

**THANET DISTRICT COUNCIL LOCAL PLAN
EXAMINATION**

**MATTERS 5 – STRATEGIC SITES (POLICIES SP3 –
SP18 AND HO2)**

IN RESPECT OF

LAND AT MANSTON BUSINESS PARK

**HEARING STATEMENT BY RPS
ON BEHALF OF CHINA GATEWAY INTERNATIONAL
LTD**

JCG23775
Hearing Statement
Final
19th March 2019

REPORT

Document Status

Version	Purpose of document	Authored by	Reviewed by	Approved by	Review date
Draft	Hearing Statement Matters 5 Strategic Sites	AL	AL	RT	19/03/19

Approval for issue

Abraham Laker



2019-03-19

This report was prepared by **RPS Consulting Services Ltd** ('RPS') within the terms of its engagement and in direct response to a scope of services. This report is strictly limited to the purpose and the facts and matters stated in it and does not apply directly or indirectly and must not be used for any other application, purpose, use or matter. In preparing the report, RPS may have relied upon information provided to it at the time by other parties. RPS accepts no responsibility as to the accuracy or completeness of information provided by those parties at the time of preparing the report. The report does not take into account any changes in information that may have occurred since the publication of the report. If the information relied upon is subsequently determined to be false, inaccurate or incomplete then it is possible that the observations and conclusions expressed in the report may have changed. RPS does not warrant the contents of this report and shall not assume any responsibility or liability for loss whatsoever to any third party caused by, related to or arising out of any use or reliance on the report howsoever. No part of this report, its attachments or appendices may be reproduced by any process without the written consent of RPS. All enquiries should be directed to RPS.

Prepared by:

RPS

Abraham Laker
Associate Director

140 London Wall
London, EC2Y 5DN

T +44 20 72 80 3300
E abraham.laker@rpsgroup.com

Prepared for:

China Gateway International Limited

Contents

1	MATTERS 5 – ISSUE 1 – METHODOLOGY	1
2	MATTERS 5 – ISSUE 3 – POLICY SP14 BIRCHINGTON	2
3	MATTERS 5 – ISSUE 5 – POLICY SP15 – WESTGATE-ON-SEA.....	3
4	MATTERS 5 – ISSUE 7 – POLICY SP18 – LAND AT MANSTON COURT ROAD/HAIN ROAD.....	5
5	MATTERS 5 – ISSUE 8 – POLICY HO2 – LAND NORTH AND SOUTH OF SHOTTENDANE ROAD	7
6	PROPOSED AMENDMENTS.....	9

1 MATTERS 5 – ISSUE 1 – METHODOLOGY

Q3. How were site areas and dwelling capacities determined? Are the assumptions justified and based on available evidence?

- 1.1 Removal of the former Manston Airport Site for housing meant that 2,500 homes had to be re-allocated. Rather than introduce a new site(s) to accommodate 2,500 homes or a significant proportion of these, 2,100 additional dwellings were added to the existing Strategic Sites and a Non-Strategic Housing Allocation for 550 dwellings was brought forward as a Strategic Site.
- 1.2 Insufficient evidence has been provided to demonstrate that the existing Strategic Sites can sufficiently accommodate these additional dwellings. Furthermore, no alternative sites seem to have been considered, which could be better placed to accommodate the 2,500 homes or a significant proportion of these.

Q5. How have the constraints of each site been taken into account and any necessary mitigation been considered as part of the process of allocating land for housing? In particular, how has the Council considered and assessed the impact of development on transport infrastructure, heritage assets and drainage? Where is this set out?

- 1.3 There appears to have been limited consideration of the constraints of each site. Where reference is made to constraints, these have only been addressed by general statements. For many issues, mitigation is deferred to the master planning stage.
- 1.4 English Heritage raised concerns about insufficient assessment of potential impacts on heritage assets from the Strategic Allocation Sites prior to allocation. Therefore, it is not possible to fully understand the likelihood or otherwise of impacts occurring that harm (or indeed preserve or enhance) the significance of the assets.
- 1.5 A number of the Strategic Sites promote development that is likely to result in an increase in car journeys within the District's Air Quality Management Areas. Whilst this is acknowledged in the Sustainability Appraisal, there does not appear to have been any detailed consideration of the potential mitigation required. The general suggestions for mitigation are to maximise connectivity for alternative forms of transport and to extend bus service provision during the master planning process.

