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Planning Committee

Minutes of the meeting held on 15 November 2017 at 7.00 pm in Council Chamber, Council Offices, Cecil Street, Margate, Kent.

Present: Councillor Bob Grove (Chairman); Councillors J Fairbrass, Buckley, K Coleman-Cooke, Connor, Edwards, Fenner, Matterface, Partington, L Piper, Rusiecki, D Saunders, Taylor, Taylor-Smith and Tomlinson

In

Attendance: L. Fairbrass, Jaye-Jones and Rogers

253. **APOLOGIES FOR ABSENCE**

Apologies were received from Councillors Bambridge and Ashbee for whom Councillor Taylor-Smith was present.

254. **DECLARATIONS OF INTEREST**

There were no declarations of interest.

255. **MINUTES OF PREVIOUS MEETING**

It was proposed by the Vice Chairman, seconded by Councillor Tomlinson and AGREED that the minutes of the Planning Committee held on 18 October 2017 be approved and signed by the Chairman subject to it being noted that Councillor Taylor-Smith was present.

256. **SITE VISIT**

257. **F/TH/17/1174 - SEAFIELDS CLIFF ROAD BIRCHINGTON**

PROPOSAL: Erection of three storey building containing 4 No 2 bed flats and 2 No 1 bed flats with associated car parking following demolition of existing house

It was proposed by the Chairman and seconded by the Vice Chairman:

“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 07A (received 15/09/17), 08A (received 15/09/17), 09A (received 15/09/17) and 11 (received 15/09/17).

GROUND:

To secure the proper development of the area.

3 The ceilings and floors that separate the residential units, hereby approved shall resist the transmission of airborne sound such that the weighted standardised difference (DnT, W + Ctr) shall not be less than 50 decibels. The weighted standardized difference (DnT, W) a spectrum adaption term, Ctr, is quoted according to BS EN ISO 16283-1:2014.

GROUND:

To safeguard the residential amenities in accordance with Policy D1 of the Thanet Local Plan.

4 The area shown on the submitted plan as vehicle parking spaces and turning 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:

Development without adequate provision for the parking or turning of cars is likely to lead to parking inconvenient to other road users and detrimental to amenity and in pursuance of policy D1 of the Thanet Local Plan.

5 No residential unit shall be occupied until a scheme for the parking of cycles has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented before the development is first occupied or brought into use and thereafter retained for this purpose.

GROUND:

To ensure the provision of adequate cycle parking that meets the needs of occupiers of the proposed development and in the interests of encouraging the use of sustainable modes of transport.

6 Prior to the first occupation of the development hereby permitted the vehicular access shall be provided and thereafter retained at the position shown on the approved plan numbered 09A (received 15/09/17).

GROUND:

In the interests of highway safety.

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

GROUND:

In the interests of highway safety.

8 The gradient of the vehicular access shall not exceed 1:10 for the first 1.5 metres into the site from the highway boundary and shall not exceed 1:8 thereafter.

GROUND:

In the interests of highway safety.

9 Prior to the first occupation of the units hereby permitted pedestrian visibility splays of 2metres by 2metres behind the footway on both sides of the dwelling access with no obstructions over 0.6m above footway level shall be provided and thereafter maintained.

GROUND:

In the interest of highway safety.

10 Prior to the first occupation of the development hereby permitted a visibility splay shall be provided in full accordance with the details indicated on the approved plan. The splay shall thereafter be maintained at all times free from any obstruction exceeding 0.9 metres above the level of the adjacent highway carriageway.

GROUND:

In the interest of highway safety.

11 Prior to the commencement of the development hereby approved a Construction Management Plan shall be submitted to include the following:

- a) Routing of construction and delivery vehicles to/from the 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

GROUND:

In the interest of highway safety.

12 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 landscape management plan shall be carried out as approved.

