

Planning Committee

Minutes of the meeting held on 15 September 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, Garner, Hart, Hopkinson, Keen, Pat Moore, Paul Moore, Rusiecki, Wing and Currie

In Attendance: Councillor Shonk

1. **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Albon for whom Councillor Currie was present as a substitute.

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 18 August 2021 be approved and signed by the Chairman.

4. **SCHEDULE OF PLANNING APPLICATIONS**

(a) **A01 F/TH/21/1087 - Garden Centre, Montefiore Avenue, RAMSGATE.**

PROPOSAL: Erection of warehouse building and canopy.

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 development hereby approved shall be carried out in accordance with the submitted drawings numbered A-PL-010 Rev P03, A-PL-011 Rev P03, A-PL-012 Rev P04, A-PL-013 Rev P02, and A-PL-014 Rev P02 received 08 July 2021.

GROUND;

To secure the proper development of the area.

3 The use of the premises hereby approved shall not be used other than between the hours of 0700 and 1800 Monday to 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.

4 There shall be no servicing of the building, no goods shall be loaded or deposited and no delivery vehicles shall arrive, depart, be loaded or unloaded, within the application site other than between the hours of 0700 and 1800 Monday to Sunday.

GROUND;

In the interests of the residential amenities of the occupiers of surrounding dwellings in accordance with Policy QD03 of the Thanet Local Plan and the advice contained within the NPPF.

5 Prior to the installation of any external lighting, full details of the external lighting, including their fittings, illumination levels and spread of light shall be submitted to, and approved in writing by, the Local Planning Authority. The lighting installation shall then be carried out in accordance with the approved details.

GROUND

To ensure that light pollution is minimised in the interest of the visual and residential amenities of the area, in accordance with Policy SE08 of the Thanet Local Plan.

6 The use of the warehouse and canopy, hereby approved, shall be limited to purposes associated with and ancillary to the existing Ramsgate Garden Centre and shall at no time be used for independent business or commercial purposes.

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.'

Following the debate, the motion was withdrawn.

It was proposed by Councillor Hopkinson and seconded by Councillor Pat Moore that Members attend a SITE VISIT.

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

(b) **A02 F/TH/21/0817 - Upton County Primary School, Edge End Road, BROADSTAIRS.**

PROPOSAL: Erection of new sports hall following demolition of existing sports hall

Mr Pester spoke in favour of the application.

Mr McCulloch raised points of concern.

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 development hereby approved shall be carried out in accordance with the submitted drawings numbered 2005-MEB-XX-00-DR-A-3-100 Rev B, 2005-MEB-XX-00-DR-A-3-102 Rev G, 2005-MEB-XX-00-DR-A-3-103 Rev B, 2005-MEB-XX-00-DR-A-3-302 Rev D, 2005-MEB-XX-00-DR-A-3-303 Rev A (notwithstanding the incorrect annotation RAL5003), 2005-MEB-XX-00-DR-A-3-305 Rev B received 28 July 2021; the air conditioning specification documents received 2nd August 2021; and the new pitch layout details, received 23rd August 2021.

GROUND;

To secure the proper development of the area.

3 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 in accordance with Policy HE01 of the Thanet Local Plan and the advice contained within the National Planning Policy Framework.

4 Prior to the commencement of any development on site details to include the following shall be submitted to and approved by the Local Planning Authority and should be carried out in accordance with the approved details.

- (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 (these will need to avoid school drop-off and pick-up periods)
- (d) Provision of wheel washing facilities
- (e) Temporary traffic management / signage
- (f) Measures to control noise affecting nearby residents
- (g) Dust control measures
- (h) Access arrangements

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.

5 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 the surface water drainage system and prepared by a suitably competent person, has been submitted to and approved by the Local Planning Authority. The Report shall demonstrate the suitable modelled operation of the drainage system where the system constructed is different to that approved. The Report shall contain information and evidence (including photographs) of details and locations of inlets, outlets and control structures; landscape plans; full as built drawings; information pertinent to the installation of those items identified on the critical drainage assets drawing; and, the submission of an operation and maintenance manual for the sustainable drainage scheme as constructed.

