

PLANNING COMMITTEE

28 JANUARY 2004

Present: Councillor Cohen (Chairman); Councillors, Archard, Fullarton, Goodwin, Mrs Gore, C Hart, J D Kirby, Ms E Poole, Roberts, Mrs Sheldrick, Mrs Tomlinson (Vice-Chairman), M Tomlinson (reserve), Ward and Watkins (reserve).

The following Members were also present pursuant to Council Procedure Rule 24(1) and took part in proceedings as follows:

Councillor Ezekiel	Minute Number R330
Councillor Ezekiel	Minute Number R327(II) (F/TH/03/1378)
Councillor D Green	Minute Number R330
Councillor E Green	Minute Number R327(II) (M/TH/03/1433)
Councillor Hibberd	Minute Number R327 (I) (F/TH/03/1323)
Councillor Wise	Minute Number R327(II) (F/TH/03/1378)

R327 **SCHEDULE OF PLANNING APPLICATIONS** (*)

(I) Applications Approved

Moved by Councillor Archard and seconded by Councillor Mrs Gore that:

“Planning Permission be approved in respect of the undermentioned applications subject the conditions stated”.

MOTION ADOPTED.

F/TH/03/1256 – Erection of ground and first floor pitched roof rear extension and flat roof single storey side extension at 11 Mordaunt Avenue, Westgate-On-Sea.

- (1) The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.

GROUND:

In accordance with Section 91 of the Town and Country Planning Act 1990.

- (2) The external materials and external finishes to be used in the erection of the extensions hereby permitted shall be of the same make, colour, finish and texture as those on the existing property, unless otherwise agreed in writing by the Local Planning Authority.

GROUND:

In the interests of visual amenity in accordance with Policy CB2 of the Isle of Thanet Local Plan.

- (3) The proposed development shall be carried out in accordance with the submitted application as amended by the revised drawing received by the Local Planning Authority on 15 December 2003.

GROUND:

To secure the proper development of the area.

F/TH/03/1287 – Erection of a hipped roof dormer window to front elevation at 42 Kingsgate Avenue, Broadstairs.

- (1) The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.

GROUND:

In accordance with Section 91 of the Town and Country Planning Act 1990.

- (2) Details of the materials to be used in the construction of the external surfaces of the development hereby permitted shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of any works.

GROUND:

In the interests of visual amenity in accordance with Policy CB2 of the Isle of Thanet Local Plan.

F/TH/03/1344 – Erection of a single storey rear extension with a gable end. at 27 Fair Street, Broadstairs

- (1) The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.

GROUND:

In accordance with Section 91 of the Town and Country Planning Act 1990.

- (2) Details of the materials to be used in the construction of the external surfaces of the development hereby permitted shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of any works.

GROUND:

In the interests of visual amenity in accordance with Policy CB2 of the Isle of Thanet Local Plan

- (3) The windows to be provided in the east elevation of the extension hereby permitted shall be provided and maintained with fixed obscure glass and with a cill height of not less than 1.73 metres above the finished internal floor level.

GROUND:

To safeguard the privacy and amenities currently enjoyed by the occupiers of adjoining residential properties in accordance with policy CB2 of the Isle of Thanet Local Plan.

Moved by Councillor Mrs Sheldrick and seconded by Councillor Archard that:

“Planning Permission be approved in respect of the undermentioned application subject the conditions stated”.

MOTION ADOPTED.

F/TH/03/0435 – Erection of a five storey pitched roof detached block of flats comprising of 23 flats and underground parking at 3 Beach Avenue, Birchington (SV7)

- (1) The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.

GROUND:

In accordance with Section 91 of the Town and Country Planning Act 1990.

- (2) Prior to the commencement of the development hereby permitted precise details of the following:-

- clothes drying facilities

shall be submitted to and approved in writing by the Local Planning Authority. Such details as are agreed shall be fully implemented in full accordance with the approved details prior to the first occupation of any of the units and shall thereafter be maintained as specified, unless otherwise agreed in writing with the Local Planning Authority.

GROUND:

To secure a satisfactory standard of development and in the interests of the visual amenities of the locality, in accordance with Policy H11 of the Isle of Thanet Local Plan.

- (3) The refuse storage facilities as specified upon the approved drawing No 102/C shall be provided prior to the first occupation of any of the flats hereby permitted and shall be kept available for that use at all times, and at no time shall dustbins be stored other than in the approved location.

GROUND:

To secure a satisfactory standard of development and in the interests of the visual amenities of the locality, in accordance with Policy H11 of the Isle of Thanet Local Plan.

- (4) The areas shown on the deposited plan for the parking and manoeuvring of vehicles shall be operational prior to any part of the development hereby permitted being brought into use, unless otherwise agreed in writing by the Local Planning Authority. The areas agreed shall thereafter be maintained for that purpose.

GROUND:

In the interests of highway safety in accordance with Isle of Thanet Local Plan Policy TR8.

