

## Planning Committee

### Minutes of the meeting held on 23 June 2021 at 7.00 pm in Council Chamber, Council Offices, Cecil Street, Margate, Kent.

**Present:** Councillor Michael Tomlinson (Chair); Councillors Coleman-Cooke, J Bayford, Crittenden, Fellows, Garner, Hart, Hopkinson, Keen, Pat Moore, Paul Moore, Rusiecki, Whitehead and Wright

**In Attendance:** Councillors Braidwood, Ashbee, Farrance, Gregory, Kup and Shonk.

#### **POINT OF INFORMATION**

Mr Livingstone, Planning Manager provided the Committee with the following point of information regarding agenda item 4:

After the date of the previous planning committee on the 21st April 2021, the Council received a Freedom of Information request asking for information on any agreements held by the Council relating to the historic sale of any part of the site which was the subject of the application on Shottendane Road. This search showed that Thanet District Council previously owned the northern parcel of land to the north of the Shottendane Road and an agreement for the sale of this land in 1982 included an overage clause, meaning that if the land was used for any other purpose than agricultural, the owner was liable to pay the Council 50% of the change in value.

As members of the Planning Committee were aware, covenants or ownership matters were not material planning considerations. Therefore this historic agreement couldn't be taken into account by members in making the determination as to whether the planning application was acceptable when judged against local and national planning policy.

As an additional point for information for members of the public, the process and procedure of Planning Committee meetings, including the format of the meeting and order of public speaking, was outlined within Part 5 of the Council's Constitution entitled "Codes and Protocols". The relevant section was the "Protocol for guidance of Planning Committee Members and Officers". This was available on the Council's website.

#### **1. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Albon and Councillor Scott for whom Councillor Whitehead and Councillor Fellows were present as a substitutes respectively.

#### **2. DECLARATIONS OF INTEREST**

There were no declarations of interest.

3. **MINUTES OF PREVIOUS MEETING**

Councillor Hart proposed, Councillor Paul Moore seconded and Members agreed that the minutes of the Planning Committee Meeting held on 19 May 2021 be approved and signed by the Chairman.

4. **PLANNING APPLICATION OL/TH/20/0847 – LAND ON THE NORTH WEST AND SOUTH EAST SIDES OF SHOTTENDANE ROAD, MARGATE**

PROPOSAL: Outline application for the erection of up to 450 residential dwellings (including market and affordable housing), structural planting and landscaping, formal and informal public open space and children's play area, sustainable urban drainage, with vehicular access points, including associated ancillary works and operations, from Hartsdown Road, Shottendane Road and Manston Road including access.

Councillor Braidwood spoke under council procedure rule 20.1.  
Councillor Gregory spoke as Ward Councillor.  
Councillor Farrance spoke as Ward Councillor.  
Councillor Boyd spoke under council procedure rule 20.1.

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

'THAT the officer's recommendation be adopted, namely:

That the application be deferred to officers for approval subject to securing a legal agreement for the provision of 15% affordable housing on site (split 80% affordable rent and 20% shared ownership), and subject to the following conditions:

1 Approval of the details of the layout, scale, 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. Development thereafter shall be carried out in accordance with the approved details.

GROUND: As no such details have been submitted in respect of these matters as the application is in outline. In accordance with Section 92 of the Town and Country Planning Act 1990.

2 Any application for approval of the reserved matters for the first phase of the development shall be made to the Local Planning Authority before the expiration of 3 years from the date of this permission. Any application for approval of the reserved matters for any remaining phases shall be made to the Local Planning Authority before the expiration of 5 years from the date of this permission.

GROUND: In accordance with Section 92 of the Town and Country Planning Act 1990.

3 Each phase of the development shall be begun within two years of the date of approval of the final reserved matters to be approved for that phase.

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

4 The phasing of the development shall not be carried out other than in accordance with the approved Phasing Parameter Plan numbered 2019-057-201 Rev A and received on 18th January 2021 subject to any revisions to the approved phasing plan submitted and approved in writing by the Local Planning Authority pursuant to this condition. This condition does not prevent the construction periods of any phase running concurrently with other phases.

GROUND: To secure the programming and phasing of, and an orderly pattern to the development in accordance with the phasing arrangements that have been assessed.

5 The reserved matters submitted in accordance with Condition 1 in respect of each phase shall include the following details in respect of that phase to the extent that they are relevant to the reserved matters application in question:-

#### Layout

- o The layout of routes, buildings and spaces;
- o The block form and organisation of all buildings;
- o The distribution of market and affordable dwellings within that phase including a schedule of dwelling size (by number of bedrooms and floorspace);
- o The location of dwellings designed to seek to meet the Local Planning Authority's Accessible and Adaptable Accommodation;
- o Full details of the approach to cycle parking including the location, distribution, types of rack, spacing and any secure or non-secure structures associated with the storage of cycles and the location and form of open areas;
- o The extent and layout of public open spaces and play space within the phase to be provided following the criteria as stated in Thanet Local Plan 2020 Policy GI04.
- o Full details of measures to prevent the discharge of surface water onto the highway.
- o Details of surface water drainage capable of accommodating for all rainfall durations and intensities up to and including the climate change adjusted critical 100 year storm. This should be demonstrated within an outline site wide drainage strategy, supported by appropriate ground investigation and calculations.

