

**MINSTER PARISH COUNCIL
PLANNING, HIGHWAYS AND TRANSPORTATION COMMITTEE**

Minutes of the Meeting of the Committee held at 7 p.m. on Monday 30th October 2023

At the John Spanton Sports Pavilion, St Mildreds Road, Minster

Present: Cllrs. Fleming, Ingleton, Bates, Jones, Quittenden (ex-officio)

Also present: Kyla Lamb (Parish Clerk)

168. APOLOGIES

No apologies received.

169. MEMBERS' INTERESTS

None declared.

170. MINUTES

RESOLVED: That the minutes of the Planning, Highways and Transportation Committee meeting held on 18th September 2023 be approved and signed by the Chairman.

171. MATTERS ARISING

Cllr Fleming asked if the response regarding the green wedges etc. had been sent to TDC. The clerk and Cllr Ingleton were sure that this was the case, but the Clerk agreed to double check and confirm this to the Chairman. It was noted that the Highways Improvement pack that the Clerk had circulated earlier today contained information about quiet lanes signs which needs further consideration.

172. SECTION 106 AGREEMENT – HERONSBROOK SITE, EDEN GROVE AND HOO FARM

The Clerk reported Iain Livingstone has not replied with any further consolidated information on the Eden Grove site. The Clerk will chase up a response. There is no further update on Heronsbrook or Hoo Farm.

173. HIGHWAYS IMPROVEMENT PLAN

Members considered the reviewed Highways Improvement Plan (HIP). (The updated plan with comments had been circulated with the agenda).

The average speed count results had been received from the Foxborough Lane survey and were below the 40 MPH speed limit. Due to the recent heavy rain, and with more forecast, the flooding issue in Foxborough Lane has arisen again due to run off from farmers fields and blocked drainage ditch. The ditch has been cleared by Kent Highways twice in recent years. All road gulleys are supposed to be cleared once a year but get blocked more often. AGREED Cllr Bates would send the Clerk a video of flooding there today to report on KCC's portal that the ditch is blocked and requires clearing.

The Clerk is in contact with Lezanne Cesar - (Kent Highways) to meet with her to review the HIP and then arrange a meeting with the Committee. The Clerk will raise the issue of the vegetation and signage at the Sevenscore roundabout and a review of tactile paving in Minster. Cllr Jones to send a copy of the Kent Action for Blind review of tactile paving carried out recently to the Clerk for discussion at their meeting.

174. THANET DISTRICT COUNCIL DECISION ON MOTION TO PAUSE DEVELOPMENT.

The green party motion to pause development was turned down. The current TDC leader has written to Micheal Gove to request there is a stop on development on agricultural land.

175. DISCUSSION REGARDING MINSTER PARISH COUNCIL RESPONSES TO THANET DISTRICT COUNCIL AND DECISIONS

Following MPC's recent comments on planning applications and condition applications, officers have granted permission with no regard for any points raised by MPC. Clarification is also required on applications for conditions on whether any consideration is given to comments made. **AGREED to write to Iain Livingstone – TDC Planning Manager for clarification on the above.**

176. SOUTH-EASTERN STAKEHOLDER FORUM

Cllr Bates and Cllr Ingleton have agreed to complete an online survey on behalf of MPC.

177. SUSTRANS

Cllr Ingleton has written to Adrian Verrall, TDC Planning Policy Manager enquiring when the CWIP will be issued for Consultation. It was noted that the North Thanet Relief Road was not shown on the Sustrans proposals

178. BARRATT DAVID WILSON HOMES – LAND WEST OF TOTHILL STREET DEVELOPMENT

The Clerk reported that the new road to build the bell mouth has started today and the temporary traffic lights are in place. Members AGREED that the Clerk should request another meeting with Amy Tamplin BDW.

179. EDEN GROVE – SUNNINGDALE DEVELOPMENT

There has been no further news on the Eden Grove development with regard to step in developers. There may be more information in November. Residents are liaising with Sir Roger Gale and a Minister. They are trying to ascertain what has happened to the annual maintenance payments paid to date. MPC are still waiting on a response from TDC.

