

PLANNING, DESIGN & ACCESS STATEMENT

Erection of 88 dwellings, public open space, equipped play space, sports pitch, together with associated access.

♥ Land off Freemens Way, Deal

Prepared by Hume Planning Consultancy Ltd.

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1 INTRODUCTION

- 1.1 This Planning Statement has been prepared on behalf of Sunningdale House in support of a detailed planning application for the following development proposal:
- Full planning application for residential development comprising the erection of 88, two storey dwellings, open space, equipped play space and the provision of a sports pitch and club house. Together with associated car parking, hard and soft land scaping features.
- 1.2 The site was a former South Deal Primary School Remote Playing Field, it has been vacant and not used since 2006, when Deal Primary School amalgamated with Mongeham primary School to create Hornbeam Primary School. The site was declared surplus by KCC and marketed and conditionally sold in 2007 for housing development subject to planning.
- 1.3 It is asserted that the site presents a significant opportunity to sustainably boost the local supply of housing through the efficient and effective use of a highly sustainable site within the urban confines of Deal.
- 1.4 The Applicant team has undertaken a comprehensive review of the site, and identified the key parameters to development which include:

- The objective of making efficient use of land within established urban confines; and to recognise the positive contribution this will make towards housing supply within the District, reflecting local need – including affordable housing.

- The provision of a sports pitch – to provide a qualitative improvement to current provision.

- Recognition, in terms of design, scale, siting and function, of the juxtaposition of the site relative to

existing surrounding residential development.

- The need to provide a technically and functionally, safe and workable access to the development.

- The need to accommodate all parking and servicing requirements for the development; safeguarding highway safety and on-street parking availability within the local area.

- The need to make the site accessible and encourage non car means of travel.

- The need to safeguard existing mature trees on the site boundaries.

- The provision of a high quality standard of residential amenities for future residents of the site.

- The need to provide sustainable drainage for the site.

- The objective of enhancing the biodiversity value of the site.

The above factors are considered within the main body of the report; where it is concluded that the development is acceptable in these terms.

1.5 Overall, and taking all material factors into account, it is submitted that the presumption in favour of sustainable development expressed throughout the NPPF can be squarely applied to this site. Allied to the recognised social, environmental and economic benefits of the scheme; and in the absence of significant and demonstrable harm to other NPPF and Development Plan objectives, it is submitted that the proposed scheme is acceptable in planning terms.

The application is supported by the following documents which should be read alongside this statement:

- Plans: by gdm architects
- Design and Access Statement by gdm architects
- Archaeology report: CgMS November 2018
- Tree Survey and Report: Invicta Arboriculture January 2019
- Phase 1 Habitat Survey: Corylus Ecology, dated September 2018
- Flood Risk and Sustainable Drainage assessment: Herrington Consulting

2 SITE DESCRIPTION AND CONTEXT

- 2.1 The Former South Deal Primary School Remote Playing Field is approximately 3.4ha in extent. The field is relatively level, open land located in a predominantly residential area adjacent to a cemetery and allotments to the north (see figure 1). The site boundaries are well screened by mature vegetation with the exception on the south west boundary where some residential gardens have encroached into the site. Access to the Site is via Freemens Way (see figure 2), this is the only point of access for vehicles and pedestrians into the site and will remain in this location. The Site is secured with fencing with no authorised public access.
- 2.2 The site has been vacant and unused since 2006. Prior to this, it was used for educational purposes as the dedicated remote playing field serving the Former South Deal Primary School before the school amalgamated with Mongeham Primary School to create Hornbeam Primary School, Mongeham Road. The former South Deal school site on Mill Road was subsequently declared surplus and sold in 2007 for housing development and has since been developed. This land parcel has no functional link with the former main school site and there has been no public access.



Figure 1: Aerial photo of the site

2.3 To the north and west of the site is a linear pattern of residential development fronting Mill Road and Freemens Way. These properties are predominantly two storey in height, semi-detached or terraced dwellings. The rear gardens of these surrounding dwellings adjoin the development site. The cemetery and allotments to the north and north east directly abut the site. This area falls within the policy defined settlement confines of Deal and is currently designated as open space (see Figure 3).



Figure 2: Image of the site entrance.



Figure 3: Designated open space (shaded yellow), Source protection zone (dashed blue line) – DDC Planning Policy Map.

2.4 The site is located within easy walking/cycle distance of Deal town centre giving direct access to a wide range of shops, services and amenities. Deal is well served by public transport, the closest bus stop to the site is on Mill Hill within 200m of the site entrance and Deal railway station is located within c.2km walking distance to the north-east. Walmer rail station is also within 1.5km of the site. To this effect, the site occupies a sustainable location, well related to the heart of the existing settlement and surrounding residential development.

3 RELEVANT PLANNING HISTORY

- 3.1 There is no relevant history of planning applications relating to this site. However, an earlier preapplication enquiry was submitted on behalf of KCC under reference PE /15/00013 and PE/15/00072. This submission proposed some 91 dwellings with the eastern portion of the site retained as open space as highlighted on the attached plan extract (figure 4). A copy of the LPAs response to KCC is appended (appendix A) to this statement for reference. The pre-application response identified that a number of material factors need to be addressed through the evolution of development scenarios for this site, principally including, but not limited to the provision of public access to open space and sports pitches on part of the site.
- 3.2 The pre-application advice received by KCC was used to establish the general principle of residential development on this site, it was with this knowledge that the applicant Sunningdale Homes agreed to purchase the site. Sunningdale is a recently

established regional housebuilder with a track record of delivery in the district with current sites under construction nearby at Station Road, Walmer and also at Worth.

Since the initial enquiry, the project has been taken 3.3 forward following a thorough re-assessment of the proposal and further pre-application advice which was obtained from the LPA in November 2018 (PE/DOV/18/00153). A copy of the LPAs response is appended to this report (appendix B). Notably this advice confirmed the LPAs acceptance of the principle of development within the settlement confines and highlighted the key issue of Policy DM25 which provides exceptions to the loss of open space. The LPA response confirmed that the policy exceptions could be addressed if the proposal demonstrated that the qualitative enhancement of the site outweighed the quantitative loss of open space.



Figure 4: KCC proposed draft layout plan

4 PROPOSAL

4.1 Planning permission is being sought for the erection of 88 dwellings which would be a mixture of two, three and four bedroom units. The accommodation schedule is as follows;

Type of Unit	Total	Percentage
2-bedroom houses	28	45%
3-bedroom house	28	45%
4-bedroom house	6	10%
Total	62	100%

Table 1: Accomodation Schedule

Type of Unit	Total	Percentage of total (%)
2-bedroom houses	14	54%
3-bedroom house	12	46%
Total	26	30% (affordable)

Table 2: Affordable Housing Schedule

- 4.2 A total of 186 car parking spaces has been provided, 136 spaces will be allocated residential car parking, 29 spaces will be communal visitor spaces and 25 spaces will be allocated to the sports pitch.
- 4.3 A full size senior football pitch and single storey club house building is also proposed. The pitch would have a 4G artificial surface and dimensions of the pitch will comply with the Football Association Guide to Pitch and goalpost dimensions (Appendix C) which would be 116 yards (106m) by 76 yards (69.4m) (including run-off). The sports pitch is located in the south east corner of the site and explanation for its siting is provided in the assessment section of this report.

- 4.4 In addition to this an area of amenity space and equipped children's play space is also provided within a central position of the site.
- 4.5 The design approach for the site has been informed by the built form, scale and character of neighbouring developments, which in this instance is most strongly influenced by the existing two storey scale of residential properties to the north and west of the site. Residential development in Freemens Way has its own character, which is influenced by the regular fenestration form, this has been used to influence the design approach for this site. Within this predominant residential context, the proposed elevational treatment is of a traditional style, using brick, render/timber to the exterior. The design and layout is considered in the assessment section of this report.

5 ANTICIPATED HEADS OF TERMS

- 5.1 It is asserted that the proposed development is a policy compliant scheme and to satisfy policy the following contributions are proposed;
 - 30% affordable housing
 - Provision of the sports pitch and club house
 - Contribution towards education
 - Contribution towards library provision

- Contribution towards Thanet Coast and Sandwich Bay Special Protection Area Mitigation Strategy.

5.2 A framework legal agreement to provide a binding commitment to fulfil the developer obligations for the site is currently being prepared, the detailed terms of which will be determined through discussions with the LPA during the course of the application.

6 PLANNING POLICY FRAMEWORK

- The Development Plan for the purposes of \$38 6.1 (6) of the Planning and Compulsory Purchase Act (2004) comprises the adopted Core Strategy (February, 2010) and the Land Allocations Local Plan (January 2015) which identified site specific allocations and designations within the District that will be required to deliver the vision set out in the Core Strategy. The Dover District Local Plan (2002) was largely superseded with the adoption of the Core Strategy, however several of the policies have been saved and remain part of the development plan for the District. Decisions on planning applications must be made in accordance with the policies of the development plan unless material considerations indicate otherwise.
- 6.2 In addition to the policies of the development plan there are a number of policies and standards which are material to the determination of planning applications including the National Planning Policy Framework (NPPF), National Planning Practice Guidance (NPPG) together with other local guidance and SPDs where relevant.
- 6.3 The key local and national policies are summarised here and referred to within the relevant sections below.

DOVER DISTRICT CORE STRATEGY (2010)

- 6.4 The Settlement Hierarchy set out within policy CP1 the Core Strategy identifies that Deal, a 'District Centre', is the secondary focus for development in the District; suitable for urban scale development.
- 6.5 Policy CP3 relates to the distribution of housing throughout the district and identifies that Deal has been allocated 1,600 (10%) of housing provision, the majority of which have already been built out. Page 42 of the Core Strategy

identifies that housing provision in Deal should reinforce and reflect the existing character while taking opportunities to improve design standards. The proposed development does reflect the key characteristics in terms of form, proportion and key design influences of surrounding residential properties.

- 6.6 Policy CP7 seeks to protect the integrity of the Green Infrastructure Network. This proposal ensures that the vegetated site boundaries are maintained and rear gardens of the development provide a natural buffer.
- 6.7 Policy DM1 will resist development which is beyond the urban boundaries and rural settlement confines. The site is within the urban confines of Deal and therefore is supported in principle by this policy.
- 6.8 Policy DM5 seeks to secure the provision of affordable housing. For residential developments of 15 or more dwellings to provide 30% of the total homes proposed as affordable homes. This proposal is policy compliant and has allocated 30% of the total as affordable housing.
- 6.9 Parking provision should be a design led approach as advised by Policy DM13. However, the provision for residential parking should be informed by the guidance in table 1.1 of the Core Strategy. The site is considered to be a suburban site and the car parking provision complies with this standard whilst taking a design led approach to the layout.
- 6.10 Policy DM25 protects areas of designated open space from development unless the proposal complies with one of the six listed criteria. A deficiency in sports provision in the Deal area has been identified in the Playing Pitch and Outdoor Sports Facility Strategy (February 2015). Criterion

iii. advises that where there is such a deficiency the site is capable of contributing to making it good, a replacement area with at least the same qualities and equivalent community benefit, including ease of access, can be made available. This site is capable of contributing towards the deficiency and providing a qualitative improvement making provision for a senior sized football pitch and club house.

DOVER DISTRICT LAND ALLOCATIONS LOCAL PLAN (2015)

6.11 Policy DM27 advises that planning applications for residential development of five or more dwellings will be required to provide or contribute towards provision of open space. The proposed plans indicate not only the provision of the senior sports pitch, but an equipped area of play and open amenity space. The proposal is in full compliance with this policy.

NATIONAL PLANNING POLICY FRAMEWORK (NPPF) FEBRUARY 2019

SUSTAINABLE DEVELOPMENT

- 6.12 The NPPF defines the purpose of the planning system as contributing to the achievement of sustainable development, and divides this principal objective into three overarching and interdependent objectives, that need to be pursued in mutually supportive ways. The three objectives are:
- 6.13 An Economic Objective: to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity, and by identifying and co-ordinating the provision of infrastructure.
- 6.14 A Social Objective: to support strong, vibrant and healthy communities by ensuring that a sufficient number and range of homes can be provided to meet the needs of the present and future

generations; and by fostering a well-designed a safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being.

- 6.15 An Environmental Objective: to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.
- 6.16 With reference to the above objectives, the NPPF states that they are not 'criteria against which every decision can or should be judged', and that planning policies and decisions should 'play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area' (paragraph 9). To ensure that sustainable development is pursued in a positive way, there is a 'presumption in favour of sustainable development' at the heart of the NPPF (paragraph 10).
- 6.17 Paragraph 11 of the NPPF cements this approach by confirming that for decision making purposes this means:

• approving development proposals that accord with an up-to-date development plan without delay (C); or

• where there is no relevant development plan policies, or the policies which are most important for determining the application are 'out-of-date,' granting planning permission unless (D):

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies of this Framework as a whole.

