

## SECTION D

### DEVELOPMENT TO BE CARRIED OUT BY THE COUNTY COUNCIL

Background Documents: the deposited documents; views and representations received as referred to in the reports and included in the development proposals dossier for each case; and other documents as might be additionally indicated.

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## **Item D1**

### **Demolition of redundant library building for development of accommodation for individuals with mental health issues at former Newington Library, Ramsgate – TH/14/1 (KCC/TH/0384/2013)**

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A report by Head of Planning Applications Group to Planning Applications Committee on 25 March 2014.

Application by Galliford Try Investments Ltd. and Kent County Council, Adult Services for the demolition of a redundant library building to be replaced with a development of 9 flats and support staff facilities to provide accommodation for individuals with mental health issues, at the former Newington Library site, Newington Road, Ramsgate – TH/14/1 (KCC/TH/0384/2013).

Recommendation: permission be granted subject to conditions.

**Local Member:** Mr Trevor Shonk & Mr Martyn Heale

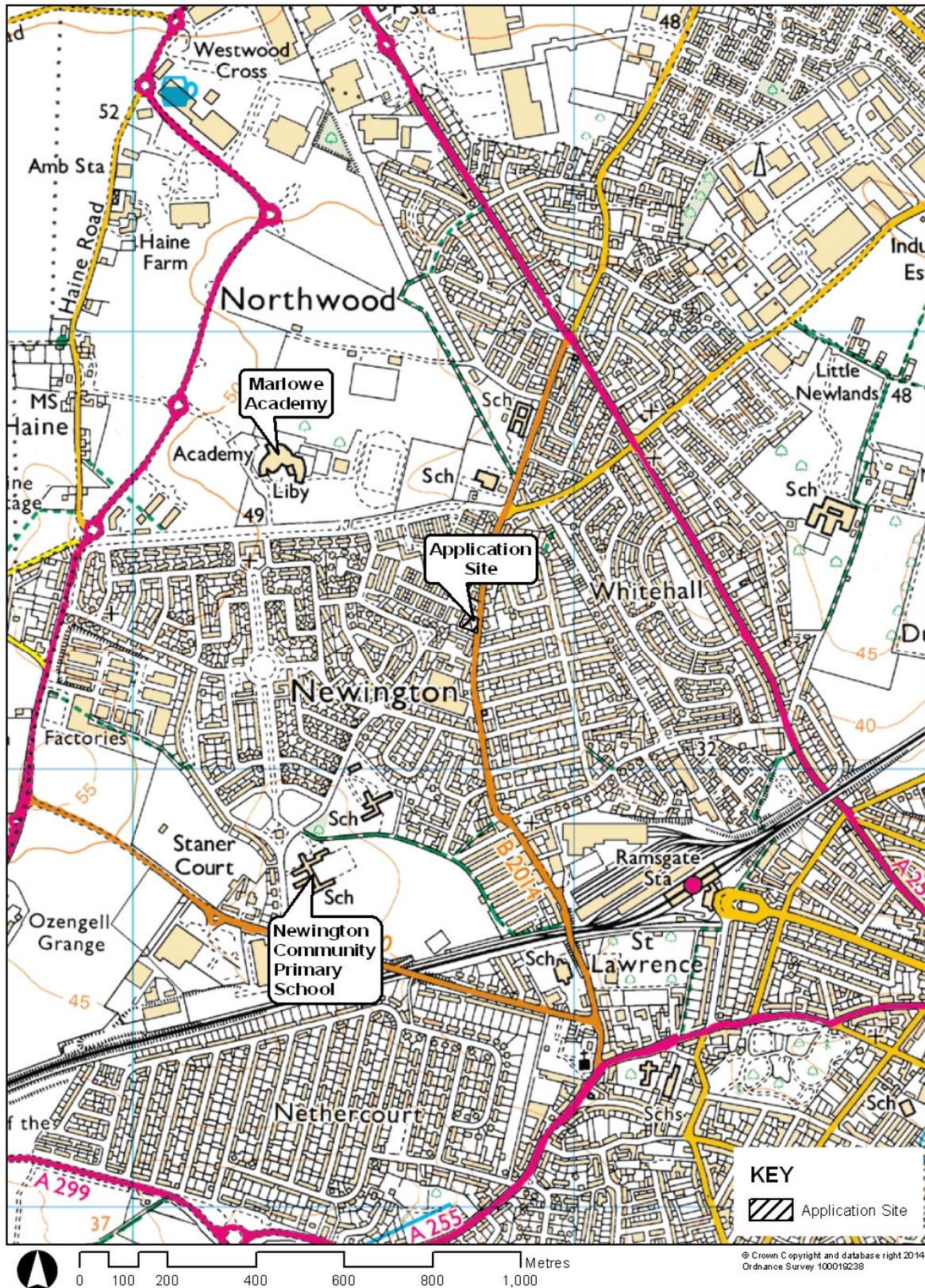
**Classification:** Unrestricted

#### **Site Description**

1. The former Newington Library site is located on the corner of Newington Road and Chichester Road on the B2014 between Northwood and St Lawrence, approximately 1.9km to the north west of Ramsgate Town Centre. The site is served by public transport with a bus stop located to the east of the site on Newington Road. The site currently comprises a redundant and closed library owned by Kent County Council, located centrally within the site, and hard surfaced areas to the remainder of the 0.13 hectare site. The Newington Library facility was re-located to the site of the Marlowe Academy, to the north-west of the application site and the former Newington Library site has not been used as a library facility for over 4 years. Since then, the building has been leased by Kent County Council for various community uses until recently. A Public Right of Way runs along the southern boundary of the site connecting to Newington Road.
2. The site is set in a residential area with surrounding properties being of two and three storey construction with a recently developed chalet-style dwelling located adjacent to the south west of the proposed application site. The existing library building is a typical 1960's building with a mix of flat and low monopitched roofs with face brick walls with areas of timber cladding. The site shares an access road with a three storey block of flats to the west of the site which is accessed from Chichester Road.
3. There are no site-specific Development Plan Policies identified in connection with the application site itself, although general policies are set out in paragraph (14).

