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## Planning Committee

### Minutes of the meeting held on 19 February 2020 at 7.00 pm in Council Chamber, Council Offices, Cecil Street, Margate, Kent.

**Present:** Councillor Michael Tomlinson (Chairman); Councillors Coleman-Cooke, Albon, J Bayford, Currie, Dennis, Garner, Hart, Keen, Scott, Scobie, Taylor and Wright

**545. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Duckworth.

**546. DECLARATIONS OF INTEREST**

There were no declarations of interest.

**547. MINUTES OF PREVIOUS MEETING**

Councillor Albon proposed, Councillor Coleman-Cooke seconded and Members AGREED that the minutes of the Planning Committee held on 22 January 2020 be approved and signed by the Chairman.

**548. SCHEDULE OF PLANNING APPLICATIONS**

**549. A01 - FH/TH/19/1616 - 21 CHESTNUT DRIVE, BROADSTAIRS**

PROPOSAL: Erection of single storey rear extension and alterations to existing garage and change of use to habitable space

It was proposed by Councillor Albon, seconded by the Vice Chairman 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 development hereby approved shall be carried out in accordance with the submitted drawings numbered 19/423/JG/PR01 Rev C received 05/02/2020.

GROUND:

To secure the proper development of the area.

3 The external materials and external finishes to be used in 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.”

**550. R02 - F/TH/19/1289 - 4 THE SPINNEY, MARGATE**

PROPOSAL: Retrospective application for the change of use of amenity land to residential garden and the erection of boundary fence

Speaking in favour of the application was Mr Blackman.

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 erection of the fence, by virtue of the prominent location, height, and materials, forms a dominant, incongruous and obtrusive form of development in the streetscene, diminishing the sense of place and local distinctiveness in the locality, severely detrimental to the character and appearance of the area and the Northdown Conservation Area, contrary to the aims of saved Policy D1 of the Thanet Local Plan, and paragraphs 127 and 130 of the National Planning Policy Framework”

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

Then, it was proposed by Councillor Scott and seconded by Councillor Albon that:

“The application be APPROVED as development would not harm the character and appearance of the Conservation area, subject to a condition for details of staining to be carried out to the fence to be submitted for approval to the Council.”

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

**551. D03 - F/TH/19/0889 - FORMER WESTONVILLE GARAGE, CANTERBURY ROAD, MARGATE**

PROPOSAL: Erection of a part 3-storey, part 4-storey, and part 5-storey building comprising 15no. 2-bed self-contained flats and 3no. 1-bed self-contained flats, with basement parking

Speaking in favour of the application was Mr Rafferty.

Speaking raising points of concern was Mr Carter.

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 subject to the satisfactory completion of Section 106 agreement within six months of the date of this resolution securing the required planning obligations as set out in the Heads of Terms, and safeguarding conditions.

1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

**GROUND;**

In accordance with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Purchase Act 2004).

2 The proposed development shall be carried out in accordance with the submitted application as amended by the revised drawings numbered 200.00 P5, 200.01 P6, 200.02 P5, 200.03 P5, 200.04 P5, 210.01 P4, 210.02 P4, 210.03 P4, and 210.04 P3, received 03 October 2019.

**GROUND;**

To secure the proper development of the area.

3 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.

4 No development approved by this planning permission shall commence until a strategy to deal with the potential risks associated with any contamination of the site has been submitted to, and approved in writing by, the Local Planning Authority (LPA). This strategy will include the following components:

1. A preliminary risk assessment which has identified:  
all previous uses, potential contaminants associated with those uses, a conceptual model of the site indicating sources, pathways and receptors and potentially unacceptable risks arising from contamination at the site.
2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of

pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the written consent of the LPA. The scheme shall be implemented as approved.

#### Reason

To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution in line with paragraph 170 of the National Planning Policy Framework (NPPF).

5 Prior to any part of the permitted development being occupied a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the LPA. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

#### Reason

To ensure that the site does not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with paragraph 170 of the NPPF.

6 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 LPA) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the LPA. The remediation strategy shall be implemented as approved.

#### Reason

To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site in line with paragraph 170 of the NPPF.

7 No infiltration of surface water drainage into the ground is permitted other than with the written consent of the LPA. The development shall be carried out in accordance with the approved details.

