



AGENDA

PLANNING APPLICATIONS COMMITTEE

Tuesday, 15th January, 2008, at 10.00 am Ask for: **Andrew Tait**
Council Chamber, Sessions House, County Telephone: **(01622) 694342**
Hall, Maidstone

Tea/Coffee will be available from 9:30 outside the meeting room

UNRESTRICTED ITEMS

(During these items the meeting is likely to be open to the public)

A. COMMITTEE BUSINESS

1. Substitutes
2. Declarations of Interests by Members in items on the Agenda for this meeting.
3. Minutes - 11 December 2007 (Pages 1 - 2)
4. Site Meetings and Other Meetings

B. GENERAL MATTERS

C. MINERALS AND WASTE DISPOSAL APPLICATIONS

1. Application TH/07/1441 - Concrete plinth and kiosk to house the motor control centre, including electrical equipment used to control a wastewater pumping station on public open space to the north of Cliff Terrace, Margate; Southern Water Services Ltd. (Pages 3 - 12)
2. Application AS/07/1973 - Variation of Condition 3 of Permission AS/87/802 and Condition 1 of Permission AS/02/645 to allow the continued operation of the existing rail aggregate terminal for a further temporary period of up to 3 years and subsequent delay in restoring the site pending the conclusion of matters to allow granting of a separate permission for a permanent facility at the site under Permissions AS/06/4 and 5 at Sevington Railhead, Waterbrook Park, Ashford; Bretts Ltd (Pages 13 - 22)

D. DEVELOPMENTS TO BE CARRIED OUT BY THE COUNTY COUNCIL

1. Proposal SW/07/1032 - Construction of a roundabout with single carriageway approach roads at Junction of Swale Way and Ridham Avenue, Kemsley, Sittingbourne; KCC Highways Services. (Pages 23 - 40)
2. Proposal DA/07/1120 - Formation of two pedestrian entrances, pupil waiting area and car parking modifications (including extension of existing car park at the north west corner of the Grange School site) associated with School Travel Plan at The Grammar School for Girls Wilmington, Dartford; Governors of The Grammar School for Girls Wilmington and KCC Children, Families and Education. (Pages 41 - 52)

E. COUNTY MATTERS DEALT WITH UNDER DELEGATED POWERS

1. County matter applications (Pages 53 - 60)
2. Consultations on applications submitted by District Councils or Government Departments
3. County Council developments
4. Detailed submissions under Channel Tunnel Rail Link Act 1996 (None)
5. Screening opinions under Environmental Impact Assessment Regulations 1999
6. Scoping opinions under Environmental Impact Assessment Regulations 1999 (None)

F. OTHER ITEMS WHICH THE CHAIRMAN DECIDES ARE URGENT

EXEMPT ITEMS

(At the time of preparing the agenda there were no exempt items. During any such items which may arise the meeting is likely NOT to be open to the public)

Peter Sass
Head of Democratic Services and Local Leadership
(01622) 694002

(Please note that the background documents referred to in the accompanying papers may be inspected by arrangement with the Departments responsible for preparing the report. Draft conditions concerning applications being recommended for permission, reported in sections C and D, are available to Members in the Members' Lounge.)

Monday, 7 January 2008

KENT COUNTY COUNCIL

PLANNING APPLICATIONS COMMITTEE

MINUTES of a meeting of the Planning Applications Committee held at Sessions House, County Hall, Maidstone on Tuesday, 11 December 2007.

PRESENT: Mr R E King (Chairman), Mr A R Bassam (Vice-Chairman), Mr T J Birkett (substitute for Mr W V Newman), Mrs V J Dagger, Mr J A Davies, Mr C G Findlay (substitute for Mr T Gates), Mr J B O Fullarton, Mrs E Green, Mr C Hibberd, Mrs S V Hohler, Mr G A Horne, MBE, Mr J F London, Mr T A Maddison, Mr R A Marsh, Mr J I Muckle, Mr A R Poole and Mr F Wood-Brignall.

OFFICERS: The Head of Planning Applications Group, Mrs S Thompson (with Mr J Crossley); and the Democratic Services Officer, Mr A Tait.

