

Planning Application F/TH/23/1359 - Domus (Formerly Plot 10 Of Land Adjacent To Clifftop) North Foreland Avenue BROADSTAIRS Kent

Planning Committee – 22 May 2024

Report Author Annabel Hemmings **Principal *Planning Officer***

Status ***For Decision***

Classification: Unrestricted

Previously Considered by **Planning Committee 13 March 2024**

Ward: **Kingsgate**

Executive Summary:

This report concerns an application submitted under reference F/TH/23/1359 for the erection of a four storey 5 bed detached dwelling (part retrospective) that was brought to Planning Committee on 13th March 2024, with a resolution agreed by members to “Defer to officers to seek amendments to the flank walls of the balcony at first floor level then bring back to members for decision.”

The applicant has amended the flank walls of the first floor balcony reducing the amount of solid blocks and introducing glass screens above.

There are no other changes to the proposed development previously considered by members (see report within Annex 1). The application is reported back to members with a recommendation for approval following receipt of amended plans.

Recommendation:

Members approve the application including safeguarding conditions outlined in Annex 1, with condition 2 updated to include the amended floor plan and elevations with obscure glazed panels and condition 13 amended to read “The first floor windows in the northern and southern elevations hereby approved shall be provided with non opening obscured glass to a minimum level of obscurity to conform to Pilkington Glass level 4 or equivalent and the second floor lounge window in the northern elevation shall be provided with obscured glass to a minimum level of obscurity to conform to Pilkington Glass level 4 or equivalent. All windows shall be installed as detailed in this condition prior to first occupation of the development hereby permitted and permanently retained thereafter.”.

CORPORATE IMPLICATIONS

Financial and Value for Money	No implications.
Legal	<p>The Planning Committee is not bound to follow the advice of Officers. However, if officers' professional or technical advice is not followed, authorities will need to show reasonable planning grounds for taking a contrary decision.</p> <p>The reasons for any decision must be formally recorded in the minutes and a copy placed on file.</p> <p>If Members decide not to accept the advice of Officers it should be mindful of the potential for legal challenge and associated cost implications.</p>
Corporate	The delivery of new housing through the Local Plan and planning applications supports the Council's priorities of supporting neighbourhoods ensuring local residents have access to good quality housing, and promoting inward investment through setting planning strategies and policies that support growth of the economy.
Equalities Act 2010 & Public Sector Equality Duty	<p>Members are reminded of the requirement, under the Public Sector Equality Duty (section 149 of the Equality Act 2010) to have due regard to the aims of the Duty at the time the decision is taken. The aims of the Duty are: (i) eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act, (ii) advance equality of opportunity between people who share a protected characteristic and people who do not share it, and (iii) foster good relations between people who share a protected characteristic and people who do not share it.</p> <p>Protected characteristics: age, gender, disability, race, sexual orientation, gender reassignment, religion or belief and pregnancy & maternity. Only aim (i) of the Duty applies to Marriage & civil partnership.</p> <p>In the opinion of the author of this report the Public Sector equality duty is not engaged or affected by this decision.</p>

1.0 Background

- 1.1 Members considered this application under planning reference F/TH/23/1359 for the erection of a four storey 5 bed detached dwelling (part retrospective).
- 1.2 The application was brought to Planning Committee on 13 March 2024 and Members made a decision to "Defer to officers to seek amendments to the flank walls of the balcony at first floor level then bring back to members for decision."

2.0 Analysis

- 2.1 Following amendments to the flank walls of the first floor balcony, the solid block walls reduced and glass screens added above. The walls would be essentially be reduced by 3 rows as currently built with glass screening above.

2.3 No further amendments or alterations have been made to the proposal, other than the alterations to the flank walls of the first floor balcony, and the application is otherwise identical to that previously reported to the Planning Committee.

3.0 Options

3.1 Members approve the application including safeguarding conditions outlined in Annex 1, with condition 2 updated to include the amended floor plan and elevations with obscure glazed panels and condition 13 amended to read *“The first floor windows in the northern and southern elevations hereby approved shall be provided with non opening obscured glass to a minimum level of obscurity to conform to Pilkington Glass level 4 or equivalent and the second floor lounge window in the northern elevation shall be provided with obscured glass to a minimum level of obscurity to conform to Pilkington Glass level 4 or equivalent. All windows shall be installed as detailed in this condition prior to first occupation of the development hereby permitted and permanently retained thereafter.”*

3.2 Members propose an alternative motion.

4.0 Recommendations

4.1 Officers recommend Members of the Planning Committee to agree option 3.1.

Contact Officer:	Annabel Hemmings, Principal Planning Officer
Reporting to:	Iain Livingstone, Planning Applications Manager

Background Papers

Annex 1	Committee Report F/TH/23/1359
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