180. HOO FARM DEVELOPMENT

It was reported that discounts are being offered on properties for sale. An email has been received this evening from the developer asking to meet members to explain the reasoning for the placement of the footway. Members declined the offer as comments have already been submitted.

181. SOUTHERN WATER – WORKS AND ACTIVITY IN THE PARISH

SW repairs have been completed outside Singleton Close. There has been no further update on repair to the water leak outside the New Inn junction.

182. SEALINK- NATIONAL GRID

The public exhibition for the consultation is being held on 16th November at Minster Village hall. The Clerk has been in contact with Sealink, who are able to meet with Councillors following this event. However, the village hall is not available as they have a prior booking. The Pavilion is also booked. The Clerk will look into an alternative venue to enable Sealink to meet with Councillors.

183. MANSTON AIRPORT DEVELOPMENT CONSENT ORDER

It was confirmed that the challenge to the Development Consent Order had failed and that the Judge had refused to grant permission for appeal. It was confirmed that an application had subsequently been submitted by the Claimant for Leave to Appeal to the Court of Appeal

184. PLANNING APPLICATIONS

Committee considered those planning applications received since the last meeting and in accordance with the decision taken by Council at its meeting on 7 August 2007 (Minute No. 78) agreed to submit observations to Thanet District Council thereon:

Applications for ratification- comments already sent.

F/TH/23/1217 - Hoo Farm 147 Monkton Road Minster Kent CT12 4JB

Formation of a new footpath to Monkton Road (part-retrospective) – **OBJECT (CIlr Quittenden Abstained from this vote)**

Background

The provision of a footway connecting the site to the existing footway in Monkton Road to the east was initiated by Kent Highways as part of the application process; Kent Highways raising concerns that there was no connection between the site and the existing footway to the east. Detailed discussions took place between the applicants and KCC Highways which resulted in amended plans being submitted which included a footway connection from the site to the existing footway to the east within the application red line.

The footway included with the application was the subject an independent Road Safety Audit which recommended an increased width from 0.9m to 1.2m.

Kent Highways indicated in their letter of 12 February 2020 that ".A Grampian condition for the footway and a S278 would only be required if the applicant were to construct the footway themselves and will not overcome the land issue unless the applicant has gained suitable control of the land necessary for the footway to be constructed. If the applicant can gain suitable control then the footpath could be provided through a Grampian condition and a S278 Agreement...."

The Planning Application for Development considered by TDC Planning Committee on 20 May 2020 acknowledged that "...the proposed development would include a footpath from the development on the north of Monkton Road to link it to the existing footway to the east...." and that "....the site is considered to be in a relatively sustainable location and future occupiers would not be wholly reliant on the private car."

Planning Consent F/TH/19/0173 included Condition 18 which required that:

No development, excluding demolition, shall commence until the footpath as shown on approved drawing 2019-3501-001 between the points as X and Y on drawing HPC_1258_2019_FP

GROUND:

In the interests of highway safety and to facilitate the use of alternative means of transport in accordance with Policies SP43, SP44, TP02 and TP03 of the Thanet Local Plan and the advice contained within the National Planning Policy Framework.

It can be seen, therefore, that there was a fundamental requirement to ensure that a safe pedestrian facility was deemed to be an integral part of ensuring an enduring form of Policy compliant sustainable development would be achieved.

The application of the above mentioned Grampian Condition No 18, pursuant to the advice from Kent Highways, sought to achieve the provision of the technically approved footpath. Beyond

the application of the condition, the applicant was notified by Informative No 2 on the Notice of Consent that:

It is the responsibility of the applicant to ensure, prior to the commencement of the development hereby approved, that all necessary highway approvals and consents where required are obtained and that the limits of highway boundary are clearly established in order to avoid any enforcement action being by the Highway Authority. The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under such legislation and common law. It is therefore important for the applicant to contact KCC Highway and Transportation to progress this aspect of the works prior to commencement on site.

It is understood that, notwithstanding the advice from Kent Highways regarding S278, or the above informative, no request was made to pursue the construction of the path through that mechanism.

The Current Application

Planning Application F/TH/23/1217 seeks to regularise the current unauthorised work to provide a footpath. Early intervention by TDC enforcement could have assisted an earlier resolution of the situation.