#### Scale and Appearance

Scale, form and appearance of the architecture within each phase, including frontage design and public / private realm definition and boundary treatments.

## Landscaping

The landscape design and specification of hard and soft landscape works within each phase, including details surveys of all trees, shrubs and hedges in that phase, giving details of all trees having a trunk diameter of 75mm or more to include species type, spread of crown, height, diameter of trunk and condition assessment, details of existing trees, shrubs and hedges to be retained and details of new trees, shrubs, hedges and grassed areas to be planted, together with details of the species and method of planting to be adopted, details of walls, fences, other means of enclosure proposed. Any such details shall be accompanied by the Landscape Management Plan and Open Space Specification for that phase.

Each phase of the development shall be constructed and laid out in accordance with those details submitted to and approved in writing by the Local Planning Authority.

GROUND: In the interests of achieving sustainable development, in accordance with Thanet Local Plan Policy QD02, and the principles within the National Planning Policy Framework.

6 Any reserved matters applications submitted pursuant to this outline application shall accord with the principles and parameters of the Parameter Plan CSA/4430/122 Rev C, and Landscape Strategy Plan no. CSA/4430/118 Rev F received 13th November 2020 including any text set out on those Plans to illustrate the development principles).

GROUND: For the avoidance of doubt, so as to ensure that any development is in accordance with and within the parameters of that assessed by the Local Planning Authority for the purposes of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 and in the interest of achieving sustainable development, in accordance with Thanet Local Plan Policy QD02, and the principles with the National Planning Policy Framework.

7 The development hereby approved shall be carried out in accordance with the approved plans no. SK09 Rev E received 12th March 2021, SK10 Rev A and SK11 received 7th July 2020, subject to final design and highway authority adoption requirements.

GROUND: To secure the proper development hereby approved and in the interests of highway safety and providing adequate safe highways infrastructure and capacity in accordance with Thanet Local Plan Policies SP21 and SP45.

8 Prior to the commencement of each phase, or part thereof, an Open Space Specification for the phase shall be submitted to and approved in writing by the Local Planning Authority, to accord with principles shown in plan no. CSA/4430/118 Rev F. The Open Space Specification shall:

\* Identify the location and extent of the main areas of formal and informal open space to be provided which shall accord with the details submitted under condition 1;

\* Outline any local play space to be provided, providing also a detailed specification of any equipped play areas. Such play space shall be provided following the criteria as stated in Thanet Local Plan 2020 Policy GI04 of which at least 36% shall be equipped play area in accordance with the Local Planning Authority's Supplementary Planning Document "Planning Obligations and Developer Contributions - April 2010

\* Identify how the relevant areas of public open space and play areas are to be laid out, paved, planted or equipped;

\* Identify and demonstrate the "Trim Trail" proposed through plan CSA/4430/118 Rev F to encourage dog-walking within the site; and

The landscaped areas, open space and play space in any phase shall be laid out and implemented in accordance with approved plans and shall be permanently retained thereafter and used for and made available for public amenity and play space purposes only.

GROUND: In the interests of the visual amenities of the area and to adequately integrate the development into the environment, and provide local play space, in accordance with Policies QD02, GI04 and GI06 of the Thanet Local Plan and guidance within the National Planning Policy Framework.

9 Prior to the commencement of each phase, or part thereof, a Landscape Management Plan for the phase in question shall be submitted to and approved in writing by the Local Planning Authority for all landscaped, open space and play areas identified in the Open Space Specification for the phase which shall include long term design objectives, details of who it to have ongoing management responsibilities for the area and how those arrangements will be secured in perpetuity and annual maintenance schedules for all landscaped, open space and play areas within the phase. The approved Landscape Management Plan for each phase shall be implemented and adhered to as approved subject to any minor revisions thereto as may be approved in writing by the Local Planning Authority. The public open spaces in that phase shall be permanently retained and maintained thereafter in accordance with the approved Landscape Management Plan for that phase and used for and made available as public open space for public amenity purposes only.

GROUND: In the interests of the visual amenities of the area and to adequately integrate the development into the environment, and provide local play space, in accordance with Policies QD02, GI04 and GI06 of the Thanet Local Plan and guidance within the National Planning Policy Framework.

10 No development shall take place until fencing has been erected around the area identified as an Archaeological Exclusion Zone on plan no. CSA/4430/122 Rev C received 13th November 2020, in a manner to be

agreed with the Local Planning Authority. The temporary fencing shall be retained for the duration of the construction works in that phase, or part thereof. No development groundworks, landscaping or planting shall take place in the Archaeological Exclusion Zone without the consent of the Local Planning Authority.

GROUND: To ensure that due regard is had to the preservation in situ of important archaeological remains in accordance with Thanet Local Plan Policy HE01 and advice in paragraph 189 of the National Planning Policy Framework.

11 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 due regard is had to the preservation in situ of important archaeological remains in accordance with Thanet Local Plan Policy HE01 and advice in paragraph 189 of the National Planning Policy Framework.

12 Prior to the occupation of any dwelling in a respective phase, a scheme of interpretation that includes information boards in public open space areas in that phase of the development should be agreed with the Local Planning Authority. The scheme should include the location for information boards, their content and timetable for their establishment. The interpretation boards will be established in accordance with the agreed scheme.

