



Annabel Hemmings
Thanet District Council
Cecil Street
Margate
CT9 1AY
BY EMAIL ONLY

**Growth, Environment
& Transport**

Sessions House
MAIDSTONE
Kent ME14 1XQ

Phone: 03000 411683
Ask for: Simon Jones
Email: Simon.Jones@kent.gov.uk

01 August 2023

Dear Annabel,

Re: Outline application with all matters reserved except access for a proposed development at Land on the North East Side of Nash Road, Margate, Kent [Planning Application reference: OL/TH/23/0685]

Thank you for consulting Kent County Council (the County Council) on the outline planning application (all matters reserved except access) for the development at Land on the North East Side of Nash Road, Margate, Kent (known as Humber's Mill, Westwood). This application is for the erection of up to 1,461 residential units; a two form entry primary school; a mixed use centre; associated infrastructure including provision of a new strategic link road along Nash Road including demolition of buildings, alterations to existing junctions from Nash Road and Manston Court Road; and green infrastructure including public open space and associated facilities, landscaping, formal and informal play areas, utilities (including drainage), and associated ancillary works and structures including access.

In summary, and in considering the application as it currently stands, the County Council raises a **holding objection** on the following grounds:

Minerals and Waste: The County Council, as Minerals and Waste Planning Authority, raises a holding objection on waste management and mineral products facility safeguarding grounds in accordance with Policy CSW 16: Safeguarding of Existing Waste Management Facilities. An Infrastructure Assessment is required to be prepared, to the satisfaction of the Minerals and Waste Planning Authority, which would need to address the exemption requirements of Policy DM 8 Safeguarding Minerals Management, Transportation, Production and Waste Management Facilities of the adopted Kent Minerals and Waste Local Plan.

Public Rights of Way (PRoW): The County Council raises a holding objection in respect of PRoW. The proposed development will transform the character of the area and would have a significant impact on the PRoW network, causing disruption to path users during the construction period and affecting the experience of path users once complete. Insufficient weight is currently given to the overall PRoW network in terms of mitigation, particularly given the strategic links through the site and onward connectivity, together with the long term direct impact on the network. This must be addressed by the applicant to the satisfaction of the County Council as Local Highway Authority. There are also some areas where there is an omission of the PRoW network within the application documents, which require amendment.

The County Council's response:

The County Council has reviewed the outline planning application and sets out its comments below:

Highways and Transportation

Transport Assessment

Background

Paragraph 1.1.2: The County Council, as Local Highway Authority, notes that there has been a slight uplift in proposed housing numbers on this site to 1,461 dwellings, from the Thanet Local Plan allocation for 1,450 dwellings. This is unlikely to make a material difference to the County Council's evaluation of the Transport Assessment, which has modelled 1,475 dwellings. This uplift may, however, warrant another review of this site's proportionate contribution to the Inner Circuit Route (ICR) Improvement Strategy (ICRIS).

Comments on the Framework Travel Plan document are made separately in this response.

Local Plan Allocation

Paragraph 1.4.2: This section does not specify the widening of Nash Road, which is an identified Strategic Route for delivery in the current adopted Thanet Local Plan, forming part of the ICRIS, as detailed in the Thanet Transport Strategy (TTS). Policy SP18 of the adopted Local Plan specifically states that development proposals should include: "*5) highway improvements including widening of Nash Road and links to Nash Road and Manston Road, to local distributor standard between the southern extent of the site and Star Lane*".

Thanet District Transport Strategy 2015-2031

Paragraphs 2.3.8-2.3.16: It is again noted that this section does not make reference to wording in the TTS in relation to the widening of Nash Road on its existing alignment to Local Distributor standard, as per the following extracts of the TTS:

"TTS 8.2.6 - Situated alongside the existing Nash Road corridor, this site provides a natural extension to consented development at Land North of Haine Road. There is opportunity to upgrade the existing Nash Road corridor, which in turn will provide a tangible alternative to the congested A254 Road corridor for Margate to Westwood bound trips. There is further

potential to better link Westwood Industrial Estate to the wider highway network and enhance pedestrian and cycle access.

TTS 9.3.16 - Land is also allocated along Nash Road (1450 dwellings) which is perfectly placed to accommodate the necessary widening of Nash Road to the new junction with Star Lane and Star Lane Link. Whilst some traffic could be diverted through the new residential development on Land North of Haine Road (1020 new homes), this development has not been historically planned with this purpose in mind. Therefore, it is considered more appropriate to deliver widening along the existing alignment.”

Paragraph 2.3.18: The County Council acknowledges the revised cost estimates for each of the infrastructure schemes forming the ICRIS, and minor changes to housing allocations both approved and proposed. Therefore, under the County Council’s instruction, an updated Strategic Site Allocations Impact (SSAI) exercise has been carried out by the County Council’s consultancy team at Jacobs, to help inform respective site viability appraisals. Please note that the costings for these schemes and proportionate contributions have been adjusted accordingly. The Local Highway Authority would therefore encourage further dialogue between the County Council, Thanet District Council and the applicant on this point promptly, to assist in any viability assessment for this site.

Interim Guidance Note 3 (IGN3) – Residential Parking

Paragraph 2.3.25: The proposed IGN3 parking standards for a ‘suburban edge’ location are noted. Additional commentary will be provided below regarding parking standard requirements.

Paragraph 2.3.26: It is uncertain whether the speculation over low or zero parking provision pertains to future reserved matters proposals for this site. The County Council would not consider this location to be conducive to such a proposal, even with a full suite of sustainable travel measures.

Nash Road Alignment

Paragraph 4.3.2: This section does not specify the widening of Nash Road along its current alignment, in line with either Policy SP18 of the adopted Thanet Local Plan or the TTS.

Paragraph 4.3.4: A detailed summary of the constraints along Nash Road that may preclude widening along its current alignment would be useful in evaluating this element of the proposals. The realigned section of Nash Road would create housing parcels either side of the new spine road, which will form part of the ICR. The ICR is intended to be a high-capacity route that will accommodate future traffic beyond the adopted Thanet Local Plan period, and this section will need to be designed to a specification that can relieve the existing A254 corridor. Consequently, access junctions to housing parcels should be kept to a minimum to allow ICR traffic to flow freely and without significant impediment to journey times. The realignment of this section of Nash Road, through the site will also create a degree of severance to the movement of pedestrians and cyclists, which can only be effectively addressed by multiple signalised crossings (including the two proposed Pegasus crossings by the County Council’s count), which in turn will create delay for the movement of vehicular traffic. It is, however, noted that this proposal will address an existing road alignment issue, as per paragraph 4.3.7.

Paragraph 4.3.5: The County Council would specify a 7.3 metre carriageway width, in line with emerging reserved matters proposals at the Land Adjacent to Salmestone Grange Nash Road, Margate, Kent development (approved under planning application reference: OL/TH/16/1765). This would allow for greater link resiliency and less driver delay when factoring in right-turn movements. It is also agreed that cycle lanes should be segregated and the County Council would advise that other cycling infrastructure, including arrangement at junctions, should adhere to the [Local Transport Note 1/20](#) standard.

Paragraph 4.3.6: The proposed Pegasus Crossing on Nash Road would need to be designed to a point where a Stage 1 Road Safety Audit (RSA) can be submitted and assessed under this application. It is assumed that this arrangement includes the stopping up of the highway at this southern end of the proposed offline section of Nash Road, along with new turning head facilities. Public Bridleway TM11 (Half Mile Ride) is particularly well used. Public Bridleway TM16 and Public Footpath TM17 are not being diverted but maintained as they are. The Local Highway Authority in respect of PRoW has highlighted aspirations for a section of segregated footway.