6.18 The above exception to the 'tilted balance' in favour of sustainable development at i) above refers to the application of 'policies ... that protect areas or assets of particular importance' and this is qualified by footnote 6 to this policy which lists a number of areas where such protective policies come into play in the application of the tilted balance. Of those cited, the impact of the development proposal on designated Habitat Sites (SPA), is the only consideration relevant to this application, and this is addressed in the assessment section below [i.e. there are no heritage, flood risk, green belt, AONB, Local Green Space or Heritage Coast constraints applicable to this site]

DECISION-MAKING

6.19 The NPPF requires LPAs to 'approach decisions on proposed development in a positive and creative way ... and to work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area' (paragraph 38).

HOUSING

6.20 The delivery of sustainable housing developments remains a priority of the NPPF to 'significantly boost the supply of homes' (paragraph 59). Paragraph 68 emphasises the important contribution that small and medium sites, such as the subject site, can make to meeting the housing requirement of an area, and highlights that they can be delivered over a shorter period. The NPPF states that in order to promote the development of a good mix of sites local planning authorities should "support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes".

OPEN SPACE & RECREATION

6.21 Through planning decisions, the NPPF seeks to ensure that new developments have access to a network of high quality open spaces, presenting opportunities for sport and physical activity, which is important for the health and well-being of communities (paragraph 96). The site is located within the established urban confines of Deal giving sustainable access to the full range of local services and amenities, including open space and recreation. Existing open space should not be built on (paragraph 97) unless amongst other things, the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location. In this instance a significant portion of the field which has been privately owned for 12 years to which no public access has been permitted will be made publicly accessible. The quality of the space will be improved by the provision of a 4G senior sports pitch and associated club house and car parking. In addition to this an equipped area of play for children will be provided within the site. For these reasons, this development will deliver a qualitative and quantitative improvement to the provision of open space.

TRANSPORT

- 6.22 The sustainable location of development is an important consideration in locating and designing developments. Paragraph 103 of the NPPF outlines that "significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering genuine choice of transport modes". As identified in the site description section above, this site is located within an accessible and sustainable location, with easy access to alternatives to the private car to provide for movement.
- 6.23 When considering development proposals, the NPPF seeks to ensure that a) appropriate opportunities to promote sustainable transport modes can be, or have been, taken into account, given the type of development and its location; b) safe and suitable access to the site can be achieved for all users; and c) any significant impacts from the development on the transport network or on highway safety can be mitigated to an acceptable degree (paragraph 108).

6.24 Development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe (paragraph 109, emphasis added). The Applicant's Highway Consultants have been in discussion with KCC Highways & Transportation Officers to determine the potential highway impact of the development proposal – from which it has been determined that there are no highway issues that would preclude the development from coming forward; this assertion is discussed in greater detail below.

MAKING EFFECTIVE USE OF LAND

- 6.25 LPAs are required, through NPPF paragraph 117, to promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.
- 6.26 In particular, the NPPF identifies the opportunity to promote and support the development of underutilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively. In this instance the development of a privately owned field connected with a redundant educational facility that has been disposed as a residential site by KCC, and located within the urban confines of Deal as well as realising a capital receipt for KCC helps to provide much needed housing within the urban area without encroachment into the countryside.
- 6.27 Planning policies and decisions should support development that makes efficient use of land subject to a number of factors including: the need for different housing types and the availability of land suitable for accommodating it; local market conditions and viability; the availability and capacity of infrastructure of services; the desirability of maintaining an areas prevailing character and setting, and the importance of securing well designed, attractive and healthy places (paragraph 122).
- 6.28 Where there is an existing or anticipated shortage

of land for meeting identified housing needs, the NPPF stresses that it is especially important that planning decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site (paragraph 123), an objective which this proposal achieves.

DESIGN

- 6.29 One of the core principles is to always seek to secure high quality design. The emphasis of the proposed development is on achieving a high standard of design, and the use of quality materials.
- 6.30 The NPPF identifies that good design "is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities" (Paragraph 124).
- 6.31 It is asserted that this proposal is one that that would satisfy Paragraph 127 of the NPPF which aims to ensure that "developments:

a. will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;

b. are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;

c. are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

d. establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

e. optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport

networks; and

f. create places that are safe, inclusive and accessible and which promote health and wellbeing, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

The design rationale for the development proposal is evaluated within the Assessment section of this statement.

FLOOD RISK

6.32 The NPPF states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk – where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere (paragraph 155). The application site is located within Flood Risk Zone 1 – being within an area with the lowest probability of flooding. The sequential and exceptions tests are not therefore applicable to this site; a site specific Surface Water Management Scheme has been prepared for the development and is submitted as part of this application.

NATURAL ENVIRONMENT

- 6.33 Planning decisions should contribute to and enhance the natural and local environment by (inter alia) minimising impacts on and providing net gains for biodiversity; helping to improve local environmental conditions such as air and water quality; remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land where appropriate (paragraph 170).
- 6.34 A preliminary ecological appraisal including a Phase 1 Biodiversity survey has been carried out, which has identified the potential for reptiles on the site. A further reptile survey is being carried out and mitigations to preserve the protected

species will be put in place. A tree survey has also been produced, the RPAs of the trees have been recorded and no development shall occur within these areas. It is asserted that this development will protect the natural environment and enhance biodiversity.

6.35 The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site (paragraph 177) it is asserted and concluded below that this development complies with the Habitat Regulations and thus the presumption in favour of sustainable development does apply.

OTHER MATERIAL CONSIDERATIONS

Technical Housing Standards (March 2015)

6.36 These are nationally described space standards, published by the DCLG is relevant as it deals with internal space within new dwellings, setting out requirements for the Gross Internal (floor) Area of new dwellings. Although the space standards are not adopted policy by the Council, the applicant has used the standards to inform the development and ensures that each dwelling meets or exceeds these space standards. Sunningdale has a track record of delivering good quality housing with the mix and size of units tailored to meet housing market demand based on rigorous market research.

Kent Design Guide

- 6.37 The Kent Design Guide (KCC) was adopted by Dover District Council.
- 6.38 'The [Kent Design] Guide provides the criteria necessary for assessing planning applications. It will help building designers, engineers, planners and developers achieve high standards of design and construction; and it will provide planning committee members and officers with the tools to refuse consent for poor design' (DDC website,

SPDs).

Affordable Housing SPD

6.39 To further the requirements of Local Plan Policy DM5, the SPD aims to assist both developers and the LPA in understanding the provision of Affordable Housing. The application demonstrates that a 30% affordable housing provision will be made on site.

Strategic Housing Market Assessment - Part 2, February 2017

- 6.40 Table 4.4 presents the size of owner-occupied accommodation required in Dover District in 23 years' time in comparison to the size profile recorded in the sector in 2014. The results, which should be treated as a general guide for decisions makers supersede those given at paragraph 3.43 of the Core Strategy and are as follows:
 - 1 bed homes: 4.3%
 - 2 bed homes: 19.7%
 - 3 bed homes: 43%
 - 4 bed homes: 32%
- 6.41 The proposed mix of housing broadly follows the identified percentage mix in the SHMA but also draws on the experience of the developer as a large local housebuilder with an extensive knowledge of the housing market not only in the Dover District but across Kent.

6.42 Sport England 'general rule' recommendations for parking

The guidance advises as follows:

- 1 space per 3 staff.
- 1 space per 3 players.
- 1 space per 3 spectators with a minimum of 10 spaces.
- Minimum of 2 accessible car parking bays or 6%, whichever is greater.

7 ASSESSMENT OF KEY ISSUES

- 7.1 The NPPF (paragraph 12) underlines the primacy of Development Plan policies in the determination of planning applications, unless material considerations indicate otherwise. This reflects section 38(6) of the Planning & Compulsory Purchase Act 2004.
- 7.2 As described above, the application site is located within the established urban confines of Deal, and set within a predominantly residential area. The location of the application site, within established urban confines, is by definition regarded as 'sustainable' in planning policy terms and the proposed residential use is compatible with the surrounding land uses. Policy DM1 of the Local Plan supports the principle of development within settlement confines and this was reflected in past pre-application feedback from the LPA.
- 7.3 The NPPF states that there is an overriding 'presumption in favour of sustainable development' (paragraph 10) and that for decision making purposes this means 'approving development proposals that accord with an up to date plan without delay' (paragraph 11c) or where the 'policies which are most important for the determining the application are out-of-date' grant planning permission (paragraph 11d). On the 4th March 2019 the Cabinet agreed the conclusion of the 2017/2018 Annual Monitoring Report, which contended that at the present time the Council can demonstrate a 5 year housing land supply.
- 7.4 It is relevant to note that, whilst the council claim that a five year housing land supply position is in place, the "tilted balance" (set out at paragraph 11 of the NPPF) is engaged as the Councils development plan is out-of-date. This conclusion has been reached through the acknowledgement that the CS's housing requirement is based on the now revoked South East Regional Spatial Strategy (RSS). The presumption in favour of sustainable development directs that permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed

against the policies in the NPPF taken as a whole.

7.5 The benefits of the site, in terms of its locational sustainability and compliance 'in principle' with the spatial planning objectives of the Development Plan and NPPF are abundantly clear. From this foundation, it is relevant to consider whether there are other site specific, material factors that indicate development should be restricted. A full assessment of the other material considerations are below.

OPEN SPACE AND SPORTS PITCH PROVISION

7.6 The policy proposals map also identifies the site as Open Space as a legacy of the lands former function exclusively serving a separate education facility nearby which itself was developed for housing in the last decade following the disposal of the site by KCC. It is relevant that the site has not been used as publicly open space and has been disposed of by KCC to the applicant Sunningdale Homes with delivering qualitative open space the housing improvements. This disposal followed earlier preapplication engagement by the then landowners KCC prior to disposal. This provides some context to the consideration of Policy DM25 which allows for the loss of designated Open Space in exceptional circumstances. One exceptional circumstance (at iii.) is "where there is such a deficiency the site is capable of contributing to making it good, a replacement area with at least the same qualities and equivalent community benefit, including ease of access, can be made available". The deficiency meaning in this policy relates to outdoor sports sites, children's plays space or informal open space. The Council's Playing Pitch and Outdoor Sports Facility Strategy (February 2015) is relevant to the assessment of this application. It identifies that, at the date of publication, the need for football pitches in Deal was:

- no need for senior pitches;
- a need for 8 youth pitches; and
- a surplus of 2 mini pitches.

By 2025-30 the report findings suggest there would be:

- a need for 1 senior pitch;
- a need for 8 youth pitches; and
- a surplus of 2 mini pitches.
- 7.7 It is acknowledged that the Council's Playing Pitch and Outdoor Sports Facility Strategy (February 2015) is being reviewed as part of the Core Strategy review. The Council has appointed Knight, Kavanagh & Page to review the strategy. The results from the research and the new document are expected later this year.
- 7.8 From the results of the 2015 Strategy it is reasonable to conclude that there is a need for a senior and youth football pitch in the Deal area. This planning application therefore proposes one senior pitch (which could also be marked for a youth football pitch) The LPA's pre-application response in November 2018 (Appendix B) recommended discussions with relevant bodies such as local clubs, the Kent Football Association and Deal Town Council to identify whether the pitch could be used by an organised body, which would increase the benefit derived from the pitch.
- 7.9 In accordance with the pre-application advice (2018) the development team have contacted the following bodies; Deal Town Council, Dover District Council's Infrastructure officers, Knight, Kavanagh & Page, Kent Football Association and Deal and Betteshanger Rugby Club. From discussions it has come to light that;

- Deal Town Rangers FC play on two adjacent sites, Goodwin Academy and Victoria Park, their two youth (9v9) pitches are slightly overplayed but as they have just signed a new lease they are unlikely to want to move to a new site.

- The youth (11v11) pitch at Markewood Recreation

Ground is at capacity

- Other pitches in the Deal area all have some spare capacity.

- Deal & Betteshanger RFC have confirmed that at present they are not looking for new facilities

- Cinque Ports FC, have confirmed that they are looking for a new home ground in Deal.

