

# Public Document Pack

## Planning Committee

**Minutes of the meeting held on 20 May 2020 at 2.00 pm in This is online only.**

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

**In Attendance:** Councillor Whitehead

**570. APOLOGIES FOR ABSENCE**

Apologies were received from Councillor Dennis for whom Councillor Rusiecki was present.

**571. DECLARATIONS OF INTEREST**

There were no declarations of interest.

**572. MINUTES OF PREVIOUS MEETING**

Councillor Rusiecki proposed, the Vice Chairman seconded and Members AGREED that the minutes of the Planning Committee held on 29 April 2020 be approved and signed by the Chairman.

**573. SCHEDULE OF PLANNING APPLICATIONS**

**POINT OF INFORMATION:**

The Planning Applications Manager updated the Planning Committee as follows:

"For schedule item 4b, The David Copperfield, Westwood Road, an alteration is being made to condition 11, altering the timing of the limiting of the noise at the Customer from prior to commencement of use to within 3 months of the use commencing. This is to ensure that the timing of the assessment for the noise level of the Customer Order Point is not affected by any ongoing construction work.

Therefore condition 11 would now read:

*Within 3 months of the commencement of the use hereby permitted, the noise level of the Customer Order Point speaker/s at 0.5 metres shall be limited to no more than 82dB LAeq, 1min. This shall be commissioned by a suitably qualified acoustic consultant and a report issued indicating this has been met, including an accepted management method for ongoing maintenance of this limit. The report shall be submitted to and approved by the Local Planning*

*Authority and the Customer Order Display Facilities shall be implemented in accordance with the approved report, and thereafter maintained.*

**GROUND;**

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

This has been agreed by the Council's Environmental Health team. Also to correct an administrative error, the plan condition no.2 states plan 04D should be 06D, and this is also corrected."

**574. A01 - F/TH/20/0042 - 13 LINDEN AVENUE, BROADSTAIRS**

PROPOSAL: Erection of 2No. two storey dwellings together with alterations to existing dwelling, including new roof structure to provide additional floor space.

A statement in favour of the application from Mr Beasley was read out by an officer.

A statement raising points of concern from Mr Waller was read out by an officer.

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 20.1557.PL03 Rev C, 20.1557.PL08 Rev C, 20.1557.PL09 Rev C., 20.1557.PL10 Rev C, 20.1557.PL11 Rev B, 20.1557.PL12 Rev C., 20.1557.PL13 Rev A, 20.1557.PL14 Rev A, 20.1557.PL15 Rev B, received 12 March 2020.

**GROUND;**

To secure the proper development of the area.

3 Prior to the construction of the external surfaces of the new dwellings 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

4 The external materials and external finishes to be used in the extension and alterations to the existing dwelling 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

5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order), no windows or other openings shall be inserted in the first floor side or rear elevations elevation of the dwellings or roof extension hereby approved without the prior written permission of the Local Planning Authority.

**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.

6 Prior to the first occupation of the new dwellings, the area shown for the parking and manoeuvring 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.

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

**GROUND;**

In the interests of highway safety.

8 Prior to the first occupation of the new dwellings hereby approved secure cycle parking facilities shall be provided in the rear garden and thereafter maintained.

**GROUND;**

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

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

**575. A02 - F/TH/19/1137 - THE DAVID COPPERFIELD, WESTWOOD ROAD, BROADSTAIRS**

PROPOSAL: Change of use from restaurant (Use Class A3) to restaurant and hot food takeaway (Use Class A3 and A5) erection of single storey side extension following partial demolition of building, alterations to external materials finish and fenestration, alterations to site layout, reconfiguration of car parking, landscaping and associated works, including installation of drive through with 2No. customer order displays and mini-roundabout, together with erection of 3m high acoustic fencing to southern boundary

A statement in favour of the application from Mr Fox was read out by an officer.

A statement raising points of concern from Ms McKenzie was read out by an officer.