Paragraph 4.3.8: It is noted that the proposed design speed for this section of the ICR is to be 30mph. The existing 30mph sections on Nash Road to the north and south of the proposed realigned section should effectively be joined, creating a continuous 30mph section.

Paragraph 4.3.9: The County Council would seek the demarcation of a reserved highway corridor through the site showing approximate alignment and sufficient land to accommodate a 7.3 metre carriageway, along with the proposed cycle/footways, SuDS and other services. A Section 38 Agreement would need to be established with the Local Highway Authority to deliver this.

Paragraph 4.3.10: The new junction with the proposed offline Nash Road would need to be designed to accommodate traffic associated with Nash Court Farm, with supporting swept path drawings demonstrating that farm traffic can turn in and out without crossing the centre line of the realigned Nash Road.

Paragraph 4.3.11: It is noted that the red line application boundary does not abut the neighbouring development site to the west (Land Adjacent to Salmestone Grange Nash Road, Margate, Kent, approved under planning application reference: OL/TH/16/1765), creating a potential pinch point along Nash Road at the access to the allotments. This would need to be addressed, so that the widened section of Nash Road under these proposals would tie in with that of the neighbouring site. The County Council would therefore need to pursue further dialogue on this point with the applicant and the Local Planning Authority.

Paragraph 4.3.12: The County Council notes that a bus gate could be employed to prevent general vehicular access from Manston Court from beyond Phase 1. The bus gate arrangement should form part of the public highway and any internal roads linking to it, including any that constitute a potential internal bus route, should be presented to an adoptable standard and subject to a Section 38 Agreement with the Local Highway Authority. Dependent on the agreed internal layout of the internal road network, this feature may also need to serve as a secondary emergency access, as at present residential parcels to the north and south appear to only have one point of access to the wider highway network.

Paragraph 4.3.13: Although the adopted Kent Design Guide (2005) permits up to 300 dwellings being served off a Major Access Road, it does further state that this would preferably constitute two points of access or be a loop with a short connection to a single point of access. It should also be complimented with a secondary emergency access link. Further engagement is required on this point to forestall any issues at reserved matters. It would be pertinent at this stage to outline phasing of the development to identify access arrangements and any potential issues.

As with the highway along the ICR, cycling infrastructure should adhere to the [Local Transport Note 1/20](#) standard.

Paragraph 4.3.16: As with the proposed realigned section of Nash Road, the County Council would seek sufficient land to accommodate a 7.3 metre carriageway, along with SuDS and other services. A Section 38 Agreement would need to be established with the Local Highway Authority to deliver this.

Paragraphs 4.3.18 – 4.3.19: The provision of the traffic signal-controlled shuttle working arrangement on Nash Road, just north of the Nash Farm land parcel, addresses current land availability constraints. It also appears, in principle, to function safely and within capacity from 2031 onwards. However, this arrangement can only at best be considered an interim measure. Such an arrangement in the highway is not in keeping with the intended function of the ICR and objectives of the TTS. It should be noted that the Simulation and Assignment of Traffic to Urban Road Networks (SATURN) model has not been coded to reflect the proposed shuttle-working arrangement on Nash Road. This is a significant deviation from the specification of the ICR, where introducing a condition of actual and perceived delay may impact on traffic flows and route choice accordingly. It is noted that the applicant is prepared to dedicate land within the Nash Farm land parcel to assist with the eventual widening of the constrained section, should additional land come forward. As per paragraphs 4.3.9 and 4.3.16, this should be included in the requested reserved highway corridor for the ICR.

Were the Local Highway Authority to consider the proposals for the shuttle working arrangement, the full LINSIG modelling outputs would be required for checking. A Stage 1 RSA would also need to be submitted for assessment, and would need to be reviewed by the County Council. The County Council would also require swept path drawings showing that the shuttle working arrangement can accommodate the largest expected vehicle types that will use this route. At present, Nash Road has a width restriction, but these proposals will in effect open up Nash Road, to larger vehicles by removing or by-passing physical constraints on its current alignment. Any planning or technical consent of the proposed shuttle working arrangement should also be subject to an obligation on the applicant. This should commit them to funding any required land purchase and highway works to facilitate the full upgrading of Nash Road, in line with Policy SP18 and the TTS. The shuttle-working proposals, however, should be considered in light of the County Council's comments on paragraphs 7.3.8 – 7.3.10 below.

Furthermore, the proposals do not elaborate on the proposed highway arrangement to the south of the Nash Farm Land, to facilitate the widening of this corridor as far as Star Lane. What is possible within available land needs to be shown on a plan, for the sake of avoiding another pinch point. The Overview Plan indicates this, but does not offer further detail on

proposed highway arrangement. The County Council would also urge the applicant to consider this in conjunction with comments made under paragraphs 7.5.1 - 7.5.3.

PRoW

(Detailed commentary in respect of PRoW is provided later within this response)

Paragraph 4.4: It is noted that Public Bridleways TM11 (Half Mile Ride) and TM16 will provide Pegasus crossings where they bisect the realigned Nash Road. It is suggested that the precise location of both the crossings is to be established at this stage and indicated on the movement parameter and Masterplan.

PRoWs should link with the neighbouring Shottendane Road (Public Footpath TM14) which is proposed to be upgraded to a Public Bridleway, subject to landowner consent.

The maintenance and improvement to east to west links are paramount for this site - where internal roads cross Public Footpaths. It is requested that appropriate crossing points will be required. All PRoWs that fall within the site should be provided with an all-weather surface.

The County Council requests that the applicant investigates providing monetary contribution towards enabling improvements onsite and offsite, to mitigate the impact of this application and make it more sustainable. This will support Objective ED07 of the County Council [Rights of Way Improvement Plan](#) (ROWIP) to secure additional funding for the improvement of the PRoW network.

Internal Road Network

Section 4.5: The County Council would need to see a Road Hierarchy Plan, which could form part of a Design Code for any forthcoming reserved matters. Although layout is indicative at this stage, the Masterplan shows a sizable central portion of the site having only one vehicular access point to the wider network, adjacent to the indicated school. This portion could be included in a loop road accessed from Nash Road.

In line with [Kent Bus Infrastructure Guidance](#), bus routes through the site should be identified with indicative bus stop locations shown on a Parameter Plan. Parameters influencing the Masterplan will have a significant bearing on the efficiency and effectiveness of a bus service being provided.

The locations for the school and local centre are indicated as being adjacent to the ICR, whereby sufficient land would need to be secured for parking / drop-off and pick-up facilities.

Parking

Section 4.6: As previously noted, 'suburban edge' parameters for IG3 parking standards are considered acceptable. All dwellings of more than three bedrooms will require two independently accessible parking spaces. Garages will be considered in addition to the required parking standards. An additional 0.2 visitor parking will be required through the site. Any tandem parking arrangements should make provision for an additional 0.5 visitor parking spaces to offset the potential on street parking that the scenario can represent. Each dwelling should make provision for Electric Vehicle charging facilities. These comments are provided to guide any future reserved matters applications.

Refuse and Servicing Arrangements

Paragraph 4.7: Tracking needs to be illustrated on a plan for a thirteen metre refuse freighter, alongside the turning for delivery vehicles and fire tenders on cul-de-sacs and private driveways.

Bus Strategy

Paragraphs 5.5.1-5.5.3: *“The exact routing/service frequency/service type within the Site will be determined by further reserved matters approvals.”* The County Council would maintain that the Bus Strategy would need to be agreed to a point at this juncture, to ensure that appropriate developer contributions to amended or new services are secured and in place. Liaison with the County Council Public Transport and Stagecoach is also recommended at the earliest opportunity. The County Council notes that a shuttle route between Westwood and Margate, via the site, is proposed to be the most viable option - any new service could be pooled with other committed developments. A consensus would however need to be reached between the relevant stakeholders prior to any determination of this application.

