

Planning Committee

Minutes of the meeting held on 13 March 2024 at 7.00 pm in Council Chamber, Council Offices, Cecil Street, Margate, Kent.

Present: Councillor Helen Crittenden (Chair); Councillors Bright, J Bayford, Boyd, Dennis, Garner, Keen, Makinson, Matterface, Paul Moore, Rattigan and Wing

In Attendance: Councillor Munns

1. **APOLOGIES FOR ABSENCE**

Apologies were received from Councillors Albon and Ruscecki.

2. **DECLARATIONS OF INTEREST**

Councillor Garner informed the Committee of his intention to remove himself from consideration of Item 4B (A02 F/TH/23/1234 - 38 Effingham Street, Ramsgate), so that he could give Councillors a report on the behalf of Councillor Austin under Council Rule 20.1.

3. **MINUTES OF PREVIOUS MEETING**

Councillor Keen proposed, Councillor Bright seconded and Members agreed that the minutes of the meeting held on 14 February 2024 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 5 April 2024.

(a) **A01 F/TH/23/1359 - Domus (Formerly Plot 10 of Land Adjacent to Clifftop) North Foreland Avenue, Broadstairs**

PROPOSAL: Erection of four storey 5 bed detached dwelling (part retrospective)

Mr Clark-Smith spoke against 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 development hereby approved shall be carried out in accordance with the submitted drawings numbered 19-004-45D, 19-004-46F, 47A and 49.

GROUND:

To secure the proper development of the area.

3. 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 DEFRA and Environment Agency document Model Procedures for the Management of Land Contamination (Contamination Report 11) and National Planning Policy Framework.

4. The construction of the development hereby permitted shall incorporate measures to prevent the discharge of surface water onto the highway.

GROUND:

In the interests of highway safety.

5. 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:

In the interests of highway safety.

6. Prior to the first occupation of the development hereby approved visibility splays of 2.4 by 25m shall be provided to the access on to North Foreland Avenue with no obstructions over 0.6m above carriageway level within the splays, which shall thereafter be maintained.

GROUND:

In the interests of highway safety.

7. 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.

8. 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 Policies QD03 and SE08 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:
 - 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.

Ecological Enhancements 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. 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 SP30 and QD02 of the Thanet Local Plan.

10. 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.

11. 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.

12. 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.

GROUND:

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

13. The first floor windows in the northern and southern elevations hereby approved shall be provided with non-opening obscured glass to a minimum level of obscurity to conform to Pilkington Glass level 4 or equivalent and the second floor lounge window in the northern elevation shall be provided with obscured glass to a minimum level of obscurity to conform to Pilkington Glass level 4 or equivalent. All windows shall be installed as detailed in this condition prior to first occupation of the development hereby permitted and permanently retained thereafter.

GROUND:

To safeguard the privacy and amenities currently enjoyed by the occupiers of adjoining residential properties in accordance with policy QD03 of the Thanet Local Plan.

14. Prior to the occupation of the development hereby permitted the privacy screens shown on the approved plans 45C and 46E shall be installed and thereafter permanently retained.

GROUND:

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

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

Councillor Keen proposed and Councillor Matterface seconded:

That the item be deferred back to officers to seek amendments to the first floor balcony side walls, to obscure glazed screening and for the item to be brought back to Councillors for decision at a later date.

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

Following the conclusion of this item, Councillor Garner removed himself from Committee to sit in the area reserved for Council Rule 20.1.

(b) **A02 F/TH/23/1234 - 38 Effingham Street, Ramsgate**

PROPOSAL: Change of use from residential dwelling (Use Class C3) to 6-bed HMO (Use Class C4) together with bin store and cycle storage.

Mr Simms spoke in favour of the application.

Councillor Garner spoke on the behalf of Councillor Austin 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 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 P2010, P2011 and P2110, received 22 December 2023.

GROUND:

To secure the proper development of the area.

3. No more than six 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.

4. The refuse storage facilities as specified upon the approved drawing numbered P2010 received 22 December 2023 shall be provided prior to the first occupation of the HMO hereby approved and shall be kept available for that use at all times.

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. Prior to the first occupation of the HMO hereby approved, the secure cycle parking facilities within the basement, as shown on approved drawing numbered P2010 received 22 December 2023, 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 **LOST**.

