

# Public Document Pack

## Planning Committee

### Minutes of the meeting held on 14 December 2016 at 7.00 pm in Council Chamber, Council Offices, Cecil Street, Margate, Kent.

**Present:** Councillors Grove, Jaye-Jones, Bambridge, Buckley, Connor, Dawson, J Fairbrass, Fenner, K Gregory, Howes, Partington, R Potts, Taylor, Tomlinson and Edwards

**In**

**Attendance:** Councillors Shonk, L. Fairbrass, Rusiecki, Bayford, M. Saunders, D Saunders, Ashbee, Game, Taylor-Smith and Curran

#### 112. **APOLOGIES FOR ABSENCE**

There were no apologies for absence.

#### 113. **DECLARATIONS OF INTEREST**

There were no declarations of interest.

#### 114. **MINUTES OF PREVIOUS MEETING**

It was proposed by Councillor Jaye-Jones, seconded by Councillor Buckley and agreed that the minutes of the Planning Committee held on 16 November 2016 be approved and signed by the Chairman.

#### 115. **SITE VISITS**

#### 116. **F/TH/16/1232 - MIZURI, NORMAN ROAD, BROADSTAIRS**

The item was withdrawn.

#### 117. **SCHEDULE OF PLANNING APPLICATIONS**

#### 118. **A01 - F/TH/16/0119 - LAND ADJACENT WAYSIDE CARAVAN PARK, WAY HILL, MINSTER**

PROPOSAL: Change of use to land as an extension to the existing caravan site.

Speaking raising points of concern was Mr Brown.

Speaking as ward councillor was Councillor Crow-Brown.

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 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 Purchase Act 2004).

2 The development hereby approved shall be carried out in accordance with the amended site plan dated 12 October 2016, with no caravans to be sited within the area marked as landscaping (open land with grass and trees).

GROUND:

To secure the proper development of the area, and 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

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

- o species, size and location of new trees, shrubs, hedges and grassed areas to be planted
  - o the boundary treatment with Rose Cottage, to include a landscape buffer along the north-western boundary of the site with Rose Cottage,
  - o 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

4 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.

5 Existing trees, shrubs and hedgerows identified for retention within the development site or existing trees growing on an adjacent site, where excavations, changes to land levels or underground works are within the crown spread, shall be protected in accordance with BS 5837: 2005 using the following protective fence specification:-

- o Chestnut paling fence 1.2m in height, to BS 1722 part 4, securely mounted on 1.7m x 7cm x 7.5cm timber posts driven firmly into the ground. The fence shall be erected below the outer most limit of the branch spread or at a distance equal to half the height of the tree, whichever is the furthest from the tree, unless otherwise agreed in writing with the Local Planning Authority.

The protective fencing shall be erected before the works hereby approved or any site clearance work commences, and shall thereafter be maintained until the development has been completed.

At no time during the site works shall building materials, machinery, waste, chemicals, stored or piled soil, fires or vehicles be allowed within the protective fenced area.

Nothing shall be attached or fixed to any part of a retained tree and it should not be used as an anchor point.

There shall be no change in the original soil level, nor trenches excavated within the protective fenced area.

GROUND:

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

6 The caravans shall be occupied for holiday purposes only and no caravan shall be occupied as a person's sole, or main place of residence.

GROUND:

In the interests of the visual amenities of the area and landscape character of the countryside, in accordance with Policies CC1 and CC2 of the Thanet Local Plan 2006 and National Planning Policy Framework.

7 The owners/operators shall maintain an up-to-date register of the names of all owners/occupiers of individual caravans/log cabins/chalets on the site, and of their main home addresses, and shall make this information available at all reasonable times to the Local Planning Authority.

GROUND:

In the interests of the visual amenities of the area and landscape character of the countryside, in accordance with Policies CC1 and CC2 of the Thanet Local Plan 2006 and National Planning Policy Framework.

8 No more than three caravans shall be sited on the land.

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”

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

119. **A02 - F/TH/16/1255 - 25 WESTBURY ROAD, WESTGATE ON SEA**

PROPOSAL: Retrospective application for the change of use from tool hire business to dance studio

Speaking in favour of the application was Mr Moore.

Speaking raising points of concern was Mrs Ward.