2 MATTERS 5 – ISSUE 3 – POLICY SP14 BIRCHINGTON

Q2. What is the justification for allocating the site for up to 1,600 dwellings? What is this based on and is it achievable?

- 2.1 Following the removal of the Former Manston Airport Site, the contribution being sought from Strategic Housing Site SP14 Birchington has increased from 1,000 dwellings to 1,600 dwellings in the Pre-Submission Local Plan. We consider that there is little justification given for the increase of 600 dwellings.

Q10. How has the effect of the proposed development on air quality been taken into account? What effect will the proposal have, and what mitigation will be necessary?

- 2.2 The proposed policy promotes development that is likely to result in an increase in car journeys within the District's Air Quality Management Areas. Mitigation has not been considered in detail and relies on the master planning stage.

Q12. How does the scale of proposed development relate to the size, role, function and character of Birchington?

- 2.3 The site is located adjacent to a Scheduled Ancient Monument, comprising ring ditches and enclosures east of College Farm and north west of Great Brooks End Farm. This has not been acknowledged specifically in the Sustainability Appraisal or Policy. There is insufficient reference and assessment of the impact of this Strategic Site on this important heritage asset. Furthermore, adverse impacts on heritage assets is contrary to Policy HE01 of the Draft Local Plan.

Q13. Appendix B to the Plan estimates that 50 dwellings will be delivered on the site in 2019/20. What is this based on and is it a realistic expectation?

- 2.4 The first 50 units are expected to be delivered in 2019/20, but with no planning application submitted we consider this to be extremely optimistic and unrealistic. There are several matters which need to be addressed before any planning permission is granted, including provision of a new link road, a serviced school site, noise mitigation on development at the northern edge and integration with the open countryside.

3 MATTERS 5 – ISSUE 5 – POLICY SP15 – WESTGATE-ON-SEA

Q2. What is the justification for allocating the site for up to 2,000 dwellings? What is this based on and is it achievable?

- 3.1 The allocation for Strategic Housing Site SP15 Westgate-on-Sea has increased from 1,000 dwellings in the 2015 version of the Local Plan to 2,000 dwellings in the Pre-Submission version. Again, we consider that there is little justification provided for this 100% increase.
- 3.2 In their Regulation 19 Consultation Representation, Millwood Designer Homes Ltd, raise objection to Policy SP15 – Westgate on Sea. Millwood have a land Interest on the site and promote the site with the intention to submit an application.
- 3.3 Millwood proposes an amendment to the allocation boundary in order to accommodate the proposed number of homes. This would involve expansion of the site from 76.33ha to 116ha. The existing site allocation is located in close proximity of Quex Park (a designated heritage asset) and non-designated archaeological remains considered to be of local interest/significance.
- 3.4 The expansion would significantly change the character of the rural area south of the site, and furthermore it would be contrary to proposed local plan Policy HE04 – Historic Parks and Gardens and Policy HE01 – Archaeology.
- 3.5 It is likely that the Council defined the original boundaries of the site to minimise the impact on Quex Park, non-designated archaeological remains, and to protect the countryside in line with Local Plan paragraphs 4.1-4.4
- 3.6 To provide the allocated 2,000 homes (at 35 dwellings per hectare) plus land allowance for roads, a primary school, open space and a medical centre, Millwood set out a justification to expand the site. As this is contrary to policy, due to the aforementioned impact on the surroundings, the allocation of 2,000 homes is undeliverable.
- 3.7 The Draft Local Plan is unjust in its allocation of 2,000 homes. Additional sites should be allocated for housing in order for Thanet to appropriately plan for reaching its housing need.

Q10. What is the justification for requiring a Landscape and Visual Impact Assessment, but not for other strategic allocations?

- 3.8 An LVIA should be required for all Strategic Sites. SP13-SP18 are located on the edge of existing settlements, which are therefore likely to have an impact on the countryside. Whilst the Sustainability Appraisal notes that future masterplanning should consider how development may affect landscape character, we do not think the Council has put enough emphasis on the importance of this matter at this stage.

