

LAND AT BRAMWELL COURT ADJ WILD THYME BRAMWELL COURT, LAUNDRY ROAD, MINSTER

To: **Council– 9 October 2008**

By: **Head of Development Services**

Classification: **Unrestricted**

Ward: **Thanet Villages**

Summary: **The application for outline planning permission for the erection of a dwelling on land at Bramwell Court adj Wild Thyme Bramwell Court, Laundry Road, Minster has been referred to Council for decision as it represents an departure from the Thanet Local Plan.**

For Decision

1.0 Introduction and Background

1.1 At planning committee on 16 July 2008 it was resolved to refer the outline planning application for the erection of a detached house and garage including access to Council for decision with a recommendation that planning permission be granted subject to conditions. The application represents a departure from the Local Plan policy H1 of the Thanet Local Plan which states that permission for new residential development will be permitted "...only on previously developed land within the existing built up confines...". Therefore the application represents a departure from the Local Plan and in accordance with the constitution for Thanet District Council the matter is referred to Council for decision.

2.0 The Current Situation

2.1 The planning committee after having considered the application is of the view that the application should be approved on the grounds that the site has previously benefitted from planning permission for a dwelling and had previously been allocated in the Local Plan for housing. The planning committee is of the view that the proposed development is acceptable in terms of its design and overall visual impact as it would relate to the existing dwelling that has been erected and would complete the group of dwellings that was last approved in 2004. The 2004 permission expired in 2007. Having regard to all of the factors in this case the planning committee considered that on balance the proposed development would be an acceptable exception from policy and therefore recommends to council that the application should be approved. A copy of the officer report to planning committee, which recommended refusal of the application, is attached to this report.

3.0 Options

3.1 Members have the option to refuse the application for the reason set out in the advisory note which is attached to this report or to approve the application in accordance with the recommendation by the planning committee for the reasons set out in the advisory note attached to this report.

4.0 Implications

4.1 Financial

- 4.1.1 A refusal of planning permission may result in the submission of an appeal, which may incur financial costs should external assistance be required in preparing and presenting the Council's case. Furthermore, Members are advised that, should the appeal be in the form of a hearing or Public Inquiry, and if the appellant applies for costs, there is a risk that an awarded could be made against the Council.

4.2 Legal

- 4.2.1 A decision to refuse planning permission may result in an appeal and the need for legal assistance in response. Should the appeal be in the form of a Public Inquiry, it may be necessary to appoint external assistance.

4.3 Corporate

- 4.3.1 Consideration of the planning application relates to the corporate aim of pride in developing the local economy and improving the local environment in a sustainable manner.

4.4 Equity and Equalities

- 4.4.1 There are no specific equity or equality issues that need to be taken into account in this report.

5.0 Recommendation

- 5.1 To grant planning permission subject to the conditions set out in the advisory note

6.0 Decision Making Process

- 6.1 Council to decide

Contact Officer: Simon Thomas, Planning Applications Manager ext 7752

Background Papers

None

Annexes

Annex I Briefing note

Annex II Officer report to planning committee on 16 July 2008