- (5) Prior to the first occupation of the development, the parking spaces which abut a physical boundary shall be a minimum of 2.7 metres in width and all other parking spaces shall be a minimum of 2.4 metres in width, details of which shall be submitted to, and approved in writing by, the Local Planning Authority, prior to the commencement of development.

GROUND:

In the interests of highway safety.

- (6) Prior to the first occupation of the development, the access ramp to the basement parking shall be provided and thereafter maintained at a gradient not exceeding 12.5% (1 in 8) and 10% (1 in 10) at the roll over point at the top of the ramp.

GROUND:

In the interests of highway safety.

- (7) Prior to the commencement of development on site, details of the basement parking door, including details of design; materials; appearance; method of fixing, means of operation and sound attenuation measures, shall be submitted to, and approved in writing by, the Local Planning Authority. The agreed details shall be

implemented before the first operation of the door and thereafter maintained in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

GROUND:

In the interests of the amenities of neighbouring residential occupiers in accordance with Policy CB1 of the Isle of Thanet Local Plan.

- (8) The new vehicle access into the development, hereby approved, shall be provided and maintained as a heavy duty crossing and incorporate tactile paving and pram crossing facilities.

GROUND:

In the interests of Highway safety.

- (9) Within 3 months of the new means of vehicular access first being brought into use the existing means of vehicular access to the site shall be permanently closed with a fence, wall or other suitable barrier, and the footpath and verge shall be reinstated in accordance with details that shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the works.

GROUND:

In the interests of highway safety.

- (10) Prior to the first occupation of the development visibility splays of 2m by 2m above a height of 1 metre shall be provided and thereafter maintained to the access to Beach Avenue in accordance with details to be submitted in plan form and approved in writing by the Local Planning Authority.

GROUND:

In the interest of highway safety.

- (11) No development shall take place until full details of both hard and soft landscape works have been submitted to, and approved in writing by, the Local Planning Authority and these works shall be carried out as approved.

These details shall include:-

- (i) details of existing trees, shrubs and hedges to be retained.
- (ii) 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.
- (iii) measures to be taken to protect existing and new landscape work, which shall in the case of trees means adequate staking and guarding.
- (iv) arrangements to be made for the permanent maintenance of landscaped areas.
- (v) details of ground preparation, including methods of planting and details of proposed weed control.
- (vi) a detailed survey of levels on the site indicating specific features.
- (vii) details of earth works to be carried out on the site including details of proposed finish levels or contours.

- (viii) details of the treatment proposed for all hard surfaced areas beyond the limits of the highway.
- (ix) details of walls, fences, other means of enclosure proposed, together with details of materials and construction and details of other minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc.)

GROUND:

In the interests of the visual amenities of the area and to adequately integrate the development into the environment in accordance with Policy CB1 of the Isle of Thanet Local Plan.

- (12) 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 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, unless the Local Planning Authority gives any written consent to any variation.

GROUND:

In the interests of the visual amenities of the area in accordance with Policy CB1 of the Isle of Thanet Local Plan.

- (13) A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscaping 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 permitted use. The landscape management plan shall be carried out as approved.

GROUND:

In the interests of visual amenity in accordance with Policy CB1 of the Isle of Thanet Local Plan.

- (14) No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to, and approved in writing by, the Local Planning Authority. Development shall be carried out in accordance with the approved details.

GROUND:

In the interests of visual amenity in accordance with Policy CB1 of the Isle of Thanet Local Plan.

- (15) The side elevations shall be finished and thereafter maintained with a light reflective material, the details of which shall be submitted pursuant to Condition 14 above.

GROUND:

In the interests of visual amenity in accordance with Policy CB1 of the Isle of Thanet Local Plan.

- (16) The balconies shall be provided and thereafter maintained with a privacy screen of not less than 1.73 metres above the respective balcony floor level to the northern and southern elevations of all balconies, unless otherwise agreed in writing by the Local Planning Authority. Details of such screens shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of development.

GROUND:

To safeguard the privacy and amenities currently enjoyed by the occupiers of adjoining residential properties, in accordance with Isle of Thanet Local Plan Policy CB1.

- (17) Prior to the commencement of development on site, details of the proposed means of foul and surface water disposal shall be submitted to and approved in writing by the Local Planning Authority.

GROUND:

To prevent harm to human health and pollution of the environment, in accordance with Isle of Thanet Local Plan Policy CW7.

- (18) The development shall not be commenced until an arrangement has been submitted to and approved in writing by the Local Planning Authority relating to the provision of a commuted sum for the provision of additional primary and secondary school places in the area of Thanet. Such sum is to be calculated in accordance with the Kent County Council requirement for Development Contributions towards education facilities.

GROUND:

To ensure the cost of providing the additional school places required by the development is met by the developer, in accordance with Kent Structure Plan Policy S9.