Q11. How has the effect of the proposed development on air quality been taken into account? What effect will the proposal have, and what mitigation will be necessary?

- 3.9 The proposed policy promotes development that is likely to result in an increase in car journeys within the District's Air Quality Management Areas. Mitigation has not been considered in detail and relies on the master planning stage.

Q14. What effect will the proposed development have on the setting of the Grade II* listed Dent-de-Lion Court?

- 3.10 The effect of the proposed development on the setting of the Grade II* listed Dent-de-Lion Court does not appear to have been assessed at this stage. The Policy recognises “the need to safeguard scheduled ancient monuments and the listed Dent-de-Lion Gateway”, and the Sustainability Appraisal provides scope for an assessment to establish the effects of the development on heritage assets. We agree with the concerns raised by English Heritage whereby insufficient assessment of potential impacts on heritage assets from the Strategic Allocation Sites has been carried out prior to allocation. Furthermore, adverse impacts on heritage assets is contrary to Policy HE01 of the Draft Local Plan.

Q15. Appendix B to the Plan estimates that 50 dwellings will be delivered on the site in 2019/20. What is this based on and is it a realistic expectation?

- 3.11 The first 50 units are expected to be delivered in 2019/20 but with no planning application submitted we consider this to be overly optimistic and unrealistic.
- 3.12 The proposal must include a masterplan to incorporate the provision of a District Centre, the provision of community facilities and a new link road, which, as far as we are aware, has yet to be produced. Furthermore, Southern Water has highlighted that additional local sewerage infrastructure would be required to accommodate the proposed development and that network reinforcement will be required in advance of occupation. We consider that with all these matters to address, the Council has been too optimistic with the delivery of this allocation.

4 MATTERS 5 – ISSUE 7 – POLICY SP18 – LAND AT MANSTON COURT ROAD/HAINE ROAD

Q2. What is the justification for allocating the site for up to 1,200 dwellings? What is this based on and is it achievable?

- 4.1 Strategic Housing Site SP18 Land at Manston Court Road/Haine Road is proposed to comprise up to 1,200 new dwellings and leisure uses. This is an increase of 500 dwellings compared to the Preferred Options Revisions, and we consider that there is little justification provided.
- 4.2 Greenacre (Thanet) Ltd are the option holders in respect of Land at Manston Court Road / Haine Road which is now the subject of Strategic Housing Policy SP18 and Housing Policy H03 (Land on west side of Old Haine Road, Ramsgate). SP18 allocates 1,200 new dwellings and H03 allocates 250 dwellings, giving a total of 1,450 dwellings across both allocations.
- 4.3 On 14th March 2018 an outline application was submitted to Thanet for:
- “a mixed development of up to 900 dwellings together with a mix of use classes A1 (retail) A2 (Financial and professional services) A3 (restaurants and cafe) A4 (drinking establishments) A5 (hot food takeaways) B1 (business) C1 (Hotel) D1 (non-residential institution) D2 (assembly and leisure) and a two form entry primary school, together with ancillary and associated development including new and enhanced pedestrian / cycle routes and open spaces, car parking and vehicular access with all matters reserved except for access: OL/TH/18/0261.”*
- 4.4 Paragraph 6.49 of the Planning Statement estimates that the two allocations have capacity for 900 dwellings and as noted in the Case Officers report, *“any subsequent application for the rest of the site will be required to provide all remaining elements of the policy, whilst being considered on its own merits.”*
- 4.5 In comparing the submitted masterplan with the allocation for SP18 and H03, it is uncertain if the remaining land would be able to accommodate the necessary 550 dwellings, in keeping with the character of the rest of the proposal and the district in general.
- 4.6 There is no justification in the Planning Statement as to why 1,450 dwellings have not been proposed for the whole site. It is likely that the figure of 1,450 dwellings across the site is undeliverable.
- 4.7 Montague Evans, on behalf of Greenacre, state in their Regulation 19 response that they want the density of their site to be increased, as they think this *“will provide greater certainty both in respect of housing delivery and supporting infrastructure.”* If the density is not increased, it is unclear if the site will be able to deliver the total 1,200 homes. This further justifies the Draft Local Plans inability to meet the objectively assessed housing need within the allocated sites.
- 4.8 Therefore, the Local Plan should allocate additional sites for housing in order to appropriately plan for reaching its housing need.