GROUND: To ensure that due regard is had to important archaeological remains in accordance with Thanet Local Plan Policy HE01 and advice in paragraph 189 of the National Planning Policy Framework.

13 No development shall take place on each respective phase of development until a detailed surface water drainage scheme, to manage surface water run-off from the development (for up to and including the climate change adjusted 100 year storm event) for that phase has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be based on the Section 6 of the submitted Flood Risk Assessment (Enzygo, May 2020) and shall also include:

the phasing for the implementation of the surface water drainage scheme. Appropriate operational, maintenance and access requirements for each drainage feature or SuDS component are adequately considered, including any proposed arrangements for future adoption by any public body or statutory undertaker.

The scheme shall be constructed in full accordance with the approved details and shall be managed/maintained in accordance with the approved maintenance and management details for the lifetime of the development.

GROUND: To ensure the development is served by satisfactory arrangements for the disposal of surface water and they are incorporated into the proposed layouts, in accordance with Thanet Local Plan Policy CC02.

14 No infiltration of surface water drainage into the ground is permitted other than with the written consent of the Local Planning Authority. Where infiltration is to be used to manage the surface water from the development hereby permitted, it will only be allowed within those parts of the site where information is submitted to demonstrate to the Local Planning Authority's satisfaction that there is no resultant unacceptable risk to controlled waters and/or ground stability. The development shall only then be carried out in accordance with the approved details.

GROUND: To protect vulnerable groundwater resources, in accordance with Thanet Local Plan Policy SE04 and paragraph 180 of the National Planning Policy Framework.

15 No building on any phase (or within an agreed implementation schedule) of the development hereby permitted shall be occupied until a Verification Report pertaining to surface water drainage systems, carried out by a suitably qualified professional, has been submitted to the Local Planning Authority which demonstrates the suitable modelled operation of the drainage system such that flood risk is appropriately managed, as approved by the Lead Local Flood Authority.

GROUND: To ensure that flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems, and to ensure that the development as constructed is compliant with and subsequently maintained pursuant to the requirements of paragraph 165 of the National Planning Policy Framework.

16 No development shall take place until a scheme for sewerage disposal from the development has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall include details of any additional infrastructure required to mitigate the additional flows created by this development. The development shall be constructed and thereafter maintained in accordance with the approved details.

GROUND:

To prevent pollution in accordance with Thanet Local Plan Policy SE04 and guidance contained within the National Planning Policy Framework.

17 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:

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

An assessment of the potential risks to Human health, Property, Adjoining land, Groundwaters and surface waters, Ecological system;

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, if required by part (a) of the condition. 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 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 Policy SE03 of the Thanet Local Plan and the advice contained within the National Planning Policy Framework.

18 If, during development, significant contamination is suspected or found to be present at the site, then works shall cease, and 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. Prior to first occupation/use and following completion of approved measures, a verification report shall be submitted to the Local Planning Authority for approval.

**GROUND:**

To ensure that the proposed development will not cause harm to human health or pollution of the environment, in accordance with Policy SE03 of the Thanet Local Plan and the advice contained within the National Planning Policy Framework.

19 No development shall take place on any phase until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The Construction Environmental Management Plan shall include amongst other matters details of:

- \* Hours of construction working;
- \* routing of construction and delivery vehicles to/from site,
- \* parking and turning areas for construction and delivery vehicles and site personnel,
- \* timing of deliveries,
- \* measures to control noise affecting nearby residents;
- \* temporary traffic management/signage,
- \* any temporary access arrangements to the site for construction purposes,
- \* wheel cleaning/chassis cleaning facilities;
- \* dust control measures;
- \* lighting control measures;
- \* water quality protection measures;
- \* precautionary measures to protect Badgers (as per section 7.5.39 of submitted Environmental Statement)
- \* maintenance of vehicular access to Margate Cemetery, Crematorium and Waste & Recycling centre throughout construction.
- \* pollution incident control and
- \* site contact details in case of complaints.

The construction works shall thereafter be carried out at all times in accordance with the approved Construction Environmental Plan, unless any variations are otherwise first submitted to and approved in writing by the Local Planning Authority.

**GROUND:** In the interests of highways safety and the residential amenities of nearby residents, in accordance with Policy QD02 and QD03 of the Thanet Local Plan.

20 No development shall take place on any phase (or part thereof) until a Highways Work Phasing Plan, outlining the implementation of highways works detailed in condition 21, has been submitted to and approved in writing by the Local Planning Authority. The Highways Work Plan should include details of the mitigation proposed in that phase (or part thereof) including the new link

road through the site plus its associated access points and footways, how these will be completed and made operational. The works shall be carried out in accordance with the agreed phasing plan including the timings for the provision of each respective element of infrastructure.

GROUND: In the interests of highway safety and traffic flow, to ensure the sufficient highways infrastructure is provided to serve the development in accordance with Thanet Local Plan Policies SP21 and SP45.

21 No development shall take place in any respective phase, until full final details of the proposed highways works have been submitted to, and approved in writing by, the Local Planning Authority. These details shall include:

- Local distributor standard link road
- Potential 32m Roundabout Junction on Manston Road;
- Potential 40m Roundabout Junction on Shottendane Road;
- Right turn lane Priority Junction on Hartsdown Road.

