

Planning Committee

Minutes of the meeting held on 16 August 2023 at 7.00 pm in Council Chamber, Council Offices, Cecil Street, Margate, Kent.

Present: Councillor Helen Crittenden (Chair); Councillors J. Bright, Albon, J Bayford, Boyd, Driver, Garner, Keen, Makinson, Matterface, Paul Moore, Rusiecki and Wing

In

Attendance: Councillors Austin, Bambridge and K. Bright

1. **APOLOGIES FOR ABSENCE**

Apologies were received from Councillor Dennis and Councillor Rattigan who was substituted by Councillor Wright.

2. **DECLARATIONS OF INTEREST**

There were no declarations of interest.

3. **MINUTES OF PREVIOUS MEETING**

Councillor Keen proposed, Councillor Matterface seconded and Members agreed that the minutes of the meeting held on 19 July 2023 be approved as a correct record.

4. **SCHEDULE OF PLANNING APPLICATIONS**

The Chair informed Committee Members that any site visits would take place on the morning of 1 September 2023.

(a) **A01 F/TH/23/0502 - 6-6A Luton Avenue, Broadstairs**

PROPOSAL: Change of Use from Assisted Living home (+ 55 year olds) with no living-in staff Home (Class C3) to a 16 bed House in Multiple Occupation (HMO) (Sui Generis).

Mr Michael spoke in favour of the application.

Mr Wilkinson spoke against the application.

Councillor K. Bright spoke against the application under Council 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 approved subject to the following conditions:

1. The proposed development shall be carried out in accordance with the submitted application and the approved drawings numbered TMC 002A, TMC 005A, TMC 006, LA/21/7/1.

GROUND:

To secure the proper development of the area.

2. No more than sixteen persons shall occupy the property as principal or main residence at any one time.

GROUND:

In the interests of neighbouring amenity, in accordance with Policy QD02 and HO19 of the Thanet Local Plan.

3. Within one month of the date of the decision, the cycle storage facilities as shown on approved drawings no. TMC 002A and LA/21/7/1 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.

4. At no time shall the rear garden to the property be used for the parking of vehicles.

GROUND:

In the interests of neighbouring amenity, in accordance with Policy QD02 and HO19 of the Thanet Local Plan.

5. Within one month of the date of the decision, the refuse storage facilities as shown on approved drawing no. TMC 002A shall be provided 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.

6. Within three months of the date of the decision, 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;
 - The timetable for implementation of the works;

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

All hard and soft landscape works, shall be carried out in accordance with the approved details.

Following completion of the landscape works, photographic evidence of implementation shall be submitted to and approved in writing by the Local Planning Authority in order to verify the works have been completed in accordance with the approved plans, and to enable the full discharge of this condition. 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 as those originally planted, unless written approval to any variation is provided 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.

7. Within one month of the decision date, a plan shall be submitted for the written approval of the Local Planning Authority indicating the height, design and materials of the boundary treatment to the side of no.6A adjacent to the fire exit to be erected, and a timetable for implementation. The boundary treatment shall be constructed in accordance with the approved details and thereafter maintained.

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. A landscape management plan (including long term design objectives), management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned, domestic gardens, shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development or any phase of the development, whichever is the sooner, for its approved use. The amenity areas shall be managed in accordance with the approved landscape management plan in perpetuity.

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.

9. The ground floor side elevation fire escape door shall be fitted with a mechanism to only allow opening in the event of activation of the fire alarm, details of which shall be submitted for the written approval of the Local Planning Authority within one month of the decision, to also include a timetable for installation. The mechanism shall be fitted in accordance with the approved details and maintained in good working

order, with the door to be only used in the event of an emergency and at no other time.

GROUND:

In the interests of the amenities of the locality and the living conditions of the neighbouring property, in accordance with the principles of the NPPF and Policy QD02 of the Thanet Local Plan.

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

It was proposed by Councillor Albon, seconded by Councillor Garner and agreed upon by Members, that:

The proposed change of use, by virtue of the increased activity from the users of the HMO, would result in a detrimental increase in noise and disturbance to the neighbouring residential properties, causing significant harm to the living amenity of the occupiers and character of the area, contrary to policies HO19 and QD03 of the Thanet Local Plan, Policy BSP9 of the Broadstairs and St Peter's Neighbourhood Plan and paragraph 130 of the National Planning Policy Framework.

(b) **A02 F/TH/23/0080 - Winter Gardens, Fort Crescent, Margate**

PROPOSAL: Temporary installation of metal security screens to external openings and metal fencing to public access points (retrospective application).

