

Independent Examination of the Thanet Local Plan

Inspectors' Matters, Issues and Questions for examination

A response from R H Jaffa, to the allocation in the Thanet Local Plan of 24 houses on land adjacent to the village Conservation Area (Land formerly used as Club Union Convalescent Home) directly behind my home, one of four grade 2 listed cottages, collectively known as 'Convent Cottages.'

Before looking specifically at the Matters, Issues and Questions for examination, it is important to sketch a brief history of the village. It is a historic part of Thanet and was founded more than 300 years ago by Flemish people escaping religious persecution in their homeland. It also became a notorious smugglers den in the eighteenth and nineteenth centuries, when the smuggler Joss Snelling, who lived in the village, became so famous that as a ninety year old man he met Queen Victoria! More importantly, in the context of the Thanet Local Plan, is that the village has the highest number of Listed Buildings (18) in the smallest distance of anywhere in Thanet. The houses are crammed within a conservation area that dissects the village and include visually appealing buildings which are not listed, such as the local village school which is dated 1866.

Some twenty years ago a developer bought the land that formerly housed the convalescent home. He knocked it down and has tried to obtain planning permission for a number of plans, including an old people's home, flats, and houses. He did obtain permission for 13 to be built. But this has now lapsed. He recently made a small addition to the land he originally bought and submitted a plan for 34 houses. This was negotiated down by Thanet District Council (TDC) Planning Officers 30. When this plan came before the planning committee it was unanimously rejected. The developer appealed. His appeal against that decision was rejected by Planning Inspector S M Holden BSc MSc CEng MICE, TPP FCIHT MRTPI on 22nd August 2017. The developer then came back with a plan for 25v houses on the site. This was soundly rejected at a planning committee and he is now appealing that decision. As far as villagers are concerned, none of the reasons for the Planning Inspector rejecting his previous appeal had been addressed in the plan rejected by the TDC planning committee.

I will not go further into the specifics of our case which we will put to another planning inspector. But will concentrate my attention on challenging (within the confines, I hope, of the Matters, Issues and Questions, for examination) of the allocation of 24 houses on this controversial development land.

It is interesting to note though in Planning Inspector S M Holden's appeal decision document dated 22nd August 2017 para 14. "I note that this site is allocated for a notional thirteen dwellings in the Emerging Draft Local Plan." In point 15, the Inspector goes further, stating that the "Site has been extended and additional access has been achieved. These changed circumstances appear to provide an opportunity for a different, more creative approach to the overall layout. Instead, the current scheme proposes amendments and an 'add-on' to the now lapsed proposal for 13 dwellings. The proposal would therefore appear to be two separate developments, unrelated to the surrounding street scene, rather than an extension to the village with its own sense of identity." The current plan is similarly flawed.

Returning to Inspector's Matters, Issues and Questions re TDC Local Plan, I believe that with regard to Issue 2 – Public Consultation, it is clear that TDC has failed to communicate the switch to a 24

house allocation on this site from an allocation for 13 dwellings. The Planning Inspector was clearly not aware of it. Local residents have not been informed, nor have we received any leaflets or notices of any kind. Even our local councilor, who is member of the TDC planning committee, was surprised at the 24 dwelling allocation. It is surprising given the history of planning applications on this site that the council's planning department did not feel it necessary to actively engage residents over this. However, TDC planning officers have constantly supported the developer's plans whilst giving local residents the shortest possible time in which to respond.

On the subject of Issue 4, Affordability: It has become clear that on this site affordability seems to be an issue. One councilor, when rejecting the plan for 25 houses on the site, said: "How can four bedroom houses be affordable?" In the plan the majority of houses on the site are now 4 bedroom dwellings; all affordable housing is on the western or Convent Road part of the site with all five bedroom houses in the eastern or Reading Street part of the development.

Re Issue 6, Housing requirement. I would argue here that the requirement in Thanet is not for 4 or 5 bedroom houses but for affordable 3 bedroom houses.

Re Matter 3 and a definition of affordable housing, I believe that the term affordable housing is too elastic and urgently requires defining. It currently allows both developers and planning officers to point to affordable housing in planned developments when commonsense tells local residents that these houses will sell for upwards of five hundred thousand pounds and more. They will be out of the reach of most people who struggle to afford their own home.

Matter 4. Spatial Strategy (Policies SP12, SP21, HO1, HO10, HO11 and HO18)

Issue 1. Settlement Hierarchy and Housing Distribution.

Q1. Does the Plan set out a hierarchy of settlements where new development will be directed towards? If so, is it clear to decision makers, developers and local communities?

My answer to this question would be that it does not. The reason for this is clear, in a leaflet currently being delivered by the Conservatives in Thanet. It illustrates a six point plan for Thanet. Point 6 is headed: Protect the Manston Airport site and build homes in the right places. "We're honoring our pledge to protect the Manston Airport site whilst making sure that the new homes are built in the right areas, with the roads, schools and health care facilities they need."