UNRESTRICTED ITEMS

98. Minutes
(Item A3)

RESOLVED that the Minutes of the meeting held on 6 November 2007 are correctly recorded and that they be signed by the Chairman.

99. Site Meetings and Other Meetings
(Item A5)

The Committee agreed that site visits would take place on Tuesday, 12 February 2008; Wednesday, 27 February 2008; Tuesday, 11 March 2008; and Tuesday, 18 March 2008.

100. Proposal MA/07/1191 – Two storey teaching block, assembly hall and entrance foyer at The Astor Of Hever School, Oakwood Park, Maidstone; Governors of The Astor of Hever School and KCC Children, Families and Education
(Item D1 – Report by Head of Planning Applications Group)

RESOLVED that permission be granted to the proposal subject to conditions, including the standard time limit; the development being carried out in accordance with the permitted details; details of external materials; tree protection measures; completion of the landscape scheme proposed within the first planting season following first occupation of the development; ongoing maintenance and protection of the landscape scheme; car parking area being provided prior commencement of use; details of final slab levels; details of external lighting; the safeguarding of any bats on site; hours of working during construction being restricted to 0800 to 1800 Mondays to Fridays and 0900 to 1300 on Saturdays; and removal of temporary mobile classrooms on first occupation of the buildings hereby permitted.

101. Proposal SE/07/2744 – Refurbishment and extension of existing nursery and office space to create a Children’s Centre including erection of a canopy, buggy and toy store, and creation of an external impact absorbent play area at The Willows, Hilda May Avenue, Swanley; KCC Children, Families and Education

(Item D2 – Report by Head of Planning Applications Group)

- (1) The Head of Planning Applications Group reported the views of Swanley Town Council in full support of the proposal.
- (2) RESOLVED that permission be granted to the proposal subject to conditions including the standard time limit; the development being carried out in accordance with the permitted details; surface water drainage scheme being submitted to and approved by the County Planning Authority prior to any development commencing on site; and details of materials of the canopy being submitted to and approved by the County Planning Authority prior to any development commencing on site.

102. Proposal AS/07/1712 – Replacement of wooden palisade fencing with metal bow top railings at Rolvenden Primary School, Hastings Road, Rolvenden; Governors of Rolvenden Primary School and KCC Children, Families and Education

(Item D3 – Report by Head of Planning Applications Group)

- (1) The views of Mr P M Hill, the Local Member, were reported supporting the recommendations of the Head of Planning Applications Group.
- (2) RESOLVED that permission be granted to the proposal subject to conditions, including the standard time condition; and the development being carried out in accordance with the permitted plans.

103. County Matters dealt with under Delegated Powers

(Items E1-E6 – Reports by Head of Planning Applications Group)

RESOLVED to note reports on items dealt with under delegated powers since the last meeting relating to:-

- (a) County matter applications;
- (b) consultations on applications submitted by District Councils or Government Departments;
- (c) County Council developments;
- (d) detailed submissions under Channel Tunnel Rail Link Act 1996 (None);
- (e) screening opinions under Environmental Impact Assessment Regulations 1999; and
- (f) scoping opinions under Environmental Impact Assessment Regulations 1999 (None).

SECTION C
MINERALS AND WASTE DISPOSAL

Background Documents – the deposited documents; views and representations received as referred to in the reports and included in the development proposals dossier for each case; and other documents as might be additionally indicated.

Item C1

Concrete plinth and kiosk, Public Open Space, Cliff Terrace, Margate.

A report by Head of Planning Applications Group to Planning Applications Committee on 15 January 2008.

Application by Southern Water Services Limited for a concrete plinth and kiosk to house the motor control centre, including electrical equipment used to control a wastewater pumping station on public open space to the north of Cliff Terrace, Margate (Ref:TH/07/1441)