GROUND:

In the interests of the visual amenities of the area and to adequately integrate the development into the environment in accordance with Policies D1 and D2 of the Thanet Local Plan

13 Existing trees, shrubs and hedgerows identified for retention within the development site or existing trees growing on an adjacent site, where excavations, changes to land levels or underground works are within the crown spread, shall be protected in accordance with BS 5837: 2005 using the following protective fence specification:-

- o Chestnut paling fence 1.2m in height, to BS 1722 part 4, securely mounted on 1.7m x 7cm x 7.5cm timber posts driven firmly into the ground. The fence shall be erected below the outer most limit of the branch spread or at a distance equal to half the height of the tree, whichever is the furthest from the tree, unless otherwise agreed in writing with the Local Planning Authority.

The protective fencing shall be erected before the works hereby approved or any site clearance work commences, and shall thereafter be maintained until the development has been completed.

At no time during the site works shall building materials, machinery, waste, chemicals, stored or piled soil, fires or vehicles be allowed within the protective fenced area.

Nothing shall be attached or fixed to any part of a retained tree and it should not be used as an anchor point.

There shall be no change in the original soil level, nor trenches excavated within the protective fenced area.

GROUND:

In the interests of the visual amenities of the area and to adequately integrate the development into the environment, in accordance with Thanet Local Plan Policies D1 and D2.

14 The refuse storage facilities and clothes drying facilities as specified upon the approved drawing 09A and received 15/09/17 shall be provided prior to the first occupation of the units hereby approved and shall be kept available for that use at all times.

GROUND:

To secure a satisfactory standard of development and in the interests of the amenities of the area, in accordance with policy D1 of the Thanet Local Plan.

15 Prior to the commencement of the development hereby approved samples of the materials to be used in the construction of the external surfaces of the development hereby approved 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 D1 of the Thanet Local Plan

16 All new window and door openings shall be set within reveals not less than 100mm.

GROUND:

In the interests of visual amenity in accordance with Policy D1 of the Thanet Local Plan

17 The first and second floor windows in the east and west-facing elevation serving the kitchens of flat 4, 5 and 6, en-suite, bathroom to flat 6 and living/dining area of flat 6 of the building hereby approved shall be provided and maintained with obscure glass and be top hung only.

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

18 Prior to occupation of any residential units to which they relate the privacy screens to the balconies and patio areas shall be fitted and maintained with a 2 metre obscure privacy screen as detailed on drawing numbered 07A (received 15/09/17). The screens shall thereafter be maintained.

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.”

Further to debate, the motion was put to the vote and declared LOST.

Then, it was proposed by Councillor D Saunders and seconded by Councillor Buckley:

“That the application be REFUSED due to its depth and scale which would appear cramped and out of keeping with the character and appearance of the street scene and the Area of High townscape value, contrary to Policies D1 and D7 of the Thanet Local Plan.”

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

258. SCHEDULE OF PLANNING APPLICATIONS

259. A01 - FH/TH/17/1244 - SHELLSWELL, CANTERBURY ROAD, BIRCHINGTON

PROPOSAL: Alterations to roof from hip to barn hip; including increase in ridge height, erection of rear dormer window and balcony above existing single storey rear extension, together with erection of single storey side/rear extension

Speaking in favour of the application was Mr Garbutt.

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

“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 plans numbered 1902/PL/03.1/C and 1902/PL/03.2/C received 21 August 2017 and the amended plans numbered 1902/PL/03.3/E and 1902/PL/03.4/E received 11 October 2017.

GROUND:

To secure the proper development of the area.

3 Prior to the commencement of use of the roof terrace, 1.8m high obscure glazed privacy screens shall be erected to both side elevations of the roof terrace hereby approved, as

shown on the approved plan numbered 1902/PL/03.4/E received 11 October 2017. The privacy screens shall thereafter be maintained.

GROUND:

To safeguard the residential amenities currently enjoyed by the occupiers of the adjacent neighbouring properties, in accordance with Policy D1 of the Thanet Local Plan.

4 The external materials and external finishes to be used in the development 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 D1 of the Thanet Local Plan.”