Clearly protecting the Manston Airport Site is a politically motivated move that is not founded on a realistic social and economic assessment of what is needed in the area or what is possible. Every attempt to make the airport profitable has resulted in failure. Expert consultants have said that it cannot be rescued. Even so politicians refuse to accept the reality. They continue to mothball the airport and because of this they have to come up with a TDC Local Plan which looks for ways to build the required land without touching the airport. Alongside this they say that up to 10,000 jobs will be created if the airport 'flies' again. All this is nonsense. The result of this is keenly to be felt in historic areas like Reading Street where shoddy development is to be allowed, destroying communities and historic areas that could attract tourists for generations to come if they were left alone, but are now hostage to the ego of politicians who cannot admit they are wrong.

Q2. How have the main urban areas of Margate, Ramsgate, Broadstairs and Westwood been defined? Do they represent a single urban area where the majority of new development is concentrated?

I do not see evidence that they have. Again everything is skewed to keep the Manston Airport site itself from housing development. Yet if you look at the settlements, Margate, Ramsgate and Broadstairs are the historic areas of Thanet, where historic buildings, their views and views of them as well as coastal amenities should be nurtured and protected. Westwood, with its housing and Retail Park and Manston certainly do not have a history in the same way and could, with the proper planning and design, create larger, integrated and sustainable communities given the go ahead, imagination and adequate resourcing. Why destroy rather than create? That is what will happen that for a short term gain – to protect the airport – TDC planners are recklessly putting Thanet's historic settlements, buildings and heritage assets at risk, something that once it is destroyed can never be reclaimed.

Q6. Is the distribution of development consistent with the Framework's Core Planning Principles, which, amongst other things, seeks to actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling and focus significant development in locations which are, or can be, made sustainable?

Based on our experience in Reading Street, I would say they are not. Most, if not all, of the data relied upon by planning officers is supplied by developers and their consultants. Some is also supplied by Kent County Council and outside bodies. Often such information is incorrect. Never do the TDC planning officers check this information. Also, information is rarely updated. In a fast moving world the parallel universe of planning seems to take past results as indicative of the present if not the future. I will give you a few examples from Reading Street to illustrate what I believe to be a significant issue locally and probably nationally.

Throughout documents from the developer and his consultants for plans on 30 houses they proposed on the Credit Union site, there was reference to a difference in height between the development land and the land on which Convent Cottages had been built. The developers said that the cottages were 0.8m lower than the site. Residents believed it was much more. The council's planning officers stuck with the 0.8m figure but as far as I am aware made no attempt to verify this. In my view it is lazy to accept everything that a developer is telling them without verifying it; most people would suggest that either mistakes can be made or that it is in the financial interests of the developer and his or her consultants to create a rosy picture of what they are planning. A group of residents produced our own measurement of approximately 1.6m.

In the Appeal Decision, Inspector S M Holden noted in point 19. "From what I saw on my site visit, the difference in levels appeared to be closer to the 1.6m suggested by local residents than the 0.8m suggested by the appellants."

This is not the only issue. Kent County Council (who are responsible authority re traffic) constantly underestimate traffic issues in the village which will worsen with any development. I am told they rarely visit Reading Street, relying on outdated traffic flows given them by the developer and when

they do look at the central road through the village (which is also called Reading Street) they do so on Google Earth. This is why they have been known to say that the street could be widened! Local residents know this is impossible because the road is narrow and the many Listed Buildings are very close to the road. There is no footpath which runs on both sides of the road for its full length and parked cars create a problem, because many of the houses have no off street parking. Such residents and visitors are forced to park on the narrow road.

It should be a duty on council planners to verify statements made by developers. Surveys of traffic flows and traffic incidents should be constantly up dated. In the narrow street of Reading Street, one householder has had her wall knocked down seven times by cars ploughing into it. Still KCC say there are no traffic problems in Reading Street. Now residents fear an influx of tourists parking in Reading Street to go to the beach nearby, as Joss Bay. Thanet District Council plan to charge visitors to park in the road leading down to the beach and we fear those who do not want to pay will flood the village with their cars this summer.

Finally, on this point, I would argue that the Credit Union development proposed will not be sustainable in the sense of making the fullest possible use of public transport, walking and cycling. The site is actually two sites with an unadopted road and no street lighting; with two exits, one in Convent Road and the other in Reading Street. The two roads into the site do not connect. According to Inspector S M Holden in the Appeal Decision document point 13: "Furthermore, the pedestrian link through the site would appear to serve little purpose other than attempting to connect two very different forms of development. In reality there would be inadequate functional, visual or social links between the two areas, making it difficult to integrate them with each other or with the surrounding area."

In addition, we currently have only one bus service from near the development land and this is under threat. We did have a village shop and post office, but the owner has turned part of that into a private dwelling that he is attempting to sell. He wants to do the same to the other part of the property but TDC have rejected his proposal on the ground this is a community asset. We have tried to make contact to see if we can have a community shop but so far he has not wanted to speak to us. So, clearly the people who might live on this estate will, in the majority of cases, have to use their car to go shopping or into other parts of Thanet and beyond.

Matter 5, Strategic sites

Issue 2 Manston Green.