It was proposed by the Chairman and seconded by Councillor J. Fairbrass:

“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 Purchase Act 2004).

2 The use of the premises hereby approved shall not be used other than between the hours of 1200 hours and 2100 hours Monday to Friday and 900 hours and 1700 hours on Saturday and at no time on Sunday and Bank Holidays.

GROUND:

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

3 At any time where amplified music is being played in the dance studio area of the premises, all doors and windows associated with the dance studio must remain closed; and the door of the studio leading out onto the alleyway at the rear of the premises shall remain closed at all times (other than for emergency access and egress).

GROUND:

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

4 Music and associated noise from the application site shall be controlled, with no increase in the difference between LAeq, 1 min and LA90 when the music is on and off, and no increase in the difference between L10, 1 min and L90 when the music is on and off in each 1/3rd octave band between and including 40Hz and 160Hz, with all levels to be taken (with windows and doors open) from inside any neighbouring residential property.

GROUND:

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

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

(a) **A03 - F/TH/16/1357 - Land Adjacent And Rear Of 74 And Rear Of 76 - 84 Northwood Road, Broadstairs**

PROPOSAL: Variation of condition 2 and 5 of planning permission F/TH/14/0709 for erection of two storey dwelling to allow repositioning of dwelling, erection of a single storey porch to the front elevation, alterations to height and alterations to fenestration

It was proposed by Councillor Tomlinson, seconded by Councillor Buckley 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 18th December 2014.

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 J001\_8001.sk2, J001\_200.sk2, and J001\_8000.sk2 received 6 October 2016

GROUND:

To secure the proper development of the area.

3 Prior to the commencement of the development hereby approved, the applicant, or their agents or successors in title, shall secure the implementation of a programme of archaeological work, in accordance with a written scheme of investigation which has first been submitted to and approved in writing by the Local Planning Authority

GROUND:

To ensure that the archaeological history of the site is recorded in accordance with the National Planning Policy Framework.

4 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 agreed 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 DEFRA and Environment Agency document Model Procedures for the Management of Land Contamination (Contamination Report 11) and NPPF.

5 Prior to the first use of the development hereby permitted, the existing vehicular access gates shall be setback from the highway by 6m, in accordance with the approved plan numbered J001\_002.sk2 received 29 September 2016, and shall thereafter be maintained.

GROUND:

In the interests of highway safety.

6 Prior to the first occupation or use of the development, the area shown on the deposited plan for the parking and manoeuvring of vehicles shall be operational prior to any

part of the development hereby approved being brought back into use. The area agreed shall thereafter be maintained for that purpose.

GROUND:

in the interests of highway safety.

7 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 (which should be a bound, permeable surface)
- 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.

8 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.

9 Prior to the commencement of the development hereby approved samples 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 samples.

GROUND:

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

10 Prior to the commencement of the development hereby permitted, details of a residential sprinkler system for the dwelling hereby approved shall be submitted to and approved in writing by the local planning authority. The sprinkler system, as agreed, shall be installed and fully operational prior to the first occupation of the approved dwelling.

GROUND:

To ensure a satisfactory standard of accommodation for future occupiers, in accordance with Thanet Local Plan Policy D1.”

**(b) A04 F/TH/16/1354 - 40 Canterbury Road West, Ramsgate**

PROPOSAL: Erection of a two storey 3-bed detached dwelling

It was proposed by Councillor Tomlinson, seconded by Councillor Buckley 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 Purchase Act 2004).

2 The proposed development shall be carried out in accordance with the submitted application as amended by the revised drawing numbered 6396/01 Rev P1 and 6396/02 Rev P1 received 24 November 2016.

GROUND:

To secure the proper development of the area.

3 Prior to the first use of the rear balcony hereby permitted, an obscure glazed privacy screen no less than 1.8m shall be erected along the western side of the balcony in accordance with the approved plan numbered 6396/01 Rev P1 and 6396/02 Rev P1 received 24 November 2016. The privacy screen shall thereafter be maintained.

GROUND

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

4 Prior to the first occupation of the dwelling hereby approved visibility splays of 2metres by 2metres behind the footway on both sides of the dwelling access with no obstructions over 0.6m above footway level shall be provided and thereafter maintained.

