

Planning Committee

**Minutes of the meeting held on 17 June 2015 at 7.00 pm in Council Chamber,  
Council Offices, Cecil Street, Margate, Kent.**

**Present:** Councillor Peter Evans (Chairman); Councillors Jaye-Jones, Bambridge, J Fairbrass, Fenner, Hayton, G Hillman, Howes, Partington, Taylor and Tomlinson

**In**

**Attendance:** Councillors: Ashbee, Collins, Smith and Game

**5. APOLOGIES FOR ABSENCE**

Apologies were received from Councillor Mo Leys, for whom Councillor John Buckley was present.

**6. DECLARATIONS OF INTEREST**

Councillor Jaye-Jones declared a non-pecuniary interest in item 4c) 17-21 Warwick Road, Margate.

**7. MINUTES OF PREVIOUS MEETING**

It was proposed by the Chair and AGREED that the minutes of the Planning Committee meeting held on 27 May 2015 be approved and signed by the Chairman.

**8. SITE VISITS - 12 JUNE 2015**

**9. F/TH/14/0958 - CRABAPPLE FARM STABLES, WOODCHURCH ROAD**

PROPOSAL: Change of use of stables to dwellinghouse with the erection of single storey rear extension.

Councillor K. Gregory spoke as ward councillor.

It was proposed by the Chairman and seconded by Councillor Hayton:

“THAT the officer’s recommendation be adopted, namely:

‘That the application be refused for the following reasons:

The site is outside the built up area boundary of any settlement in an isolated location and, as such, represents an unsustainable and inappropriate form of development within the countryside, contrary to Policies H1 and CC1 of the Thanet Local Plan and paragraph 55 of the National Planning Policy Framework.”

Following debate, the motion was put to the vote and it was declared CARRIED.

**10. OL/TH/14/0050 - LAND EAST AND WEST OF, HAINE ROAD, RAMSGATE**

PROPOSAL: Application for outline planning permission including access for the erection of 785 dwellings, highways infrastructure works (including single carriageway link road), primary school, small scale retail unit, community hall, public openspace

It was proposed by the Chairman and seconded by the Vice-Chairman:

“THAT the application be DEFERRED for further noise testing and an up-to-date assessment of agricultural land quality to be carried out and then for the application be reported to a subsequent meeting of the planning committee for decision.”

Upon the motion being put to the vote, it was declared CARRIED.

**11. F/TH/15/0205 - 17-21 WARWICK ROAD, MARGATE**

PROPOSAL: Change of use and conversion to 3no. four bed maisonettes and 3no. two bed flats following demolition of existing ground floor front extension

It was proposed by the Chairman and seconded by Councillor Buckley:

“THAT the officer’s recommendation be adopted, namely:

‘That the application be APPROVED subject to the following conditions:

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

**GROUND:**

In accordance with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

- 2 The proposed development shall be carried out in accordance with drawing numbers A.1.02 Rev B received 09 April 2015 and A.1.04 received 11 March 2015.

**GROUND:**

To secure the proper development of the area.

- 3 The refuse storage and clothes drying facilities facilities as specified upon the approved drawing numbered A.1.02 Rev B received 09 April 2015, shall be provided prior to the first occupation of the units hereby approved and shall be kept available for that use at all times.

**GROUND:**

To secure a satisfactory standard of development and in the interests of the amenities of the area, in accordance with policy D1 of the Thanet Local Plan.

- 4 Prior to the first occupation of the development hereby permitted, secure cycle parking as shown on drawing A.1.02 Rev B received 09 April 2015 shall be provided and thereafter retained.

**GROUND:**

In the interests of promoting increased cycling in accordance with Policy TR12 of the Thanet Local Plan and Policy CV5 of the Cliftonville Development Plan Document.

- 5 The reveals to all new window and door openings shall not be less than 100mm.

**GROUND:**

In the interests of visual amenity in accordance with Policy D1 of the Thanet Local Plan.”

Following debate, the motion was put to the vote and was declared LOST.

It was then proposed by Councillor Tomlinson and seconded by Councillor Buckley:

“THAT the application be DEFERRED for the applicant to consider other options for use of the building as three town houses and then for application be reported to a subsequent meeting of the planning committee for decision”.

Upon being put to the vote, the motion was declared CARRIED.

**12. SCHEDULE OF PLANNING APPLICATIONS**

It was noted that site visits would take place on 3 July 2015.

