPA Ref: OL/TH/20/0847). At the outline stage the provision for a new Right Turn Lane vehicle access on Hartsdown Road, a 4-arm Roundabout onto Shottendane Road and a 3-arm Roundabout onto Manston Road were established. To recap, the proposals also included an internal Link Road through the Site with all infrastructure agreed at Outline Permission subject to the Phasing of development.'

It seems limited opportunity exists to amend the approach to the agreed link road, accesses, and roundabouts to address active travel movements both within and through the site. However, we note that Paragraph 5.15 of the TA states 'Technical approval of the link road and junction would be a separate process from the reserved matters application and conducted through the S278 agreement with the relevant officers within KCC highways.' ATE would therefore welcome further dialogue with regards to the approach being taken and whether there is scope to amend the current design.

Based on the approach taken, current guidance within LTN 1/20 does not appear to have been fully considered and it is felt that the proposals as submitted may generate an unpleasant environment within which to walk, wheel and cycle, contrary to government policy to make these modes the first natural choice for local journeys. Notwithstanding the current status of the link road and roundabouts, suggestions have been put forward in case the LPA and Local Highway Authority is minded to consider whether any of these are deliverable in the context of previously agreed plans/approaches.

#### Opportunities

The site is allocated within the Local Plan as a Strategic Housing Site and therefore has planning policy support.

The Design and Access Statement (DAS) associated with the original outline planning permission notes that 'The Site is located in a sustainable location, within a 10-15 minute walk of the centre of Margate that provides a wide variety of local services and facilities, such as sports and recreation facilities, education for different age groups, medical services, and places of worship.' It continues: 'Margate railway station is located within a 10 minute walk of the Site, offering services to coastal towns such as Ramsgate and Westgate-on-sea, as well as the High Speed 1 connection to London St Pancras International via Ashford International.' Clearly therefore, the site is sustainably located in the context of NPPF paragraph 105, which states 'Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes'

Whilst there is some concern around the approach taken to the main spine road through the site and principally how cyclists will negotiate the roundabouts, it is recognised that these matters may fall outside the scope of this REM application.

Notwithstanding this, there are opportunities to improve the proposals to ensure walking, wheeling, and cycling to existing facilities and the surrounding network are the first natural choice for occupants of the development, as well as those visiting or passing through.

#### Areas of Concern

Spine Road: It is understood that a 4.0m cycleway way will be provided on a single side of the spine road and Shottendane Road (SK10A) roundabout and Manston Road (SK11) roundabout. Whilst it is welcome that these will be dedicated cycle lanes and not shared with pedestrians, it is felt the proposed arrangement is inconvenient as a cyclist will have to stop at each roundabout and cross via a proposed island rather than moving across freely.

This approach does not align with LTN 1/20 Core design principles or preferred approaches to roundabouts.

Given that LTN 1/20 states that roundabouts account for around 20% of all reported cyclists killed or seriously injured (KSI) and roundabouts designed to standard UK geometry can be hazardous for cyclists, it is important to address all safety concerns at the earliest opportunity.

A solution more in alignment with that shown at Figures 10.37 - 10.41 of LTN1/20 would indicate that the safety and attractiveness of active travel routes for new residents and visitors to the development was being taken seriously. Paragraph 10.7.8 is clear that 'Roundabouts with higher traffic flows and speeds should have protected space for cycling, both around the junction and on all approaches and exits, so that cyclists do not need to cycle in mixed traffic.'

Moreover, there are concerns with the intention to deliver these as two way tracks on one side of the highway rather than single direction on either side. LTN 1/20 Paragraph 6.2.16 sets out some of the potential problems with two way cycle tracks.

Based on Table 3.6 Speed Survey Results of the TA, nearly all surveyed roads returned an average speed of 40mph despite a 30mph limit. It is likely therefore that the link road will see similar speeds. It is noted that the proposed cycle track sits adjacent to the highway with no buffer and we would suggest a minimum separation from the carriageway (40mph) of one metre.

The approach taken to 'Copenhagen Crossing' style crossing identified in 5.17 of the TA is welcomed and should be secured as designs progress/by condition.

It is noted that there are no pedestrian crossing points proposed on the Landscape Masterplan on the link road and further justification for this is requested.

As noted, the approach to the two roundabouts and spine road seems to have largely been agreed as part of the outline planning application and the Approved Access Arrangements drawings on page 20 of the approved Design Code identifies those which have approval. However, it is noted that these drawings are presented as indicative and subject to discussion with local and national highway authorities.

Further to this Condition 22 requires approval of a Detailed Scheme of Highways Works prior to the development of each phase.

ATE is therefore requesting further dialogue to discuss how these outstanding issues may be addressed

Residential layout: Landscape Masterplan drawing no. CSA/6441/100 includes the two residential areas which form part of Phase 1. ATE do not have any significant concerns with the layout of these areas and welcome the approach taken to shared surfacing and traffic calmed streets. See P.2.ii Multi-functional Streets and P.2.iii Home Zones of the National Model Design Code which explains 'people and vehicles share the whole of the street space safely and on equal terms, where quality of life takes precedence over ease of traffic movement'.

Cycle Parking: The Local Plan sets out at Paragraph 18.10 the 'New development generating travel demand will be expected to promote cycling by demonstrating that the access needs of cyclists have been taken into account, and through provision of cycle parking and changing facilities. Secure parking facilities and changing/shower facilities will encourage use of cycling. Cycle parking provision will be judged against the standards set out in the cycle parking standards Appendix C.' These standards equate to one cycle space

per bedroom in individual residential dwellings and one space per unit for the purposes of flats.

It is therefore welcomed that the TA sets out that 'With regards to residential cycle parking standards, the number of parking spaces within Phase 1 will be in accordance with the minimum KCC standards for residential cycle parking.' With this equating to a total of 394 spaces.

Paragraph 4.39 of the TA goes onto state that 'It has been established that each dwelling will either have a garage or a shed within each back garden and can be accessed via private driveways, this will be sufficient and secure to store cycles and there will be a separate cycle storage for the flats provided on site. Whilst only capturing a proportion of the overall site layout.'

ATE would urge the LPA to ensure that where cycle parking is provided in a back garden shed that these sheds are provided by the developer and are sufficiently large to store the required number of bicycles in accordance with Appendix C standards. Moreover, cycle parking must be accessible without wheeling a bicycle through the dwelling. Alternatively, cycle storage can be provided at the front of the house or be integrated in the design.

ATE welcomes that an appropriate number of cycle spaces is provided for the apartment block, however further clarity is needed as to the level of security provided.

Lastly, ATE would like to point out that the LPA should ensure proposed cycle parking is sufficient for larger bikes (including cargo bikes, mobility bikes and e-bikes), including provision for charging. It is recommended that at least 5 percent of all spaces should be capable of accommodating non-standard bicycles.

**Historic England:** Historic England provides advice when our engagement can add most value. In this case we are not offering advice.

**Natural England:** DESIGNATED SITES [EUROPEAN] – NO OBJECTION SUBJECT TO SECURING APPROPRIATE MITIGATION

This advice relates to proposed developments that falls within the 'zone of influence' (ZOI) for the following European designated site, North Kent Special Protection Area (SPA).

It is anticipated that new residential development within this ZOI is 'likely to have a significant effect', when considered either alone or in combination, upon the qualifying features of the European Site due to the risk of increased recreational pressure that could be caused by that development. On this basis the development will require an appropriate assessment.

It is anticipated that new residential development within this ZOI is 'likely to have a significant effect', when considered either alone or in combination, upon the qualifying features of the European Site due to the risk of increased recreational pressure that could be caused by that development. On this basis the development will require an appropriate assessment.



Your authority has measures in place to manage these potential impacts in the form of a strategic solution Natural England has advised that this solution will (in our view) be reliable and effective in preventing adverse effects on the integrity of those European Site(s) falling within the ZOI from the recreational impacts associated with this residential development.

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

Natural England is of the view that if these measures are implemented, they will be effective and sufficiently certain to prevent an adverse impact on the integrity of those European Site(s) within the ZOI for the duration of the proposed development.

The appropriate assessment concludes that the proposal will not result in adverse effects on the integrity of any of the sites as highlighted above (in view of its conservation objectives) with regards to recreational disturbance, on the basis that the strategic solution will be implemented by way of mitigation.