**Accommodation for individuals with mental health issues at former Newington Library, Ramsgate – TH/14/1 (KCC/TH/0384/2013)**

**Wider Site Location Plan**



**Accommodation for individuals with mental health issues at former  
Newington Library, Ramsgate – TH/14/1 (KCC/TH/0384/2013)**

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**Site Location Plan**

**Accommodation for individuals with mental health issues at former Newington Library, Ramsgate – TH/14/1 (KCC/TH/0384/2013)**



**Accommodation for individuals with mental health issues at former Newington Library, Ramsgate – TH/14/1 (KCC/TH/0384/2013)**

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**Background**

4. The redevelopment of this site is proposed by Kent County Council Adult Services as part of their Excellent Homes for All programme. Kent County Council Adult Services is working in partnership with the Kent District Councils and a private sector partner Galliford Try Investments Ltd. This application is one of seven sites throughout Kent that are proposed to be redeveloped to provide housing for vulnerable people. This site would provide an assisted living facility for individuals with mental health issues. Five of the other sites across Kent would provide residential extra care living facilities for elderly people and one would provide move on accommodation for vulnerable adults.

**Relevant Planning History**

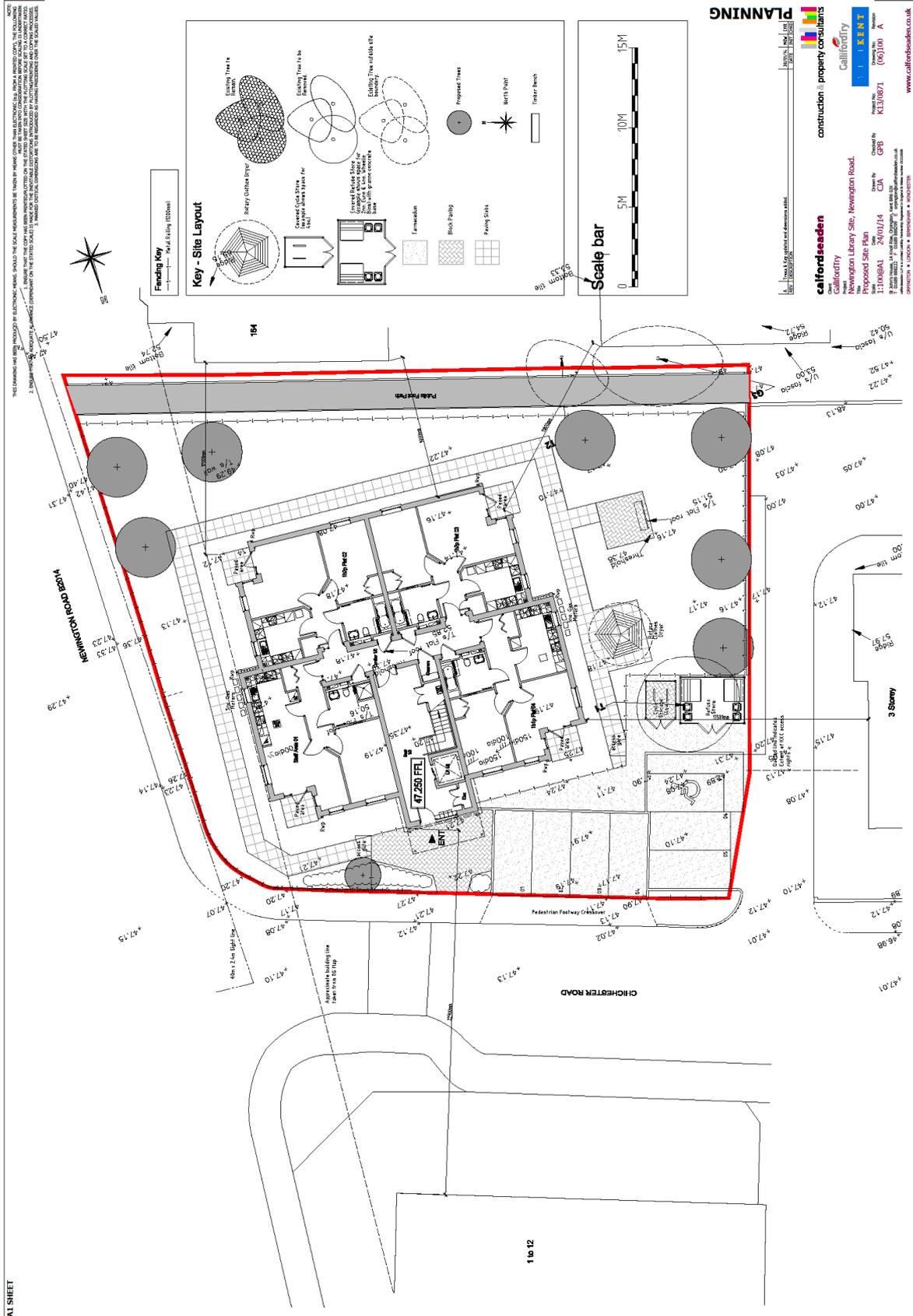
5. The site has an expired outline planning permission (planning reference TH/09/209 which was granted on 9 November 2009). That permission was for the development of 9 one-bed supported living apartments, together with residents' communal facilities and staff facilities. The outline application approved the principle of the demolition of the existing building and development of a part 2 storey, part 3 storey assisted living facility building for individuals with mental health issues.