Paragraph 5.5.4: The methodology of every dwelling to be located within 400 metres of a bus service is welcomed, however, further information is required in relation to how this will be achieved in practice. It is recommended that the movement parameter and Masterplans also show indicative locations for bus stops within the development, along with crossing points on the spine road near the stops.

Traffic Growth

Paragraph 6.4.1: The Local Highway Authority understands that the Development Consent Order (DCO) at Manston Airport is subject to legal challenge. Therefore, the Local Highway Authority reserves the right to review the requirement for sensitivity testing should the future of the airport be clarified between now and the determination of this application.

Manston Court Road Access

Paragraphs 6.6.3 – 6.6.8: Although the modelling exercise has indicated that the relative traffic flows for vehicles routing to/from the west of the site are low, these are still significant taking in the context of existing highway constraints on these routes. Even these increases will add to existing pressures on pinch points and safety at junctions where visibility and geometry is sub-standard. It should be considered that the SATURN model network does not represent several local routes, such as Vincent and Flete Road, which are identified rat-runs in/out of the Westwood Cross area. Therefore, the outputs from the modelling exercise need to be considered within this context. In the view of the Local Highway Authority, this further establishes the need to manage development impacts on this part of the network with effective and timely mitigation, primarily in the form of the identified Manston-Haine link of the ICR. A proportionate approach to early delivery of the section that will link Manston Court Road with Manston Road to help manage a cumulative 2026 scenario should, in the County Council's view, be explored.

Star Lane / Star Lane Link

Paragraphs 7.3.1-7.3.4: It is noted that this junction is projected to operate within capacity in the 2031 scenario, although this forecast is based on the assumption that development traffic coming from Nash Road is able to utilise the Manston-Haine link, and thereby reduce right-turn manoeuvres at this junction. The County Council would refer to its comments made for Section 7.4, in relation to the need to establish a schedule for strategic highway contributions to ensure timely delivery of this infrastructure.

Nash Road Shuttle Working

Paragraphs 7.3.8-7.3.10: Further to comments made under paragraphs 4.3.18 – 4.3.19, it is noted that although the shuttle-working arrangement is proposed in a 2031 scenario, the County Council has no further comment on a trigger for delivery. In the view of the Local Highway Authority, this proposed arrangement is not considered an acceptable feature on the ICR in 2031 and will introduce an unnecessary pinch-point on the network in the interim. Nash Road presently acts as a relatively free-flowing alternative route to the A254, hence the TTS objective of bringing it up to a Local Distributor Standard. In the event of disruption on the A254 corridor, Nash Road can be severely impacted, a condition that is not modelled in SATURN, and the proposed shuttle-working arrangement would consequently be tipped over capacity.

The Local Highway Authority is of the view that this site is committed, by policy, to deliver the full widening of Nash Road as far as Star Lane, and hence the proposal should include a plan for meeting this policy requirement. The application proposes first building out on Manston Court Road which, provided suitable mitigation is agreed to manage interim impacts to the west of the site, should allow opportunity for the full widening of Nash Road to be delivered in time to serve development from those respective phases.

Off Site Proportionate Highway Impact

Paragraph 7.4: It is encouraging to see that reference is made to the provision of a financial contribution towards strategic highway improvements within the district of Thanet. However, at this stage there are no proposed trigger points for payment and further dialogue will need to take place, with the applicant, to provide clarity over this issue. This is given the modelling scenarios assess the road network in 2031 with all associated ICR and TTS infrastructure interventions in place (and on-site infrastructure for other strategic sites). It is essential that an agreement is reached in relation to strategic highway contributions in line with the Thanet Local Plan evidence base, otherwise such forecasts will not be sound. It is, however, noted that the proposed contribution in this section refers to a more accurate, updated apportionment, but as per the County Council's response to paragraph 2.3.18, this has been further revised in light of changing scheme costs and amended housing numbers.

Walking and Cycling Impact

Paragraphs 7.5.1 -7.5.3: The Trip Rate Information Computer System (TRICS) calculations for pedestrian and cycle movements from the site are noted, but the County Council is looking to accommodate more such trips in this location than the average attained from the database of existing sites. Although the proposals include a network of non-vehicular routes that will tie in with the existing network, for the most part this would be little more than would

be expected in order to provide suitable access for all modes. Further opportunities to encourage sustainable modes of travel for shorter journeys to local retail and employment destinations are apparent when looking beyond the application boundaries. Some degree of permeability with the neighbouring Westwood site to the south could be secured to access on-site facilities and routes beyond to Westwood Cross. The TTS also highlights an opportunity to link this site with the Westwood Industrial Estate to provide alternative access to a major employment site - an objective that has been facilitated under the approved application for Unit P, Continental Approach (planning application reference F/TH/21/0272), a site that lies directly opposite Nash Farm. A safe means of accessing the secured on-site four-metre connecting corridor and provision of suitable supporting facilities will considerably enhance this site's sustainable credentials and help realise the Framework Travel Plan objectives.

Public Transport Impact

Paragraph 7.6.1: As before, with walking and cycling, the County Council would be seeking to maximise use of public transport as opposed to simply meeting projected bus users. If discussions have taken place with Stagecoach, then the applicant is urged to also engage with the County Council's Public Transport Team and Transport and Development Team to collectively agree a suitable Bus Strategy and framework for funding.

Framework Travel Plan

A Framework Travel Plan has been submitted in support of a residential mixed-use development, outlining baseline travel patterns, targets for modal shift, and measures to be delivered.

The trip generation for the proposed development has been outlined in the accompanying Transport Assessment.

Kent Local Transport Plan 4

Paragraph 3.3.3: As outlined, the transport priorities for Thanet include the ICR to improve links to Westwood Cross, and the creation of a new railway station at Thanet Parkway. The proposal should viably enhance and improve the accessibility for existing and future residents. The site will be required to provide a proportionate contribution to the ICRIS.

Thanet District Transport Strategy 2015-2031

The County Council acknowledges that the site is identified within the [Thanet District Transport Strategy 2015-2031](#), outlining where there is further potential to better link Westwood Industrial Estate to the wider highway network and enhance pedestrian and cycle access.

Bus and Rail

Paragraphs 4.3.1-4.3.6: The existing bus stops and timings are outlined which is acceptable. It is noted that there are a number of bus services within 650 metres of the site boundary. A shuttle route between Westwood and Margate via the site is outlined as being the most

viable option in terms of a further bus service, which would be pooled with other committed developments. The Framework Travel Plan should take account of this proposed service.

Paragraph 4.3.7: Details are included for services from Margate station, indicated as 2km north of the site. The site should include facilities to improve access to Thanet Parkway Station, which should be included in the Framework Travel Plan.

Travel Surveys

Paragraph 5.1.1: The survey methodology is proposed to comprise the following:

- Site management questionnaire;
- Multi-modal count of trips to and from the site (from each residential phase/land use);
- Parking counts (including bicycles, motorcycles, cars, and lorries); and
- Resident, pupil, employee and visitor questionnaires as appropriate (including a question to determine any internalisation of trips).

The surveys will be dependent on land use, with individual Framework Travel Plans for each of the non-residential land use. The school will be subject to a separate Framework Travel Plan, which would involve hands up surveys.

Paragraph 5.2.1: Baseline surveys are proposed within six months of occupancy for non-residential land uses and 75% occupation for each residential phase, which is acceptable to the County Council.