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.

6 Within 3 months of works commencing a plan demonstrating what ecological enhancements will be incorporated into the site must be submitted to the LPA for written approval. The plan must be implemented as approved. This shall also include details of three replacement trees, their species, and location, as agreed in writing by the applicant's agent.

GROUND;

In accordance with the requirements of the National Planning Policy Framework and policies SP30 and QD02 of the Thanet Local Plan.

7 Prior to the first use of the building hereby approved, a sound limiting device shall be installed. All live and recorded music must be played through the sound limiter. The overall Music Noise Level (Leq 5mins) must not exceed 10dB below the Background Noise Level (LA90) without the Music Noise Level present, in each octave band at the nearest noise sensitive location. This shall be maintained for the lifetime of the development unless otherwise agreed in writing by 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.

8 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 2012 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;

To protect existing trees and to adequately integrate the development into the environment, in accordance with Thanet Local Plan Policy QD02.

9 Prior to the first use of the sports hall hereby permitted, the affected football pitch shall be re-provided on a west/east axis, with a minimum 3m clear safety run off area from all perimeter lines, in accordance with the submitted pitch run-off plan received 23rd August 2021.

GROUND;

To ensure that there is no loss of playing pitches as a result of the development in accordance with Policy GI05 of the Thanet Local Plan.

10 All external lighting on the building hereby approved shall be turned off when the building is not in use. Where this is not possible motion-sensored lighting shall be used, unless otherwise agreed in writing by the Local Planning Authority.

GROUND;

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

11 The building hereby approved shall not be used other than between the hours of 08:00AM and 16:15PM by the School Monday to Friday during term time, 16:30pm and 22:00PM by the community Monday to Friday during term time, 09:00AM to 22:00PM Monday to Friday during school holidays, and 08:00AM and 22:00PM Saturdays and bank holidays, and 09:00AM and 20:00PM on Sundays.

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.

12 During periods of hire, the existing school car park shall be made available for all attendees and parties using the hall hereby approved and shall be available during for the duration of the use.

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, and to ensure no additional parking pressure in the surrounding area.'

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

(c) **A03 F/TH/21/0952 - Boat Park, East Cliff Promenade, BROADSTAIRS**

PROPOSAL: Change of use of land to storage of boats in association with 1st St Peters-in-Thanet Sea Scouts, stationing of two storage containers for associated maintenance tools and wet kits and erection of boundary fence and gates.

Ms Scott 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 drawing numbered 210330-L-001.

GROUND

To secure the proper development of the area.

3 Prior to the siting of the storage containers hereby approved, the RAL number for the colour of the containers shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

GROUND

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

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

(d) **D04 F/TH/20/0842 - Seagulls Cliff Promenade, BROADSTAIRS.**

PROPOSAL: Erection of a three storey building containing 8no. 2-bed self-contained flats with underground parking, following demolition of existing dwelling.

Mr Brown spoke in favour of the application.

Ms Lipington 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 the satisfactory completion of 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 343-02 Rev E (received 11/05/21), 343-03 Rev C (received 01/02/21), 343-04 Rev C (received 01/02/21), 343-05 Rev B (received 11/11/20), 343-06 Rev E (received 11/05/21), 343-07 Rev E (11/05/21) and 343-10 Rev A.

GROUND;

To secure the proper development of the area.

3 Prior to the first occupation of the development hereby permitted details of the cycle parking, which shall be in the form of covered and secure parking shelter shall be submitted to and approved in writing by the Local Planning Authority.

GROUND;

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

4 The vehicular access gates hereby permitted shall open away from the highway and be set back to a minimum of 6 metres from the edge of the highway.

GROUND;

In the interests of highway safety, in accordance with the advice contained within the NPPF.

5 The area shown on the approved plan numbered 343-02 Rev E 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

6 The development hereby approved shall incorporate a bound surface material for the first 5 metres of the access from the edge of the highway.

GROUND;

In the interests of highway safety, in accordance with the advice contained within the NPPF.

7 The first floor bathroom and utility store room windows in the north and south elevation and second floor dining/lounge window in the south elevation of the building hereby approved shall be 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.