**13. A01 - F/TH/15/0029 - 1 MOUNT LAVINA, 195 CANTERBURY ROAD, EAST, BIRCHINGTON**

PROPOSAL: Erection of Mansard roof to accommodate 2no. two bed self contained flats

Speaking raising points of concern was Mr Manuel.

Speaking under Council Procedure Rule 24.1 was Councillor Brimm.

The officer outlined the report.

It was proposed by the Chairman and seconded by Councillor Hayton:

“THAT the officer’s recommendation be adopted, namely:

‘That the application be approved subject to the following conditions:

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

**GROUND:**

In accordance with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

- 2 The proposed development shall be carried out in accordance with the submitted application and the plans numbered 06, 08, 10 & 12 received by the Local Planning Authority on 13th January 2015, the amended plan numbered 02A and additional plan numbered 04 (PRE) received by the Local Planning Authority on 3rd June 2015.

**GROUND:**

To secure the proper development of the area.

- 3 Prior to the commencement of the development hereby approved samples of the plain roof tile shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall be carried out in accordance with the approved materials.

**GROUND:**

In the interests of visual amenity in accordance with Policy D1 of the Thanet Local Plan and Paragraphs 129 & 132 of the National Planning Policy Framework.

- 4 Prior to the commencement of the development hereby approved joinery details including sections through at a scale of 1:5 of all new external windows shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

**GROUND:**

In the interests of visual amenity in accordance with Policy D1 of the Thanet Local Plan and Paragraphs 129 & 132 of the National Planning Policy Framework.”

Upon being put to the vote, the motion was declared LOST.

It was then proposed by the Chairman and seconded by the Vice Chairman:

“THAT Members undertake a SITE VISIT in order to assess the situation.”

Upon the motion being put to the vote, it was declared CARRIED.

**14. A02 - F/TH/15/0084 - DERBY ARMS, 72 MARGATE ROAD, RAMSGATE**

PROPOSAL: Change of use from public house to house in multiple occupation together with alterations to existing rear conservatory

Speaking in favour of the application was Mr Thomas.

Speaking under Council Procedure Rule 24.1 was Councillor Campbell.

It was proposed by the Chairman:

“THAT the officer’s recommendation be adopted, namely:

‘That the application be approved subject to the following conditions:

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

**GROUND:**

In accordance with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

- 2 The proposed development shall be carried out in accordance with the submitted application and the amended plans numbered 2026/PL/02rev A received by the Local Planning Authority on 9th March 2015 & 2026/PL/05rev A, 2026/PL/06revA & 2026/PL/07revA received by the Local Planning Authority on 27th March 2015.

**GROUND:**

To secure the proper development of the area.

However, the motion was not seconded.

It was then proposed by Councillor Hayton and seconded by Councillor Fenner:

“THAT the application be REFUSED for the following reason:

‘The proposed development would, by reason of the amount and size of the individual besdits, and relationship of the building with neighbouring pproperties, result in a concentration of use, causing noise and disturbance, which is detrimental to the amenity and character of the neighbourhood contrary to Thanet Local Plan Policies H11 and D1 and the National Planning Policy Framework.’”

Upon the motion being put to the vote, it was declared CARRIED.

15. **A03 - OL/TH/14/0639 - LAND WEST OF 33A, ALEXANDRA ROAD, BROADSTAIRS**

PROPOSAL: Application for outline planning permission for the erection of 5No. dwellings with all matters reserved, including the diversion of a footpath

Speaking in favour of the application was Councillor Matterface.

Speaking, raising points of concern was Mr Slotover.

It was proposed by the Chairman and seconded by the Vice-Chairman:

“THAT the officer’s recommendation be adopted, namely:

‘That the application be approved subject to the following conditions:

- 1 Approval of the details of the layout, scale, landscaping, appearance and access (hereinafter called the reserved matters) shall be obtained from the Local Planning Authority in writing before any development is commenced.

**GROUND:**

As no such details have been submitted.

- 2 Plans and particulars of the reserved matters referred to in Condition 1 above, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.

**GROUND:**

In accordance with Section 92(2) of the Town and Country Planning Act 1990.

- 3 Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this permission.

**GROUND:**

In accordance with Section 92(2) of the Town and Country Planning Act 1990.

- 4 The development hereby permitted shall be begun before the expiration of 2 years from the date of approval of the last of the reserved matters to be approved.

**GROUND:**

In accordance with Section 92(2) of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

- 5 Details pursuant to Condition 1, shall include provision for 2no. off street car parking spaces and manoeuvring and turning facilities to adequately serve each plot, and shall be provided in accordance with standards to first be approved in writing by the Local Planning Authority. Such facilities as approved shall be operational prior to the occupation of the units, and thereafter shall be maintained for their approved purpose.