All submitted details shall substantially accord with the geometrical layout as those submitted in the plans numbered plans no. SK09 Rev E received 12th March 2021, SK10 Rev A and SK11 received 7th July 2020.

These works shall be implemented and operational in accordance with the timings within the Highways work phasing plan in condition 20.

GROUND: In the interests of highway safety and traffic flow, to ensure the sufficient highways infrastructure is provided to serve the development in accordance with Thanet Local Plan Policies SP21 and SP45

22 Details submitted pursuant to condition 1, insofar as they relate to each phase of development, shall include the final route, specification, geometry and waiting restrictions of the link road through the site within the area of deviation shown on the parameter plan. The link road and associated footway/cycleways, should be provided to an acceptable local distributor standard in accordance with the most up to date revision of the Kent Design Guide and include details of the pedestrian crossing provision and bus stop infrastructure where appropriate. These works shall be implemented and operational in accordance with the timings with the Highway Works Phasing Plan.

GROUND: In the interests of highway safety and traffic flow, to ensure the sufficient highways infrastructure is provided to serve the development in accordance with Thanet Local Plan Policies SP21 and SP45.

23 Details pursuant to condition 1 above shall include the provision of means and routes of access for pedestrians and cyclists within each phase of the development to and from the surrounding footway and cycleway network. No building within that phase shall be occupied until all such routes and means of access within the phase serving that building are constructed and ready for use and thereafter shall be retained for their approved purpose.

GROUND: In the interests of highway safety and to facilitate the use of alternative means of transport, in accordance with Thanet Local Plan Policies SP45 and TP03.

24 Details submitted pursuant to condition 1 in respect of each phase of the development, shall demonstrate safe emergency access to the satisfaction of the Local Highway Authority and Fire Rescue Service.

GROUND: In the interests of safe access in new development in accordance with Thanet Local Plan Policy QD02 and paragraph 127 of the National Planning Policy Framework.

25 Details submitted pursuant to condition 1 in respect of each phase of the development, shall include the proposed roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, driveway gradients, car parking, turning areas and street furniture and bus stops/borders to be laid out and constructed. The details agreed shall be provided and permanently retained.

GROUND: In the interests of highway safety and traffic flow, to ensure the sufficient highways infrastructure is provided to serve the development in accordance with Thanet Local Plan Policies SP21 and SP45.

26 Details pursuant to condition 1, insofar as they relate to each phase of development, shall include the provision of adequate secure covered cycle parking facilities within that phase, in accordance with standards to be agreed with the Local Planning Authority. Such facilities as approved shall be made available for use prior to the occupation of the unit for which they are provided to meet relevant parking and layout standards, and thereafter shall be retained for their approved purpose.

GROUND: In the interests of highway safety and to facilitate the use of alternative means of transport, in accordance with Thanet Local Plan Policy TP03.

27 Prior to first occupation of each respective dwelling, the completion of the following works between a dwelling and the adopted highway should have occurred in accordance with details submitted pursuant to condition 1: (a) Footways and/or footpaths, with the exception of the wearing course; (b) Carriageways, with the exception of the wearing course but including a turning facility, highway drainage, visibility splays, street lighting, street nameplates and highway structures (if any).

GROUND: In the interests of safe access in new development in accordance with Thanet Local Plan Policy QD02 and paragraph 127 of the National Planning Policy Framework.

28 Details pursuant to condition 1, shall include details of the number, type and location of Electric vehicle charging points (EVCP) on the basis of 1 Electric Vehicle Charging point per residential property with dedicated parking and 1 in 10 of all non allocated parking. These shall be installed and operational to the specification agreed prior to the occupation of the residential units to which they relate.

GROUND: In the interest of air quality and amenity in accordance with SE05 of the Thanet Local Plan and paragraph 181 of the NPPF.

29 Prior to the first submission of any reserved matters application, hereby permitted, an Emissions Mitigation Assessment in accordance with Thanet District Council's Air Quality Technical Planning Guidance shall be submitted and approved in writing by the Local Planning Authority. The Emissions Mitigation Assessment shall include a damage cost assessment that uses the DEFRA emissions factor toolkit and should include details of mitigation to be included in the development which will reduce the emissions from the development during construction and when in operation. All works, which form part of the approved scheme, shall be completed before any part of the development is occupied and shall thereafter be maintained in accordance with the approved details.

GROUND: In the interests of ensuring appropriate air quality in accordance with SE05 of the Thanet Local Plan and paragraph 181 of the NPPF.

30 Prior to the first occupation of the development hereby permitted, an air quality Emissions Statement that provides details of how the air quality damage costs, as calculated within the Emission Mitigation Assessment approved in condition 29, are to be used to achieve air quality improvements through the development, 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 ensuring appropriate air quality in accordance with SE05 of the Thanet Local Plan and paragraph 181 of the NPPF.