Having considered the assessment, and the measures proposed to mitigate for all identified adverse effects likely to occur as a result of the proposal, Natural England advises that we concur with the assessment conclusions. If all mitigation measures are appropriately secured, we are satisfied that there will be no adverse impact on the sites from recreational pressure.

**Environment Agency:** We have no further comments to make on this planning application, beyond those in our previous comments made at the outline stage

**Southern Water:** Southern Water has no objections to the reserved matters application for appearance, landscaping, layout and scale.

An approval for the connection to the public foul sewer should be submitted under Section 106 of the Water Industry Act.

**KCC Flood and Water Management:** *Final comment* - Kent County Council as Lead Local Flood Authority have the following comments:

We have reviewed the submitted updated calculations with exceedance drawings including the increased flooded volume and consider all comments from previous responses addressed at this stage. We leave it to the LPA to determine the approval of the reserved matters.

Further comment - Kent County Council as Lead Local Flood Authority have the following comments:

We have reviewed submitted hydraulic calculations and 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' or worst case allowance (for either 2050 or 2070) is designed for both the 30 (3.3%) and 100 (1%) year storm scenarios. This is to determine that flooding of the network does not occur in the 1 in 30 year critical event and exceedance is managed for the critical 1 in 100 year event.

This analysis must determine if the impacts of the greater allowance are significant and exacerbate any flood risk. The design may need to be minimally modified but may also need additional mitigation allowances, for example attenuation features or provision of exceedance routes. This will tie into existing designing for exceedance principles.

We recommend that until this comment is addressed, the holding objection remains in place.

*Initial comment* - Kent County Council as Lead Local Flood Authority have the following comments:

We have reviewed the submitted information and have no objection to the determination of reserved matters for phase 1 at this time as the infiltration drainage information previously submitted is still relevant and reflective of the design based on the BRE 365 tests at outline stage.

For matters pertaining to drainage, we refer you to the previous response for application OL/TH/20/0847 dated 4th August 2020

In addition to the above, as an advisory, we are aware of a possible KCC scheme whereby the link road through the development may be required to increase in footprint and this could have implications on the proposed infiltration feature to the west of the red line boundary. However as things stand we have not seen any definitive design information to confirm any required alterations to the proposed drainage layout hence our no objection to the determination of reserved matters.

**KCC Ecology:** *Final comment* - We advise that sufficient information has been provided to determine the planning application.

We have reviewed the ecological information submitted as part of application CON/TH/23/0865 and compared it with the plans submitted as part of this reserved matters application. We advise that we are satisfied that the proposed layout will ensure that the required ecological mitigation and ecological enhancements can be implemented.

A biodiversity net gain assessment has been submitted and the plans within that document appear to largely reflect the detailed planting plans submitted as part of this application. While the plans are not an exact match we are satisfied that they are sufficiently similar that the BNG is unlikely to change significantly.

The detailed planting plans do not distinguish between the areas of grassland which will be managed as a grassland meadow and the areas of grassland which will be mown regularly. We advise that this point can be addressed through the Landscape and Ecological Management plan by including detailed plans within the document.

As part of the ecological design strategy submitted as part of application CON/TH/23/0865 it has been detailed that ecological enhancement features will be incorporated into the open space and integrated into the buildings. A plan has been submitted as part of this current application demonstrating that the enhancement features detailed within the ecological design strategy will be implemented within the site. We advise that the plan is included within the construction management plan to ensure that the enhancement features are incorporated into the buildings during construction.

*Further comment* - We have reviewed the ecological information submitted as part of application CON/TH/23/0865 and compared it with the plans submitted as part of this reserved matters application. We advise that we are satisfied that the proposed layout will ensure that the required ecological mitigation and ecological enhancements can be implemented.

A biodiversity net gain assessment has been submitted and the plans within that document appear to largely reflect the detailed planting plans submitted as part of this application. While the plans are not an exact match we are satisfied that they are sufficiently similar that the BNG is unlikely to change significantly.

When we previously commented we advised that the detailed planting plans did not distinguish between the areas of grassland which will be managed as a grassland meadow and the areas of grassland which will be mown regularly. However we have subsequently realised this statement was incorrect. However we highlight that the plans within the Landscape and Ecological Management must be updated prior to being submitted to the site manager to ensure it is clear what management will be carried out in which areas.

As part of the ecological design strategy submitted as part of application CON/TH/23/0865 it has been detailed that ecological enhancement features will be incorporated into the site. We recommend that a plan is submitted as part of this application confirming the location of the ecological enhancement features to be incorporated into the buildings and site – an updated design and access statement has been submitted but has not confirmed what enhancement features will be incorporated into the site and where.

*Initial comment* - We have reviewed the ecological information submitted as part of application CON/TH/23/0865 and compared it with the plans submitted as part of this reserved matters application. We advise that we are satisfied that the proposed layout will ensure that the required ecological mitigation and ecological enhancements can be implemented.

A biodiversity net gain assessment has been submitted and the plans within that document appear to largely reflect the detailed planting plans submitted as part of this application. While the plans are not an exact match we are satisfied that they are sufficiently similar that the BNG is unlikely to change significantly

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We advise that this point can be addressed through the Landscape and Ecological Management plan by including detailed plans within the document

As part of the ecological design strategy submitted as part of application CON/TH/23/0865 it has been detailed that ecological enhancement features will be incorporated into the site. We advise that as part of this application a plan is submitted confirming the location of the ecological enhancement features to be incorporated into the buildings and site.

**KCC Public Rights of Way:** Public Footpath TM14 is not affected by Phase 1 but would appear to be directly affected by or abuts the proposed development overall site.

As a general statement, the KCC PRow and Access Service are keen to ensure that their interests are represented with respect to our statutory duty to protect and improve PRow in the County. The team is committed to achieve the aims contained within the KCC Rights of Way Improvement Plan (ROWIP). This aims to provide a high-quality PRow network, which will support the Kent economy, provide sustainable travel choices, encourage active lifestyles and contribute to making Kent a great place to live, work and visit.

KCC PRow have no objection to the application,

**Kent Fire and Rescue:** Fire Tender tracking does not appear to demonstrate vehicular access for a fire appliance to the front of plots 102, 103, 104 and 105. Consequently, there may be an extended hose laying distance from the furthest point in these plots to a suitably parked fire appliance. The 45m hose lay distance can be extended up to 90m through the installation of a suitable fire suppression system.

The apartments will be subject to a full building regulations consultation on receipt of plans. Fire Service access and facility provisions under requirement B5 will form part of that consultation.

Fire Service access and facility provisions are a requirement under B5 of the Building Regulations 2010 and must be complied with to the satisfaction of the Building Control Authority. A full plans submission should be made to the relevant building control body who have a statutory obligation to consult with the Fire and Rescue Service.

**Kent Police:** Applicants/agents should consult us as Designing out Crime Officers (DOCO's) to address CPTED and incorporate Secured By Design (SBD) as appropriate. We use details of the site, relevant crime levels/type and intelligence information to help design out the opportunity for Crime, Fear of Crime, Anti-Social Behaviour (ASB), Nuisance and Conflict.

There is a carbon cost for crime and new developments give an opportunity to address it. Using CPTED along with attaining an SBD award using SBD guidance, policies and academic research would be evidence of the applicants' efforts to design out the opportunity for crime.

We request a condition for this site to follow SBD Homes 2019 guidance to address designing out crime to show a clear audit trail for Designing Out Crime, Crime Prevention

and Community Safety and to meet our Local Authority statutory duties under Section 17 of the Crime and Disorder Act 1998.

1. Consideration should be given to the provision of informal association spaces for members of the community, particularly young people. These must be subject to surveillance but sited so that residents will not suffer from possible noise pollution, in particular the green spaces surrounding the site and the any parking areas/ courts to the rear of the properties. These areas must be well lit and covered by natural surveillance from neighbouring properties.

2. Perimeter, boundary and divisional treatments must be 1.8m high. Any alleyways must have secure side gates, which are lockable from both sides, located flush to the front building line.

3. We would strongly recommend the installation of pavements on both sides of the roads to avoid vehicle and pedestrian conflict, the current plan shows some shared vehicle/ pedestrian areas. Where this is not possible, we strongly advise the installation of traffic calming measures for pedestrian safety.

4. To help address vehicle crime, security should be provided for Motorbikes, Mopeds, Electric bikes and similar. SBD or solid secure ground or wall anchors can help provide this. We advise against the use of parking courts as they can create an opportunity for crime. Where unavoidable, the areas must be covered by natural surveillance from an “active” window e.g. lounge or kitchen and sufficient lighting – the same recommendations apply to on plot parking bays. In addition, we request appropriate signage for visitor bays to avoid conflict and misuse.