**Proposal**

6. This application has been submitted on behalf of Kent County Council Adult Services, and proposes to demolish the existing former library building and create a development of 9 one-bed flats for individuals with mental health issues, including support staff facilities and the creation of new vehicle and pedestrian access arrangements and car parking.
7. The proposed building would be a part two storey, part three storey construction with a flat roof and overall floorspace of 861m<sup>2</sup>. The northern section of the building would be three storeys (9m) in height, reflecting the three storey residential developments to the north and west of the site and the southern section of the building would be two storeys (6m) in height, reflecting the two storey residential property and chalet-style dwelling located adjacent to the south of the site. The main entrance, to the north of the site would be located on Chichester Road.
8. The proposed building is of brickwork construction, with a flat roof, finished in contemporary materials including multi red/brown brickwork, ivory render, natural cedar cladding with white aluminium faced timber windows and aluminium coated canopy. The proposed use of a flat roof reflects the existing former library building which contains a proportion of flat roof. In addition, the flat roof would reduce the overall height of the building with the eaves level of the three storey building being 9.7m in height compared with a ridge height of 11m for two storeys with a pitched roof. The design of the building integrates Juliet balconies to 6 of the apartments and windows which have been located to minimise visual intrusion. The façades featuring the Juliet balconies have been stepped back to help to reduce the perceived scale of the development.

**Proposed Site Plan**

# Accommodation for individuals with mental health issues at former Newington Library, Ramsgate – TH/14/1 (KCC/TH/0384/2013)



Proposed Ground Floor Plan



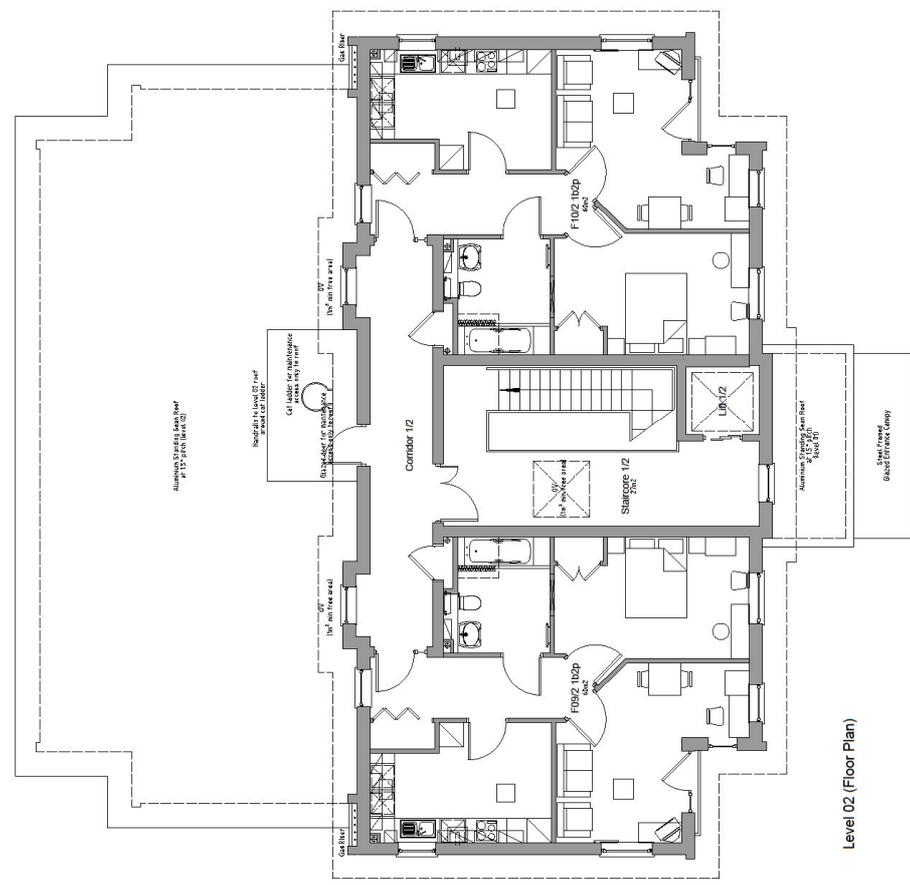


# Accommodation for individuals with mental health issues at former Newington Library, Ramsgate – TH/14/1 (KCC/TH/0384/2013)

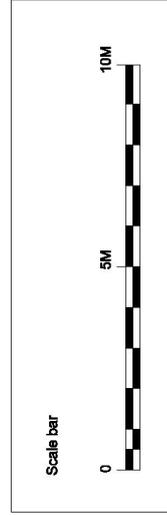
## Proposed Second Floor Plan

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A1 SHEET



Level 02 (Floor Plan)



**PLANNING**

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 N10/13 G 82  
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**calfordseaden**  
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 Ramsgate, Kent, TN11 0JL  
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GA - Level 02  
 12.01.10  
 CJA  
 DC  
 09/04/09 (05/04/10)

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# Accommodation for individuals with mental health issues at former Newington Library, Ramsgate – TH/14/1 (KCC/TH/0384/2013)

## Proposed Elevations

**A2 SHEET**

**NOTE:**  
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1. THE DRAWING MUST BE PRINTED AT THE CORRECT SCALE.  
2. ENSURE THAT AN ADEQUATE ALLOWANCE (DEPENDENT ON THE STATED SCALE) IS MADE FOR THE UNSTATED TOLERANCES INTRODUCED BY PRACTICAL PRINTING AND COPYING PROCESSES.  
3. MARKED CRITICAL DIMENSIONS ARE TO BE REGARDED AS HAVING PRECEDENCE OVER THE SCALED VALUES.