Recommendation: permission be granted, subject to conditions

Local Member(s): Mr C Hart, Mr C Wells

Classification: Unrestricted

Background

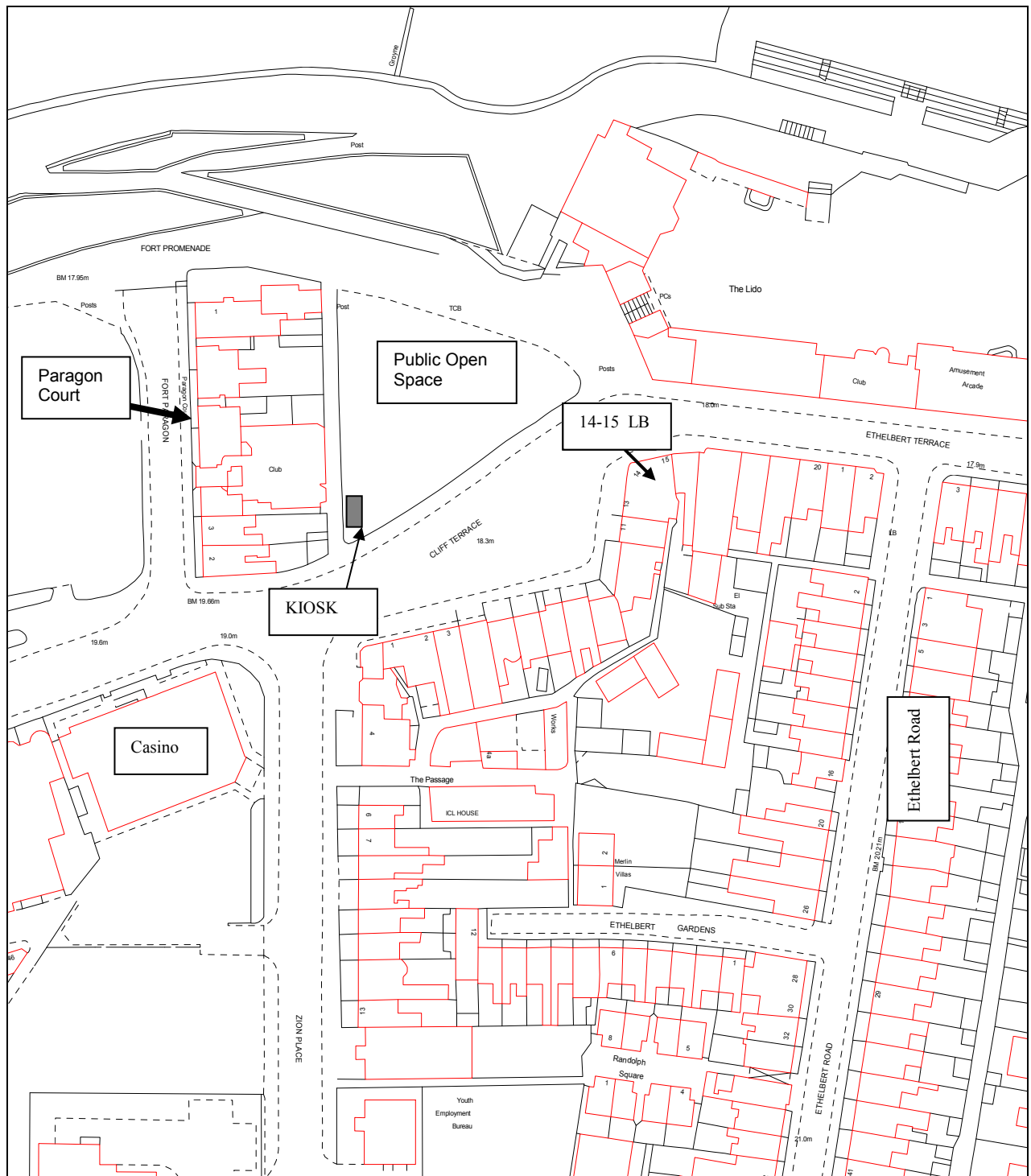
1. The existing Ethelbert Road Combined Sewer Overflow (CSO) runs into a blind, unlined chalk shaft approximately 13m deep with 2 tunnels. It has the potential to pollute groundwater. Such overflows are not covered by regulations and it is not monitored. Consequently, the Environment Agency requires the sewer overflow to be closed. As a result, Southern Water Services are installing a new gravity sewer and parallel pumped sewer between the Ethelbert Road CSO and a new underground storm storage shaft and the pumping station. This installation is to be located under an area of public open space to the north of Cliff Terrace owned by Thanet District Council. Most of the works are underground and therefore benefit from permitted development rights, pursuant to Part 16 Class A of the General Permitted Development Order. A related kiosk which is intended to be above ground requires planning permission and is the subject of the application before you.
2. This area of Margate has been subject to flooding with raw sewage after heavy rainfall. The aim of the new waste water works is that during heavy rainfall the untreated sewage will be diverted via a new gravity sewer to the storage shaft. Once the storm event is over, the flows will be pumped back into the sewerage system and will flow to the Margate Headworks and then onto the new Weatherless Wastewater Treatment Works for full treatment.