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

6. Lighting. Please note, whilst we are not qualified lighting engineers, any lighting plan should be approved by a professional lighting engineer (e.g. a Member of the ILP), particularly where a lighting condition is imposed, to help avoid conflict and light pollution. Bollard lighting should be avoided, SBD Homes 2019 states:

“18.3 Bollard lighting is purely for wayfinding and can be easily obscured. It does not project sufficient light at the right height making it difficult to recognise facial features and as a result causes an increase in the fear of crime. It should be avoided.”

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

7. Play areas must have a self-closing gate to keep animals out and ensure young children cannot leave the area unsupervised. Play equipment must be vandal resistant (and if made of wood, fire resistant) and not provide areas of concealment or an informal storage area for offenders or materials of crime. We recommend the sales team advise potential buyers of the plots close to the play area of its location, which would otherwise be missed from the plan. By informing them at this stage, this reduces the possibility of future conflict and/or noise complaints.

8. All external doorsets (a doorset is the door, fabrication, hinges, frame, installation and locks) including folding, sliding or patio doors to meet PAS 24: 2016 UKAS certified

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

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

10. Bedroom windows on the ground floor require a defensive treatment to deflect loitering, especially second bedrooms often used by children.

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

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

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

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

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

Please note, site security is required for the construction phase.

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

From what we understand of the plans that we have seen there does look to be a certain amount of block paving that we are not happy to cross for a number of reasons

**TDC Housing:** Upon review of the above Proposals & Compliance section of the Planning Compliance Statement dated July 2023, the affordable housing contribution is in accordance with the requirements set out in the unilateral undertaking

The Planning Compliance Statement dated July 2023 also provides the following information regarding the tenure split and housing mix:

All affordable homes - total 21

1 bed 8

2 bed 8

3 bed 5  
4 bed 0

Affordable rented homes - total 17

1 bed 8  
2 bed 6  
3 bed 3  
4 bed 0

Shared ownership - total 4

2 bed 2  
3 bed 2

Upon review of the housing tenure split and mix of units, these are compliant with overarching requirements of the housing need within the district and are in alignment with the recommendations set out in the Strategic Housing Market Assessment (SHMA) updated 2021.

The Site Layout Mix and Tenure Map provides an overview of the locations for the affordable housing units. These have been distributed across the site and integrated with the market sales, which provides a healthy distribution of all tenures across the site.

**TDC Environmental Health:** Thank you for consulting Environmental Health on this reserved matters application for which we have reviewed relevant submission and amendments to Phase 1 and note that the applicants position that air quality and that outline assessments and conclusions remain valid. This is accepted and no further comments offered. However, it is noted that there are amendments to the proposed electrical substation and foul water pumping station and request a noise impact assessment be submitted.

**TDC Conservation Officer:** Following a review of the proposed application I would make the following comment-

Approval of this application would naturally lead to adjustments in the openness and agricultural character of the area surrounding the site. However, upon reviewing the proposal, I find that the impact on the setting of the numerous heritage assets would be less than substantial. This is due to the orientation of the development and the arrangement of the proposed dwellings. While there may be some inevitable harm resulting from the scale of the proposal, it is not significant enough to detract from the historical character and appearance of the surrounding environment. Therefore, I do not oppose this application or the proposed work.

**TDC Arboricultural Advisor:** Final comment - The revised Arboricultural Impact Assessment (dated 7.2.2024) notes the additional removal of T8 (semi-mature Lime, 9m in height) and a slightly larger portion of G9 (a linear group of semi-mature Lime, Alder and Ash, 5m-9m in height) to a revised roundabout layout. In the context of the scheme and the new planting proposed, I do not consider these additional losses to be significant.

There are minor amendments to the proposed tree planting shown on the soft landscaping plans, that appear mainly to reflect layout revisions and are not significant changes.

The planting schedule shows a significant increase in the number of plants in the Native Hedgerow Mix, along with a slightly different species mix. Common privet appears to have been replaced with common dogwood, which is acceptable. Hazel has been replaced with Field Maple, but both could reasonably be included in a locally appropriate native hedge. The revised schedule also suggests equal numbers of each of the included species in the mix. Hawthorn would normally make up the highest proportion, with smaller numbers of other species, but these are relatively minor issues and do not necessarily require further revision.

Initial comment - These comments are limited to arboricultural aspects of the submitted plans.

The development will result in the loss of a number of individual trees and groups of trees, most of them along the existing alignment of Shottendane Road, to facilitate a proposed realignment.

The tree report identifies three trees on the site's boundary with Margate Cricket Club that may be protected by a Tree Preservation Order (TH/TPO/4(1997) refers) but they appear to be retained.

The Landscape Strategy Plan (drawing no. CSA/4430/118 rev.F, dated May 2020) suggests that the "majority of the existing trees and hedgerow along either side of Shottendane Road will be retained" but, according to the tree retention/removal and protection plan in the Arb Impact Assessment, this does not seem to be the case.

However, although they collectively make an important contribution to the character and setting of the current landscape, as individuals they are relatively small trees of low quality. Subject to appropriate replacement planting, the loss of these trees should not be considered a significant constraint.

The Phase 1 Soft Landscape Proposals do not cover the areas along Shottendane Road where the majority of the trees will be removed. However the proposed selection of species for tree and hedgerow planting in these plans are generally acceptable and appropriate, as are the details of the Planting Specification.

I have the following comments about the planting proposals:

- A number of trees of species that have wide spreading crowns at maturity (e.g. Beech, Field Maple, Hornbeam and Norway Maple) are shown planted in lines at 11m centres. This is too close for the trees to freely develop full crowns at maturity.
- Some of these trees are shown planted within 1m wide hedgerow features immediately adjacent to the back edge of roadways. The root buttresses would encroach on the roads as the trees mature.
- There are large growing species such as Beech planted as part of a tight group (5m centres) with much smaller growing Crab Apple and Cherry species, that would likely be suppressed by the larger tree.
- As a personal preference, I think large, purple-leaved species (such as Norway Maple "Crimson King") work better as individual features,



rather than as a line or avenue along the main access roads. - Similarly, some lines of trees are shown planted with multiple different species. I think lines or avenues work best with a simpler palette of single species, or a maximum of two or three.

## COMMENTS

This application has been call into Planning Committee by Cllr Garner to consider whether the proposed layout would have an adverse impact on the biodiversity of the area, the landscaping proposed would have an adverse impact on the biodiversity of the area, the proposed layout would result in cramped living conditions, the landscaping proposed would have an adverse effect on the drainage of the area, and whether the proposed layout would have an adverse impact on the drainage of the area.

### **Principle**

This application is a reserved matters application, for consideration of layout, scale, appearance and landscaping only for phase 1 of the development. The principle of the development, along with the access, was assessed and approved through the original outline application ref: OL/TH/20/0847.

Accesses to the site from Hartsdown road, Shottendane Road and Manston Road along with amendments to the surrounding highway network were agreed as part of the outline application as well as a link road through the site. Another agreed parameter was that the development would be a mix of 2, 2 and a half storey with a limited number of 3 storey buildings. As these matters were agreed as part of the outline permission they cannot be reconsidered or amended through this application, however it falls to consider whether the reserved matter submission accords with the parameters agreed.

### **Character and Appearance**

Policy QD02 of the Thanet Local Plan states that 'the primary planning aim in all new development is to promote or reinforce the local character of the area and provide high quality and inclusive design and be sustainable in all other respects. Development must:

- 1) Relate to the surrounding development, form and layout and strengthen links to the adjacent areas.
- 2) Be well designed, respect and enhance the character of the area paying particular attention to context and identity of its location, scale, massing, rhythm, density, layout and use of materials appropriate to the locality. The development itself must be compatible with neighbouring buildings and spaces and be inclusive in its design for all users.
- 3) Incorporate a high degree of permeability for pedestrians and cyclists, provide safe and satisfactory access for pedestrians, public transport and other vehicles, ensuring provision for disabled access.
- 4) Improve people's quality of life by creating safe and accessible environments, and promoting public safety and security by designing out crime.

External spaces, landscape, public realm, and boundary treatments must be designed as an integral part of new development proposals and coordinated with adjacent sites and phases. Development will be supported where it is demonstrated that:

5) Existing features including trees, natural habitats, boundary treatments and historic street furniture and/or surfaces that positively contribute to the quality and character of an area should be retained, enhanced and protected where appropriate.

