

Planning Committee

Minutes of the meeting held on 19 July 2023 at 7.00 pm in Council Chamber, Council Offices, Cecil Street, Margate, Kent.

Present: Councillor Helen Crittenden (Chair); Councillors J Bright, Albon, J Bayford, Boyd, Dennis, Driver, Garner, Keen, Makinson, Matterface, Rattigan and Wing

In

Attendance: Councillors Dawson, Fellows and Whitehead

1. **APOLOGIES FOR ABSENCE**

Apologies were received from Councillor Rusiecki who is substituted by Councillor Wright and from Councillor Paul Moore.

2. **DECLARATIONS OF INTEREST**

There were no declarations of interest.

3. **MINUTES OF PREVIOUS MEETING**

Councillor Albon proposed, Councillor Rattigan seconded and Members agreed that the minutes of the meeting held on 14 June 2023 be approved as a correct record.

4. **SCHEDULE OF PLANNING APPLICATIONS**

The Chair informed Committee Members that any site visits would take place on the morning of 4 August 2023.

(a) **A01 OL/TH/22/1586 - Land Between 310 and 316 Canterbury Road, Birchington**

PROPOSAL: Outline application for the erection of up to 9No dwellings including access.

Mr Solly spoke against the application.

Councillor Dawson spoke against the application under Council Rule 20.1.

Councillor Fellows spoke against the application under Council 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 approved subject to the following conditions:

- 1) Approval of the details of the layout, scale and appearance of any buildings to be erected, the means of access to the site 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.

- 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) To assess and mitigate the impacts of development on significant archaeological remains:
 - A) Prior to any development works the applicant (or their agents or successors in title) shall secure and have reported a programme of archaeological field evaluation works, in accordance with a specification and written timetable which has been submitted to and approved by the local planning authority.
 - B) Following completion of archaeological evaluation works, no development shall take place until the applicant or their agents or successors in title, has secured the implementation of any safeguarding measures to ensure preservation in situ of important archaeological remains and/or further archaeological investigation and recording in accordance with a specification and timetable which has been submitted to and approved by the local planning authority.

- C) The archaeological safeguarding measures, investigation and recording shall be carried out in accordance with the agreed specification and timetable.
- D) Within 6 months of the completion of archaeological works a Post-Excavation Assessment Report shall be submitted to and approved in writing by the local planning authority. The Post-Excavation Assessment Report shall be in accordance with Kent County Council's requirements and include:
 - i) a description and assessment of the results of all archaeological investigations that have been undertaken in that part (or parts) of the development;
 - ii) an Updated Project Design outlining measures to analyse and publish the findings of the archaeological investigations, together with an implementation strategy and timetable for the same;
 - iii) a scheme detailing the arrangements for providing and maintaining an archaeological site archive and its deposition following completion.
- E) The measures outlined in the Post-Excavation Assessment Report shall be implemented in full and in accordance with the agreed timings.

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 National Planning Policy Framework.

- 6) No development shall take place until details of the means of foul and surface water disposal, including details of the implementation, management and maintenance of any proposed Sustainable urban Drainage Systems, 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, and to ensure the development is served by satisfactory arrangements for the disposal of surface water, in accordance with Policies SE04 and CC02 of the Thanet Local Plan and advice contained within the NPPF.

- 7) Details to be provided in pursuant of condition 1 above shall include the retention of the public right of way through the site (TM32), with upgrade works that include the widening of the public right of way to 3m, and its resurfacing with a hoggin surface.

GROUND:

In the interests of pedestrian movement, in accordance with Policy TP02 of the Thanet Local Plan.

- 8) 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.

- 9) 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.

- 10) 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.

- 11) Prior to the first occupation of the development hereby approved visibility splays of 2.4m x 43m shall be provided to the access on to Canterbury Road as shown on the approved plan no A1625-09 Rev P4 with no obstructions over 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.

- 12) Details to be submitted in pursuant of Condition 1 above shall include details of the electric vehicle charging points to be provided within the development, including their location and design. 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.