- (19) The proposed development shall be carried out in accordance with the submitted application as amended by the revised drawings numbered 100/B, 101/B, 102/C, 103/B, 104/B, 105/B, 106/B, 107/B, 108/B, 109/B and 110/B received on 10th November 2003, as clarified by the additional drawings numbered 101/B received on 17th December 2003 and numbered 102/C and 109/B received on 5th January 2004.

GROUND:

To secure the proper development of the area.

Moved by Councillor S Tomlinson and seconded by Councillor Ward that:

“Planning Permission be approved in respect of the undermentioned application subject the conditions stated”.

MOTION ADOPTED.

F/TH/03/1179 – Erection of a 2 no. detached 5 bedroomed dwellinghouses each with associated integral garages and vehicular access at 22 Fitzroy Avenue, Broadstairs. (A01)

- (1) The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.

GROUND:

In accordance with Section 91 of the Town and Country Planning Act 1990.

- (2) No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to, and approved in writing by, the Local Planning Authority. Development shall be carried out in accordance with the approved details.

GROUND:

In the interests of visual amenity in accordance with Policy CB1 of the Isle of Thanet Local Plan.

- (3) In this condition retained tree means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of one year from the date of the first occupation of the building for its permitted use.
- (a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (Tree Work).
- (b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size, species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

GROUND:

In the interests of visual amenity, in accordance with Isle of Thanet Local Plan Policy CL10.

- (4) No development shall take place until full details of both hard and soft landscape works have been submitted to, and approved in writing by, the Local Planning Authority and these works shall be carried out as approved.

These details shall include:-

- (a) a detailed survey of all trees, shrubs and hedges on the application site, giving details of all trees of having a trunk diameter of 75mm or more, which shall include; species type, spread of crown, height, diameter of trunk and condition assessment.
- (b) details of existing trees, shrubs and hedges to be retained.
- (c) 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.
- (d) measures to be taken to protect existing and new landscape work, which shall in the case of trees means adequate staking and guarding.
- (e) arrangements to be made for the permanent maintenance of landscaped areas.
- (f) details of ground preparation, including methods of planting and details of proposed weed control.
- (g) a detailed survey of levels on the site indicating specific features.

- (h) details of earth works to be carried out on the site including details of proposed finish levels or contours.
- (i) details of the treatment proposed for all hard surfaced areas beyond the limits of the highway.
- (j) details of walls, fences, other means of enclosure proposed, together with details of materials and construction and details of other minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc)

GROUND:

In the interests of the visual amenities of the area and to adequately integrate the development into the environment in accordance with Policy CB1 of the Isle of Thanet Local Plan.

- (5) 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 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, unless the Local Planning Authority gives any written consent to any variation.

GROUND:

In the interests of the visual amenities of the area in accordance with Policy CB1 of the Isle of Thanet Local Plan.

- (6) The proposed development shall be carried out in accordance with the submitted application as amended by the revised drawings numbered C236 L(--)06A, received 8th December 2003 and drawings numbered C236 L (--) 05B and 07C received on 15th December 2003.

GROUND:

To secure the proper development of the area.

- (7) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification) no windows/dormer window (other than those expressly authorised by this permission) shall be constructed without the prior written permission of the Local Planning Authority.

GROUND:

To ensure a satisfactory external treatment and in the interests of the visual amenities of the locality in accordance with Policy CB2 of the Isle of Thanet Local Plan.

- (8) Prior to the first occupation of the development visibility splays of 2 metres by 2 metres shall be provided to the newly created access onto Fitzroy Avenue in accordance with details to be submitted in plan form and approved in writing by the Local Planning Authority.

GROUND:

In the interest of highway safety.

- (9) Within 3 months of the new means of vehicular access first being brought into use the existing means of vehicular access to the site shall be permanently

closed with a fence, wall or other suitable barrier, and the footpath and verge shall be reinstated in accordance with details that shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the works.

GROUND:

In the interests of highway safety

A local resident, Mr Gibbs was present and raised points of concern for the Committee to consider upon the following application.

Moved by Councillor Ward and seconded by Councillor Mrs Gore that:

“Planning Permission be approved in respect of the undermentioned application subject the conditions stated”.

MOTION ADOPTED.

F/TH/03/1323 – Alterations to existing property to incorporate single storey extensions with accommodation within pitched roof with balcony area, pitched roof gable end front extension and pitched roof front facing roof extension. Erection of two side facing (east) pitched roof dormer windows at Grange End, The Street, St. Nicholas at Wade.

- (1) The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.

GROUND:

In accordance with Section 91 of the Town and Country Planning Act 1990.

- (2) No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to, and approved in writing by, the Local Planning Authority. Development shall be carried out in accordance with the approved details.

GROUND:

In the interests of visual amenity in accordance with Policy CB2 of the Isle of Thanet Local Plan.