8 Prior to the first use of the roof terrace/balcony area that serves unit 8 hereby permitted, a privacy screen to the rear of a minimum height of 1.8m shall be installed along the west side, and thereafter maintained.

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.

9 Prior to the first occupation of the 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 (including refuse storage)

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

10 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 and to adequately integrate the development into the environment in accordance with Policies QD02 and GI04 of the Thanet Local Plan

11 Prior to the installation of any external lighting a "lighting design strategy for biodiversity" for the site boundaries has been submitted to and approved in writing by the local planning authority. The lighting strategy shall

- a) Identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory;
- b) Show how and where external lighting will be installed so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory.
- c) Details of the types of lighting to be used including their fittings, illumination levels and spread of light (to follow the recommendations within the Bats and artificial lighting in the UK document produced by the Bat Conservation Trust and Institution of Lighting Professionals).

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy and these shall be maintained thereafter in accordance with the strategy.

GROUND;

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

12 Prior to the commencement of any development on site details to include the following shall be submitted to and approved by the Local Planning Authority and should be carried out in accordance with the approved details.

- (a) Parking and turning areas for construction and delivery vehicles and site personnel
- (b) Timing of deliveries
- (c) Measures to control noise affecting nearby residents
- (d) Dust control measures
- (e) Access arrangements

GROUND;

In the interests of highway safety and neighbouring amenity, in accordance with Policies QD03 and SP30 of the Thanet Local Plan and the advice contained within the NPPF.

13 Within 1 month of the development being occupied details shall be submitted to the Local Planning Authority, for written approval, assessing the impact of the adjacent Roadside Nature Reserve and providing full details of any restoration works that are required due to the construction works. Where restoration works are required they must be completed in full accordance with details agreed within 3 months of the submission of the letter.

GROUND;

In the interests of biodiversity, in accordance with Policy SP30 of the Thanet Local Plan and the advice contained within the NPPF.

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

GROUND;

To protect the district's groundwater, and to ensure the development is served by satisfactory arrangements for the disposal of surface water, in accordance with Policies SE04 and CC02 of the Thanet Local Plan and advice contained within the NPPF.

15 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 been submitted to and approved 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 by the Local Planning Authority.

GROUND;

To ensure appropriate assessment of the archaeological implications of any development proposals and the subsequent mitigation of adverse impacts through preservation in situ or by record.

16 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 by 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.

17 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 LOST.

It was then proposed by Councillor Garner and seconded by Councillor Crittenden that:

'the application be deferred to officers to seek further information in regard to the impact on the cliff regarding stability as a result of the proposed excavation, and potential cliff erosion, and report back to members'

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

(e) **D05 F/TH/21/0384 - Old Moorings, Grenham Bay Avenue, BIRCHINGTON.**

PROPOSAL: Erection of a 1 storey 1 bed detached dwelling with basement level following demolition of the existing garages.

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

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

That the application be DEFERRED AND DELEGATED for approval subject to the satisfactory completion of 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 development hereby approved shall be carried out in accordance with the amended drawings numbered Floor Plans, Elevations, Cross Section 2 received 19th July 2021, and the site plan received 1st April 2021.

GROUND:

To secure the proper development of the area.

3 No development excluding demolition of the existing garages on site shall take place until details of the means of foul water disposal for the new dwelling, and the measures to divert the public sewer on the site to accommodate the construction of the dwelling if required, 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 and to ensure the development is served by satisfactory arrangements for the disposal of foul water, without impacting detrimentally on the existing drainage network, in accordance with Policy SE01 of the Thanet Local Plan and paragraph 130 contained within the National Planning Policy Framework.

4 The area shown on the approved plans 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 National Planning Policy Framework.

5 Prior to the commencement of any development on site, a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Construction Management Plan shall include the following details:

- (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
- (f) Measures to control noise affecting nearby residents
- (g) Dust control measures
- (h) Access arrangements
- (i) Hours of construction

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.

6 Prior to the construction of the external surfaces of the development hereby approved details of the materials 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 details 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.'

Meeting concluded: 8.40 pm