31 Prior to the submission of the first reserved matters application under condition 1, a Ecological Design Strategy, addressing ecological enhancement and mitigation across the whole site as outlined in Section 7 of the submitted Environmental Statement shall be submitted to and approved in writing by the Local Planning Authority. The Ecological Design Strategy shall include the following:

- a) Purpose and conservation objectives for the proposed works;
- b) Review of site potential and constraints
- c) Detailed design(s) and/or working method(s) to achieve stated objectives;
- d) Extent and location/area of proposed works on appropriate scale maps and plans;
- e) Type and source of materials to be used where appropriate, e.g. native species of local provenance;

- f) Timetable for implementation demonstrating that works are aligned with the proposed phasing of development;
- g) Persons responsible for implementing the works; and
- h) Details of initial aftercare and long term maintenance and management.
- i) Details of provision of calcareous grassland on site as outlined in 7.8.3 of the applicant's Environmental Statement.

The Ecological Design Strategy shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

GROUND: In the interests of preserving and enhancing biodiversity and ecological potential, and to adequately integrate the development into the environment, in accordance with Policies QD02 and GI06 of the Thanet Local Plan and the National Planning Policy Framework.

32 Details pursuant to condition 1 above shall demonstrate compliance and alignment with the agreed Ecological Design Strategy as approved in condition 31.

GROUND: In the interests of preserving and enhancing biodiversity and ecological potential, and to adequately integrate the development into the environment, in accordance with Policies QD02 and GI06 of the Thanet Local Plan and the National Planning Policy Framework.

33 Prior to the commencement of each phase, or part thereof, a detailed outdoor lighting scheme shall be submitted to, and approved in writing by, the Local Planning Authority. The scheme shall include details of the type of lights, the orientation/angle of the luminaries, the spacing and height of lighting columns, the extent/levels of illumination over the site and on adjacent land and measures to contain light within the curtilage of the site. The lighting scheme submitted must demonstrate that the lighting design will accord with the details set out in sections 7.5.31, 7.5.32 and 7.5.33 of the Environmental Statement; Chapter 7 (Wardell Armstrong June 2020). The development shall be implemented in accordance with the approved scheme and thereafter maintained as agreed.

GROUND: In the interests of minimising light pollution, to safeguard the amenities of the locality and to mitigate the impact on biodiversity, in accordance with policy SE08 of the Thanet Local Plan and paragraph 175 of the National Planning Policy Framework.

34 Details pursuant to condition 1, insofar as they relate to each phase of development, shall include an explanation of how the proposed layout meets Secure by Design, in accordance with advice received from Kent Police.

GROUND: To ensure the proper development of the site without prejudice to the amenities of the occupants, in accordance with Thanet Local Plan Policies QD02 and QD03.

35 No phase of the development shall commence until details and samples of the materials to be used in the construction of the external surfaces of the development hereby permitted in that phase have been submitted to, and approved in writing by, the Local Planning Authority. The phase shall be carried out using the approved materials.

GROUND: In the interests of visual amenity in accordance with Policy QD02 of the Thanet Local Plan.

36 Details pursuant to condition 1 shall show no development on land identified as "Safeguarded land for potential future road" on plan no. CSA/4430/122 received 13th November 2020.

GROUND:

In the interests of safeguarding strategic routes for the provision of key road schemes, in accordance with Policy SP47 of the Thanet Local Plan.

37 All dwellings hereby permitted shall be provided with the ability for connection to Superfast Fibre Optic Broadband 'fibre to the premises', where there is adequate capacity.

GROUND: To serve the future occupants of the development in accordance with Thanet Local Plan Policy SP14 and the guidance within the National Planning Policy Framework.

38 Prior to the commencement of any highways works, a Parking Restriction Strategy, detailing the full extents of the proposed Traffic Regulation Order for double yellow lines on Hartsdown Road and the internal link road infrastructure, shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The Strategy shall be progressed through the applicant's best endeavours.

GROUND: In the interests of highway safety.

39 Prior to the occupation of any dwelling hereby approved, a final Travel Plan, to substantively accord with the Framework Travel Plan June 2020 by Icen Projects and a programme for implementation shall be submitted to and approved in writing by the Local Planning Authority. The agreed programme shall thereafter be implemented in full.

GROUND: To facilitate the use of alternative means of transport in accordance with Policy TP01, SP43 and the advice contained within the NPPF.

40 Details pursuant to condition 1 for the relevant phase adjacent to designated footpath TM14 shall show the footpath retained and identify access points onto and connection with pedestrian routes through the proposed development.

GROUND: To facilitate the use of alternative means of transport and retention and potential upgrading of TM14, in accordance with Thanet Local Plan

Policies TP03 and SP21 and guidance within the National Planning Policy Framework.

41 Prior to the occupation of any dwellings within each respective phase, a copy of a Homeowner information pack, setting out measures to encourage considerate pet ownership, minimising light spill and not causing excessive and extended noise, information on how residents can minimise their impact on the surrounding wildlife, such as breeding birds and providing information on the European designated sites in the locality and their significance, shall be submitted to and approved in writing by the Local Planning Authority. This as agreed shall be provided to occupiers of each new dwelling at the point of occupation.

GROUND:

To ensure satisfactory mitigation measures in accordance with Policy SP28 of the Thanet Local Plan, and guidance within the National Planning Policy Framework.

42 The development hereby permitted shall be constructed to a high standard of energy efficiency to the equivalent of Level 4 of the Code for Sustainable Homes unless otherwise agreed in writing with the Local Planning Authority.

GROUND:

All new buildings and conversions of existing buildings must be designed to reduce emissions of greenhouse gases and have resilience to function in a changing climate, in accordance with Policy QD01 of the Thanet Local Plan.