Paragraph 5.3.1: Follow up surveys are proposed at years three and five, which is considered to be acceptable. The non-residential uses will be subject to monitoring fees, dependent on the floorspaces proposed. The residential phases will be subject to a £1,422 monitoring fee for 400 dwellings or more. This may be subject to change if active support or long term monitoring is required. This monitoring fee should be secured by way of a Section 106 (s106) Agreement.

The School Travel Plan should be uploaded to Jambusters and will be subject to annual monitoring with the County Council.

Baseline Modal Split and Targets

The County Council acknowledges that the modal split for each land use is to be based on TRICS and the most up to date Census data, which is considered to be acceptable.

The targets seek to reduce the vehicle trips by five percent from the baseline position, which is also acceptable to the County Council.

Measures

Paragraph 10.1.2: The County Council recognises that the Framework Travel Plan outlines informative measures for residents. Additional measures could include a £100 bicycle voucher upon first occupation of each dwelling.

Paragraph 10.1.3: Public transport provisions are proposed to be outlined in Residential Travel Information Packs. More robust measures should be proposed, such as annual bus tickets for all residents to tangibly provide a viable alternative to residents.

Off Site Measures

Paragraph 10.2.1: The County Council notes that discussions were held with Stagecoach, however, the applicant should have also engaged with the County Council Public Transport Team. Any new bus service should be detailed in future Framework Travel Plans for all uses.

PRoW

As a general statement, the County Council is keen to ensure that its interests are represented with respect to its statutory obligation to protect the PRoW in the county and to seek improvements to the network. The County Council is committed to working in partnership with the applicant to achieve the aims contained within the ROWIP and the County Council '[Framing Kents Future](#)' Strategy 2022-2026. These relate to quality of life, supporting the rural economy, tackling disadvantage and safety issues, and providing sustainable transport choices.

The following PRoW are affected by the site: Public Bridleways TM11 and TM16, and Public Footpath TM17. These all connect to the wider PRoW network in the area.

The County Council places a **holding objection** on the above application. Insufficient weight is given to the overall PRoW network in terms of mitigation, particularly given the strategic links through the site and onward connectivity, together with the long term direct impact on the network. There are also some areas where there is an omission of the PRoW network within application documents, which require amendment. The County Council may be in a position to lift this objection if the points made in this response are resolved to the County Council's satisfaction. The County Council would therefore welcome further engagement on the matters raised.

A PRoW Scheme of Management is required to be conditioned, agreed and approved by the County Council, prior to commencement of any works. This should cover both construction and operation, to include each PRoW affected, to therefore cover pre-construction, construction and completion over the prolonged schedule. All details are to be approved by the County Council prior to commencement of any works, if permission is granted. The County Council would suggest further direct engagement with the applicant to discuss the PRoW Scheme of Management and the following comments which make specific reference to the proposals.

Planning Statement

Paragraph 5.29: The County Council notes that the PRow will be “*retained and incorporated within the layout*” and would advise that the “*network of pedestrian routes across the site*” must link to existing PRow routes for connectivity.

Paragraph 5.32: The County Council acknowledges the proposed fifteen year construction period, and would draw attention to its comments made in respect of mitigation below, for the impact of construction on the PRow network for this timescale.

Paragraphs 5.33-34: As previously advised by the County Council for the EIA Scoping Report, PRow must be specifically referenced and included within all legal mechanisms and Heads of Terms to ensure that appropriate offsite improvements are enabled. Without such improvements, a development of this size will not achieve the sustainable travel objectives.

Paragraphs 5.35-5.39: This section makes no reference to the impact of the proposed development on PRow amenity and enjoyment over the construction period and once in operation, over a prolonged time period. Any landscaping maturing by Year 15 is considered to be inadequate by the County Council – this must be reviewed by the applicant.

Paragraph 5.45: The County Council is concerned that there is no mention of PRow, as there will be a significant impact on the PRow network. S106 contributions, to protect and improve PRow must be included due to the impact of the proposed development on air quality, noise pollution, landscape and visual amenity (as mentioned within the Non-Technical Summary). PRow use will be severely affected in all categories during construction and on completion, and this needs appropriate acknowledgement and mitigation.

Paragraphs 5.64-5.65: The County Council recommends that active travel is part of the climate change agenda to encourage modal shift away from short car journeys.

Paragraph 6.23: The County Council advises that a development of this size should also be looking to the future in terms of strategy and use. Comments made for the Framework Travel Plan in respect of the inclusion of PRow for active travel and leisure opportunities are therefore applicable for this paragraph.

Illustrative Masterplan

The County Council would recommend that PRow routes are clarified in this document, as there appears to be some deviation of alignment.

Framework Travel Plan

Paragraph 4.2.6: The County Council notes the omission of cycle rights on Public Bridleways TM11 and TM16 and would recommend that this is amended. These are important active

travel and leisure routes and they therefore require the improvements proposed. The County Council would also suggest that there is a connection between the two Public Bridleways alongside Nash Road, where it is proposed to be reduced traffic either on what is currently grass verge or within the site boundary. This would provide a significant connection for the PRow network.

Section 7 Aims and Objectives: This section should reference the County Council ROWIP and include PRow routes as active travel and leisure opportunities to benefit new and existing residents.

Section 9 Travel Plan: This section should include the PRow network both on and off site “to maintain good level of knowledge of sustainable travel opportunities” (paragraph 9.1.4). The applicant should also engage with [Explore Kent](#), the County Council’s promotional partners.

Section 10 Measures: The County Council is disappointed that there is no mention of the PRow network within the Residential Travel Information Packs in paragraph 10.1.7. It is also recommended that offsite PRow measures are included in section 10.2 alongside bus network measures.

Section 10.3 Non-Residential Uses: The County Council is concerned with the omission of PRow in this section – it must be referenced along with cycling and walking.

Paragraph 10.3.3 – In respect of primary school measures, the County Council delivers walk to school schemes to Draper Mill School close to the Humber’s Mill site. This supports the County Council’s s106 funding requests for schemes to improve routes for user safety and all weather use and it is requested that a similar scheme be requested for this development.

Section 12 Action Plan: The County Council would recommend that this section reflects the above comments, to ensure the inclusion and thus protection of the PRow network.

Design and Access Statement

The County Council notes that all plans throughout the application should label PRow to provide clarity and context to those reading the documents.

Connectivity Audit: The County Council recommends that reference is made to PRow in this section, specifically for both active travel and leisure purposes. The intention for the “*creation of new walking and cycling routes*” is noted, however, the applicant should also consider improvements to offsite existing routes via s106 investment, and with regard to the County Council’s request to link Public Bridleways TM11 and TM16.

Connectivity Plan: This should also include reference to the Viking Coastal Trail promoted route and the new National Trail, the King Charles III Coast Path. The PRow network should also be specifically referenced in the Connectivity Plan to provide clarity of the affected PRow routes from the proposed development.

Strategic Highway Improvements: The County Council confirms the requirement for Pegasus crossings at all points where Bridleways are crossed. The County Council also wishes to secure a new link connecting Public Bridleway TM11 and Public Footpath TM17 off-road, alongside Nash Road or within the site boundary. This should be created as a Public Bridleway via an appropriate legal mechanism to future proof this new route.

Traffic and Transport: The 'Response' section refers to the objective to “*enhance walking/cycling/horse riding in the area*”, and the new desired link connecting Public Bridleway TM11 and Public Footpath TM17 for all users fits this objective.

Development Principles

The County Council has set out its comments in respect of the following particular development principles laid out below:

5. Create a variety of wetland landscapes: The wetlands are located at the Eastern end of Public Bridleway TM11. The applicant must allow for, and demonstrate consideration of, the potentially unpredictable nature of cycle and equestrian use and design the layout of this section appropriately to ensure safety for all.

