

Planning Committee

**Minutes of the meeting held on 20 April 2022 at 7.00 pm in Council Chamber,
Council Offices, Cecil Street, Margate, Kent.**

Present: Councillor Michael Tomlinson (Chair); Councillors Coleman-Cooke, Albon, J Bayford, Crittenden, Everitt, Garner, Hart, Keen, Pat Moore, Rusiecki, Shrubbs, Wing and Wright.

In Attendance: Councillors Huxley and Shonk

1. **APOLOGIES FOR ABSENCE**

Apologies were received from Councillor Paul Moore.

2. **DECLARATIONS OF INTEREST**

There were no declarations of interest.

3. **MINUTES OF PREVIOUS MEETING**

Councillor Albon proposed, Councillor Rusiecki seconded and Members agreed that the minutes of the meeting held on 16 March 2022 be approved as a correct record.

4. **SITE VISIT**

(a) **F/TH/19/0323 - Land On The North Side Of Stirling Way, RAMSGATE**

PROPOSAL: Erection of 23no. 2 storey dwellings and a 3-storey building accommodating 15No. self-contained flats together with associated parking and landscaping

Councillor Shonk spoke under council procedure rule 20.1

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

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

That the application be Deferred & Delegated for approval subject to the additional conditions, safeguarding conditions and the submission of a signed legal agreement within 6 months:

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 drawing numbered P01 Rev G, received 30 June 2020; and amended plans numbered P02 Rev C, P03 Rev E, P04 Rev E, P06 Rev H, and P08 Rev C, received 06 December 2019.

GROUND:

To secure the proper development of the area.

3. 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.

4. 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, including pollution prevention and maintenance measures.

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 mobilized contaminants in line with paragraph 170 of the National Planning Policy Framework.

5. 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.

6. Development shall not begin in any phase until a detailed sustainable surface water drainage scheme for the site has been submitted to (and approved in writing by) the local planning authority. The detailed drainage scheme shall be based upon the Flood Risk Assessment Report dated Nov 2019 by Herrington Consulting 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 2 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 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. These details and accompanying calculations are required prior to the commencement of the development as they form an intrinsic part of the proposal, the approval of which cannot be disaggregated from the carrying out of the rest of the development.

7. 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 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 of the Thanet Local Plan and advice contained within the NPPF

8. 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.

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 Thanet Local Plan and the advice contained within the National Planning Policy Framework.

10. Prior to the commencement of development hereby permitted (including site clearance), the ecological mitigation measures as detailed within the Ecological Enhancement Strategy Report (Corylus Ecology September 2019) shall be implemented and retained thereafter.

GROUND:

In order to safeguard biodiversity, in accordance with Policy SP30 of the Thanet Local Plan and advice as contained within the NPPF.

11. Prior to the commencement of the development hereby permitted, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The Construction Environmental Management Plan shall include the noise mitigation measures as set out in S4.3 of the Construction Noise Impact Assessment, along with details of:
 - Routing of construction and delivery vehicles to / from site
 - Parking and turning areas for construction and delivery vehicles and site personnel
 - Timing of deliveries
 - Provision of wheel washing facilities
 - Temporary traffic management / signage
 - Access arrangements
 - hours of construction working; measures to control noise affecting nearby residents;
 - Wheel cleaning/chassis cleaning facilities;
 - dust control measures;
 - lighting control measures;

- Pollution incident control and site contact details in case of complaints.
- The location of the construction compound.

The construction works shall thereafter be carried out at all times in accordance with the approved Construction Environmental Management Plan, unless any variations are otherwise first submitted to and approved in writing by the Local Planning Authority.

GROUND:

In the interests of highway safety, neighbouring amenity, and to limit the impact upon the wellbeing of students at Laleham Gap School, in accordance with Policy QD03 of the Thanet Local Plan, and paragraph 130 of the NPPF.

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

GROUND:

In the interests of amenity for future occupiers in accordance with Policy QD03 of the Thanet Local Plan and the advice contained within the NPPF

13. Construction works within the site shall only be carried out between the hours of 07:00 and 12:50, and 13:40 and 18:00 Monday to Friday; between the hours of 08:00 and 13:00 on Saturdays; and at no time on Sundays.

GROUND:

In the interests of neighbouring amenity and to limit the impact upon the wellbeing of students at Laleham Gap School, in accordance with Policy QD03 of the Thanet Local Plan, and paragraph 130 of the NPPF.

14. 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.

15. Prior to the first use of the site the vehicle loading/unloading and turning facilities shown on the submitted plan numbers P01 Rev G shall be provided and permanently retained.

GROUND:

In the interests of highway safety, in accordance with Policy TP08 of the Thanet Local Plan.

16. The area shown on the approved plan numbered P01 Rev G 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 dwelling hereby permitted.

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.

17. Prior to the first occupation of the development, the secure cycle parking facilities, as shown on approved drawing no. P01 Rev G shall be provided and thereafter maintained.

GROUND:

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

18. 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.

19. Prior to the commencement of the development hereby permitted, details of the electric vehicle charging points to be provided within the development, including their location and design, shall be submitted to and approved in writing by the Local Planning Authority. The electric vehicle charging points shall be in the form of one active charging point per allocated parking space, and one active charging point per ten unallocated parking spaces. The electric vehicle charging points shall be provided prior to the first occupation of the development and thereafter maintained.

GROUND:

To protect air quality, in accordance with Policy SP14 of the Thanet Local Plan and the advice as contained within the NPPF.

20. Prior to the first occupation of the development hereby approved, pedestrian visibility splays of 2 metres by 2 metres behind the footway on both sides of each private access, with no obstructions over 0.6 metres above footway level shall be provided and thereafter maintained.