Councillor Moore proposed and Councillor Matterface seconded, that:

The item be deferred back to officers to seek amendments to reduce the number of bedrooms by one to increase communal space and for the item to be brought back at a later date to Councillors for decision.

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

Following the decision of this item, Councillor Garner left the seating area reserved for Council Rule 20.1 and returned to the Committee.

(c) **A03 F/TH/23/1618 - Unit 8 Land North of Spitfire Way and East of Columbus Avenue, Ramsgate**

PROPOSAL: Change of use from light industrial (use class B2) to Ambulance Community Response Post unit (sui generis) together with proposed first floor mezzanine and alterations to fenestration.

It was proposed by Councillor Bayford and seconded by Councillor Keen:

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 020, 021 Revision A (proposed) and 024 Revision A.

GROUND:

To secure the proper development of the area.

3. The area shown on the drawing number 020; as vehicle parking space shall be provided before the use is commenced or the premises occupied, and shall be retained for the use of the occupiers of, and visitors to, the development.

GROUND:

Development without provision of adequate accommodation for the parking of vehicles is likely to lead to parking inconvenient to other road users.

4. The premises shall be used for the purpose of an Ambulance Community Response Post and for no other purpose.

GROUND:

In recognition of the terms of the application and in the interests of safeguarding the business park.

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

(d) **A04 F/TH/24/0007 - Staner Court, Manston Road, Ramsgate**

PROPOSAL: Installation of external wall insulation, erection of roof screen, alterations to windows , doors and existing balconies, together with external and internal alterations.

It was proposed by Councillor Bayford and seconded by Councillor Keen:

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 05100 Rev P01, 05101 Rev P01, 05102 Rev P01, 05200 Rev P01, 05300 Rev P01, and 05301 Rev P01, and 01102 Rev P01 received 03/01/2024.

GROUND:

To secure the proper development of the area.

3. Prior to the commencement of the development, a noise impact assessment shall be submitted to and approved by the Local Planning Authority. The scheme shall comply with guidance found in BS5228 - 1:2009+A1:2014 Noise and Vibration Control on Construction and

Open Sites. Upon commencement of the development, work shall be carried out in accordance with the approved scheme.

GROUND:

In order to ensure that environmental effects from the proposed construction works are planned for and managed, it is appropriate that a CEMP should be submitted. It is recommended that the following condition is applied.

4. Prior to the commencement of the development a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP 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 2023; the Plan shall include mitigation measures. The construction works shall thereafter be carried out at all times in accordance with the approved Construction Environmental Management Plan, unless any variations are otherwise first submitted to and approved in writing by the Local Planning Authority.

GROUND:

To protect against harmful environmental impacts and the amenities of residential and nearby occupiers, in accordance with the aims of Policy QD03 of the Thanet Local Plan and the guidance contained in the NPPF.

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

(e) **A05 F/TH/24/0006 - Invicta House, Millmead Road, Margate**

PROPOSAL: Replacement of windows and doors to all elevations with aluminium double glazing, including insertion of glazed louvre vents to east and west elevation, replacement of metal balcony railings, installation of roof screening system, installation of aluminium cladding to all floors and rain screen cladding system to ground, first and second floor level, together with application of render to all elevations.

It was proposed by Councillor Bayford and seconded by Councillor Keen:

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 230118-ECD-01-XX-DR-A-01102-S2-P01, 230118-ECD-01- XX-DR-A-01100-S2-P02, 230118-

ECD-01-00-DR-A-05100-S2-P01, 230118-ECD-01-ZZ- DR-A-05101-S2-P01, 230118-ECD-01-ZZ-DR-A-05300-S2-P01, 230118-ECD-01-ZZ-DR-A- 05301-S2-P01 all received 3 January 2024.

GROUND:

To secure the proper development of the area.

3. Prior to the commencement of the development, a noise impact assessment shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall comply with guidance found in BS5228 -1:2009+A1:2014 Noise and Vibration Control on Construction and Open Sites. Upon commencement of the development, work shall be carried out in accordance with the approved scheme.

GROUND:

To protect the amenities of residential and nearby occupiers, in accordance with the aims of Policy QD03 of the Thanet Local Plan and the guidance contained in the NPPF.

4. Prior to the commencement of the development a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP 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 2023; the Plan shall include mitigation measures.

GROUND:

To protect against harmful environmental impacts and the amenities of residential and nearby occupiers, in accordance with the aims of Policy QD03 of the Thanet Local Plan and the guidance contained in the NPPF.