43 The development hereby permitted shall be constructed in order to meet the required technical standard for water efficiency of 110litres/person/day, thereby Part G2 Part 36 (2b) of Schedule 1 Regulation 36 to the Building Regulations 2010, as amended, applies.

GROUND

Thanet is within a water stress area as identified by the Environment Agency, and therefore new developments will be expected to meet the water efficiency optional requirement of 110litre /person/day, in accordance with Policy QD04 of the Thanet Local Plan.

44 The details to be submitted in pursuant of condition 1 above shall show all units in compliance with the Nationally Described Space Standards as set out within Policy QD04 of the Thanet Local Plan; and accessible and adaptable accommodation provided in accordance with Policy QD05 of the Thanet Local Plan.

GROUND:

To achieve high standards of living accommodation in accordance with Policies QD03, QD04 and QD05 of the Thanet Local Plan.'

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

It was proposed by Councillor Garner, seconded by Councillor Paul Moore and Members agreed that the application be deferred to officers and would be brought back before Members to consider reasons for refusal of the application.

## 5. **SCHEDULE OF PLANNING APPLICATIONS**

### (a) **A01 F/TH/21/0148 - 3 The Knot, 20 Beach Road, Westgate On Sea.**

PROPOSAL: Change of use of Microbrewery to flexible use comprising Education Facility F1(a), Medical Facility E(e) and Public House and Microbrewery (Sui Generis)

Mr Richards spoke in favour of the application.

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

‘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 and the approved drawings numbered 23106A\_511 Revision P1 (23/03/21), and 23106A/11 Revision C.

#### **GROUND**

To secure the proper development of the area.

3 No seating (tables, chairs or benches) associated with the Public House and Microbrewery premises shall be placed on the forecourt area to the front of the licensed premises at any time.

#### **GROUND**

In the interests of residential amenity in accordance with policy QD03 of the Thanet Local Plan.

4 No deliveries to the site associated with the Public House and Microbrewery premises shall be received outside of 09:00am to 17:00pm Monday to Friday.

#### **GROUND**

In the interests of residential amenity in accordance with policy QD03 of the Thanet Local Plan.

5 Prior to installation of any new plant and equipment associated with the brewing of alcohol in the basement of the sui generis use (drinking establishments), the occupant or operator shall provide the local planning authority with an operational plan. No installation of new plant and equipment shall commence until the operational plan has been agreed in writing by the local planning authority. The operational plan shall include information (but not limited to):

- a. A plan of the basement area with plant and equipment position shown
- b. List of equipment to be used in the brewing process and its sound power level.
- c. A noise management plan for plant and equipment. This is to include planned mitigation if it is identified as required.
- d. An odour management plan for the brewing equipment and process. This is to include planned mitigation if it is identified as required.

The development shall be carried out in full accordance with the agreed details:

**GROUND**

In the interests of residential amenity in accordance with policy QD03 of the Thanet Local Plan.

6 Prior to the commencement of the sui generis use hereby approved, a noise protection scheme shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented and maintained at all times thereafter.

**GROUND**

To minimise the disturbance of noise that could be caused to incoming occupiers of unit 4 from the adjoining 'Micro-pub' in accordance with Policy QD03 of the Thanet Local Plan and the advice contained within the NPPF

7 The use of the premises hereby approved shall not be used other than between the hours of 8am until Midnight Monday to Saturday and 10 am until 22.30pm on a Sunday.

**GROUND**

To safeguard the residential amenities currently enjoyed by the occupiers of nearby residential properties in accordance with Policy QD03 of the Thanet Local Plan.

8 The area shown on the approved plan numbered 23106A\_511 Rev P1 for vehicle parking and manoeuvring areas, shall be kept available for such use at all times and such land and access thereto shall be provided prior to the first occupation of the dwelling hereby permitted.

**GROUND**

To provide satisfactory off street parking for vehicles in accordance with Policy TP06 of the Thanet Local Plan and the advice contained within the NPPF.

9 Prior to the first use of the development, the secure cycle parking facilities, as shown on approved drawing no. 23106A\_511 Rev P1 shall be provided and thereafter maintained.

**GROUND**

To promote cycling as an alternative form of transport, in accordance with Policy TP03 and SP43 of the Thanet Local Plan.

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

(b) **A02 F/TH/21/0705 - Ellington Park, Ramsgate.**

PROPOSAL: Installation of floor mounted Air Source Heat Pump and protective surround to rear elevation of café.

It was proposed by Councillor Rusiecki, seconded by Councillor Hart and Members agreed:

‘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 23302A P02 Rev P2 and the manufacturers details received, 07 May 2021.

**GROUND;**

To secure the proper development of the area.’

(c) **A03 F/TH/20/1044 - 60 Northumberland Avenue, MARGATE**

PROPOSAL: Erection of a two storey 5 bed dwelling following demolition of existing bungalow.

It was proposed by Councillor Rusiecki, seconded by Councillor Hart and Members agreed:

‘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 drawings numbered 18.045-10A,

18.045-11A received 08 March 2021, 18.045.12B received 15 March 2021 and 18.045-13 received 22 February 2021.

**GROUND;**

To secure the proper development of the area.

3 The external materials and external finishes to be used in the development hereby approved shall accord with the proposed materials and external finishes as annotated and illustrated on the approved plan numbered 18.045-12B received 15 March 2021.