GROUND:

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

- 13) 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.

- 14) 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.

- 15) Prior to the installation of any external lighting a "lighting design strategy for biodiversity" for the site boundaries has been submitted to and approved in writing by the local planning authority. The lighting strategy shall
- a) Identify those areas/features on site that are particularly sensitive for badgers and bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory;
 - b) Show how and where external lighting will be installed so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory.
 - c) Details of the types of lighting to be used including their fittings, illumination levels and spread of light

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy and these shall be maintained thereafter in accordance with the strategy.

GROUND:

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

- 16) The details to be submitted in pursuant of condition 1 above for landscaping shall include the retention of existing hedge planted boundaries, the provision of new hedge and tree planting, and the provision of ecological enhancements within the site.

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.

- 17) The details to be submitted in pursuant of condition 1 above for scale shall show no development exceeding 2-storeys in height to eaves level.

GROUND:

To limit the impact upon the character and appearance of the area and neighbouring amenity, in accordance with Policies QD02 and QD03 of the Thanet Local Plan.

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

It was proposed by Councillor Albon, seconded by Councillor Garner and agreed upon by Members, that:

The proposal, by virtue of its location and form, would result in the loss of open space and harm to the characteristics of the Central Thanet Undulating Chalk Farmland Landscape Character Area (LCA), where the need for and the impact from the development has not been demonstrated to outweigh the need to protect Thanet's landscape character and local distinctiveness, with the visual harm resulting from the additional built form not sufficiently outweighed by economic, social or environmental benefits, contrary to Policies SP26 and QD02 of the Thanet Local Plan 2020 and paragraphs 130 and 174 of the National Planning Policy Framework.

The proposed development would result in the irreversible loss of best and most versatile agricultural land. The proposal has failed to demonstrate that the benefits of the proposal would outweigh the harm arising from the loss of agricultural land, and that no other suitable sites of poorer agricultural quality could accommodate the development, or lead to likely accumulated and significant losses of high quality agricultural land. The proposal would therefore be contrary to Policy E16 of the Thanet Local Plan and paragraph 174 of the National Planning Policy Framework.

(b) **A02 F/TH/23/0531 - Unit 1 Blenheim Close, Broadstairs**

PROPOSAL: Change of use to laundrette (Use class Sui Generis) together with erection of flues on the rear elevation.

It was proposed by Councillor Albon and seconded by Councillor Bayford:

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 23.1965.PL005, 23.1965.PL006 and, 23.1965.PL007 received 17 April 2023.

GROUND:

To secure the proper development of the area.

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

- (c) **A03 F/TH/23/0335 - Minster Meze and Grill 7 - 9 Monkton Road, Minster**

PROPOSAL: Change of use of first floor from residential (use class C3) to Bed and Breakfast accommodation (use class C1).

It was proposed by Councillor Albon and seconded by Councillor Bayford:

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 Proposed First Floor Plan received 30 March 2023 and, Proposed Ground Floor Plan received 12 April 2023.

GROUND:

To secure the proper development of the area.

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

- (d) **D04 F/TH/22/1591 - 122 Northdown Road, Margate**

PROPOSAL: Change of use of existing office space and 2No 1 bed flats to office space and the creation of 3No. 1 bed flats, 1No bedsit and 1 no 1 bed maisonette together with alterations of roof to rear outrigger including external

stairs, excavation to create entrance to basement at front and reinstatement of iron railings to first floor and provision of ground floor railings to front elevation, alterations to fenestration.

Mr Kinnear 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:

To defer and delegate for approval subject to the receipt of a satisfactory signed legal agreement to secure the contributions towards the SAMM project within 6 months and 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 documents, drawing numbered, 06 B (received 02/05/23), 07 B (received 02/05/23), 08 B (received 02/05/23), 09 B (received 02/05/23) and 12 A (received 10/07/23).

GROUND:

To secure the proper development of the area.

- 3) Prior to the construction of the external surfaces, including railings 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.