**KEY TO PROPOSED MATERIALS**

1. Through coloured primer wall finish.
2. Pair faced brickwork.
3. Aluminium composite external window and door units.
4. Vertical cedar cladding.
5. Timber cladding with timber handrail and door units.
6. Steel Frame Glazed door and entrance canopy.
7. Powder coated aluminium fascia/capping system.
8. Approximate location of PV panels.

**PLANNING**

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# Accommodation for individuals with mental health issues at former Newington Library, Ramsgate – TH/14/1 (KCC/TH/0384/2013)

## Visual Representation of Proposal

A3 SHEET

THIS DRAWING HAS BEEN PRODUCED BY ELECTRONIC MEANS. SHOULD THE SCALE MEASUREMENTS BE TAKEN BY MEANS OTHER THAN ELECTRONIC (E.G. FROM A PRINTED COPY), THE FOLLOWING MUST BE TAKEN INTO CONSIDERATION BEFORE SCALING IS UNDERTAKEN:  
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 2. ENSURE THAT AN ADEQUATE ALLOWANCE (DEPENDANT ON THE STATED SCALE) IS MADE FOR THE INEVITABLE DISTORTIONS INTRODUCED BY PLOTTING/PRINTING AND COPYING PROCESSES.  
 3. MARKED CRITICAL DIMENSIONS ARE TO BE REGARDED AS HAVING PRECEDENCE OVER THE SCALED VALUES.



REV	DESCRIPTION	DATE	BY	CHK
A	Electric awarded to Planning	19/07/13	JLL	EMR

**PLANNING**

**calfordseaden**  
 Client: GallifordTry  
 Project: Newington Library Site, Newington Road.  
 Title: CGI - Aerial View  
 Scale: NTS  
 Date: 24/01/11  
 Drawn By: RAG  
 Checked By: GPB  
 Project No: K09/0439  
 Drawing No: (06)150  
 Revision: A

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 ORPINGTON ■ LONDON ■ BIRMINGHAM ■ WINCHESTER

**Accommodation for individuals with mental health issues at former Newington Library, Ramsgate – TH/14/1 (KCC/TH/0384/2013)**

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9. The site would be accessed from Chichester Road, with a vehicle crossing in the footway to provide vehicular access to the car park. 7 car parking spaces are to be provided as part of the proposal, including a disabled space. The shared access route to the west of the site is to be retained to provide access to parking spaces along the north west of the site and to provide access for refuse and emergency vehicles. A cycle storage area is proposed to the west of the site. Pedestrian access to the site is also gained via Chichester Road.
10. In order for the development to take place, the public right of way running along the south of the site, will be re-aligned immediately along the southern boundary. (See the site location plan). The public right of way diversion order has already been approved by Kent County Council's Countryside Access Service and will come into force once the County Council confirms that the public footpath has been diverted in accordance with the details set out in the Public Footpath Diversion report.
11. The application documents state that the development would aim to achieve Code for Sustainable Homes Level 3 or BREEAM 'good' rating. The applicant has submitted a report assessing the feasibility for providing low carbon and renewable technologies. The use of photovoltaic systems has been deemed to be suitable for the proposed development and as a result, 15 no. photovoltaic panels have been incorporated on the north western side of the flat roof to the three storey element of the building.
12. The development has been designed with elements of Secured by Design in mind and the applicant states that they will apply for Level 1 and 2 Secured by Design accreditation. This incorporates certain standards of security into the design of a development, ensuring a well-designed environment that creates good natural surveillance over car parking areas and a secure and well-maintained access. 1200mm high railings would border the site boundary, creating a secure environment and providing some separation with the public footpath that will run along the south of the site.
13. The proposal includes the felling of one individual tree that is located in an open area to the north west of the site, which encroaches on the footprint of the proposed building. The Tree Survey report submitted by the applicant has classified this tree as having a 'low retention value'. The landscaping scheme that has been submitted as part of the application includes the planting of eight trees across the site as well as an extensive planting scheme incorporating native species and a communal garden space.

**Planning Policy Context**

14. The following Guidance/Statements and Development Plan Policies summarised below are relevant to the consideration of the application:
  - (i) **National Planning Policy Framework (NPPF)** March 2012, sets out the Government's planning policy guidance for England at the heart of which is a presumption in favour of sustainable development. The guidance is a material consideration for the determination of planning application but does not change the statutory status of the development plan which remains the starting point for decision making. However the weight given to development plan policies will depend on their consistency with the NPPF (the closer the policies in the development plan to the policies in the NPPF, the greater the weight that may be given).

In determining applications the NPPF states that local planning authorities should

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look for solutions rather than problems, and decision-takers at every level should seek to approve applications for sustainable development where possible.

In terms of delivering sustainable development in relation to this development proposal, the NPPF guidance and objectives covering the following matters are of particular relevance:

- the delivery of a wide choice of high quality homes to meet current and future needs of different groups in the community, including older people with provision reflecting local demand in terms of size, type, tenure and range of housing.
- achieving the requirement for high quality design and a good standard of amenity for all existing and future occupants of land and buildings;
- development being located where the need to travel will be minimised and the use of sustainable transport modes can be maximised; and
- safe and suitable access to the site can be achieved for all people.

