

Planning Committee

Minutes of the meeting held on 18 September 2024 at 7.00 pm in Council Chamber, Council Offices, Cecil Street, Margate, Kent.

Present: Councillor Helen Crittenden (Chair); Councillors Makinson, Albon, K. Bright, Dennis, Garner, Keen, Matterface and Wing

In Attendance: Councillors Austin, Davis and Smith

1. **APOLOGIES FOR ABSENCE**

Apologies were received from Councillors Bayford, Boyd and J. Bright.

2. **DECLARATIONS OF INTEREST**

There were no declarations of interest.

3. **MINUTES OF PREVIOUS MEETING**

Councillor Albon proposed, Councillor Matterface seconded and Councillors agreed that the minutes of the meeting held on 21 August 2024 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 October 2024.

(a) **A01 F/TH/23/0713 - Arlington House, All Saints Avenue, Margate**

This item was deferred from the agenda and will be reported at a Planning Committee meeting at a later date.

(b) **A02 F/TH/23/1614 - The Oval Bandstand, Eastern Esplanade, Margate**

PROPOSAL: Part retrospective application for a part change of use of the toilet block & store room (The Oval Pavilion) to an events bar and a cafe together with external alterations; use of amphitheatre for outdoor cinema / market / concert / sports /dance or theatre; external terrace for seating and access ramps, hand-rails within the bandstand amphitheatre; part demolition of sections of external wall to facilitate step-free access; installation of a timber fence and gates within the bandstand amphitheatre; installation of shipping containers to provide multiple retail/commercial/storage spaces and associated equipment and works; installation of a demountable perimeter fence, gates to amphitheatre auditorium for a temporary time period (31 December 2026); installation of street furniture; creation of a wellness garden

with outdoor gym and associated equipment and works, erection of a greenhouse, perimeter fence and gate within the existing garden maintenance area.

Mr Simon Bell spoke in favour of the application.

Councillor Austin spoke under Council Rule 20.1.

Members of the Committee were informed by the Principle Planning Officer that objections were received from the public that were not summarised in the initial report, these included:

- Noise nuisance;
- Dangerous parking;
- Do not require more places selling alcohol;
- Light pollution from signage;
- Unsightly fencing;
- Loss of long standing farmers market;
- Contravention of agreement with TDC;
- Shipping containers not in keeping with the area;
- Loss of openness and access;
- Loss of sea views.

Additional representations were also received, which featured the following points:

- Impact on historic significance;
- Increased antisocial behaviour;
- Access for emergency vehicles required;
- Impact on ecology; and
- No detailed information about species to be planted.

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 for the following reason:

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 and the approved drawings numbered 2026_E_001, 2026_E_021, 2026_L_002, 2026_L_004, 2026_L_005, 2026_P_002, 2026_P_004, 2026_P_006, 2026_P_102, 2026_P_202, 2026_P_302, 2026_P_402, Design Proposal booklet and Fixtures and finishes schedule.

GROUND:

To secure the proper development of the area.

3. The permission for the shipping containers within the bandstand amphitheatre noted as Units A, B, C, staff room, D (drawing labelled 2026_L_004) and the 1.8m herras fencing shall expire on 31/12/2026, unless otherwise agreed in writing with the Local Planning Authority:
 - a. the building and fencing as identified shall be removed from the application site,
 - b. there shall be carried out any work necessary to reinstate the application site to its condition prior to the implementation of this temporary permission.

GROUND:

In order that the Local Planning Authority may retain control over the development where a permanent permission may give rise to conditions detrimental to the amenities of the locality contrary to the NPPF.

4. The external cladding on the shipping containers already in situ hereby approved shall be carried out within 4 months of the decision date.

GROUND:

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

5. Within 6 months of the decision date, 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

-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.

6. All soft landscape works, including ecological enhancement features, shall be carried out in accordance with the approved details. The works shall be carried out prior to the first use of the Wellness garden, or in accordance with a programme of works to be agreed in writing with the Local Planning Authority.

Following completion of the landscape and enhancement 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. 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 as those originally planted, unless written approval to any variation is provided by the Local Planning Authority. All ecological enhancement features shall thereafter be maintained.

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 SP30 of the Thanet Local Plan.

7. A landscape management plan (including long term design objectives), management responsibilities and maintenance schedules for all landscape areas, 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 Policy QD02 of the Thanet Local Plan.