6) An integrated approach is taken to surface water management as part of the overall design.

7) A coordinated approach is taken to the design and siting of street furniture, boundary treatments, lighting, signage and public art to meet the needs of all users.

8) Trees and other planting is incorporated appropriate to both the scale of buildings and the space available, to provide opportunities for increasing biodiversity interest and improving connectivity between nature conservation sites where appropriate'.

Condition 8 of the outline permission required prior to the submission of any reserved matters, a masterplan for the wider site to be submitted and approved which demonstrates how the development applies the principles of the Parameter Plan, Development Framework Plan and the Landscape Strategy Plan approved for the outline. The applicants have submitted the masterplan under CON/TH/23/0667. This set out details of the open space (including play areas), ecological enhancements, landscaping, the hierarchy of roads, pedestrian paths and cycle paths and sustainable drainage overview. This was considered to build on the plans approved at outline stage and the submission was approved.

Condition 9 of the outline went on to require prior to the submission of a Design Code which developed the concepts and principles established at the outline application. The applicants have submitted the Design Code under CON/TH/23/0743. This look at the constraints and opportunities of the wider site granted at outline stage, the surrounding context (built and landscape), has built on the cycle and pedestrian movements and considered the movement hierarchy building on the details of the main spine road, secondary streets and the lanes and private drives and their differing natures and characters and establishing them as identifiable character areas, as well as open space provision with the site (including play and recreation strategy), biodiversity, materials for dwellings and hard landscaping. The Design Codes were considered to be acceptable as providing the detail for the wider site (including phase 1) from that approved at the outline stage. This condition submission has, therefore, been approved.

### *Layout and Landscaping*

Residential development is proposed running across the site from east to west to the north of the proposed spine road with a smaller area of development to the south of the proposed spine road. The spine road forms part of the "Inner Circuit" as part of the Thanet Transport strategy and Local Plan to 2031 and is proposed to be constructed as a Local Distributor

road. It links Hartsdown Road in the north to Shottendane Road and onto Manston Road in a further phase of development.

As set out above the applicants have complied with the conditions from the outline permission which required the submission of a masterplan and design code for the wider site and these have been used to inform this application.

As stated above, the masterplan and design code built on the outline by evolving the idea of character areas with differing purposes and identities. The spine road is the principal street running through the development and as stated above would be a local distributor road. Dwellings facing the spine road would mainly be two storey with some 2 and half storey (2 storey with rooms within the roof). The three flat blocks would also be located close to the spine road which would be the most urban area of the development, but with a green feel with dwellings set back from the road with a landscape buffer and the linear park located to the southern side of the spine road.

The secondary streets connect the spine road to the other parts of the development. They are less urban in character than the spine road and have verges and front gardens to their edges. Dwellings along these streets run parallel with them with areas of landscaping and planting including trees to soften them. The dwellings here would be generally 2 storeys in height and the occasional two and a half storey dwelling.

The lowest hierarchy of streets within the site and the third character area are the lanes and private drives. These are designed to each serve a limited number of dwellings normally at the end of a secondary street on the periphery of the development. They are characterised by shared surfaces and are designed to provide the transition between the proposed development and the surrounding countryside. Dwellings here would be two storey and likely to be detached or semi detached with landscaping and planting helping to integrate them into the site and the surrounding area.

Planting throughout the site would be primarily native species with some ornamental features. There would be intensive tree planting and landscaping to the boundaries of the site as well as within the linear park and also in various places throughout the development including trees adjacent to the spine road. Front gardens of the dwellings would comprise low to medium height shrubs and hedges. Details of the proposed species and the areas they will be located are included in the soft landscape proposal drawings.

The main carriageway and footpaths will be built to adoptable standards and surfaced in tarmac with junctions built in contrasting block paving. Shared access roads/drives, parking courts and private drives will be a mixture of block paving and tarmac and footpaths in the open space will be a combination of resin bound gravel and mown grass paths. Amended plans have altered boundary treatments in visible areas to be brick walls with timber fencing providing internal division to gardens and timber rails and bollards would protect grass verges.

Dwellings would be arranged as a variety of detached, semi-detached or terrace houses set over two storeys with some two and half storey units in some locations, such as, fronting the link road. Three blocks of flats are also proposed which have three storey elements, one in

the south western corner of the northern part of the site above the spine road and two adjacent to the eastern side of the spine road on the southern part of the application site.

All dwellings would benefit from private amenity space that would be considered to be secure doorstep playspace and communal amenity areas provided for the proposed flat blocks to comply with policy GI04.

It is considered that the layout would provide a visually attractive development with effective landscaping, in keeping with surrounding development, whilst encouraging walking and cycling within the site, in accordance with the requirements of the outline permission, the Local plan and the NPPF.

### *Open Space*

Policy GI04 of the Thanet Local Plan requires that new residential development make provision for appropriate amenity green space and equipped play areas to meet the standards set in tables 10, 11 and 12 within the policy.

Condition 7 of the outline permission seeks to secure details of landscaping with each phase of development and secure a management plan for its management. Condition 10 of the outline also required an open space specification for each phase.

This proposal would deliver some 1.7 hectares of public open space which is some 38% of the public open space required through the site's allocation with the remainder to be delivered in later phases of development. A linear park is proposed which would run parallel to the southern boundary of the link road. It would provide a trim trail and paved route for pedestrians and cyclists. Two Local Areas of Play (LAP) totalling some 100 square metres will also be provided within the linear park as well as a SUDs basin to the west of the residential built form which is proposed to be planted with a wildflower/grass mix. Some other smaller areas of open space are distributed throughout the site on the corners of roads, footpaths and along the highway. Details have been provided of the proposed landscaping and features that are proposed for each of the LAPs including some basic play equipment suitable for young children and with seating, bins and signage.

The linear park with its various features and the smaller areas of open space proposed throughout the development area are considered to provide an acceptable space for residents and would sufficiently break up the areas of hard surfacing, in line with the requirements of the outline permission, policies GI04 and QD02 of the Thanet Local Plan and the National Planning Policy Framework. The Landscape Management Plan for the phase is also considered to be acceptable and would ensure that open space and landscaping are delivered and managed as key elements of the development.

### *Scale and Height*

Houses across the site would primarily be two storeys in height with pitched roofs, with some dwellings 2 and half storeys in height (with rooms within the roof) in some prominent locations such as along the spine road.

Features such as two storey projecting gables, variations in materials, projecting canopies and bay windows would be used to break up the mass of the houses and following amendments to the scheme all dwellings on corner plots would have openings and/or detailing on all elevations visible from the public realm.

As stated above, character areas for the whole of the site covered by the outline application and for this current phase have been identified with each of these areas having a different feel and styles of dwelling as well as differences in height. With the flat blocks with their 3 storey elements and the majority of the 2 and half storey dwellings located along the spine road character area and the majority of dwellings on the secondary streets and lanes and private drive with the heights of dwellings helping to define the hierarchy of the character areas.

The proposed flat blocks have been amended during the application process, following detailed concerns from officers, altering their design and arrangement. Projecting gables, balconies, detailing and features have been added to them to add visual interest and to break up the mass of these buildings. As stated above the blocks are 3 storeys in height with the second floor set in the roof.

Site sections have been provided taking into account the changes in level of the various parts of the application site to understand the relationships between the proposed development and surrounding dwellings and relationships between the dwellings on the site itself. There is limited residential development surrounding the application site with the closest being Shottendane Farm House to the east of the application site and Firbank Gardens and numbers 18 and 19 Shottendane Road to its south.

Shottendane Farm which includes the listed farmhouse is set to the east of the application site, the nearest dwellings from the proposed development would be 2 storey dwellings and it is noted that there would be a large landscape buffer between these dwellings and Shottendane Farm. To its north, Shottendane Farm would sit adjacent to the proposed linear park. It is noted that Shottendane Farm House itself sits fairly centrally within its site and that planning permission was recently granted to convert some existing farm buildings on the site to residential dwellings together with the erection of 7 two bed dwellings within the grounds of the farm (F/TH/22/1684 and F/TH/21/1864). These planning permissions are extant and the impact of the proposed development on these must be taken into consideration. Given the landscape buffers involved, the distances involved and the spacing around the new development, it is not considered that the new development would not appear overly dominant or incongruous in scale in this location. The relationship between the proposed and the existing dwelling or the dwellings approved on the farm site are, therefore, not considered to be significantly harmful to the character and appearance of the area.