Speaking under council procedure rule 20.1 was Councillor Whitehead.

Speaking as ward councillor was Councillor Garner.

Also speaking under council procedure rule 20.1 was Councillor Keen.

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 application as amended by the revised drawings numbered 7762-SA-8046-P002 H, 7762-SA-8046-P004 L, 7762-SA-8046-P005 D, 7762-SA-8046-P004 D and 16138-VL-MCD\_L01 Rev C received 04 March 2020, the amended lighting details and plan entitled 'Lias Design Notes and Luminaire Schedule' and 'Proposed Lighting Layout' received 11 May 2020 and the submitted 'Standard Patio Area Supporting Specifications' and 'Goal Post Height Restrictor and COD/Canopy' details received 20 August 2019

**GROUND;**

To secure the proper development of the area.

3 Prior to the commencement of the use hereby permitted, all of the recommended odour abatement measures as set out within '7.0 Recommended Odour Abatement Measures' and the odour and grease treatment measures as outlined within 8.0 'Odour Control Measures' to 9.0 'Maintenance', including 8.4 'Odour and Grease Treatment Stage 2' within the submitted Odour Control Assessment report received 24 October 2019 shall be provided and thereafter maintained. The external extraction flue shall terminate 1m above the eaves and discharge vertically unimpeded at 15m/s flue discharge efflux velocity. Carbon filters must be replaced every 6 months or in accordance with the manufacturer recommendations.

**GROUND:**

To safeguard the residential amenities currently enjoyed by the occupiers of nearby residential properties in accordance with Policy D1 of the Thanet Local Plan and paragraph 127 of the National Planning Policy Framework.

4 Prior to the commencement of the use hereby permitted, full design and installation details of the external extraction flue, including detailed specifications shall be submitted to, and approved in writing by, the Local Planning Authority. The external extraction flue shall be installed in accordance with the approved details and thereafter maintained in accordance with the manufacturers recommendations.

**GROUND:**

To safeguard the residential amenities currently enjoyed by the occupiers of nearby residential properties in accordance with Policy D1 of the Thanet Local Plan and paragraph 127 of the National Planning Policy Framework.

5 The rating level of noise emitted from the plant and equipment associated with the development hereby approved to be installed on the site shall be at least 5dB below the background noise level (LA90,T) or 35dBA,r, whichever is highest, at the nearest residential facade. All measurements shall be defined and derived in accordance with BS4142: 2014.

**GROUND:**

To safeguard the residential amenities currently enjoyed by the occupiers of nearby residential properties in accordance with Policy D1 of the Thanet Local Plan and paragraph 127 of the National Planning Policy Framework.

6 4No. Electric Vehicle Charging points shall be provided within 6 months of the commencement of the use hereby permitted and thereafter maintained and kept in good working order thereafter as specified by the manufacturer, as shown on the approved plan numbered 7762-SA-8046-P004 L received 04 March, and confirmed in the email correspondence received from the agent dated 01 April 2020.

**GROUND;**

In the interest of air quality and amenity in accordance with EP5 of the Thanet Local Plan and paragraph 181 of the National Planning Policy Framework.

7 The mitigation measures as set out in Section 6 of the Emission Mitigation Assessment reference J3983A/F1 received 21 February 2020 for the construction and operational phases of the development shall be implemented in accordance with the details and timescales specified.

**GROUND;**

In the interest of air quality and amenity in accordance with EP5 of the Thanet Local Plan and paragraph 181 of the National Planning Policy Framework.

8 The use of the premises hereby approved shall not be used other than between the hours of 03:00 - 23:00 Monday - Sunday including Bank Holidays.

**GROUND;**

To safeguard the residential amenities currently enjoyed by the occupiers of nearby residential properties in accordance with Policy D1 of the Thanet Local Plan and paragraph 127 of the National Planning Policy Framework.