- 7.10 Thorough research has identified a football sports club that is in search for a larger football pitch in Deal. Cinque Ports FC (very recently known as Deal Town Community Sports Club) have just moved (April 2019) from Margate FC training grounds to the MarkeWood sports pitch in Deal. Training in Margate was not a long term solution for this local Deal club, as it restricted their growth and progression in the leagues.
- 7.11 MarkeWood is in close proximity to Freemens Way, just under 1km to the north west. Dover Council is land owner and Cabinet fulfils the role of charity trustees. There are restrictive covenants on the land which would prevent the club from erecting things such as security fencing and spectators seating, which would prevent the club from progressing through the leagues because the home ground would fall short of the FA standards. As such the use of the Marke Wood pitch by Cinque Ports Fc is only a temporary solution.
- 7.12 The proposed sports pitch will comply with the Football Association (FA) standards 'The FA Guide to Pitch and goalpost dimensions' it would be a senior pitch (over 18s 11v11) 116yrds by 76 yrds (including run off). The pitch would have a 3G surface, with goal posts/nets and flood lighting. A club house to provide changing facilities and toilets is also proposed, together with 21 dedicated car parking spaces. The maintenance of the pitch will be covered in the general management plan for the site, which can be secured by way of a planning condition. These facilities will provide a qualitative improvement to the provision of open space in accordance with Policy DM25.
- 7.13 The open space has been privately owned land since 2007 (12 years), in which time the site has been

kept secure with no public access permitted. With regard to the definition of Open Space in the NPPF which describes it as 'All open space of public value ... which offer important opportunities for sport and recreation and can act as a visual amenity'. This site does not currently have any public value due to its private ownership and also provides very little visual amenity benefit to the public because it is screened from public views by existing residential development. The proposed development would increase the recreational and visual amenity value of the site to the general public. The proposal would therefore improve the quantity of open space by allowing public access to this currently privatelyowned site. It is therefore asserted that not only would the development of this site provide an overall improvement to the quality of open space but also to the quantity of publicly accessible space and would comply with criterion iii of Policy DM25.

7.14 Paragraph 97 of the NPPF echoes the Core Strategy Policy DM25. It states that existing open space and playing fields should not be built on, unless one of the listed criteria can be met. In this case it is asserted that the proposed development would meet the aim of criterion b) which states that the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; and criterion c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use. Whilst it is acknowledged that the site is designated open space, it has been privately owned for the last 12 years and prior to that it was used exclusively as a playing field which has since been sold by KCC and redeveloped for housing. The site has never been accessible to the general public. This proposal will ensure that part of the site is publicly accessible and will provide a full size football pitch which will meet an identified need.

- Criterion iii of policy DM25 acknowledges that a 7.15 quality site would include ease of access. The sports pitch and associated facilities would be located approximately 170m from the site entrance off Freemens Way. A road, with a 1.8m wide path on either side will lead directly from the site entrance to the sports pitch, together with a footpath that provides a pedestrian link from Freemens Way to the pitch, this provides a quick and safe route from the wider residential area to the pitch. Figure 5 below shows the pedestrian routes throughout the site demonstrating how permeable the site is. In addition to the pedestrian links, 21 dedicated car parking spaces will be provided adjacent to the pitch, adding to the attraction and recreational value of this sports area.
- 7.16 The LPA pre-application advice 2018 suggested moving the pitch closer to the access road to increase the visibility and accessibility of the pitch. The development team has carried out a thorough design analysis which has taken this into account, together with the site context and the prevailing urban pattern of development. The proposed site layout provides an immediate sense of place from

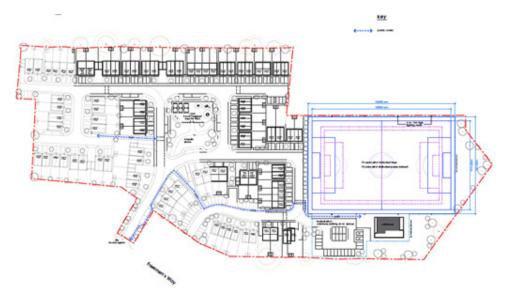


Figure 5: Shows pedestrian routes through the site.

the access, which will attract and draw people into the site, the road layout provides attractive and active frontages which could not be achieved if the pitch was located adjacent to the site entrance. For the reasons identified above it is asserted that the pitch will be easily accessible to members of the public and the visual appearance of the site will not be compromised.

7.17 The application demonstrates that there is a qualitative enhancement to the provision of open space as well as a quantitative benefit for publicly accessible open space (as none currently exists). The proposal is therefore in accordance with policy DM25 of the Local Plan and paragraph 97 of the NPPF.

DESIGN AND VISUAL AMENITY

7.18 One of the core principles enshrined within the NPPF is to always seek to secure high quality design. A fundamental objective of the proposed development is to achieve a high standard of design, through the use of appropriate materials and architectural detailing which will complement the existing built form. Other key factors that have informed and shaped the layout and design evolution of this development are:

> • The objective of making efficient use of this underutilised site, to provide additional housing within a highly sustainable location – in accordance with the aims of the Core Strategy and NPPF policy objectives

- The objective to provide a quantitative and qualitative improvement to the publicly available open space provision
- The physical context of the site, with residential development to the north, east and south and a cemetery and allotments to the north and west
- The fixed location point of the site access and the provision of a technically workable site access to serve the development; providing safe access for residents, visitors and service/delivery vehicles
- The root protection areas [RPA] of existing trees on the site boundaries, and the objective of preserving the trees and enhancing the green infrastructure

• The need to safeguard the residential amenities of neighbouring properties

- The desire to provide a layout that is safe and accessible for pedestrians and cyclists
- The need to provide sufficient workable on-site parking to serve the development
- 7.19 The area surrounding Freemens Way, including the application site itself, is not subject to any specific landscape designations (local or national) the site does not contain any listed buildings and is not located within a Conservation Area designation.
- 7.20 The southern and western boundary is contained by the existing linear pattern of two storey development, that extends along the frontage of Freemens Way and Mill Hill. The only direct view into the site would be along the access road which is framed by a 1.8m wide footpath on either side of the access road and vegetation buffer strips. Some 50m into the site the access opens up to form a fork in the road and reveal an attractive amenity space, with soft landscaping and an equipped area of play. Residential development forms a backdrop to the central amenity space which creates an immediate and welcoming focal point to the site.
- 7.21 The development will be visible from the Council's cemetery which abuts the northern boundary of the site. The outlook currently from the cemetery is the rear of properties fronting Freemens Way, therefore there will be little difference with this proposal. Furthermore, the built form of the new development will be softened by the mature boundary trees which will all be retained and protected during development.
- 7.22 The site is characterised by street fronting linear development which is laid out in a hierarchical form, and characterised by different road widths and surface materials, this creates variation and interest to the streetscene. Figure 5 below shows the site layout.
- 7.23 All of the significant trees are located around the perimeter of the site, general maintenance to the trees will be carried out but they will all be retained and their RPA protected during development. Additional



Figure 6: shows the residential layout of the site

landscaping within the site is also proposed, this will soften the visual appearance of the dwellings and parking areas.

- 7.23 All of the significant trees are located around the perimeter of the site, general maintenance to the trees will be carried out but they will all be retained and their RPA protected during development. Additional landscaping within the site is also proposed, this will soften the visual appearance of the dwellings and parking areas.
- 7.24 The site layout provides a continuous footpath through the site from the site entrance in Freemens Way and a pedestrian footpath which links the main access up with the sports pitch. This would provide permeability for residents through the site, giving direct and convenient access to local amenities and for residents of the wider area access to the sports pitch – compliant with local plan policy DM25 iii in this regard.
- 7.25 The scale and massing of the development reflects the spatial form of development on Freemens Way. The proposed development would be two storeys in

height and arranged as a series of semi-detached and short terraced rows. Each dwelling would have its own private garden and allocated parking. The detailed elevational treatment are contemporary and unique to this site but characteristics from nearby existing development in Freemens Way has been reflected in the design, such as regular fenestration rhythm – this is most clearly reflected by figure 7 and 8 below.

- 7.26 The accompanying DAS explains the chosen design rationale, façade treatment and materials and is not repeated in this statement.
- 7.27 Overall it is considered that the development as proposed would deliver an attractive addition to the street scene when glimpsed from Freemens Way. The layout would preserve all significant trees on the site, whilst providing additional landscaping and boost the biodiversity value of the site. The design of the dwellings and layout of the site are founded in strong urban design principles and it is contended satisfies the requirements of paragraph 127 of the NPPF.



Figure 7: Proposed elevation treatment



Figure 8: Freemens Way street scene

RESIDENTIAL AMENITY

- 7.28 The need to safeguard the residential amenities of neighbouring properties was also one of the key objectives in the consideration of design layout options. The site is bounded to the north west, south and south west by residential properties. The analysis of the site has identified the need to provide adequate separation distances between existing and proposed dwellings to ensure that residential amenities are safeguarded. The layout has been derived so that the proposed dwellings are sited so that the rear gardens back onto the common boundaries with the existing dwellings, generally there is a generous back to back separation distance of 25m - 30m and within the site a minimum back to back distance of 20m. Where it is proposed that a side elevation would back onto a rear garden there is in excess of 10m separation.
- 7.29 It is considered that the proposed and existing development would be compatible in terms of protection of residential privacy and outlook. The boundary treatment would retain the exiting landscaping and a close boarded fence would be provided for security and privacy reasons.
- 7.30 The separation distance between dwellings are sufficient to prevent overlooking and loss of privacy. Where there is a window in the side flank elevation adjacent to a common rear boundary it will be fitted with obscure glass. The proposed alignment, relationship and orientation of the dwellings will ensure that the dwellings and their amenity space have good levels of natural light and outlook.

7.31 The sports pitch is located in the south east corner of the site, at a pinch point there is a 20m separation distance from the existing dwellings and the pitch. The club house will be is in excess of 30m from the nearest dwelling, by reason of the separation distance and scale, the use and the siting of the building would not be materially harmful to the residential amenities enjoyed by surrounding occupiers. In addition, to prevent disturbance to local residences from ball playing a fence would be erected around the pitch. The applicant would be willing to accept conditions to control the use and times of the clubhouse, so as to protect amenities of the adjacent residents.

ACCESS, PARKING AND SUSTAINABLE TRAVEL

7.32 The site is located within the urban confines of Deal and is in a highly sustainable location, easily accessible by pedestrians, private vehicles and public transport and in close proximity to many local facilities. With reference to the specific location of this site:

> - Walking: The site is linked by a continuous network of pavements leading to key destinations within Deal, such as shops, doctors surgery, churches and schools.

> - Cycle: Although the site is not directly served by cycle lanes, the site is easily accessible to the wider road network and the gentle topography of Deal lends itself to cycling. The development provides secure cycle storage for residents.

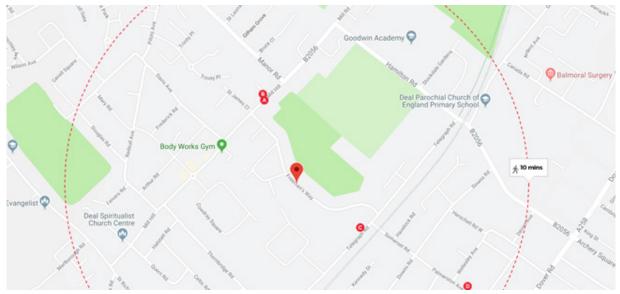


Figure 9: shows the location of bus stops in relation to the site.

- Rail: The site is in close proximity to two railway stations. The nearest station is Walmer which is approximately 1.5km to the south of the site (a walking time of 15min) and Deal railway station which is 1.6km to the north. Both stations are accessible on foot or by cycle – giving access to London termini and nearby towns of Margate, Ramsgate, Canterbury, Dover and Ashford; including HS1 services to St Pancras which can be reached in 1hr 19min from Walmer train station.

- Bus: There are two bus stop in close proximity, both within a 4 minute walk from the site entrance (one on Mill Hill and the other on Telegraph Road).The Stagecoach bus routes 80, 81, 82, 82A and 83 run frequently from these stops between the villages and towns of Dover, Kingsdown, Walmer, and Deal.

- 7.33 Car parking for the clubhouse has been provided in accordance with Sport England 'general rule' recommendations for parking. Accordingly, 25 parking spaces have been provided and that is to accommodate:
 - 10 spectators
 - 11 players per team 22 in total
 - 5 substitutes per team 10 in total
 - -1 manager per team 2 in total
 - 1 assistant manager per team 2 in total
 - 1 referee
 - 2 linesmen
- 7.34 The car parking area is closely related to the sports pitch and club house, which will ensure that it is fully utilised by the users of the sports facilities.



Figure 10: Extract from stagecoach route maps shows bus route 80 and 81.



Figure 11: Extract from Stagecoach (EastKent) showing route 82-83.

- 7.35 The car parking standard for the residential dwellings is in compliance with the standard 'suburban' as indicated in table 1.1 of the Core Strategy. The two bedroom dwellings are provided with 1 allocated offstreet car parking space, the 3 and 4 bedrooms are allocated with 2 car parking spaces. The provision of car parking has been informed by a design led approach in accordance with policy DM13 of the CS. Car parking across the site has been provided in either a tandem or side be side format, this allows for variation within the street scene and for soft landscaping to be included within the front gardens. In addition to this 29, non-allocated, visitor spaces have been provided throughout the site.
- 7.36 In summary, as identified above, the future occupiers of this site will have a real option of choosing an alternative mode of transport to the private vehicle, which will reduce the number of car based trips from the site. The proposal would not have a 'severe' impact on the operation of the highway network and therefore complies with the National Planning Policy Framework, paragraph 109.
- 7.37 The development is supported by a policy compliant level of car and cycle parking; which has been confirmed as sufficient for anticipated demand; and will not therefore cause an increase in demand for off-site parking.
- 7.38 The road layout, vehicle manoeuvring areas, car parking and site access have been informed and influenced by the applicant's Highway Engineer. The development team is confident that the site layout complies with current highway safety standards.

