

Planning Committee

Minutes of the meeting held on 16 September 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, Leys, Partington, Taylor and Tomlinson

In

Attendance: Councillors: Buckley, M. Saunders, D Saunders, Matterface, Collins, Smith, Martin, Shonk, Ashbee, K. Gregory, Crow-Brown, Taylor-Smith, Rogers, L. Fairbrass and Townend.

64. **APOLOGIES FOR ABSENCE**

There were no apologies for absence.

65. **DECLARATIONS OF INTEREST**

There were no declarations of interest.

66. **MINUTES OF PREVIOUS MEETING**

It was proposed by the Chairman, seconded by the Vice Chairman and AGREED that the minutes of the Planning Committee meeting held on 19 August 2015 be approved and signed by the Chairman.

67. **SITE VISITS**

68. **F/TH/15/0338 - 52 YEW TREE GARDENS, BIRCHINGTON**

PROPOSAL: Erection of side and rear single storey extension

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 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.

- 3 The proposed development shall be carried out in accordance with the submitted application as amended by the revised drawing numbered 602/2B and dated 26 June 2015.

GROUND:

To secure the proper development of the area.”

After debate, the motion was put to the vote, the motion was declared CARRIED.

69. **F/TH/15/0485 - LAND REAR OF 4, CHERRY TREE GARDENS, RAMSGATE**

PROPOSAL: Erection of a single storey dwelling

Speaking under Council Procedure rule 24.1 was Councillor Collins.

Speaking under Council Procedure rule 24.1 was Councillor Smith.

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

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

‘That the application be REFUSED for the following reason:

- 1 The proposed dwelling, by virtue of its siting within the rear garden of the existing dwelling, neither respects nor enhances the character of the surrounding area, being out of keeping with the prevailing character and established pattern of street frontage development in Cherry Tree Gardens, and the surrounding area and as such is detrimental to the character and appearance of the area, contrary to Thanet Local Plan Policy D1 and paragraphs 58 & 64 of the National Planning Policy Framework.
- 2 The proposed dwelling, by virtue of its layout would result in poor outlook for the potential future occupiers resulting from severe lack of outlook which would fail to provide a good standard of amenity for future occupiers, contrary to Thanet Local Plan Policy D1 and paragraph 17 of the National Planning Policy Framework.”

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

70. **F/TH/15/0457 - BUILDING 870, MANSTON AIRPORT, MANSTON, RAMSGATE**

PROPOSAL: Change of use from airport use to general industrial use together with four storey extension and insertion of windows

Speaking under Council Procedure rule 24.1 was Councillor Collins.

Speaking under Council Procedure rule 24.1 was Councillor Crow-Brown.

Speaking under Council Procedure rule 24.1 was Councillor K. Gregory.

Speaking under Council Procedure rule 24.1 was Councillor Rogers.

Speaking under Council Procedure rule 24.1 was Councillor Smith.

Speaking under Council Procedure rule 24.1 was Councillor Taylor-Smith.

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

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

‘that Members defer and delegate to Officers for approval subject to receipt of satisfactory specialist advice which confirms that the proposed extension to the building will not prejudice any potential future operation of an airport and the following safeguarding 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 drawings numbered A10–02B and A10-08B received 24 July 2015, additional plans numbered A10–10 and 60345111-M001-SKE-0004 dated received 28 July 2015 and submitted plans A20-03, A20-04, A20-05, A30-03, A30-04 (Sheets 1 and 2) received 9th June 2015, omitting the access from Manston Road.

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 watching brief to be undertaken by an archaeologist approved by the Local Planning Authority so that the excavation is observed and items of interest and finds are recorded. The watching brief shall be in accordance with a written programme and specification, which has been submitted to and approved in writing by the Local Planning Authority.

GROUND:

To ensure that features of archaeological interest are properly examined and recorded in accordance with Policy HE11 of the Thanet Local Plan.

4. 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, including remediation measures to render harmless the identified contamination given the end use of the site and the surrounding environment, including controlled waters. The remediation measures shall be implemented as approved and completed prior to the recommencement of works. 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 advice contained within the National Planning Policy Framework.

5. Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound should be at least equivalent to the capacity of the largest tank or the combined capacity of interconnected tanks, plus 10%. All filling points, vents, gauges and sight glasses shall be located within the bund. The drainage system of the bund shall be sealed with no discharge to any water course, land or underground strata. Associated pipework should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge downwards into the bund.

GROUND:

To prevent harm to human health and pollution of the environment, in accordance with the advice contained within the National Planning Policy Framework.

6. 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.

7. No development shall take place 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. Prior to being discharged into any watercourse, 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. 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.