9 Prior to the commencement of the first use of the development hereby approved, details of the proposed 3m high acoustic barrier as shown on the approved plan 7762-SA-

8046-P004 L received 04 March 2020, to be erected along the southern boundary of the development site, including details of its ongoing maintenance, shall be submitted to and approved by the Local Planning Authority. The 3m acoustic barrier shall be installed in accordance with the approved details and thereafter permanently retained and maintained.

**GROUND;**

To safeguard the residential amenities currently enjoyed by the occupiers of nearby residential properties in accordance with Policy D1 of the Thanet Local Plan and paragraph 127 of the National Planning Policy Framework.

10 The overflow car park to the south east of the application site shall not be used between the hours of 21:00 - 07:00 Monday - Sunday including Bank Holidays and shall be closed to vehicles through the proposed retractable bollards between these hours, as shown on the approved plan numbered 7762-SA-8046-P004 L received 04 March 2020 and as confirmed in the email correspondence received from the agent dated 19 December 2020.

**GROUND;**

To safeguard the residential amenities currently enjoyed by the occupiers of nearby residential properties in accordance with Policy D1 of the Thanet Local Plan and paragraph 127 of the National Planning Policy Framework.

11 *Within 3 months of the commencement of the use hereby permitted, the noise level of the Customer Order Point speaker/s at 0.5 metres shall be limited to no more than 82dB LAeq, 1min. This shall be commissioned by a suitably qualified acoustic consultant and a report issued indicating this has been met, including an accepted management method for ongoing maintenance of this limit. The report shall be submitted to and approved by the Local Planning Authority and the Customer Order Display Facilities shall be implemented in accordance with the approved report, and thereafter maintained.*

**GROUND;**

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

12 Prior to the commencement of the use hereby permitted the proposed lighting provision as outlined within the submitted lighting details and plan entitled 'Lias Design Notes and Luminaire Schedule' and 'Proposed Lighting Layout' received 11 May 2020 and the proposed CCTV provision as outlined within the submitted CCTV Details Entitled 'NB8046 Broadstairs McDonald's VSS' received 21 November 2019 shall be provided and thereafter maintained.

**GROUND;**

In the interest of public safety in accordance with Thanet Local Plan Policy D1 and paragraph 95 of the National Planning Policy Framework.

13 Prior to the commencement of any development on site, a Construction Management Plan to include the following details shall be submitted to and approved by the Local Planning Authority:

- (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

The construction of the proposed development shall be carried out in accordance with the approved details.

**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.

14 Prior to the commencement of the use hereby permitted, the proposed highway and parking layout, including the vehicle parking spaces, as shown on the approved plan numbered 7762-SA-8046-P004 L received 04 March 2020 shall be provided and thereafter maintained for that purpose.

**GROUND;**

In the interests of highway amenity and highway safety, in accordance with Policies D1 and TR16 of the Thanet Local Plan.

15 Prior to the commencement of the use hereby permitted, the secure cycle parking facilities, as shown on the approved plan numbered 7762-SA-8046-P004 L received 04 March 2020 shall be provided and thereafter maintained.

**GROUND;**

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

16 Prior to the commencement of the use hereby permitted, details of the 'Keep Clear' marking in the retail park access road as shown on the submitted proposed highway site entrance plan numbered AMA/50006/SK006 received 21 February 2020 shall be submitted to, and approved by the Local Planning Authority. The 'Keep Clear' markings will be implemented in accordance with the approved details and thereafter maintained.

**GROUND;**

In the interests of highway amenity and highway safety, in accordance with Policies D1 and TR16 of the Thanet Local Plan.

17 Prior to the commencement of the use hereby permitted, a Delivery and Servicing Management Plan, to include the following details:

Timing of delivery/service vehicle visits to ensure sufficient manoeuvring room for such vehicles and adequate customer parking is available;  
 Area required for maneuvering/parking of delivery/service vehicles;  
 Measures to be taken to ensure the necessary manoeuvring/parking area is available when required,

shall be submitted to, and approved in writing by, the Local Planning Authority. Deliveries and servicing shall be carried out in accordance with the approved Delivery and Servicing Management Plan.