HOUSING MIX & AFFORDABLE HOUSING

7.39 The housing mix presented in this application has been informed by policy CP4 of the Core Strategy but also driven by the design and context considerations. The policy seeks a density of 40 dwellings per hectare and advises against a density of less than 30 dwellings net per hectare. The policy advises that the mix and design should be informed by the Strategic Housing Market Assessment (SHMA). This development proposes a density of 35dph (excluding the sports pitch site area). Part 2 of the

SHMA (2017) identifies that the greatest need is for three-bedroom owner-occupied accommodation. The mix of units on this site has responded to this identified need and 45% of the market units will be 3 beds, thus meeting the greatest need.

- 7.40 It is considered that the housing size mix presented through this proposal would deliver a significant boost to the availability of sustainably located 2, 3 and 4 bedroom dwellings within the existing urban confines of Deal; addressing an identified trend in housing projections and which aligns with the marketing research of the applicant Sunningdale. The housing mix presented is considered to be an appropriate response to the pattern and grain of surrounding development, having regard to its location within the urban area. As a result, the housing mix has arisen from a design led solution to the site which seeks to make efficient use of the site in accordance with key NPPF objectives.
- 7.41 In response to the development plan policy DM5 it is the intention of the applicant to provide affordable housing that is consistent with the policy starting point for 30% of proposed units to be 'affordable'. The application will deliver a total of 26 affordable units comprising: 14 x 2-bed units and 12 x 3-bed units and is therefore policy compliant in this respect.
- 7.42 The tenure of the on-site provision will be determined through discussions with the Council's Housing Manager, and can be secured through a planning condition requiring the submission of an Affordable Housing Scheme for the site, prior to the commencement of development.
- 7.43 It is asserted that in complying with LPA requirements in respect of the range and mix of house types and sizes, including the provision of affordable units, the proposed development contributes positively to the NPPF primary objectives of delivering a wide choice of high quality homes, widening opportunities for home ownership and creating sustainable, inclusive and mixed communities (NPPF para 50).

ECOLOGY AND BIODIVERSITY

7.44 The National Planning Policy Framework sets out planning policies on the protection of biodiversity and geological conservation. Section 15 of the NPPF states that planning policies and decisions should contribute to and enhance the natural and local environment by:

- safeguarding local wildlife-rich habitats and wider ecological networks including designated sites, wildlife corridors and stepping stones and areas identified by national and local partnership for enhancement;

- promoting the conservation, restoration and enhancement of priority habitats and ecological networks;

- promoting the protection and recovery of protected species; and

- identifying and pursuing opportunities for measurable net gains for biodiversity.

- 7.45 The comply with these policy requirements Corylus Ecology were appointed to undertake an Extended Phase 1 Habitat Survey on the 15th January 2019, which included a Protected Species Assessment (the full report is submitted with this application). The habitats within the site consist of managed short grassland within the centre and unmanaged site boundaries of tall ruderal and scrub. A wellkept cemetery borders the northern boundary with garden curtilage forming the southern and western boundaries, whilst to the east are allotments.
- The protected species assessment considered the 7.46 potential for bats, great crested newts, reptiles, badgers, dormice and breeding birds. The report concluded that; no potential bat roosting features were found on any of the trees, and the site has been assessed as having 'low' suitability for foraging and commuting bats. It is considered that the proposals will not have a significant effect on the local bat population and no bat activity surveys were recommended. However, a sensitive lighting strategy will be followed in order to minimise the indirect impacts of the proposals on foraging and commuting bats in the local area. This will include minimising light spill onto the hedgerow and the scrub, woodland and pond habitats to the west.
- 7.47 As advised by Corylus the vegetated linear boundaries

will be retained and protected and required external lighting will be sensitively positioned to ensure that these areas are as dark as possible to lessen the impacts on bats.

- 7.48 The habitat on site is sub-optimal for great crested newts and there are no ponds within the site and neither are there any ponds within 1km of the site. Therefore there are no recommendations for further surveys with regard to great crested newts. In addition it was concluded that there is no suitable habitat for dormice and no signs of badger were found.
- 7.49 Suitable habitat for reptiles has been identified around the margins of the Site. Therefore, reptile surveys were recommended in order to assess what populations are present and characterise the likely impacts of the development.
- 7.50 The hedgerows, trees and dense scrub within the boundaries of the Site are likely to be used by breeding birds during the core breeding period (March – August). All wild birds, including eggs and chicks, are protected against injury or killing and their nests are protected against damage or destruction when in use by the Wildlife and Countryside Act (1981). The majority of boundary habitat within the site will be retained as part of the proposals, but where the dense scrub is required to be tidied up it will be undertaken outside the core bird breeding season.
- 7.51 Corylus have made suggestions to promote a net biodiversity gain for the site, the applicant will implement these recommendations to ensure that landscaping areas within the site are strengthened and a rich wildlife habitat created.

APPROPRIATE ASSESSMENT

7.52 The Thanet Coast and Sandwich Bay Ramsar Site covers a large area including the Lydden valley and the coastal stretch between Ramsgate and Deal. There is 2,182ha of habitat protected under this designation including rocky shore, estuary, sand dune, maritime grassland, saltmarsh and grazing marsh. The wetland habitats support 15 British Red Data Book invertebrates, as well as a large number of nationally scarce species. The site attracts internationally important numbers of turnstone, and nationally important numbers of nationally important wintering populations of ringed plover, golden plover, grey plover and sanderling, as well as Lapland bunting.

- Sandwich Bay to Hacklinge Marshes Site of Special 7.53 Scientific Interest (SSSI) is a large designated area extending from Ramsgate in the north to Deal in the south, covering a similar area to the Ramsar Site described above. The application site is within the SSSI Impact Risk Zone: unit 61 and 62 of the SSSI which support fen, marsh and swamp habitats are located 2km to the north-west of the Site and unit 46, supporting neutral grassland, is 1.7km to the northnorth-west. This area is described in the citation as containing the most important sand dune system and sandy coastal grassland in south-east England and also includes a wide range of other habitats such as mudflats, saltmarsh, chalk cliffs, freshwater grazing marsh, scrub and woodland. There are outstanding assemblages of both terrestrial and marine plants as well as invertebrates, including many nationally rare and scarce species. The area provides an important landfall for migrating birds and supports large wintering populations of waders.
- 7.54 The site falls within 3km of parts of the Thanet Coast and Sandwich Bay Ramsar Site and is within the SSSI Impact Risk Zone for the Sandwich Bay to Hacklinge Marshes SSSI, located 2.7km to the north. These designated areas support a range of coastal and intertidal habitats and are important for a range of nationally scarce plants and species as well as being an important resource for migratory birds. Corylus has confirmed that the development of this site would not have a direct impact on the SSSI or species it supports. For this particular SSSI, consultation with Natural England is not required for the residential development proposals, the citation states that consultation is required if: Any residential development of 100 or more houses outside existing settlements/urban areas is proposed.
- 7.55 Due to these designations the Conservation of Habitats and Species Regulations 2017, Regulation
 63: Appropriate Assessment is a key consideration. The Local Planning Authority is the appropriate

(competent) authority in this instance. The applicant team have considered all of the impacts of the development and submit that the only aspect of the development that causes uncertainty regarding the likely significant effects on a European Site is the potential disturbance of birds due to increased recreational activity at Sandwich Bay and Pegwell Bay.

- 7.56 Detailed surveys at Sandwich Bay and Pegwell Bay were carried out in 2011, 2012 and 2018. It is acknowledged that the Council, will apply a precautionary approach and it is accepted that it is not currently possible to discount the potential for housing development within Dover district, when considered in-combination with all other housing development within the district, to have a likely significant effect on the protected Thanet Coast and Sandwich Bay SPA and Ramsar sites.
- 7.57 The identified pathway for such a likely significant effect is an increase in recreational activity which causes disturbance, predominantly by dog-walking, of the species which led to the designation of the sites and the integrity of the sites themselves. The Thanet Coast and Sandwich Bay SPA and Ramsar Mitigation Strategy was agreed with Natural England in 2012 and is still considered to be effective in preventing or reducing the harmful effects of housing development on the sites. The applicant is willing to enter into section 106 agreement to make a financial contribution towards the agreed Mitigation Strategy.

DRAINAGE

- 7.58 The NPPF states that when determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere and where the site is located within an identified area at risk of flooding or in any case where the area of a development is 1ha or more, the development proposals must be informed by a site-specific flood risk assessment (paragraph 103).
- 7.59 New development has the potential to increase the risk of flooding to neighbouring sites and properties through increased surface water runoff as such an assessment of the proposed site drainage has been undertaken by Herrington Consulting Limited. The

assessment models the runoff rates, flow pathways and the potential for infiltration at the site. A Surface Water Management Strategy (SWMS) derives from this assessment and in this case has been prepared whilst exploring all viable and sustainable solutions for discharging surface water run-off from the proposed development site.

- 7.60 There is a clear hierarchy of options for discharging surface water runoff from developments. The most preferential option is to infiltrate water into the ground, as this deals with the water at source and serves to replenish groundwater. If this option is not viable, the next option of preference is for the runoff to be discharged into a watercourse. Only if neither of these options are possible, the water should be conducted into the public sewer system.
- 7.61 Rainwater recycling systems such as water butts will be provided but water re-use systems cannot manage 100% of the surface water runoff. Some of the surface water will be directed to new drainage ditches within the site however infiltration testing has demonstrated that infiltration rates at the cannot accommodate all of the modelled site discharge. The potential for deep bore soakaways has been explored and has highlighted that it maybe necessary to divert some of the surface water to the foul sewer. Sunningdale is in discussions with the statutory provider Southern Water and will enter into a legal agreement to deal with a proportion of the surface water discharge in this way.
- 7.62 From this assessment it is clear then that the site can be drained satisfactorily in accordance with Local and National Planning Policy Guidance. The details of the drainage systems should be the subject of suitably worded planning condition which would require the scheme to be submitted to the local authority for approval prior to construction work commencing.

8 DELIVERY OF FACILITIES

- 8.1 The NPPF recognises that the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. Planning policies and decisions should aim to achieve places which promote safe and accessible developments, containing clear and legible pedestrian routes, and high quality public spaces, which encourage the active and continual use of public areas. Access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities. This proposal will provide housing in a sustainable location, a 4G sports pitch and club house and an equipped children's play area, it is submitted that the proposal squarely achieves all of these local and national objectives.
- 8.2 The proposed development will meet all reasonable requests for contributions towards community facilities to mitigate the impact of the development. The detailed terms of which are to be framed within a legal agreement that will be discussed with LPA Officers during the course of this application. The anticipated heads of terms are summarised within the 'Proposed Development' section of this statement.

9 CONCLUSION

- 9.0 It is submitted that the proposed development brings forward for Sunningdale (a regional housebuilder with a proven track record of quality housing provision in the district) a deliverable housing site that is well related to the existing settlement, and would make a positive and sustainable contribution, within a short period, towards the District's acknowledged local housing needs. These are factors, that it is considered, weigh heavily in favour of the proposal.
- 9.1 The proposal makes efficient use of a previously developed, and under-utilised, windfall site within the urban confines of Deal providing a sustainable contribution to local housing provision and compliant with the objectives of the NPPF reference paragraph 127 in particular.
- 9.2 The development is effective in meeting the NPPF objective of providing a wide choice of high quality homes (including a (30%) policy compliant contribution of 26 affordable housing units), to widen opportunities for home ownership and to create sustainable, inclusive, mixed use communities - to meet the recognised need for family accommodation in Deal and the wider District.
- 9.3 The NPPF advises that where the development plan is acknowledged to be out of date there is a presumption in favour of sustainably located residential development, whereby planning permission should be granted unless "any adverse impacts of doing so would significantly and demonstrably outweigh the benefits" of the development.
- 9.4 With reference to site specific factors, it has been demonstrated through this application that:
 - The proposed development is a well-considered

response to the specific characteristics and context of the site, compatible with the design objectives of the Local Plan, Kent Design Guide and NPPF.

• The proposed 4G full-size football pitch together with a high-quality club house, will meet an identified need for sports pitch provision within the Deal area – this will provide a quality community benefit in accordance with Local Plan policy DM25 and paragraph 97 of the NPPF.

• This currently secured and privately owned site will become publicly accessible – allowing local residents to access facilities such as an equipped children's play area and the sports pitch – the proposal will provide a quantitative improvement to publically available open space within the area, complying with the aims of policy DM25 and paragraph 97 of the NPPF.

• The development has been subject to extensive pre-application discussions with the LPA and KCC.

• The applicant's transport consultant has reviewed the internal road network and access, resulting in a technically and functionally safe and workable site layout and access to the development.

• The development provides for a policy compliant quantum of on-site parking and accords with policy DM13 table 1.1 of the Core Strategy and Sport England's requirement for D2 use car parking.