Proposal

3. In addition to the installation of the underground storm shaft and pumping station, it is necessary to build a kiosk/cabinet, which would house a motor control centre (MCC) associated with the management of the underground wastewater. This kiosk needs to be sited near the underground pumping station. The proposed building would be made from steel on a concrete base with a dark green finish. It would measure 3.2m x 0.6m and be 1.65m in height. Because it would be above the ground, this element of the scheme is not permitted under the General Permitted Development Order. For this reason, a separate planning application has been submitted and is the subject of this report.

Item C1

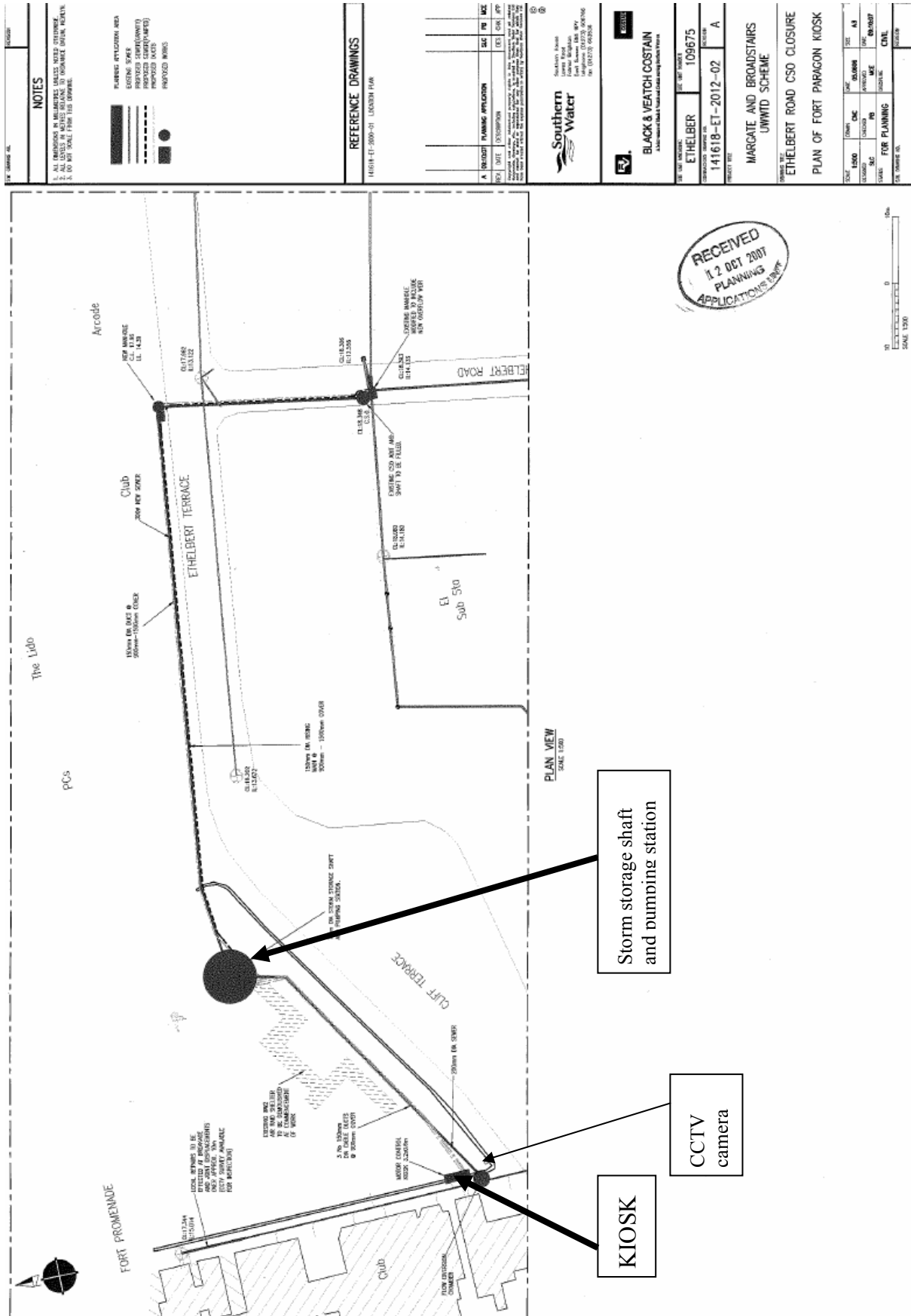
Concrete plinth and kiosk to house the motor control centre, Public Open Space, Cliff Terrace, Margate – TH/07/1441