**GROUND**

To secure a satisfactory external treatment in the interests of visual amenity in accordance with Policy QD02 of the Thanet Local Plan and advice contained within the NPPF.

4 The first and second floor windows in the western rear elevation and the first floor window in the northern side elevation of the dwelling hereby approved shall be non-opening up to a height of 1.7m above internal finished floor level and provided and maintained with obscured glass to a minimum level of obscurity to conform to Pilkington Glass level 4 or equivalent and shall be installed prior to first occupation of the development hereby permitted and permanently retained thereafter.

**GROUND**

To safeguard the residential amenities currently enjoyed by the occupiers of nearby residential properties in accordance with Policy QD03 of the Thanet Local Plan.

5 No further enlargements or alterations to the dwellinghouse or erection of outbuildings whether approved by Class B, or E of 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 ensure a satisfactory external treatment, in the interests of the visual amenities of the locality and to safeguard the residential amenities currently enjoyed by the occupiers of nearby residential properties in accordance with Policies QD02 and QD03 of the Thanet Local Plan.

6 No further first floor windows shall be installed or inserted into the western elevation of the dwellinghouse whether approved by Class A of 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 residential amenities currently enjoyed by the occupiers of nearby residential properties in accordance with Policy QD03 of the Thanet Local Plan.'

(d) **A04 L/TH/21/0548 - Croquet Lawns, Royal Esplanade, RAMSGATE**

PROPOSAL: Application for Listed Building Consent for resurfacing of roof/promenade area of croquet club with asphalt following the removal of existing asphalt.

It was proposed by Councillor Rusiecki, seconded by Councillor Hart and Members agreed:

'THAT the officer's recommendation be adopted, namely:

That the application be APPROVED subject to the following conditions:

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

**GROUND;**

In pursuance of Section 18 of the Planning (Listed Buildings and Conservation Areas) 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 CR/21-22/107/01 and the Design, Access and Heritage, Statement received 22 April 2021.

**GROUND;**

To secure the proper development of the area.'

(e) **R05 F/TH/21/0312 - 14 St Johns Avenue, RAMSGATE**

PROPOSAL: Erection of 1No. two storey 2 bed dwelling with associated landscaping and erection of 1.5m high cycle store to rear.

It was proposed by Councillor Rusiecki, seconded by Councillor Hart and Members agreed:

'THAT the officer's recommendation be adopted, namely:

That the application be REFUSED for the following reasons:

1 The proposed development by virtue of its location, siting, layout, form, and relationship with numbers 13 and 14 St Johns Avenue, would be out of keeping with the predominant pattern and rhythm of development in this location, failing to relate to surrounding development and built form or to strengthen links to adjacent areas. It would have no active relationship with the primary street frontage, and fails to incorporate appropriate soft landscaping. Cumulatively these changes would result in inappropriate development, significantly harmful to the character and appearance of the area, and contrary to the aims of policy QD02 of the Thanet Local Plan and paragraphs 127 and 130 of the NPPF.

2 The proposed dwelling, by virtue of its two storey built form and relationship with the adjacent dwelling at No. 14 St Johns Avenue, would result in unacceptable changes to the window arrangement of the first floor front bedroom, adjacent to the area for development, reducing light and outlook. This is considered to be harmful to the amenities enjoyed by the occupiers thereof, contrary to the aims of policy QD03 of the Thanet Local Plan and paragraphs 117 and 127 of the NPPF.

3 The overall internal floorspace would be below the standards set out in policy QD04 of the Thanet Local Plan and the Nationally Described Space Standards. This

would result in a poor standard of accommodation, contrary to the aims of the above and paragraph 127 of the NPPF.

4 The proposed development would result in increased recreational pressure on the Thanet Coast and Sandwich Bay Special Protection Area (SPA), and Sandwich Bay and Hacklinge Marshes Site of Special Scientific Interest (SSSI), and in the absence of an acceptable form of mitigation to relieve the pressure, the proposed development would be contrary to paragraphs 170, 176 and 177 of the NPPF and the Habitats Directive.'

(f) **D06 F/TH/21/0144 - Land Rear of 4 to 10 Station Road, BIRCHINGTON.**

PROPOSAL: Erection of 2No two storey 3-bed semi-detached dwellings.

Ms Coles spoke in favour of the application.

Ms Brimm raised points of concern.

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

'That the application be DEFERRED AND DELEGATED for approval subject to a legal agreement securing SAMM, safeguarding conditions, the inclusion of a condition removing permitted development rights under Schedule 2 Part 1 Class F for hard surfaces for both dwellings, and the satisfactory completion of a unilateral undertaking within 6 months, securing the required planning obligations as set out in the report and 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 and the approved drawings numbered P01 Rev D (received 11/05/21), P02, P03, P04, P05 and P06 Rev B (received 11/05/21).

**GROUND**

To secure the proper development of the area.

3 Prior to the construction of the external surfaces of the development hereby approved samples of the materials, including flint panels, roof slates, brick work and sills to be used shall be submitted to, and approved in writing by, the Local Planning Authority. Development shall be carried out in accordance with the approved samples unless otherwise agreed in writing by the Local Planning Authority.