It is noted that Firbank Gardens is essentially a cul-de-sac of bungalows, with a two storey dwelling (18 Shottendane Road) and a chalet bungalow (19 Shottendane Road) fronting Shottendane Road. The new development would introduce two storey dwellings to the southernmost part of the application site on land that is essentially at the same level if not slightly lower than Shottendane Road. Given this, the landscape buffer between the new

dwellings and the distance between the surrounding development, these dwellings are not considered to be significantly harmful to the character and appearance of the area.

Given the relationship with the existing neighbouring properties, the height and scale of the proposed dwellings and the flat blocks is considered to be in keeping with the requirements of the outline permission and the character and appearance of the area, in line with policy QD02 of the Thanet Local Plan and the National Planning Policy Framework.

## **Design**

The surrounding context in terms of built form are generally of a suburban residential development with some historic buildings like Shottendane Farm adjoining the site. Dwellings are predominantly red brick and painted render, but there are also examples of tile hanging and buff brick, features such as bay windows and porches and dormers are also noted on dwellings in the surrounding area.

Indicative street scenes have been provided for various parts of the proposed development including Hartsdown Road, the boundaries with the adjoining countryside and part of the link road as well as other parts of the site. These street scenes show a variety of detached, semi-detached and terraced dwellings with varying roof heights and forms. Design elements include gabled projections, bay windows and porch canopies which will integrate the development into the existing form of dwelling in the area.

In terms of the palette of materials, the proposal includes a mix of red and reddy brown bricks, weather boarding, tile hanging and render. These materials would be used in various ways across the different housing types and the flat blocks. These different materials and dwelling types are considered to provide enough variety and to be in keeping with the area.

The design of the development is considered to be appropriate, and in keeping with the character and appearance of the area, in accordance with Policy QD02 of the Thanet Local Plan and section 12 of the NPPF.

## **Impact on Landscape Character Area and Tree planting**

This development proposes a density of 28.6 dwellings per hectare which sits with the density parameters found to be acceptable in the outline permission.

The site lies within the undulating Chalk Farmland Landscape Character Area, which is characterised as a particular landscape feature in Thanet and consists of four landscape character areas: C1: St Nicholas-at-Wade Undulating Farmland, C2: Central Thanet Undulating Farmland; C3: St Peter's Undulating Farmland; and C4: Newlands Farm. Some of these character areas are important for their long distant views to the marshes and sea while in others the agricultural land performs a settlement separation function. These areas of high quality agricultural land are of value for farmland and roosting coastal birds. The openness and undeveloped character of the farmland contributes to the essentially rural character and relatively dark skies. Policy SP26 of the Thanet Local Plan states that development proposals should demonstrate how they respect and respond to the character, key sensitivities, qualities and guidelines of the relevant landscape character areas, as

detailed in the Landscape Character Assessment (LCA), and that all development should seek to avoid skyline intrusion and the loss or interruption of long views of the coast and the sea.

The Environmental Impact Assessment submitted with the outline application provided a landscape appraisal. This appraisal outlined that the site is influenced by the stark urban edges in the nearby area and is separated from the wider arable landscape to the southwest by the cluster of built form to the immediate southwest with the site is assessed as being of medium landscape quality, value and sensitivity and views generally limited to within 1.5-2 km of the Site, with intervening landform and field boundary vegetation preventing views from further afield. The proposals have been sensitively designed to retain as much of the existing vegetation as is practical with losses compensated by substantial new tree and hedgerow planting and the long term residual effects of the proposed planting once the new areas of public open space and additional planting has established would range between moderate to slight adverse and negligible adverse and not significant.

There are limited trees within the site, with some trees to the north west and south eastern boundaries of the site. The site does not fall within the conservation area and there are no trees covered by a Tree Preservation Order on the site. Although it is noted that there are three trees located within Margate Cricket close to the boundary of the application site that appear to be covered by TPO/4/1997. They would not, however, be affected by the proposed development.

For the reserved matters application, the submitted landscape plan shows extensive tree planting, to the boundaries of the site within the linear park, and across the site as a whole. The proposal is also supported by an Arboricultural Impact Assessment (AIA) and this states that the trees to be removed as part of the application largely remain unchanged from those identified for removal in the outline application. The impact of the loss of the existing trees, hedgerows and planting is therefore not considered to result in significant harm to the wider landscape character area.

The council's Arboricultural Advisor has reviewed the application including the AIA and raises no objection to the proposal as submitted.

The proposed tree planting is considered to result in some ecological enhancements across the site, offering habitat for breeding birds, bats and others as well as creating visual amenities and assisting in integrating the proposed development into the landscape.

It is considered appropriate that a condition is imposed to ensure that the details set out in the landscape management plan are carried out in full and that landscaping would be replanted if it becomes necessary.

Given the edge of urban area location and open countryside that will separate the site from the open countryside and the wider landscape character area, the detailed plans in this reserved matters submission are considered to comply with the principles of Policy SP26 of the Thanet Local Plan, and the NPPF and the proposed enhancements from new tree planting and landscaping is supported and in accordance with Policy SP30 of the Thanet Local Plan, and the NPPF, which encourages tree lined streets.

## **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'.

### *Impact on Neighbouring occupiers*

As stated above, the application site has limited boundaries with other residential developments, these being Shottendane Farm to the east and Firbank Gardens and Shottendane Road to the south. The neighbouring properties are primarily one and two storeys in height.

The submitted building heights plan shows development to be primarily two storeys in height, with some limited 2 and half storey dwellings with rooms within the roof and 3 flat blocks which would have a 3 storey element.

Shottendane Farm is set at a lower level to the northern part of the application site and at a similar level to the southern part of the application site. It is separated from the new development on the southern part of the site by a landscape buffer and it is noted that the closest properties on the new development would be two storey dwellings. To its northern boundary, Shottendane Farm would be bounded by the proposed linear park.

Given the landscape buffers, the distances involved and level changes, it is not considered that there would be an adverse impact on the residential amenities of the occupiers of Shottendane Farmhouse or the future occupiers of the consented dwellings to be built on site from the development in terms of overlooking, sense of enclosure or overbearing or loss of light.

The closest dwellings to the south of the application site are 18, 19, 20 and 21 Shottendane Road. It is noted that these dwellings face onto Shottendane Road and are set back from Shottendane Road by 16m, 22m, 22.1m and 25.5 metres respectively. Given these separation distances the proposed dwellings are not considered to result in any significant loss of light or outlook to the neighbouring properties.

The use of the site for residential purposes would introduce a level of activity above that of the existing agricultural use, however the dwellings are either separated from the existing dwellings by roads, or set away from the boundaries with the existing dwellings. The proposed uses are therefore not considered to result in a significant increase in noise and disturbance.

Noise and disturbance during construction is considered to be temporary in nature and would be controlled by legislation outside of the planning system. Condition 25 of the outline



permission requires the submission of a construction method statement prior to commencement of development and will be required to include additional measures to safeguard the amenity of the existing neighbouring property users.

The impact upon the existing neighbouring occupiers of the development is therefore considered to be acceptable, and in accordance with paragraph 135 of the NPPF and policy QD03 of the Thanet Local Plan.

#### *Standard of Accommodation for Future Occupiers*

In terms of the impact upon future occupiers, each dwelling has been provided with doorstep playspace, in accordance with Policies QD03 and GI04 of the Thanet Local Plan.

Within the proposed development the units have been assessed against Policy QD04, which states the minimum space requirements of the units in relation to the nationally described space standards. This was also a requirement of condition 39 of the outline permission.

All of the dwellings meet or exceed the relevant Internal space standard and, therefore, achieves the nationally described space standards as set out within Policy QD04 of the Thanet Local Plan and the requirements of condition 39 of the outline.

There is space within each garden area for refuse storage and clothes drying facilities, including the flats, as well as private amenity space for each unit where required.

Concern has been raised that the development would result in cramped living conditions for new residents. The layout of the development has sought to maximise the distance between the rear elevations of properties to minimise overlooking between properties, with a small number of instances where properties perpendicular to each other will result in some mutual overlooking. Due to the change in levels across the site, these instances of overlooking will be reduced and would not result in a poor standard of amenity for future residents. When taken as a whole, the dwelling accords with the minimum space standards and will provide a good standard of amenity for future residents of the scheme

The impact upon the future occupiers of the development is considered to be acceptable, and in accordance with paragraph 135 of the NPPF and Policies QD03 and QD04 of the Thanet Local Plan.

