

PLANNING COMMITTEE – 26 April 2018

Report of the Head of Planning

PART 1

Any other reports to be considered in the public session

1.1 REFERENCE NO - 16/506181/FULL and 16/506182/LBC		
APPLICATION PROPOSAL		
Demolition of the 1960s north and south wing extensions. Change of use, conversion and renovation of the Grade II listed building to provide 6no. residential dwellings. Construction of 33no. 1-bed, 2-bed and 3-bed terraced dwellings with associated new cycle and bin stores. Re-siting and refurbishment of the Coach House. Landscaping of the site, to include parking areas and a new wildlife pond. Reinstatement of the garden wall along the southern boundary.		
ADDRESS Sheppey Court Halfway Road Minster-on-sea Kent ME12 3AS		
RECOMMENDATION that planning permission and listed building consent be GRANTED, subject to the satisfactory signing of a suitably worded S106 Agreement.		
SUMMARY OF REASONS FOR RECOMMENDATION/REASONS FOR REFUSAL		
The proposals would secure the future of a dilapidated listed building and this would outweigh the limited impact on its setting through the development of new residential buildings within the grounds. The site is located within a sustainable location and has been designed to relate well to the site and its surroundings. The impact on protected trees is acceptable as is the risk posed from flooding. The impact on residential amenity and highway safety and convenience are acceptable. The scheme provides some financial contributions towards local infrastructure, but not the full amount – however a viability appraisal has been submitted and independently reviewed, and this sets out that no contributions would be viable, therefore the applicant is providing a greater sum than is shown to be viable. The failure to make full provision for local infrastructure contributions does not outweigh the benefits of the scheme.		
REASON FOR REFERRAL TO COMMITTEE		
The applications were approved by Members at the Planning Committee meeting on 29 March 2018, but the resolution included reference to the inclusion of the 90:10 split of affordable housing. The application is being reported back to Committee so that Members can reach a new resolution for the applications which does not refer to the provision of affordable housing		
WARD Queenborough And Halfway	PARISH/TOWN COUNCIL	APPLICANT P A Rooney & Bentley Developments L AGENT Vail Williams LLP
DECISION DUE DATE 15/11/16	PUBLICITY EXPIRY DATE 08/08/17	OFFICER SITE VISIT DATE
RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites): Please see original committee report appended.		

Observations

As set out above, Members resolved at the Planning Committee on 29th March 2018 that the applications be approved “ [for 16/506181/FULL] *subject to conditions (1) to (37) in the report, the signing of a legal agreement to secure the financial contributions as set out in Paragraph 1.04 of the report, with the inclusion of the 90:10 split of affordable housing.*

Resolved: That application 16/506182/LBC be approved subject to conditions (1) to (6) in the report.”

The Committee reports – with the previous reports to the meeting on 4th January 2018 attached – and the minute of the meeting on 4th January are appended.

The reason for reporting the applications back to Committee is that the resolution for the planning application (reference 16/506181/FULL) contains an erroneous reference to “*affordable housing with a 90-10 tenure split*”.

As set out at paragraph 6.05 of the original Committee report, “*The Council’s Strategic Housing and Health Manager confirm 0% affordable housing provision would be in accordance with the Council’s local plan policy (DM8).*” As Members will be aware, Policy DM8 sets out that for developments of 11 dwellings or more, “*...provision will be made for affordable housing as follows...Isle of Sheppey – 0% affordable housing*”. In line with this, the application does not include provision for affordable housing as there is no justification for seeking it.

Nevertheless, during the discussion about the application at the meeting on 29th March, Members raised the issue of securing a 90:10 split of affordable housing split, and officers did not correct this. The resolution therefore for the planning application included a requirement that it be incorporated in the approval.

This report seeks to address this error, by resolving to approve the planning application as follows:

That Planning permission (16/506181/FULL) be **Granted**, subject to the satisfactory signing of a legal agreement to secure the financial contributions as set out in paragraph 1.04 of the report to Planning Committee on 29th March 2018 (and which is appended to this report), and subject to the following conditions.

Conditions:

- 1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which the permission is granted.

Reason: In pursuance of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2) No development beyond the construction of foundations shall take place until the following details have been submitted to, and approved in writing by the Local Planning Authority:
 - (i) A sample panel of the render(s) to be used (in its proposed colour finish, or relevant through-coloured form) on the north and south courtyard buildings;

- (ii) A sample of the natural slate(s) and any associated ridge and hip tiles to be used on the new buildings, and sample of the natural slate(s), any associated ridge and hip tiles to be used on the existing listed building
- (iii) A sample of the weatherboarding to be used (in its proposed colour finish) on the new carriage house building; and
- (iv) A sample panel of any replacement stucco to be used (in its proposed colour finish) on the listed building.