GROUND:

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

21. Prior to the first occupation of the development hereby approved, visibility splays of 25 metres x 2 metres x 25 metres at the vehicular

accesses to plots 1-5 and 6-10, with no obstructions over 1 metre above carriageway level within the splays, shall be provided and thereafter maintained.

GROUND:

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

22. Prior to the first occupation of the development hereby approved, cyclist visibility splays of 2 metres x 5 metres behind the cycleway on both sides of the vehicular access to plots 11-15, with no obstructions over 0.6 metre above cycleway level within the splays, shall be provided and thereafter maintained.

GROUND:

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

23. Prior to the first occupation of the dwelling the following works between the dwelling and the adopted highway shall be complete
 - (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 the living conditions of future occupants, in accordance with Policy QD03 of the Thanet Local Plan, and advice as contained within the NPPF.

24. 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.

25. 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.

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

- species, size and location of new trees, shrubs, hedges and grassed areas to be planted. This shall include new hedge planting around parking court areas and along the southern boundary of the site (where possible), and the planting of trees, including to the rear of plots 4 and 5;
- the treatment proposed for all hard surfaced areas beyond the limits of the highway, which shall include paving for all parking spaces;
- walls, fences, bin stores, bike stores, and 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 QD02 and GI04 of the Thanet Local Plan

27. 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.

28. A landscape management plan (including long term design objectives), management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned, domestic gardens, shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development or any phase of the development, whichever is the sooner, for its approved use. The amenity areas shall be managed in accordance with the approved landscape management plan in perpetuity.

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

29. The refuse storage facilities and clothes drying facilities as specified upon the approved drawing numbered P01 Rev G and received on 26th March 2020 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 safeguard the residential amenities currently enjoyed by the occupiers of nearby residential properties in accordance with Policy QD03 of the Thanet Local Plan.

30. Prior 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 unless otherwise agreed in writing by the Local Planning Authority.

GROUND:

In the interests of visual amenity in accordance with Policy QD02 of the Thanet Local Plan

31. No further extensions, roof alterations or outbuildings, whether approved by Classes A, B, C, or E 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 ensure a satisfactory external treatment and in the interests of the visual amenities of the locality in accordance with Policy QD02 of the Thanet Local Plan.

32. The first floor window to be provided in the northern side elevation of the unit within plot 5, shown on plan numbered Po1 Rev G, shall be non-opening below 1.73m above the finished internal floor level, and provided and maintained with obscured glass to a minimum level of obscurity to conform to Pilkington Glass level 4 or equivalent. The obscure glazing shall be 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.

33. No development shall take place until details of fixed telecommunication infrastructure and High Speed Fibre Optic (minimal internal speed of 1000mb) connections to multi point destinations to be installed for all dwellings. The infrastructure shall be installed in accordance with the approved details during the construction of the development, capable of connection to commercial broadband providers and maintained in accordance with approved details.

GROUND:

To provide high quality digital infrastructure in new developments in accordance with Policies SP14 and SP41 of the Thanet Local Plan and paragraph 112 of National Planning Policy Framework.

34. Prior to the commencement of development hereby permitted, an acoustic fence shall be erected along the northern boundary of the site, in the location shown on submitted plan numbered P11, to a minimum height of 2m above ground level. The acoustic fence shall remain in situ during the construction period, and be permanently maintained thereafter following the completion of the construction works.

GROUND:

To limit the impact upon the wellbeing of students at Laleham Gap School, in accordance with Policy QD03 of the Thanet Local Plan, and paragraph 130 of the NPPF.

35. Any piling to be carried out on site shall use a screw pile system.

GROUND:

To limit the impact upon the wellbeing of students at Laleham Gap School, in accordance with Policy QD03 of the Thanet Local Plan, and paragraph 130 of the NPPF.

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

In accordance with council procedure rule 17.5, it was noted that Councillors Everitt, Garner, Wright, Wing and Rusiecki voted against the motion.

5. **SCHEDULE OF PLANNING APPLICATIONS**

(a) **A01 F/TH/21/1470 - 6 Cliff Street, RAMSGATE**

PROPOSAL: Change of use of single dwelling to HMO (sui generis)

Mr Jermy 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 13b, 14b and 15b received 28 January 2022.

GROUND; To secure the proper development of the area.

3. No more than seven persons shall occupy the property as principal or main residence at any one time.

GROUND: In the interests of neighbouring amenity, in accordance with Policy QD02 and HO19 of the Thanet Local Plan.

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

- (b) **A02 FH/TH/21/1895 - 16 Poldark Court, Victoria Parade, RAMSGATE**

PROPOSAL: Retrospective application for the replacement of door to Juliet balcony to front elevation.

Councillor Huxley spoke as Ward Councillor.

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.

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

- (c) **D03 F/TH/22/0204 - 25A Holly Road, RAMSGATE**

PROPOSAL: Retrospective application for the change of use from office to 1No two storey 1-bed dwelling

Ms Seers 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 DEFERRED and DELEGATED for approval subject to submission of a satisfactory legal agreement to secure the SAMMs contribution within 6 months of this resolution, and subject to the following conditions:

- 1 The development hereby approved shall be carried out in accordance with the submitted drawings numbered PL06, PL07, PL08 and PL09 and received 11th February 2022.

GROUND;

To secure the proper development of the area.

- 2 Within three months of the date of this decision the first floor window in the western side elevation serving the bedroom shall be fitted with an opening restrictor

as confirmed in the design and access statement received 10 February 2022 and thereafter maintained.

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.

3 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.

4 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 CARRIED.

Meeting concluded : 9.15 pm