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

260. A02 - F/TH/17/1392 - 23 MAGNOLIA AVENUE, MARGATE

PROPOSAL: Erection of single storey front extension following demolition of existing porch

It was proposed by Councillor Tomlinson, seconded by Councillor Saunders and RESOLVED:

“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 drawing numbered 46 received 09 October 2017.

GROUND:

To secure the proper development of the area.

3 The external materials and external finishes to be used in the erection of the extension 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 D1 of the Thanet Local Plan.”

261. A03 - FH/TH/17/1309 - WAYBANK, WAY HILL, MINSTER, RAMSGATE

PROPOSAL: Erection of detached garage with games room in roof

It was proposed by Councillor Tomlinson, seconded by Councillor Saunders and RESOLVED:

“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 drawing numbered 17.114.MB.PL05 Rev B, 17.1134.MB.PL06 Rev B, 17.1134.MB.PL07 and dated Rev B, 17.1134.MB.PL08 Rev B received 23 October 2017.

GROUND:

To secure the proper development of the area.

3 The outbuilding hereby permitted shall not be used at any time other than for purposes ancillary to the residential use of the dwelling currently known as Waybank, Way Hill, Minster, and shall not at any time be used as a self-contained independent unit.

GROUND:

To secure the proper development of the area.”

262. R04 - OL/TH/17/1412 - LAND NORTH WEST OF DOWN BARTON ROAD, ST NICHOLAS AT WADE, BIRCHINGTON

PROPOSAL: Outline application for the erection of 1No. detached bungalow with all matters reserved

Speaking in favour of the application was Mr Michael.

It was proposed by the Chairman and seconded by the Vice Chairman:

“THAT the officer’s recommendation be adopted, namely:

‘That the application be REFUSED for the following reason:

1 The site is outside the built up area boundary of any settlement and represents an unsustainable and isolated form of development within the countryside, not outweighed by any economic, social or environment benefits, contrary to Policies H1 and CC1 of the Thanet Local Plan and Paragraphs 49 and 55 of the National Planning Policy Framework.

2 The proposed dwelling, by virtue of its location, would appear visually divorced and isolated within the open landscape which is characteristic of the western side of Down Barton

Road, and out of keeping with the open rural character of the area, contrary to Thanet Local Plan Policies CC1, CC2 and D1, and paragraphs 17, 58, 60 and 61 of the National Planning Policy Framework.”

Following debate, the motion was put to the vote and declared CARRIED.

263. D05 - OL/TH/17/0150 - LAND ADJACENT TO OAKLAND COURT, COTTINGTON ROAD, CLIFFSEND, RAMSGATE

PROPOSAL: Outline application for the erection of up to 23no. dwellings including access with all other matters reserved

Speaking in favour of the application was Mr Courtley.

Speaking raising points of concern was Mrs Knowles.

Speaking as parish councillor was Councillor Lyon.

Speaking as ward councillor was Councillor Rogers.

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

“THAT the officer’s recommendation be adopted, namely:

‘That the application be DEFERRED AND DELEGATED to the Director of Community Services to approve subject to receipt of a legal agreement securing the agreed planning obligations and the following safeguarding conditions:

1 Approval of the details of the layout, scale and appearance of any buildings to be erected, and the landscaping of the site, (hereinafter called 'the reserved matters') shall be obtained from the Local Planning Authority in writing before any development is commenced.

GROUND:

As no such details have been submitted.

2 Plans and particulars of the reserved matters referred to in Condition 1 above, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.

GROUND:

In accordance with Section 92(2) of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

3 Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this permission.

GROUND:

In accordance with Section 92(2) of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

4 The development hereby permitted shall be begun before the expiration of 2 years from the date of approval of the last of the reserved matters to be approved.

GROUND:

In accordance with Section 92(2) of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

5 The development hereby approved shall be carried out in accordance with the submitted access and highway plan numbered 21302/01 Rev 04, received 31 July 2017.

GROUND:

To secure the proper development of the area.