**GROUND:**

In the interests of highway safety, in accordance with Thanet Local Plan Policy TR16.

- 6 The details pursuant to condition 1 shall show the provision of a turning head that provides visibility splays (in accordance with the Kent Design standards) within the site which is sufficient to allow for the turning of an 11 metre pantenchnicon

**GROUND:**

In the interest of highway safety

- 7 The details submitted pursuant to condition 1 shall show the re-provision of the existing gate and guardrail currently situated at the end of the existing highway to a location at the end of the newly extended road.

**GROUND:**

In order to prevent motorcycle access to the open space in the interest of highway safety

- 8 No development shall take place until a surface water drainage scheme, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and agreed in writing by the Local Planning Authority for that phase. The scheme shall include:

- i. (if ground conditions suitable) soakaways designed for the critical 100 year plus climate change rainstorm event;
- i. Driveways and car parking areas to comprise permeable paving with porous sub-

base designed to store the 1 in 100 year plus climate change critical rainstorm event. (as detailed in the Flood Risk Assessment by Monson, dated June 2012);

- i. Design provision for exceedance events so excess runoff is safely routed away from the dwellings;
- i. Rainwater harvesting and grey water recycling measures should also be incorporated where practicable; and
- i. Details with regard to the proposed maintenance of the drainage scheme.

The scheme shall be implemented at the time of development and thereafter maintained in accordance with the approved details.

**GROUND:**

To prevent the increased risk of flooding, in accordance with the National Planning Policy Framework

- 9 No development shall take place until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Plan shall include details of:

- i. the parking of vehicles of site operatives and visitors
- ii. construction vehicles loading/unloading and turning facilities
- iii. wheel-washing facilities
- iv. details of construction haul routes
- v. construction times

The development shall be carried out in accordance with such details that are approved.

**GROUND:**

In the interest of highway and pedestrian safety and the convenience of road users in accordance with policy D1 of the Thanet Local Plan.

a) A formal application for connection to the public sewerage system is required in order to serve this development. To initiate a sewer capacity check to identify the appropriate connection point for the development, please contact Southern Water, Southern House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or [www.southernwater.co.uk](http://www.southernwater.co.uk).

b) Any Reserved Matters application should include some detail within the design of the proposed dwellings to provide visual interest, such as windows headers and cills, bay windows, chimneys or a mixture of brick colours.

c) Any Reserved Matters application should show ecological enhancements incorporated within the design, layout and landscaping of the development hereby approved.”

After debate, the motion was put to the vote and was declared LOST.

It was then proposed by Councillor Hayton and seconded by Councillor Buckley:

“THAT Members undertake a SITE VISIT in order to assess the situation”.

Upon the motion being put to the vote, it was declared CARRIED.

16. **A04 - F/TH/15/0147 - 15 SEACROFT ROAD, BROADSTAIRS**

PROPOSAL: Erection of 2-storey front and side extension, and single storey side extension

Speaking in favour of the application was Mrs Esses.

Speaking, raising points of concern was Mr Weeks.

Councillor Taylor-Smith spoke under Council procedure rule 24.1.

It was proposed by the Chairman and seconded by Councillor Buckley:

“THAT Members undertake a SITE VISIT in order to assess the situation”.

Upon the motion being put to the vote, it was declared CARRIED.

17. **A05 - F/TH/15/0377 - LAND REAR OF 2 TO 6, ELM GROVE, WESTGATE ON SEA**

PROPOSAL: Erection of 2no. chalet bungalows

It was proposed by the Chairman, seconded by Councillor Hayton and RESOLVED:

“THAT the officer’s recommendation be adopted, namely:

‘That the application be APPROVED subject to the following conditions:

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

**GROUND:**

In accordance with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

- 2 The development hereby approved shall be carried out in accordance with the drawings numbered DB/HL/1 received 12 May 2015, DB/HL/2 received 12 May 2015 and DB/HL/3 received 12 May 2015.

**GROUND:**

To secure the proper development of the area.

- 3 No development shall take place until details of the means of foul and surface water disposal, including details of the implementation, management and maintenance of any proposed Sustainable urban Drainage Systems, have been submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with such details as are agreed and thereafter maintained.



**GROUND:**

To prevent pollution in accordance with the NPPF.

- 4 Prior to the first occupation of the development hereby approved, the vehicular parking and turning facilities, as shown on the drawing numbers DB/HL/1 received 12 May 2015, DB/HL/2 received 12 May 2015 and DB/HL/3 received 12 May 2015 shall be provided and thereafter maintained.