• The development provides safe and secure cycle storage for all residents, in accordance with policy DM13 table 1.1 of the Core Strategy.

• The mature trees framing the site have been safeguarded in the design evolution of the scheme; which results in a negligible impact in terms of arboricultural amenity or form. The trees on the boundaries of the site will remain intact and will continue to provide a strong feature of the site and locality. New tree planting and landscaping will be delivered by the proposal – in accordance with the aims of the NPPF to enhance biodiversity.

• The scheme provides an acceptable strategy for discharging surface water run-off from the site.

• The development will be self-sufficient in terms of addressing the increased demand on all elements of social infrastructure, including the provision of 26 units of on-site affordable housing.

9.5 In seeking to collectively address the three dimensions of 'sustainable development' defined by the NPPF, the proposal would provide an economic benefit through the provision of additional housing (including a significant number of affordable housing units) which plays an important role in supporting wider economic growth, together with a short-term benefit of construction employment and associated industries. In terms of the social dimension, the development would make a positive contribution towards the quality and quantity of sports pitches and children's play space, which will provide a social community hub. It would also make a positive contribution towards the supply of housing within an area where there is a predicted need for more family accommodation; the site benefits from a sustainable location from where local services and facilities are highly accessible, which in turn supports the viability of those services; the development will also mitigate the impact of the increased population on all elements of social infrastructure (schools, libraries and recreational facilities), and; the development is well connected to the existing settlement, facilitating the creation of an inclusive and sustainable community. The environmental dimension has been addressed through the innovative design response to the particular characteristics of the site and its context, including provision of a safe and accessible development, the mitigation of potential impact on the residential amenities of neighbouring occupants, and the landscape and biodiversity enhancements incorporated into the scheme.

In accordance with the provisions of the NPPF, it is concluded that whilst the development would result in the theoretical loss of privately owned open space, the quantity of publicly accessible open space will increase and the local residents will have access to a good quality 4G full-size football pitch and club house representing a qualitative improvement. KCC having disposed of the main school site (which has since been redeveloped for housing) which this field the subject of this application formerly served. This land disposal removed the recreational function of the application site as a playing field and has historically not been publicly accessible. Although regularly maintained by KCC the application site has not been regularly used as a recreational

9.6

historically not been publicly accessible. Although regularly maintained by KCC the application site has not been regularly used as a recreational asset for over a decade. KCC has disposed of the application site on the strength of earlier pre-application feedback which supported the principle of housing development on part of the site realising a capital receipt for KCC. In addition, the site will accommodate an equipped children's play area. The development will not only result in a quantitative and qualitative provision of open space but will deliver 88 dwellings in a highly sustainable location which - as a deliverable, windfall site within the urban confines - sits squarely with the objectives of the NPPF, and will make a valuable contribution to housing supply in the district and will bring forward a range of positive sustainable benefits. For these reasons it is concluded that the proposal is in line with development plan policies and benefits from the presumption in favour of development.

PLANNING STATEMENT: LAND OFF FREEMENS WAY, DEAL

APPENDIX A PRE-APPLICATION ADVICE: PE/15/00072

Planning White Cliffs Business Park Kent CT16 3PJ

Telephone: Fax: DX:	(01304) 821199 6312	
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Contact: Mr Blaskett Direct line: 01304 872464 E-mail: lukeblaskett@dover.gov.uk Your ref: PE/DOV/15/00072 Date: 20/08/2015

Matthew Blythin DHA Planning Eclipse House Eclipse Park Sittingboune Road Kent ME14 3EN

Dear Mr Blythin

Town and Country Planning Act 1990 (As Amended)

Proposal: Pre-application advice – residential development Location: Land off Freemans Way, Deal

I write with reference to your request for additional planning guidance in relation to the site at Freemans Way, Deal, further to the previous advice provided in respect of pre-application advice request PE/15/00013.

Detailed advice, covering all relevant matters, has been provided previously. As such, and as requested, this advice will focus solely on the issue of the loss of Open Space.

The advice issued in relation to PE/15/00013 raised strong concerns regarding the loss of designated Open Space. This advice signposted the relevant policy, DM25, and subsequently you have submitted an amended layout plan which seeks to address this policy.

Policy DM25 only allows for the loss of designated Open Space in exceptional circumstances. One exceptional circumstance (at iii.) is where "a replacement area with at least the same qualities and equivalent community benefit, including ease of access, can be made available".

The revised layout plan shows the provision of two youth football pitches and an area of car parking which, I understand, will be available to users of the pitches. The layout shown would decrease the size of the open space by around two thirds and, as such, would represent a quantitative decrease in provision. However, it is considered that this could be offset should the quality of the provision significantly increase and be made available for public use in a secure manner. In order for such an approach to be accepted, the overall benefit to the community must be at least comparable.

It is considered that there are several factors which must be considered in order to determine whether the quality of the remaining space is sufficient to mitigate the reduction in quantity.

Firstly, the location of the provision must be considered. In this case, the retained area would be to the edge of the site, backing onto a number of properties; however, it is considered that the site would be relatively accessible by foot, bike and car. Furthermore, the site is within an area which currently has a deficiency of youth sports pitches as evidenced within the Playing Pitch and Outdoor Sports Facility Strategy, adopted February 2015, so the proposal is well placed to meet this demand. The location and accessibility of the pitches is therefore considered to be acceptable.

Secondly, regard must be had for the physical infrastructure which would be provided; the usability of the space (including whether it can be used more intensively than before); and whether the provision would benefit from an enhanced or more dependable long term maintenance programme.

The proposed layout shows two youth pitches, although it is not clear whether goal posts and nets would be provided. The laying out of the pitches could improve the usability of space, particularly if accompanied by a secure, long term, maintenance regime, whilst the provision of car parking would go some way to improving access to the facility. However, on balance, it is not considered that these modest improvements would outweigh the significant loss of space.

Notwithstanding the above, it is considered that additional measures could be proposed which would ensure that the open space to be retained would provide an equivalent community benefit to the existing site. Securing long term maintenance of the pitches (including regular relining and maintenance of the goalposts) will certainly be required, to ensure that the pitches are usable for the long term and to provide the associated benefits required to mitigate the loss of space remain in perpetuity. It is likely that this would need to be secured by a legal agreement.

It is strongly advised that you liaise with local sports clubs that are affiliated to the relevant national governing body of sport, to ascertain the level of demand for competitive standard pitches and whether these groups would be interested in using the pitches, if provided. You may also wish to consider whether the application, and any associated legal agreements pertaining to the future use and maintenance of the site, should identify the club or clubs which would benefit from the proposal (who may or may not undertake some of the maintenance), as this would add weight to the argument that the overall community benefit would be equivalent. The involvement of a local club will also help to show that the pitches will be sustainable.

Finally, in order to offset the quantitative loss and provide further evidence of long term sustainability, you may wish to consider the provision of additional infrastructure to improve the usability of pitches, for example changing rooms and/or flood lights, which would increase the usability of the pitches. Should additional infrastructure be proposed, regard should be had for its siting and design to ensure that it would, itself, be acceptable in all material respects (for example by avoiding floodlights in locations, or of a design, which would cause harm to the amenities of nearby dwellings).

It is noted that the previous advice advocates that the view of Sport England is sought prior to submitting a formal application. You may also wish to seek a view from the Kent FA, which is the governing body of football in this county. Should these bodies support the proposals, it would provide weight in favour of the scheme, indicating that the community benefit derived is at least equal to that of the existing site. It is also advised that meaningful community consultation takes place to inform the development and, again, add weight to the benefits which would accrue from the proposal.

Conclusions

Whilst on the basis of the layout plan submitted it is not considered that sufficient evidence has been provided to demonstrate that the quality of the publicly accessible open space provided is sufficient to outweigh the quantitative loss (and thus provide an equivalent community benefit), it is considered that the pitches are in a reasonably accessible location and, with additional community involvement and enhancement of the facilities provided, the proposal has the potential to provide an equivalent community benefit.

I trust that the above advice is of some assistance to you. Please note this is informal officer advice only and would not prejudice the formal decision of the Council.

Yours sincerely

Luke Blaskett Principal Planner

I

cc. Emma-Jane Allen

APPENDIX B PRE-APPLICATION ADVICE: PE/DOV/18/00153

/001/18/00153

Planning White Cliffs Business Park Kent CT16 3PJ

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Contact: Mr Blaskett Direct 01304 872449 line: luke.blaskett@dover.gov.uk E-mail: PE/DOV/18/00153 Your ref: Date: 30/11/2018

Mrs R Humber, Hume Planning Consultancy Ltd, Innovation House, Discovery Park, Innovation Way Sandwich Kent CT13 9FF

Dear Mrs Humber,

Town and Country Planning Act 1990 (As Amended)

Proposal: Pre-application advice – residential development Location: Freemans Way, Deal

I write with reference to your request for pre-application planning advice received 5th October 2018 and our meeting of 14th November. Firstly, please accept my apologies for my delay in meeting with and your architect.

The site lies within the settlement confines of Deal, where the principle of development is supported by Policy DM1 of the Core Strategy. However, the site is also allocated as Open Space on the Proposals Map and is therefore subject to Policy DM25.

Prior to our meeting, I met with the councils Principal Infrastructure and Delivery Officer who is the councils lead on Open Space matters.

As confirmed during our meeting, the councils Playing Pitch and Outdoor Sports Facility Strategy (February 2015) identifies that, at the date of publication, the need for football pitches in Deal was: no need for senior pitches; a need for 8 youth pitches; and a surplus of 2 mini pitches. By 2025-30 there would be: a need for 1 senior pitch; a need for 8 youth pitches; and a surplus of 2 mini pitches. The existing pitches are of average to good quality and, therefore, the 'capacity' of the existing pitches could not be increased through enhancements. The application site has the potential to contribute towards making good the existing and predicted shortfall and has been designated in order to protect it from alternative uses.

Policy DM25 generally restricts the loss of Open Space. However, one of the exceptions (criterion iii), allows for the loss of Open Space where:

"a replacement area with at least the same qualities or equivalent community benefit, including ease of access, can be made available".

Paragraph 97 of the NPPF similarly seeks to protect Open Space, but allows for loss where:

"the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location". Having regard for the above, there is a potential to submit an application which seeks to provide a smaller area of Open Space on the application site which is of higher quality than the existing area and provides secure community access. This would remain in tension with the NPPF, which advises that the replacement should be of equivalent or better quantity and quality; however, given the circumstances, it would be reasonable to consider the more relaxed wording of policy DM25. With this in mind, and given that the site is capable of making good existing deficiencies, it is not considered that Option A (no Open Space provision) would be considered favourably. I will therefore focus on Option B.

In my discussions prior to our meeting, the Principal Infrastructure and Delivery Officer expressed concerns that the sports pitch (together with changing room facilities and parking) may not be sufficient to outweigh the quantitive loss of Open Space. The existing site measures approximately 3.4ha, whilst the proposed development would provide one pitch. During our meeting it was questioned whether the pitch shown was full-size. It was advised that, whilst it was unclear at that time, the pitch could be enlarged to ensure it would meet the requirements for a full-size pitch (and may be moved to an alternative location on the site). At present the pitch shown (including run-off areas) is around 0.44ha (88m by 50m). I understand that, at present, the FA recommends that senior pitches (including run-offs) are 116 yds by 76 yds (or around 106m by 69.5m), although pre-application discussions with the FA should confirm whether this is the case.

Notwithstanding the concerns raised, should an application be submitted which proposes one pitch, ensuring that the pitch meets at least the minimum size and standard will be essential, whilst locating the pitch closer to the access road would be highly desirable (improving the visibility and accessibility of the pitch). In order to bolster the case that the qualitative benefits outweigh the quantitive loss of Open Space, it is highly recommended that early discussions take place with relevant bodies (such as local clubs, the Kent FA, Deal Town Council etc.) to identify whether the pitch could be used by an organised body, increasing the benefit which would be derived from the pitch. It will also be necessary to consider whether the changing facilities and car parking would be sufficient to meet any relevant standards and meet the requirements of any bodies who may wish to use the pitch.

At this stage, whilst I would not rule out a scheme delivering one senior pitch with appropriate changing and parking facilities being acceptable (in terms of DM25), it would require a compelling case to demonstrate that it would be highly usable and supported by an organised group who would maximise its benefit. It would also be necessary to demonstrate how the facilities would be maintained (and who would be liable for the costs of maintenance). Alternatively, the provision of more than one pitch (including at least one senior pitch) would add significant weight to any qualitative/quantitative argument, although this should not be at expense of engagement with local bodies.

During our meeting, it was confirmed that a new Playing Pitch and Outdoor Sports Facility Strategy is due to be published next year which may or may not amend the identified needs. At the current time, I am only able to provide advice based upon the current evidence. Whilst I cannot second guess what the outcome of the strategy will be (or the timing of its publication), should the guidance significantly change, such that a pitch would no longer be necessary, it is considered that a new application would be required. This would be on the basis that the revised scheme would be substantially different to the original scheme and would be beyond the scope of S73.