Reason : In the interests of visual amenity and to preserve the significance of the listed building.

- 3) The development shall be carried out in accordance with the following approved plans: 15072 S101, P201B, P202C, P210A, P211A, P212, P213, P214B, P215A, P216A, P217C, P218, P220.

Reason: In the interests of proper planning.

- 4) No development shall commence until an Arboricultural Impact Assessment and Method Statement (to take into account the revised layout) has been submitted to and approved in writing by the Local Planning Authority. The statement shall include measures to protect existing trees to be retained on site and measures to deal with contamination within the root protection area of retained trees. The development shall be carried out in accordance with the approved details, and the approved tree protection measures shall be fully installed prior to the commencement of any development on the site, and retained on site for the duration of the construction.

Reason: To protect important trees on site, in the interests of visual amenity.

- 5) No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of building recording in accordance with a written specification and timetable which has been submitted to and approved by the Local Planning Authority.

Reason: To ensure that historic building features are properly examined and recorded.

- 6) No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written specification and timetable which has been submitted to and approved by the Local Planning Authority.

Reason: To ensure that features of archaeological interest are properly examined and recorded.

- 7) Prior to the commencement of development, a detailed sustainable surface water drainage scheme for the site shall be submitted to and approved in writing by the Local Planning Authority. The detailed drainage scheme shall demonstrate that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100yr storm) can be accommodated and disposed of without increase to flood risk on or off-site. The drainage scheme shall also demonstrate that silt and pollutants resulting from the site use can be adequately managed to ensure there is no pollution risk to receiving waters.

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal and to ensure ongoing efficacy of the drainage provisions.

- 8) Prior to the first occupation of the development, details of the implementation, maintenance and management of the sustainable drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:
- i. a timetable for its implementation, and
 - ii. a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage system throughout its lifetime.

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal and to ensure ongoing efficacy of the drainage provisions.

- 9) Prior to the commencement of development, details of the means of foul drainage shall be submitted to and approved in writing by the Local Planning Authority. The development shall proceed in accordance with the approved details.

Reason: To prevent flooding and ensure appropriate utility provision at the site.

- 10) No development beyond the construction of foundations shall take place, until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include existing trees, shrubs and other features, planting schedules of plants, noting species (which shall be native species and of a type that will encourage wildlife and biodiversity), plant sizes and numbers where appropriate, any means of enclosure, hard surfacing materials, graphic/visual details for the method of marking out of parking spaces, and an implementation programme.

Reason: In the interests of the visual amenities of the area and encouraging wildlife and biodiversity.

- 11) All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed in writing with the Local Planning Authority.

Reason: In the interests of the visual amenities of the area and encouraging wildlife and biodiversity.

- 12) Upon completion of the approved landscaping scheme, any trees or shrubs that are removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced with trees or shrubs of such size and species as may be agreed in writing with the Local Planning Authority, and within whatever planting season is agreed.

Reason: In the interests of the visual amenities of the area and encouraging wildlife and biodiversity.

- 13) Prior to the commencement of development the following components of a scheme to deal with the risks associated with contamination of the site shall have been submitted to and approved, in writing, by the Local Planning Authority:

1) A remediation method statement (RMS) based on the site investigation results and the detailed risk assessment. This should give full details of the remediation measures required and how they are to be undertaken. The RMS should also include a verification plan to detail the data that will be collected in order to demonstrate that the works set out in the RMS are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

2) A Closure Report is submitted upon completion of the works. The closure report shall include full verification details as set out in 1. This should include details of any post remediation sampling and analysis, together with documentation certifying quantities and source/destination of any material brought onto or taken from the site. Any material brought onto the site shall be certified clean; any changes to these components require the express consent of the Local Planning Authority. The scheme shall thereafter be implemented as approved.

Reason: To ensure contaminated land is dealt with appropriately.

- 14) No development shall take place until a Construction and Environmental Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. This shall include details relating to:
- (i) a programme for the suppression of dust during any demolition works and construction of the development
 - (ii) The areas to be used for the storage of plant and materials on site;
 - (iii) The location and size of temporary parking and details of operatives and construction vehicle loading, off-loading and turning and personal, operatives and visitor parking;
 - (iv) Measures to guard against the deposit of mud and similar substances on the public highway

The development shall be carried out in accordance with the approved details.