**GROUND:**

In the interest of interests of highway safety.

- 5 In the event that contamination is found that was not previously identified at any time when carrying out the approved development, it shall be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment shall be undertaken at that time in accordance with a site characterisation report that shall be submitted to and approved in writing by the Local Planning Authority and where remediation is necessary a remediation scheme shall be submitted to and approved in writing by the Local Planning Authority. Prior to the occupation of the approved development and following completion of measures identified in the approved remediation scheme a verification report shall be submitted to and approved in writing by the Local Planning Authority.

**GROUND:**

To ensure that the proposed development will not cause harm to human health or pollution of the environment, in accordance with the NPPF.

- 6 Prior to the commencement of development hereby approved, full details of both hard and soft landscape works, to include:

- species, size and location of new trees, shrubs, hedges and grassed areas to be planted
- the treatment proposed for all hard surfaced areas beyond the limits of the highway
- walls, fences, other means of enclosure proposed

shall be submitted to, and approved in writing by, the Local Planning Authority.

**GROUND:**

In the interests of the visual amenities of the area and to adequately integrate the development into the environment in accordance with Policies D1 and D2 of the Thanet Local Plan

- 7 All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development, or in accordance with a programme of works to be agreed in writing with the Local Planning Authority. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size and species, unless the Local Planning Authority gives any written consent to any variation.

**GROUND:**

In the interests of the visual amenities of the area in accordance with Policies D1 and D2 of the Thanet Local Plan

- 8 Prior to the commencement of the development hereby approved details of the materials to be used in the construction of the external surfaces of the development hereby approved shall be submitted to, and approved in writing by, the Local Planning Authority. Development shall be carried out in accordance with the approved details

**GROUND:**

In the interests of visual amenity in accordance with Policy D1 of the Thanet Local Plan.

- 9 The reveals to all new window and door openings shall not be less than 100mm

**GROUND:**

In the interests of visual amenity in accordance with Policy D1 of the Thanet Local Plan

- 10 The first floor windows to be provided in the east and west facing roofslope of the dwellings hereby approved shall be provided and maintained with a cill height of not less than 1.73 metres above the finished internal floor level.

**GROUND:**

To safeguard the privacy and amenities currently enjoyed by the occupiers of adjoining residential properties in accordance with Policy D1 of the Thanet Local Plan.

Informatives

1. A formal application for connection to the public sewerage system is required in order to service this development. To initiate a sewer capacity check to identify the appropriate connection point for the development, please contact Atkins Ltd, Anglo St James House, 39a Southgate Street, Winchester, SO23 9EH (tel 01962 858688) or [www.southernwater.co.uk](http://www.southernwater.co.uk).

2. It is the responsibility of the applicant to ensure , before the development hereby approved is commenced, 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 taken 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 Highways and Transportation to progress this aspect of the works prior to commencement on site.”

**18. A06 - F/TH/15/0334 - LAND ADJACENT 21A, NASH LANE, MARGATE**

PROPOSAL: Erection of 4no. three-storey dwellings

It was proposed by the Chairman, seconded by Councillor Hayton and  
RESOLVED:

“THAT the officer’s recommendation be adopted, namely:

‘That the application be APPROVED subject to the following conditions:

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

**GROUND:**

In accordance with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

- 2 The development hereby approved shall be carried out in accordance with the drawings numbered 1246 002 received 20 April 2015, 1246 003 Rev B dated 24 April 2015, 1246 004 received 20 April 2015 and 1246 006 received 20 April 2015.

**GROUND:**

To secure the proper development of the area.

- 3 No development shall take place until details of the means of foul and surface water disposal, including details of the implementation, management and maintenance of any proposed Sustainable urban Drainage Systems, have been submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with such details as are agreed and thereafter maintained.

**GROUND:**

To prevent pollution in accordance with the NPPF.

- 4 Prior to the first occupation of the development hereby approved, the vehicular parking facilities, as shown on the drawing number 1246 002 received 20 April 2015 shall be provided and thereafter maintained.

**GROUND:**

In the interest of interests of highway safety.

- 5 Prior to the first occupation of the development hereby approved, pedestrian visibility splays of 2m x 2m behind the footway on both sides of the access with no obstructions over 0.6m above footway level shall be provided and thereafter maintained as approved.

**GROUND:**

In the interests of highway safety.