5. Prior to the commencement of any development on site details to include the following shall be submitted to and approved in writing 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
 - 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 for vehicles, including emergency vehicles

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.

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

(f) **A06 FH/TH/23/1668 - 2 Tidewell Mews, Westgate-on-Sea**

PROPOSAL: Erection of a two storey side extension following demolition of existing shed.

It was proposed by Councillor Bayford and seconded by Councillor Keen:

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 23.122.001.A3.PL, 23.122.005.A3.PL, 23.122.006.A3.PL, 23.122.007.A3.PL (received 09/02/24), 23.122.008.A3.PL (received 09/02/24) and 23.122.009.A3.PL (received 09/02/24).

GROUND:

To secure the proper development of the area.

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

GROUND:

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

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. Parking and turning areas for construction and delivery vehicles and site personnel
 - b. Timing of deliveries

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.

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

(g) **A07 L/TH/24/0040 - Victorian Shelter Marine Terrace, Margate**

PROPOSAL: Application for Listed building consent for repairs to Nayland Rock Promenade Shelter following fire damage.

It was proposed by Councillor Bayford and seconded by Councillor Keen:

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

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.

3. If during development, a greater level of fabric requires intervention than is dictated in this application or unknown architectural features are uncovered on site, then work shall cease and the features assessed and fully recorded in a manner to be agreed with the Local Planning Authority. The approved method of recording shall be carried out in accordance with a timetable agreed with the Local Planning Authority and shall ensure that all features are appropriately recorded.

GROUND:

To secure a satisfactory external treatment and to safeguard the special character and appearance of the designated heritage asset in accordance with policy HE03 and the advice contained within paragraph 192 of the National Planning Policy Framework.

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

(h) **A08 L/TH/23/1641 - 64 Grosvenor Place, Margate**

PROPOSAL: Application for Listed Building Consent for the replacement of balcony to front elevation together with repairs to front façade and roof following demolition of existing balcony.

It was proposed by Councillor Bayford and seconded by Councillor Keen:

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 new valley and parapet gutters shall use code 5 lead and be installed as described in the Heritage, Design and Access statements and the detailed drawing no PL02 received on 12th December 2023.

GROUND:

To secure a satisfactory external treatment and to safeguard the special character and appearance of the designated heritage asset in accordance with HE03 and advice contained within the National Planning Policy Framework.

3. The new balcony hereby approved shall be constructed and installed as described in the Heritage, Design and Access statements and the detailed drawings no PL02 and no PL03 received on 12th December 2023.

GROUND:

To secure a satisfactory external treatment and to safeguard the special character and appearance of the designated heritage asset in accordance with HE03 and advice contained within the National Planning Policy Framework.

4. No external walls shall be repaired until a minimum of 1m square sample panel of lime mortar pointing has been erected on site, and inspected and approved in writing by the Local Planning Authority. The development shall be completed 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 HE03 of the Thanet Local Plan and the advice as contained within the NPPF.

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

- (i) **R09 F/TH/23/1600 - Land Rear of 67 Stone Road, Broadstairs**

PROPOSAL: Erection of 2 bed single-storey detached dwelling with associated landscaping and parking.

Mrs Molloy spoke in favour of the application.

Mrs Rodriguez spoke against 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 subject to the following reason:

The proposal, by virtue of its design, relationship with adjoining properties and restricted size of the plot, would result in the loss of spaciousness between dwellings which is a characteristic of the area, resulting in a cramped and congested form of development that would appear out of character with the pattern of residential development in the locality and incongruous within the street scene, to the severe detriment of the visual amenities of the area and not outweighed by any public benefits, contrary to Thanet Local Plan Policy SP29 and QD02 of the Local Plan, Policy BSP9 of the Broadstairs and St Peters Neighbourhood Plan and paragraph 132 and 135 of the National Planning Policy Framework.

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

5. **UPDATE FOR F/TH/22/0919 - LAND REAR OF 20 TO 22 WESTFIELD ROAD, BIRCHINGTON**

PROPOSAL: Erection of 1no two bed single storey dwelling.

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 refused for the following reason:

The proposed development will 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 Thanet Local Plan Policy SP29 and paragraph 187 and 188 of the NPPF and the Habitats Directive.

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

Meeting concluded: 8:45pm