8. Within 4 months of the decision date details of the sedum roofs shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. These details shall include:
 - Precise details of the substrate base;
 - Sample of the planted/seeded mix, shall be submitted to the Local Planning Authority. The agreed mix of species shall be sown within the first planting season following the practical completion of the building works (the seed mix shall be focused on wildflower planting, and shall contain no more than a maximum of 25% sedum);and
 - A landscape maintenance scheme.

The sedum roof shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency.

The sedum roof shall be carried out strictly in accordance with the details so approved and within the first planting season after the decision and shall be maintained as such thereafter.

GROUND:

To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity in accordance with policy SP30 of the Thanet Local Plan.

9. No food and beverage outlets or any other concessions within any of the structures hereby approved, shall play music (amplified or non-amplified). The external PA speakers shown on the pavilion shall not be used for music.

GROUND:

To safeguard the residential amenities currently enjoyed by the occupiers of nearby residential properties in accordance with Policies QD03 and SE06 of the Thanet Local Plan.

10. The use of all concessions, bar, kiosk, cafe and amphitheatre hereby approved shall not be used other than between:
- October - March, Wednesday - Sunday, 9am - 5pm
 - April - September, Monday - Sunday, 8am - 9pm

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.

11. Prior to the installation of outdoor 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. The scheme shall be implemented in accordance with approved scheme and thereafter maintained and retained as agreed. All external lighting shall be turned off at 11pm.

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**.

- (c) **A03 F/TH/24/0034 - Richborough Energy Park, Sandwich Road, Ramsgate**

PROPOSAL: Construction of a 99.99MW battery storage scheme and associated development (Retrospective).

Mr Howard Banks, spoke on the behalf of Mr Rory Elstone, in favour of the application.

Councillor Davis spoke under Council Rule 20.1.

Councillor Smith spoke under Council Rule 20.1.

Councillor Austin 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 that the application be approved for the following reason:

1. The proposed development shall be carried out in accordance with the submitted application as amended by the revised drawings numbered REP-PGT-DR-00003 Rev C, REP-PGT-DR-00004 Rev B, REP-PGT-DR-00008, REP- PGT- DR- 00014, REP-PGT-DR- 00018 Rev C, REP-PGT-DR-00019 Rev C, RMA-RC2125, RMA-RC-2125, REP-PGT-PL-01000 and REP-INS-RP-50001 received 11 January 2024, REP-PGT-DR-0001 Rev 02, REP-PGT-DR-00005, REP-PGT-DR-00006, REP-PGT-DR-00007 Rev C (Page 1 of 5), REP-PGT-DR-00007 Rev C (Page 2 of 5), REP-PGT-DR-00007 Rev C (Page 3 of 5), REP-PGT-DR-00007 Rev C (Page 4 of 5), REP-PGT-DR-00007 Rev C (Page 5 of 5), REP-PGT-DR-00009, REP-PGT-DR-00010, REP-PGT-DR-00011, REP-PGT-DR-00012 Rev 02 (Page 1 of 2), REP-PGT-DR-00012 Rev 02 (Page 2 of 2) and REP-PGT-DR-00017 received 14 February 2024, Drainage Verification Report received 15 May 2024, FIGURE 3, REP-PGT- DR 00015, Biodiversity and Landscape Planting Plan received 27 June 2024.

GROUND:

To secure the proper development of the area.

2. The proposed landscaping as shown on approved plans numbered FIGURE 3, REP-PGT- DR 00015, Biodiversity and Landscape Planting Plan received 27 June 2024 shall be completed within three months of the date of this permission and thereafter maintained.

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.

3. All hard and soft landscape works, including ecological enhancement features, shall be carried out in accordance with the approved details. The works shall be carried out within the next planting season.

Following completion of the landscape and enhancement 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. 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 as those originally planted, unless written approval to any variation is provided by the Local Planning Authority. All ecological enhancement features shall thereafter be maintained.

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, SP30 and GI04 of the Thanet Local Plan.

4. 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.

5. The development hereby permitted shall be completed in accordance with the submitted surface water drainage scheme and Flood Risk Assessment received 11 January 2024 and 15 May 2024 and thereafter maintained.

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.

6. No drainage systems 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.

GROUND:

To protect vulnerable groundwater resources in accordance with Policy SE03 and SE04 of the Thanet Local Plan, and the advice contained within the National Planning Policy Framework.