- (3) In this condition retained tree means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of one year from the date of the first occupation of the building for its permitted use.
 - (a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (Tree Work).
 - (b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size, species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

GROUND:

In the interests of visual amenity, in accordance with Isle of Thanet Local Plan Policy CL10.

- (4) Prior to the commencement of the development hereby-permitted precise large details of the joinery 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 permitted development.

GROUND:

To secure a satisfactory treatment of the property that safeguards its special character and appearance a property adjacent to the Conservation Area and adjacent to a listed building in accordance with Policy CB7 of the Isle of Thanet Local Plan.

- (5) This approval does not purport to grant planning consent for the erection of fencing to a height of 2.5 metres as shown upon the approved drawing numbered 1372/01C.

GROUND:

For the avoidance of doubt and in the interests of the amenities and outlook enjoyed by the occupiers of adjoining residential property in accordance with Isle of Thanet Local Plan Policy CB1.

- (6) An area, not less than 6 metres in depth, shall be provided and at all times maintained free of obstruction to the front (south) of the two parking spaces shown upon the approved drawing numbered 1372/01C.

GROUND:

In the interests of highway safety.

Moved by Councillor Mrs Gore and seconded by Councillor Ms E Poole that:

“Planning Permission be approved in respect of the undermentioned application subject the conditions stated”.

MOTION ADOPTED.

F/TH/03/1421 – Environmental improvement incorporating redesign of central area for use as community garden, improvements to footways and on-street parking, redesign and reduction of car parking area, change of use and creation of children’s play ground, change of use and installation of underground recycling facilities, installation of new street furniture, walling, railings and lighting, tree, shrub and herbaceous planting. at Car Park, Garden Areas and Site forming part of Former 17 -23, Dalby Square, Cliftonville, Margate.

- (1) The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.

GROUND:

In accordance with Section 91 of the Town and Country Planning Act 1990.

- (2) Prior to the commencement of development on site details of the installation, servicing, maintenance and how the recycling facilities are to be accessed and used shall be submitted to and agreed in writing by the Local Planning Authority.

GROUND:

In the interests of visual and residential amenity.

- (3) This permission does not purport to grant consent for the raised crossings as detailed on drawing number LA/02/DR10. Details of the raised crossings shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of development on site.

GROUND:

In the interest of highway safety.

- (4) The design and method of construction of the means of access shall be submitted to, and agreed in writing by, the Local Planning Authority prior to commencement of the construction of the access hereby permitted.

GROUND:

In the interests of highway safety.

- (5) Prior to the implementation of this permission visibility splays of 2m by 2m above a height of 1m shall be provided and thereafter maintained to the access to Dalby Square in accordance with details to be submitted in plan form to, and approved in writing by, the Local Planning Authority.

GROUND:

In the interest of highway safety.

- (6) Within 3 months of the new means of vehicular access first being brought into use the existing means of vehicular access to the site shall be permanently closed with a fence, wall or other suitable barrier, and the footpath and verge shall be reinstated in accordance with details that shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the works.

GROUND:

In the interests of highway safety.

- (7) All end parking spaces abutting a physical boundary shall be a minimum of 2.7m in width.

GROUND:

In the interest of highway safety.

- (8) No development shall take place until full details of both hard and soft landscape works have been submitted to, and approved in writing by, the Local Planning Authority and these works shall be carried out as approved. These details shall include:-
- (a) 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.
 - (b) measures to be taken to protect new landscape work, which shall in the case of trees means adequate staking and guarding.
 - (c) arrangements to be made for the permanent maintenance of landscaped areas.
 - (d) details of ground preparation, including methods of planting and details of proposed weed control.

- (e) details of the treatment proposed for all hard surfaced areas beyond the limits of the highway.
- (f) details of walls, fences, other means of enclosure proposed, together with details of materials and construction and details of other minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc.).

GROUND:

In the interests of the visual amenities of the area and to adequately integrate the development into the environment in accordance with Policy CB1 of the Isle of Thanet Local Plan.

- (9) 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 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, unless the Local Planning Authority gives any written consent to any variation.

GROUND:

In the interests of the visual amenities of the area in accordance with Policy CB1 of the Isle of Thanet Local Plan.

(II) Applications Deferred

A local resident, Mr Welcome was present and raised points of concern for the Committee to consider upon the following application.

Moved by Councillor J D Kirby and seconded by Councillor Archard that:

“Members visit the undermentioned site in order to assess the suitability of the proposal.”

MOTION ADOPTED.

F/TH/03/1169 – Single storey rear extension with pitched roof and front entrance porch with pitched roof at 36 Castle Avenue, Broadstairs.

A local resident, Mr Davies was present and raised points of concern for the Committee to consider upon the following application.

Moved by Councillor Mrs Sheldrick and seconded by Councillor Fullarton that:

“Members visit the undermentioned site in order to assess the suitability of the proposal.”

MOTION ADOPTED.