**(ii) Development Plan Policies**

The adopted 2006 **Thanet District Council Local Plan (Saved Policies)**:

- |                    |   |
|--------------------|---|
| <b>Policy H1</b>   | Residential development on non-allocated sites will be permitted only on previously developed land within built-up confines, unless specifically permitted by other Local Plan Policies   |
| <b>Policy H4</b>   | Requires all windfall sites to be assessed against set criteria, including location and accessibility, capacity of existing and potential infrastructure, and the physical and environmental constraints.   |
| <b>Policy H11</b>  | In considering proposals for non-self contained residential accommodation account will be taken of the likely effect of the building use on the character and amenity of the locality resulting from noise, disturbance and visual impact together with the adequate provision for car parking and dustbin storage/refuse collection. |
| <b>Policy TR12</b> | In new residential development, facilities for the secure parking and storage of cycles should be provided for.   |
| <b>Policy TR16</b> | Proposals for development will be expected to include satisfactory provision for the parking of vehicles (including service vehicles where appropriate).  |
| <b>Policy D1</b>   | All new development is required to provide high quality and inclusive design, sustainability, layout and materials.   |
| <b>Policy D2</b>   | Landscaping measures should be considered as part of any new development proposals.   |
| <b>Policy HE11</b> | Developers will be required to undertake archaeological assessments where required as part of the determination of new development proposals.   |

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**Policy CF1** Planning permission will be granted for new community facilities if the proposals are not contrary to other Local Plan Policies and the community use and location are demonstrated as appropriate.

**Consultations**

15. **Thanet District Council** - raises no objection subject to the applicant being able to demonstrate that the proposal is in accordance with Policy CF1 of the Thanet District Local Plan (2006). This policy concerns the change of use of existing community facilities for non-community use and permission will only be granted if it can be demonstrated that there is no longer a sufficient need for facilities at this site for the retention of community use or adequate alternative accommodation can be provided for community use. Further information was provided by the applicant to address this policy and Thanet District Council withdrew its holding objection to this aspect of the proposal. Thanet District Council raises no objections on the design, layout and scale of the building.
16. **Kent County Council Highways and Transportation** - raises no objection to the proposed assisted living facility scheme, subject to the imposition of conditions covering the following aspects:
  - details of construction vehicle loading/unloading and turning facilities to be agreed prior to commencement of the development;
  - details of parking areas for construction vehicles to be agreed prior to commencement of the development;
  - details of wheel cleaning facilities to be approved prior to commencement of development;
  - permanent retention of vehicle parking spaces shown within the application prior to occupation of the building;
  - permanent retention of cycle parking facilities shown within the application prior to occupation of the building;
  - details of measures to prevent the discharge of surface water onto the highway;
  - Completion of the access shown on the submitted plans, including the necessary vehicle crossing in the footway, prior to occupation of the building.
17. **Environment Agency** - raises no objection and offers advice concerning drainage, pollution prevention, water conservation and construction/demolition waste matters
18. **Public Rights of Way** – notes that the Notice of Confirmation of the diversion of public footpath TR34 has been included in the application and state that the new alignment of the path should be carried out in accordance with the details included in the diversion report. General informatives are also required with regard to not obstructing or disturbing the use of the Right of Way and if temporary closure of the Right of Way is required an application should be submitted to the Public Rights of Way and Access Service 6 weeks prior to the required closure date.
19. **County Archaeologist** – raises no objection, subject to the imposition of a condition requiring the applicant to submit details of an archaeological watching brief prior to commencement of the development.

**Local Members**

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20. The County Council Local Members Mr Trevor Shonk and Mr Martyn Heale were notified of the application on the 23 December 2013.

**Publicity**

21. The application was publicised by the posting of 2 site notices around the application site, a newspaper advertisement and the individual notification of 76 neighbouring properties.

**Representations**

22. I have received 9 letters/emails of representation, including one email of support and 8 letters/emails of objection to the proposal. The main points of objection are summarised as follows:-

Need and Use of the development

- This is the wrong location for the proposed development due to problems of crime and drug dealing in the area.
- The possible negative affect that the development would have on the local property market.
- Disappointment over the closure of the library facility and desire for a new library facility to be built on site.
- Concern regarding the practical and emotional support that the tenants would receive.
- View that the assisted living facility should have been located on the site of the former Newington Primary School in Melbourne Avenue as it would be a 'secure and shielded community' *[Note that the former Newington Primary School site is currently the subject of a planning application submitted by Kent County Council Adult Services for the development of an extra care building containing 49 apartments].*

Design and Scale

- Concern that the building line is set back too close to the footpath and not in keeping with the building line of surrounding properties.
- Development of a three storey building would not enhance the local area. Previous three storey developments have not been in keeping with surrounding development which is made up of two storey and single storey housing.
- The footprint of the proposed development is greater than the current surrounding buildings and the proximity of the development to a 2 storey building and a chalet bungalow immediately to the south of the site.
- The Juliet balconies are not in keeping with surrounding buildings and would appear out of character and be intrusive for neighbouring residents.
- Potential for overlooking resulting in concerns with privacy.

Access, Parking and Highway Safety

- The layout of the parking bays would not be very accessible.
- Visitors to the flats would experience difficulty with on street parking and also cause problems for local residents trying to park their vehicles.
- Concerns with refuse vehicle access/egress from the site.
- Concern with why this site was chosen due to the increasing number of accidents at the

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Newington Road/Chichester Road junction.

Diverting the Public Right of Way

- Concern with the diversion of the path closer to 164 Newington Road and the potential for increased noise nuisance.
- View that the footpath should be re-routed to the west of the site joining up with Chichester Road rather than to the south of the site immediately adjacent to 164 and 162a Newington Road.

Landscaping and Green Space Issues

- Request that the individual tree to be removed on the site be retained.
- Request that details of landscaping within the boundary of a neighbouring property be omitted from the application documents as these trees are to be removed.
- Concern that the development will be encroaching on land designated as Green Wedge (Thanet Local Plan Policy CC5) [*Note that there is no area of Green Wedge within or close to the development site*].