6 Prior to the commencement of the development hereby permitted, an acoustic assessment shall be undertaken to determine the impact of noise from transport related sources and shall be made in accordance with BS8233 2014: Guidance on Sound Insulation and Noise Reduction for Buildings. The results of the assessment and details of a scheme of acoustic protection shall be submitted and approved in writing by the Local Planning Authority. The scheme shall include details of acoustic protection sufficient to ensure internal noise levels (LAeq,T) no greater than 30dB in bedrooms and 35dB in living rooms with windows closed and a maximum noise level (L_{Amax}) of no more than 45dB(A) with windows closed. Where the internal noise levels will be exceeded with windows open, the scheme shall incorporate appropriate acoustically screened mechanical ventilation. The scheme shall include details of acoustic protection sufficient to ensure amenity/garden noise levels of not more than 55dB (LAeq,T). All works, which form part of the approved scheme, shall be completed before any part of the development is occupied and shall thereafter be maintained in accordance with the approved details.

GROUND:

To protect the living conditions of the future occupiers of the development, in accordance with the NPPF.

7 Existing trees, shrubs and hedgerows identified for retention within the development site or existing trees growing on an adjacent site, where excavations, changes to land levels or underground works are within the crown spread, shall be protected in accordance with BS 5837: 2005 using the following protective fence specification:-

o Chestnut paling fence 1.2m in height, to BS 1722 part 4, securely mounted on 1.7m x 7cm x 7.5cm timber posts driven firmly into the ground. The fence shall be erected below the outer most limit of the branch spread or at a distance equal to half the height of the tree, whichever is the furthest from the tree, unless otherwise agreed in writing with the Local Planning Authority.

The protective fencing shall be erected before the works hereby approved or any site clearance work commences, and shall thereafter be maintained until the development has been completed.

At no time during the site works shall building materials, machinery, waste, chemicals, stored or piled soil, fires or vehicles be allowed within the protective fenced area.

Nothing shall be attached or fixed to any part of a retained tree and it should not be used as an anchor point.

There shall be no change in the original soil level, nor trenches excavated within the protective fenced area.

GROUND:

In the interests of the visual amenities of the area and to adequately integrate the development into the environment, in accordance with Thanet Local Plan Policies D1 and D2.

8 Prior to the commencement of development (including vegetation clearance), a precautionary mitigation strategy shall be submitted to and approved in writing by the Local Planning Authority. The precautionary mitigation strategy must be informed by a site visit to be carried out within 3 months prior to the submission of the strategy. The measures shall be implemented in full accordance with the details approved.

GROUND:

To safeguard protected species, in accordance with the NPPF.

9 Prior to the installation of any external lighting, a lighting design strategy for biodiversity shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall:

- a) Identify those areas / features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, e.g., for foraging.
- b) Show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority.

GROUND:

To safeguard protected species, in accordance with the NPPF.

10 Details to be submitted in pursuant of Condition 1 above for layout shall include a detailed sustainable surface water drainage scheme for the site. The detailed drainage scheme shall demonstrate that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100 year storm) can be accommodated and disposed of without increase to flood risk on or off-site. The drainage scheme shall also demonstrate that silt and pollutants resulting from the site use can be adequately managed to ensure there is no pollution risk to receiving waters, and that the design will not provide a breeding ground for mosquitos.

GROUND:

To prevent flood risk and pollution of groundwater, in accordance with the NPPF.

11 Development shall not begin until details of the implementation, maintenance and management of the sustainable drainage scheme have been submitted to and approved in writing by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:

- a) a timetable for its implementation, and
- b) a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage system throughout its lifetime.

GROUND:

To prevent flood risk and pollution of groundwater, in accordance with the NPPF.

12 No building on any phase (or within an agreed implementation schedule) of the development hereby permitted shall be occupied until a Verification Report pertaining to the surface water drainage system, carried out by a suitably qualified professional, has been submitted to the Local Planning Authority which demonstrates the suitable operation of the drainage system such that flood risk is appropriately managed, as approved by the Lead Local Flood Authority. The Report shall contain information and evidence (including photographs) of earthworks; details and locations of inlets, outlets and control structures; extent of planting; details of materials utilised in construction including subsoil, topsoil, aggregate and membrane liners; full as built drawings; and topographical survey of 'as constructed' features.