F/TH/03/1303 – Demolition of single-storey garage extension to Briar Court and detached single-storey garage, to be replaced with the erection of 6 no three-storey, three bedroomed semi-detached town houses with integral garages at Land Adjacent To Briar Court, Gordon Square, Birchington.

A local resident, Mr Norvill was present and raised points of concern for the Committee to consider upon the following application.

Moved by Councillor Fullarton and seconded by Councillor Ward that:

“Members visit the undermentioned site in order to assess the suitability of the proposal”

MOTION ADOPTED.

F/TH/03/1378 – Erection of a pitched, first floor extension over existing bungalow (front section); erection of pitched roof rear extension and flat roof side extension to provide additional bedrooms and utility room at 44 Palm Bay Avenue, Margate.

(Councillors J D Kirby and Fullarton declared a personal interest in this matter under the Authority’s Code of Conduct and left the meeting for the undermentioned application.)

A local resident, Mr Stocks was present and raised points of concern for the Committee to consider upon the following application.

Moved by Councillor Mrs Gore, seconded by Councillor Archard, that:

“(A) the County Planning Officer be informed that this Council requests that a joint site visit be held with both District and County Members in attendance, in order to give consideration to the following: -

- the issues raised in the Local plan objections
- the need to construct a wall or fence at the end of Greenfield Road to prevent casual vehicle and pedestrian access to the site
- the provision of adequate drop-off points within the site
- no building to be constructed within 35 metres of any residential property
- the siting of the access road further away from properties in Greenfield road
- the whole site should be securely fenced
- scrutiny of the length and safety of pedestrian and cycle access, and
- if approved, the imposition of safeguarding conditions covering matters raised in the *Comments* section of the Planning Committee report.

(B) while it is acknowledged that the following point is not a planning matter, Kent County Council, as landowner, be requested to pursue the issue of the existing mobile phone mast being removed prior to the grant of full planning consent for the development.”.

M/TH 03/1433 - Development of former school playing field and agricultural land to provide site for two schools, together with associated parking, new access from Pysons Road, games pitches and landscaping at Land Adjoining Pysons Road, Pysons Road, Ramsgate.

R328 **ENFORCEMENT OF PLANNING CONTROL** (*)

(i) **2 Noble Gardens, Margate**

The Committee considered the report of the Acting Strategic Director which brought to Members’ attention the retention of a 1.8 metre (approximately) closeboarded fence at 2 Noble Gardens, Garlinge, Margate.

Moved by Councillor Ms E Poole and seconded by Councillor Gore that:

“Members visit the site.”

MOTION ADOPTED.

(ii) **35 Lanthorne Road, Broadstairs**

The Committee considered the report of the Acting Strategic Director which brought Members’ attention to the unauthorised use of 35 Lanthorne Road for the storage and repair of vehicles.

Moved by Councillor Sheldrick and seconded by Councillor Fullarton that:

“the property continues to be monitored for as long as Officers consider it to be necessary.”

MOTION ADOPTED.

(iii) **15 Westcliff Road, Ramsgate**

The Committee considered the report of the Acting Strategic Director which brought to Members’ attention the unauthorised erection of a front boundary fence at 15 West Cliff Road, Ramsgate.

Moved by Councillor Sheldrick and seconded by Councillor Fullarton that:

“an Enforcement notice be issued, in the appropriate form, requiring the removal of the three fence panels and associated posts. The notice is to have a compliance period of one month.”

MOTION ADOPTED.

(iv) **A254 Ramsgate Road, Margate**

The Committee considered the report of the Acting Strategic Director which brought to Members’ attention the continued unauthorised display of an advertisement on the A254 Ramsgate Road, Margate.

Moved by Councillor Ward and seconded by Councillor S Tomlinson that:

“the commencement of legal proceedings under Section 224 of the Town and Country Planning Act 1990 be authorised should the owner fail to remove the unauthorised advertisement within 28 days.

MOTION ADOPTED.

(v) **14 Thanet Road, Margate**

The Committee considered the report of the Acting Strategic Director which brought Members’ attention to the response received in relation to the Members’ decision relating to development at rear of 14 Thanet Road, Margate, specifically in respect of the rear wall, taken at their meeting held on 12 November 2003.

Moved by Councillor Mrs Tomlinson and seconded by Councillor Ward that:

“the wall be rendered and painted and thereafter maintained in an agreed, light, colour provided that the neighbour will allow such work to be undertaken.”

MOTION ADOPTED

R329 SUMMARY OF APPEAL DECISIONS RECEIVED IN THE CALENDAR YEAR 2003

The Committee considered the report of the Acting Strategic Director which provided details of the results of appeal decisions, following refusals of planning permission, or as a result of serving enforcement notices received in the 2003 calendar year. It also provided details of the proportion of decisions successfully defended at appeal by Planning Officers, details of types of appeals received and details of appeals received as a result of Planning Committee, resolving to overturn the original Officer recommendation.

Moved by Councillor Archard and seconded by Councillor Mrs Gore that:

“the report be noted”.