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Item C1

Concrete plinth and kiosk to house the motor control centre, Public Open Space, Cliff Terrace, Margate – TH/07/1441



NOTES

1. ALL DIMENSIONS IN MILLIMETRES UNLESS NOTED OTHERWISE.
2. DIMENSIONS TO FACE UNLESS NOTED OTHERWISE.
3. DIMENSIONS TO CENTRELINE UNLESS NOTED OTHERWISE.
4. DO NOT SCALE FROM THIS DRAWING.

PLANNING APPLICATION AREA

EXISTING TOWER
PROPOSED DEVELOPMENT
PROPOSED FOOTWAY
PROPOSED DRIVE
PROPOSED MURALS

REFERENCE DRAWINGS

M0818-ET-2009-01 - LONDON PARK

A	REVISION	PLANNING APPLICATION	DATE	BY	DATE
1	1	1	1	1	1

Southern Water
 100, Victoria Road, Margate, Kent, TN26 1JY
 Telephone: 01843 800000
 Fax: 01843 800000

BLACK & VEATCH COSTAIN
 140, Victoria Road, Margate, Kent, TN26 1JY

ETHELBER
 109675
 141618-ET-2012-02
 A

MARGATE AND BROADSTAIRS
UW/WD SCHEME

ETHELBERT ROAD CSO CLOSURE
PLAN OF FORT PARAGON KIOSK

DATE	DESCRIPTION	BY	DATE
11.2.07	FOR PLANNING	CHL	11.2.07

Concrete plinth and kiosk to house the motor control centre, Public Open Space, Cliff Terrace, Margate – TH/07/1441

The Site

4. The kiosk is proposed to be located on the south west corner of the public open space, north of Cliff Terrace in Margate (refer to the location plan). To the west of the site there is Fort Paragon, a 4-storey terrace running perpendicular to the seafront with the front elevation facing west. Fort Paragon is of Georgian architecture dating circa 1830. This building is Grade II-listed. To the rear of the terrace there are single storey flat roof outbuildings, currently used as a nightclub. Along the rear boundary of the terrace there is an access road separating it from the public open space. On the terrace side of the access road there is a 2m high wall and on the public open space side there is a knee-high wall, along which the kiosk is proposed. To the south east of the proposed kiosk site there is an L-shape terrace with 3 storey houses and shops on the ground floor. The space to the front of this terrace is used as a car park. The corner 14-15 Cliff Terrace is grade II listed building of Georgian style rebuilt in the mid 19th Century. The reason for designation 14-15 Cliff Terrace is its red brick elevations with classical detailing and large sash windows maximising sea views. The terrace has group value with the Grade II-listed Fort Paragon. The whole site is within Margate Conservation Area.