7. The development hereby permitted shall be completed and operated in accordance with the submitted fire management plan and thereafter maintained.

GROUND:

To ensure that the development will be safe for its lifetime having regard to fire risk in accordance with guidance from the National Fire Chiefs Council on

Grid Scale Battery Energy Storage System planning (2023), policy QD02 of the Thanet Local Plan, and paragraphs 101 and 163 and of the National Planning Policy Framework.

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

(d) **A04 F/TH/24/0723 - Margate Harbour Arm, Stone Pier, Margate**

PROPOSAL: Installation of GRP UKPN electricity cabinet on plinth and 2No bollards.

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

THAT the officer's recommendation be adopted, namely that the application be approved for the following reason:

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 CR/23-24/103/01A, received 16 May 2024.

GROUND:

To secure the proper development of the area.

3. The cabinet hereby permitted shall be finished in grey and the bollards shall be black metal as annotated on the approved plan numbered CR/23-24/103/01A, received 16 May 2024, 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 advice as contained within the National Planning Policy Framework.

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

(e) **A05 L/TH/24/0561 - Margate Harbour Arm, Stone Pier, Margate**

PROPOSAL: Application for Listed Building Consent for the installation of GRP UKPN electricity cabinet on plinth and 2No bollards.

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

THAT the officer's recommendation be adopted, namely that the application be approved for the following reason:

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 CR/23-24/01A, 16 May 2024.

GROUND:

To secure the proper development of the area.

3. The cabinet hereby permitted shall be finished in grey and the bollards shall be black metal as annotated on the approved plan numbered CR/23-24/103/01A, received 16 May 2024, unless otherwise agreed in writing by the Local Planning Authority.

GROUND:

To secure a satisfactory finish and to safeguard the special character and appearance of the designated heritage asset in accordance with policy HE03 and advice contained within the National Planning Policy Framework.

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

(f) **A06 L/TH/24/0822 - 64 Grosvenor Place, Margate**

PROPOSAL: Application for Listed Building Consent for the replacement of existing vertical sliding sash windows to single glazed timber windows, replace existing timber window sills with cast stone sills, together with replacement of roof tiles with slate and parapet and valley gutters with lead and GRP.

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

THAT the officer's recommendation be adopted, namely that the application be approved for the following reason:

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 replacement timber framed, single glazed windows hereby permitted shall replicate the existing windows in all respects, including moulding profiles, glazing bars, cover beads and cills as detailed in

approved plans nos. 23/ 650/JG/ P04 rev A, 23/ 650/ JG/ PL06 pages 1 to 3 received on 9th September 2024.

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 advice as contained within the National Planning Policy Framework.

3. The lead works hereby permitted shall be constructed using Code 4 lead in accordance with the Design and Access Statement received on 9th July 2024 unless otherwise agreed in writing by the Local Planning Authority.

GROUND:

To secure a satisfactory external treatment and to safeguard the special character and appearance of the designated heritage asset in accordance with HE03 of the Thanet Local Plan and the advice as contained within the NPPF.

4. The roof works hereby permitted shall be constructed using spanish slate in accordance with the Design and Access Statement and approved plans nos. PL04 and PL03 received on 9th July 2024 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.

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

(g) **A07 L/TH/24/0821 - 12 La Belle Alliance Square, Ramsgate**

PROPOSAL: Application for Listed Building Consent for the installation of vertical sliding sash and casement windows to the front, rear and side elevations.

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

THAT the officer's recommendation be adopted, namely that the application be approved for the following reason:

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 works hereby approved shall be carried out in accordance with details annotated on amended drawing numbered 22/649/JG/PL02 Rev

C, and the amended Proposed Window Schedule drawing numbered 22/649/JG/PL05 Rev C, received 9 September 2024.

GROUND:

To secure a satisfactory external treatment and to safeguard the special character and appearance of the designated heritage asset in accordance with HE03 of the Thanet Local Plan and the advice as contained within the NPPF.

3. All new replacement sash windows to be installed shall be single glazed and carried out in accordance with the joinery details shown on drawing numbered 22/649/JG/PL04 received 9 July 2024.

GROUND:

To secure a satisfactory external treatment and to safeguard the special character and appearance of the designated heritage asset in accordance with HE03 and advice contained within the National Planning Policy Framework.

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

Meeting concluded: 8:58pm