Q12. What is the justification for requiring ecological surveys of breeding and wintering birds? What effect will the proposed development have on breeding and wintering birds? How has this been considered as part of the allocation process?

- 4.9 The proposed policy designates a site for housing that has potential for major ecological effects, given that development is on greenfield land as a strategic site.
- 4.10 Natural England has raised concerns over the sites potential to affect a local European site through, 1) increased recreational pressure / in combination quantum of development effects on principally the Thanet Coast and Sandwich Bay SPA / Ramsar, and 2) effects on non-designated functional land used by Golden Plover.
- 4.11 They have also rightly queried why this is the only Strategic Site policy (SP13-SP18) to include a specific clause requiring an assessment of the site's potential to support breeding or wintering birds. Given that the Strategic Sites are all within a similar distance to the Thanet Coast and Sandwich Bay SPA/Ramsar, all sites should be subject to a breeding bird assessment.

Q15. Appendix B to the Plan estimates that 50 dwellings will be delivered on the site in 2019/20. What is this based on and is it a realistic expectation?

- 4.12 The Council consider that the first 50 units could be completed on site by 2019-20. We consider that this is extremely unlikely considering the outline application was only submitted in March 2018 and the applicants have had to address several outstanding highways, flood risk and conservation issues. The application is yet to be determined and reserved matters and discharge of pre-commencement conditions will need to follow. The site may then need to be sold to a housebuilder to commence site preparation works. This all takes time before development is commenced. Completions of the first dwellings ready for occupation typically takes several months more.
- 4.13 In addition, the proposed allocation adjoins a number of other proposed strategic allocations and residential sites. Therefore, any highway improvements would need to accommodate the additional traffic generated by these developments and contributions agreed across the sites.
- 4.14 We consider that is it very optimistic for the necessary highway improvements and contributions to be agreed between the various landowners and then implemented prior to the units being completed on site within the Council's notional delivery period.

5 MATTERS 5 – ISSUE 8 – POLICY HO2 – LAND NORTH AND SOUTH OF SHOTTENDANE ROAD

Q11. How has the effect of the proposed development on nearby heritage assets been taken into account? What impact will the allocation have on designated heritage assets? Is the policy justified?

- 5.1 The effect of the proposed development on the setting of the nearby heritage assets does not appear to have been assessed at this stage. The Policy states that master planning for the southern site will include “a *Heritage Impact Assessment to assess effects on St Johns Cemetery and sites/memorials within it*”. Insufficient assessment of potential impacts on heritage assets has been carried out prior to allocation, particularly as this site is now being taken forward as a Strategic Site.

Q13. Appendix B to the Plan estimates that 30 dwellings will be delivered on the site in 2021/22. What is this based on and is it a realistic expectation?

- 5.2 Housing allocation H02, Land north and south of Shottendane Road, has been allocated for up to 550 dwellings with the first dwellings proposed to be completed by 2021/22. However, the allocation states that any proposals will be judged and permitted only in accordance with a ‘Development brief and masterplan for the whole site’ which, as far as we are aware, has yet to be produced. We also understand from the Regulation 19 representations submitted by the site’s promoters, JIG planning, that a development partner is yet to be secured.
- 5.3 The Draft Local Plan acknowledges that the development should incorporate and provide for highways improvements identified in the Thanet Transport Strategy. Furthermore, Southern Water has highlighted that additional local sewerage infrastructure would be required to accommodate the proposed development, to be delivered in parallel with the development. We consider it is doubtful whether the necessary improvements will come forward in time for completion of the first units by 2021-22. Therefore, the Council is being too optimistic regarding delivery.
- 5.4 Once outline planning permission is secured, the site will need to be sold to a housebuilder if one is not already on board. Further time will then be required for the preparation, submission and determination of reserved matters, the discharge of pre-commencement conditions and other technical approvals. Infrastructure will then need to be provided before construction of homes is commenced. On average it takes a further 5-6 months for a house to be completed.
- 5.5 The NLP report ‘From Start to Finish’ (November 2016) establishes that it takes on average 3.9 years from site identification to submission of a planning application. NLP’s report further finds that on average it takes more than 4 years for an application for over 500 dwellings to progress from the validation to the decision date of the first applications which permits the development of dwellings on site whether it be a full, hybrid or reserved matters application. This does not include the discharging of any pre-commencement conditions if required.
- 5.6 Following the planning application being approved it takes on average a further 6-12 months for schemes of 500-1,500 units to start delivering units on site. Therefore, from validation to the