GROUND:

In the interest of highway safety.

5 Prior to the commencement of the development hereby approved samples 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 samples.

GROUND:

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

6 No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance

with a written specification and timetable which has been submitted to and approved by the Local Planning Authority.

Ground:

To ensure that features of archaeological interest are properly examined and recorded.

7 The building(s) hereby approved shall be so constructed as to provide a minimum sound attenuation of not less than 20db average over the frequency range 100 to 3150Hz against the external noise from aircraft to which they are likely to be exposed.

GROUND:

To protect the residential amenities of the future occupiers of the development, in accordance with Thanet Local Plan Policies EP7 and EP8.

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

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

9 The soft landscaping to be provided in pursuant of condition 8 above shall include the planting of a hedgerow along the west, south and eastern boundaries of the site, where it does not interfere with the required visibility splays.

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.”

**120. A05 - FH/TH/16/1253 - UPDOWN MEWS 274 RAMSGATE ROAD, MARGATE**

PROPOSAL: Erection of single storey extension to rear and alterations to wood store to provide additional accommodation, together with alterations to fenestration to front and rear elevations

It was proposed by Councillor Tomlinson, seconded by Councillor Buckley 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 Purchase Act 2004).

2 The development hereby approved shall be carried out in accordance with the submitted drawings numbered P-002, P-101, P-102, P-103, P-201, P-301, P-302, received 9 September 2016.

GROUND:

To secure the proper development of the area.

3 The external materials and external finishes to be used in the extension hereby approved shall be of the same colour, finish and texture as those on the existing property.

GROUND:

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

121. **A06 - F/TH/16/1328 - GARAGE BLOCK, PRINCE ANDREW ROAD, BROADSTAIRS**

PROPOSAL: Variation of condition 2 and 4 of planning permission F/TH/14/0244 for erection of two semi-detached two storey dwellings and one detached bungalow, together with associated car parking, following the demolition of existing garages to allow alterations to fenestration and layout and increase in size of dwellings

It was proposed by Councillor Tomlinson, seconded by Councillor Buckley 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 23 June 2017.

GROUND:

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

2 The proposed development shall be carried out in accordance with the submitted application as amended by the revised drawings numbered 02 bungalow Rev B received 03 October 2016, 01 house Rev C and 03 site plan Rev D received 04 October 2016.

GROUND:

To secure the proper development of the area.

3 The area shown on drawing number 03 site plan, received 04 October 2016, for the parking and manoeuvring of vehicles shall be operational prior to any part of the development hereby approved being brought into use. The area agreed shall thereafter be maintained for that purpose.

GROUND:

In the interests of highway safety.

4 Secure cycle storage facility as confirmed in the details submitted 10 November 2016 shall be provided prior to the first occupation of any of the units and thereafter maintained.

GROUND:

In the interests of promoting increased cycling in accordance with policy TR12 of the Thanet Local Plan

5 The driveways hereby permitted shall be constructed from Marshalls Tegula Permeable block paving as confirmed in correspondence dated 10 November 2016.

GROUND:

In the interest of highway safety.

6 The proposed development shall be constructed with Reigate Purple Multi Bricks and Redland 49 Granular Brown roof tiles, in accordance with the approved samples agreed 10 November 2016, and Sand Cement Render colour Oatmeal.

GROUND:

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

122. **A07 F/TH/16/1327 - GARAGES ADJACENT 34 PRINCE ANDREW ROAD, BROADSTAIRS**

PROPOSAL: Variation of condition 2 and 4 of planning permission F/TH/14/0091 for the erection of 2No. two storey semi detached dwellings following demolition of existing garage block to allow alterations to site layout, elevations and fenestration

It was proposed by Councillor Tomlinson, seconded by Councillor Buckley 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 24th March 2017.

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 as amended by the revised drawing numbered TDC-2817-AB-ZZ-LP-A-8001 Rev P03 received 24 November 2016 and the submitted plans numbered 3 Rev B and 2 Rev C received 3rd October 2016.

GROUND:

To secure the proper development of the area.

3 The development hereby approved shall be constructed of Dorset Multi Red Bricks and Redland 49 Granular Brown Tiles in accordance with the approved samples received 10 November 2016, and Sand Cement Render colour Oatmeal.