7. Maintain PRoW within proposed landscape corridors: The County Council notes that PRoW are shown in Landscape Corridors and there appears to be a connection between Public Bridleway TM11 and Public Footpath TM17. Clarity is required by the County Council and all details (widths, surface etc.) must be included in the PRoW Management Scheme, if permission is forthcoming.

9. Opportunity to close the northern section of Nash Road to through traffic: The County Council would support the closure of Nash Road for reasons above to enable the link between Public Bridleway TM11 and Public Footpath TM17. The County Council would require this to be a definite inclusion in proposals, not just “*to be explored*” and would therefore advise the applicant to engage with the County Council in order to bring this forward. This must be part of the planning consideration, not left until any future Reserved Matters, in order for any future development to progress in a legal and timely manner.

10. Create a network of safe and attractive walking and cycling routes to promote health and wellbeing and to reduce carbon emissions: The County Council would reiterate its comments made in the paragraph above which are also applicable here. Routes within the development that are not PRoW must be managed once in operation by an appointed management company to ensure future maintenance. All new routes must link to the existing PRoW for connectivity with the wider area PRoW network, including Public Footpath TM17 off-site, and Public Footpaths TM14, TR26 and TM13. If upgraded to Public Bridleway, Public Footpaths TM13 and TM14 would create better links for pedestrians, cyclists and equestrians for active travel and leisure opportunities, linking to schools, the Coast and Westgate Station.

Illustrative Masterplan

Public Footpath TM17 and Public Bridleway TM19 should be included in this Plan.

Design and Access Statement - Part 2

Land Use Parameter Plan: The County Council recognises that this Plan omits reference to PRow, and would recommend that this is amended.

Movement and Access Strategy: This Strategy requires amendment as there is little detail of PRow. Clarity is also needed on the Key in respect of the “*pedestrian, cycle and transport links could feature*” point. The County Council would recommend that this Strategy features the new link connecting Public Bridleways TM11 and TM16.

Nash Road: The County Council, in respect of PRow, would wish for a new link to be created as a Public Bridleway, to connect Public Bridleways TM11 and TM16. This would be off-road where there is existing grass verge available, or within site green space. With landowner permission, this can be achieved through a Creation Agreement entered into with the County Council as Highway Authority for the PRow network. The new link would be of significant benefit to user safety and wider connectivity.

PRow: The County Council confirms that Pegasus crossings would be required, although, the location of the crossing for Public Bridleway TM16 requires further consideration, given the wish for the new link and concern for user safety at this location. There is no crossing shown where the proposed green corridor crosses Public Bridleway TM11 which will require a crossing, albeit not a full Pegasus, for public safety. The junction of Public Bridleway TM11 onto Nash Road will require signage and improvement for visibility (clearance, widening, furniture to warn users of Nash Road). The County Council would also propose new residents exiting the development to have clear signage not to attempt access along Nash Road. Disappointingly, there is an omission of Public Footpath TM17 within the site and how this route will be incorporated.

Landscape Strategy Plan: The County Council recognises that housing appears close to Public Footpath TM17 and Public Bridleway TM16 which would require amendment in detailed design. Again, there is an omission of Public Footpath TM17 in the design of the Nature Park, and this requires amendment.

The photographic examples of the Green Corridor appear too urban, especially those on the PRow routes, and whilst the County Council appreciates this is at an early stage, this would not be acceptable.

General Comments

Disappointingly, it is recognised that reference has not been made to the County Council ROWIP or the [‘Framing Kents Future’ Strategy 2022-2026](#), which should be included in the application material. The National Planning Policy Framework (NPPF) policies mentioned in the Planning Statement, Design and Access Statement and Framework Travel Plan should also include paragraph 100 “*Planning policies and decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for*

users, for example by adding links to existing rights of way networks including National Trails.”

The County Council emphasises that any disturbance of the routes and works affecting PRow require approval from the Local Highway Authority.

All matters regarding access, access tracks, and the impact on the PRow with regard to public user safety and enjoyment must be fully mitigated, and proposals approved by the County Council. Consideration should also be given to the impacts on the PRow network during the pre-construction / early design stage of the project, in addition to the construction and operational phases of the project. For example, during the pre-construction phase, excavation works may be required to evaluate ground conditions and reptile fencing may be erected to conduct ecological surveys. The results of these investigations may influence and determine the final design of the development, but the process of collecting the data may cause disruption to PRow users.

In respect of mitigation, this project provides an opportunity to improve the PRow network and develop new links for connectivity across the network and that provide safe alternatives to existing on-road routes. The creation of new routes and the upgrading of existing routes should be considered as positive outcomes of the scheme. The public benefits of such work would help to compensate for any disruption caused by the construction of the development and the negative effects on the PRow network. Examples of new links would be as above between Public Bridleways TM11 and TM16. Improvements to the network would include, but not be exclusive to, the improvement and potential upgrade of user rights for Public Footpaths TM13 (Thanet District Council is the landowner) and TM14, and improvements to Public Footpaths TM10 and TM12 - for example, by way of clearance and surface repair. The County Council would welcome discussion with the applicant regarding an appropriate mechanism (s106) to secure funding to futureproof the network by these improvements.

Summary

Going forward, the County Council advises engagement with the applicant to review the impacts detailed in our holding objection, how they may be addressed and to consider PRow network improvements which could be delivered through the project.

A PRow Scheme of Management would then be required to be conditioned, agreed and approved by the County Council as Highway Authority, prior to commencement of any works.

Mitigation as described above will also be required in terms of developer contribution funding towards the County Council aims and objectives to improve active travel, leisure and tourism opportunities with regard to the wider area. The connectivity between and cumulative development impact of the Shottendane Road site and the proposed North Thanet Link Road would be of significant benefit to strategic off-road routes in the district.

Development Investment

The County Council, as key infrastructure provider, has assessed the implications of this proposal in terms of the delivery of its community services and considers that it will have an additional impact on the delivery of its services. These impacts will require mitigation, either through the direct provision of infrastructure or the payment of an appropriate financial contribution.

The Planning Act 2008 and the Community Infrastructure Levy Regulations 2010 (the CIL Regulations) (Regulation 122) require that requests for development contributions of various kinds must comply with three specific legal tests:

1. Necessary,
2. Related to the development, and
3. Reasonably related in scale and kind

These tests have been duly applied in the context of this planning application and give rise to the following specific requirements (the evidence supporting these requirements is set out in the appendices 2a-2f).

Request Summary

	Per applicable ¹ house	Per applicable flat	Total	Project
Primary Education	£7,081.20	£1,770.30	£10,345,633.20	Towards the new Humber's Mill primary school or other new primary schools locally or the provision of additional primary places within the Birchington and Thanet Villages Planning Group
Primary Land	1 x 2 form entry primary school site of 2.05ha to be provided at 'nil' cost to the County Council (transferred as per the County Council's General Site Transfer Requirements)			
Secondary Education	£5,587.19	£1,396.80	£8,162,884.59	Towards a new Thanet secondary school or the provision of additional secondary places within the Thanet district non-selective and selective planning group, or any other new secondary school within the district

¹ 'Applicable' excludes: 1 bed units of less than 56 sqm GIA, and any sheltered accommodation.

