

## Planning Committee

### Minutes of the meeting held on 20 July 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:** Councillor Wallin.

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

Apologies were received from Councillor Paul Moore for whom Councillor Wallin was present as a substitute.

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

There were no declarations of interest.

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

Councillor Hart proposed, Councillor Crittenden seconded and Members AGREED that the minutes of the Planning Committee held on 15 June 2022 be approved and signed by the Chair.

#### 4. **2-12 HAROLD ROAD, MARGATE (PREVIOUSLY AT MAY 2022)**

**PROPOSAL:** Erection of a four storey building containing 26No. 2 bed flats and 8No. 3 bed flats and erection of 3No. 3 storey 4 bed terraced houses, with associated parking, access and landscaping works following demolition of the existing commercial buildings.

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

'THAT the option at 3.1 of the report be adopted, namely:

That the application be REFUSED for the following reasons:

The proposed development, by virtue of its size, scale, height and design, will result in an obtrusive and incongruous form of development that fails to relate to surrounding development, or make a positive contribution to the street scene or the quality of the environment. The proposal would therefore severely detract from the character and appearance of the surrounding area, and fail to create an attractive community, contrary to Policies QD02 and H08 of the Thanet Local Plan and paragraph 130 of the National Planning Policy Framework.

The applicant has failed to enter into a legal agreement to secure the provision of affordable housing, and the delivery of the necessary planning obligations required in order to mitigate the impacts of the proposed development on the local infrastructure and make the development acceptable in all other respects. The application is therefore contrary to Policies SP41 and SP23 of the Thanet Local Plan, and paragraphs 55, 57 and 58 of the National Planning Policy Framework.

The proposed development will result in additional pressure on the Thanet Coast and Sandwich Bay Special Protection Area (SPA), and Sandwich Bay and Hacklinge Marshes Site of Special Scientific Interest (SSSI), and in the absence of securing an acceptable form of mitigation to relieve the pressure, the proposed development would be contrary to policy SP29 of the Thanet Local Plan and paragraph 182 of the National Planning Policy Framework and the Habitats Directive.

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

## 5. **SCHEDULE OF PLANNING APPLICATIONS**

(a) **A01 F/TH/22/0596 - Workshop 21 Hibernia Street, RAMSGATE, Kent, CT11 8HP**

**PROPOSAL:** Change of use from commercial workshop and 2No flats to 6No 1-bed and 2No 2-bed flats together with erection of first and second floor extensions, 4No dormer windows to rear, replacement of windows and roof tiles and alterations to fenestration.

Mr Clay 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 APPROVED, subject to the following conditions:

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

**GROUND:**

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

2 The proposed development shall be carried out in accordance with the submitted application as amended by the revised drawings numbered P0 REV 2, P01 REV 2, P02 REV 2, P03 REV 2, P04 REV 2, P101 REV 2, P102 REV 2, P201 REV 2, P202 REV 2, received 10 June 2022.

**GROUND;**

To secure the proper development of the area.

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

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

**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.

4 The development hereby permitted shall be constructed using white render to the Cottage Road Elevation and, white painted flint and brickwork to the Hibernia Street, Elevation and slate tiles to match the existing property in accordance with the correspondence from the applicant's agent received 06 July 2022 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.

5 The approved doors and windows shall not open over the highway.

**GROUND:**

In the interest of highway safety

6 The refuse storage facilities as specified upon the approved drawing numbered P0 2 Rev 2 and received on 10 June 2022 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.

7 Prior to the first occupation of the development, the secure cycle parking facilities, as shown on approved drawing no. P0 2 Rev 2 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.

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 110 litre /person/day, in accordance with Policy QD04 of the Thanet Local Plan.

10 Prior to the installation of any external windows manufacturers details of the proposed windows shall be submitted to and approved in writing by the Local Planning Authority. Such details as are approved shall be carried out concurrently with the development and fully implemented prior to the first occupation of any part of the approved development.

**GROUND:**

To secure a satisfactory external treatment and to safeguard the special character and appearance of the designated heritage asset in accordance with Policy HE02 of the Thanet Local Plan and advice contained within the National Planning Policy Framework.

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

**GROUND:**

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

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

(b) **D02 F/TH/22/0399 - 15 Park Lane, BIRCHINGTON, Kent, CT7 0AN**

**PROPOSAL:** Erection of part two storey part one storey building to accommodate 5No 1 Bed and 1No 2 bed flats following demolition of existing building with associated bin and cycle store.

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

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

That the application be DEFERRED AND DELEGATED for approval subject to receipt of legal agreement securing SAMM contribution and safeguarding conditions, including a condition for the redundant vehicular crossover at the front of the site to be removed prior to occupation of the development.'

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

**GROUND:**

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

2 The proposed development shall be carried out in accordance with the submitted application as amended by the revised drawings numbered 21-19-05 Rev A received 27 May 2022, 21-19-04 Rev C, and 21-19-07 REV B received 06 June 2022 and 21-19-01 REV D, 21-19-02 REV C, 21-19-02 REV C and 21-19-03 REV C received, 04 July 2022.

**GROUND;**

To secure the proper development of the area.

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

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

**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.

4 Prior to the commencement of development hereby permitted, a land level plan that identifies the existing and finished ground levels of the site shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

**GROUND:**

In the interests of visual amenity and neighbouring amenity, in accordance with Policies QD02 and QD03 of the Thanet Local Plan.

5 Prior to the first occupation of the development hereby permitted, details of the refuse storage shall be submitted to and approved in writing by the Local Planning Authority. The refuse storage shall be provided in accordance with the approved details 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.

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

- o species, size and location of new trees, shrubs, hedges and grassed areas to be planted
- o the treatment proposed for all hard surfaced areas beyond the limits of the highway
- o walls, fences, other means of enclosure proposed

shall be submitted to, and approved in writing by, the Local Planning Authority.

**GROUND:**

In the interests of the visual amenities of the area and to adequately integrate the development into the environment in accordance with Policies QD02 and GI04 of the Thanet Local Plan

7 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

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

**GROUND:**

To safeguard the special character and appearance of the area as a Conservation Area in accordance with Policy HE02 of the Thanet Local Plan and the advice as contained within the NPPF.

9 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.

10 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.

11 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 Policy SE03 of the Thanet Local Plan and the advice contained within the National Planning Policy Framework.

12 Existing trees, shrubs and hedgerows identified for retention within the development site or existing trees growing on an adjacent site, where excavations, changes to land levels or underground works are within the crown spread, shall be protected in accordance with BS5837 2012 using the following protective fence specification - o Chestnut paling fence 1.2m in height, to BS 1722 part 4, securely mounted on 1.7m x 7cm x 7.5cm timber posts driven firmly into the ground. The fence shall be erected below the outer most limit of the branch spread or at a distance equal to half the height of the tree, whichever is the furthest from the tree, unless otherwise agreed in

writing with the Local Planning Authority. The protective fencing shall be erected before the works hereby approved or any site clearance work commences, and shall thereafter be maintained until the development has been completed. At no time during the site works shall building materials, machinery, waste, chemicals, stored or piled soil, fires or vehicles be allowed within the protective fenced area. Nothing shall be attached or fixed to any part of a retained tree and it should not be used as an anchor point. There shall be no change in the original soil level, nor trenches excavated within the protective fenced area.

**GROUND:**

To protect existing trees and to adequately integrate the development into the environment, in accordance with Thanet Local Plan Policy QD02.

13 The first floor windows window in the northern and southern elevations serving flats 4 and 5 elevation of the development hereby approved 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; and shall be installed prior to the 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.

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

Meeting concluded : 8.36 pm