#### Reason

To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants in line with paragraph 170 of the NPPF.

8 Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the LPA, which may be given for those parts of the site where it has been demonstrated by a piling risk assessment that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

#### Reason

To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by

mobilised contaminants in line with paragraph 170 of the NPPF.

9 Development shall not begin in any phase until a detailed sustainable surface water drainage scheme for the site has been submitted to (and approved in writing by) the local planning authority. 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 without increase to flood risk on or off-site. The drainage scheme shall also demonstrate (with reference to published guidance):

o that silt and pollutants resulting from the site use can be adequately managed to ensure there is no pollution risk to receiving waters.

o appropriate operational, maintenance and access requirements for each drainage feature or SuDS component are adequately considered, including any proposed arrangements for future adoption by any public body or statutory undertaker.

The drainage scheme shall be implemented in accordance with the approved details.

Reason:

To ensure the development is served by satisfactory arrangements for the disposal of surface water and to ensure that the development does not exacerbate the risk of on/off site flooding. These details and accompanying calculations are required prior to the commencement of the development as they form an intrinsic part of the proposal, the approval of which cannot be disaggregated from the carrying out of the rest of the development.

10 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 and prepared by a suitably competent person, has been submitted to and approved by the Local Planning Authority. The Report shall demonstrate the suitable modelled operation of the drainage system where the system constructed is different to that approved. The Report shall contain information and evidence (including photographs) of details and locations of inlets, outlets and control structures; landscape plans; full as built drawings; information pertinent to the installation of those items identified on the critical drainage assets drawing; and, the submission of an operation and maintenance manual for the sustainable drainage scheme as constructed.

Reason:

To ensure that flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems, and to ensure that the development as constructed is compliant with and subsequently maintained pursuant to the requirements of paragraph 165 of the National Planning Policy Framework.

11 No development shall take place until details of the means of foul drainage have been submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with such details as are agreed and thereafter maintained.

**GROUND;**

To prevent pollution, in accordance with the advice contained within the National Planning Policy Framework.

12 Prior to the commencement of any development on site details to include the following shall be submitted to and approved by the Local Planning Authority and should be carried out in accordance with the approved details.

- (a) Routing of construction and delivery vehicles to / from site
- (b) Parking and turning areas for construction and delivery vehicles and site personnel
- (c) Timing of deliveries
- (d) Provision of wheel washing facilities
- (e) Temporary traffic management / signage
- (f) Measures to control noise affecting nearby residents
- (g) Dust control measures

**GROUND;**

In the interests of highway safety and neighbouring amenity, in accordance with Policy D1 of the Thanet Local Plan and the National Planning Policy Framework.

13 The gradient of the access hereby approved shall be no steeper than 1 in 10 for the first 1.5 metres from the highway boundary and no steeper than 1 in 8 thereafter.

**GROUND;**

In the interests of highway safety.

14 Prior to the first occupation of the development, the secure cycle parking facilities, as shown on approved drawing no. 200.01 Rev P6 shall be provided and thereafter maintained.

**GROUND;**

In the interests of promoting increased cycling in accordance with policy TR12 of the Thanet Local Plan

15 Prior to the first occupation of the development, the area shown on plan numbered 200.00 Rev P5 for the parking of vehicles shall be operational. The area approved shall thereafter be maintained for that purpose.

**GROUND;**

Development without adequate provision for the parking or turning of vehicles 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.

16 The development hereby permitted shall be constructed in accordance with the precautionary mitigation measures for hedgehogs as detailed within the Preliminary Ecological Appraisal (Middlemarch Environmental Ltd July 2019).

**GROUND:**

In the interests of protecting a priority species, in accordance with the NPPF.

17 Prior to the first occupation of the development hereby approved, full details of both hard and soft landscape works, to include

o species, size and location of new trees, shrubs, hedges and grassed areas to be planted.

o the treatment proposed for all hard surfaced areas beyond the limits of the highway.  
o walls, fences, other means of enclosure proposed.

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 adequately integrate the development into the environment in accordance with Policies D1 and D2 of the Thanet Local Plan.

18 All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the first occupation; of any part of the development, or in accordance with a programme of works to be agreed in writing with the Local Planning Authority. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size and species.