Such footpath as envisaged through the application does not accord with and is of significant variance to the earlier approved plan; it has also been constructed without recourse to prior agreement, inspection or approval by Kent Highways. Reference is made to uncertainties over land ownership required to enable the approved plan to be achieved. MPC notes that both Notice in relation to possible unregistered land was published and that an application for an adjacent agricultural access required inclusion of the highway verge/banking and could only have been achieved with a clarity of these issues.

It is further noted that it is intended that the unauthorised footway remains privately owned and maintained.

Kent Highways subsequently in response to the application indicated:

- The application seeks to provide a (part retrospective) footpath between Hoo Farm and the existing footway on Monkton Road. This application links with the proposed variation of condition application (F/TH/23/1097) for Condition 2 and 18 of planning permission F/TH/19/0173.
- A footpath between the site and the existing footway on Monkton Road has been constructed, albeit without entering a Section 278 Agreement with KCC Highways.
- Having visited the site it is evident that the footpath is not constructed to adoptable standards due to its alignment and levels. It is understood that the footpath is to remain private and maintained as such. By submitting a separate application, I suggest that the maintenance of the footway and vegetation clearance is secured by way of a suitable condition.
- The extent of the public highway has been established, whereby a small section of the verge immediately adjacent to the highways is deemed as public highway. The extent of the 1.2 metre wide footway is within land beyond the areas of adopted highway, and is constructed on private land. The works are not intended to be offered for adoption by way of a Section 38 Agreement.
- The footway is constructed to the rear of the verge, adjacent to the existing farmland, to be available for public use in perpetuity. I suggest this is secured by way of a suitable condition.
- I am mindful that the footpath is gated with suitable signage to ensure awareness of the private nature.
- In line with the above, I confirm that provided the following requirements are secured by condition or planning obligation, then I would raise no objection on behalf of the local highway authority:

- o Maintenance of the footpath in terms of condition and vegetation to ensure constant use is available.
- o The footpath shall remain for use by the general public at all times.
- o Provision and maintenance of gates at the entrances to the footpath, and suitable signage detailing owners contact details. All details should be updated should the ownership change.

MPC notes with concern that, following a site visit, Kent Highways clearly acknowledge that the path has been constructed without a S278 Agreement and that it is evident that the footpath is not constructed to adoptable standards due to its alignment and level. There is tellingly no commentary on the integrity of what has actually been constructed and possible compliance with expected constructional details.

It is suggested that the maintenance of the footway and vegetation clearance is secured by way of a suitable condition. MPC, in noting that the path has already been subjected to substantial incursion from vegetation, find this to be totally impractical, nor achievable. It is further suggested that gates and signing will have no practical benefit and the longevity and responsibility for such cannot be assured.

Reference to the extent of public highway being the limiting factor leading to the construction of the path in the unauthorised position is also not accepted. Given the incursion into adjacent land by an agreement which is silent, it is considered the provision of the approved footway could have been achieved at the outset without the level of land take inherent through the provision of the unauthorised footpath.

In conclusion, MPC, **OBJECTS** to the application on the following grounds:

The unauthorised footpath does not accord with the earlier approved details;

KCC acknowledge that the footpath, as constructed, does not accord with adoptable standards due to line and level;

There is no assurance over constructional integrity, user liability or future practical maintenance arrangements to keep the footpath in for suitable, safe use by all users at all times the Hoo Farm development is occupied;

There is no legal agreement assuring the enduring availability of the footpath consistent with the acknowledged requirements that the footway will provide to the sustainability of the approved Hoo Farm development contrary to the provisions of the Thanet Local Plan.

F/TH/23/1255 | - Land East Of The Loop Ramsgate Kent

Erection of 1No commercial unit (use class B2) and 4no associated car parking spaces – **NO OBJECTION**

Minster Parish Council (MPC) has considered the above application and has NO OBJECTION to the proposal but subject to clarification and subsequent clarification on the following points prior to any Decision being made by the Local Planning Authority:

Environmental Issues:

- MPC is notes that no electric vehicle charging point has been provided and would like to see that omission rectified.
- MPC considers that the development, through the proposed layout and aspect, presents a positive opportunity to enhance the electrical supply on the estate through the provision of photovoltaic panels, which for this unit appears to be a missed opportunity.