GROUND:

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

4 Prior to the first occupation or use of the development, the area shown on drawing number TDC-2817-AB-ZZ-LP-A-8001 Rev P03 received 24 November 2016 for the parking and manoeuvring of vehicles shall be operational prior to any part of the development hereby approved being brought into use. The area agreed shall thereafter be maintained for that purpose.

GROUND:

In the interest of highway safety.

5 The area for the loading and unloading of vehicles, vehicle turning facilities and parking facilities for site personnel and visitors to be used during the construction of the development hereby approved shall be carried out in accordance with the approved details in drawing number 2817C -10 Rev 1 received 7th November 2016.

GROUND:

In the interest of highway safety.

6 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.”

**123. R08 - F/TH/16/1020 - 1 DELLSIDE WAYBOROUGH HILL, MINSTER**

PROPOSAL: Change of use of stable/storage block to 1No dwelling, and erection of single storey extension to front and rear elevation

Speaking in favour of the application was Mr Beasley.

It was proposed by the Chairman and seconded by Councillor J Fairbrass:

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

‘That the application be REFUSED for the follow reason:

1 The site is outside the built up area boundary of any settlement and, as such, represents an unsustainable and isolated 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 declared LOST.

Then, it was proposed by Councillor K Gregory and seconded by Councillor Tomlinson:

“That Members approve the application subject to the following safeguarding conditions, as it will not have a significantly harmful impact and is in accordance with Paragraph 55 of the NPPF, does not exceed the original footprint and brings into use a building that may otherwise fall into dereliction:

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 Purchase Act 2004).

2. The development hereby approved shall be carried out in accordance with the submitted plans numbered 15.858.DPS.PL03 Rev A and 15.858.DPS.PL04 Rev B, received 25 July 2016.

GROUND:

To secure the proper development of the area.”

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

124. **D09 - OL/TH/16/0967 - LAND ADJACENT 15 SOUTHALL CLOSE, MINSTER**

PROPOSAL: Outline Application for the erection of 12 detached dwellings, with access via Southall Close including access, layout and scale

Speaking in favour was Mr Brown.

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

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

“That the application be DEFERRED AND DELEGATED to the Director of Community Services to approve subject to receipt of a legal agreement securing the agreed planning obligations and the following safeguarding conditions:

1 Approval of the details of the scale and appearance of any buildings to be erected, and the landscaping of the site (hereafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced

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 (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 Prior to the commencement of the development hereby approved, the applicant, or their agents or successors in title, shall secure the implementation of a programme of archaeological work, in accordance with a written scheme of investigation which has first been submitted to and approved in writing by the Local Planning Authority

GROUND:

To ensure that the archaeological history of the site is recorded in accordance with the advice contained within National Planning Policy Framework.

6 No development shall commence until a site characterisation and remediation scheme has been submitted to and approved in writing by the Local Planning Authority and the remediation scheme has been implemented in accordance with the approved details. The site characterisation, remediation scheme and implementation of the approved remediation scheme shall be carried out in accordance with the following criteria:

(a) Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, shall be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and 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, and shall include:

o A survey of the extent, scale and nature of contamination

o An assessment of the potential risks to:

- Human health
- Property
- Adjoining land
- Groundwaters and surface waters
- Ecological system

o An appraisal of remedial options and a recommendation of the preferred options

The site characterisation report shall be conducted in accordance with British Standards and current DEFRA and Environment Agency best practice.

(b) Submission of remediation scheme

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 must be prepared, and shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include all works to be undertaken, proposed remediation objectives and remediation criteria, a timetable of works and site management procedures. The scheme shall ensure that the site cannot be considered as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

(c) Implementation of Approved Remediation Scheme

The approved remediation scheme shall be carried out in accordance with its terms prior to the commencement of the development other than that required to carry out remediation. The Local Planning Authority shall be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in Planning Policy Statement 23 as a validation report) that demonstrates the effectiveness of the remediation carried out shall be submitted to and approved in writing by the Local Planning Authority

GROUND:

To ensure that the proposed site investigation, remediation and development will not cause harm to human health or pollution of the environment, in accordance with the advice contained within the NPPF.

7 No development of the dwellings hereby permitted 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 advice contained within the National Planning Policy Framework.