It was proposed by Councillor Albon, seconded by Councillor Bayford and Members AGREED that:

THAT the officer's recommendation be adopted, namely:

That the application be approved subject to the following conditions:

1. At the expiration of the date 16th August 2026, unless further permission has been granted, the temporary fencing works and shutters hereby approved shall be removed, and the land/building restored to its former condition.

GROUND:

In view of the temporary nature of the proposal in accordance with policies SP36 and HE02 of the Thanet Local Plan and paragraphs 127 and 196 of the NPPF.

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

(c) **A03 L/TH/23/0079 - Winter Gardens, Fort Crescent, Margate**

PROPOSAL: Application for Listed Building Consent for the temporary installation of security screens and fencing (retrospective application).

It was proposed by Councillor Albon, seconded by Councillor Bayford and Members AGREED that:

THAT the officer's recommendation be adopted, namely:

That the application be approved subject to the following conditions:

1. At the expiration of the date 16th August 2026, unless further permission has been granted, the temporary fencing works and shutters hereby approved shall be removed, and the land/building restored to its former condition.

GROUND:

In view of the temporary nature of the proposal in accordance with policies SP36 and HE03 of the Thanet Local Plan and paragraphs 127 and 196 of the NPPF.

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

- (d) **A04 L/TH/23/0700 - Ramsgate Bowling Club, Blowing Greens, Royal Esplanade**

PROPOSAL: Application for Listed Building Consent for resurfacing of promenade and steps of Ramsgate Bowling Club with asphalt following the removal of existing asphalt, replace missing balusters and repair cracks.

It was proposed by Councillor Albon, seconded by Councillor Bayford and Members AGREED that:

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).

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

- (e) **R05 F/TH/23/0239 - 45-45A York Street, Broadstairs**

PROPOSAL: Erection of extract system / flue with free standing bamboo screening to the north and eastern edges of the roof extension and regularise existing handrail (part retrospective).

Councillor Bambridge spoke in favour of the application under Council Rule 20.1.

Councillor K. Bright spoke against the application under Council 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 refused for the following reasons:

1. The extraction system by virtue of its size and prominent sitting is an unduly disruptive, obtrusive and incongruous feature unrelated to and out of keeping with the established the street scene, to the detriment of the character and visual amenities of the Broadstairs Conservation Area and detrimental to the visual amenities enjoyed by the occupiers adjoining properties, contrary to Policies SP35, HE02 and QD02 of the Thanet Local Plan and paragraph 197 of the National Planning Policy Framework.

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

(f) **R06 F/TH/23/0492 - 22 Grosvenor Road, Broadstairs**

PROPOSAL: Erection of pitched roof front extensions with alterations to fenestration to provide first floor storage.

Mr Beaumont 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 refused for the following reasons:

1. The proposed development, by virtue of its design, height and overall scale, would appear unduly dominant and discordant, and an isolated feature within the street scene that appears out of keeping with the adjacent low-rise garage buildings to the south, whilst detracting from and obscuring views of the adjacent historic flint church. The contribution the enlarged storage building would make to the economic needs of the area does not outweigh the severe visual harm to the street scene and surrounding character and appearance of the area (as a result of the materially diminished proposal), contrary to the requirements of Thanet Local Plan Policies SP04 and QD02, Policy BSP9 of the Broadstairs and St Peter's Neighbourhood Plan and paragraphs 130 and 135 of the National Planning Policy Framework.

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

It was proposed by Councillor Bayford, seconded by Councillor Garner and agreed upon by Members, that:

Approve as the benefits of further expansion of the storage business is considered to outweigh the impact on the character and appearance of the area, subject to safeguarding conditions including samples of material.

(g) **R07 F/TH/23/0782 - Kiosk at Royal Victoria Pavillion, Harbour Parade, Ramsgate**

PROPOSAL: Erection of a single storey kiosk for the sale of food and drink, with associated seating following removal of existing.

It was proposed by Councillor Albon, seconded by Councillor Bayford and Members AGREED that:

THAT the officer's recommendation be adopted, namely:

That the application be refused for the following reasons:

1. The proposed kiosk by virtue of its prominent location, design, proximity to and relationship with the grade II listed Obelisk, is considered to result in an awkward and incongruous form of development, unrelated and incompatible with surrounding built form and representing poor design, that would compete with and detract from the significance of the listed buildings and the Ramsgate Conservation Area, resulting in significant harm to the special character, appearance and historic interest of these designated buildings and area. This harm is not outweighed by the public benefits of the proposal, and the proposal is therefore contrary to policies HE02, HE03, QD02, SP35 and SP36 of the Thanet Local Plan and paragraphs 130, 134, 199, 200 and 202 of the National Planning Policy Framework.