**GROUND**

In the interests of visual amenity in accordance with Policy QD02 of the Thanet Local Plan

4 Prior to the installation of any external windows and doors, joinery details at an appropriate scale of the windows and doors shall be submitted to and approved in

writing by the Local Planning Authority. Such details as are approved shall be carried out concurrently with the development and fully implemented prior to the first occupation of any part of the approved development.

**GROUND**

To secure a satisfactory external treatment and to safeguard the special character and appearance of the designated heritage asset in accordance with advice contained within the National Planning Policy Framework.

5 Prior to the installation of the rainwater goods, details including the material and a sectional profile shall be submitted to and approved in writing by the Local Planning Authority. The rainwater goods shall be installed in accordance with the approved details.

**GROUND**

To secure a satisfactory external treatment and to safeguard the special character and appearance of the designated heritage asset in accordance with advice contained within the National Planning Policy Framework.

6 No development shall take place until details of the means of foul drainage 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 protect the district's groundwater, in accordance with Policy SE04 of the Thanet Local Plan, and the advice contained within the National Planning Policy Framework.

7 Prior to the first occupation of the 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 QD02 and GI04 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 first 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.

**GROUND**

In the interests of the visual amenities of the area, neighbour amenity and to adequately integrate the development into the environment in accordance with Policies QD02 and GI04 of the Thanet Local Plan

9 Prior to the commencement of development hereby approved a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority, to include the following:

- (a) Routing of construction and delivery vehicles to / from site
- (b) Parking and turning areas for construction and delivery vehicles and site personnel
- (c) Timing of deliveries
- (d) Provision of wheel washing facilities
- (e) Temporary traffic management / signage

The development shall be carried out in accordance with the details as agreed.

#### **GROUND**

In the interests of highway safety and neighbouring amenity, in accordance with Policy QD03 of the Thanet Local Plan and the advice contained within the NPPF.

10 Prior to the construction of the development a highway condition survey for highway access routes shall be undertaken and submitted to the Local Planning Authority. Following the construction of the development, a further highway condition surveys for highway access routes shall be undertaken and submitted to the Local Planning Authority with full details of works to rectify any damage caused by construction vehicles related to the development. The works as agreed shall be carried out prior to the first occupation of the dwellings hereby approved.

#### **GROUND**

In the interests of highway safety, in accordance with Policy TP06 of the Thanet Local Plan and the advice contained within the NPPF.

11 Provision and permanent retention of the cycle parking facilities shown on the submitted plans prior to the first occupation of the dwellings hereby approved.

#### **GROUND**

To promote cycling as an alternative form of transport, in accordance with Policy TP03 and SP43 of the Thanet Local Plan.

12 No further hardstandings (other than shown on the approved plans) whether approved by Schedule 2 Part 1 Class F of 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**

In the interests of highway safety, in accordance with Policy TP06 of the Thanet Local Plan and the advice contained within the NPPF.

13 Prior to the commencement of development, a non-native species plan will be submitted to, and approved by, local planning authority. The plan will detail the containment, control and removal of the non-native species identified in the Preliminary Ecological Appraisal (Native Ecology July 2020). The measures shall be carried out in accordance with the approved plan.

#### **GROUND**

To protect against invasive species and in the interest of improving biodiversity in accordance with Policy SP30 of the Thanet Local Plan, and the advice as contained within the National Planning Policy Framework.

14 From the commencement of works (including site clearance), all precautionary mitigation measures for hedgehogs will be implemented in accordance with the details contained in sections 9.6 and 9.7 of the Preliminary Ecological Appraisal (Native Ecology July 2020).

**GROUND**

In order to safeguard protected species that may be present, in accordance with Policy SP30 of the Thanet Local Plan and advice as contained within the NPPF.

15 Within six months of works commencing, details of how the development will enhance biodiversity will be submitted to, and approved in writing by, the local planning authority. This will include recommendations in section of the Preliminary Ecological Appraisal (Native Ecology July 2020). The approved details will be implemented and thereafter retained.

**GROUND**

In the interests of the visual amenities of the area and to make a positive contribution to biodiversity, in accordance with Policies QD02 and SP30 of the Thanet Local Plan, and the advice as contained within the NPPF.

16 The glazing to be installed in the windows of bedroom 3 of unit 1 shall be fitted with acoustic glazing (or other agreed type) and acoustic trickle vents. These measures should be maintained for the life of the development.

**GROUND**

To safeguard the residential amenities in accordance with Policy QD03 of the Thanet Local Plan.

17 The development hereby permitted shall be constructed to a high standard of energy efficiency to the equivalent of Level 4 of the Code for Sustainable Homes.

**GROUND**

All new buildings and conversions of existing buildings must be designed to reduce emissions of greenhouse gases and have resilience to function in a changing climate, in accordance with Policy QD01 of the Thanet Local Plan.

18 The development hereby permitted shall be constructed in order to meet the required technical standard for water efficiency of 110litres/person/day, thereby Part G2 Part 36 (2b) of Schedule 1 Regulation 36 to the Building Regulations 2010, as amended, applies.

**GROUND**

Thanet is within a water stress area as identified by the Environment Agency, and therefore new developments will be expected to meet the water efficiency optional requirement of 110litre /person/day, in accordance with Policy QD04 of the Thanet Local Plan.

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

Meeting concluded: 9.30pm