#### **Highways**

The principle of 450 dwellings across the wider site and the access/connection to the existing road network at Hartsdown Road, the roundabout on Shottendane road and the roundabout on Manston Road, and the impact on the highways network from the increased vehicular movements have been agreed through the outline application to mitigate potential increased traffic. This included a contribution to the "inner circuit" from the development in accordance with Policy SP47. The current reserved matters application for phase 1 of the development falls to consider the detail of the northern link road, access points onto the new link road and crossing points, internal layout and parking for both the northern and southern

parcels of land covering the 138 dwellings, and the new access point onto Shottendane Road.

### *Layout - Link Road*

The northern section of the link road (from the Shottendane Road roundabout to the new priority junction on Hartsdown Road) has been subject to detailed discussion with KCC Highways throughout the consideration of the application, with various amendments made to its design and layout. This link road has been designed to Local Distributor standard, which aligns with the requirements on other parts of the inner circuit (including the recently approved Salmestone Grange reserved matters provision). This provides a shared 3 metre wide cycle/pedestrian footway each side of the carriageway, with the link road widening through the alignment to accommodate right hand turn lanes for the main two vehicular accesses into the northern parcel. In total three vehicular access points are proposed to the northern parcel from the link road, serving the 99 dwellings, with the access closest to Hartsdown Road proposed as an access for emergency vehicles only (with bollards to be erected). Access to the lower section of dwellings on the southern parcel is afforded by a vehicular access point between the two flat blocks. In terms of crossing points and pedestrian and cyclist legibility, the main vehicular accesses are proposed with 'Copenhagen' style crossing at the access, with a change in material on the ground denoting a continuation of the footway/cycleway along the proposed footway alignment either side of those access points. Additional footways in the southern section, provided as part of the "Trim Trail" through the landscaping strategy, connect to both the main footway/cycleway either side of the link road and to a Toucan crossing over the link road, allowing pedestrians and cyclists to cross the road safely. An additional crossing point further to the north on the link road is also provided via pedestrian islands. The link road as proposed is in conformity with the parameters plans submitted and considered through the outline application.

In regards to the need for a phase 1 safety audit as referenced within the KCC Highways comment, the original submission of the link road, roundabouts and other works in the outline application was subject of a safety audit, however as noted by KCC, the details of the link road now being proposed has been substantially altered, including the crossing points, and therefore a safety audit will be required as part of the adoption process. The full extent of the link road will be adopted by KCC under a Section 38 agreement (following construction by the developer), meaning various safety audits will be required through a separate process, however it is considered prudent for a Phase 1 safety audit to be undertaken prior to the commencement of development of phase 1 on the link road (and the internal road network). The safety audit is not anticipated to raise any issues to substantial impact on the layout of the scheme to affect the determination of the reserved matters application. The applicant has instructed this audit to occur, however the results have yet to be provided, therefore the condition will be imposed and if the results are received and agreed by KCC Highways prior to members' consideration of the application, the condition can be removed prior to decision.

Policy TP03 requires that the Council seek the provision at the earliest opportunity of a network of cycle routes, with development that would prejudice the safety of existing or implementation of proposed cycle routes not to be permitted. The Council has received a comment on the reserved matters application from Active Travel England, an executive

agency of the government to promote walking, wheeling and cycling as the preferred choice for travel. The comment has raised concerns in relation to the design of the link road, and suggest changes to accommodate a dedicated cycle lane to entirely segregate cycling and walking, with reference to guidance LTN 1/20 which is a local transport note on cycle infrastructure design.

Having consider the changes made by the applicant through the process and the comments of KCC as the local highway authority, it is considered that the link road does encourage cycling in accordance with Policy TP03 of the Local plan, through the accommodation of 3m width footways either side of the road, the Copenhagen crossings and Toucan crossings (supporting crossing by both pedestrians and cyclists). The development has considered the need for the safety of cyclists and has incorporated facilities for cyclists into the design of the scheme with the footway and crossings. The proposed plan provides a balance between the function of the link road as a Local Distributor road, as part of the strategic routes to facilities vehicular movement as part of Local Plan policy SP47, and the need to promote cycling as enshrined in Policy TP03 of the Local Plan and alternative methods of transportation in paragraph 116 of the NPPF. The proposed arrangement does not harm these aims nor does it result in an arrangement that is unsafe in highways terms. Therefore it is considered to be acceptable and in accordance with the requirements of the Local Plan and the NPPF.

Overall the layout of the link road is considered to accord with the requirements of the outline permission, and subject to conditions will provide suitable, safe and robust infrastructure to serve the dwellings within the site, pedestrians, cyclists and existing traffic on the network.

*- Internal roads and access points*

As described above, two new vehicular accesses are proposed to serve the northern parcel from the link road. Both are required to provide visibility splays with no obstructions over 1.05 metres above carriageway level within the splays, prior to the use of the site commencing including those sight lines from behind the Copenhagen crossings on the side roads to ensure full visibility for traffic leaving the development and joining the link road. These splays have been indicated within the submission and can be provided without conflict with the landscaping plan for the development. These visibility splays will be conditioned to be provided and kept free from obstruction. In addition, pedestrian visibility splays of 2 metres x 2 metres behind the footway are required on both sides of the vehicle accesses within the development with no obstructions over 0.6m above footway level.

In the northern parcel the internal layout has been amended from the original submission to show a circular route running parallel to the link road, with an individual internal access point serving the dwellings in the northern parcel. Pedestrian access points within the parcel onto the pedestrian network on the link road and Hartsdown road have also been provided, which will help to avoid the creation of informal desire line routes through areas of landscaping. In regard to the emergency vehicle access, which is located in close proximity to the new junction on Hartsdown Road, this is required to ensure that two access points are available for the 41 dwellings served by the individual access point from within the development, in the event of an emergency. The applicant has requested a temporary arrangement of bollards, set further back into the site adjacent to the car parking spaces serving units 29, 30 and 31, to use these properties initially as site offices and show homes with parking and turning

within this area. Plans indicated turning arrangements have been provided and assessed as acceptable by officers and KCC Highways. On a temporary basis the use of this access is considered acceptable, subject to conditions requiring the temporary bollards to be erected prior to any occupation of any dwellings on the phase, and the permanent bollard to be installed prior the final occupation of the phase. This would restrict the use of the access to ensure it is not used, either temporarily or permanent by residents of the development.

On the southern parcel of land, two access points are provided; one on the link road serving parking for the two flat blocks and 7 dwellings, the other serving parking for the 9 dwellings fronting Shottendane road. Both these vehicular accesses have identified the required visibility splays to ensure that vehicles can enter and exit these accesses safely, and these splays will be subject to a planning condition. The position of these two access points, including the location of the new access adjacent to the new crossing on Shottendane Road, is considered to be safe and suitable to avoid an impact on the free flow of traffic on either road.

Tracking information has been provided for the internal layout of both parcels, showing how a 13 metre long vehicle can turn safely within the site. This has demonstrated that the layout can safely accommodate the vehicles required to serve the properties, including refuse freighters and fire engines. Initial concerns were raised by Kent fire and rescue in relation to plots 102, 103, 104 and 105 (located in the southern parcel), without the provision of tracking information on how these units would be served by a fire tender. Subsequent layout changes have altered these plots and the applicant has provided plans to demonstrate how all dwellings in the southern section of phase 1 can be served by a fire tender within the 45 metre hose distance required.

Refuse collection points have been indicated on the plans for those dwellings which cannot be served by kerbside collections. These points are within 15 metres carry distance from the turning areas/routes available for refuse freighters, which will accord with the requirements of Policy QD02, save for one collection point located 20 metres from the carriageway. The areas will be required to be provided prior to the occupation of the relevant dwelling which they serve, and separate to the planning process the Council's Waste and Recycling Team require an inspection of the routes for freighters prior to any collections occurring from a new development. The proposed arrangement is considered to be an appropriate balance between provision of collection points and providing a high quality development with landscaping, rather than having every dwelling in the development served by kerbside pick up, resulting in a highway dominated development. The proposed arrangement will accord with Policy QD02 and is considered an appropriate internal layout for all types of vehicles.