GROUND:

To prevent flood risk and pollution of groundwater, in accordance with the NPPF.

13 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved. Reason: To ensure development meets the aims of the NPPF through sustainable management of any historic contamination present that could present a risk to groundwater within the underlying principal aquifer within Source Protection Zone 2 of a public water supply.

GROUND:

To prevent flood risk and pollution of groundwater, in accordance with the NPPF.

14 No development shall take place until a drainage strategy detailing the proposed means of foul disposal and a implementation timetable, has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved scheme and timetable.

GROUND:

To prevent pollution of groundwater, in accordance with the NPPF.

15 No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written specification and timetable which has been submitted to and approved by the Local Planning Authority.

GROUND:

To ensure that features of archaeological interest are properly examined and recorded, in accordance with the NPPF.

16 Prior to the first occupation of any dwelling hereby approved, the proposed site access, footways, road widening works on Cottington Road, and crossing point on Oakland Court, as shown on the approved plan numbered 21302/01 Rev 04, shall be completed and operational.

GROUND:

In the interests of highway safety and pedestrian movement, in accordance with the NPPF.

17 The proposed roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, driveway gradients, car parking and street furniture to be laid out and constructed in accordance with details to be submitted to and approved by the Local Planning Authority.

GROUND:

In the interests of highway safety.

18 The following works between a dwelling and the adopted highway shall be completed prior to the first occupation of the dwelling:

- (a) Footways and/or footpaths, with the exception of the wearing course;
- (b) Carriageways, with the exception of the wearing course but including a turning facility, highway drainage, visibility splays, street lighting, street nameplates and highway structures (if any).

GROUND:

In the interests of highway safety.

19 Prior to the first occupation of the development hereby permitted, visibility splays of 2.4m x 43m x 2.4m shall be provided to the access onto Cottington Road, as shown on the approved plan numbered 21302/01 Rev 04, with no obstructions over 1 metre above carriageway level within the splays, which shall thereafter be maintained.

GROUND:

In the interests of highway safety.

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

- (a) Routing of construction and delivery vehicles;
- (b) Parking and turning facilities for delivery and site personnel vehicles;
- (c) Wheel washing facilities;
- (d) Temporary traffic management/signage required.

Development shall be carried out in accordance with the approved details.

GROUND:

In the interests of highway safety.

21 The details to be submitted in pursuant of condition 1 above for layout and scale shall include an updated Historic Landscape Assessment , which takes into account the impact of the proposed development on the Grade II Listed St.Augustine's Cross.

GROUND:

To limit the impact upon the setting of the Grade II Listed St.Augustine's Cross, in accordance with the NPPF.

22 Details pursuant to condition 1 above shall not show any building exceeding 2 storeys in height.

GROUND:

In the interests of visual amenity, in accordance with Policy D1 of the Thanet Local Plan.

23 Details to be submitted in pursuant of Condition 1 above shall include the location and size of the affordable housing units.

GROUND:

To ensure that the required level and type of affordable housing is provided in accordance with Policy H14 of the Thanet Local Plan.

24 Details pursuant to condition 1 shall show the provision of 1 Electric Vehicle Charging Points per residential property with dedicated parking, and 1 in 10 of all allocated parking, which shall be installed to the specification within Thanet Air Quality Technical Planning Guidance 2016.

GROUND:

To promote sustainable forms of transportation and to protect air quality in accordance with Thanet Local Plan Policy EP5 and guidance within the National Planning Policy Framework.

25 Details pursuant to condition 1 shall identify a minimum of 15% of housing to lifetime home and wheelchair standards and include the specification of such dwellings.

GROUND:

To meet the housing needs of the community in accordance with Policy H8 of the Thanet Local Plan 2006.