Secondary Land	£2,330.44	£582.61	£3,404,771.97	Towards the land acquisition cost of a new Thanet secondary school
Special Education Needs and Disabilities (SEND)	£559.83	£139.96	£817,911.63	Towards the provision of additional SEND places and/or additional SEND facilities within Thanet district
Early years	<p>26 place nursery to be provided as part of the two form entry primary school cost</p> <p>The County Council requests that consideration is given to the provision of space for additional private nursery premises either through a community or commercial building within the proposed development</p>			

	Per dwelling (x1461)	Total	Project
Community Learning	£34.21	£49,980.81	Towards additional resources, equipment and services for the Community Learning Service in Thanet district, to assist with the education and training of the new learners from this development
Youth Service	£74.05	£108,187.05	Towards additional equipment and resources for the Youth and Early Years Service in Thanet to enable early prevention and outreach provision in the vicinity of this development
Library Service	£62.63	£91,502.43	Towards additional resources, equipment, and book stock (including reconfiguration of space) at local libraries serving the development, including Margate Library, Westgate Library and Newington Library
Social Care	£180.88	£264,265.68	Towards specialist care accommodation, assistive technology systems and equipment to adapt homes, adapting Community facilities, sensory facilities, and Changing Places within the district
	All Homes built as Wheelchair Accessible & Adaptable Dwellings in accordance with Building Regs Part M 4 (2)		
Waste	£52.00	£75,972.00	Towards improvements at Thanet HWRC to increase capacity

<i>Highways</i>	<i>Kent Highway Services will respond separately</i>
Community Building specification	<ul style="list-style-type: none"> • Design that is dementia friendly, with dementia friendly decoration and signage • A catering area which is compliant with the Disability Discrimination Act, including adjustable height work surfaces, wash areas, cupboards etc • Toilets and changing facilities in accordance with the Changing Places specification

Please note that these figures are to be index linked by the BCIS All-In Tender Price Index based at Q1 2022 to the date of payment. They are valid for 3 months from the date of this letter after which they may need to be recalculated due to changes in district council housing trajectories, on-going planning applications, changes in capacities and forecast rolls, projects and build costs.

Justification for infrastructure provision/development contributions requested

The County Council has modelled the impact of this proposal on the provision of its existing services and the outcomes of this process are set out below and in appendices 2a-2f.

Education

The County Council is the statutory authority for education and is the Strategic Commissioner of Education Provision.

Education - Primary Education

The impact of this proposal on the delivery of the County Council's services is assessed in Appendix 2a.

Based on an indicative dwelling mix of 70% houses, 20% flats and 10% non-applicable flats, the proposal gives rise to 307 additional primary school pupils during occupation of the development. This need, cumulatively with other new developments in the vicinity, can only be met through the provision of the new Humber's Mill primary school, or other new primary schools locally, or the provision of additional primary places within the Birchington and Thanet Villages Planning Group.

This proposal has been assessed in accordance with the County Council Development Contributions Guide methodology of 'first come, first served' assessment; having regard to the indigenous pupils, overlain by the pupil generation impact of this and other new residential developments in the locality.

Build Contribution

The County Council requires a financial contribution towards construction of the new Humber's Mill primary school at £7,081.20 per applicable² house and £1,770.30 per applicable flat.

Land Contribution

The County Council also requires a two form entry primary school site of 2.05ha to be provided at 'nil' cost to the County Council (transferred as per the County Council's General Site Transfer Requirements (Appendix 2b)).

Please note this process will be kept under review and may be subject to change (including possible locational change) as the Local Education Authority must ensure provision of sufficient pupil spaces at an appropriate time and location to meet its statutory obligation under the Education Act 1996, and as the Strategic Commissioner of Education provision in the County under the Education Act 2011.

The County Council will commission additional pupil places required to mitigate the forecast impact of new residential development on local education infrastructure generally in accordance with its [Commissioning Plan for Education Provision 2023-2027](#) and [Children, Young People and Education Vision and Priorities for Improvement 2018-2021](#).

Education - Primary School site

Site

The County Council, as Local Education Authority, approves in principle the proposed indicative location of the new primary school and welcomes the site size of 2.05 ha as indicated in the Development Specification Document. It would appear from a desktop evaluation that the site is clear of PRow and flood zones, however, the County Council will require the four corner point co-ordinates of the proposed school site to enable a site visit to confirm the site's suitability. The applicant's attention is drawn to the County Council's General Transfer Terms (Appendix 2b), for which the proposed site will need to be in accordance and provided to the County Council at no cost.

It is noted that the school site is sandwiched between Half Mile Ride and overhead power cables to the south of the school site. The proximity of the school site to overhead power cables may be a matter of parental concern.

Further details are required as to the orientation of the school site, as well as its relationship to the adjacent community uses.

² applicable' means: all dwellings except 1 bed of less than 56sqm GIA.

If requested by Thanet District Council, additional sports hall height capacity could be provided for community badminton court use – there would be an additional build cost associated.

Highways

The County Council, as Local Highway Authority, notes that the proposed school site is very close to the realigned Nash Road. The way in which the school is accessed and the form of the junction from the spine road into Phases 3-5 is not clear and is a key consideration.

The County Council wishes to raise concerns regarding the location of pull-ins and parking for school drop-off and traffic congestions at peak hours on the main road, and busy main road frontage / speeding cars / lorries and road crossing for pedestrians.

Further detail is required on parameter / access plans and routes to avoid active picking up and dropping off directly from the link road.

The County Council requests further detail on space for school drop off and pick up areas, and internal layouts of the roads surrounding the school to ensure they have additional on-street parking designed into them.

Further information is requested on pedestrian routes to school, including routes over the realigned Nash Road and details of pedestrian / cycle crossings.

The County Council requires further information on the areas of the school campus which will be fronting the main realigned Nash Road and how this might impact on air quality and noise at the school site.

Archaeology

The County Council's comments in respect of Heritage Conservation are subject to pending archaeological reports in the area proposed for the new primary school.

Phasing / proposed timing of the school

The Development Specification Document sets out the location of the new primary school in Phase 2 of the development. Further discussion will be required to ascertain the appropriate timing for the transfer of the school land including provision of construction, highways and active travel routes. This will be subject to appropriate monitoring and review mechanisms within the s106 agreement to reflect build-out rates and pupil demand to ensure timely delivery and sufficient capacity is available.

The school site must be served by vehicular and pedestrian / cycle routes prior to opening, connecting not only the new communities to these schools, but also the existing residential areas and development in the locality. Further detail will be required on the proposed access routes to the school from Phase 1a, should the school be required to open prior to the completion of Phases 3-5.

S106 payment triggers

S106 payment triggers are to be advised following further discussions on phasing and the delivery requirements of the new primary school.

Education - Secondary School Provision

The impact of this proposal on the delivery of the County Council's services is assessed in Appendix 2a.

A contribution is sought based upon the additional need required, where the forecast secondary pupil product from new developments in the locality results in the maximum capacity of local secondary schools being exceeded.

Based on an indicative dwelling mix of 70% houses, 20% flats and 10% non-applicable flats, the proposal is projected to give rise to 219 additional secondary school pupils from the date of occupation of this development. This need can only be met through the provision of a new Thanet secondary school or the provision of additional secondary places within the Thanet district non-selective and selective planning group, or any other new secondary school within the district. This will be provided and delivered in accordance with the timetable and phasing of the Local Planning Authority's Infrastructure Delivery Plan, where available.

Build Contribution

The County Council requires a financial contribution towards construction of the new Thanet secondary school £5,587.19 per applicable³ house and £1,396.80 per applicable flat.

Land Contribution

The County Council also requires proportionate contributions towards the secondary school land acquisition cost at £2,330.44 per applicable house and £582.61 per applicable flat.

The site acquisition cost is based upon current local land prices and any s106 agreement would include a refund clause should all or any of the contribution not be used or required.

Please note this process will be kept under review and may be subject to change as the Local Education Authority will need to ensure provision of the additional pupil spaces within the appropriate time and at an appropriate location.