Noise and Overshadowing

- The proximity of the development to neighbouring properties could lead to noise pollution.
- Light survey should be conducted with the three storey section of the building to the northern elevation of the site.

Crime, Anti-Social Behaviour and Security

- The anti-social behaviour in the surrounding area would not be conducive to providing a suitable environment for recovering mental health patients.
- Crime and social deprivation are relatively high in this area.
- Statistics show that Newington has the highest percentage of residents aged 0-18 with mental health illnesses and the use of this development would add to the concentration of people with mental health issues in the area.
- Lack of Police presence in Newington could be an issue if an incident was to occur with any of the residents living at the facility.
- Concern raised for the security of local residents and safety of the tenants occupying the building.

**Discussion**

Introduction

23. In considering this proposal regard must be had to Development Plan Policies outlined in paragraph 14 above. Section 38(6) of the Planning and Compulsory Purchase Act (2004) states that applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. Therefore, the proposal needs to be considered in the context of Development Plan Policies, Government Guidance and other material planning considerations arising from consultation and publicity. The main issues to consider are whether the design and layout of this development is appropriate in this residential area, residential amenity concerns and the consideration of need.

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24. This application is being reported for determination by Members of the Planning Applications Committee following the objections of neighbouring residents. In my view the key determining factors concern the need for the development and suitability of the location, including highway and safety considerations plus the impact upon residential amenity in terms of overlooking, noise and visual impact.
25. The Thanet Local Plan (2006) promotes high quality design, new residential development in town centre sites served well by public transport and the provision of appropriate levels of cycle and car parking facilities in Policies D1, H1, TR12 and TR16.
26. There is also a general presumption to encourage the establishment of new community facilities within Policy CF1. The application proposes to demolish a former library building and redevelop the site for residential use. Thanet District Council initially raised concerns that the application documents did not fully address Policy CF1 relating to the change of use of existing community facilities for non-community use. The District Council will only consider that a development is not contrary to Policy CF1 if it can be demonstrated that there is no longer a sufficient need for the facilities to warrant retention for community use or adequate alternative provision for community use can be provided. The applicant has since highlighted the need case for a development of this nature at this site and pointed out that the relocation of the library facility has been relocated to a much improved building nearby on the Marlowe Academy site. The County Council also proposes to provide community facilities at the nearby former Newington Primary School site including café, training rooms, exercise space, therapy room, assisted bathroom and small local shop, located at the proposed extra care facility. It should also be recognised that the proposed development has an element of community use in that it seeks to provide specialist accommodation for a vulnerable sector of the community.
27. As a result of the further information provided by the applicant, Thanet District Council are satisfied that Policy CF1 has been satisfactorily addressed and as a result have withdrawn their holding objection to the proposal. Under the circumstances, I consider that the proposed development is in accordance with general aims of Local Plan Policies.

**Design and Layout Aspects**

28. The proposed development is located in a residential area with three storey developments to the north and west of the application site, a two storey property to the south east of the site and a new chalet-style dwelling to the south west of the site. The building has been designed with a mixed storey element to reflect the scale of surrounding residential developments. The use of a flat roof in the design of the proposed building would help to reduce the overall scale of the three storey element. Concern has been raised by nearby residents who reside in properties to the south of the application site that the scale and mass of the proposed development is not in keeping with the surrounding area and that current three storey developments are out of character with the street scene. The principle of three storey development has been set with examples of three storey developments to the north and west of the application site, as well as the granting of the earlier outline planning consent. In my view, the scale and mass of the proposed development is not out of character with other buildings in the immediate vicinity. The height of the two storey element of the proposed building at 6m and three storey element at 9m would not in my view be overly imposing and the layout of three storey/two storey sections of the building would respect the scale of surrounding residential development.

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29. Nearby residents have raised concerns about the proximity of the development to the boundary and potential for overshadowing to neighbouring properties. The potential loss of daylight that the three storey section of the building may cause for neighbouring properties to the north and west of the site is an issue of concern with nearby residents. The applicant has stated that the footprint of the building is not sufficiently large to have significant impact on surrounding residential properties. The height of this section would not be overly imposing to cause significant overshadowing impact.
30. The proposed layout and scale of the development should be considered to establish whether the development, as proposed, is acceptable in this location and is in keeping with the existing residential setting. I consider that the scale of the proposed building is acceptable and respects the character of surrounding development. In addition, the stepped back façade incorporated into the design of the building would help to reduce the perceived scale of the development. The footprint of the proposed development is similar to that approved at the outline planning application stage, and whilst that outline permission has now expired and this current planning application needs to be considered on its own planning merits, the earlier consent remains a material consideration.
31. Nearby residents have raised concerns that the use of Juliet balconies as part of the design of the proposed development are not in keeping with the surrounding residential buildings and would look out of character. There is also a concern that these balconies would increase the potential for overlooking. I am satisfied that the location of these balconies, and their inherent restricted access and therefore field of view, would not be overly intrusive upon the visual amenity of neighbouring properties, such as to warrant withholding planning permission. .