26 The layout and landscaping details pursuant of condition 1 above shall include a landscaping buffer along the northern boundary of the site, which should be a minimum of 3m in depth (and exclude any built development), and should contain small native trees with hedgerow; a small tree belt along the western boundary; scattered trees and a native hedgerow along the southern boundary; and a hedgerow along the eastern boundary, where adjacent to residential development, in accordance with the recommendations as contained within the Visual Impact Assessment.

GROUND:

To limit the impact upon the countryside, Landscape Character Area, and Grade II Listed St. Augustine's Cross, in accordance with Policies CC1 and CC2 of the Thanet Local Plan and the NPPF.

27 No less than 70% of the total number of dwellings constructed pursuant to this planning permission shall be dwellings of two or more bedrooms.

GROUND:

To ensure the provision of a mix of house sizes and types to meet a range of community needs, in accordance with Policy H8 of the Thanet Local Plan.

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

GROUND:

To serve the future occupants of the development in accordance with the guidance within the National Planning Policy Framework.

29 The details to be submitted in pursuant of Condition 1 above for layout shall show no development within the area annotated as archaeological exclusion zone, as identified on the illustrative site layout plan numbered 01 Rev C.

GROUND:

To protect archaeology of significance, in accordance with Policy HE12 of the Thanet Local Plan and the NPPF.”

Following debate, the motion was declared CARRIED.

264. D06 - OL/TH/17/0151 - LAND NORTH OF COTTINGTON ROAD AND EAST OF LAVENDER LANE, RAMSGATE

PROPOSAL: Outline application for the erection of up to 41no. dwellings including access with all other matters reserved

Speaking in favour of the application was Mr Courtley.

Speaking raising points of concern was Mr Hickman.

Speaking as parish councillor was Councillor Lyon.

Speaking as ward councillor was Councillor Rogers.

It was proposed by the Chairman and seconded by the Vice Chairman:

“THAT the officer’s recommendation be adopted, namely:

‘That the application be DEFERRED AND DELEGATED to the Director of Community Services to approve subject to receipt of a legal agreement

securing the agreed planning obligations and the following safeguarding conditions:

1 Approval of the details of the layout, scale and appearance of any buildings to be erected, and the landscaping of the site, (hereinafter called 'the reserved matters') shall be obtained from the Local Planning Authority in writing before any development is commenced.

GROUND:

As no such details have been submitted.

2 Plans and particulars of the reserved matters referred to in Condition 1 above, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.

GROUND:

In accordance with Section 92(2) of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

3 Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this permission.

GROUND:

In accordance with Section 92(2) of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

4 The development hereby permitted shall be begun before the expiration of 2 years from the date of approval of the last of the reserved matters to be approved.

GROUND:

In accordance with Section 92(2) of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

5 The development hereby approved shall be carried out in accordance with the submitted access and highway plan numbered 21301/01 Rev 05, received 25 October 2017.

GROUND:

To secure the proper development of the area.

6 Prior to the commencement of the development hereby permitted, an acoustic assessment shall be undertaken to determine the impact of noise from transport related sources and shall be made in accordance with BS8233 2014: Guidance on Sound Insulation and Noise Reduction for Buildings. The results of the assessment and details of a scheme of acoustic protection shall be submitted and approved in writing by the Local Planning Authority. The scheme shall include details of acoustic protection sufficient to ensure internal noise levels (LAeq,T) no greater than 30dB in bedrooms and 35dB in living rooms with windows closed and a maximum noise level (LAmx) of no more than 45dB(A) with windows closed. Where the internal noise levels will be exceeded with windows open, the scheme shall incorporate appropriate acoustically screened mechanical ventilation. The scheme shall include details of acoustic protection sufficient to ensure amenity/garden noise levels of not more than 55dB (LAeq,T). All works, which form part of the approved scheme, shall be completed before any part of the development is occupied and shall thereafter be maintained in accordance with the approved details.

GROUND:

To protect the living conditions of the future occupiers of the development, in accordance with the NPPF.