In my view the issue here is again the politicization of decision making. The allocation of housing in Thanet is clearly dominated by a macabre obstinacy over zoning the defunct Manston Airport for mixed development, including housing. Manston Green is a product of this befuddled thinking and should be reconsidered in the light of allowing development on Manston Airport itself.

Matter 10 Economic Development (Policies SPO2-SPO4 and EO1-EO3)

Q1 Is the target of 5000 additional jobs justified? How has this been calculated and how much of this will be achieved for development proposals in the Plan?

In my view all claims about job creation linked to housing and development need to be severely stress tested. Many such claims are calculations 'on the back of a fag packet' and many of the jobs claimed are not and never will be permanent jobs but temporary during the construction phases. Clearly, a no deal Brexit will severely impact job prospects throughout the country. Has any account been taken of this in calculating potential job opportunities? I doubt it. Also, what kind of jobs will these be: Permanent or temporary, full time or contract, unpaid or paid, minimum wage or not? The details of such claims need to be investigated and verified for an unbiased assessment to be made, as it is clearly in the financial interests of developers and their consultants to get approval to build.

Issue 7 Manston Airport

This is clearly the elephant in the planning room. It is the black hole in Thanet around which all planning decisions are being made; made to justify the politically motivated decision to save the airport and try to find some way of bringing it back to life. I have heard claims that doing so would create 10,000 jobs; but when it was a working airport it only created a few hundred. Within this context, of the TDC Local Plan, it is clear that TDC are trying to have their cake and eat it. They are putting developments around the airport, like baubles around the fairy in a Christmas tree! If these developments are allowed in the Local Plan, what will the quality of life be for those living in the new homes with an airport adjacent to them which might be viable only by accommodating 24 hours a day freight services!

I must add something here about the timing of the three matters which I am concerned about: An appeal by the developer of land in Reading Street against TDC planning committee to reject his plan for 25 houses, land we now know is zoned for 24 in the TDC Local Plan. This will be decided by the appointment of a planning inspector. At the same time there is a Planning Inspectorate inquiry into the TDC Local Plan and also an Inquiry into Manston Airport. It seems to me there is no co-ordination by the Planning Inspectorate in these matters which are all interlinked. Why is this? What justification can there be for not having a joined up approach to such vital issues which will impact Thanet for generations to come?

Matter 16 Design, Heritage and the Rural Economy (Policies QD01-QD03, QD06-QD07, SP33-SP34, HE01-HE05, HO19 and E15-E19)

Issue 2 Conservation of the Historic Environment – Policies SP34 and HE02-HE05

I note that in TDC's Local Plan 4.78 it quotes the National Planning Statement (NPPF) states that Local Plans should set out 'a positive strategy for conservation and enjoyment of the historic environment.' Clearly I agree. The Local Plan stresses the wider benefits that can be achieved by conservation of the historic environment and the desirability of new developments in making a positive contribution to local character and distinctiveness. Again I agree. Point 491, goes further and states that: 'The preservation of Thanet's heritage is considered to be an economic asset and its maintenance and protection plays an important role in the districts' economy and aids in regeneration and investment. Once again I cannot quibble with the sentiments expressed.

However, in 4.92 the TDC Local Plan states that: 'The Council aims to work with property owners and other stakeholders in the historic environment to both protect and enhance the historic environment and ensure its economic viability for future generations'.

Where is the evidence that the Council's planning officers are doing any of this? Can they give any statistics that back up what they say their strategy is? How many communities, property owners, and stakeholders in the built environment have they engaged with to 'protect and enhance the historic environment and ensure its economic viability for future generations'?

In Reading Street, we have managed to have TDC's Planning Committee twice vote against inappropriate development on **Land formerly used as Club Union Convalescent Home**. In both cases the vote was unanimously against, despite planning officers' recommendation to approve. In the first vote the developer appealed against their decision to reject a plan for 30 houses on the site. This appeal was rejected by a Planning Inspector who condemned the lay-out and design of the development as a "poor quality design that would not add to the overall quality of the area." In the cottages I live in, the Grade 2 Listed Convent Cottages, the Inspector said that: "Although they comprise four separate dwellings their common features mean that they are appreciated as a single building, set in a communal area of grass to the front and side and framed by an open, undeveloped area to the rear."

After the rejection of the second application to build 25 houses, now the developer has appealed again. The local community fights these battles with severe restrictions: we do not have access to the financial resources of the developer; we have no interaction with the planning officers who appear to side with the developer and give us a minimum of time to respond to changes and if at any stage we lose the argument we have no right of appeal, unlike the developer who can appeal as many times as he likes.

The system is biased and unfair. At no time have our views and wishes been asked for. We did try to reach out to the developer (as we are not against any housing on the land) but were told by his agents that he did not want to talk to us. As for TDC's working with owners such as us to ensure historic places such as Reading Street survive and thrive in the future, it is a joke. We were not even informed that the plan for 13 houses on this land had been changed to 24. Given that it is still the subject of a Planning Inspector Appeal surely this allocation of 24 houses on the site should not be ratified in the TDC Local Plan?