An adoption plan has been provided demonstrating that the link road, majority of secondary roads, footpaths and layby parking in the northern parcel would be offered for adoption to the highway authority. The shared parking courts, driveways and access road to the southern parcel would remain in the ownership of the applicant.

### *Parking*

Off-street parking is provided for each dwelling, with the number of spaces provided to meet the suburban parking standards as outlined in the design code, with 3 and 4 bed units

generally provided with 2 off-street spaces in a tandem arrangement between properties, and 1 and 2 bed units provided with one allocated off street spaces in front of dwellings, with unallocated spaces between. This means that across both parcels of development a total of 191 allocated spaces are provided, with 27 unallocated spaces available. Concerns were raised by KCC highways about the location of visitor parking spaces. The amended plans have provided 47 spaces, predominantly within laybys off the secondary and tertiary streets, which will avoid on street parking blocking the internal carriageways. The parking for the three flat blocks are provided at a ratio of one allocated space per flat, with 3 unallocated spaces in close proximity to the flat block in the northern parcel (units 80-91) and mixture of 6 visitor and unallocated spaces for blocks 116-126 and 127-138 in the southern parcel. For the units fronting Shottendane road, where no on-street parking will be permitted, the 9 units (consisting 3 one-bed, 4 two bed and 2 three bed) each have an allocated space, with 2 visitor spaces and one unallocated space. Disabled parking provision is provided to serve the wheelchair units within the flats blocks, with 11 units served by this parking provision. Both the link road and Shottendane road will be subject to traffic regulations orders restricting on street parking.

Following the revisions, KCC highways have raised no objections to the parking provision, subject to safeguarding conditions.

Overall, the vehicular parking across the site provides a suitable amount of parking to serve the new dwellings, thereby making satisfactory provision for the parking of vehicles, including disabled parking, in accordance with Policy TP06.

In regards to cycle parking, under Policy TP03 new residential development will be expected to provide secure facilities for the parking and storage of cycles. All of the houses within the proposed development have been provided with bike stores within garden areas, with side or rear access to the gardens provided. For the flat blocks, separate bike stores have been provided within single storey parts of the building (with the bin store areas). These stores have adequate space to provide cycle storage on the basis of one per unit, however details of the specific racks to be used will be required prior to the occupation of the relevant dwelling.

Overall the provision of cycle parking is considered in accordance with Policy TP03 subject to the provision of facilities prior to the occupation of individual dwellings and further details of the precise racking within the communal storage for the three flats blocks.

#### *Other highways matters*

Conditions 21 and 22 on the outline permission require the submission of a highways phasing plans and detailed plans of the Local distributor standard link road, the roundabout junction on Manston Road, roundabout Junction on Shottendane Road and right turn lane priority junction on Hartsdown Road. These details are subject to separate technical agreement from the Council in collaboration with KCC Highways prior to the commencement of development. Details of the Construction Management plan, including onsite parking for construction vehicles and temporary accesses to the site, are also required to be agreed with the Council prior to the commencement of development under Condition 20 of the outline permission.

## **Size and Type of Housing**

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 Strategic Housing Market Assessment (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).

The application sets out that 13 two bed houses, 38 three bed houses and 18 four bed houses would be market dwellings. Whilst this does not fully align with the range provided in the Local Housing Needs Assessment (LHNA) 2021 (19% two beds rather than 25-30%), the mix provides broad conformity with the needs of the district for housing. It is anticipated that the wider development covered through the outline will be able to achieve the range required in the LHNA.

A mix of flats, terraced units, semi-detached units, and detached units have also been provided, achieving a good mix across the site. The proposal is, therefore, considered to comply with Policy SP22 of the Thanet Local Plan.

The proposal offers 12 M4(3) accessible units and 39no. M4(2) accessible units. This complies and exceeds the requirements of Policy QD05 of the Thanet Local Plan.

## **Affordable Housing**

In terms of affordable units, the application proposes that 29 units would be affordable rent (10 1 bed flats, 14 2 bed flats, 3 three bed houses and 2 four bed houses) with 39 dwellings proposed as shared ownership (7 one bed flats, 7 two bed flats, 10 3 bed houses and 18 four bed dwellings). This would result in a total of 68 affordable dwellings (49% affordable housing on phase 1).

Within the outline permission, only 15% on site affordable housing was required to be provided through planning obligations, due to issues with the viability of the site. This was the primary matter considered within the public inquiry which determined the appeal, resulting in permission being granted. The applicant, Places for People, have outlined that this is possible through the award of grant by Homes England, which can be utilised to provide affordable housing above that secured through planning obligations on development sites.

The council's housing team have confirmed that they are happy with the mix of units proposed and that they meet the SHMA recommendations. The affordable rent and shared ownership units are spread within the private market sale units throughout the development to create a mixed and balanced community to accord with Policy SP22 and SP23.

The proposed affordable housing shown will therefore comply with the requirements of the outline permission.

## **Biodiversity**

The Environmental Impact Assessment (EIA) submitted as part of the outline application included a series of ecological surveys and recommendations including a shadow Habitat Regulations Assessment. This concluded that “No Likely significant effects of the Proposed Development are anticipated at the nearby statutory designated sites of nature conservation value, the woodland, scattered trees or hedgerows on Site, or on bats, nesting birds, badgers or hedgehogs at the Site. No likely significant adverse effects have been identified when the proposals are considered in combination with other developments in the area, subject to the implementation of mitigation set out within this chapter.” Proposed mitigation measures included additional planting of native trees, strengthening of vegetated boundaries to the site, minimising the impact of lighting associated with the development as well as the creation of a bird mitigation area incorporating wildflower grassland and beetle bank to provide a foraging resource (adjacent to Manston Road).

KCC previously raised no concerns subject to conditions requiring a lighting scheme to be submitted and approved and details of ecological enhancements to be submitted. Condition 30 of the outline application requires that prior to the submission of the first reserved matters application an Ecological Design Strategy addressing the ecological enhancement and mitigation across the site based on the EIA should be submitted and agreed with condition 31 of that consent securing a lighting scheme for each phase of the development or part thereof.

An Ecological Design Strategy for the whole site as required by condition 30 has been submitted by the applicant under CON/TH/23/0865 and this was approved on the 29th January 2024 in consultation with KCC Biodiversity. The applicants have also submitted a lighting scheme for phase 1 for agreement as required under condition 31 of the outline application. This application CON/TH/24/0326 is currently under consideration.

KCC biodiversity have reviewed the details submitted with this application and whilst noting that the details in this application were acceptable when compared with the information submitted under CON/TH/23/0685, they recommended that a plan be submitted confirming the location of ecological features to be incorporated into the buildings and site.

Further plans were submitted by the applicant identifying the habitats and the location of bat and bird boxes, log piles and insect hotels proposed for the wider application site including phase 1.

KCC Biodiversity have considered these further plans and consider them acceptable. They request that these plans are included within the construction management plan to ensure that the enhancement features are acceptable. It is, however, noted that these plans were submitted as part of Ecological Design Strategy for the site and have been approved under CON/TH/23/0865.

Therefore, the mitigation and enhancement proposed by the applicant, is considered appropriate for the development to comply with the aims of Policy SP30 and with the approved ecological design strategy.

## **Drainage**

When determining planning applications, Local Planning Authorities should ensure flood risk is not increased elsewhere and only consider development in areas at risk of flooding where, informed by a site specific flood risk assessment that within the site, the most vulnerable development is located in areas of the lowest flood risk and development is appropriately flood resilient and resistant and that any residual risk can be managed and which gives priority to the use of sustainable drainage systems.

The application site lies in flood zone 1 - low probability of flooding - as defined by the Environment Agency flood maps. A detailed flood risk assessment was submitted as part of the outline permission and conditions were applied requiring the submission of a detailed sustainable surface water drainage scheme (Condition 14) and scheme for sewage disposal (Condition 17) prior to the commencement of development.

As outlined in the planning appeal decision, the outline parameter plan “restricts any proposed residential units from being located within the areas at risk of pluvial flooding, with these areas being proposed for open space” with the proposed strategy at outline for surface water drainage utilising an infiltration system with controlled flows into the aquifer. This was concluded to lead to reduced surface water flows in comparison with the current situation where water is able to flow into Tivoli Brook. This reserved matters application conforms with the parameter plan as per the drainage strategy agreed at outline.

KCC Flood and Water Management have reviewed the application and, following the submission of an additional drainage note, calculations and drawings, they are satisfied that the proposed layout will suitably accommodate the drainage scheme. Further information is required regarding the detailed design of the drainage scheme, however this would be submitted as part of conditions 14, 16 and 17 of the outline permission and is not required to be submitted or considered through the reserved matters.