**GROUND;**

In the interests of highway amenity and highway safety, in accordance with Policies D1 and TR16 of the Thanet Local Plan.

18 Prior to the commencement of the use hereby permitted, all hard and soft landscaped works shall be carried out in accordance with the approved landscaping plan numbered 16138-VL-MCD\_L01 Rev C received 04 March 2020 and shall be thereafter maintained for the lifetime of the development. 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 and to adequately integrate the development into the environment in accordance with Policies D1 and D2 of the Thanet Local Plan.”

Councillors Garner and Keen did not participate in the debate or vote on the motion. Further to debate, the motion was put to the vote and declared CARRIED.

Councillor Albon asked for it to be noted that he had voted against the motion.

**576. D03 - F/TH/18/1109 - 14 SUFFOLK AVENUE, WESTGATE ON SEA**

The item was withdrawn.

**577. D04 - F/TH/19/0438 - LAND BETWEEN MANSTON ROAD AND PRESTON ROAD ADJOINING MANSTON GREEN INDUSTRIES, MANSTON**

PROPOSAL: Mixed use residential and business development comprising 28 dwellings, (24no. 3-bed and 4no. 4-bed), 1,013sqm of office floor space (Use Class B1) and a detached building incorporating a shop and cafe, together with associated access roads, paths and vehicle parking

A statement in favour of the application from Ms Banks was read out by an officer.

A statement raising points of concern from Mr Tritton was read out by an officer.

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 officers for approval subject to the satisfactory completion of Section 106 agreement within 6 months securing the required planning obligations as set out in the Heads of Terms and 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 18/439 02H, 18/439 05C, 18/439 06F, 18/439 10D, 18/439 11B, 18/439 12B, 18/439 13D, 18/439 14C, 18/439 15B, 18/439 16B18/439 17A, 18/439 18A, 18/439 19A, 18/439 20B18/439 21C, 18/439 22A, 18/439 23, 18/439 24A, 18/439 25, 18/439 26A, 18/439 27B, 18/439 28C, 18/439 29B, 18/439 30B, 18/439 31, 18/439 32A, 18/439 33, 18/439 34A, 18/439 35A, 18/439 36C, 18/439 38A, 18/439 39A, 18/439 40C, 18/439 41B, 18/439 43A, 18/439 44A, 18/439 45, 13282-CHR-XX-00-DR-D-6174 P4, 13282-CHR-XX-00-DR-D-6175 P2, 13282-CHR-XX-00-DR-D-6178 P3, 13282-CRR-XX-00-DR-D-6179 P1 and 13282- CHR-XX-00-DR-D-6255 P2.

**GROUND;**

To secure the proper development of the area.

3 No development shall commence until a site characterisation and remediation scheme has been submitted to and approved in writing by the Local Planning Authority and the remediation scheme has been implemented in accordance with the approved details. The site characterisation, remediation scheme and implementation of the approved remediation scheme shall be carried out in accordance with the following criteria (a) Site Characterisation An investigation and risk assessment, in addition to any assessment provided with the planning application, shall be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment shall be undertaken by competent persons and a written report of the findings shall be submitted to and approved in writing by the Local Planning Authority, and shall include

- o A survey of the extent, scale and nature of contamination
- o An assessment of the potential risks to
  - o Human health
  - o Property
  - o Adjoining land
  - o Groundwaters and surface waters
  - o Groundwaters and surface waters
  - o Ecological system
- o An appraisal of remedial options and a recommendation of the preferred options

The site characterisation report shall be conducted in accordance with British Standards and current DEFRA and Environment Agency best practice.(b) Submission of remediation scheme A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include all works to be undertaken, proposed remediation objectives and remediation criteria, a timetable of works and site management procedures. The scheme shall ensure that the site cannot be considered as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.(c) Implementation of Approved Remediation Scheme The approved

remediation scheme shall be carried out in accordance with its terms prior to the commencement of the development other than that required to carry out remediation. The Local Planning Authority shall be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out shall be submitted to and approved in writing by the Local Planning Authority

**GROUND;**

To ensure that the proposed site investigation, remediation and development will not cause harm to human health or pollution of the environment, in accordance with the advice contained within the National Planning Policy Framework.