Parking Issues:

- MPC notes the proposed parking provision and would require that a disabled parking bay is also included as there is no indication of any being provided within the application.

- Also, it is evident through experience of the earlier phases of development in the locality that the geographic location and operational manner of the business park results in extensive on-street parking on both sides of Columbus Avenue. MPC recently responded to Kent County Council's Consultation on the North Thanet Link Relief Road (NTLRR) making a point that the current on-street parking on Columbus Avenue must be addressed if the NTLRR is to provide maximum benefit to traffic flow in the Acol area. MPC therefore considers that the proposed parking facilities associated with this application should be enhanced to avoid further on-street parking occurring and that the developer should undertake a review of the overall availability and parking demands in the locality.

Access Arrangements:

The Design & Access Statement states that access to the development will be via The Loop/Merlin Way and Columbus Avenue. However, MPC is concerned that The Loop/Merlin Way, which is not an adopted highway and potentially not in the control of the applicant, will become an attractive and unacceptable alternative to using Columbus Avenue particularly if traffic flow on the NTLRR is persuasive. MPC wishes to understand how traffic management arrangements will be undertaken to prevent such an occurrence.

F/TH/23/0983 – Land between 47 and 49, Rose Gardens, Minster-

Erection of 2no. two storey, two bedroom semi-detached dwellings with associated parking (AMENDED) – **NO OBJECTION**

Application(s) for Consideration

CON/TH/23/1312 - Land On The West Side Of Tothill Street RAMSGATE Kent

Application for approval of Condition 12 (Bunds Adjacent to the Northern Boundary) attached to Planning Permission R/TH/22/1393 for the Application for the reserved matters of outline permission OL/TH/18/1488 "Outline application for the erection of up to 214no. dwellings, cemetery expansion, and associated access, with all other matters reserved" for the approval of appearance, landscaping, layout and scale of development within phase 1 (133no. dwellings) - **OBJECT as there is insufficient information to form a view.**

CON/TH/23/1313 - Land On The West Side Of Tothill Street RAMSGATE Kent

Application for approval of Conditions 20 (Foul Water Drainage) and 22 (Surface Water Drainage) attached to Planning Permission OL/TH/18/1488 for the outline application for the erection of up to 214no. dwellings, cemetery expansion, and associated access, with all other matters reserved – Minster Parish Council (MPC) has considered the above application. You will be aware that drainage issues associated with the development of the West Tothill Site have been a source of concern to the local community given the nature of the existing drainage infrastructure in the locality and the implications arising from the development.

Southern Water Services (SWS) in their letter dated 13 March 2023 indicated, among other matters, that:

No discharge of foul sewerage from the site shall be discharged into the public system until offsite drainage works to provide sufficient capacity within foul network to cope with additional sewerage flows are complete. Southern Water is currently in process of designing and planning delivery of offsite sewerage network reinforcements. As previously advised Southern Water seeks to limit the timescales to a maximum of 24 months from a firm commitment of the development.

Southern Water has undertaken a desktop study of the impact that the additional surface water flows from the proposed development will have on the existing public sewer network. This initial study indicates that these additional flows may lead to an increased risk of flooding from the sewer network.

Any network reinforcement that is deemed necessary to mitigate this will be provided by Southern Water.

Southern Water and the Developer will need to work together in order to review if the delivery of our network reinforcement aligns with the proposed occupation of the development, as it will take time to design and deliver any such reinforcement.

It may be possible for some initial dwellings to connect, pending network reinforcement. Southern Water will review and advise on this following consideration of the development programme and the extent of network reinforcement required.

The recent periods of intense rainfall has highlighted the need for a robust resolution of the drainage requirements arising from the development of the West Tothill Site.