Overlooking

32. The proposed building has been designed to minimise the potential for overlooking. The closest properties to the proposed building are located to the south of the application site. Windows to the southern elevation of the proposed building have been kept to a minimum, reducing the opportunities for overlooking to occur from the southern elevation. The application documents show that the two storey section of the building to the south of the site is 12m and 9m in distance from No. 164 Newington Road. The proposed building is 12m from 162A Newington Road. The windows of two habitable rooms look towards the garden of 164 Newington Road but the progressively receding angle of the building would allow oblique views and the single storey element of No. 164 Newington Road does not have windows to the building's northern elevation, reducing possible overlooking impacts. The three storey section of the building to the north of the site is 22.9m in distance from the main entrance to the neighbouring property and 23.8m to the building façade with windows to habitable rooms.
33. Bearing in mind that the general guidelines for protecting privacy between neighbouring properties suggest 21m where the windows of habitable rooms directly face each other, and 11m where such windows face blank walls, I consider that the proposed layout adequately complies with these guidelines and that there is no justification for presuming against the development on privacy issues alone. Moreover, the proposed landscaping scheme would also help to soften and break up views of the development, by filtering direct lines of sight.

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Noise Nuisance

34. Noise nuisance generated from future residents of the proposed building and use of communal garden space is a point of concern for residents who reside in properties to the south of the application site. Windows to the southern elevation of the proposed building have been kept to a minimum and noise levels from open windows would not generate significant noise nuisance. The landscaping scheme and fencing to the boundary of the site would assist in reducing any possible noise impact from outdoor communal areas and the public right of way would provide separation distance from properties located to the south of the site. Nevertheless, there is no reason to assume that the occupants of the proposed development would be any more likely to create undue noise than any other neighbouring residents in this relatively densely settled neighbourhood.
35. The proposed building incorporates a lift for improved accessibility purposes for potential future residents. Concern has been raised that the lift which is located centrally within the building may also have the potential to generate noise nuisance. In my view, it is highly unlikely that the occasional operation of this internal lift would generate substantial noise nuisance over and above background noise levels, including existing road traffic noise.
36. Overall, I do not consider that there is likely to be any significant negative impact to neighbouring properties as a result of visual intrusion, noise disturbance, loss of light or invasion of privacy. The landscaping scheme would also help to mitigate the visual impact the development may have on the surrounding local area and the potential for unacceptable levels of overlooking occurring.

Access and Highway Safety

37. Kent County Council Highways and Transportation has been consulted on the proposal and has raised no objection on highways grounds. Kent Vehicle Parking Standards advise that one parking space per one bedroom dwelling is deemed to be acceptable. With this proposal 7 parking spaces are proposed for 9 flats. The applicant has advised that given the nature of the potential residents they are unlikely to own a car and any vehicle parking arrangements would mostly be used by staff/visitors attending the site. In the light of this information, KCC Highways & Transportation has raised no objection to this level and arrangement of car parking.
38. Local residents have also raised concern regarding the perceived increasing number of accidents at the Newington Road/Chichester Road junction, and the highway safety implications that the proposed development would have through the contribution of additional traffic on the local road network. KCC Highways & Transportation has not raised any objection to the proposal on highway safety grounds and the proposed vehicular access to the site, using a vehicular crossover and shared access road, and has taken existing road and junction capacity, and crash records, into consideration in making such a judgement. In essence, this is a normal suburban road network with quite typical levels of traffic, and there is no reason to presume against the development on road safety grounds alone.
39. Concerns were raised by local residents regarding the refuse removal arrangements on the site, given the fact that the refuse vehicle tracking plan submitted as part of the application documents, indicates that the refuse vehicle would have to make use of a

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lay-by adjacent to the proposed development site. However, local residents argued that this lay-by is usually used to park their vehicles. KCC Highways & Transportation has stated that *'as the refuse vehicle only makes limited visits to the site and the lay-by is unlikely to be fully parked all the time, there is likely to be sufficient room for the turning manoeuvre. If necessary the refuse vehicle can use the existing turning area at the end of Chichester Road and park on Chichester Road for the likely short period needed to collect the refuse.'* Furthermore, the proposed refuse arrangements do not differ from the existing arrangement for collecting refuse from the existing block of flats to the west of the proposed development site which shares an access route.

40. Taking the professional advice received from KCC Highways & Transportation into account, and subject to the imposition of conditions covering provision of car parking and cycle parking prior to occupation, details of site compound and access arrangements, a management plan for construction traffic, details of surface water discharge prevention measures and vehicle access arrangements, I would consider the proposal acceptable in highway terms.

#### Public Right of Way

41. The applicant has applied to the County Council's Countryside Access Service for the Public Right of Way to be re-aligned in order to accommodate the footprint of the proposed building. Concerns have been raised by nearby residents regarding the diversion of the Public Right of Way on the grounds that it currently attracts individuals who display anti-social behaviour, and the re-alignment of this footpath closer to residential properties, adjacent to the south of the site could possibly increase noise nuisance for nearby residents. Members should note that the PROW diversion order has already been approved by KCC's Countryside Access Service and will come into force once the County Council confirms that the public footpath has been diverted in accordance with the details set out in the Public Footpath Diversion report. The Public Rights of Way Officer has considered that the diversion of the Public Footpath would not have a negative effect on public rights and enjoyment of the highway and the new route would run in close proximity to the existing route, terminating on Newington Road. If planning permission is gained, a condition requiring the footpath diversion to be carried out in accordance with the details included in the Public Right of Way diversion report would be stipulated. Under the circumstances, I do not consider that the impacts of the changes to the Public Right of Way are of material significance in this particular case.