**GROUND;**

In the interests of the visual amenities of the area in accordance with Policies D1 and D2 of the Thanet Local Plan

19 Prior to the first occupation of the development hereby permitted, electric vehicle charging shall be provided within the site in the form of one active space and 15no. passive spaces. Details of the location and design details of the active electric vehicle charging point shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

**GROUND:**

To reduce the impact upon air quality, in accordance with the NPPF.

20 Prior to the commencement of the development hereby approved, a scheme to demonstrate that the internal noise levels within the residential units and the external noise levels in back gardens and other relevant amenity areas will conform to the standard identified by BS 8233 2014, Sound Insulation and Noise Reduction for Buildings - Code of Practice, shall be submitted to and approved in writing by the Local Planning Authority. The work specified in the approved scheme shall then be carried out in accordance with the approved details prior to occupation of the premises and be retained thereafter.

**GROUND:**

In the interests of amenity for future occupiers of the development, in accordance with paragraph 127 of the NPPF.

21 All new window and door openings shall be set within a reveal of not less than 100mm

**GROUND;**

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

22 Prior to the construction of the external surfaces of the development hereby approved samples of the materials to be used shall be submitted to, and approved in writing by, the Local Planning Authority. Development shall be carried out in accordance with the approved samples.

**GROUND;**

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

23 Prior to the construction of the external surfaces of the development hereby permitted, details of the metal ballustrading, and manufacturing details of the aluminium windows and doors, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

**GROUND:**

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

24 An airing cupboard shall be provided within each flat, as shown on plans numbered 200.01 Rev P6, 200.02 Rev P5, and 200.04 Rev P5, for the benefit of clothes drying facilities. The airing cupboards shall thereafter be maintained.

**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.

25 At least 10% of the development shall be built in compliance with building regulation part M4(2); and at least 5% of the affordable units shall be built in compliance with building regulations part M4 (3).

**GROUND:**

To meet a range of community needs, in accordance with the NPPF and Policy QD05 of the Draft Local Plan.

26 The refuse storage facilities as specified upon the approved drawing numbered 200.01 Rev P6 shall be provided prior to the first occupation of the development 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.”

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

**552. D04 - F/TH/19/1481 - LAND ADJACENT TO 1 NORTHBOURNE WAY, MARGATE**

PROPOSAL: Erection of two storey, two bedroom dwelling with 2No. parking spaces

It was proposed by Councillor Albon, seconded by the Vice Chairman and RESOLVED:

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

‘Defer and delegate for approval subject to the satisfactory completion of a legal agreement within six months of the date of this resolution securing the

required planning obligations as set out in the report and the following safeguarding conditions:

1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

**GROUND;**

In accordance with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Purchase Act 2004).

2 The proposed development shall be carried out in accordance with the submitted application as amended by the revised drawings numbered MB/19/11/2a, MB/19/11/3, MB/19/11/3a MB/19/11/5a received 22 December 2019 and the additional plan entitled 'Landscape Plan' received 30 January 2020

**GROUND;**

To secure the proper development of the area.

3 Prior to the construction of the external surfaces of the development hereby approved a sample of the proposed brick and roof tiles, and details of the colour and finish of the render and block paving to be used shall be submitted to, and approved in writing by, the Local Planning Authority. Development shall be carried out in accordance with the approved samples and details.

**GROUND;**

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

4 All hard and soft landscape works shall be carried out in accordance with the approved Landscape Plan received 30 January 2020. The works shall be carried out prior to the first occupation of the dwelling hereby approved. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size and species.

**GROUND;**

In the interests of the visual amenities of the area in accordance with Policies D1 and D2 of the Thanet Local Plan

5 Prior to the first use of the site hereby permitted the vehicular access approved and associated vehicle crossing point onto the highway, as shown on the shown on the approved plans numbered MB/19/11/5a received 22 December 2019 and entitled 'Landscape Plan' received 30 January 2020 should be complete.

**GROUND;**

In the interests of highway safety.

6 No further development within the curtilage of the dwellinghouse hereby approved whether approved by Class A, B, C, D, E, F, G and H of Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order

revoking and re-enacting that Order), shall be carried out without the prior permission in writing of the Local Planning Authority.

**GROUND;**

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

Meeting concluded : 8.15pm