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Department for
Communities and
Local Government

Ms Ros Graham
Savills (UK) Ltd
33 Margaret Street
London
W1G 0JD

Our Ref: APP/Z2260/A/14/2213265
Your Ref:

29 October 2014

Dear Madam,

**TOWN AND COUNTRY PLANNING ACT 1990 – SECTION 78
APPEAL BY EAST KENT OPPORTUNITIES AND ROSEFARM ESTATES PLC
AT LAND AT NEW HAINE ROAD, RAMSGATE, KENT CT12
APPLICATION REFERENCE: OL/TH/11/0910**

1. I am directed by the Secretary of State to say that consideration has been given to the report of the Inspector, Robert Mellor, BSc DipTRP DipDesBEnv DMS MRTPI MRICS, who held a public local inquiry on 19 and 20 August 2014 into your clients' appeal against the decision of Thanet District Council (the Council) to refuse outline planning permission for mixed-use development for up to 550 dwellings; up to 63,000m² class B1 (business) floorspace and sui generis use; a new local centre comprising up to 2,000m² convenience retail (Class A1, A2 and A3), community centre facilities up to 1,000m² (class D1/D2) and community healthcare up to 1,200m² (Class D1) and associated highway works as first described in planning application number OL/TH/11/0910 dated 9 November 2011.
2. On 21 February 2014, the appeal was recovered for the Secretary of State's determination, in pursuance of section 79 of, and paragraph 3 of Schedule 6 to, the Town and Country Planning Act 1990, because it involves a proposal for residential development of over 150 units on a site of over 5 hectares, which would significantly impact on the Government's objective to secure a better balance between housing demand and supply and create high quality, sustainable, mixed and inclusive communities.

Inspector's recommendation and summary of the decision

3. The Inspector recommended that the appeal be allowed. The Secretary of State agrees with the Inspector's analysis and he has decided to allow the appeal and grant outline planning permission, subject to conditions. A copy of the Inspector's report (IR) is enclosed. All references to paragraph numbers are to that report.

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Procedural Matters

4. In reaching this position the Secretary of State has taken into account the Environmental Statement which was submitted under the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations and the Further Environmental Information which was submitted following the amendment of the application to include a special educational needs school. Having had regard to the Inspector's comments at IR86, the Secretary of State is content that the Environmental Statement complies with the above regulations and that sufficient information has been provided for him to assess the environmental impact of the application.
5. Having had regard to the Inspector's remarks at IR1-4, the Secretary of State has determined the appeal on the basis of the revised description set out at IR4. He is satisfied that no party has been prejudiced by this approach.

Policy Considerations

6. In deciding this appeal, the Secretary of State has had regard to section 38(6) of the Planning and Compulsory Purchase Act 2004, which requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. In this case, the development plan comprises the saved policies of the Thanet Local Plan 2006 (the LP) and the Secretary of State agrees with the Inspector (IR13) that whilst the Statement of Common Ground lists 19 relevant policies, the most pertinent to the principle of the site's development are EC1, EC12 and H1.
7. Having had regard to the Inspector's remarks about the emerging plan (IR20-23), the Secretary of State agrees with him that the Issues and Options Paper published in 2013 carries little weight at this stage (IR23).
8. Other material considerations which the Secretary of State has taken into account include the local evidence documents listed by the Inspector at IR24; the National Planning Policy Framework (the Framework); the Planning Practice Guidance (the Guidance); the Community Infrastructure Levy (CIL) Regulations; and *PPS5 Planning for the Historic Environment Practice Guide*.
9. In accordance with section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the LB Act), the Secretary of State has paid special regard to the desirability of preserving those listed structures potentially affected by the scheme or their settings or any features of special architectural or historic interest which they may possess.