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

(h) **D08 F/TH/22/0769 - The Royal, 51 Harbour Parade, Ramsgate**

PROPOSAL: Change of use of existing public house (sui generis) to commercial unit (Class E), partial demolition of existing building and erection of five-storey side extension with recessed balconies, single storey roof extension and roof terrace and new three-storey building to rear to provide 8no. new apartments (2no 1 bed and 8no 2 bed), and rearrangement of 2no. existing apartments.

Councillor Austin spoke against the application under Council 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 the receipt of a satisfactory signed legal agreement to secure the contributions towards the SAMM project within 6 months 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 and the approved drawings numbered 08740-LEP-ZZ-ZZ-DR-A-00220 Revision P03 (received 19/05/23), 08740-LEP-ZZ-ZZ-DR-A-00221 Revision P02 (received 10/03/23), 08740-LEP-ZZ-ZZ-DR-A-00222 Revision P02 (received 10/03/23), 08740-LEP-ZZ-ZZ-DR-A-00230 Revision P01 (received 02/08/23) and 08740-LEP-ZZ-ZZ-DR-A-00215 Revision P02 (received 10/03/23).

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 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:

To safeguard the special character and appearance of the area as a Conservation Area in accordance with Policy HE02 of the Thanet Local Plan and the advice as contained within the NPPF.

4. All new window and door openings shall be set within a reveal of not less than 100mm.

GROUND:

To safeguard the special character and appearance of the area as a Conservation Area in accordance with Policy HE02 of the Thanet Local Plan and the advice as contained within the NPPF.

5. Prior to the first occupation of the residential development, the secure cycle parking facilities, as shown on approved drawing no. 08740-LEP-ZZ-ZZ-DR-A-00220 Revision P03 (received 19/05/23) 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.

6. The kitchen/living room window (apartment 6) in the rear elevation of the main 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.

7. Prior to the first use of the roof terrace hereby permitted, privacy screens of a minimum height of 1.8m shall be installed along the northeast side of the roof terrace to apartment 3, as shown on the approved plan numbered 08740-LEP-ZZ-ZZ-DR-A-00230 Revision P03 (received 02/08/23) 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.

8. Prior to the first occupation of the residential apartment a verification report demonstrating compliance with the recommendations in the Noise Impact Assessment (ENS 16th June 2022) shall be submitted to and approved by the Local Planning Authority. The assessment shall be submitted for written approval of the Local Planning Authority and all works which form part of the approved scheme shall thereafter be implemented 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 residential apartment details of a mechanical ventilation system, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details and shall be 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.

10. Prior to the first occupation of units 1 or 2 details of the low level planters and gates within the courtyard as shown on drawing 08740-LEP-ZZ-ZZ-DR-A-00220 Revision P03 (received 19/05/23) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details and shall be retained thereafter.

GROUND:

To safeguard the residential amenities of future occupiers of the development in accordance with Policy QD04 of the Thanet Local Plan.

11. 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.

12. The development hereby permitted shall be constructed in order to meet the required technical standard for water efficiency of 110 litres / 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 110 litres / person / day, in accordance with Policy QD04 of the Thanet Local Plan.

13. Prior to the installation of balustrades within the south east (front) elevation, at first and second floors their detailed design at a scale of 1:20 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 policy HE02 of the Thanet Local Plan and advice contained within the National Planning Policy Framework.

14. No demolition or development shall commence until a method statement setting out the details and specifications of works to safeguard the Royal Sailors Rest building (in particular its side elevation), throughout construction, have been submitted to and, agreed in writing, by the Local Planning Authority. The development shall be constructed in accordance with the approved details.

GROUND:

To preserve the character of the Grade II Listed structure attached to the application site in accordance with Policy HE03 of the Thanet Local Plan and the advice contained within the National Planning Policy Framework.

15. Prior to the installation of the rainwater goods, details including the material and a sectional profile and connection with the existing built

form 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 Policy HE02 of the Thanet Local Plan and advice contained within the National Planning Policy Framework.

16. Prior to the commencement of the development, including any demolition, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The Construction Environmental Management Plan shall be in accordance with BS5228-1:2009+A1:2014: Code of Practice for Noise and Vibration on Construction and Open Sites and IAQM Guidance on the Assessment of dust from demolition and construction 2014; the Plan shall include mitigation measures. The management plan shall also 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
 - (f) Measures to control noise affecting nearby residents
 - (g) Dust control measures
 - (h) Access arrangements

The development should be carried out in accordance with the approved details.

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 National Planning Policy Framework.

17. The doors to the bin store shall not open outwards over the highway.

GROUND:

In the interests of highway safety.

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

Meeting concluded: 9:22PM