

## Planning Committee

### **Minutes of the meeting held on 20 October 2021 at 7.00 pm in Council Chamber, Council Offices, Cecil Street, Margate, Kent.**

**Present:** Councillor Michael Tomlinson (Chair); Councillors Coleman-Cooke, J Bayford, Crittenden, Garner, Hopkinson, Keen, Pat Moore, Paul Moore, Wright and Shonk.

#### **1. APOLOGIES FOR ABSENCE**

Apologies were received from Councillor Hart, for whom Councillor Shonk was present as a substitute, Councillor Albon and Councillor Rusiecki.

#### **2. DECLARATIONS OF INTEREST**

Councillor Keen declared a significant interest in item 6 – 43 Queen Berthas Avenue, Birchington, noting that she lived at the property.

Councillor Shonk declared a significant interest in item 5F – W S Cole and Son, 116 Monkton Street, Monkton, noting that he knew the Cole family well.

#### **3. MINUTES OF PREVIOUS MEETING**

The Vice Chairman proposed, Councillor Coleman-Cooke seconded and Members AGREED that the minutes of the Planning Committee held on 15 September 2021 be approved and signed by the Chairman.

#### **4. SITE VISIT**

##### **(a) F/TH/21/1087 - Garden Centre, Montefiore Avenue, RAMSGATE.**

PROPOSAL: Erection of warehouse building and canopy.

It was proposed by the Chair and seconded by the Vice-Chair:

‘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 A-PL-010 Rev P03, A-PL-011 Rev P03, A-PL-012 Rev P04, A-PL-013 Rev P02, and A-PL-014 Rev P02 received 08 July 2021.

**GROUND;**

To secure the proper development of the area.

3 The use of the premises hereby approved shall not be used other than between the hours of 0700 and 1800 Monday to Sunday.

**GROUND;**

To safeguard the residential amenities currently enjoyed by the occupiers of nearby residential properties in accordance with Policy QD03 of the Thanet Local Plan.

4 There shall be no servicing of the building, no goods shall be loaded or deposited and no delivery vehicles shall arrive, depart, be loaded or unloaded, within the application site other than between the hours of 0700 and 1800 Monday to Sunday.

**GROUND;**

In the interests of the residential amenities of the occupiers of surrounding dwellings in accordance with Policy QD03 of the Thanet Local Plan and the advice contained within the NPPF.

5 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 SE08 of the Thanet Local Plan.

6 The use of the warehouse and canopy, hereby approved, shall be limited to purposes associated with and ancillary to the existing Ramsgate Garden Centre and shall at no time be used for independent business or commercial purposes.

**GROUND**

To safeguard the residential amenities currently enjoyed by the occupiers of nearby residential properties in accordance with Policy QD03 of the Thanet Local Plan.'

Following debate, the Chair withdrew the motion.

Then the Chair proposed, seconded by the Vice Chair that the application be APPROVED subject to the safeguarding conditions (detailed above) and an additional condition stating that deliveries to the warehouse only take place between 8am to 6pm.

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

5. **SCHEDULE OF PLANNING APPLICATIONS**

(a) **A01 FH/TH/21/0834 - 22 Dane Court Gardens, BROADSTAIRS**

PROPOSAL: Erection of first floor extensions to front and side elevations to existing detached bungalow dwelling.

Mr Bragg spoke in favour of the application.

Ms Wood raised points of concern.

It was proposed by the Chair and seconded by the Vice-Chair:

‘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 21/2748/PL/SLP received on 25th May 2021,, 21/2748/PL/04 Revision A, 21/2748/PL/03 Revision C, and 21/2748/PL/05 Revision A received on 25th August 2021, and the email from the Agent received on 28th September 2021, confirming material details.

**GROUND;**

To secure the proper development of the area.’

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

The Chair proposed, and Councillor Jill Bayford seconded that the application be REFUSED for the following reasons:

“The proposal, by virtue of height, scale and design, would appear dominant and out of keeping with the predominant form of development, resulting in significant harm to the character and appearance of the area, contrary to Thanet Local Plan Policy QD02 and Broadstairs and St Peters Policy BSP9.”

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

(b) **A02 L/TH/21/1074 - 7 Guildford Lawn, RAMSGATE**

PROPOSAL: Application for Listed Building Consent for the replacement of the existing interlocking tiles with natural slate roof coverings together with the replacement of second floor front dormer window unit together with associated repairs and recovering of flat roof.