Main issues

10. The Secretary of State considers that the main issues in this case are those set out by the Inspector at IR89.

Housing Need

11. The Secretary of State had given careful consideration to the Inspector's remarks at IR90 – 94, including the fact that the Council accepts that it cannot now demonstrate that there is a 5 year supply of housing land (IR94). The Secretary of State sees no reason to disagree with the view of the Council and the Inspector that LP Policy H1

must therefore be regarded as out of date in terms of its ability to provide sufficient housing land to achieve a 5 year supply (IR94). The Secretary of State has had regard to the fact that the appeal site is greenfield, that it is within the built-up area and that it has already been allocated for other built development by LP Policy EC1 (IR95). Like the Inspector, the Secretary of State concludes that the provision of housing, including family and affordable dwellings, and the school and community facilities, would all contribute positively to the social role of sustainable development and that the activity of developing the site would also contribute to the economic role (IR97). He agrees that the need for housing and the lack of a 5 year supply of housing land outweighs the literal conflict with LP Policy H1, which is out of date in this respect (IR97).

Employment

12. For the reasons given by the Inspector at IR98 – 100, the Secretary of State concurs with his view that, in terms of the Framework, there is no reasonable prospect of securing B2 and B8 development at this location and that the LP policies are out of date in that regard (IR100). He endorses the Inspector's conclusions that the slow and partial take up of this site for B2 and B8 development, the continued availability of other employment land for those purposes and the economic benefits from the retained B1 provision support a mixed development such that the land no longer need be protected by the development plan for solely employment use (IR102)

Environment

13. The Secretary of State agrees with the Inspector's analysis and with his views that the loss of greenfield agricultural land is outweighed by other considerations in this case (IR103) and that the planning obligation should provide adequate mitigation and avoid a significant effect arising from the development (IR104).
14. Turning to the four Grade II listed buildings close to Haine Road and to the west of the site, the Secretary of State has given very careful consideration to the Inspector's reasoning at IR105 – 108. He shares the Inspector's view (IR109) that the setting of the four GII listed buildings to the west of the site would not be preserved and that the harm to setting and significance could not be fully mitigated and that, having regard to his statutory duty under the LB Act, this is a matter which carries considerable weight against the appeal proposal. However, in common with the Inspector he considers that the residual harm after mitigation would be limited in extent and at most only moderate in the sense that there would be a change in setting leading to a slight loss of heritage significance (IR109).

Infrastructure

15. The Secretary of State has given careful consideration to the Inspector's comments on the submitted planning obligation and infrastructure at IR85 and IR110 – 113 and to the Councils' remarks at IR49. With regard to the planning agreement between Thanet District Council, Kent County Council, East Kent Opportunities LLP and Rosefarm Estates PLC dated 20 August 2014, he agrees with the Inspector that, provided the contributions for youth services and adult learning are not put to staff costs, the proposal is in accord with LP Policy CF1 and the Framework and that the relevant provisions of the agreement accord with Regulation 122 of the CIL Regulations (IR111). Like the Inspector (IR113), he is satisfied that the proposal is in general accord with relevant provisions of the development plan and the Framework in respect

of traffic and transport and that the residual highways impacts after mitigation would not be "severe" in terms of paragraph 32 of the Framework.

Other Matters

16. The Secretary of State agrees with the Inspector's remarks at IR114 -117. He sees no reason to disagree with the Inspector's analysis about the time to be allowed for commencement of development and for the submission of reserved matters (IR15).

Conditions and Obligations

17. The Secretary of State has had regard to the Inspector remarks at IR83-84 and IR115 and IR117, the schedule of conditions in the IR, the Framework and the Guidance. He is satisfied that the conditions recommended by the Inspector comply with policy set out in paragraph 206 of the Framework.
18. The Secretary of State has commented on the planning obligation at paragraph 15 above. Having given careful consideration to the submitted obligation, the Inspector's remarks at IR85 and IR110– 113, the Framework and the Guidance, he is satisfied that the provisions set out in the obligation accord with the CIL Regulations and with paragraphs 203 – 205 of the Framework.

Planning Balance and Conclusions

19. The Secretary of State agrees with the Inspector's overall conclusions at IR118 – 120. Like him (IR118), the Secretary of State concludes that the moderate harm to the setting of nearby listed buildings merits considerable weight, but that this harm is limited and is in fact outweighed by the scheme's significant benefits which also merit considerable weight. He agrees with the Inspector that the proposal is in conflict with LP Policies H1, EC1 and EC12 (IR119). However, like the Inspector and the Council (IR119), he considers these policies to be out of date in relevant respects. Turning to paragraph 14 of the Framework, the Secretary of State shares the Inspector's view that there are no adverse impacts in this case that significantly and demonstrably outweigh the benefits of the development (IR120). Overall he is satisfied that the scheme amounts to sustainable development and that planning permission should be granted.