7 Existing trees, shrubs and hedgerows identified for retention within the development site or existing trees growing on an adjacent site, where excavations, changes to land levels or underground works are within the crown spread, shall be protected in accordance with BS 5837: 2005 using the following protective fence specification:-

o Chestnut paling fence 1.2m in height, to BS 1722 part 4, securely mounted on 1.7m x 7cm x 7.5cm timber posts driven firmly into the ground. The fence shall be erected below the outer most limit of the branch spread or at a distance equal to half the height of the tree, whichever is the furthest from the tree, unless otherwise agreed in writing with the Local Planning Authority.

The protective fencing shall be erected before the works hereby approved or any site clearance work commences, and shall thereafter be maintained until the development has been completed.

At no time during the site works shall building materials, machinery, waste, chemicals, stored or piled soil, fires or vehicles be allowed within the protective fenced area.

Nothing shall be attached or fixed to any part of a retained tree and it should not be used as an anchor point.

There shall be no change in the original soil level, nor trenches excavated within the protective fenced area.

GROUND:

In the interests of the visual amenities of the area and to adequately integrate the development into the environment, in accordance with Thanet Local Plan Policies D1 and D2.

8 Prior to the commencement of development (including vegetation clearance), a precautionary mitigation strategy shall be submitted to and approved in writing by the Local Planning Authority. The precautionary mitigation strategy must be informed by an site visit be carried out within 3months prior to the submission of the strategy. The measures shall be implemented in full accordance with the details approved.

GROUND:

To safeguard protected species, in accordance with the NPPF.

9 Prior to the installation of any external lighting, a lighting design strategy for biodiversity shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall:

a) Identify those areas / features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, e.g., for foraging.

b) Show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior to consent from the Local Planning Authority.

GROUND:

To safeguard protected species, in accordance with the NPPF.

10 Details to be submitted in pursuant of Condition 1 above for layout shall include a detailed sustainable surface water drainage scheme for the site. The detailed drainage scheme shall demonstrate that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100 year storm) can be accommodated and disposed of without increase to flood risk on or off-site. The drainage scheme shall also demonstrate that silt and pollutants resulting from the site use can be adequately managed to ensure there is no pollution risk to receiving waters, and that the design will not provide a breeding ground for mosquitos.

GROUND:

To prevent flood risk and pollution of groundwater, in accordance with the NPPF.

11 Development shall not begin until details of the implementation, maintenance and management of the sustainable drainage scheme have been submitted to and approved in writing by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:

- a) a timetable for its implementation, and
- b) a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage system throughout its lifetime.

GROUND:

To prevent flood risk and pollution of groundwater, in accordance with the NPPF.

12 No building on any phase (or within an agreed implementation schedule) of the development hereby permitted shall be occupied until a Verification Report pertaining to the surface water drainage system, carried out by a suitably qualified professional, has been submitted to the Local Planning Authority which demonstrates the suitable operation of the drainage system such that flood risk is appropriately managed, as approved by the Lead Local Flood Authority. The Report shall contain information and evidence (including photographs) of earthworks; details and locations of inlets, outlets and control structures; extent of planting; details of materials utilised in construction including subsoil, topsoil, aggregate and membrane liners; full as built drawings; and topographical survey of 'as constructed' features.

GROUND:

To prevent flood risk and pollution of groundwater, in accordance with the NPPF.

13 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved. Reason: To ensure development meets the aims of the NPPF through sustainable management of any historic contamination present that could present a risk to groundwater within the underlying principal aquifer within Source Protection Zone 2 of a public water supply.

GROUND:

To prevent flood risk and pollution of groundwater, in accordance with the NPPF.

14 No development shall take place until a drainage strategy detailing the proposed means of foul disposal and a implementation timetable, has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved scheme and timetable.

GROUND:

To prevent pollution of groundwater, in accordance with the NPPF.

15 No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written specification and timetable which has been submitted to and approved by the Local Planning Authority.

GROUND:

To ensure that features of archaeological interest are properly examined and recorded, in accordance with the NPPF.