It was proposed by Councillor Coleman-Cooke, seconded by Councillor Keen and agreed that:

'THAT the officer's recommendation be adopted, namely:

That the application be APPROVED subject to the following conditions:

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

**GROUND;**

In pursuance of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2 The development hereby approved shall be carried out in accordance with the submitted drawings numbered 21/503 /JG / PR01 and 21/503/JG/PR02 received on 5th July 2021 and the submitted Heritage Statement and Design and Access Statement: Inspection Report received on 5th July 2021

**GROUND;**

To secure the proper development of the area.

3 The proposed replacement timber French door unit hereby approved shall be constructed from single glazed timber framing, in accordance with submitted plan 21/503/JG/PR01 received on 5th July 2021.

**GROUND**

To preserve the integrity and character of the listed building in accordance with Policy HE03 of the Thanet Local Plan and advice as contained within the NPPF

4 The proposed lead works hereby permitted shall be constructed using Code 4 and Code 4 lead in accordance with the Heritage Statement and plan no. 21/503/JG/PR01 received on 5th July 2021 unless otherwise agreed in writing by the Local Planning Authority.

**GROUND**

To preserve the integrity and character of the listed building in accordance with Policy HE03 of the Thanet Local Plan and advice as contained within the NPPF

5 Prior to the installation of the slate roof tiles hereby approved, a sample of the slate shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved sample.

**GROUND**

To preserve the integrity and character of the listed building in accordance with Policy HE03 of the Thanet Local Plan and advice as contained within the NPPF'

(c) **A03 F/TH/21/1174 - Kent Innovation Centre, Thanet Reach Business Park, Millennium Way, BROADSTAIRS**

PROPOSAL: Installation of a UKPN cabinet.

It was proposed by Councillor Coleman-Cooke, seconded by Councillor Keen and agreed that:

'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 KIC-IWD-XX-XX-DR-A-2520 Rev P01 received on the 22nd July 2021 and KIC-IWD-XX-XX-DR-A-2205 Rev P02 received 29th July 2021. Notwithstanding the above, this consent does not cover the air source heat pumps shown on drawing KIC-IWD-XX-XX-DR-A-2205 Rev P02.

**GROUND;**

To secure the proper development of the area.'

(d) **R04 FH/TH/21/1183 - 91 Botany Road, BROADSTAIRS.**

PROPOSAL: Retrospective application for erection of single storey rear extension together with erection of dormer windows to front and both side elevations, installation of rooflights and alterations to roof to facilitate loft conversion, with replacement of external cladding with tile hanging to dormer windows.

Mrs Gibson spoke in favour of the application.

It was proposed by the Chair and seconded by the Vice-Chair:

'that the officer's recommendation be adopted, namely:

That the application be REFUSED for the following reasons:

1 The development, by virtue of the considerable scale, form and prominent siting of the north-eastern dormer window, results in a dominant and bulky addition to the north eastern roof slope, and forms a visually intrusive and discordant form of development in the street scene, which is architecturally unrelated to the application property, and unduly disrupts the regularity in terms of the scale, form and design to the row of bungalows within which the application property is sited. The development is therefore severely detrimental to the character and appearance of the area, and contrary to Policy QD02 of the Thanet Local Plan, and paragraph 130 of the National Planning Policy Framework.'

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

Councillor Garner proposed and Councillor Crittenden seconded that the application be APPROVED for the following reason:

“The change in material is considered sufficient to mean the development would be in keeping with the character and appearance of the area.”

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

- (e) **R05 L/TH/21/0603 - Harbour Amenities, East Crosswall, RAMSGATE**

This item was withdrawn from the agenda.

- (f) **D06 OL/TH/20/0335 - W S Cole And Son, 116 Monkton Street, Monkton, RAMSGATE**

Following his declaration of interest, Councillor Shonk left the meeting for the duration of this item.

PROPOSAL: Outline application for the erection of 19 houses (two storey) and 18 retirement flats (two storey) with associated parking including access, landscaping, layout and scale together with the change of use of existing storage building to retail following demolition of existing buildings.

Mr Paine spoke in favour of the application.

Mr Smith raised points of concern.

Ms Smith raised points of concern.

Parish Councillor Brown spoke on behalf of Monkton Parish Council.

It was proposed by the Chair and seconded by the Vice-Chair:

‘That the application be DEFERRED AND DELEGATED for approval subject to the satisfactory completion of a legal agreement within 6 months securing the required planning obligations as set out in the report and the following conditions:

1 Approval of the details of the appearance of any buildings to be erected, (hereinafter called 'the reserved matters') shall be obtained from the Local Planning Authority in writing before any development is commenced.

**GROUND;**

As no such details have been submitted in respect of these matters as the application is in outline. In accordance with Section 92 of the Town and Country Planning Act 1990.