Formal Decision

20. Accordingly, for the reasons given above, the Secretary of State agrees with the Inspector's recommendation. He hereby allows your client's appeal and grants outline planning permission for mixed-use development for up to 550 dwellings; up to 54,550m² Class B1 (business) floorspace; car showroom of up to 8,151m²; a new local centre comprising up to 2,000m² Class A1 (Shops), Class A2 (Financial and Professional Services) and Class A3 (Cafes and Restaurants), community facilities up to 5,000m² (Class D1/D2) and community healthcare up to 1,200m² (Class D1), and associated highway works, subject to the conditions listed at Annex A of this letter.
21. An applicant for any consent, agreement or approval required by a condition of this permission for agreement of reserved matters has a statutory right of appeal to the Secretary of State if consent, agreement or approval is refused or granted conditionally or if the Local Planning Authority fail to give notice of their decision within the prescribed period.

22. This letter does not convey any approval or consent which may be required under any enactment, bye-law, order or regulation other than section 57 of the Town and Country Planning Act 1990.

Right to challenge the decision

23. A separate note is attached setting out the circumstances in which the validity of the Secretary of State's decision may be challenged by making an application to the High Court within six weeks from the date of this letter.

24. A copy of this letter has been sent to Thanet District Council. A notification letter or e-mail has been sent to all other parties who asked to be informed of the decision.

Yours faithfully

Christine Symes

Authorised by Secretary of State to sign in that behalf

SCHEDULE OF CONDITIONS

Time and Reserved Matters conditions

1. Approval of the details of the layout, scale and appearance of any buildings to be erected, the means of access to the site and the landscaping of the site, (hereinafter called 'the reserved matters') shall be obtained from the Local Planning Authority in writing before any phase of the development is commenced.

REASON: As no such details have been submitted.

2. Plans and particulars of the reserved matters referred to in Condition 1 above, shall be submitted in writing to the Local Planning Authority and the development shall be carried out in accordance with the plans and particulars as approved in writing

REASON: In accordance with Section 92(2) of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

3. Any application for approval of the reserved matters for the first Phase of the development shall be made to the Local Planning Authority before the expiration of 3 years from the date of this permission. Any application for approval of the reserved matters for any remaining phases shall be made to the Local Planning Authority before the expiration of 5 years from the date of this permission.

REASON: In accordance with Section 92(2) of the Town and Country Planning Act 1990.

4. Each phase of the development shall be begun within two years of the date of approval of the final reserved matters to be approved for that phase.

REASON: In accordance with Section 92(2) of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

5. The reserved matters submitted in accordance with Condition 1 shall include the following details to the extent that they are relevant to the reserved matters application in question:-

A. Layout

- i. the layout of routes, buildings and spaces;
- ii. the block form and organisation of all buildings;
- iii. the locations and plan form of non-residential buildings;
- iv. the distribution of market and affordable dwellings within that phase including a schedule of dwelling size (by number of bedrooms and floorspace);
- v. the location of dwellings designed to seek to meet the Council's Lifetime Homes guidance;
- vi. full details of the approach to vehicle parking including the location and layout of visitor parking and parking for people with disabilities for each building type together with details of the design approach for access points into, and the ventilation of, any under croft parking;

- vii. full details of the approach to cycle parking including the location, distribution, types of rack, spacing and any secure or non-secure structures associated with the storage of cycles and the location and form of open areas.

B. Access

The access and circulation of modes of travel within the relevant phase or sub-phase, the design of roads and paths and junction layout including the provision of footpaths and cycleway.

C. Scale and Appearance

Scale, form and appearance of the architecture within each phase, in accordance with the design and scale parameters established within the parameter plans and detailed Masterplan to be approved under Condition 7, including frontage design and public/private realm definition and boundary treatments

D. Public Open Spaces

The extent, layout and specification of public open spaces, in accordance with the detailed Masterplan to be approved under condition 7 and including details of street furniture and play space, accompanied by a management plan showing how the relevant areas of public open space are to be laid out, paved, planted, equipped and maintained together with a timetable for their implementation.