To conclude, based on the information submitted and following our meeting, concern is raised that it has not been demonstrated that the qualitative enhancement of the site is sufficient to allow the quantitive loss of designated Open Space and, therefore, the scheme would be contrary to Policy DM25 and paragraph 97 of the NPPF. However, such concern could be overcome, should the above advice be followed.

Notwithstanding the above conclusion, the council is currently unable to demonstrate a five year housing land supply (this may or may not change when the next Authority Monitoring Report is published). Whilst it is the councils view that the presumption in favour of sustainable development is disapplied by paragraph 177 of the NPPF (which may also change, dependent upon the outcome of the current MHCLG consultation), the weight to be attributed to housing clearly carries additional weight. Whilst at this formative stage I am unable to confirm whether the overall balance would be in favour or against the development, it is advised that any application should be supported by a planning statement which evidences the benefits and, as necessary, the harms to demonstrate the case for approval.

Option B would provide 27 two bedroom dwellings, 41 three bedroom dwellings and 10 four bedroom dwellings.

Number of Bedrooms	Percentage Proposed	Percentage Recommended
One (0)	0%	15%
Two (x27)	35%	35%
Three (x41)	53%	40%
Four (x10)	13%	10%

Paragraph 3.43 of the Core Strategy identifies the broad split of demand for market housing.

As can be seen from the above table, the proposal would be broadly in accordance with the demand within the District, albeit there is a lack of provision of one bedroom dwellings. The most recent SHMA identifies a slightly altered housing mix from the mix identified in the Core Strategy which, in particular, reduces the requirement for one bedroom units.

Whilst the recommended proportions should inform the housing mix, and are certainly not rigid, the final mix should be justified within the application to demonstrate how the mix is appropriate in this instance and how it will meet the needs of the district.

Under Policy DM5, developments in excess of 15 dwellings will need to provide affordable housing. This provision should be 30% of the total number of dwellings and should be homes of a type to meet the identified needs and will be expected to be provided on-site. The Council's preferred approach is generally to seek a ratio of social rented to intermediate housing of 70:30. The dwellings should also be of a mix to meet the prioritised needs of the district, as shown in the table at paragraph 1.18 of Annex 1 of the Core.

Number of Bedrooms	Social Rented - Percentage	Intermediate - Percentage
	Recommended	Recommended
One	25%	5%
Two	10%	35%
Three	55%	60%
Four	10%	0%

However, given the practicalities of securing an affordable housing provider, you may wish to discuss the precise mix with the Councils Head of Strategic Housing, Paul Whitfield, prior to finalising the mix (as proposed in your submission).

Additional information regarding the provision of affordable housing can be found on the Council's website, via the following link:

http://www.dover.gov.uk/Planning/Planning-Policy/Local-Development-Framework/Other-Information-AMR/Supplementary-Planning-Documents/Affordable-Housing.aspx

I am conscious that the layout of the development will likely change as, during our meeting, it was suggested that the pitch may be relocated. Whilst I will not, therefore, comment in detail on the existing layout of the scheme, it is considered that the principles shown are well founded. The area is characterised by street fronting, linear development, which would be replicated by the proposal. Care has been taken to consider what would be seen in key views, in particular along the site access. The use of high quality landscaping throughout the scheme, including the retention and enhancement of existing trees and hedges to the site boundaries, is highly recommended, both to soften the appearance of development is views from outside the site and to animate the development itself.

There are no listed buildings or conservation areas in the vicinity of the site and, as such, there are no designated heritage assets which may be a constraint to development. However, the area is generally rich in archaeology, whilst the site itself is identified as an area of archaeological potential (relating to a Roman cremation and Iron Age pottery). It is therefore considered that the development of the site could impact upon archaeology. I understand that discussions have taken place with KCC Archaeology, which is welcomed.

KCC Highways and Transportation have not been consulted as part of this pre-application process. However, I will provide some initial observations. The vehicular access will need to provide sufficient visibility for pedestrians and vehicles. The aisle width between spaces is typically required to be a minimum of 6m wide and should provide a turning area adjacent to the end spaces. It appears that both the requisite width and turning area are shown on the submitted plan. Parking spaces should be 5m long by 2.5m wide; however this width should increase to 2.7m where they are bounded on one side and to 2.9m where they are bounded on both sides.

The requirement for car parking provision is set by Policy DM13 of the Core Strategy which requires that provision be a design-led process based upon the characteristics of the site, the locality, the nature of the proposed development and its design objectives. The site is located within a relatively sustainable location, close to public transport linkages and, in my opinion, would best be described as 'suburban' for the purposes of assessing Table 1.1 of the Core Strategy. Within such a location: one and two bedroom dwellings should provide a minimum of one space per unit; three bedroom dwellings should provide a minimum of 1.5 spaces per unit; and four bedroom dwellings should provide a minimum of two spaces per dwelling. In addition, 0.2 spaces per dwelling for visitors should be provided.

The submissions advise that two car parking spaces per dwelling would be provided, in accordance with the minimum requirements set out above. Only nine visitor spaces would be provided, which falls short of the 15 or 16 spaces required. In addition, there may be a need provide double yellow lines either side of the vehicular access to the site to provide visibility, which may displace some on-street parking on Freemans Way. Whilst the provision of allocated parking in excess of the minimum requirements would counterbalance some of the pressure for visitor parking, it is advised that accessible visitor spaces should be in increased. Whilst further spaces have been shown as football/LEAP parking, it will be expected that this parking should provide sufficient parking to serve those uses (avoiding overflow visitor parking from using these spaces and, thus, limiting the attractiveness of the pitch).

Cycle parking should be provided at a rate of one space per bedroom.

The proposal typically locates buildings away from the boundaries of the site, such that impacts on neighbours would be limited. During our meeting, I did raise some concern regarding the buildings which would be located closer to the boundaries of the site, in particular those towards the west of the site. Careful consideration should be given to the precise location of these dwellings, together with their scale, design and fenestration arrangement, to ensure that an unacceptable degree of loss of light, sense of enclosure or overlooking would not be caused. The proposed access would be between two existing dwellings and, given the number of dwellings proposed, would be well used. Regard should therefore be had for whether, and to what degree, these properties would be impacted by noise and disturbance (proposing mitigation if required)

Regard should also be had for the living conditions of future occupiers, although the suggested site layout largely maintained good separation between dwellings.

I have previously introduced contributions and viability in relation to the provision of affordable housing. However, in addition to affordable housing, the application would be likely to generate requests for infrastructure contributions for the provision of open space, primary healthcare and KCC projects (schools, libraries, adult social services and youth services).

Policy DM27, which can be found in the Land Allocations Local Plan, requires that new development provides open space to meet the needs generated by the development, together with a minimum of 15 years maintenance. This provision, which is in addition to the provision of Open Space required to address the requirements of Policy DM25, includes accessible green space, outdoor sports facilities, children's equipped play space and community gardens/allotments. The first preference is typically for on-site provision; however, the councils Principal Infrastructure and Delivery Officer has advised that it would be preferable in this instance to provide an off-site contribution to increase the capacity of off-site strategic sites. We did discuss the issues encountered at the former LEAP close to the site access and that the loss of that facility may increase the desire locally to have a play area provided in the development. Notwithstanding the current view regarding this matter, the infrastructure project(s) which would be funded by the development would not be finalised until after the application has been submitted, such that regard would be had for any third party comments received. You may wish to discuss the scheme with the Councils Principal Infrastructure and Delivery Officer, Emma-Jane Allen, who can be contacted by phone on 01304 872120, or by e-mail at emma.allen@dover.gov.uk.

Given the scale of the proposal, it is likely that Kent County Council will request contributions for the increased demand for, for example, the provision of education, libraries, youth services and adult social services. Such a request will be based on the capacity of existing infrastructure and the additional costs which will be borne to support the additional housing proposed. Should you wish to discuss KCC requirements for this specific site, a suitable contact is Allan Gilbert, who can be contacted by phone on 03000 417075 or by e-mail allan.gilbert@kcc.gov.uk.

Contributions may be negotiated should they make the scheme unviable.

The EU Habitats Directive 1992 requires that the precautionary principle is applied to all new projects, to ensure that they produce no adverse impacts on European Sites. It has been established that residential development in the district (such as the proposed development) would place an additional recreational pressure on the Thanet Coast and Sandwich Bay Special Protection Area (SPA), which will need to be mitigated to ensure that it would not lead to any adverse effect on the integrity of the SPA. A financial contribution to support monitoring, wardening, signage etc. at the SPA is an accepted method of mitigation, as described on pages 144 and 145 of the Land Allocations Local Plan. Any formal application should include

a suitable method of mitigation. The provision of such mitigation is required regardless of any viability case which is made. This will trigger a need to undertake an Appropriate Assessment. At present, undertaking an Appropriate Assessment disengages the presumption in favour of sustainable development (paragraph 177 of the NPPF). As previously set-out, the government are currently consulting on amendments to paragraph 177, which would reengage the presumption after an Appropriate Assessment has been undertaken and it has concluded that a likely significant effect would not be caused (once mitigation has been factored in). This consultation is due to expire early in December.

The vast majority of the site (the former playing fields) is unlikely to provide habitat for protected species, which I understand is managed grassland. However, the peripheries of the site, which include unmanaged grass, hedges and trees do have the potential to provide important habitat, having regard for Natural England's Standing Advice. The development has the potential to impact upon these habitats and, as such, the application should be supported by a habitats survey and, depending on the results of that survey, subsequent species specific surveys to establish whether there are any protected species in the site and, if so, the size of the population(s).

The site lies in Flood Risk Zone 1, which has the lowest risk of flooding; however, due to the size of the site, a flood risk assessment and a foul sewerage and utilities assessment will be required.

I trust that the above advice is of assistance. Please note this is informal officer advice only and would not prejudice the formal decision of the Council.

If you did choose to pursue a formal application then the following documents would be required to accompany it:

- Site location plan
- Proposed block/layout plan
- Proposed elevations, floor plans and roof plan
- Street scene elevations
- Planning Statement
- Design and Access Statement
- Affordable Housing Statement (together with a Viability Statement if a viability argument is to be pursued)
- Statement of Community Involvement
- Tree Survey
- Habitats Survey and Species Specific Surveys (as necessary)
- Flood Risk Assessment
- Foul Sewerage and Utilities Assessment
- Archaeological Survey
- Open Space Assessment
- Transport Statement/Assessment

Yours sincerely,

Luke Blaskett Principal Planner

APPENDIX C

THE FA GUIDE TO PITCH AND GOALPOST DIMENSIONS

THE FA GUIDE TO PITCH AND GOALPOST DIMENSIONS



INCLUDING INFORMATION ON LINE MARKING



The FA Guide to Pitch and Goalpost Dimensions Introduction

The FA receives many enquiries regarding pitch and goalpost sizes that are suitable for specific age groups. This document explains the various sizes of goalposts recommended and pitch markings for the following forms of the game:

- Mini Soccer 5v5 and 7v7
- 9v9 Football
- Youth Football
- Adult Football
- Football pyramid Steps 1 7 (Football Conference down the pyramid)

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Whilst every effort has been made to ensure the accuracy of the information contained in this publication any party who makes use of any part of this document in the developing natural grass pitches shall indemnify The Football Association, its servants, consultants or agents against all claims, proceedings, actions, damages, costs, expenses and any other liabilities for loss or damage to any property, or injury or death to any person that may be made against or incurred by the Football Association arising out of or in connection with such use.

These guidelines are intended to provide recommended size guidance to potential consumers to allow them to make informed choices when marking out of a football pitch.

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Pitch Dimensions

Pitches in the past have been marked out using the maximum and minimum pitches sizes as outlined in the laws of the game. These sizes vary tremendously, are often adapted to fit the space available and have been open to local interpretation. The FA has consulted widely and has been encouraged to produce national pitch sizes for mini soccer. 9v9. Youth football and Adult football.

The FA Recommended Pitch Sizes								
Age grouping	Type		ze without runoff around pitch)		ze including runoff around pitch)	Recommended	size of goal posts	
		Length x width (yards)		Length x width (yards)		Height x width (ft)		
Mini-Soccer U7/U8	5 v 5	40	30	46	36	6	12	
Mini-Soccer U9/U10	7v7	60	40	66	46	6	12	
Youth U11/U12	9v9	80	50	86	56	7	16	
Youth U13/U14	11 v 11	90	55	96	61	7	21*	
Youth U15/U16	11 v 11	100	60	106	66	8	24	
Youth U17/U18	11 v 11	110	70	116	76	8	24	
Over 18 (senior ages)	11 v 11	110	70	116	76	8	24	

*If a pitch is to be provided for U13/14 it is recommended that 7 x 21 goalposts are provided. However, it should be noted that 8 x 24 would also be acceptable as not all sites will be able to provide specifically for this age group.