MOTION ADOPTED.

R330 PLEASURAMA AMUSEMENT PARK (FORMER), MARINA ESPLANADE, RAMSGATE

Moved by Councillor J D Kirby and seconded by Councillor S Tomlinson that:

“Planning Permission be approved subject the conditions stated”.

MOTION ADOPTED.

- (1) The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.

GROUND:

In accordance with Section 91 of the Town and Country Planning Act 1990.

- (2) Prior to the commencement of the use of the respective food and drink units (Use Class A3) hereby approved, details of a ventilation system to the food cooking and preparation rooms of each unit shall be submitted to, and approved in writing by, the Local Planning Authority. Such details shall be submitted, agreed and fully implemented in accordance with the agreed details insofar as they relate to each of the units before the unit is first brought into use.

GROUND:

To secure the proper development of the area in accordance with Isle of Thanet Local Plan Policy H10.

- (3) No external alterations, including the provision of any external mechanical vent or trunking, shall be undertaken or otherwise provided, unless agreed in accordance with the submitted details insofar as they relate to each of the units before the unit is first brought into use.

GROUND:

In the interests of the visual amenities of the area in accordance with Isle of Thanet Local Plan Policies CB1, CB6 and CB7.

- (4) Noise from the operation/running of any ventilation plant or other plant or equipment, as measured within any adjoining or neighbouring residential premises, shall not exceed a sound level in excess of the undermentioned Noise Rating Curve Numbers in the frequency (Hz) range of 31.5Hz to 8KHz;
- (a) between the hours of 0800 and 2200 on any day - Noise Rating curve Number 30.

- (b) between the hours of 2200 on any day and 0800 the next day - Noise Rating Curve Number 25.

GROUND:

In the interests of the amenities enjoyed by the occupiers of nearby residential properties in accordance with Isle of Thanet Local Plan Policy H10.

- (5) All plant, machinery and equipment (including refrigeration and air conditioning systems), to be used by reason of the grant of this permission, shall be installed, maintained and operated so as to prevent the transmission of noise and vibration into any neighbouring premises.

GROUND:

In the interests of the residential amenities of the occupiers of surrounding dwellings, in accordance with Policy H10 of the Isle of Thanet Local Plan.

- (6) All plant, machinery and equipment (including refrigeration and air conditioning systems), to be used by reason of the grant of this permission, shall be installed, maintained and operated so as to prevent the transmission of noise and vibration into any neighbouring premises.

GROUND:

In the interests of the residential amenities of the occupiers of surrounding dwellings, in accordance with Policy H10 of the Isle of Thanet Local Plan.

- (7) Prior to the commencement of the development hereby approved details, in the form of a waste management plan for the methods of dealing with refuse, waste and the emptying, cleaning and maintenance of litter bins, including the location and form of refuse storage facilities and arrangements that are to be made for the collection of refuse, shall be submitted to and approved in writing by, the Local Planning Authority of the precise design of refuse storage facilities and arrangements that are to be made for the collection of refuse. Such details, as are agreed, shall be implemented and thereafter maintained in accordance with the approved plan unless otherwise agreed in writing by the Local Planning Authority.

GROUND:

In the interests of the visual amenities of the area in accordance with Isle of Thanet Local Plan Policies CB1, CB6 and CB7.

- (8) The development hereby permitted shall be carried out in conformity with a scheme of finished site levels in respect of the site works, including details of thresholds relative to the adjoining highways and footways, the details of which shall be submitted to and agreed in writing by, the Local Planning Authority prior to the commencement of the development.

GROUND:

In order to secure a satisfactory standard of development in accordance with Isle of Thanet Local Plan Policies CB1, CB6 and CB7.

- (9) Prior to the commencement of the development hereby approved, precise details of the detailed design of the building at a scale of not less than 1:50 with typical details at a scale of not less than 1:20 in plan, elevation and section form, including all external wall and roof materials, details of door and window materials and where appropriate colour of materials, 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 safeguard the setting of Grade II Listed Buildings of architectural and historic interest and the special character and appearance of the Ramsgate Conservation Area in accordance with Isle of Thanet Local Plan Policies CB1; CB4; CB6 and CB7.

- (10) The development hereby permitted shall be carried out in conformity with a scheme for landscaping, surface and boundary treatments for development which shall include:-
- (i) details of new trees, shrubs, hedges or grassed areas to be planted, together with details of the species and method of planting to be adopted.
 - (ii) details of treatment proposed for all hardened surfaces.
 - (iii) details, at a scale of not less than 1:20, of levels of the proposed roof, the proposed external staircase link with Wellington Crescent and the adjoining promenade, together with sectional and drainage details.
 - (iv) details of walls, fences, railings, planters, seating, litter bins, air conditioning plant enclosures, and other means of enclosure proposed, together with details of materials and construction.
 - (v) the measures that are to be taken to protect new landscaping work.
 - (vi) the arrangements to be made for the permanent maintenance of the landscaped areas, including watering.
 - (vii) details of ground preparation and weed control for the planted areas.
 - (viii) details of external lighting.
 - (ix) details of any security gate or barrier to be provided to the service area at ground floor level to either end of the site.