Education - Special Education Needs and Disabilities Provision

The Children's and Families Act 2014, Equality Act 2010 and Children and Families Act 2014 sets out the County Council's responsibilities for children and young people with special

³ applicable means: all dwellings except 1 bed of less than 56sqm GIA

educational needs and disabilities (SEND) aged 0-25 years. The County Council's [SEND Strategy](#) (2021-2024) sets out its vision and priorities in respect of this area of its service.

The number of children and young people with SEND in Kent is 13.4% of the total school population (January 2019), with the majority educated in mainstream school environments. However, children with more complex needs are supported through an Education, Health and Care Plan (EHCP) which sets out the provision they are entitled to. January 2019 figures for England show that 3.7% (4.1% for Kent) of the total school population were subject to an EHCP. The proportions have been rising both in Kent and nationally and this trend is set to continue. School-age pupils with EHCPs are educated in mainstream school classes, in Specialist Resourced Provisions on mainstream sites and in stand-alone special needs schools.

Mitigation of Need

All SEND infrastructure in Kent is currently at capacity. The County Council will, therefore, seek contributions from all housing proposals that meet the threshold to mitigate this new demand.

The SEND pupil product ratios are 0.0110 per house and 0.0027 per applicable flat.

This proposal gives rise to 16 additional pupils with EHCPs requiring extra support through specialist provision. This need will be met through the provision of additional SEND places within the district.

A proportionate expansion / new build contribution is therefore required of £139.96 per applicable flat and £559.83 per applicable house.

Education - Early Years

The County Council aims to secure a sufficient long-term supply of sustainable, high-quality early years and childcare provision. It works with existing and potential providers to encourage additional provision where required, whether for Free Entitlements and / or parent / carer funded place.

Where a new two form entry primary school is delivered, according to the Education and Skills Funding Agency (ESFA) Baseline Design, the design should include a 26-place nursery. This cost is included in the primary education new-build contribution rates for houses and flats and is therefore not subject to additional contributions.

The County Council requests that consideration is also given to the provision of space for additional private nursery premises either through a community or commercial building within the proposed development. The County Council welcomes the inclusion of two options for private nursery space within the on-site community facilities, as set out in the Development Specification Document.

Community Learning

The County Council provides community learning facilities and services for further education in line with its policies, as set out in the [‘Framing Kent’s Future’ Strategy 2022-2026](#). Community Learning and Skills helps people moving to a new development overcome social isolation and encourages community cohesion, as well as improving skills in a wide range of areas.

There is an assessed shortfall in provision for this service - the current adult participation in both District Centres and Outreach Facilities is in excess of current service capacity, as shown in Appendix 2d, along with the cost of mitigation.

To accommodate the increased demand on Community Learning and Skills, the County Council requests £43.21 per dwelling towards the cost of providing additional resources, equipment and services for the Community Learning Service in Thanet, to assist with the education and training of the new learners from this development.

Youth Service

The County Council has a statutory duty to provide Youth Services under section 507B of the Education Act 1996. This requires the County Council, so far as reasonably practicable, to secure sufficient educational leisure-time activities and facilities to improve the well-being of young people aged 13 to 19 and certain persons aged 20 to 24.

To accommodate the increased demand on the Kent Youth Service, the County Council requests £74.05 per dwelling towards additional equipment and resources for the Youth and Early Years Service in Thanet to enable early prevention and outreach provision in the vicinity of the development.

Library Service

The County Council is the statutory Library Authority. Under the Public Libraries and Museums Act 1964, it has a statutory duty to provide “*a comprehensive and efficient service*”. The Local Government Act 1972 also requires the County Council to take proper care of its libraries and archives.

Borrower numbers are in excess of capacity, and bookstock in Thanet district at 852 items per 1000 population is below the county average of 1134, and both the England and total UK figures of 1399 and 1492, respectively.

To mitigate the impact of this development, the County Council will need to provide additional services, equipment, and stock to meet the additional demand generated by the people residing in these dwellings.

The County Council therefore requests £62.63 per household towards additional resources, equipment and book stock (including reconfiguration of space) at local libraries serving the development, including Margate Library, Broadstairs Library and Newington Library.

Adult Social Care

The impact of this proposal on the delivery of the County Council's services is assessed in Appendix 2e.

The County Council is the statutory authority for Adult Social Care. The proposed development will result in additional demand upon Adult Social Care Services including older persons and adults with learning / neurodevelopmental / physical disabilities and mental health conditions. Existing care capacity is fully allocated, with no spare capacity to meet additional demand arising from this and other new developments.

To mitigate the impact of this development, the County Council requires:

- a proportionate monetary contribution of £180.88 per household (as set out in Appendix 2e) towards specialist care accommodation, assistive technology systems and equipment to adapt homes, adapting community facilities, sensory facilities, and Changing Places locally in the district.
- The Department for Levelling Up, Housing and Communities identified in June 2019 guidance '[Housing for older and disabled people](#)', that the need to provide housing for older and disabled people is critical. Accessible and adaptable housing enables people to live more independently and safely, providing safe and convenient homes with suitable circulation space, bathrooms, and kitchens. The County Council requests these dwellings are built to Building Reg Part M4(2) standard (as a minimum) to ensure that they remain accessible throughout the lifetime of the occupants, meeting any changes in the occupant's requirements.

Waste

The County Council is the statutory Waste Disposal Authority for Kent, responsible for the safe disposal of all household waste, providing Household Waste Recycling Centres (HWRCs) and Waste Transfer Stations (WTS'). Each household produces an average of a quarter of a tonne of waste per year to be processed at HWRCs and half a tonne per year to be processed at WTS'. Existing HWRCs and WTS' are running at capacity and additional housing will create a significant burden on the manageability of waste in Kent.

A contribution of £52.00 per household is required towards the upgrading of the Thanet District HWRC to mitigate the impact arising from this development and accommodate the increased waste throughput within the district.

Implementation

The County Council considers that the above contributions comply with the provisions of CIL Regulation 122 and are necessary to mitigate the impacts of the proposal on the provision of those services for which the County Council has a statutory responsibility. Accordingly, it is requested that the Local Planning Authority seek a s106 obligation with the developer / interested parties, prior to the grant of planning permission. The obligation should also include provision for the reimbursement of the County Council's legal costs, surveyors' fees and expenses incurred in completing the Agreement, and County monitoring fee of £500 for each trigger within the Agreement. The County Council would be grateful if a draft copy of any s106 agreement or unilateral undertaking could be shared at the earliest convenience, prior to its finalisation and would encourage discussions to ensure that the provisions laid out in the legal agreement meet the need generated by the growth.

The County Council requests confirmation on when this application will be considered and to be provided with a draft copy of the Committee report, prior to it being made publicly available. If the contributions requested are not considered to be fair, reasonable, and compliant with CIL Regulation 122, it is requested that the County Council is notified immediately and to allow at least ten working days to provide such additional supplementary information as may be necessary to assist the decision-making process in advance of the Committee report being prepared and the application being determined.

Minerals and Waste

The County Council, as Minerals and Waste Planning Authority, can confirm that the application site is not within 250 metres of any safeguarded land-won mineral. It therefore would not have to be considered against the safeguarding exemption provisions of Policy DM 7: Safeguarding Mineral Resources of the adopted [Kent Minerals and Waste Local Plan 2013-2030](#) (KMWLP).

However, with regard to safeguarded mineral or waste management facilities, the proposed development is within 250 metres of Margate Refuse and Recycling / Biffa Margate site and the concrete batching facility (Gallagher Ltd). Therefore, the application would have to be considered against the safeguarding exemption provisions of Policy DM 8: Safeguarding Minerals Management, Transportation, Production and Waste Management Facilities of the adopted KMWLP.