4 If, during development, significant contamination is suspected or found to be present at the site, then works shall cease, and this contamination shall be fully assessed and an appropriate remediation scheme agreed with the Local Planning Authority. The approved works shall be implemented within a timetable agreed by the Local Planning Authority and shall be of such a nature as to render harmless the identified contamination given the proposed end use of the site and surrounding environment, including controlled waters. Prior to first occupation/use and following completion of approved measures, a verification report shall be submitted to the Local Planning Authority for approval.

**GROUND;**

To ensure that the proposed development will not cause harm to human health or pollution of the environment, in accordance with DEFRA and Environment Agency document Model Procedures for the Management of Land Contamination (Contamination Report 11) and National Planning Policy Framework.

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

**GROUND;**

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 from any identified contamination on site in line with paragraph 170 of the NPPF.

6 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.

7 No development shall take place 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 be based on the Flood Risk and Sustainable

Drainage Assessment dated August 2019 and 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 within the curtilage of the site without increase to flood risk on or off site.

The drainage scheme shall also demonstrate (with reference to published guidance:

That silt and pollutants resulting from the site use can be adequately managed to ensure there is no pollution risks to receiving waters;

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.

**GROUND;**

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.

8 No building or any phase 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 operational and maintenance manual for the sustainable drainage scheme as constructed.

**GROUND;**

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 NPPF.

9 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.

10 The development shall be carried out in accordance with the Construction Management Plan dated 22nd April 2020.

**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.

11 The construction of the development hereby permitted shall incorporate measures to prevent the discharge of surface water onto the highway.

**GROUND;**

In the interests of highway safety.

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

**GROUND;**

In the interests of highway safety.

13 The area shown on the approved plans for vehicle parking and manoeuvring 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/use of the dwelling hereby permitted.

**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.

14 Prior to the first occupation/use of the development, the secure cycle parking facilities, as shown on approved plans 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/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 should be complete.

**GROUND;**

In the interests of highway safety.

16 Prior to the first occupation of the development hereby approved, the redundant vehicle crossing to Preston Road shall be removed and the footway reinstated in accordance with the specifications submitted to, and agreed in writing by, the Local Planning Authority.

**GROUND;**

In the interests of highway safety.

17 Completion of the following works between a dwelling/building and the adopted highway prior to first occupation of the dwelling use of the building: (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 and neighbouring amenity, in accordance with Policy D1 of the Thanet Local Plan and paragraphs 108, 110 and 127 the National Planning Policy Framework.

18 Prior to the first occupation/use of the development hereby approved the visibility splays shown on the approved plans shall be provided to the accesses with no obstructions over 1m above carriageway level within the splays, which shall thereafter be maintained.

**GROUND;**

In the interest of highway safety.

19 Prior to the first occupation/use of the development the pedestrian visibility splays shown on the approved plans shall be provided with no obstructions over 0.6m above footway level and thereafter maintained.

**GROUND;**

In the interest of highway safety.

20 Prior to the first occupation/use of the development hereby the highway works shown on the drawings 13282-CHR-XX-00-DR-D-6174 P4, 13282-CHR-XX-00-DR-D-6175 P2, 13282-CHR-XX-00-DR-D-6178 P3, 13282-CRR-XX-00-DR-D-6179 P1 and 13282-CHR-XX-00-DR-D-6255 P2 or amended as agreed with the Local Planning Authority shall be completed.

**GROUND;**

In the interests of highway safety in accordance with paragraph 108 of the National Planning Policy Framework.