- 6 Informatives

1. A formal application for connection to the public sewerage system is required in order to service this development. To initiate a sewer capacity check to identify the appropriate connection point for the development, please contact Atkins Ltd, Anglo St James House, 39a Southgate Street, Winchester, SO23 9EH (tel 01962 858688) or [www.southernwater.co.uk](http://www.southernwater.co.uk).

2. It is the responsibility of the applicant to ensure , before the development hereby approved is commenced, 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 taken 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 Highways and Transportation to progress this aspect of the works prior to commencement on site.”

**19. A07 - F/TH/15/0253 - 24 OLD CROSSING ROAD, MARGATE**

PROPOSAL: Erection of single storey front, side and rear extensions

It was proposed by the Chairman, seconded by Councillor Hayton and  
RESOLVED:

“THAT the officer’s recommendation be adopted, namely:

‘That the application be APPROVED subject to the following conditions:

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

**GROUND:**

In accordance with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

- 2 The proposed development shall be carried out in accordance with the submitted application, site plan and plans numbered 02 & 03 received by the Local Planning Authority on 27th March 2015.

**GROUND:**

To secure the proper development of the area.”

**20. A08 - F/TH/15/0212 - POND COTTAGE, GRINSELL HILL, MINSTER, RAMSGATE**

PROPOSAL: Change of use of farm office and agricultural storage barn to 1No. one bed dwelling

It was proposed by the Chairman, seconded by Councillor Hayton and  
RESOLVED:

“THAT the officer’s recommendation be adopted, namely:

‘That the application be APPROVED subject to the following conditions:

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

**GROUND:**

In accordance with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

- 2 The proposed development shall be carried out in accordance with the submitted application and the plans numbered 86/P01 & 86/P02 received by the Local Planning Authority on 12th March 2015.

**GROUND:**

To secure the proper development of the area.

- 3 Prior to the commencement of the development hereby approved joinery details including sections through at a scale of 1:5 of all new external windows and doors shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

**GROUND:**

In the interests of visual amenity in accordance with Policy D1 of the Thanet Local Plan.

- 4 Prior to the first occupation of the dwelling hereby approved, the rooflights within the west facing rear elevation shall be fitted with obscure film and thereafter maintained.

**GROUND:**

In the interests of residential amenity.

- 5 No enlargement or alteration to the roof of the dwelling, whether permitted by The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order), shall be carried out without the prior permission in writing of the Local Planning Authority.

**GROUND:**

To safeguard the visual impact of the development on the character and appearance of the area in accordance with Policies CC2 & D1 of the Thanet Local Plan and the privacy and amenities currently enjoyed by the occupiers of adjacent residential properties in accordance with Policy D1 of the Thanet Local Plan.”

**21. A09 - F/TH/15/0245 - EAST PIER, THE ROYAL HARBOUR, RAMSGATE**

PROPOSAL: Formation of new access to East Pier and alterations to hard surfacing

It was proposed by the Chairman, seconded by Councillor Hayton and

RESOLVED:

“THAT the officer’s recommendation be adopted, namely:

‘That the application be APPROVED subject to the following conditions:

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

**GROUND:**

In accordance with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

- 2 The development hereby approved shall be carried out in accordance with the submitted drawings numbered 14-245-01-CS and 14-245-02-CS, received 30 March 2015.

**GROUND:**

To secure the proper development of the area.

- 3 Prior to the first use of the vehicular access hereby approved, all necessary works to the highway, as shown on the approved plans, shall be completed.

**GROUND:**

In the interests of highway safety.

**INFORMATIVE**

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.”

**22. A10 - F/TH/15/0173 - 65 WESTGATE BAY AVENUE, WESTGATE ON SEA, WESTGATE-ON-SEA**

PROPOSAL: Change of use from dwelling to language school with ancillary residential accommodation

It was proposed by the Chairman, seconded by Councillor Hayton and  
RESOLVED:

“THAT the officer’s recommendation be adopted, namely:

‘That the application be APPROVED subject to the following conditions:

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

**GROUND:**

In accordance with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

- 2 The premises shall be used as a language school and for no other purpose including any other purpose in Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

**GROUND:**

As the proposed development would generate significant economic benefit to the local economy, in accordance with Policy T6 of the Thanet Local Plan, and in the interests of highway safety. ”

23. **D11- OL/TH/15/0187 - FLAMBEAU EUROPLAST LTD, MANSTON ROAD, RAMSGATE**

PROPOSAL: Outline application for the redevelopment of the existing site for up to 120 dwellings including access, following demolition of existing buildings

Speaking in favour of the application was Mr Wingfield.