General Considerations

The following points should be noted:

- The run-off area beyond the pitch should be free of any obstacle (including dugouts and floodlight columns) to ensure players and officials do not injure themselves by running into any fixed object. The run-offs should be surfaced with exactly the same surface as the playing area. Tarmac and concrete are not allowed but 3G Football Turf is allowed for match officials run-offs.
- Clubs participating in the National League System should refer to The FA National Ground Grading Documents (Grade A-G) as there is a minimum of 1.83m (2 yards) required. However it should be noted that a run off of three yards or more is desirable. All new pitches should have a minimum of four yards run off to accommodate any future changes in the National Ground Grading Documents.

- Clubs participating in the National League System should refer to The FA National Ground Grading Documents (Grade A-G) to ascertain the size of dugouts and amount of hard standing required for the level they play at.
- Where pitches are located alongside each other, a minimum of six yards run off should exist. An additional four yards might be required to accommodate spectator areas.
- It is recognised that County Football Associations and Leagues may have defined their own rules for their own competitions which are within the maximum and minimum sizes as set out in the Laws of the Game. However, the above pitch sizes should be adopted where possible.

For information around alternative pitch sizes or metric conversion, please contact your County FA or Regional Facilities & Investment Manager.

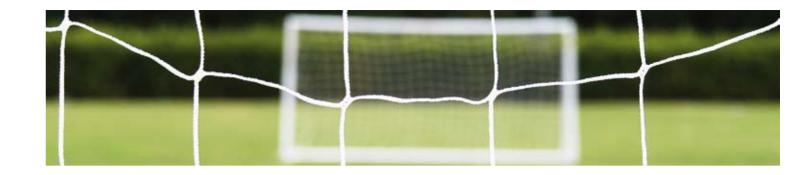
9v9 football

It is advisable for Clubs and Leagues that use local authority, parish or town council pitches to consult with key personnel and County FAs when deciding on the implementation of 9v9 football. It will be important to establish how this format will be delivered on a site-bu-site basis.

Goalpost Dimensions

The FA Goalpost Sizes

₄16 feet		21 feet	Youth / Adult
↓ Mini So (U7 - U	CCCET 110) Youth (U11-U12) 6 feet	Youth (U13 - U14) 7 feet	(U15 +) 7 feet



Goalpost Storage

Goals not in use should be properly stored. Stored goals should never be left accessible, upright or unstable. Socketed and folded free-standing goals should not be left leaning or unsecured, rather they should be locked securely and safely.; if this is not possible, they should be left lying flat on the ground so they cannot fall over.

Mobile / Free-standing Goalposts

Free-standing goals need to be appropriately stabilised in accordance with the manufacturer's instructions.

Stabilisation of goalposts can be significantly affected by poor installation techniques, as well as by poor ground conditions. Consequently, the most reliable methods of stabilising free-standing goals is by attaching the back bar to permanent fixing points via eyebolts and stainless-steel loops set in concrete blocks, suitable attachment points on a permanent fence or wall, or using weights attached to the goal's back bar either in the correct positions as specified by the manufacturer, or integral to the goal. In all circumstances any equipment used to stabilise goals should be kept away from the immediate playing area to protect players and officials.

Due to uncertainty in types of ground and/or ground conditions, the use of pins, pegs, u-staples or screw in anchors on natural turf pitches is not generally recommended. However, if there is evidence that they are effective under the worst predictable ground conditions on the site in question, then they may be considered. Please refer to the goalpost manufacturer guidelines for the most appropriate form of stabilisation method.

9v9 Goalpost Funding

Funding for the purchase of new 9v9 Goalposts is now available through the Football Foundation. Eligibility criteria and further details can be obtained from the Football Foundation website at www.footballfoundation.org.uk

Goalpost Safety

Several serious injuries and fatalities have occurred in recent years as a result of unsafe or incorrect use of goalposts. Please make sure that you follow this guidance to minimise the risk of injuries.

Goalpost Safety Guidelines

The Football Association, along with the Department for Culture, Media and Sport, the Health and Safety Executive and the British Standards Institution, would like to draw your attention to the following guidelines for the safe use of goalposts.

Several serious injuries and fatalities have occurred in recent years as a result of unsafe or incorrect use of goalposts. Safety is always of paramount importance and everyone in football must play their part to prevent similar incidents occurring in the future:

1 For safety reasons goalposts of any size (including those which are portable and not installed permanently at a pitch or practice field) must always be anchored securely to the ground or have a weighted back bar. Portable goalposts must be secured as per the manufacturer's instructions; this is also a requirement for the Laws of the Game.

 Under no circumstances should children or adults be allowed to climb on, swing or play with the structure of the goalposts:

 Particular attention is drawn to the fact that if not properly assembled and secured, portable goalposts may overturn; and

 Regular inspections of goalposts must be carried out to check that they are properly maintained.

- 2 Portable goalposts should not be left in place after use. They should be either dismantled and removed to a place of secure storage, or placed together and suitable fixings applied to prevent unauthorised use at any time.
- 3 The use of metal cup hooks on any part of a goal frame was banned from the commencement of season 2007-08 and match officials have been instructed not to commence matches where such net fixings are evident for safety reasons. Nets may be secured by plastic fixings, arrow head shaped plastic hooks or tape and not by metal cup hooks.

Any metal cup hooks should be removed and replaced. New goalposts should not be purchased if they include metal cup hooks.

- 4 Goalposts which are "homemade" or which have been altered from their original size or construction should not be used under any circumstances as they potential pose a serious safety risk.
- 5 There is no BS/CEN standard for wooden goals and it is unlikely that wooden goals will pass a load or stability test. All wooden goals previously tested by independent consultants have failed strength and stability tests. The FA recommends that wooden goals should be replaced with compliant metal, aluminium or UPVC goalposts (this was updated in March 2012).

For reference, you should note that The FA and BSI in conjunction with the industry, have developed standards for goalposts – BSEN 748 (2004) and BS 8461:2005+A1:2009. BS 8462:2005+A2:2012 (updated in March 2012). It is strongly recommended that you ensure that all goals purchased comply with the relevant standard. A Code of Practice BS 8461 has also been completed and copies of all of these standards are available from the BSI via their website at www.bsigroup.com.

Funding for the replacement of unsafe goals is available via the Football Foundation and eligibility criteria and further details can be obtained from their website at www.footballfoundation.org.uk.



The FA together with representatives from the industry, sports governing bodies and Government have prepared guidance notes for pitch users and pitch providers, which summarise the key priorities of the BSI's Code of Practice and provide further details on the information included above. These details are featured within the facilities section of The FA's website at TheFA.com/my-football.

REMEMBER TO USE GOALPOSTS SAFELY AT ALL TIMES



Line Marking

It is the duty of all facility providers to ensure that all the regulations are adhered to as The FA wants to promote the safe use of football facilities to improve everyone's experience of the game.

Various practices have been used in the past for the application of white lines to football pitches. The objectives of such practices has been to both reduce labour and materials costs whilst endeavouring to keep the lines visible for a greater length of time. Some of these practices have lead to injury and subsequent court action being taken against facility providers. You are therefore advised to studu the following notes carefullu.

The main governing factors for marking out white lines are the same as that for other routine tasks in the workplace.

1 Duty of Care

Under the Health & Safety at Work Act 1974 every employer has a duty of care to ensure the workplace is safe for their employees, contractors, visitors, players, and spectators.

2. The Control of Substances Hazardous to Health Regulations 1994 (COSHH)

Regulations to prevent ill health from exposure to any hazardous substances present in the workplace.

3. Risk Assessment

You are required to carry out assessments on all tasks carried out in the workplace in relation to the nature of hazard, worst outcome, person(s) at risk, current precautions, estimated risk and further precautions.

If all three of the above are addressed satisfactorilu this will automatically govern what to use for white line marking, ensure best practice and, above all, safetu.

It is the duty of all facility providers to ensure that all the regulations are adhered to, as they are ultimately responsible. If line marking is carried out by contractors then a specification should be drawn up to include all the safeguards outlined in these guidance notes. This could also extend to including detailed specifications of all products to be used.

Suitable Line Marking Compounds

Permanent paints

Based on pigmented viscous liquid. These "paints" can be applied either in a diluted form or neat.

Powders

There are various non-toxic whiting powders available which are based on ground natural calcium carbonate and can he used wet or dry. They are safe to use provided COSHH principles are applied. Under COSHH the user would be required to wear gloves and eye protection and to wash off any contact with the skin as a precautionary measure. Most powders are supplied in a fine form.

Hydrated Lime (calcium hydroxide) should never be used for line marking. It is toxic and can give rise to chemical skin burns and irritations. It can cause serious damage to eyes and skin on contact in both its dry or wet form. Its use is not recommended under anu circumstances.

Use of Herbicides to Reinforce Line Markings

Until The Food and Environment Protection Act. 1985 (FEPA) was introduced many groundsmen and club members used various herbicides mixed in with whitening compounds to keep the lines in longer and more visible during the playing season.

It is, however, only permissible to use a herbicide which is approved for use on sports turf, and this is likely to be a total herbicide. COSHH and Risk Assessment must be carried out prior to any application. A further governing factor is that the user must have obtained his/her Certificate of Competence in Use of Pesticides (PAI, PA2A or PA6A).

Any herbicide product for line marking must be used within the conditions of approval granted under The Control of Pesticide Regulations, 1986 (COPR), and as outlined on the product label. There should be no risk to players by contact or transfer of the active herbicide to any part of the body.



The addition of herbicides to whitening materials is not a recommended practice unless carried out by a competent, certificated person. Creosote is another compound used in the past to mark and reinforce line markings but it is not approved for use on sports turf under HSE - Control of Pesticide Regulations. Its use is therefore not recommended under anu circumstances.

The use of Hydrated Lime, herbicide additives and creosote can also result in serious injury to players as it leads to an uneven playing surface. This can ultimately lead to actions against both clubs or individuals.

The FA Guide to Pitch and Goalpost Dimensions Line Marking (continued)

Where pitches are cross-marked, the lines should be clearly distinguishable.

Machines Available to Mark White Lines

Marking machines fall into the following categories:

1 Dry Line Markers

As the name implies, these are for applying dry powder compounds.

2 Pressure Pump Markers

A wheel driven pump forces marking fluid through a jet or spout directly onto the turf surface.

Laser guided line markers are capable of marking across natural or artificial turf. They produce a perfectly straight line every time, providing consistent quality allowing sports pitches to be marked in half the time of conventional methods.

3 Electric Pump Markers

These are battery driven to constantly maintain the required pressure and direct the liquid onto the turf surface.

4 Belt Feed Markers

These have a moving belt system which conveys a continual supply of liquid onto the turf surface by contact.

5 Wheel Transfer Markers

These convey the liquid via rotating wheel onto a tray and then via a sponge wheel directly onto the turf surface.

Multi-line Marking on Single Pitches

Where pitches are cross marked the lines should be clearly distinguishable. The FA recommends using blue for the 9v9 pitch.

An example of how a 9v9 pitch can be cross marked is included in the diagrams on pages 24 and 25.

Use of coned areas to divide pitches

A large number of Football Turf (3G Artificial Turf) pitches are now used for competitive match plau at mini soccer and youth level. Sometimes it is difficult permanently mark out these types of pitches because of the wide range of uses they have. Suitable cones can be used to mark out a pitch in this instance.

It is acceptable to mark natural grass pitches for Mini Soccer and 9v9 by using flat cones.



Hints and Tips

- Find an appropriate piece of grass the right size.
- Use flat markers to highlight the goal area to help the goalkeepers.
- Move the portable goals to the right place and secure using the manufacturer's instructions.
- Explore using a 3G Football Turf pitch or commercial provider as a venue.
- Place the RESPECT barrier for the parents to stand behind.
- Mark out a small technical area near the halfway line for the coaches and subs to stand within.

RESPECT

Research has show that Designated Spectators' Areas

have a beneficial impact on the behaviour of spectators and their impact on players and

match officials.

The FA RESPECT Designated Spectators' Areas were introduced in 2008 as a response to concern at some touchline spectator behaviour – particularly in youth football. The area can be marked using an additional painted line, the use of cones or a roped-off area. The best results have come when use has been made of a temporary spectators' barrier system.

The areas draw the line which spectators should not cross. It deters them from standing on the touchline or infringing onto the pitch and creates a clearer distinction between those who are there to spectate and those with a responsibility to coach and manage. As a consequence, the experience of match officials and players has improved. The recommended arrangement is to mark out a Designated Spectators' Area on the opposite side of the pitch to club officials (manager/coaches etc) for spectators to stand behind.

This allows the manager/coaches of both teams to stand on the other side of the pitch, meaning players can better distinguish the advice from their team officials.

The Designated Spectators' Area should ideally start three yards from the touchline. The area should run the full length of the pitch. Ideally no spectators should be watching from behind the goal as this is not a designated spectator area. It is recognised however that the alignment of some public pitches does not allow for this set up in which case other appropriate arrangements should be made to best meet the guidance issued in this document. An alternative form of marking a Designated Spectators' Area can be used, but you must ensure this is safe for both the spectators, the players and match officials. The FA strongly recommends you obtain formal agreement from the facility/pitch provider about which method of marking is most suitable for the pitch, before beginning any work or buying any new equipment. The safety of the players, officials and spectators is paramount. For further guidance, visit www.footballfoundation.org.uk.