E. Landscaping

The landscape design and specification of hard and soft landscape works within each phase, including detailed surveys of all trees, shrubs and hedges on the application site, giving details of all trees of having a trunk diameter of 75mm or more to include species type, spread of crown, height, diameter of trunk and condition assessment, details of existing trees, shrubs and hedges to be retained and details of new trees, shrubs, hedges and grassed areas to be planted, together with details of the species and method of planting to be adopted, details of walls, fences, other means of enclosure proposed, and arrangements to be made for the permanent maintenance of landscaped areas in accordance with the Landscape Management Plan and Specification to be approved under condition 1.

REASON: In the interests of achieving sustainable development, in accordance with Thanet Local Plan Policy D1, and the principles within the National Planning Policy Framework.

- 6. The application site to which this permission applies is that defined by Drawing WIPL 145486 Fig 1.2 and dated 12 July 2011. The submission of reserved matter applications pursuant to this outline application shall have regard to the principles of the following Parameter Plans received by the Council on 24 September 2013 and the text set out on those Plans to illustrate the development principles:-

- PP001 - Illustrative core block structure
- PP002 - Illustrative land use mix concept
- PP001 - Illustrative strategy for development scale
- PP003 - Illustrative landscape and open space strategy

PP004 - An integrated and accessible local centre
PP005 - Illustrative street types strategy

REASON: For the avoidance of doubt and in the interests of achieving sustainable development, in accordance with Thanet Local Plan Policy D1, and the principles within the National Planning Policy

Masterplan & Site Wide Strategies

7. No application for the approval of reserved matters in respect of any phase of the development shall be made unless or until a Masterplan, a Phasing Plan and a Landscape Masterplan for the entire development have first been submitted to and approved in writing by the Local Planning Authority
 - a. The Masterplan shall include or be accompanied by details plans and particulars in relation to the following matters:
 - i. A land uses general layout parameter plan;
 - ii. Densities and building heights parameter plans (which shall substantially accord with Illustrative strategy for development scale numbered PP001 dated received 24 September 2013 and letter received 9 September 2013),
 - Zone A 38-48dph
 - Zone B 35-38dph
 - Zone C 25-35dph
 - iii. Indicative number of units and mix (no. of bedrooms) of residential dwellings in each phase;
 - iv. Road layout and hierarchy for the key estate roads within the development;
 - v. Proposed principal pedestrian and cycle links within the site and linking it to its surround environs including to the Newington Estate;
 - vi. The potential location (or potential locations) for the local centre and any community building within the development.
 - b. The Landscape Masterplan shall:
 - i. identify the approximate location of the main areas of formal and informal open space to be provided within the development;
 - ii. outline the local playspace to be provided within the development and the proposed distribution of play areas within the development and
 - iii. a include proposed programme for its delivery linked to the development phases. Such playspace shall be provided at a rate of 0.7 hectares per 1000 population (criteria as stated in Thanet Local Plan 2006 Policy SR5) of which no less than 36% of the area shall be equipped play space;
 - iv. outline a network of native tree planting.
 - v. include a Surface Water Drainage Strategy (including an assessment of the hydrological and hydro geological context of the development, and details of the implementation, timetable, management of Sustainable Urban Drainage Systems across the site);

- vi. include a Water Infrastructure Strategy, outlining site wide provision;
 - vii. include a Green Infrastructure Strategy which shall provide details of the green corridor to be provided through the site along with any further proposals for mitigation in line with the document "*Proposed Mitigation Measures for the potential effects of increased recreational pressure*" dated 4 October 2013 along with a programme for their delivery linked to the development phases
- c. The Phasing Plan shall show the proposed development phases and any sub-phases
 - d. All reserved matters submissions shall accord with the Masterplan, the Phasing Plan and the Landscape Masterplan as approved by the Local Planning Authority. Any references to a phase of the development within this permission shall be taken to be a reference to phases as identified on the approved phasing plan submitted under this condition.

REASON: In the interests of achieving sustainable development, in accordance with Thanet Local Plan Policy D1, and the principles within the National Planning Policy Framework.