Reasons: To ensure the development does not prejudice conditions of residential amenity and highway safety and convenience through adverse levels of noise and disturbance during construction.

- 15) No development beyond the construction of foundations shall take place until details have been submitted to the Local Planning Authority and approved in writing, which set out what measures have been taken to ensure that the development incorporates sustainable construction techniques such as water conservation and recycling, and energy efficiency. Upon approval, the details shall be incorporated into the development in accordance with the approved details prior to the first use of any dwelling.

Reason: In the interest of promoting energy efficiency and sustainable development.

- 16) No demolition/construction activities shall take place, other than between 0800 to 1800 hours (Monday to Friday) and 0800 to 1300 hours (Saturday) with no working activities on Sunday or Bank Holiday.

Reason: In the interests of residential amenity.

- 17) No development beyond the construction of foundations shall take place until a scheme for the provision of a toddler play area within the site, together with a

scheme for the long term management and maintenance of the play area, has been submitted to and approved in writing by the Local Planning Authority. The play area shall be installed on site prior to first occupation of any part of the development, and retained thereafter in accordance with the approved details.

Reason: To ensure that the development provides sufficient facilities for children.

- 18) No development beyond the construction of foundations shall take place until a management plan for the communal areas within the site has been submitted to and approved in writing by the Local Planning Authority. The management plan shall provide details of responsibilities for management, and measures for the long term management and maintenance of the areas. The development and maintenance of the land shall be carried out in accordance with the approved details.

Reason: To ensure that the communal areas are properly managed and maintained.

- 19) The area shown on the submitted layout as vehicle parking and turning space shall be provided, surfaced and drained to the satisfaction of the Local Planning Authority before the use is commenced or the premises occupied, and shall be retained for the use of the occupiers of, and visitors to, the premises, and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order), shall be carried out on that area of land so shown or in such a position as to preclude vehicular access to this reserved parking space.

Reason: Development without provision of adequate accommodation for the parking and turning of vehicles is likely to lead to parking inconvenient to other road users and be detrimental to highway safety and amenity.

- 20) Prior to the occupation of any dwelling, measures to provide a secure pedestrian gated entrance to the south east corner of the site, and to secure the cycle storage area as shown on the approved plans shall be submitted to and approved in writing by the Local Planning Authority. The cycle storage area and approved security measures shall be provided prior to the occupation of any dwelling.

Reason: To ensure the provision and retention of adequate off-street parking facilities for cycles in the interests of sustainable development and promoting cycle visits.

- 21) The access details shown on the approved plans shall be completed prior to the occupation of any buildings hereby approved, and the access shall thereafter be maintained.

Reason: In the interests of highway safety.

- 22) The finished floor levels for the Northern and Southern Courtyard buildings and for plot 2 within the Carriage House building shall be no lower than 3.80mAOD.

Reason: To minimise risk of internal flooding.

- 23) Prior to the first occupation of plots 23, 29 and 31, details of privacy screens to be erected to the balconies to minimise overlooking into the residential development to the south of the site shall be submitted to and approved in writing by the Local

Planning Authority, and installed in accordance with the approved details. The screens shall thereafter be retained as approved.

Reason: To protect neighbouring amenities.

- 24) The development shall proceed in accordance with the reptile measures detailed within the EAD ecology letter dated 14th September 2016.

Reason: To ensure ecological matters are dealt with appropriately.

- 25) No development shall take place (including demolition) until a detailed Construction Ecological Management Plan for the removal of the trees and the demolition of the 1960s north and south wing extensions has been submitted to and approved in writing by the Local Planning Authority. The content of the Construction Ecological Management Plan shall include the:
- a) Purpose and objectives for the proposed works;
 - b) Working method necessary to achieve stated objectives;
 - c) Timings of works to ensure minimal disturbance to protected species;
 - d) Provision for bat 'rescue' if animals are encountered;
 - e) Provisions for reptile 'rescue' if animals are encountered;
 - f) Extent and location of proposed works shown on appropriate scale plans;
 - g) Persons responsible for implementing works.

The development shall be carried out in accordance with the approved details.

Reason: To ensure ecological matters are dealt with appropriately.