2 Plans and particulars of the reserved matters referred to in Condition 1 above, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.

**GROUND;**

In accordance with Section 92(2) of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

3 Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this permission.

**GROUND;**

In accordance with Section 92(2) of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

4 The development hereby permitted shall be begun before the expiration of 2 years from the date of approval of the last of the reserved matters to be approved.

**GROUND;**

In accordance with Section 92(2) of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004)

5 Any reserved matters applications submitted pursuant to this outline application shall accord with the principles and parameter of the following Parameter Plans received by the Local Planning Authority on the (including any text set out on those Plans to illustrate the development principles):-

AL-100 Rev L Proposed Housing received 8th October 2021

AL-106 Rev D Proposed Housing Types and Heights received 25th May 2021

**GROUND;**

To ensure that any development is in accordance with and within the parameters of that assessed by the Local Planning Authority and in the interest of achieving sustainable development, in accordance with Thanet Local Plan Policies QD02 and QD03 and the principles with the National Planning Policy Framework.

6 Prior to the occupation of any part of the development hereby approved a Landscape Management Plan shall be submitted to and approved in writing by the Local Planning Authority for all landscaped areas which shall include long term design objectives, details of who it to have ongoing management responsibilities for the area and how those arrangements will be secured in perpetuity and annual maintenance schedules for all landscaped areas.

The approved Landscape Management Plan shall be implemented and adhered to as approved subject to any minor revisions thereto as may be 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 QD02, SP27 and GI06 of the Thanet Local Plan and guidance within the National Planning Policy Framework.

7 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 in accordance with policy HE01 of the Local Plan and the guidance within the National Planning Policy Framework.

8 The development hereby permitted shall be constructed to a high standard of energy efficiency to the equivalent of Level 4 of the Code for Sustainable Homes, unless otherwise agreed in writing by the Local Planning Authority.

**GROUND;**

All new buildings and conversions of existing buildings must be designed to reduce emissions of greenhouse gases and have resilience to function in a changing climate, in accordance with Policy QD01 of the Thanet Local Plan.

9 The development hereby permitted shall be constructed in order to meet the required technical standard for water efficiency of 110litres/person/day, thereby Part G2 Part 36 (2b) of Schedule 1 Regulation 36 to the Building Regulations 2010, as amended, applies.

**GROUND;**

Thanet is within a water stress area as identified by the Environment Agency, and therefore new developments will be expected to meet the water efficiency optional requirement of 110litre /person/day, in accordance with Policy QD04 of the Thanet Local Plan.

10 The retirement units hereby permitted shall only be occupied by persons of 55 years of age or over, together with their spouse or partner.

**GROUND;**

As the proposed development, if not occupied by older persons would be deficient in play space provision, and off-site financial contributions, contrary to Thanet Local Plan Policies QD03, GI04 and SP41.

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

**GROUND;**

In the interests of highway safety, in accordance with the advice contained within the NPPF.

12 Prior to the first use/occupation of the development, the area shown for vehicle parking including visitor parking on drawing AL-100 Rev L shall be operational. The area approved shall thereafter be maintained for that purpose.

**GROUND;**

To provide satisfactory off street parking for vehicles in accordance with Policy TP06 of the Thanet Local Plan and the advice contained within the NPPF.

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, in accordance with the advice contained within the NPPF.



14 Prior to the first occupation or use of the development hereby permitted details of the covered cycle parking, which shall be in the form of detailed specification shall be submitted to and approved in writing by the Local Planning Authority.

**GROUND;**

To promote cycling as an alternative form of transport, in accordance with Policy TP03 and SP43 of the Thanet Local Plan

15 Prior to the first use of the site hereby permitted, the vehicular access and associated highway alterations as shown on the submitted plans or amended as agreed with the Local Planning Authority should be completed and made operational.

**GROUND;**

In the interests of highway safety, in accordance with the advice contained within the NPPF.

16 Prior to the first occupation of any dwelling the following works between a dwelling and the adopted highway shall be completed:

- (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, in accordance with the advice contained within the NPPF.

17 Prior to the first occupation/use of the site hereby approved the provision and maintenance of the visibility splays shown on the submitted plans with no obstructions over 1 metre above carriageway level within the splays, which shall thereafter be maintained.

**GROUND;**

In the interest of highway safety in accordance with the advice contained within the NPPF.

18 The refuse storage facilities as specified upon the approved drawing numbered AL-100 Rev L 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 QD02 of the Thanet Local Plan.

19 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 of 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 Local Planning Authority. The scheme shall be implemented as approved.