Archaeology

- 8. No development shall take place on each respective phase as approved under Condition 7 until the applicant, or their agents or successors in title, has secured the implementation of:
 - a. archaeological field evaluation works in accordance with a specification and written timetable which has first been submitted to and approved in writing by the Local Planning Authority; and
 - b. following on from the evaluation, any safeguarding measures to ensure preservation in situ of important archaeological remains and/or further archaeological investigation and recording in accordance with a specification and timetable which has been submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure that due regard is had to the preservation in situ of important archaeological remains in accordance with advice in the National Planning Policy Framework.

Drainage

- 9. No development shall take place on each phase as approved under Condition 7 until details of the means of foul and surface water disposal have been submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with such details as are agreed and thereafter maintained.

REASON: To prevent pollution in accordance with Thanet Local Plan Policy EP13 and guidance contained within the National Planning Policy Framework.

10. No development shall take place on each respective phase until a surface water drainage scheme for that phase, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development and including details of how the scheme shall be maintained and managed after completion, which shall integrate with the Surface Water Drainage Strategy approved in Condition 7, has been submitted to and agreed in writing by the Local Planning Authority for that phase. The scheme shall be subsequently implemented within each phase of the development in accordance with the approved details.

REASON: To prevent the increased risk of flooding, in accordance with the National Planning Policy Framework.

11. No development shall take place on each respective phase as approved under Condition 7 until details of the proposed water infrastructure plans for that phase have been submitted to, and approved in writing by, the Local Planning Authority. The development shall be carried out in accordance with such details as are agreed and thereafter maintained.

REASON: To prevent pollution in accordance with Thanet Local Plan Policy EP13 and guidance contained within the National Planning Policy Framework.

Contamination

12. If, during development, significant contamination is found or caused at the site, then this contamination shall be fully assessed and an appropriate remediation scheme agreed with the Local Planning Authority. The approved works shall be implemented within a timetable approved by the Local Planning Authority and shall be of such a nature as to render harmless the identified contamination given the proposed end use of the site and surrounding environment, including controlled waters.

REASON: To ensure that the proposed development will not cause harm to human health or pollution of the environment, in accordance with the advice contained within the National Planning Policy Framework.

Highways

13. Details pursuant to Condition 1, insofar as they relate to each respective phase of development, shall include proposed roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, accesses, carriageway gradients, driveway gradients and street furniture, and shall be laid out and constructed in accordance with those details as submitted to, and approved by, the Local Planning Authority.

REASON: In the interests of highway safety and to ensure the proper development of the site without prejudice to the amenities of the occupants.

14. Details pursuant to Condition 1, insofar as they relate to each respective phase of development, shall include adequate details of the areas reserved for vehicle loading and unloading, vehicular parking spaces and/or garages, and manoeuvring and turning facilities, and shall be provided in accordance with standards to be agreed with the Local Planning Authority. Such facilities as approved shall be

constructed and made available for use prior to the occupation of the units for which it is provided (by phase) to meet relevant parking and layout standards for each individual phase of development, and thereafter shall be retained for their approved purpose.

REASON: In the interests of highway safety and traffic flow, in accordance with Thanet Local Plan Policy TR16.

15. Details pursuant to Condition 1, insofar as they relate to each respective phase of development, shall include the provision of adequate secure covered cycle parking facilities within the site, in accordance with standards to be agreed with the Local Planning Authority. Such facilities as approved shall be made available for use prior to the occupation of the units for which it is provided (by phase) to meet relevant parking and layout standards for each individual phase of development, and thereafter shall be retained for their approved purpose.

REASON: In the interests of highway safety and to facilitate the use of alternative means of transport, in accordance with Thanet Local Plan Policy TR12.

16. Details pursuant to Condition 1, insofar as they relate to each respective phase of development, shall include the vehicular and pedestrian sightlines for all new junctions and accesses in accordance with standards to be agreed with the Local Planning Authority. The occupation of the part of the development served by the respective access shall not commence until the approved sightlines have been provided and they shall thereafter be retained from of obstruction.

REASON: In the interests of highway safety.

17. Details pursuant to Condition 1 above shall include the provision of a means of access for pedestrians and cyclists within each phase. No building within that phase shall be occupied until these are constructed and ready for use in relation to each phase.