- 26) Prior to the commencement of development a landscape and ecological management plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. The content of the LEMP shall include the following:
- a) Description and evaluation of features to be managed;
 - b) Ecological trends and constraints on the site that might influence management;
 - c) Aims and objectives of management;
 - d) Appropriate management options for achieving aims and objectives;
 - e) Prescriptions for management actions;
 - f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period);
 - g) Details of the body or organisation responsible for implementation of the plan;
 - h) Ongoing monitoring and remedial measures including all species outlined in the Ecological Appraisal.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

The approved plan will be implemented in accordance with the approved details.

Reason: To ensure ecological matters are dealt with appropriately.

- 27) No development beyond the construction of foundations shall take place until details of the location and design of the following ecological enhancement measures have been submitted to and approved in writing by the Local Planning Authority:
- 1. 15 x Schwegler Type 1A swift box;

2. 5 x Schwegler Type 1B nest box;
3. 15 x 1B stock Type B;
4. 1 permanent barn owl box.
5. Full details of the wildlife pond as shown on the site plan, including sections of the pond.
6. A basking bank for reptiles;
7. Hibernacula for amphibians.

The development shall be carried out in accordance with the approved details prior to first occupation of any unit.

Reason: To ensure ecological enhancements are secured.

- 28) Prior to the commencement of development details for the installation of fixed telecommunication infrastructure and High Speed Fibre Optic (minimal internal speed of 100mb) connections to multi point destinations and all buildings including residential shall be submitted to and approved in writing by the Local Planning Authority. The details shall provide sufficient capacity, including duct sizing to cater for all future phases of the development with sufficient flexibility to meet the needs of existing and future residents. The agreed details shall be laid out at the same time as other services during the construction process.

Reason: To secure high quality communications infrastructure.

- 29) Notwithstanding the details shown on drawing no. P217 Rev. C, the piers dividing the parking bays shall be provided with angled straight or curved brackets close to their junction with the underside of the opening in accordance with a revised 1:25 part elevation and associated 1:1 or 1:2 plan section of the pier and bracket, that shall first have been submitted to and approved in writing by the LPA before any development beyond the construction of foundations.

Reason: In the interests of visual amenity and to preserve the setting of the listed building

- 30) Before any of the new residential units permitted are occupied, details of a scheme of heritage interpretation for the listed building, including details of the information to be provided, design of interpretation boards, siting, and measures to view the listed building (together with maintenance & management of the interpretation facility) shall be submitted to, approved in writing by the Local Planning Authority, and implemented in accordance with the details approved in relation to this condition. Thereafter the scheme shall be retained and maintained in accordance with the approved.

Reason: To enhance the significance of the listed building.

- 31) All windows and external doors shall be of timber construction and retained/maintained in timber thereafter.

Reason: In the interests of visual amenity and to preserve the setting of the listed building.

- 32) Before any development commences, 1:10 elevation details and 1:1 or 1:2 vertical and plan sections of each new/replacement window and door type to be used shall be submitted to and approved in writing by the Local Planning Authority. The sections to be provided shall show details of the head, jamb, cill/sub cill, glazing bar

detailing, glazing section, timber or putty beading detailing, any trickle vent detailing, and in the case of external doors, framing, fanlight detailing, panelling, viewing window detailing, and detailing for any weatherboards to be used.

The development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and to preserve the setting of the listed building.

- 33) Before any development commences, a colour scheme for all external joinery for the new and existing buildings 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 and the colour scheme shall thereafter be retained and maintained in accordance with the details approved in relation to this condition.

Reason: In the interests of visual amenity and to preserve the setting of the listed building.

- 34) Upon completion, no further development, whether permitted by Classes A, B, C, D, E, F, G and H of Part 1 of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order) or not, shall be carried out.

Reason: In the interests of visual amenity and to preserve the setting of the listed building.

- 35) No satellite dishes or solar panels shall be erected or installed on any building.

Reason: In the interests of visual amenity and to preserve the setting of the listed building.

- 36) Notwithstanding the provisions of Class A, Part 2, Schedule 2, of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) or any order revoking and re-enacting that Order, no fences, gates walls or other means of enclosure shall be erected within the application site, other than those expressly approved under this planning permission.

Reason: In the interests of visual amenity and to preserve the setting of the listed building.

- 37) None of the residential units in the new buildings shall be occupied until (a) the works to the listed building have been carried out and completed in accordance with the approved drawings, and (b) the repair and reinstatement works to the curtilage listed boundary walls have been completed in accordance with the details approved under condition 5 of the corresponding listed building consent, unless agreed otherwise in writing by the Local Planning Authority

Reason: In the interests of visual amenity and to preserve the setting of the listed building.