Any remediation must be carried out in a strictly controlled manner to ensure that contaminants are not exposed and releases allowed to air, land or controlled waters, which could cause pollution, harm or nuisance. Clearing areas, particularly removing hardcover, must be done in a manner not likely to expose contaminants to flushing by incipient rainfall or surface water run-off on the site. Temporary surface water controls and management of any materials movement on site is critical to ensure protection of controlled waters near the site.

**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 in accordance with Policy SE03 of the Thanet Local Plan and the advice contained within the National Planning Policy Framework.

20 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 Local Planning Authority. 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.

**GROUND;**

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. In accordance with Policy SE03 of the Thanet Local Plan and the advice contained within the National Planning Policy Framework.

21 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 Local Planning Authority) 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 Local Planning Authority. The remediation strategy shall be implemented as approved.

**GROUND;**

To ensure that the proposed development will not cause harm to human health or pollution of the environment, in accordance with Policy SE03 of the Thanet Local Plan and the advice contained within the National Planning Policy Framework.

22 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 protect the district's groundwater, in accordance with Policy SE04 of the Thanet Local Plan, and the advice contained within the National Planning Policy Framework.

23 Prior to the commencement of development, a detailed sustainable surface water drainage scheme for the site shall be submitted to, and approved in writing by, the Local Planning Authority. The detailed drainage scheme shall be based upon the Drainage Strategy prepared by HAPA Architects dated February 2020 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 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.

## **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, in accordance with policy CC02.

24 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 in accordance with Policy SE04 of the Thanet Local Plan, and the advice contained within the National Planning Policy Framework.

25 No development shall take place until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved statement shall be adhered to throughout the construction period and shall provide details of:

- a) Routing of demolition/construction and delivery vehicles to / from site
- b) Parking and turning areas of vehicles for demolition/construction and delivery vehicles, site operatives and visitors;
- c) Timing of vehicle movements (these will be restricted to outside school drop-off and pick-up periods)
- d) wheel washing facilities and their use;
- e) Temporary traffic management / signage
- f) Before and after construction of the development, highway condition surveys for highway access routes should be undertaken and a commitment provided to fund the repair of any damage caused by vehicles related to the development.
- g) Access arrangements
- h) loading and unloading of plant and materials;
- i) storage of plant and materials used in constructing the development;

- j) measures to control the emission of dust and dirt during construction including a scheme for recycling/disposing of waste resulting from construction works
- k) a construction environmental management plan, including details of operation construction times, enclosures for noise emitting equipment, dust and waste management policy and construction site noise management including siting of stationary noisy or vibrating plant equipment.

**GROUND;**

In the interests of highway safety and neighbouring amenity, in accordance with Policy QD03 of the Thanet Local Plan and the advice contained within the National Planning Policy Framework.

26 Prior to above ground development, details to be submitted showing the provision of 1 Electric Vehicle Charging point per residential property with dedicated parking and 1 in 10 of all non allocated parking, which shall be installed to the specification within Thanet Air Quality Technical Planning Guidance 2016.

**GROUND;**

In the interest of air quality and amenity in accordance with SE05 of the Thanet Local Plan and paragraph 186 of the NPPF.

27 From the commencement of works (including site clearance when in connection with the approved development), all mitigation measures for reptiles shall be carried out in accordance with the details contained within the 'Reptile Presence Absence Survey Report' (Fellgrove November 2020).

**GROUND;**

To ensure that the measures considered necessary as part of the ecological impact assessment are carried out as specified to preserve ecology in accordance with Policy SP30 of the Local Plan and paragraph 180 of the National Planning Policy Framework.

28 From the commencement of works (including site clearance when in connection with the approved development), all mitigation measures shall be carried out in accordance with section 3 of the 'Bat Emergence Assessment Report' (Fellgrove August 2021), unless varied by a Natural England licence.

**GROUND;**

To ensure that the measures considered necessary as part of the ecological impact assessment are carried out as specified to preserve ecology in accordance with Policy SP30 of the Local Plan and paragraph 180 of the National Planning Policy Framework.

29 Prior to the first installation of any external lighting, a detailed outdoor lighting scheme shall be submitted to, and approved in writing by, the Local Planning Authority. The scheme shall include details of the type of lights, the orientation/angle of the luminaries, the spacing and height of the lighting columns, the extent/levels of illumination over the site and on adjacent land and the measures to contain light within the curtilage of the site demonstrating that areas to be lit will not disturb bat activity.. The development shall be implemented in accordance with the approved scheme and thereafter maintained as agreed.