REASON: In the interests of highway safety and to facilitate the use of alternative means of transport, in accordance with Thanet Local Plan Policies TR11 and TR12.

18. No development shall take place on each respective phase as submitted under Condition 7, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority for that phase. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for and include:
- a. the parking of vehicles of site operatives and visitors
 - b. construction vehicle loading/unloading and turning facilities
 - c. loading and unloading of plant and materials
 - d. storage of plant and materials used in constructing the development
 - e. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
 - f. wheel washing facilities and their use

- g. measures to control the emission of dust and dirt during construction a scheme for recycling/disposing of waste resulting from demolition and construction works
 - h. a Construction Environment Management Plan, including details of construction time, enclosures for noise emitting equipment, and siting of stationary, noisy, or vibrating plant equipment.
19. No residential dwelling or building intended to take access from that road shall be occupied until the carriageways of the proposed roads have been laid out and constructed up to and including at least road base level.

REASON: In the interests of highway safety and to ensure the proper development of the site without prejudice to the amenities of the occupants.

20. No more than 90% of the units within each phase shall be occupied until the carriageways, footways, shared surfaces, footpaths and cycleway serving that phase have been completed with final surfacing, unless the road is an identified construction route in which case the final surfacing shall be completed within 1 month following the cessation of use of that road as a construction route.

REASON: In the interests of highway safety and to ensure the proper development of the site without prejudice to the amenities of the occupants.

Landscaping, Open Space and Play Areas

21. Not to commence the development on any phase until such time as a Landscape Management Plan and Specification for that phase has been submitted to and approved by the Local Planning Authority detailing:
- a. The precise location and boundaries of the areas of formal and informal open space to be provided within the Phase and timetable for their delivery which shall be substantially in accordance with the approved Landscape Masterplan and its Green Infrastructure Strategy;
 - b. A landscape management plan for those areas including long term design objectives, details of who is to have ongoing management responsibilities for the area and how those arrangements will be secured in perpetuity and maintenance schedules for all landscaped, open space and play areas;
 - c. A detailed specification for any equipped play areas to be provided within the Phase in accordance with the Landscape Masterplan.
 - d. A detailed scheme of native tree planting across the site.

The Landscape Management Plan and Specification shall be implemented and adhered to as approved subject to any minor revisions thereto as may be approved in writing by the Local Planning Authority. The public open spaces shall be laid out and implemented in accordance with the agreed timetable and shall be

permanently retained thereafter in accordance with the management plan and used for public amenity purposes only.

REASON: In the interests of the visual amenities of the area and to adequately integrate the development into the environment, and provide local playspace, in accordance with Policies D1, D2 and SR5 of the Thanet Local Plan, and guidance within the National Planning Policy Framework.

22. All hard and soft landscape works shall be carried out in accordance with the approved Landscape Management Plan and Specification. The works shall be carried out prior to the occupation of any part of the phase of the development to which it relates, or in accordance with a programme of works to be agreed in writing with the Local Planning Authority. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size and species, unless the Local Planning Authority gives any written consent to any variation.

REASON: In the interests of the visual amenities of the area and the interests of bio-diversity and ecological potential, and to adequately integrate the development into the environment, in accordance with Policies D1 and D2 of the Thanet Local Plan and the National Planning Policy Framework.

Wildlife

23. The Green Infrastructure Strategy as approved under Condition 7 shall be implemented as approved subject to any minor revisions thereto as may be approved in writing by the Local Planning Authority. Any green infrastructure shall be laid out and implemented in accordance with the agreed timetable and shall be permanently retained thereafter in accordance with the Landscape Management Plan.

REASON: In the interests of bio-diversity and ecological potential, and to adequately integrate the development into the environment, in accordance with Policies D1 and D2 of the Thanet Local Plan and the National Planning Policy Framework.

24. No development shall commence unless and until a scheme for the offsetting of bio-diversity impacts, including farmland birds, has been submitted to and agreed in writing by the Local Planning Authority. The offsetting scheme shall include:
- a. Details of the offset requirements of the development;
 - b. The provision of arrangements to secure the delivery of the offsetting measures (including a timetable for their delivery); and
 - c. A management and monitoring plan (to include for the provision and maintenance of the offsetting measures in perpetuity).