It was proposed by the Chairman and seconded by Councillor Buckley:

“THAT the officer’s recommendation be adopted, namely:

‘Defer and delegate to the Planning Manager to approve subject to the following safeguarding conditions and a legal agreement to secure the financial contributions and affordable housing provision as set out the officer’s report:

- 1 Approval of the details of the layout, scale and appearance of any buildings to be erected and the landscaping of the site, (hereinafter called ‘the reserved matters’) shall be obtained from the Local Planning Authority in writing before any phase of the development is commenced.

**GROUND:**

As no such details have been submitted.

- 2 Plans and particulars of the reserved matters referred to in Condition 1 above, shall be submitted in writing to the Local Planning Authority and the development shall be carried out in accordance with the plan and particulars as approved.

**GROUND:**

In accordance with Section 92(2) of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

- 3 Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this permission.

**GROUND:**

In accordance with Section 92(2) of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

- 4 The development hereby permitted shall be begun before the expiration of 2 years from the date of approval of the last of the reserved matters to be approved.

**GROUND:**

In accordance with Section 92(2) of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

- 5 Details pursuant to condition 1 shall show the provision of a minimum of 4 Electric Vehicle Charging Points, which shall be installed to an agreed specification and thereafter maintained.

**GROUND:**

To promote sustainable means of transportation, in accordance with guidance within the National Planning Policy Framework.

- 6 No development shall take place, excluding demolition of the warehouse building to ground level and removal of other structures, until the applicant, or their agents or successors in title, has secured the implementation of
- i. archaeological field evaluation works in accordance with a specification and written timetable which has been submitted to and approved in writing by the Local Planning Authority; and
  - ii. following on from the evaluation, any safeguarding measures to ensure preservation in situ of important archaeological remains and/or further archaeological investigation and recording in accordance with a specification and timetable which has been submitted to and approved in writing by the Local Planning Authority.

**GROUND:**

To ensure appropriate assessment of the archaeological implications of any development proposals and the subsequent mitigation of adverse impacts through preservation *in situ* or by record in accordance with Thanet Local Plan Policy HE12 and guidance within the National Planning Policy Framework.

- 7 No development shall taken place until the following components of a scheme to deal with the risks associated with contamination of the site have been submitted to, and approved, by the local planning authority:

1. Intrusive Investigation

a) An intrusive investigation and updated risk assessment shall be undertaken by competent persons and a written report of the findings shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the development. It shall include an assessment of the nature and extent of any contamination on the site, whether or not it originates on the site. The report of the findings shall include:

(i) A survey of the extent, scale and nature of contamination;

(ii) An assessment of the potential risks to:

Human health;

Property (existing or proposed) including buildings, crops, livestock, pets,  
woodland and service lines and pipes,

Adjoining land,



Ground waters and surface waters,

Ecological systems,

- (i) An updated conceptual model of the site indicating sources, pathways and receptors.
- (ii) An appraisal of remedial options and identification of the preferred option(s).

All work pursuant to this Condition shall be conducted in accordance with the DEFRA and Environment Agency document Model Procedures for the Management of Land Contamination (Contamination Report 11).

b) If investigation and risk assessment shows that remediation is necessary, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the development. The scheme shall include details of all works to be undertaken, proposed remediation objectives and remediation criteria, a timetable of works, site management procedures and a verification plan. The scheme shall ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. The approved remediation scheme shall be carried out in accordance with the approved terms including the timetable, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority shall be given two weeks written notification of commencement of the remediation scheme works.

c) Prior to commencement of development, a verification report demonstrating completion of the works set out in the approved remediation scheme and the effectiveness of the remediation shall be submitted to and approved in writing by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include details of longer term monitoring of pollutant linkages and maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the Local Planning Authority.

**GROUND:**

To prevent the development from contributing to, or being put at unacceptable risk from, or being adversely affected by, unacceptable levels of water pollution, in accordance with Policy EP13 of the Thanet Local Plan and guidance within the National Planning Policy Framework.

- 8 If, during development, significant contamination is found or caused at the site, then this contamination shall be fully assessed and an appropriate remediation scheme agreed with the Local Planning Authority. The approved works shall be implemented within a timetable approved by the Local Planning Authority and shall be of such a nature as to render harmless the identified contamination given the proposed end use of the site and surrounding environment, including controlled waters.

**GROUND:**

To ensure that the proposed development will not cause harm to human health or pollution of the environment, in accordance with the advice contained within the National Planning Policy Framework.