16 Prior to the first occupation of any dwelling hereby approved, the proposed site access, footways, passing places and road widening works on Cottington Road, as shown on the approved plan numbered 21301/01 Rev 05, shall be completed and operational.

GROUND:

In the interests of highway safety and pedestrian movement, in accordance with the NPPF.

17 The proposed roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, driveway gradients, car parking and street furniture to be laid out and constructed in accordance with details to be submitted to and approved by the Local Planning Authority.

GROUND:

In the interests of highway safety.

18 The following works between a dwelling and the adopted highway shall be completed prior to the first occupation of the dwelling:

- (a) Footways and/or footpaths, with the exception of the wearing course;
- (b) Carriageways, with the exception of the wearing course but including a turning facility, highway drainage, visibility splays, street lighting, street nameplates and highway structures (if any).

GROUND:

In the interests of highway safety.

19 Prior to the first occupation of the development hereby permitted, visibility splays of 2.4m x 58m x 2.4m shall be provided to the access onto Cottington Road, as shown on the approved plan numbered 21301/01 Rev 05, with no obstructions over 1 metre above carriageway level within the splays, which shall thereafter be maintained.

GROUND:

In the interests of highway safety.

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

- (a) Routing of construction and delivery vehicles;
- (b) Parking and turning facilities for delivery and site personnel vehicles;
- (c) Wheel washing facilities;
- (d) Temporary traffic management/signage required.

Development shall be carried out in accordance with the approved details.

GROUND:

In the interests of highway safety.

21 The details to be submitted in pursuant of condition 1 above for layout and scale shall include an updated Historic Landscape Assessment, which takes into account the impact of the proposed development on the Grade II Listed St. Augustine's Cross.

GROUND:

To limit the impact upon the setting of the Grade II Listed St. Augustine's Cross, in accordance with the NPPF.

22 Details pursuant to condition 1 above shall not show any building exceeding 2 storeys in height.

GROUND:

In the interests of visual amenity, in accordance with Policy D1 of the Thanet Local Plan.

23 Details to be submitted in pursuant of Condition 1 above shall include the location and size of the affordable housing units.

GROUND:

To ensure that the required level and type of affordable housing is provided in accordance with Policy H14 of the Thanet Local Plan.

24 Details pursuant to condition 1 shall show the provision of 1 Electric Vehicle Charging Points per residential property with dedicated parking, and 1 in 10 of all allocated parking, which shall be installed to the specification within Thanet Air Quality Technical Planning Guidance 2016.

GROUND:

To promote sustainable forms of transportation and to protect air quality in accordance with Thanet Local Plan Policy EP5 and guidance within the National Planning Policy Framework.

25 Details pursuant to condition 1 shall identify a minimum of 15% of housing to lifetime home and wheelchair standards and include the specification of such dwellings.

GROUND:

To meet the housing needs of the community in accordance with Policy H8 of the Thanet Local Plan 2006.

26 The layout and landscaping details pursuant of condition 1 above shall include a landscaping buffer along the southern boundary of the site, which should be a minimum of 5m in depth (and exclude any built development), and should contain both deciduous and evergreen native trees and hedgerow; and hedgerows and scattered trees along the northern, eastern and western boundaries of the site, in accordance with the recommendations as contained within the Visual Impact Assessment.

GROUND:

To limit the impact upon the countryside, Landscape Character Area, and Grade II Listed St. Augustine's Cross, in accordance with Policies CC1 and CC2 of the Thanet Local Plan and the NPPF.

27 No less than 70% of the total number of dwellings constructed pursuant to this planning permission shall be dwellings of two or more bedrooms.

GROUND:

To ensure the provision of a mix of house sizes and types to meet a range of community needs, in accordance with Policy H8 of the Thanet Local Plan.

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

GROUND:

To serve the future occupants of the development in accordance with the guidance within the National Planning Policy Framework.”

Further to debate, the motion was put to the vote and declared CARRIED.

Meeting concluded : 8.55pm