Details of which shall be submitted to, and approved in writing by the Local Planning Authority before the commencement of development, or in such longer period as may be agreed in writing by the Local Planning Authority.

GROUND:

In the interests of the visual amenities of the area and to safeguard the setting of Grade II Listed Buildings of architectural and historic interest and the special character and appearance of the Ramsgate Conservation Area in accordance with Isle of Thanet Local Plan Policies CB1; CB4; CB6 and CB7.

- (11) The details to be submitted in accordance with the requirements of condition 10 above shall include full size sectional details, at a scale of not less than 1:20, indicating the construction and materials to be used in the landscaped roof gardens and terraces and the areas of the rear elevation of the building to receive planting/landscaping treatment.

GROUND:

In the interests of the visual amenities of the area and to safeguard the setting of Grade II Listed Buildings of architectural and historic interest and the special character and appearance of the Ramsgate Conservation Area in accordance with Isle of Thanet Local Plan Policies CB1; CB4; CB6 and CB7.

- (12) All works comprised in the approved details of landscaping, surface and boundary treatments, shall be carried out in or before the first planting and

seeding season following the first occupation of the building or the completion of the development, whichever is the sooner. 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 or similar size and species, unless the Local Planning Authority gives any written consent to any variation.

GROUND:

In the interests of the visual amenities of the area and to safeguard the setting of Grade II Listed Buildings of architectural and historic interest and the special character and appearance of the Ramsgate Conservation Area in accordance with Isle of Thanet Local Plan Policies CB1; CB4; CB6 and CB7.

- (13) Prior to the commencement of the development, precise details at a scale of not less than 1:50, of the relationship of the proposed refuse stores to the adjoining cliff face, shall be submitted to and agreed in writing by the Local Planning Authority.

GROUND:

To enable adequate future maintenance of the cliff face and in the interests of visual amenities in accordance with Isle of Thanet Local Plan Policy CB1.

- (14) The parking spaces, including those for service vehicles, together with associated turning facilities and cycle parking facilities, as shown on the approved plans, shall be provided before any part of the development hereby approved is first brought into use, and thereafter maintained unless otherwise agreed in writing by the Local Planning Authority.

GROUND:

In the interests of highway safety in accordance with Isle of Thanet Local Plan Policy TR8.

- (15) No part of the development to which this permission relates shall be brought into use until the following works have been undertaken in accordance with details that have been submitted to, and approved in writing by, the Local Planning Authority:
- (i) the relocation of the roundabout within Marina Esplanade
 - (ii) the relocation of the bus lay-by within Marina Esplanade
 - (iii) the new staircase link between Harbour Parade and Wellington Crescent.

GROUND:

In the interests of highway safety and to secure a satisfactory means of pedestrian access in accordance with Isle of Thanet Local Plan Policy TR13.

- (16) No part of the commercial development to which this permission relates shall be brought into use until a "Green Transport" Plan, indicating the transport and other measures that are to be adopted to encourage customers, visitors and staff to use means of transport other than the car, has been submitted to, and agreed in writing by the Local Planning Authority. The agreed measures and associated methods of operation specified within the plan shall be implemented in accordance with the details contained in the plan, unless otherwise agreed in writing by the Local Planning Authority.

GROUND:

To secure a satisfactory sustainable development in accordance with Isle of Thanet Local Plan Policies TR11, TR12 and TR13.

- (17) No plant, machinery or other structures, other than those shown upon the approved drawings, shall be constructed or otherwise provided upon the roof without the prior written consent of the Local Planning Authority.

GROUND:

In the interests of the visual amenities of the area and to safeguard the setting of Grade II Listed Buildings of architectural and historic interest and the special character and appearance of the Ramsgate Conservation Area in accordance with Isle of Thanet Local Plan Policies CB1; CB4; CB6 and CB7.

- 18) The ground floor children's play area and health and fitness centre shall only be used for such purposes and for no other purpose including any other purpose in Class D2 of the schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification, or for the purpose of an amusement centre or arcade, without the prior written consent of the Local Planning Authority.

GROUND:

To secure the proper development of the area and to prevent the introduction of uses which may otherwise detract from the amenities enjoyed by surrounding occupiers or the character of the area, in accordance with Isle of Thanet Local Plan Policies BC21 and H10.

- (19) Prior to the siting of tables and/or chairs outside the building, as indicated upon the approved ground floor plan, or in such other location(s) as may be proposed, precise details, at a scale of not less than 1:50, shall be submitted to, and approved in writing by, the Local Planning Authority, of the siting, design and appearance thereof.