**GROUND;**

In the interests of minimising light pollution and to safeguard the amenities of the locality in accordance with policies SP30, QD02 and SE08 of the Local Plan and the guidance of the National Planning Policy Framework

30 Prior to the construction of any external surfaces 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. These shall include the installation of bat and bird nesting boxes along with the installation of generous native planting where possible. The approved details shall be provided prior to the first occupation of the development hereby permitted and thereafter permanently retained.

**GROUND;**

To enhance biodiversity in accordance with policy SP30 and paragraph 180 of the National Planning Policy Framework.

31 Prior to the first occupation of the development hereby approved, and notwithstanding the landscape details as shown on drawing numbered AL-111 Rev D, 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 seating areas for the retirement flats

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 QD02 and GI04 of the Thanet Local Plan

32 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 and to adequately integrate the development into the environment in accordance with Policies QD02 and GI04 of the Thanet Local Plan

33 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.

**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 National Planning Policy Framework and policy CC02 of the Thanet Local Plan.

34 Where infiltration is to be used to manage the surface water from the development hereby permitted, it will only be allowed within those parts of the site where information is submitted to demonstrate to the Local Planning Authority's satisfaction that there is no resultant unacceptable risk to controlled waters and/or ground stability. The development shall only then be carried out in accordance with the approved details.

**GROUND;**

To protect vulnerable groundwater resources and ensure compliance with the National Planning Policy Framework and policy CC02 of the Thanet Local Plan.

35 The development hereby approved shall be carried out in accordance with the ecology measures detailed on landscaping plan AL-111 Rev D. All measures shall thereafter be retained.

**GROUND**

In order to safeguard protected species that may be present, in accordance with Policy SP30 of the Thanet Local Plan and advice as contained within the NPPF.

36 The first floor windows in the west elevation of the retirement flats 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 the development hereby permitted and permanently retained thereafter.

**GROUND**

To safeguard the residential amenities currently enjoyed by the occupiers of nearby residential properties in accordance with Policy QD03 of the Thanet Local Plan.

37 No deliveries for the use of the shop premises hereby approved shall take place between the hours of 11pm and 7am.

**GROUND**

To safeguard the residential amenities currently enjoyed by the occupiers of nearby residential properties in accordance with Policy QD03 of the Thanet Local Plan.'

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

(g) **D07 OL/TH/21/0761 - Land Rear Of 92 To 102 Monkton Street, Monkton, RAMSGATE**

PROPOSAL: Outline planning application for residential development of up to 49 dwellings including access.

Mr Coward spoke in favor of the application.

Mrs Johnson raised points of concern.

Mr Annett raised points of concern.

Parish Councillor Brown spoke on behalf of Monkton Parish Council.

It was proposed by the Chair and seconded by the Vice-Chair:

'THAT the officer's recommendation be adopted, namely:

That the application be APPROVED subject to the following conditions:

1 Approval of the details of the layout, scale and appearance of any buildings to be erected and the landscaping of the site, (hereinafter called 'the reserved matters') shall be obtained from the Local Planning Authority in writing before any development is commenced.

**GROUND;**

As no such details have been submitted in respect of these matters as the application is in outline. In accordance with Section 92 of the Town and Country Planning Act 1990.

2 Plans and particulars of the reserved matters referred to in Condition 1 above, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.

**GROUND;**

In accordance with Section 92(2) of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

3 Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this permission.

**GROUND;**

In accordance with Section 92(2) of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

4 The development hereby permitted shall be begun before the expiration of 2 years from the date of approval of the last of the reserved matters to be approved.

**GROUND;**

In accordance with Section 92(2) of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004)

5 Any reserved matters applications submitted pursuant to this outline application shall accord with the principles and parameter of the following Parameter Plans received by the Local Planning Authority on the 13th May 2021 (including any text set out on those Plans to illustrate the development principles):-

PP001 Rev D - Land Use;

PP02 Rev D - Movement and Access; and

PP03 Rev D - Building heights

**GROUND;**

To ensure that any development is in accordance with and within the parameters of that assessed by the Local Planning Authority and in the interest of achieving sustainable development, in accordance with Thanet Local Plan Policies QD02 and QD03 and the principles with the National Planning Policy Framework.

6 Prior to the occupation of any part of the development hereby approved a Landscape Management Plan shall be submitted to and approved in writing by the Local Planning Authority for all landscaped areas which shall include long term design objectives, details of who it to have ongoing management responsibilities for the area and how those arrangements will be secured in perpetuity and annual maintenance schedules for all landscaped areas.

The approved Landscape Management Plan shall be implemented and adhered to as approved subject to any minor revisions thereto as may be approved in writing by the Local Planning Authority. The public open spaces in that phase shall be permanently retained and maintained thereafter in accordance with the approved Landscape Management Plan for that phase and used for and made available as public open space for public amenity purposes only.

