



Appeal Decision

Site visit made on 1 December 2020

by Paul Jackson B Arch (Hons) RIBA

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 29th December 2020

Appeal Ref: APP/Z2260/W/19/3243926

Ozengell Farmhouse, Haine Road, Ramsgate, Kent CT12 5ER

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mrs Koravos against the decision of Thanet District Council.
 - The application Ref F/TH/19/0345, dated 7 March 2019, was refused by notice dated 8 August 2019.
 - The development proposed is demolition of an existing two storey dwelling (and associated outbuilding) with a replacement 6 unit residential development.
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Preliminary matter

1. Between submitting the appeal and the site visit, Thanet District Council adopted a new Local Plan (LP) on 9 July 2020. Policies of the LP supersede those of the Thanet Local Plan of 2006. The appellant was given 2 weeks to comment on the Council's update of its Statement of Case. I have taken those comments into account.

Decision

2. The appeal is dismissed.

Reasons

3. The main issue is whether the proposed development would be sustainable having regard to its location, having regard to highway safety.
4. The appeal site consists of a derelict cottage and a surrounding area of land, formerly part of a farmstead but now redundant for that purpose. The site lies immediately off the A256 Haine Road between Sandwich and Margate, approximately 400 metres (m) west of the built up area of Newington, which is part of the wider settlement of Ramsgate. The road is single carriageway and subject to the national speed limit, with no footway. About 600m to the north is a large supermarket off Manston Road reached via a roundabout. Around 500m to the south is a double roundabout junction with the A299 where a footway starts and links with Canterbury Road, which leads to the centre of Ramsgate.
5. In physical terms, despite being relatively close to the edge of Ramsgate, the site is isolated. Along with the listed Ozengell farmhouse on the opposite side of the road, it lies in a wooded enclave completely surrounded by open arable land. The A256 is a very busy but relatively narrow single carriageway trunk road and has no footways or any verge capable of use by pedestrians. The road is unlit and has a high level of traffic including heavy goods vehicles. It is not possible to walk along this road safely and it would also be extremely hazardous for those who may wish to use cycles, especially at night. The appellant acknowledges the current

need for any future occupants to have to use private cars for all journeys apart from walking for pleasure along the nearby bridleway. The bridleway is unlit, unpaved and does not provide a practical day to day means of accessing local facilities. The scheme would be contrary to national and LP policies that identify safe and convenient movement by pedestrians as an important priority for new development.

6. The appellant's case is that the surrounding area is zoned for future housing and pedestrian routes and that bus routes would also become available. Whether the scheme is acceptable then depends upon not only whether there is a realistic prospect of the redevelopment coming forward in the near future, but also whether the anticipated scheme incorporates the improvements necessary to make development of the appeal site safe for future occupiers.
7. Outline planning permission was granted in July 2016 for Manston Green, a large development of around 758 dwellings and a school surrounding the appeal site, with highway improvements including pedestrian crossings for Haine Road, which would be downgraded from its current status, and new pedestrian/cycle routes to Manston Road. Bus services along Haine Road are proposed to be funded in part by a financial contribution, the first part of which is due after completion of the 100th dwelling in phase 1. Reserved matters for phase 1 also include an extension to the bridleway to provide access to new and existing services in Manston Road.
8. I do not doubt that phase 1 of the Manston Green development, when completed, would provide safe pedestrian and cycle highway access for the occupants of the appeal scheme. However there is no indication before me of the likely timetable for starting the scheme, let alone completing it. The appellant is not the developer of Manston Green and there is nothing before me to firmly indicate any completion dates or even a starting date for any phase. As far as could be ascertained at the site visit, no development of Manston Green has yet begun. Nor has a strategic road been started to skirt the western perimeter of the wider site, which would enable the downgrading of Haine Road. That element alone is likely to take a significant amount of time to construct.
9. Notwithstanding the likely later completion of the appeal scheme in 2023, without any firm indication of when or whether completion of safe transport links for future occupants of the appeal scheme would occur, the development would not be sustainable in terms of the social and environmental objectives set out on page 5 of the National Planning Policy Framework (NPPF) or the highway safety and sustainable transport objectives of paragraphs 109 and 110. It would not comply with the comparable aims of policies TP02, TP03, QD01, QD02, SP43 and SP44 of the Thanet District Local Plan of 2020.

Other matters

10. The existing site is in poor condition and subject to dumping, but that is the responsibility of the landowner and there is nothing to prevent it being made secure. The appellant draws attention to the recently approved development of a single dwelling in Sevenscore but whilst in the countryside, this site has significant differences compared to the appeal site, particularly its location within a group of existing houses, the existence of a footway connecting the settlement itself, the availability of reasonably safe cycling and pedestrian links along lanes and footpaths to Minster and Cliffsend and the lack of significant through traffic. Whilst future occupants would have to use a car for many day to day purposes, the increase in journeys would be far greater than the potential of the appeal proposal. The highway safety risks do not compare.

11. Following adoption of the 2020 LP, the appellant agrees that the Council is now able to demonstrate a 5 year supply of deliverable housing sites in accordance with paragraph 67 of the NPPF. The LP sets out at paragraph 3.9 the rationale behind the new housing delivery strategy which takes into account an updated assessment of population growth and the need for infrastructure to be put in place before the majority of housing sites can come forward. A stepped approach (set out in policy SP11) is envisaged to meet housing demand with much higher levels of completions in the period 2026-2031. The appellant notes that delivery has fallen far short of the 75% required over the previous 3 years from 2017-2020, and considers that the policies of the LP that are most important in determining the application are already out of date. However the consequence of the failure to meet the 2016-2019 target has already resulted in a buffer being added to the supply of deliverable sites for the purposes of the housing deliverability test. It would be inappropriate to judge the LP policies to be 'out of date' so soon after adoption, before the most recent housing delivery statistics are formally available. The plan is subject to early review. Moreover the Inspectors' Report explains the reasons why they consider the higher rates of delivery after 2026 and lower rate of completions in the early years of the plan are realistic.
12. Little weight is given to the appellant's comments on 85th percentile speeds along Haine Road and the low number of accidents on this stretch. The important policy objective is to ensure that any new development demonstrates safe and sustainable transport modes, giving priority first to pedestrian and cycle movements.
13. A signed and dated S106 Unilateral Undertaking (UU) has been provided which has the effect of ensuring that a financial contribution is paid towards mitigation measures to avoid adverse impacts on the Thanet Coast and Sandwich Bay Special Protection Area, the Thanet Coast SAC and/or the Thanet Coast Site of Special Scientific Interest. Were I otherwise minded to allow the appeal, the S106 UU would attract substantial weight.

Conclusion

14. The site is reasonably well located a short distance from all the facilities the occupants would need but currently without any policy-compliant safe or sustainable means of getting there. It has not been shown that the Manston Green development will come forward within a timescale that would ensure sufficiently adequate pedestrian and cycle links. It would not be sustainable to bring forward a significant scheme such as this in a piecemeal way without those connections. For this reason the appeal should not succeed.

Paul Jackson

INSPECTOR