It is, therefore, considered that given the details secured through the outline permission and following the details submitted as part of this application that the proposed layout would make suitable arrangements for surface and foul drainage and would not significantly increase the flood risk within the area.

## **Air Quality**

Condition 29 of the outline permission required an emissions assessment. An assessment has been submitted through a conditions discharge application. This report outlines that this development would generate additional traffic on the local road network, but there will be no significant effects on human health. The provision of electric vehicle charging points, cycle parking and the reduction in congestion provided through the provision of the link road and other highway improvement works as well as the provision on site of open space and landscaping have been considered to contribute to the 'not significant' impact upon air quality. The report concludes that given the overall effect upon air quality, no further mitigation measures are required. This report and its conclusions have been confirmed as acceptable by the Council Environmental Health Team.



Electric vehicle charging points are shown on the parking plan with a total of 138 proposed giving 1 charging point for each dwelling. This would comply with condition 28 of the outline permission, however further details will be required to be submitted prior to the occupation of the respective unit about the type of EVCP. Overall, the amount provided is considered acceptable in accordance with the assessment submitted and discharged via condition, subject to condition.

## **Heritage**

The outline application identified the main heritage considerations to be Shottendane Farmhouse (grade II listed), St John's Cemetery (19th century cemetery with grade II listed gates, gate piers and walls), Shottendane Nursing Home (Grade II), Parish Church of St John the Baptist (grade I) and Salmestone Grange which is a designated Scheduled Monument, along with existing Grade II\* listed buildings. The parameter plan for the outline application (which included areas of retained and new open space as well as location and extent of proposed land use, including the amount of building development) and the Development Framework Plan and Landscape Strategy Plan took account of the impact of the proposed development on these buildings and were found to be acceptable by the Inspector when allowing the appeal. Condition 8 of the outline consent required the submission of a masterplan demonstrating how the development would apply the principles established in the Parameter Plan, the Development Framework Plan and the Landscape Strategy Plan prior to the submission of any reserved matters application. This masterplan has been submitted and approved and has informed this reserved matters application.

The Council's Conservation Officer considers that sufficient open space is provided to limit the harm to the nearby listed buildings and structures and does not object to the application.

The alteration and development of the surrounding agricultural fields for housing and residential uses would result in some harm to the setting of the listed buildings through the introduction of additional built development and intensification of the use of this area. However, they are somewhat separated from the site and with the provision of open space and additional planting is considered to create a sufficient buffer, with the principle of built form in certain areas at a particular scale approved at outline stage. The public benefits of the proposal, from the provision of strategic road infrastructure and the provision of 138 dwellings in an area with an identified need, is considered to outweigh this moderate harm.

## **Archaeology**

Conditions 11, 12 and 13 of the outline application relate to archaeology with condition 11 requiring fencing to be erected around the archaeological exclusion zone prior to any development taking place, condition 12 securing an Archaeological Written Scheme of Investigation to be submitted and approved prior to any development and condition 13 requiring prior to the occupation of any dwelling in each respective phase that a scheme of archaeological interpretation that includes information boards in public open space areas in that phase of the development shall be submitted to and approved in writing by the local planning authority.

The Archaeological Exclusion Zone referred to in condition 11 is located to the south of the application site as set out in OL/TH/20/0847 and is not within or adjoining the phase 1 now under consideration. It is also noted that this condition was reworded via a non material amendment application NM/TH/23/1550 to “No development shall take place in the relevant phase where the area is identified as an Archaeological Exclusion Zone on Parameter Plan no. CSA/4430/122 Rev C is located, until fencing has been erected around the area, in accordance with the details which shall have previously been submitted to and approved in writing by the local planning authority. The temporary fencing shall be retained for the duration of the construction works in that phase, or part thereof. No works shall take place within the Exclusion Zones unless approved in writing by the local planning authority.” It is, therefore, not a consideration for this application.

Phase 1 includes as required an area of open space where archaeological interpretation boards required under condition 13 could be located and it is noted that condition 12 has been part approved with on site archaeological works likely to commence on site in the near future.

Given the above, the impact upon archaeology is considered to be acceptable, and in accordance with Policy HE01 of the Thanet Local Plan.

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

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

The Council undertook a Habitat Regulations Appropriate Assessment with the outline application, and a contribution was secured towards the SAMM to mitigate the harm.

Natural England raised no objections to the assessments and, therefore, the proposed development, subject to the mitigation measures that were secured. In addition, the breeding bird survey undertaken does not identify the presence of any special protection area species on the site in its current condition. Therefore, the development would not adversely affect the integrity of the SPA and Ramsar site subject to the proposed mitigation secured through the outline permission. The application is, therefore, not restricted by the Conservation of Habitats and Species Regulations 2017.

### **Other Matters**

Kent Police have raised comment on the reserved matters submission requiring a condition to Secured by design (SBD) guidance, with specific criteria outlined. Condition 32 of the outline permission required the reserved matters submission to include how the proposed layout meets SPD principles, which the applicant has provided within the design and access statement submitted with the application. An informative drawing attention to the detailed comments provided by Kent Police will be included to ensure the developer is informed of further measures that can be integrated into the detailed construction and final fix of the development.

## Conclusion

This application relates to part of a larger site granted permission on appeal for 450 dwellings (application reference OL/TH/20/0847) which secured the principle of development on this application site. The outline permission also established the access to the site and agreed the required off site highways works. This application for reserved matters requests approval of appearance, landscaping, layout and scale for phase 1 of the larger site 138 dwellings.

The Council has achieved a measurement of 73% for housing delivery against the identified housing targets in the 2022 Housing Delivery test results, which falls below the requirements set by the government under paragraph 79 and footnote 8 of paragraph 11 of the National Planning Policy Framework (NPPF). On this basis the Council are in presumption under paragraph 11 of the NPPF, which means when considering the planning application, planning permission should be granted "unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole or specific policies in this Framework indicate development should be refused".

The level of affordable housing agreed as part of the outline permission has been provided on site, with additional affordable housing indicated, and this would be provided in a suitable mix along with a suitable mix of market housing.

Amended plans have been submitted during the application process to address a number of concerns that have been raised by residents, Councillors and Officers. These plans have altered the arrangement and design of the proposed dwellings to ensure that there is sufficient mix and variety of designs and materials to avoid a significant impact upon the character and appearance of the area and to ensure that both existing neighbouring property occupiers and the proposed residents of the site would have acceptable living conditions.

A linear park and two Local Areas of Play would be provided in this application as well as SUDs basin which is proposed to be sown with wildflower/grasses. Other smaller areas of landscaping are provided throughout the site and trees would line the main road and would be included along the smaller side roads with the additional tree planting and vegetation proposed to the site boundaries.

The highways works were agreed through the outline permission and conditions on the outline permission require the submission of further information regarding these works prior to the commencement of development. The onsite highways arrangements under consideration as part of this application have undergone a number of revisions during the process of this application. The final layout is considered to provide a suitable layout that allows the central link road, part of the Thanet Inner Circuit, to be formed as well as providing access to the new dwellings provided on the site, subject to the detailed design agreement through the conditions on the outline application. There are a variety of pedestrian and cycle routes included throughout the site that provide access to the new dwellings and the wider locality.

Additional information has been provided during the application process to confirm the potential impacts upon drainage and biodiversity in the area. When considering the consultation responses and submission of the applicant, the proposed layout and landscaping would not result in a significantly harmful effect on biodiversity under Policy SP30, with proposed enhancements/mitigations offered considered to be appropriate. Full details of the proposed drainage scheme will be provided prior to the commencement of development, however the consultees are satisfied that a suitable scheme can be achieved within the site.

Following the submission of the amended plans it is considered that this application would provide an acceptable arrangement for the site and would comply with the requirements of the outline permission. When considering the framework as a whole, the proposal constitutes sustainable development, and any harm is outweighed by the significant economic and social benefits from the proposal. The amended development would therefore comply with the Thanet Local Plan, Thanet Transport Strategy and the National Planning Policy Framework, and it is recommended that members approve this application.

**Case Officer**

Annabel Hemmings

Annex 1 – Planning Appeal Decision OL/TH/20/0847

TITLE:

R/TH/23/1032

Project

Land And Buildings On The North West Side Of Shottendane Road  
MARGATE Kent