Ground: In the interests of the visual amenities of the area and to adequately integrate the development into the environment, and provide local play space, in accordance with Policies QD02, SP27 and GI06 of the Thanet Local Plan and guidance within the National Planning Policy Framework.

7 The approved Landscape Management Plan shall be implemented and adhered to as approved subject to any minor revisions thereto as may be approved in writing by the Local Planning Authority. The public open spaces in that phase shall be permanently retained and maintained thereafter in accordance with the approved Landscape Management Plan for that phase and used for and made available as public open space for public amenity purposes only.

**GROUND;**

In the interests of the visual amenities of the area and to adequately integrate the development into the environment, and provide local play space, in accordance with Policies QD02, SP27 and GI06 of the Thanet Local Plan and guidance within the National Planning Policy Framework.

8 No less than 70% of the total number of dwellings constructed pursuant to this planning permission shall be dwellings of two or more bedrooms.

**GROUND;**

To ensure the provision of a mix of house sizes and types to meet a range of community needs in accordance with policy SP22 of the Local Plan.

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 in accordance with policy HE01 of the Local Plan and the guidance within the National Planning Policy Framework.



10 No development shall take place until details of the means of foul water disposal 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.

11 No development shall commence until a detailed sustainable 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 upon the principles contained within the Flood Risk Assessment by Intermodal Transportation (March 2019) and shall demonstrate that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate changed 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): That silt and pollutants resulting from the site can be adequately managed to ensure there is no pollution risk 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 in accordance with Policies CC02 and SE04 of the Local Plan and the advice contained within the National Planning Policy Framework.

12 Where infiltration is to be used to manage the surface water from the development hereby permitted, it will only be allowed within those parts of the site where information is submitted to demonstrate to the Local Planning Authority's satisfaction that there is no resultant unacceptable risk to controlled waters and/or ground stability. The development shall only then be carried out in accordance with the approved details

**GROUND;**

To protect vulnerable groundwater resources and ensure compliance with Policy SE04 of the Local Plan and the guidance of the National Planning Policy Framework.

13 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, carried out by a suitably qualified professional, has been submitted to the Local Planning Authority which demonstrates the suitable operation of the drainage system such that flood risk is appropriately managed, as approved by the Lead Local Flood Authority. The Report shall contain information and evidence (including photographs) of earthworks; details and locations of inlets, outlets and control structures; extent of planting; details of

materials utilised in construction including subsoil, topsoil, aggregate and membrane liners; full as built drawings; and topographical survey of 'as constructed' features.

**GROUND;**

To ensure that flood risks from development to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development as constructed is compliant with policies CC02 and SE04 of the Local Plan and the guidance of the National Planning Policy Framework.

14 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), Policy SE03 of the Local Plan and the guidance of the National Planning Policy Framework.

15 Prior to the first installation of any external lighting, a detailed outdoor lighting scheme shall be submitted to, and approved in writing by, the Local Planning Authority. The scheme shall include details of the type of lights, the orientation/angle of the luminaries, the spacing and height of the lighting columns, the extent/levels of illumination over the site and on adjacent land and the measures to contain light within the curtilage of the site and demonstrating the areas to be lit will not disturb bat activity. The development shall be implemented in accordance with the approved scheme and thereafter maintained as agreed.

**GROUND;**

In the interests of minimising light pollution, impact on protected species and to safeguard the amenities of the locality in accordance with policies SP30, QD02 and SE08 of the Local Plan and paragraphs 130 and 180 of the National Planning Policy Framework

16 All ecological mitigation measures and/or works shall be carried out in accordance with the details contained in the Ecological Appraisal Report and Reptile Survey (Skilled Ecology July 2019) as already submitted with the planning application and agreed in principle with the Local Planning Authority prior to occupation of any part of the development.

**GROUND;**

To ensure that the measures considered necessary as part of the ecological impact assessment are carried out as specified to preserve ecology in accordance with Policy SP30 of the Local Plan and paragraph 175 of the National Planning Policy Framework.

17 Prior to the construction of any external surfaces 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. These shall include the measures within Section 5.2 of the Preliminary Ecological Appraisal submitted, including the installation of bat and bird nesting boxes along with the installation of generous native planting where possible. The approved details shall be provided prior to the first occupation of the development hereby permitted and thereafter permanently retained.

**GROUND;**

To enhance biodiversity in accordance with policy SP30 and paragraph 175 of the National Planning Policy Framework.