8. No development shall take place until all off-site highway works as shown on approved drawing no. 60345111 received 28 July 2015 for road marking and kerb works to Spitfire Junction have been completed.

GROUND:

In the interests of highway safety.

9. Prior to the first occupation or use of the development, the areas shown on plans numbered A10-10B and 60345111-M001-SKE-0004 received 28 July 2015 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 occupation or use of the development, a visibility strip shown on submitted plan no.60345111-M001-SKE-0015 received 6th August 2015 shall be clear from any obstruction between 1.05m to 2metres above ground level. The sightline across this area shall be maintained thereafter.

GROUND:

In the interests of highway safety.

11. The building hereby approved for Class B2 General Industrial use shall not be subdivided into units below 3530 square metres internal floor area.

GROUND:

To ensure the protection of the countryside, employment land allocations and the Airport, as the approval of the use relates to the specific need for a building of this scale, as a departure from Thanet Local Plan Policies CC1 and EC4.”

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

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

“THAT Members defer and that the application is brought back to Planning Committee on receipt of satisfactory specialist advice which confirms that the proposed extension to the building will not prejudice any potential future operation of an airport.”

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

71. **SCHEDULE OF PLANNING APPLICATIONS**

72. **A01 -F/TH/15/0466 - THE FLAG AND WHISTLE, 19 STATION ROAD, MARGATE, KENT**

PROPOSAL: Change of use from public house to tattoo parlour

Speaking under Council Procedure rule 24.1 was Councillor Tomlinson.

It was proposed by the Chairman and seconded by Councillor Jaye-Jones:

“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 1000 and 2300 Monday to Saturday in any week and between the hours of 1000 and 1800 on any Sunday or Bank Holiday.

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.

INFORMATIVE 1

The applicant is advised to consult with Thanet District Council Licensing Team and Health and Safety Team for matters such as registration/licensing documents and needle/waste disposal. Please contact Environmental Health, Thanet District Council, PO Box 9, Cecil Street, Margate, Kent, CT9 1XZ (Telephone 01843 577580) or email environmental.health@thanet.gov.uk.”

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

73. A02 - F/TH/15/0535 - 2 WESTWOOD CROSS, MARGATE ROAD, BROADSTAIRS, KENT

PROPOSAL: Change of use from retail to restaurant/cafe use

It was proposed by the Chairman, seconded by the Vice Chairman 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).”

74. A03 - OL/TH/15/0020 - JENTEX OIL DEPOT, CANTERBURY ROAD WEST, RAMSGATE, KENT, CT12 5DU

PROPOSAL: Outline application for the erection of a block of 56no. extra care units, 56no. dwellings and community use building with retail unit, following demolition of existing buildings and structures, including access

Speaking in favour of the application was Dr. McCarthy.

Speaking under Council Procedure rule 24.1 was Councillor Rogers.

Speaking under Council Procedure rule 24.1 was Councillor Taylor-Smith.

Speaking under Council Procedure rule 24.1 was Councillor Smith.

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

“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 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 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 (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 to be submitted pursuant to condition 1 above shall include a detailed sustainable surface water drainage scheme. The detailed drainage scheme shall be based on the preliminary strategy prepared by Idom Merebrook consultants and shall demonstrate that both the rate and volume of run-off leaving the site post-development will be restricted 6.4l/s for all storms up to (and including) the climate change adjusted 100yr critical storm.

GROUND:

To ensure that the principles of sustainable drainage are incorporated into this proposal and to ensure ongoing efficiency of the drainage provisions, in accordance with the NPPF.

- 6 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.
 - iii) evidence in written form to demonstrate that the capacity, condition and connectivity of the brick culvert has been investigated so as to ensure it will be capable of accommodating the runoff from this development throughout its likely lifetime. The submitted evidence shall include confirmation that the operating authority or owner is content with the intended discharge.

GROUND:

To ensure that the principles of sustainable drainage are incorporated into this proposal and to ensure ongoing efficiency of the drainage provisions, in accordance with the NPPF.

- 7 No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

GROUND:

To protect vulnerable groundwater resources and ensure compliance with the National Planning Policy Framework.

- 8 No development shall take place 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 first 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 that features of archaeological interest are properly examined and recorded in accordance with the advice contained within the NPPF.

- 9 No development approved by this planning permission shall take place until a remediation strategy that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:
1. A preliminary risk assessment which has identified: - all previous uses - potential contaminants associated with those uses - a conceptual model of the site indicating sources, pathways and receptors - potentially unacceptable risks arising from contamination at the site.
 2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
 3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
 4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.
- Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

GROUND:

To prevent pollution of controlled waters and comply with the National Planning Policy Framework (NPPF).