21 Prior to the first occupation of the dwellings hereby approved 1 Electric Vehicle Charging point per residential property with dedicated parking and 1 in 10 of all non allocated parking, shall be installed to the specification within Thanet Air Quality Technical Planning Guidance 2016 and thereafter permanently retained.

**GROUND;**

In the interest of air quality and amenity in accordance with EP5 of the Thanet Local Plan and paragraph 181 of the NPPF.

22 Prior to the first use of the business, lock up units or shop/cafe hereby approved 10% of the parkings spaces associated with those uses shall have Electric Vehicle Charging points, which shall be installed to the specification within Thanet Air Quality Technical Planning Guidance 2016 and thereafter permanently retained.

**GROUND;**

In the interest of air quality and amenity in accordance with EP5 of the Thanet Local Plan and paragraph 181 of the NPPF.

23 Prior to the installation of any external lighting, full details of the external lighting, including their fittings, illumination levels and spread of light shall be submitted to, and approved in writing by, the Local Planning Authority. The lighting installation shall then be carried out in accordance with the approved details.

**GROUND;**

To ensure that light pollution is minimised in the interest of the visual and residential amenities of the area, in accordance with Policy D1 of the Thanet Local Plan.

24 In the event of the cafe/shop being used for the cooking or preparation of hot food that would require the installation of an extract ventilation system, details of the location, size, type and design of the system shall be submitted to and agreed in writing by the Local Planning Authority. Prior to the commencement of such a use, the extract ventilation system shall be installed in accordance with the approved details.

**GROUND;**

In the interest of residential amenity and in pursuance of policy D1 of the Thanet Local Plan.

25 The rating level of noise emitted from the proposed plant and equipment to be installed on the site shall be at least 5dB below the background noise level (LA90,T) at the nearest residential facade. All measurements shall be defined and derived in accordance with BS4142 2014.

**GROUND;**

In the interests of the residential amenities of the occupiers of surrounding dwellings in accordance with Policy D1 of the Thanet Local Plan.

26 The use of the business, lock up units and shop/cafe hereby approved shall not be used other than between the hours of 8am and 8pm in any 24 hours.

**GROUND;**

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

27 Within 6 months of the works commencing an Ecological Enhancement and Management Plan shall be submitted to, and approved in writing by, the Local Planning Authority. The plan shall detail what ecological enhancements will be incorporated into the site, where they will be located and how they will be managed. The plan shall be implemented as approved.

**GROUND;**

In the interests of nature conservation in accordance with the advice contained within paragraph 170 of the National Planning Policy Framework.

28 Prior to the first occupation/use of the respective part of the development hereby permitted the hard and soft landscaping to which it relates (e.g residential, industrial or shop/cafe shall be carried out in accordance with the details shown on drawing 18/439 06F.

**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.

29 All hard and soft landscape works shall be carried out in accordance with the approved details. 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.

30 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 2012 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 outermost 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;**

To protect existing trees and to adequately integrate the development into the environment, in accordance with Thanet Local Plan Policies D1 and D2.

31 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

32 All windows serving WC's, bathrooms and ensembles in the development hereby approved shall be provided and maintained with obscured glass to a minimum level of obscurity to conform to Pilkington Glass level 4 or equivalent and shall be installed prior to first occupation of each respective dwelling hereby permitted and permanently retained thereafter.

**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.

33 No further alterations/extensions to the roof of Plots B01 and B02 whether approved by Schedule 2, Part 1, Classes B and C 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;**

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

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

**578. D05 - F/TH/19/0173 - HOO FARM 147 MONKTON ROAD, MINSTER**

Erection of 23 no. dwellings following the demolition of existing buildings, with associated parking, open space and landscaping.

A statement raising points of concern from Mr Rayment was read out by an officer.