18 No development shall take place until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved statement shall be adhered to throughout the construction period and shall provide details of:

- i) the parking of vehicles for site operatives and visitors;
- ii) construction vehicle loading/unloading, tuning facilities and access routes/arrangements;
- iii) loading and unloading of plant and materials;
- iv) storage of plant and materials used in constructing the development;
- v) wheel washing facilities and their use;
- vi) measures to control the emission of dust and dirt during construction including a scheme for recycling/disposing of waste resulting from construction works
- vii) a construction environmental management plan, including details of operation construction times, enclosures for noise emitting equipment, dust and waste management policy and construction site noise management including siting of stationary noisy or vibrating plant equipment.

**GROUND;**

In the interests of highway safety and neighbouring amenity, in accordance with Policy QD03 of the Thanet Local Plan and the advice contained within the NPPF.

19 Prior to the first occupation of the development hereby permitted, a statement that provides details of how the air quality damage costs of £27,438 as calculated within the Emissions Mitigation Assessment Lustre 3030/MG/2-2019 dated February 2019, are to be used to achieve air quality improvements listed in section 6.2 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 ensuring appropriate air quality in accordance with SE05 of the Thanet Local Plan and paragraph 186 of the NPPF.

20 Details pursuant to condition 1, shall identify the provision of 1 Electric Vehicle Charging point per residential property with dedicated parking and 1 in 10 of all non allocated parking, which shall be installed to the specification within Thanet Air Quality Technical Planning Guidance 2016. The charging points shall be installed and maintained in accordance with the approved details prior to the occupation of the respective dwelling to which it serves.

**GROUND;**

In the interest of air quality and amenity in accordance with SE05 of the Thanet Local Plan and paragraph 186 of the NPPF.

21 Details pursuant to condition 1, shall identify a minimum of 10% of housing to be built in compliance with building regulations part M4(2) .

**GROUND;**

To ensure that the type of housing complies with Policy QD05 of the Thanet Local Plan.

22 Details pursuant to condition 1 shall include an explanation of how the proposed layout would accord with Secured by Design principles, in accordance with advice received from Kent Police.

**GROUND;**

To promote public safety and security in accordance with Policies QD02 and QD03 of the Thanet Local Plan and the guidance of the National Planning Policy Framework.

23 Details pursuant to condition 1, shall include details of any proposed roads (and identify which roads are to be offered for adoption), including provision of communal on street parking (to include anticipated school pick up and drop off activity), footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, accesses, carriageway gradients, driveway gradients and street furniture in that phase. The development shall be laid out and constructed in accordance with those details as submitted to, and approved by, the Local Planning Authority prior to occupation of any part of the development and thereafter retained.

**GROUND;**

In the interests of highway safety and to ensure the proper development of the site without prejudice to the amenities of the occupants.

24 Details pursuant to condition 1, shall include details of the areas reserved for vehicle loading and unloading, vehicular parking spaces and/or garages, electric vehicle charging points, and manoeuvring and turning facilities which shall be provided in accordance with standards to be agreed with the Local Planning Authority. Such facilities as approved shall be constructed and made available for use prior to the occupation of the unit for which they are provided to meet relevant parking and layout standards, and thereafter shall be retained for their approved purpose.

**GROUND;**

In the interests of highway safety and traffic flow, in accordance with the guidance of the National Planning Policy Framework.

25 Details pursuant to condition 1, shall include the provision of adequate secure covered cycle parking facilities, in accordance with standards outlined in Appendix C of the Thanet Local Plan 2020. Such facilities as approved shall be made available for use prior to the occupation of the unit for which they are provided to meet relevant parking and layout standards, and thereafter shall be retained for their approved purpose.

**Ground:**

In the interests of highway safety and to facilitate the use of alternative means of transport, in accordance with Thanet Local Plan Policies TP01 and TP03 and the guidance of the National Planning Policy Framework.

26 Details pursuant to condition 1, shall include the vehicular and pedestrian sightlines for all new junctions and accesses in accordance with details and standards to be agreed with the Local Planning Authority. No dwelling shall be occupied until all relevant junctions and access roads serving that dwelling or floorspace (and linking it to the adopted highway) including the approved sightlines have been provided in accordance with the approved details. They shall thereafter be retained free from obstruction.

**GROUND;**

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

27 Details pursuant to condition 1 above shall include the provision of means and routes of access for pedestrians and cyclists within the development to and from the surrounding footway and cycleway network. No dwelling shall be occupied until all such routes and means of access serving that dwelling are constructed and ready for use and thereafter shall be retained for their approved purpose.

**GROUND;**

In the interests of highway safety and to facilitate the use of alternative means of transport, in accordance with Thanet Local Plan Policies QD02, QD03, TP01, TP02 and TP03 and the guidance of the National Planning Policy Framework. .