- 10 No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy 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 any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified

in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

GROUND:

To prevent pollution of controlled waters and comply with the National Planning Policy Framework (NPPF).

- 11 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

GROUND:

To prevent pollution of controlled waters and comply with the NPPF.

- 12 No development shall take place until details of the means of foul 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 the advice contained within the NPPF.

- 13 Details to be submitted in pursuant of Condition 1 above shall include mitigation measures to minimise noise from the airport and nearby road, in accordance with the recommendations set out in the Environmental Noise Survey Report, dated 5th February 2013.

GROUND:

To protect the future occupants of the development, in accordance with Policies EP7 and D1 of the Thanet Local Plan.

- 14 Details to be submitted in pursuant of Condition 1 above shall include the provision of 980sqm of play area provision, of which 36% shall be equipped play and 64% shall be casual/informal playspace.

GROUND:

To serve the development in accordance with Policy SR5 of the Thanet Local Plan.

- 15 Details to be submitted pursuant to Condition 1 above shall include the location and design of the equipped play area. The equipped play area shall be provided prior to the first occupation of the development, and in accordance with the approved details.

GROUND:

To serve the development in accordance with Policy SR5 of the Thanet Local Plan.

- 16 The details to be submitted pursuant to Condition 1 above shall include the provision of 44no. off-street car parking spaces to serve the Extra Care Facility, and all other parking shall be in accordance with Kent Design Interim Guidance Note 3.

GROUND:

In the interests of highway safety

- 17 Details to be submitted in pursuant of Condition 1 above shall include the proposed levels and section plans through the site.

GROUND:

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

- 18 No development shall take place until the highway improvement works, including the new 1.8m wide pavement, pedestrian crossing and two new bus stops, as shown on the approved plan numbered SK001 Rev C, have been completed in accordance with the specifications set out in the Kent Design Guide.

GROUND:

In the interests of highway safety and to improve the sustainability of the site.

- 19 The details to be submitted in pursuant of Condition 1 above shall include a swept path analysis for pantechincons and emergency vehicles within the site.

GROUND:

In the interests of highway safety.

- 20 No more than 25% of the total floor area of the community building hereby permitted shall be used for the sale of retail goods.

GROUND:

To retain the community building and support the sustainability of the site, in accordance with the guidance contained within the NPPF.

- 21 Details to be submitted in pursuant of Condition 1 above shall include the location, size and phasing of the affordable housing units.

GROUND:

To ensure that the required level and type of affordable housing is provided in accordance with Policy H14 of the Thanet Local Plan.

- 22 Prior to the first occupation of the development hereby permitted, the 43m x 2m x 43m visibility splays shown on the approved plan numbered SK001 Rev C for both of the new accesses, shall be provided and thereafter maintained, with no obstructions over 1m above carriageway level.

GROUND:

In the interest of highway safety.

- 23 Prior to the commencement of development hereby permitted, details of the loading/unloading and turning facilities for construction vehicles, and provision of parking facilities for site personnel and visitors, shall be submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be made available prior to the commencement of development, and for the duration of construction.

GROUND:

In the interest of highway safety.

- 24 The vehicular accesses hereby permitted shall be provided prior to the first occupation of the development.

GROUND:

In the interest of highway safety.

- 25 Details to be submitted pursuant to Condition 1 above shall show the gradient of the accesses to be no steeper than 1 in 10 for the first 1.5m from the highway boundary and no steeper than 1 in 8 thereafter.

GROUND:

In the interest of highway safety.

- 26 Prior to the first occupation of the development hereby permitted, the visibility splays at the pedestrian crossing points, as shown on the approved plan numbered SK001 Rev C, shall be provided and thereafter maintained, with no obstructions over 0.6m above footway level.

GROUND:

In the interest of highway safety.

- 27 The details to be submitted pursuant to Condition 1 above shall include the use of dark weatherboarding, and pantiles on the Extra Care facility, with details to be submitted.

GROUND:

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

- 28 Details to be submitted pursuant to Condition 1 above shall show development not exceeding the building heights shown in the illustrative section plan, numbered 130, received 16th September 2015.

GROUND:

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

- 29 The details to be submitted in pursuant of Condition 1 above shall show at least 15% of the development provided as lifetime homes and wheelchair housing.

GROUND:

To meet a range of community needs, in accordance with Policy H8 of the Thanet Local Plan.

- 30 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.

- 31 The Extra Care units hereby permitted shall only be occupied by persons of 55 years of age or over, together with a spouse or partner.

GROUND:

In the interests of proper planning of the area and in compliance with Thanet Local Plan Policy TR16.”

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

Meeting concluded : 9pm