MPC is aware that Barratt David Wilson (BDW) is engaging with SWS. However, MPC's assessment of the submitted proposals indicates all foul water with the exception of 7 plots 108-114 is proposed to enter the SWS network at existing Manhole 32 in Prospect Rd. This is a new 150 dia joining existing 150 dia. In the Aug 2018 drainage strategy Appendix C there was a SWS capacity check from 2016. This confirmed that MH TR30655101 had **insufficient capacity** to take 9.2 l/s. A drawing was supplied showing the nearest sewer with capacity was MH TR30643602 some 560m south of the development. This is the 300mm main running across the field south of Monkton Road - the one that the 150mm foul network from Eden Grove discharges into. This means that network reinforcement between Prospect Road and the 300mm sewer south of Monkton Road would be needed. Replacing the existing main with a larger diameter on the same alignment is disruptive with numerous house connections or laying a supplementary parallel larger main picking up existing manholes which will be disruptive to Prospect Road, Monkton Road crossing etc.

The 2018 drainage strategy maintained that SWS had agreed 9.9 l/s in principle to enter network at Prospect Road. In the Feb 2023 detailed matters submission the flowrate was increased to 11.25 l/s subject to SWS approval. The latest revision is also 11.25 l/s probably because the full 250 dwellings have been factored in. While MPC is not a party to the exchanges between BDW & SWS, MPC would like to understand why some of the foul is not routed into Greenhill Gardens which has a 225mm main.

MPC wish to **OBJECT** to the submission until such time as the means of offsite network reinforcement has been agreed by SWS and a timetable for the implementation and delivery has been agreed. MPC also wish to understand what views and recommendations Kent County Council, as Local Lead Flood Authority, may have in relation to this submission.

F/TH/23/1298 - The Vicarage St Mildreds Road Minster Kent CT12 4DE

Erection of 2No 3-bed two storey detached dwellings together with associated access, landscaping and parking following removal of windows on side elevation of existing dwelling – **NO OBJECTION**

CON/TH/23/1271 Mast 759M From Southern Water Services Limited Jutes Lane Ramsgate Kent CT12 5FH

Application for approval of Condition 3 (Construction Management Plan) attached to Planning Permission F/TH/23/0093 for the demolition and removal of 1.no existing mast structure and associated works – **NO OBJECTION (this has already been granted)**

A/TH/23/1113 - Land On The South Side Of A299 RAMSGATE Kent

Erection and display of 1.9 metre high double sided non-illuminated freestanding sign –

OBJECT on the grounds of road safety. It appears that it will be visible from the road across the top of the bund and will be a distraction for drivers from both directions. Therefore, a more suitable place should be sought. (copy of objection to Kent Highways Officer Lauren Macdonald)

185. PLANNING DECISIONS

Application for approval of Condition 3 (Construction Management Plan) attached to Planning Permission F/TH/23/0093 for the demolition and removal of 1.no existing mast structure and associated works

Mast 759M From Southern Water Services Limited Jutes Lane Ramsgate Kent CT12 5FH

Ref. No: CON/TH/23/1271 | Received: Fri 22 Sep 2023 | Validated: Mon 25 Sep 2023 | Status: Granted

Change of use from existing retail store (Use Class E) to Dog Grooming Salon (Sui Generis)
4 Monkton Road Minster Kent CT12 4EA

Ref. No: F/TH/23/1123 | Received: Thu 17 Aug 2023 | Validated: Wed 23 Aug 2023 | Status: Granted

Variation of conditions 2, 3, 4 and 5 of planning permission F/TH/20/1068 for the "Erection of 1No 4bed detached dwelling with associated parking" to allow alterations to fenestration and materials.

1 Sevenscore Farm Cottages Ebbsfleet Lane North Ramsgate Kent CT12 5DN

Ref. No: F/TH/23/1118 | Received: Wed 16 Aug 2023 | Validated: Mon 21 Aug 2023 | Status: Granted

Application to apply for a determination as to whether the prior approval of the local planning authority is required in respect of installation of solar panels

Richborough Energy Park Sandwich Road RAMSGATE Kent CT13 9NL

Ref. No: PN12/TH/23/1104 | Received: Mon 14 Aug 2023 | Validated: Tue 15 Aug 2023 | Status: Prior Approval Granted

Variation of condition 2 of planning permission F/TH/22/0558 for the "erection of 1No two storey 5-bed detached dwelling" to allow for changes to size, layout and appearance

The Paddock Way Hill Minster RAMSGATE Kent CT12 4HS

Ref. No: F/TH/23/1088 | Received: Wed 09 Aug 2023 | Validated: Thu 10 Aug 2023 | Status: Granted