delivery of the first units it takes on average at least 5.3 years. On this basis we contend that it is unlikely that the strategic sites will deliver units by 2019-20.

5.7 Furthermore, the NLP report identified the following average delivery rates for greenfield sites:

- 500-999 dwellings = 86 dwellings per annum;
- 1,000-1,499 dwellings = 122 dwellings per annum;
- 1,500-1,999 dwellings = 142 dwellings per annum;
- 2,000+ dwellings = 171 dwellings per annum.

5.8 We consider that strategic sites are unlikely to be delivered within the proposed timescales. This in turn will have knock on effects for the total number of units that can be delivered on these sites over the plan period. The Local Plan is therefore currently unsound as the Council is unable to demonstrate a 5 Year Housing Land Supply during the initial years post adoption and there are serious doubts that it will deliver sufficient dwellings across the plan period to meet the Objectively Assessed Need.

5.9 Therefore, the Council should consider allocating further sites for housing which can be delivered earlier in the plan period, including the land at and to the east of Manston Business Park.

6 PROPOSED AMENDMENTS

New Policy: Land to the East of Manston Business Park

- 6.1 We believe that Land to the East of Manston Business Park should be allocated for residential mixed-use development. This development would provide a sustainable development for future residents and enhance the sustainability of the surrounding area including the Business Park and existing housing.
- 6.2 The following new policy is hereby suggested for the Inspector's consideration:

Policy SPXX – Strategic Housing Sites – Land to the East of Manston Business Park

Land is allocated for up to 1,000 new dwellings at a density of 35 dwellings per hectare net at Land to the east of Manston Business Park. Proposals will be judged and permitted only in accordance with a development brief and masterplan for the whole site incorporating:

- 1. open space,**
- 2. mixed-use development to include retail and leisure, required to accessibly serve day to day needs of the development.**

Phasing of development will be in accordance with Appendix B.

Masterplanning will be informed by and address:

- 1. pre-design archaeological assessment taking account of presence of significant and sensitive remains,**
- 2. the need for integration of development and landscaping to enable a soft edge between the site and open countryside,**
- 3. sustainable urban drainage taking account of the site's location in the Groundwater Source Protection Zone,**
- 4. Ecological surveys,**
- 5. liaison with service providers to investigate the need to upgrade the capacity of any utility services and infrastructure,**

Proposals will be accompanied by a Transport Assessment informing the Masterplan including:

- 1. assessment of the impact of development on the local road network;**
- 2. demonstrating measures to promote multi-modal access, including footway and cycleway connections and an extended bus service accessible to the residential development.**

Development will be expected to provide an appropriate contribution to off-site highway improvements.

REPORT

6.3 If Land east of Manston Business Park is allocated, the table at Appendix B should also be amended as set out below.

Appendix B - Housing Allocations and Permissions

Allocation ref number	Address	Total allocated	Phasing 2018/19	Phasing 2019/20	Phasing 2020/21	Phasing 2021/22	Phasing 2022/23	Phasing 2023/24	Phasing 2024/25	Phasing 2025/26	Phasing 2026/27	Phasing 2027/28	Phasing 2028/29	Phasing 2029/30	Phasing 2030/31	Phasing 2031/32
	STRATEGIC SITES															
357	Land East of Manston Business Park	0	0	0	0	0	0	50	100	100	150	150	150	150	150	0

6.4 If allocated, the site can be delivered within 8 years from commencement. However, this will require further review in line with the Council’s delivery plan. Information would be subject to consultation with Thanet District Council.

6.5 The delivery rates of SP14, SP15, SP18 and HO2 included in Appendix B should also be reviewed and revised to a more realistic timeframe.