- 4) Prior to the installation of any railings hereby approved, manufacturers details to a scale of 1:20 shall be submitted to, and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details 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.

- 5) Prior to the installation of any external windows and doors, joinery details at a scale of 1:20 of the windows and doors 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 and advice contained within the National Planning Policy Framework.

- 6) Prior to the first occupation of the development hereby approved, full details of hard landscape works, to include:
- the treatment proposed for all hard surfaced areas beyond the limits of the highway
 - 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 HE02 of the Thanet Local Plan.

- 7) All hard landscape works, shall be carried out in accordance with the approved details. The works shall be carried out prior to the first occupation/use of any part of the development, or in accordance with a programme of works to be agreed in writing with the Local Planning Authority. Following completion of the landscape works, photographic evidence of implementation shall be submitted to and approved in writing by the Local Planning Authority in order to verify the works have been completed in accordance with the approved plans, and to enable the full discharge of this condition.

GROUND:

In the interests of the visual amenities of the area, biodiversity enhancement, and to adequately integrate the development into the environment in accordance with Policies QD02 and HE02 of the Thanet Local Plan.

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

- (e) **D05 F/TH/22/1668 - British Heart Foundation 113 - 117, High Street, Margate**

PROPOSAL: Change of use of first floor retail (Use Class E) to 3no. 2 bed flats and 1no. 1 bed flat (Use Class C3), alterations to shopfront to facilitate sub-division of ground floor into 3no. retail units, following two storey rear extension

Mr Munnelly spoke in favour of the application.

Councillor Whitehead spoke under Council Rule 20.1.

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

THAT the officer's recommendation be adopted, namely:

To defer and delegate for approval subject to the receipt of a satisfactory signed legal agreement to secure the contributions towards the SAMM project within 6 months and 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 0543-PL 1100, 0543-PL 1101, 0543-PL 2104, 0543-PL-2200- Rev A, 0543-PL 2201 and 0543-PL 2300 received 12 April 2023.

GROUND:

To secure the proper development of the area.

- 3) The external materials and external finishes to be used in the development hereby approved shall be as detailed on drawing numbered 0543-PL-2200-Rev A, received 12 April 2023.

GROUND:

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

- 4) Prior to the first occupation of the residential units, details of the construction of the ceilings and floors that separate the (residential and commercial unit) shall be submitted to and approved by the Local Planning Authority. The ceilings and floors shall resist the transmission of airborne sound such that the weighted standardised difference (DnT, W + Ctr) shall not be less than 53 decibels. The weighted standardised difference (DnT, W) a spectrum adaption term, Ctr, is quoted according to BS EN ISO 16283-1:2014 Acoustics - Field measurement of sound insulation in buildings and of building elements Part 1: Airborne sound insulation. The work 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 the residential amenity of future occupiers of the flats in accordance with Policy QD03 of the Thanet Local Plan and the advice contained within the NPPF.

- 5) An acoustic assessment of compliance with condition 4 shall be submitted to the Local Planning Authority prior to the first occupation of the residential units hereby permitted. Any further mitigation measures recommended in the assessment to meet the criteria stated within condition 4 shall be submitted in writing for the written approval of the Local Planning Authority within 1 month of the assessment. All works which form part of the approved scheme shall thereafter be implemented in accordance with a timetable to be agreed in writing by the Local Planning Authority and thereafter maintained.

GROUND:

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

- 6) Prior to the first occupation of the flats hereby approved the windows in the northern elevation of Flat 4 and the bedroom windows of Flats 2 and 3, facing onto the internal courtyard 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 of occupiers of the flats in accordance with Policy QD03 of the Thanet Local Plan.

- 7) The refuse storage facilities as specified upon the approved drawing numbered 0543-PL 1100 and received on 12 April 2023 shall be provided prior to the first occupation of the flats hereby approved and shall be kept available for that use at all times.

GROUND:

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

- 8) Prior to the first occupation of the flats hereby approved, the secure cycle parking facilities, as shown on approved drawing numbered 0543-PL 1101 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.

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

Meeting concluded: 9:07pm