

Planning Application F/TH/19/0925 - Land Adjacent Former Primrose Cottage Wayborough Hill Minster RAMSGATE Kent

Planning Committee – 18 December 2019

Report Author Rosemary Bullivant, *Planning Officer*

Status *For Decision*

Classification: Unrestricted

Previously Considered by **Planning Committee 18th September 2019**

Ward: *Thanet Villages*

Executive Summary:

This report concerns an application submitted under reference F/TH/19/0925 for the erection of a two storey 3-bed dwelling with associated parking following demolition of existing stables that was brought to Planning Committee on 18th September 2019, with a resolution agreed by members to Defer and Delegate the application for approval following receipt of a signed Unilateral Undertaking securing the SPA contribution.

The application is reported back to members as a discrepancy has been identified between the plans for approval, with the block plan showing development outside of the red line boundary shown on the site plan.

The applicant has amended the block plan as shown on the 'Revised Block Plan' received 05 December 2019, which now shows the gravel access road outside of the red line omitted. All development is now shown within the red line as originally submitted.

There are no other changes to the proposed development previously considered by members (see report within Annex 1) .

A signed unilateral undertaking securing the SPA contribution has now been submitted.

Recommendation:

Members approve the application under reference F/TH/19/0925, subject to safeguarding conditions and an informative linking the decision to the signed unilateral undertaking, with an agreement to the amendment of approved plan condition 2, which shall read the following:

'The development hereby approved shall be carried out in accordance with the submitted drawings numbered 18.1227.MB.PL001, and un-numbered drawings labelled proposed dwelling at Wayborough Hill, Minster showing proposed rear and side elevations with ground floor and first floor plans, and front and side elevations

with roof plan, received 4 July 2019 and Revised Block Plan received 5 December 2019.'

CORPORATE IMPLICATIONS	
Financial and Value for Money	No implications.
Legal	<p>The Planning Committee is not bound to follow the advice of Officers. However, if officers' professional or technical advice is not followed, authorities will need to show reasonable planning grounds for taking a contrary decision.</p> <p>The reasons for any decision must be formally recorded in the minutes and a copy placed on file.</p> <p>If Members decide not to accept the advice of Officers it should be mindful of the potential for legal challenge and associated cost implications.</p>
Corporate	The delivery of new housing through the Local Plan and planning applications supports the Council's priorities of supporting neighbourhoods ensuring local residents have access to good quality housing, and promoting inward investment through setting planning strategies and policies that support growth of the economy.
Equalities Act 2010 & Public Sector Equality Duty	<p>Members are reminded of the requirement, under the Public Sector Equality Duty (section 149 of the Equality Act 2010) to have due regard to the aims of the Duty at the time the decision is taken. The aims of the Duty are: (i) eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act, (ii) advance equality of opportunity between people who share a protected characteristic and people who do not share it, and (iii) foster good relations between people who share a protected characteristic and people who do not share it.</p> <p>Protected characteristics: age, gender, disability, race, sexual orientation, gender reassignment, religion or belief and pregnancy & maternity. Only aim (i) of the Duty applies to Marriage & civil partnership.</p> <p>In the opinion of the author of this report the Public Sector equality duty is not engaged or affected by this decision.</p>

1.0 Background

- 1.1 Members considered this application under planning reference F/TH/19/0925 for the erection of a two storey 3-bed dwelling with associated parking following demolition of existing stables.
- 1.2 The application was brought to Planning Committee on 18.09.2019 and Members made a decision to Defer and Delegate for decision once a signed Unilateral Undertaking for contributions has been received.

2.0 Analysis

- 2.1 The proposal relates to the plan condition attached to F/TH/19/0925 for the erection of a two storey 3-bed dwelling with associated parking following demolition of existing stables that was brought to Planning Committee on 18.09.2019 and recommended by Members to Defer and Delegate for decision once the Council received a signed Unilateral Undertaking for contributions.
- 2.2 Following receipt of the Unilateral Undertaking a discrepancy has been found regarding the red line shown on the site plan and the ownership of access shown on the Land Registry Title. This in turn has resulted in the identification of an error between submitted plans. The un-numbered drawing labelled 'proposed dwelling at Wayborough Hill, Minster, showing the proposed block plan' shows a gravel access road leading off the existing access but this access sits outside the red line identified on the Site Plan.
- 2.3 The applicant has amended the block/site plan to omit the gravel access and the existing access is shown to provide access to the site. All development is now shown within the red line.
- 2.4 Members approved the recommended conditions attached to the planning application and Condition 2 refers specifically to the approved drawings. As a result Condition 2 cannot be amended and issued without further agreement from Members. Condition 2 therefore needs to be amended to include the revised block plan received 5 December 2019.
- 2.5 No further amendments or alterations have been made to the proposal, other than the removal of the gravel access, and the application is identical to that previously reported to the Planning Committee. The changes to the block plan reduces the extent of works and therefore there is no requirement for additional public consultation as the proposal has not been significantly amended.
- 2.6 It is recommended that Members agree the amendment to the wording of Condition 2 to change from:

'The development hereby approved shall be carried out in accordance with the submitted drawings numbered 18.1227.MB.PL001, and un-numbered drawings labelled proposed dwelling at Wayborough Hill, Minster showing proposed block plan, rear and side elevations with ground floor and first floor plans, and front and side elevations with roof plan, received 4 July 2019.'

To read:

'The development hereby approved shall be carried out in accordance with the submitted drawings numbered 18.1227.MB.PL001, and un-numbered drawings labelled proposed dwelling at Wayborough Hill, Minster showing proposed rear and side elevations with ground floor and first floor plans, and front and side elevations with roof plan, received 4 July 2019 and Revised Block Plan received 5 December 2019.'

3.0 Options

3.1 Members approve the application in accordance with the officer recommendation.

3.2 Members propose an alternative motion.

4.0 Recommendations

4.1 Officers recommend Members of the Planning Committee to agree option 3.1.

Contact Officer:	Rosemary Bullivant, Planning Officer
Reporting to:	Emma Fibbens, Principal Planning Officer

Background Papers

Annex 1	Committee Report F/TH/19/0925
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