8 No building hereby permitted shall be occupied until details of the implementation, maintenance and management of the sustainable drainage scheme have been submitted to and approved in writing by the local planning authority. The scheme shall be implemented and

thereafter managed and maintained in accordance with the approved details. Those details shall include:

- i) a timetable for its implementation, and
- ii) a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage system throughout its lifetime.

GROUND:

To ensure that the principles of sustainable drainage are incorporated into this proposal and to ensure ongoing efficiency of the drainage provisions

9 Prior to the first occupation of the development, the area shown on the deposited plan for the parking and manoeuvring of vehicles shall be operational prior to any part of the development hereby approved being brought into use. The area agreed shall thereafter be maintained for that purpose.

GROUND:

In the interests of highway safety.

10 Prior to the first occupation of the development, the secure cycle parking facilities, as shown on approved drawing received 24 November 2016 shall be provided and thereafter maintained.

GROUND:

In the interests of promoting increased cycling in accordance with policy TR12 of the Thanet Local Plan

11 All dwellings hereby permitted shall be provided with Superfast Fibre Optic Broadband 'fibre to the premises', where there is adequate capacity (internal min speed of 100mb to each building).

GROUND:

To serve the future occupants of the development in accordance with Policy D1 of the Thanet Local Plan and the guidance contained within the NPPF.

12 Details to be submitted pursuant to Condition 1 above shall show development not exceeding the building heights indicated within the Design and Access Statement dated August 2015.

GROUND:

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

13 The proposed development shall be carried out in accordance with the submitted application as amended by the revised drawing numbered CT/DB/16/6/2a, CT/DB/11/1, 'Plan of Parking and Turning area and dated 24th November 2016

GROUND:

To secure the proper development of the area.

14 Prior to the commencement of work on site, construction vehicle loading/unloading and turning facilities, and parking facilities for site personnel and visitors, shall be provided for the duration of construction.

GROUND:

In the interests of highway safety.”

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

**125. EXCLUSION OF PUBLIC AND PRESS**

Tim Howes, Director of Corporate Governance and Monitoring Officer outlined the report and recommended:

- a) That the Committee consider the background, history and context of these appeals in public - and to assist, a redacted report will be circulated to the public and those Councillors who are not Members of the Planning Committee.
- b) That the Committee excludes the press and public whilst they are receiving and considering legal advice on the matter
- c) That the Committee then revert back to public session to make their decision.

Speaking under Council Procedure rule 20.1 was Councillor Bayford.

Speaking under Council Procedure rule 20.1 was Councillor Ashbee.

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

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

‘That the public and press be excluded from the meeting for advice from counsel in regard to agenda item 7 as it would contain exempt information as defined in Paragraphs 3 and 5 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended).”

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

**126. CHANGE OF USE APPEALS - MANSTON AIRPORT**

Speaking under Council Procedure rule 20.1 was Councillor Bayford.

Also speaking under Council Procedure rule 20.1 was Councillor Ashbee.

Also speaking under Council Procedure rule 20.1 was Councillor Taylor-Smith.

Iain Livingstone, Planning Applications Manager outlined the report.

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

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

'5.1 –Option 1 - Members confirm that the reasons for refusal in relation to the four planning appeals are withdrawn and that the Council raises no opposition to the appeals, subject to the imposition of appropriate safeguarding conditions. The Council will therefore offer no evidence at the Inquiry, other than procedural support and providing input on safeguarding conditions as appropriate.'

Committee Members asked questions of Mr Livingstone.

The Public and Press were excluded from the Chamber.

Paul Shadarevian, Barrister outlined legal advice and Committee Members asked questions.

The Public and Press were invited back into the Chamber.

The Monitoring Officer conducted a recorded vote on the substantive motion as follows:

9 Members voted in favour of the motion: Councillors Jaye-Jones, Buckley, Connor, Edwards, J Fairbrass, Fenner, Howes, Potts, and Taylor.

5 Members voted against the motion: Bambridge, Dawson, K Gregory, Partington and Tomlinson.

1 Member abstained from voting on the motion: Councillor Grove.

The motion was declared CARRIED.

Meeting concluded : 9.40pm

This page is intentionally left blank