GROUND:

In the interests of visual amenity and highway and pedestrian safety in accordance with Isle of Thanet Local Plan Policies CB1 and TR13.

- (20) Prior to the commencement of development hereby approved, precise details of the means of foul and surface water disposal and drainage to the development shall be submitted to, and approved in writing by, the Local Planning Authority.

GROUND:

To prevent pollution of the water environment in accordance with Isle of Thanet Local Plan Policy CW7.

- (21) No development approved by this permission shall be commenced prior to a contaminated land assessment and associated remedial strategy, carried out to current British Standards and best practice together with a timetable of works, being submitted to the Local Planning Authority for approval.
- (a) The contaminated land assessment shall include a site investigation, which shall include relevant soil, soil gas, surface and groundwater sampling, in accordance with the quality assured sampling and analysis methodology.

- (b) A site investigation report detailing all investigative works and sampling on site, together with the results of analysis, risk assessment to any receptors and a proposed remediation strategy shall be submitted to the Local Planning Authority. The Local Planning Authority shall approve such remedial works as required prior to any remediation commencing on site. The work shall be of such a nature so as to render harmless the identified contamination given the proposed end use of the site and surrounding environment including any controlled waters.
- (c) Approved remediation work shall be carried out in full on site under a quality assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance. If during any works contamination is encountered which has not previously been identified, then the additional contamination shall be fully assessed and an appropriate remediation scheme submitted to the Local Planning Authority for approval.
- (d) Upon completion of the works, this Condition shall not be discharged until a closure report has been submitted to and approved by the Local Planning Authority. The closure report shall include details of the proposed remediation works and the quality assurance certificates to show that the works have been carried out in full accordance with the approved methodology. Details of any post remediation sampling to show the site has reached the required clean-up criteria shall be included in the closure report together with the necessary documentation detailing what waste materials have been removed from the site.

GROUND:

To prevent harm to human health and pollution of the environment, in accordance with Isle of Thanet Local Plan Policy SG4.

- (22) Prior to being discharged into any water course, surface water sewer or soakaway system, all surface water drainage from parking areas and hardstandings shall be passed through an oil interceptor designed and constructed to have a capacity and details compatible with the site being drained. Roof water shall not pass through the interceptor.

GROUND:

To prevent pollution of the water environment in accordance with Isle of Thanet Local Plan Policy CW7.

- (23) The proposed development shall be carried out in accordance with the submitted application as amended by the revised drawings numbered PL 10-102C; 13-100C; 13-101C; 13-102C; 13-103C; 13-104C; 13-105C; 13-106D; 13-107C; 13-108A and 13-109A received on 15th December 2003.

GROUND:

To secure the proper development of the area in accordance with Isle of Thanet Local Plan Policies CB1; CB4; CB6 and CB7.

- (24) The residential element of the development hereby approved shall not be commenced until details of an arrangement have been submitted to, and approved in writing by, the Local Planning Authority relating to the provision of a commuted sum for the provision of affordable housing within the local area.

GROUND:

To secure the provision of affordable housing to meet an identified housing need in accordance with Isle of Thanet Local Plan Policy H16.

R331 **PROPOSED AMENDMENT TO PLANNING PERMISSION REFERENCE F/TH/00/0297, FOR THE UPGRADING OF PASSENGER APRONS AND CONSTRUCTION OF NEW HANGAR AT MANSTON AIRFIELD, COMPRISING THE REPLACEMENT OF THE PROPOSED HANGAR WITH A CARGO SHED**

The Committee considered the report of the Acting Strategic Director which related to the receipt of further amended plans proposing the construction of a cargo shed adjacent to the existing western cargo shed at London Manston Airport. This cargo shed was proposed to replace an originally proposed hangar and a subsequently proposed cargo shed of smaller dimensions; the report detailed the implications of such an amendment.

Moved by Councillor Fullarton and seconded by Councillor Roberts that:

“In order to both acknowledge the request for urgency from the operator, and take account of responses awaited from consultees and neighbours, Members have the option to delegate authority to the Acting Strategic Director in consultation with the Chairman of Planning to agree to this proposal as an amendment to planning permission reference F/TH/00/0297 subject to resolution of issues arising as a result of consultations, and the submission of a unilateral undertaking from the operator to provide a right turn lane to the Highway Manager’s specification prior to cargo throughput reaching 70,000 tonnes per annum – or an appropriate date in advance of this level of lorry movements.”.

MOTION ADOPTED.

R332 **FORMER ST AUGUSTINE’S COLLEGE, 125 CANTERBURY ROAD, WESTGATE**

The Committee considered the report of the Head of Environmental Services upon brought Members attention to outline, full and listed building applications that had been received for the residential redevelopment of the former St Augustine’s College and surrounding grounds.

Moved by Councillor Fullarton and seconded by Councillor S Tomlinson:

“Members visit the site in order to assess the suitability of the outline proposal.”

MOTION ADOPTED.

Time concluded: 8.35 pm