#### Security and Wellbeing

42. Concern has been raised by local residents regarding the security of the site and whether the location is acceptable for housing vulnerable people due to the perceived high crime rates in the local area and the possible threat this may pose to potential future residents. The applicant has advised that security features including video lined door entry, Secure By Design (SBD) approved front entrance doors to the individual flats, SBD fencing which encloses the boundary of the site with 1200mm high railings and vandal resistant materials would be built into the design of the development. In addition, the proposal has been discussed with Kent Police Secured By Design officers who have endorsed the scheme. The applicant intends to apply for Level 1 and 2 Secured By Design accreditation.
43. Furthermore, local residents have raised concerns regarding the potential future residents of the proposed apartments and their potential safety within the community

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due to the perceived high rate of crime and anti-social behaviour in the area. As part of this proposal support staff would be located on-site to provide assistance to any future residents. To address these concerns, the applicant has provided the following statement in response to the concerns raised by local residents regarding the future residents of the proposed apartments:

*'The proposed development will be part of the NHS East Kent Mental Health Redesign process, which will see the development of an additional 33 units of supported accommodation across the East Kent area. These 9 units will be for local people who will be experiencing mental health issues.*

*Individuals living in these units will have their own dedicated support. This will be from professional workers such as Community Psychiatric Nurses, Social Workers, Occupational health therapists as well as support workers who will offer daily input to meet individual need. This support will be an extension of the Thanet Horizons project, which has capacity to support this new service.*

*All the 9 service users will have a vigorous risk assessment to ensure that they do not pose a risk to themselves or others and are capable of living in this type of environment, and are able to participate in local vocational resources. It is anticipated that these service users will be able to fully participate in the local community, which will assist in promoting their recovery.*

*The Thanet District Local Authority Housing Strategy and Homelessness strategy identify the need for additional supported accommodation units for people with mental health problems.'*

44. I am satisfied that the applicant has provided sufficient information to demonstrate that through the design and management of the scheme, the proposal would not pose a significant threat to the safety of future potential residents and the local community.

Landscaping

45. As part of the proposals, one tree is to be felled within the grounds of the development site. As previously stated, this tree is classified as being of 'low retention value'. A local resident has expressed concern that the tree would be removed as part of the proposal. The removal of the tree is required as it encroaches on the footprint of the proposed development. Additional tree planting on the site is proposed as part of the landscaping scheme which indicates the provision of 8 trees of native species to be planted around the site.
46. The residents of 162A Newington Road have indicated that they intend to remove the belt of trees, immediately to the south west of the site, within the grounds of their property as they have been damaged by inclement weather. Although the removal of these damaged trees would open up views towards the apartments, the proposed planting scheme submitted by the applicant indicates, in my view, sufficient levels of planting to reduce the potential impact to visual amenity.
47. I consider that the submitted landscape scheme would provide sufficient replacement tree and shrub planting to mitigate the loss of the tree which is to be removed. The landscape scheme would help to screen the proposed apartments with planting of trees and shrubs to the southern and western boundaries of the site which are adjacent to residential properties.

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Archaeology

48. The County Archaeologist has suggested that previous archaeological investigation at the site indicated a moderate to high level of archaeological activity. Therefore it is possible that proposed development works may disturb archaeological remains. Consequently, a condition requesting an archaeological watching brief should be imposed on any planning permission. In my view, this approach is appropriate and proportionate to the development being proposed and is also in accordance with Policy HE11 of the adopted Local Plan.

Need

49. Consideration must be given to the need for the proposed development due to the material planning objections that have been raised. Additional information has been provided by the applicant to address the need for the development (see paragraph 40 above). In particular, the development is required to improve the County Council's provision of assisted living accommodation for people with mental health issues in the local area.

**Conclusion**

50. Concerns have been raised regarding the impact of the proposed development on various aspects as set out above including residential amenity, design aspects and parking and highway safety issues. Having assessed each of these areas of concern, in my view, the development would not give rise to any significant material harm sufficient to warrant withholding planning consent. The proposed development is in accordance with the general aims and objectives of the relevant Development Plan Policies, including those that seek to protect the landscape and the local amenity. In addition, the development is in accordance with the principles of the National Planning Policy Framework and is in my view sustainable development. I consider that, subject to the imposition of appropriate planning conditions, this proposal would not have a significantly detrimental impact on residential amenity, design and layout aspects and traffic/parking issues.

**Recommendation**

51. I RECOMMEND that PLANNING PERMISSION BE GRANTED SUBJECT to conditions, including conditions covering:

- the standard time limit;
- the development to be carried out in accordance with the permitted details;
- a programme of archaeological work;
- no tree removal to take place during the bird breeding season;
- hours of working during construction and demolition to be restricted to between 0800 and 1800 Monday to Friday and between the hours of 0900 and 1300 on Saturdays, with no operations on Sundays and Bank Holidays;
- details of construction vehicle loading/unloading and turning facilities to be agreed prior to commencement of the development;
- details of parking areas for construction vehicles to be agreed prior to commencement of the development;
- details of measures to be taken to prevent the deposit of mud and debris on the

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- public highway to be approved prior to commencement of the development;
- permanent retention of vehicle parking spaces shown within the application prior to occupation of the building;
- permanent retention of cycle parking facilities shown within the application prior to occupation of the building;
- details of measures to prevent the discharge of surface water onto the highway;
- completion of the access shown on the submitted plans, including the necessary vehicle crossing in the footway, prior to occupation of the building.
- details of materials

52. I FURTHER RECOMMEND that the applicant be advised by informative of:

- the recommendation that the weatherboarding present at the back of the former library building be dismantled by hand prior to the full demolition of the building due to the (limited) potential for roosting bats.
- the advice offered by the Environment Agency concerning drainage, pollution prevention measures, water conservation and construction and demolition waste disposal.
- the applicant's attention is drawn to the letter from Public Rights of Way which contains general informatives with regard to works adjacent to and/or on a Public Right of Way. It is also advised that 'the granting of planning permission confers on the developer no other permission or consent or right to close or divert any Public Right of Way at any time without the express permission of the Highways Authority'.

Case officer – Hardeep Hunjan
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Background documents - See section heading
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