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 officers for approval subject to the satisfactory completion of Section 106 agreement within 6 months securing the required planning obligations as set out in the Heads of Terms and 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 P01 Rev A, P02 Rev D, P05 Rev A, P06 Rev A, P07 Rev A, P08 Rev A, P09 Rev A, P10 Rev A, P11 Rev A, P12 Rev A, P13 Rev A, P15 Rev A, P16 Rev A, P17, P18, P19 E, HPC\_1259\_FP and 2019-3501-001.

**GROUND;**

To secure the proper development of the area.

3 No development, excluding demolition, shall commence until a site characterisation and remediation scheme has been submitted to and approved in writing by the Local Planning Authority and the remediation scheme has been implemented in accordance with the approved details. The site characterisation, remediation scheme and implementation of the approved remediation scheme shall be carried out in accordance with the following criteria (a) Site Characterisation An investigation and risk assessment, in addition to any assessment provided with the planning application, shall be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment shall be undertaken by competent persons and a written report of the findings shall be submitted to and approved in writing by the Local Planning Authority, and shall include

- o A survey of the extent, scale and nature of contamination
- o An assessment of the potential risks to
- o Human health
- o Property
- o Adjoining land



- o Groundwaters and surface waters
- o Groundwaters and surface waters
- o Ecological system
- o An appraisal of remedial options and a recommendation of the preferred options

The site characterisation report shall be conducted in accordance with British Standards and current DEFRA and Environment Agency best practice.(b) Submission of remediation scheme A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include all works to be undertaken, proposed remediation objectives and remediation criteria, a timetable of works and site management procedures. The scheme shall ensure that the site cannot be considered as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.(c) Implementation of Approved Remediation Scheme The approved remediation scheme shall be carried out in accordance with its terms prior to the commencement of the development other than that required to carry out remediation. The Local Planning Authority shall be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out shall be submitted to and approved in writing by the Local Planning Authority

**GROUND;**

To ensure that the proposed site investigation, remediation and development will not cause harm to human health or pollution of the environment, in accordance with the advice contained within the National Planning Policy Framework.

4 If, during development, significant contamination is suspected or found to be present at the site, then works shall cease, and this contamination shall be fully assessed and an appropriate remediation scheme agreed with the Local Planning Authority. The approved works shall be implemented within a timetable agreed by the Local Planning Authority and shall be of such a nature as to render harmless the identified contamination given the proposed end use of the site and surrounding environment, including controlled waters. Prior to first occupation/use and following completion of approved measures, a verification report shall be submitted to the Local Planning Authority for approval.

**GROUND;**

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 National Planning Policy Framework.

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

**GROUND;**

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 from any identified contamination on site in line with paragraph 170 of the NPPF.

6 Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, 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.

**GROUND;**

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 from any identified contamination on site in line with paragraph 170 of the NPPF.

7 No development, excluding demolition, 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.

8 No development, excluding demolition, shall take place 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 be based on the Flood Risk and Sustainable Drainage Assessment dated August 2019 and 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 within the curtilage of the site without increase to flood risk on or off site.

The drainage scheme shall also demonstrate (with reference to published guidance:

That silt and pollutants resulting from the site use can be adequately managed to ensure there is no pollution risks to receiving waters;

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.

**GROUND;**

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.

9 No building or any phase 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 operational and maintenance manual for the sustainable drainage scheme as constructed.

**GROUND;**

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 NPPF.

10 No development, excluding demolition, 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 Thanet Local Plan Policy HE11.

11 Prior to the commencement of any development on site, a Construction Management Plan including, but not necessarily limited to, 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) Wheel washing facilities and their use
- (g) Measures to control the emission of dust and first during construction and a scheme for recycling / disposing of waste resulting from construction works
- (h) A Construction Environment Management Plan, including hours of construction working, measures to control noise for nearby residents, lighting control measures, pollution incident control and site contact details in case of complaints.

**GROUND;**

To ensure pollution prevention measures are in place for all potentially polluting activities during construction in accordance with the NPPF and in the interests of highway safety.

12 The construction of the development hereby permitted shall incorporate measures to prevent the discharge of surface water onto the highway.