3No Sycamore (T1, T2 and T3) - Reduce down to a 6m pollard, 1No Sycamore tree (T4) - Reduce westerly facing stems down to a 6m pollard

Abbey Dental Care 16 High Street Minster Kent CT12 4BU

Ref. No: TCA/TH/23/1048 | Received: Wed 02 Aug 2023 | Validated: Mon 14 Aug 2023 | Status: Raise no objections

TH/TPO/5(1991) - 1No Laurel (T1) - Crown Reduce by 2.4m, 1No Conifer (T2)- Crown reduce in height by 2.5m and lateral limbs by 1.5m

11 Southall Close Minster Kent CT12 4AR

Ref. No: TPO/TH/23/1052 | Received: Wed 02 Aug 2023 | Validated: Wed 02 Aug 2023 | Status: Granted

Variation of condition 3 of approved planning permission for F/TH/22/1454 'Temporary change of use of agricultural land to store timber' to extend the time of the permission to store timber on the site for a further 12 months (until 30th June 2024)

Land East Of Parking Bay Canterbury Road West Minster RAMSGATE Kent

Ref. No: F/TH/23/0883 | Received: Thu 29 Jun 2023 | Validated: Fri 11 Aug 2023 | Status: Granted

Application for approval of Condition 20 (Biodiversity) attached to Planning Permission F/TH/19/0173 for the erection of 23 no. dwellings following the demolition of existing buildings, with associated parking, open space and landscaping

Hoo Farm 147 Monkton Road Minster Kent CT12 4JB

Ref. No: CON/TH/23/0671 | Received: Mon 08 May 2023 | Validated: Wed 17 May 2023 | Status: Granted

Application for approval of Condition 22 (Landscaping) attached to Planning Permission F/TH/19/0173 for the erection of 23 no. dwellings following the demolition of existing buildings, with associated parking, open space and landscaping
Hoo Farm 147 Monkton Road Minster Kent CT12 4JB

Ref. No: CON/TH/23/0516 | Received: Fri 14 Apr 2023 | Validated: Mon 17 Apr 2023 | Status: Granted

Erection of single storey building comprising 3no. mixed use retail/cafe units (Use Classe E), provision of 2no. lorry bays and parking, together with associated landscaping
Mount Pleasant Lorry Park Tothill Street RAMSGATE Kent CT12 4AG

Ref. No: F/TH/22/1718 | Received: Sat 31 Dec 2022 | Validated: Wed 18 Jan 2023 | Status: Granted

Erection of single storey building with associated parking and storage, for use as a tyre change facility

Mount Pleasant Lorry Park Tothill Street RAMSGATE Kent CT12 4AG

Ref. No: F/TH/22/1624 | Received: Fri 02 Dec 2022 | Validated: Tue 13 Dec 2022 | Status: Granted

Erection of 11No. industrial units (Use Class E (g)) to the rear of the site together with associated, parking, cycle storage, hardstandings, fencing and planting.

1 The Lane Minster Kent CT12 5EZ

Ref. No: F/TH/22/1431 | Received: Mon 24 Oct 2022 | Validated: Wed 22 Feb 2023 | Status: Granted

Erection of a warehouse building for storage and distribution purposes (Use Class B8), provision of associated vehicle parking and change of use of adjoining land to a trailer park to facilitate relocation of existing trailer park.

Land North Of Telegraph Hill Industrial Estate Laundry Road RAMSGATE Kent

Ref. No: F/TH/22/1058 | Received: Fri 29 Jul 2022 | Validated: Wed 10 Aug 2022 | Status: Granted

186. ENFORCEMENT ISSUES

Appeal Ref: APP/Z2260/W/23/3315448 Land west of Mannock Drive, Manston Road, Manston CT12 5DG - **DISMISSED**

F/TH/23/0527 - High Quality Lifestyles - Ebbsfleet House, Ebbsfleet Lane - Erection of 2 storey side pitched roof extension and single storey front and rear flat roofed extensions.

An appeal against refusal has been submitted to the Planning Inspectorate for the above application. Comments can be submitted online by 28th November 2023. The Clerk will circulate the response submitted to TDC.

187. LATE APPLICATIONS

None.

Committee Chairman

Time Concluded 8.49pm