

Planning Application F/TH/19/0874 - St Helens Poplar Road Broadstairs Kent

Planning Committee – 22 January 2020

Report Author Duncan Fitt, *Planning Officer*

Status *For Decision*

Classification: Unrestricted

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

Ward: **St Peters**

Executive Summary:

This report concerns an application submitted under reference F/TH/19/0874 for the change of use from a store room to a studio flat that was brought to Planning Committee on 18th December 2019, with a recommendation 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 concerns were raised regarding the provision of a window in the side elevation.

The applicant has amended the proposed floor plans and elevation to remove the window in the side elevation as shown on the amended plans numbered 546-PP-05 Rev A and 546-PP-06 Rev A received 20 December 2019.

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

Recommendation:

Members defer and delegate the application under reference F/TH/19/0874 for approval following receipt of a signed Unilateral Undertaking securing the SPA contribution within 6 months of this resolution and subject to safeguarding conditions set out in Annex 1, 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 546-PP-05 Rev A and 546-PP-06 Rev A received 20 December 2019.’

CORPORATE IMPLICATIONS

Financial and Value for Money	No implications.
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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	<p>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.</p>
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/19/0874 for the change of use from a store room to a studio flat.
- 1.2 The application was brought to Planning Committee on 18.12.2019 and Members deferred the application back to officers to negotiate the removal of the side window.

2.0 Analysis

- 2.1 The proposal relates to the plan condition attached to F/TH/19/0874 for the change of use from a store room to a studio flat that was brought to Planning Committee on 18.12.2019 and recommended to Members to defer and delegate for decision once the Council received a signed Unilateral Undertaking for contributions.
- 2.2 Members raised concerns regarding the appearance of the window in the side elevation and impact of cars parking adjacent to this window upon the living conditions of the future occupiers of the flat.

- 2.3 The applicant has amended the proposed plans to omit the window in the side elevation.
- 2.4 No further amendments or alterations have been made to the proposal, other than the removal of the window and therefore there is no requirement for additional public consultation as the proposal has not been significantly amended.
- 2.5 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 546-PP-05 and 546-PP-06 received 26 September 2019.'

To read:

'The development hereby approved shall be carried out in accordance with the submitted drawings numbered 546-PP-05 Rev A and 546-PP-06 Rev A received 20 December 2019.'

3.0 Options

- 3.1 Members defer and delegate the application for approval following receipt of a signed Unilateral Undertaking securing the SPA contribution within 6 months of this resolution in accordance with the officer recommendation and safeguarding conditions as outlined at Annex 1.
- 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:	Duncan Fitt, Planning Officer
Reporting to:	Annabel Hemmings, Principal Planning Officer

Background Papers

Annex 1	Committee Report F/TH/19/0874
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