28 The development hereby approved shall incorporate bound surface materials for the first 5 metres of any access from the edge of the highway.

**GROUND;**

In the interests of highway safety, in accordance with the advice contained within the National Planning Policy Framework.

29 Prior to the first occupation of any of the units hereby approved the following works between a dwelling and the adopted highway shall be completed:

footways and/or footpath, with the exception of wearing course;  
carriageway, 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.

In accordance with details to be submitted to and approved, in writing, by the Local Planning Authority.

**GROUND;**

To safeguard the residential amenities currently enjoyed by the occupiers of nearby residential properties in accordance with Policy QD03 of the Thanet Local Plan.

30 No development shall take place until completion of the highway alterations shown on drawing number IT1860/TS/02 Rev. K submitted on 24th August 2021 or amended as agreed with the Local Planning Authority, has been carried out and are fully operational.

**GROUND;**

In the interests of highway safety in accordance with the advice contained within the National Planning Policy Framework.

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

**GROUND;**

In the interests of highway safety in accordance with the advice contained within the National Planning Policy Framework.

32 Prior to the first occupation of the development hereby approved driver visibility splays at accesses and junctions within the site shall be provided with no obstructions over 1 metre above carriageway level within the splays, in accordance with details to be submitted to and approved by the Local Planning Authority. These splays shall thereafter be maintained.

**GROUND;**

In the interests of highway safety in accordance with the advice contained within the National Planning Policy Framework.

33 Prior to the first occupation of the development hereby approved pedestrian visibility splays within the site shall be provided with no obstructions over 0.6 metres above carriageway level within the splays, in accordance with details to be submitted to and approved by the Local Planning Authority. These splays shall thereafter be maintained.

**GROUND;**

In the interests of highway safety in accordance with the advice contained within the National Planning Policy Framework.

34 Details pursuant to condition 1 above shall include a 2.5m high acoustic fence along the length of the proposed public parking spaces within the application site.

**GROUND;**

In the interests of highway safety and traffic flow, in accordance with Thanet Local Plan Policy SE06.

35 Details pursuant to condition 1 above shall include the provision of 10 car parking spaces for public use within the site access.

**GROUND;**

In the interest of parking amenity of existing residents and highway safety, in accordance with guidance within the National Planning Policy Framework.

36 Prior to the first occupation of any dwelling hereby approved, the vehicular and pedestrian access to Monkton Street shall be completed in accordance with the approved plan IT1860/TS/02 Rev K and available for use.

**GROUND;**

In the interests of highway safety, in accordance with the advice contained within the National Planning Policy Framework.

37 The development hereby permitted shall be constructed to a high standard of energy efficiency to the equivalent of Level 4 of the Code for Sustainable Homes, unless otherwise agreed in writing by the Local Planning Authority.

**GROUND;**

All new buildings and conversions of existing buildings must be designed to reduce emissions of greenhouse gases and have resilience to function in a changing climate, in accordance with Policy QD01 of the Thanet Local Plan.

38 The development hereby permitted shall be constructed in order to meet the required technical standard for water efficiency of 110litres/person/day, thereby Part G2 Part 36 (2b) of Schedule 1 Regulation 36 to the Building Regulations 2010, as amended, applies.

**GROUND;**

Thanet is within a water stress area as identified by the Environment Agency, and therefore new developments will be expected to meet the water efficiency optional requirement of 110litre /person/day, in accordance with Policy QD04 of the Thanet Local Plan.'

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

Councillor Garner proposed, and Councillor Paul Moore seconded that the application be REFUSED for the following reasons:

"The proposal, by virtue of its location, would result in the loss of countryside and harm to the Stour Marshes Landscape Character Area, outside of the identified urban confines in the Thanet local plan, where the need for development has not being demonstrated to outweigh the need to protect the countryside, and the harm resulting from the loss is not sufficiently outweighed by economic, social or environmental benefits, contrary to Policies SP24 and SP26 of the Thanet Local Plan 2020 and paragraph 174 of the National Planning Policy Framework"

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

**6. CD TH 21 1052 - 43 QUEEN BERTHAS AVENUE, BIRCHINGTON**

Following her declaration of interest, Councillor Keen left the meeting for the duration of this item.

PROPOSAL: Application for a Certificate of Lawful Development for the proposed erection of a single storey rear extension.

It was proposed by the Chair and seconded by the Vice-Chair:

'THAT the officer's recommendation be adopted, namely:

That the application be APPROVED subject to the following conditions:

1 The proposal constitutes permitted development as defined by Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015.'

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

Meeting concluded: 9.55pm