- 9 Prior to being discharged into any water course, surface water or soakaway system, all surface water drainage from parking areas shall be passed through an interceptor designed and constructed to have a capacity and details compatible with the site being drained, which shall first be submitted to and agreed in writing by the Local Planning Authority. The interceptor will be installed as approved and thereafter maintained.

**GROUND:**

To ensure that the proposed development will not cause harm to human health or pollution of the environment, in accordance with DEFRA and Environment Agency document Model Procedures for the Management of Land Contamination (Contamination Report 11) and National Planning Policy Framework.

- 10 Piling or other foundation designs using penetrative methods shall not be used, other than with the prior written approval of the Local Planning Authority, where it has been demonstrated that there is no risk to groundwater. Should such approval be given the development shall thereafter be carried out in accordance with such details as are approved

**GROUND:**

To ensure that the proposed development will not cause harm to human health or pollution of the environment, in accordance with the advice contained within the National Planning Policy Framework.

- 11 No development, excluding demolition of the existing buildings on site, shall take place on the development hereby approved until details of the means of foul and surface water disposal have been submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with such details as are agreed and thereafter maintained.

**GROUND:**

To prevent pollution in accordance with Thanet Local Plan Policy EP13 and guidance contained within the National Planning Policy Framework.

- 12 No development, excluding demolition of the existing buildings on site, shall take place until a surface water drainage scheme for the development, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development and including details of how the scheme shall be maintained and managed after completion, has been submitted to and agreed in writing by the Local Planning Authority for the site. The scheme shall be subsequently implemented in accordance with the approved details.

**REASON:**

To prevent the increased risk of flooding, in accordance with the National Planning Policy Framework.

- 13 No development shall take place, including any works of demolition, until a Demolition and Construction Method Statement has been submitted to, and approved in writing by, the

Local Planning Authority for that phase. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for and include:

- Site operation times.
- Dust control measures.
- Demolition / construction waste - storage and removal.
- Identified sources of excessive noise and planned mitigation.
- Policy on burning of material at the site.
- Community contact / complaint handling.
- Routing of delivery vehicles.
- Parking and turning facilities for delivery vehicles and site personnel.
- Proposed access point for delivery vehicles and site personnel.
- wheel washing facilities.

The development shall be carried out in accordance with the approved plans.

**GROUND:**

In the interests of highway safety and the living conditions of neighbouring properties, in accordance with Thanet Local Plan Policy D1 and guidance within the National Planning Policy Framework.

- 14 Details pursuant to Condition 1 shall include proposed roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, accesses, carriageway gradients, driveway gradients and street furniture, and shall be laid out and constructed in accordance with those details as submitted and approved by the Local Planning Authority.

**GROUND:**

In the interests of highway safety and to ensure the proper development of the site without prejudice to the amenities of the occupants.

- 15 Details pursuant to Condition 1 shall include adequate details of the areas reserved for vehicle parking spaces and turning, and shall be provided in accordance with standards to be agreed with the Local Planning Authority. Such facilities as approved shall be operational prior to the occupation of the units for which it is provided to meet relevant parking and layout standards for the development, and thereafter shall be maintained for their approved purpose.

**GROUND:**

In the interests of highway safety, in accordance with Thanet Local Plan Policy TR16.

- 16 Details pursuant to Condition 1 shall include the provision of adequate secure covered cycle parking facilities within the site.

**REASON:**

In the interests of highway safety and to facilitate the use of alternative means of transport, in accordance with Thanet Local Plan Policy TR12.

- 17 No dwelling shall be occupied before the alterations to the access to the site, including the provision of the pedestrian crossing, as shown on 'dimensions plan' drawing numbered 14/316/103 received 23rd April 2015, have been completed in accordance with the current

standards and specifications used by Kent County Council Highways Services and has been made available for use.

**GROUND:**

In the interests of highway safety.

- 18 Details pursuant to Condition 1 above shall include the provision of a means of access for pedestrians and cyclists to each of the proposed dwellings within the development. No individual building shall be occupied until the means of access is constructed and ready for use in relation to that building.

**REASON:**

In the interests of highway safety and to facilitate the use of alternative means of transport, in accordance with Thanet Local Plan Policies TR11 and TR12.

- 19 The carriageways of the proposed roads shall be laid out and constructed up to and including at least road base level, prior to the occupation of any residential dwelling or building intended to take access from that road.

**GROUND:**

In the interests of highway safety and to ensure the proper development of the site without prejudice to the amenities of the occupants.