The County Council has examined the submitted details, including the applicant's Planning Statement, and cannot find any reference to the safeguarding requirements of the adopted KMWLP. The relevant part of Policy DM 8 states:

“Planning applications for development within 250m of safeguarded facilities need to demonstrate that impacts, e.g. noise, dust, light and air emissions, that may legitimately arise from the activities taking place at the safeguarded sites would not be experienced to an unacceptable level by occupants of the proposed development and that vehicle access to and from the facility would not be constrained by the development proposed.”

Further guidance on the application of this policy will be included in a Supplementary Planning Document.”

An Infrastructure Assessment is generally prepared as part of the Planning Statement or is a standalone document that details why the impacts of the lawful operation of the safeguarded facility will not give rise to unacceptable adverse impacts on the future occupants of the proposed development. The application does have Environmental Statement appendices that address dust, noise and vibration; however, the documents were unavailable at the time of writing this response. Ideally, an Infrastructure Assessment should be prepared that specifically addresses the requirements of Policy DM 8, as this is a material adopted Development Plan policy matter that the submitted application is silent on.

The County Council, as Minerals and Waste Planning Authority, raises a holding objection is raised on waste management and mineral products facility safeguarding grounds (Policy CSW 16 Safeguarding of Existing Waste Management Facilities). This is due to the absence of any exemption from the presumption to safeguard through a submitted Infrastructure Assessment, that addresses the exemption requirements of Policy DM 8 of the KMWLP.

Sustainable Urban Drainage Systems (SuDS)

The County Council, as Lead Local Flood Authority, has reviewed the information submitted and is satisfied with the principles proposed for dealing with surface water, namely via a system of interconnected infiltration basins and swales with the additional use of deep bore soakaways as required. Should Thanet District Council grant approval, the County Council would recommend that the following conditions with advisories are applied:

Advisories

As of the 10th of May 2022, the Environment Agency's climate change allowances have been updated. As part of this update, revisions have been made to the 'Peak Rainfall Intensity Allowances' that are used in applying climate change percentages to new drainage schemes.

The Lead Local Flood Authority would now seek that the 'upper end' allowance is designed for both the 30 (3.3%) and 100 (1%) year storm scenarios. The latest information on the allowances and map can be found on the [Government website](#).

On this occasion, whilst the current climate change advised uplift factor has been applied to the 1% AEP event, no uplift has been applied to the 3.33% AEP event. Whilst not particularly onerous at this stage, given the available capacity shown in the network calculations provided, the County Council would expect for this to be provided as part of a detailed design submission.

This analysis must determine if the impacts of the greater allowance are significant and exacerbate any flood risk. The design may need to be minimally modified but may also need

additional mitigation allowances, for example, attenuation features or provision of exceedance routes. This will tie into existing designing for exceedance principles.

The County Council is pleased to note that additional groundwater monitoring is to be undertaken to support the use of deep bore soakaways. It is expected that any information provided as part of the detailed design submission should clearly show recorded groundwater levels across a period of time to demonstrate suitable ground water levels are present across **all** seasons.

The County Council notes that it is stated within the Drainage Strategy document that *"A model boating lake is proposed for the site. The model boating lake design will incorporate an overflow into the drainage system, should design water levels be exceeded, to avoid increasing flood risk to site users or off site."* Whilst minor with regards to additional flows, the County Council would expect for this aspect of the Surface Water drainage design to be fully considered as part of any detailed drainage submission.

The hydraulic analysis provided details of the infiltration basin for catchment area w1 as having a base and side infiltration value of 0.71768 m/hr. As part of the detailed design, the County Council would expect clarification as to why the side infiltration rate is not set to 0.005076 m/hr in line with the rate found in this location and as per the other infiltration basins with drainage blanket.

The following conditions have been established to ensure that the development proposals demonstrate compliance with paragraphs 159 to 169 of the NPPF:

Condition: No development shall take place until the details required by Condition One (assumed to be reserved matters condition for layout) shall demonstrate that requirements for surface water drainage for all rainfall durations and intensities up to and including the climate change adjusted critical 100 year storm can be accommodated within the proposed development layout.

Reason: To ensure the development is served by satisfactory arrangements for the disposal of surface water and that they are incorporated into the proposed layouts.

Condition: Development shall not begin in any phase until a detailed sustainable surface water drainage scheme for the site has been submitted to (and approved in writing by) the Local Planning Authority. The detailed drainage scheme shall be based upon the Drainage Statement prepared by Stantec UK Ltd dated September 2022 and 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 100 year storm) can be accommodated and disposed of (within the curtilage of the site) without increase to flood risk on or off-site.

The drainage scheme shall also demonstrate (with reference to published guidance):

- that silt and pollutants resulting from the site use can be adequately managed to ensure there is no pollution risk to receiving waters.

- appropriate operational, maintenance and access requirements for each drainage feature or SuDS component are adequately considered, including any proposed arrangements for future adoption by any public body or statutory undertaker.

The drainage scheme shall be implemented in accordance with the approved details.

Reason: To ensure the development is served by satisfactory arrangements for the disposal of surface water and to ensure that the development does not exacerbate the risk of on / off site flooding. These details and accompanying calculations are required prior to the commencement of the development as they form an intrinsic part of the proposal, the approval of which cannot be disaggregated from the carrying out of the rest of the development.

Condition: Where infiltration is to be used to manage the surface water from the development hereby permitted, it will only be allowed within those parts of the site where information is submitted to demonstrate to the Local Planning Authority's satisfaction that there is no resultant unacceptable risk to controlled waters and / or ground stability. The development shall only then be carried out in accordance with the approved details.

Reason: To protect vulnerable groundwater resources and ensure compliance with the NPPF.

Condition: No building on any phase (or within an agreed implementation schedule) of the development hereby permitted shall be occupied until a Verification Report, pertaining to the surface water drainage system and prepared by a suitably competent person, has been submitted to and approved by the Local Planning Authority. The Report shall demonstrate that the drainage system constructed is consistent with that which was approved. The Report shall contain information and evidence (including photographs) of details and locations of inlets, outlets and control structures; landscape plans; full as built drawings; information pertinent to the installation of those items identified on the critical drainage assets drawing; and, the submission of an operation and maintenance manual for the sustainable drainage scheme as constructed.

Reason: To ensure that flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems, and to ensure that the development as constructed is compliant with and subsequently maintained pursuant to the requirements of paragraph 169 of the NPPF.

Heritage Conservation

The County Council's comments made in respect of Heritage Conservation will be provided directly to Thanet District Council in due course.

Biodiversity

The County Council, in respect of Biodiversity, provided comments direct to Thanet District Council on 6th July 2023 (Appendix 3).

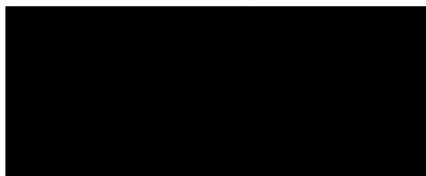
Sport and Recreation

The County Council would welcome a discussion with the applicant on the proposed mixed use centre and how it can be made fit for purpose for potential physical activity and community engagement.

The County Council will continue to work closely with Thanet District Council to help to ensure the delivery of new housing and infrastructure in response to local needs. The County Council will welcome further engagement with Thanet District Council and the applicant on the matters raised in this response.

If you require any further information or clarification on any matter, please do not hesitate to contact me.

Yours sincerely,



Simon Jones
Corporate Director, Growth, Environment and Transport

Enc.
Appendix 1: Extract of the Network Map
Appendix 2a: Education Assessment
Appendix 2b: Kent County Council General Transfer Terms March 2023
Appendix 2c: New School Land Costs
Appendix 2d: Communities Assessment
Appendix 2e: Social Care Assessment
Appendix 2f: Waste Assessment
Appendix 3: Biodiversity response provided direct on 06.07.2023