The scheme shall be designed to offset site level biodiversity impacts or to contribute to the strategic offsetting approach currently in development through the Local Plan, and shall be implemented and maintained as agreed.

REASON: In the interests of preserving and enhancing bio-diversity and ecological potential, and to adequately integrate the development into the environment, in accordance with Policies D1 and D2 of the Thanet Local Plan and the National Planning Policy Framework.

Building work

25. No phase of development shall commence until details and samples of the materials to be used in the construction of the external surfaces of the development permitted in that phase have been submitted to, and approved in writing by, the Local Planning Authority. The development shall be carried out using the approved materials.

REASON: In the interests of visual amenity in accordance with Policy D1 of the Thanet Local Plan.

26. The construction of any phase which includes development fronting the A256 hereby shall not commence until a scheme for protecting the units from noise from the A256 has been submitted to, and approved in writing by, the Local Planning Authority. Unless otherwise agreed, in writing, by the Local Planning Authority such a scheme must demonstrate that the guideline noise levels from Tables 5 and 6 of BS8233:1999 can be achieved. Those parts of the development fronting the A256 shall not be occupied until all works which form part of the approved scheme shall be completed before. The works implemented shall thereafter be retained.

REASON: In the interests of the amenities of residential dwellings in close proximity to the A256 Haine Road, in accordance with National Planning Policy Framework paragraph 17.

Uses

27. No less than 60% of the total number of dwellings within the development shall be a mix of 3, 4 and 5-bedroom houses.

REASON: To ensure the provision of a mix of house sizes and types to meet a range of community needs, in accordance with Policy H8 of the Thanet Local Plan.

28. Subject also to the provisions of Condition 32 below, the development shall provide for not more than 550 dwellings and the gross floorspace provision across the development for other purposes shall not exceed that stated below:

A1 (Shops), A2 (Financial and Professional Services), A3 (Restaurants and Cafes)
– 2,000sqm,

Special Educational Needs School – 4,500sqm

Other D1 Community facilities – 500sqm

Community healthcare D1 - 1,200sqm

B1– 54,550sqm

Car Showroom – 8,151sqm

REASON: In the interests of certainty as to what is permitted.

29. Each residential phase of the development shall not commence until the identification in that phase of a minimum of 15% of housing to lifetime home and wheelchair standards and the specification of such dwellings has been submitted

to and approved in writing by the Local Planning Authority respective phase of development.

REASON: To meet the housing needs of the community in accordance with Policy H8 of the Thanet Local Plan 2006.

30. Any school use within the development shall be restricted to that of a school for special educational needs with associated or ancillary residential component.

REASON: To ensure the development does not prejudice the surrounding area in terms of traffic and environmental impacts, in accordance with the National Planning Policy Framework.

SEN conditions

31. The development to which this planning permission relates so far as it permits the construction of a Special Educational Needs School shall not be implemented if any part of the development for which planning permission was granted by Kent County Council on 16 July 2014 pursuant to planning application reference no. TH/14/475 is begun. Should that development be begun, the quantum of community facilities permitted under this permission shall be limited to 1,200 sq m of community healthcare (class D1) and 500sqm of other community facilities (class D1).

REASON: In the interests of certainty and to avoid the duplication of facilities and an increase in peak hour traffic movements above forecast levels.

32. Notwithstanding the description of the development and the floorspace limitations set out in condition 28, should the Special Educational Needs School be delivered on the site either pursuant to this planning permission or pursuant to the planning permission granted by Kent County Council on 16 July 2014 pursuant to application no. TH/14/475, then the quantum of development shall be reduced to a level where no more than 644 AM vehicle trips can be expected to be generated. For the purposes of calculating whether no more than 644 AM vehicle trips can be expected to be generated by the quantum of development it shall be assumed that:
- a. 10 dwellings comprised in the development generate 3 trips;
 - b. 110sqm of non residential floorspace comprised in the development generates 1 trip.

REASON: To ensure the development does not prejudice the surrounding area in terms of traffic and environmental impacts, in accordance with the National Planning Policy Framework.