- 20 No dwelling shall be occupied before the redundant vehicle crossing to Manston Road shall be removed and the footway reinstated in accordance with the specifications set out in the Kent Design Guide.

**GROUND:**

In the interests of highway safety.

- 21 Prior to the first occupation of any part of the development hereby approved, the visibility splays shown on the approved drawing no. 14/316/101A received 23rd April 2015 shall be provided and thereafter maintained to the access to Manston Road with no obstruction above a height of 0.6 metre.

**GROUND:**

In the interest of highway safety.

- 22 Prior to the first use of the individual vehicular accesses within the development, measures to prevent the discharge of surface water onto the highway shall be provided for each individual access and thereafter maintained.

**GROUND:**

In the interests of highway safety.

- 23 No development shall take place until a detailed reptile mitigation strategy, informed by reptile surveys, has been submitted to and approved in writing by, the Local Planning Authority. The strategy shall be carried out as approved.

**GROUND:**

In the interests of bio-diversity and ecological potential, and to adequately integrate the

development into the environment, in accordance with Policies D1 and D2 of the Thanet Local Plan and the National Planning Policy Framework.

- 24 Details pursuant to Condition 1 shall include a sound attenuation scheme for dwellings adjacent to Manston Road, on the western boundary of the site adjacent to the superstore access road, and adjacent to the southern boundary of the site next to the railway line. This scheme should include, but not be limited to, mechanical ventilation for properties adjacent Manston Road and the railway line, with 1.8m acoustic timber fencing on the western boundary of the dwellings adjacent to the superstore access road and on to the southern boundary of dwellings adjacent to the railway line, in accordance with the Noise Impact Assessment report received and applicant's email received 8th May 2015.

**GROUND:**

In the interest of the living conditions of future occupiers of the development in accordance with Thanet Local Plan Policy D1 and paragraph 17 of the National Planning Policy Framework.

- 25 No less than 50% of the total number of dwellings within the development shall be 3 or more bedroomed houses.

**GROUND:**

To ensure the provision of a mix of house sizes and types to meet a range of community needs, in accordance with Policy H8 of the Thanet Local Plan.

- 26 Details pursuant to condition 1 shall include provision of a minimum of 15% of housing to lifetime home and wheelchair standards.

**GROUND:**

To meet the housing needs of the community in accordance with Policy H8 of the Thanet Local Plan.

- 27 Details pursuant to condition 1 shall include a plan showing the location of all affordable housing units on the site.

**GROUND:**

To promote mixed and balanced communities in accordance with Policy H14 of the Thanet Local Plan.

- 28 Details pursuant to condition 1 shall include a single area of open space on the site, a minimum of 415 sqm in area, benefitting from natural surveillance, to be provided as a local play area. The area shall comprise approximately 36% equipped play area and approximately 64% casual/informal play space and details of the proposed equipment shall be provided.

**GROUND:**

In order to provide amenity and play space in accordance with Policies SR5 of the Thanet Local Plan.

INFORMATIVES:

1. 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.

2. Planning permission does not convey any approval for construction of the required vehicular crossing, or any other works within the highway for which a statutory license must be obtained. Applicants should contact KCC Highway and Transportation in order to obtain the necessary Application Pack.

3. Formal applications for connection to the public sewerage system and for connection to the water supply are required in order to service this development. Please contact Southern Water, Southern House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or [www.southernwater.co.uk](http://www.southernwater.co.uk)

4. Most contaminated soils are regarded as controlled waste. Therefore, their handling, transport, treatment and disposal are subject to waste management legislation, which includes:

- (i) Duty of Care Regulations 1991
- (ii) Hazardous Waste (England and Wales) Regulations 2005
- (iii) Environmental Permitting (England and Wales) Regulations 2010
- (iv) The Waste (England and Wales) Regulations 2011

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the licensable status of any proposed off site operations is clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

5. If materials containing asbestos are present on the site, a specialist contractor must remove such material to a licensed facility before demolition works commence. This is to ensure that the material is not broken up and left on-site and does not pose a health risk to site workers or neighbouring residents. The enforcing authority with regard to asbestos on a demolition or construction site is the Health & Safety Executive.

6. The developer should contact the Kent Police Crime Prevention Design Advisors to ensure that that proposed layout accords with the principles of designing out crime.”

Upon the motion being put to the vote, it was declared CARRIED.

## **24. UPDATE ON APPEAL DECISIONS**

Simon Thomas, Planning Manager presented the report.

It was RESOLVED:

“THAT the report be NOTED”.

Meeting concluded : 21.00