To help implement the Designated Spectators' Area, The FA has endorsed a RESPECT Barrier Kit which is available from www.touchlinelogos.com.

A Football Foundation scheme to assist clubs and leagues to purchase touchline barriers will be available from Summer 2012.



Appendix 1: Pitch Layouts and Goalpost Dimensions

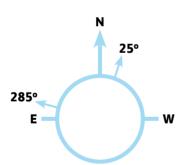
The following pages highlight the pitch layouts for all forms of the game, along with internal pitch markings and goal post sizes.

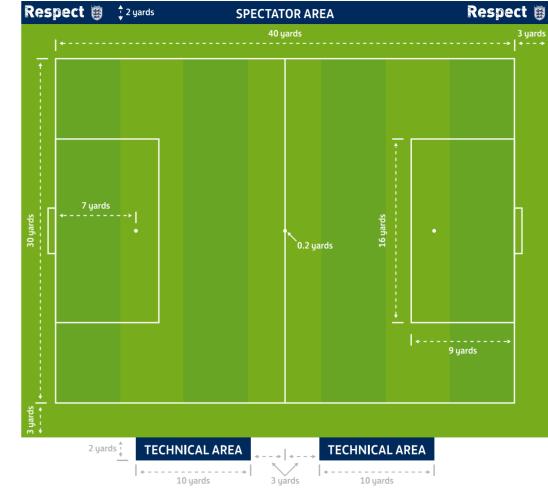
The spectator area can be marked out by using either a single white line or FA RESPECT logo barriers.

The technical are is for use by managers and coaches and should ideally be marked out using either white line marking or cones.

Pitch Orientation

The recommended main playing direction is approximately north (between 285° and 20°) / south, to minimise the effect of a setting sun on the players.



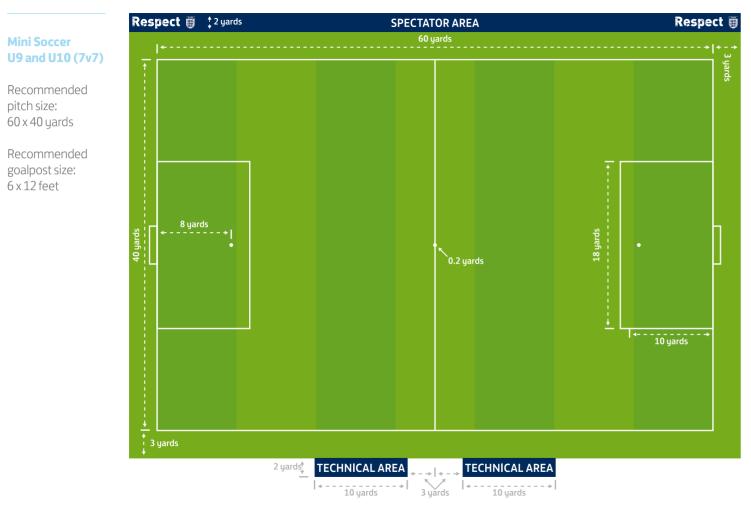


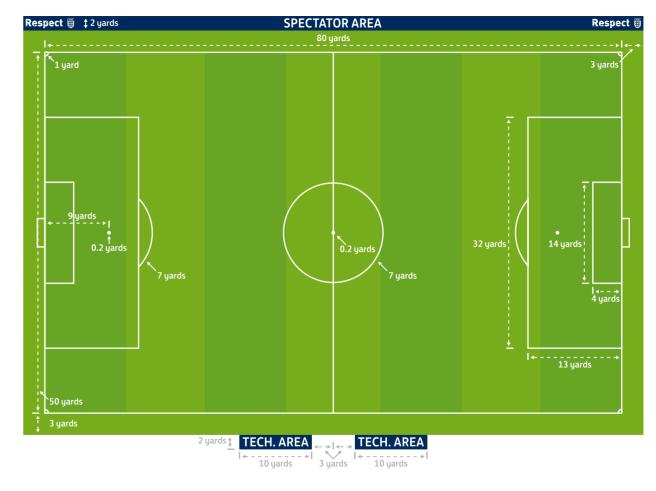
Mini Soccer U7 and U8 (5v5)

Recommended pitch size: 40 x 30 yards

Recommended goalpost size: 6 x 12 feet

Note: The halfway line is also used as the retreat line when restarting play with a goal kick





pitch size:

6 x 12 feet

U11 and U12 (9v9)

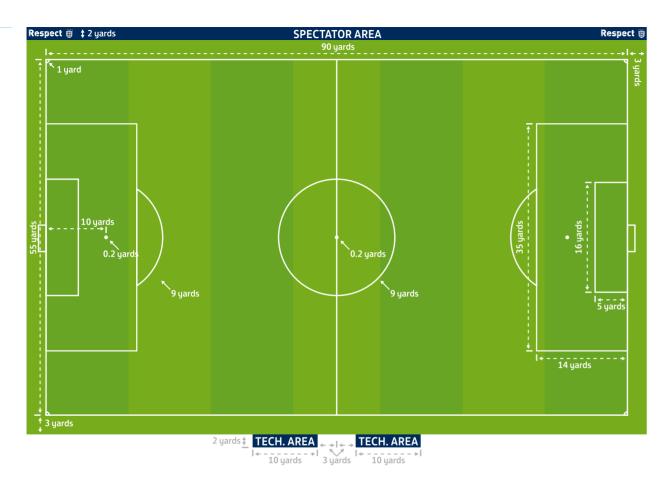
Recommended pitch size: 80 x 50 yards

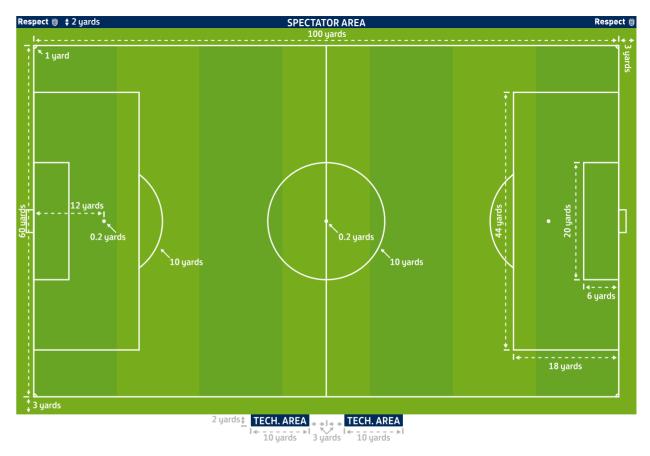
Recommended goalpost size: 7 x 16 feet



Recommended pitch size: 90 x 55 yards

Recommended goalpost size: 7 x 21 feet or 8 x 24 feet (please refer to table on page 4)

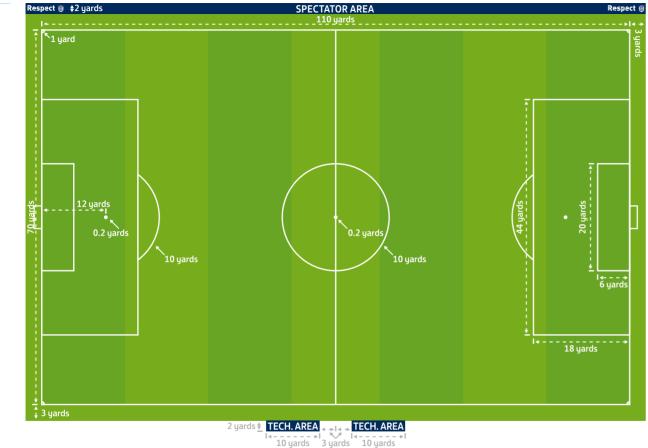


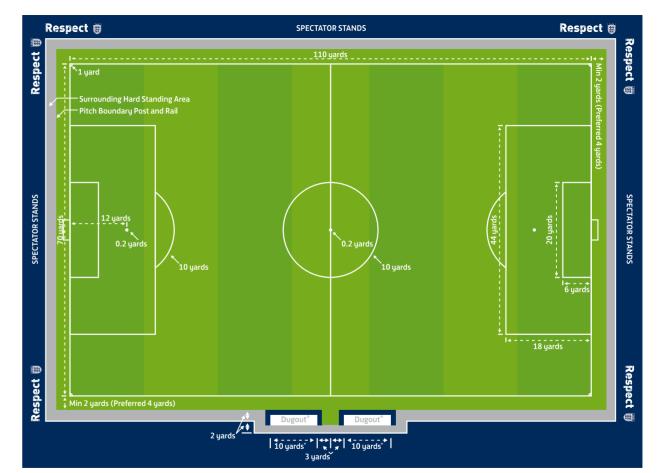


U15 and U16 (11v11)

Recommended pitch size: 100 x 60 yards

Recommended goalpost size: 8 x 24 feet





Adult Football

Recommended pitch size: 110 x 70 yards

Over 18 and

Recommended goalpost size: 8 x 24 feet

22 The FA Guide to Pitch and Goalpost Dimensions Including Information on Line Marking

Clubs Playing in the National League System

Recommended pitch size: 110 x 70 yards

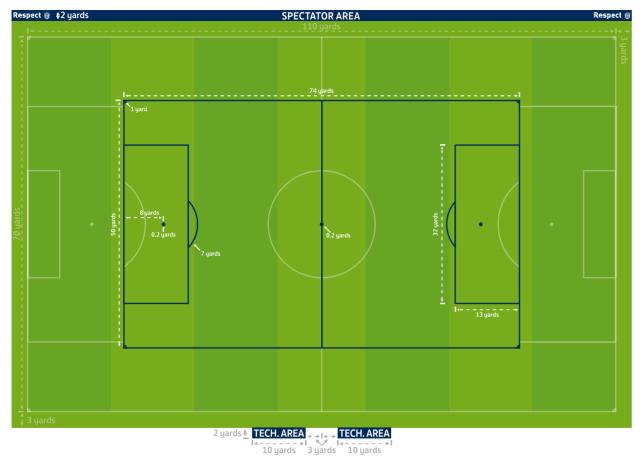
Recommended goalpost size: 8 x 24 feet

* Please note that dugout size varies depending on the level of the league the club plays in. Details of the size of dugouts is detailed in The FA National Ground Grading Document A-G

Marking 9 v 9 on a Full Size Pitch

Where there is limited space, there is the ability to mark out 9v9 pitches across a full size pitch lengthwaus.

Recommended pitch size: 74 x 50 yards (on 110 x 70 yards)





Where pitches are cross marked the lines should be clearly distinguishable. The FA recommends using blue for the 9v9 pitch

Where pitches are cross marked the lines should be clearly distinguishable. The FA recommends using blue for the 9v9 pitch

Marking 9 v 9 on a Full Size Pitch

Where there is limited space, there is the ability to mark out 9v9 pitches across a full size pitch

Recommended pitch size: 70 x 46 yards (on 110 x 70 yards)

Whilst not the preferred choice, if there is more space available it is recommended to increase the length of the pitch to save on wear and tear around the goal mouths

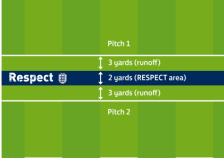
Appendix 2: Layouts for Multi-pitch Sites

Many pitches operate alongside each other. It is important that there is a minimum of six yards of clearance (three yards run-off from each pitch) between the two pitches to avoid player injuries. If a **RESPECT** spectator area is added, then this two-yard area is in addition to this six yards.

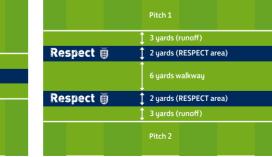
It is good practice, where it allows, to group spectator areas together to minimise damage to the pitch area and reduce maintenance costs. It is advisable to increase the depth of the spectator areas so that spectators can access neighbouring pitches via this walkway route.

If the pitches are marked out in the same place year on year, consideration should be given to some type of ground re-inforcement so that wear of this area in the winter months can be managed. This area, if wide enough, could also be used as an access road for grounds maintenance equipment which is required to maintain the pitches.

Spectator areas and walkways (minimum)



Spectator areas and walkways (preferred)





Example Layout for Multi-pitch Sites

Includes: Full size (110 x 70): 9v9 (U11/U12. 80x50): Mini Soccer U9/U10 (60x40): 2 x Mini Soccer U7/U8 (40x30)

Appendix 3: Further Advice and Information



For further information or guidance regarding any of the issues covered in this document, please contact you local FA Regional Facilities & Investment Manager (details overleaf).

Alternatively, visit TheFA.com, or email FacilitiesInfo@The FA.com.

More information about pitches and goalposts suitable for youth football is also contained in The FA specific age group documents and guidance 'Their Game' and can be found online at TheFA.com/my-football/player/youth-football/ youth-development-review.



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