**GROUND;**

In the interests of highway safety.

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

**GROUND;**

In the interests of highway safety.

14 The area shown on drawing 755:P19 Rev E for vehicle parking and manoeuvring 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 dwellings hereby permitted.

**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.

15 Completion of the following works between a dwelling and the adopted highway prior to first occupation of the dwelling shall occur (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 and neighbouring amenity, in accordance with Policy D1 of the Thanet Local Plan and paragraphs 108, 110 and 127 the National Planning Policy Framework.

16 Prior to the first occupation of the development hereby approved the visibility splays shown on the approved plans shall be provided to the accesses with no obstructions over 1m above carriageway level within the splays, which shall thereafter be maintained.

**GROUND;**

In the interest of highway safety.

17 Prior to the first occupation of the dwellings hereby approved 1 Electric Vehicle Charging point per residential property with dedicated parking and 1 in 10 of all non allocated parking, shall be installed to the specification within Thanet Air Quality Technical Planning Guidance 2016 and thereafter permanently retained.

**GROUND;**

In the interest of air quality and amenity in accordance with EP5 of the Thanet Local Plan and paragraph 181 of the NPPF.

18 No development, excluding demolition, shall commence until the footpath as shown on approved drawing 2019-3501-001 between the points shown as X and Y on drawing HPC\_1259\_2019\_FP has been completed and made available for use.

**GROUND;**

In the interests of highway safety and to facilitate the use of alternative means of transport in accordance with saved policies TR11 and TR12.

19 Prior to the first occupation of the dwellings hereby approved, a lighting design plan for biodiversity will be submitted to, and approved in writing by, the local planning authority. The plan will accord with the recommendations detailed in section 4.2.2 of the Preliminary Ecological Appraisal dated October 2018 and will:

- Identify those areas/features on and around the site that are particularly sensitive for bats;
- Show how and where external lighting will be installed so that it can be clearly demonstrated that areas to be lit will not disturb bat activity.

All external lighting will be installed in accordance with the specifications and locations set out in the plan and well maintained thereafter in accordance with the plan.

**GROUND;**

To ensure that light pollution is minimised in the interest of the visual and residential amenities of the area, in accordance with Policy D1 of the Thanet Local Plan.

20 Prior to the completion of the development hereby approved, details of how the development will enhance biodiversity shall be submitted to, and approved in writing by, the Local Planning Authority. This will include the implementation of recommendations in section 4.4 of the Preliminary Ecological Appraisal (Corylus Ecology. October 2018), which includes the provision of a Swallow nesting site. The approved details will be implemented and thereafter retained.

**GROUND;**

In the interests of nature conservation in accordance with the advice contained within paragraph 170 of the National Planning Policy Framework.

21 Prior to the commencement of development (excluding demolition), an invasive non-native species removal plan will be submitted to, and approved by, the local planning authority. The plan will detail the containment, control and removal of Japanese Knotweed on-site. The measures will be carried out in accordance with the approved scheme.

**GROUND;**

In the interests of nature conservation in accordance with the advice contained within paragraph 170 of the National Planning Policy Framework.

22 Prior to the first occupation of the development hereby approved, full details of both hard and soft landscape works to all areas other than private gardens as shown on approved plan numbered Po2 Rev D, to include

- o species, size and location of new trees, shrubs, hedges and grassed areas to be planted, including the 3m landscape zone on the northern boundary of the site.
- 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.

23 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.

24 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

25 All windows serving WC's, bathrooms and ensembles in the development hereby approved shall be provided and maintained with obscured glass to a minimum level of obscurity to conform to Pilkington Glass level 4 or equivalent and shall be installed prior to first occupation of each respective dwelling hereby permitted and permanently retained thereafter.

**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.

26 No further alterations/extensions to the roof of unit 21 as indicated on approved plan numbered Po2 Rev D whether approved by Schedule 2, Part 1, Classes B and C 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:**

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

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

Meeting concluded : 4.30pm