Planning Policy

5. The Development Plan Policies summarised below are relevant to the consideration of the application:

- (i) The Kent & Medway Structure Plan 2006:

Policy SS6	Seeks to improve the built and natural environment, functioning and appearance of the suburbs, including the provision of services and facilities that serve local needs.
Policy TH1	Development in Thanet must address the long standing economic and social problems of the area by strengthening and diversifying the local economy and employment base. The policy also supports the regeneration of the seafront areas of Margate.
Policy NR9	Development of new water supply or wastewater facilities will be required and supported where there is a demonstrable need to serve existing and/or proposed development, this represents the best environmental option, and land use and environmental impacts are minimised through appropriate mitigation.
Policy QL1	Seeks to ensure that all development is well designed and of high quality that responds positively to the local character. Development, which would be detrimental to the built environment, amenity, function or character of the area will not be permitted.
Policy QL6	Development within Conservation Areas should preserve or enhance their special character or appearance. Development which would harm the character or appearance of a Conservation Area will not be permitted.

Concrete plinth and kiosk to house the motor control centre, Public Open Space, Cliff Terrace, Margate – TH/07/1441

Policy QL8 Listed buildings will be preserved and their architectural and historic integrity and the character of their settings will be protected and enhanced. Development which will adversely affect them will not be permitted.

(ii) Thanet Local Plan 2006:

Policy D1 Sets out design principles for new developments, which should respect or enhance the character or appearance of the surrounding area, is compatible with neighbouring buildings and spaces, retains open spaces, provides safe access and incorporates sustainable drainage systems.

Policy HE1 Seeks to safeguard listed buildings from development likely to adversely affect their special character or setting

Policy HE4 Seeks to preserve or enhance the character or appearance of the Conservation Area.

Policy SR10 Seeks to protect Public Open Spaces

Policy H10 Area in Need of Special Action – part of Margate’s regeneration strategy. One of the objectives of this designation is to support refurbishment of property together with environmental improvements.

(iii) Kent Waste Plan 1998

The Plan does not include any specific policies in relation to wastewater treatment or sewers.

Consultations

6. Thanet District Council: raises **objection** to the proposal on grounds as following:

“The site lies within the Margate Conservation Area in which it is the duty of the Council, as Local Planning Authority to pay special attention to the desirability of preserving or enhancing its character or appearance, and in the Council’s opinion the proposed development by virtue of its siting, scale, materials and design would detract from the special character of the Conservation Area, contrary to Thanet Local Plan Policy HE4.

The proposed development, by reason of its siting, design and materials would detract from the setting of the adjacent listed buildings and prove severely detrimental to the character and appearance of the properties as Grade II listed buildings of architectural and historic interest, contrary to Thanet Local Plan Policy HE1”.

Divisional Transportation Manager: raises no objection to the proposal, subject to the condition that no part of the kiosk would open out into, encroach or overhang the public highway.

The Environment Agency: raises no objection to the proposal.

County Conservation Architect: Initially raised some concerns and sought clarification on potential alternative solutions. Following this further information he raises no objection.

Concrete plinth and kiosk to house the motor control centre, Public Open Space, Cliff Terrace, Margate – TH/07/1441

Local Members

7. The local Members, Mr. Clive Hart and Mr. Chris Wells were notified of the application on the 6th November 2007. No comments received.

Publicity

8. The application was publicised by the posting an advert in a local newspaper, posting a site notice on the site boundary and individual notification of 46 nearby properties.

Representations

9. No letters of representation were received.

Discussion*Introduction*

10. The application seeks permission for a small concrete plinth and kiosk in association with permitted development works for the installation of an underground storm shaft and pumping station. The kiosk would house a motor control centre for the management of underground wastewater and is proposed to be located on the edge of the public open space, adjacent to a low level wall and CCTV camera post, which is to the north of Cliff Terrace in Margate (refer to site plan C1.4).
11. The application is required to be determined in accordance with the relevant Development Plan Policies, unless other material considerations are of overriding importance. The site on which the development is proposed is designated as Margate Conservation Area, Public Open Space and Area of Special Action. Also, the site is in close proximity to grade II listed buildings. The policy designations have to be balanced against the need for improvements to the sewerage infrastructure in the area and its importance in the overall regeneration strategy for Margate. In conjunction with these and other relevant policies, these issues are considered and discussed below.

Conservation Area and Listed Buildings

12. The Policies QL6, QL8 of the Kent and Medway Structure Plan and HE1 and HE4 of the Thanet Local Plan aim to ensure protection of architectural and historic interest against harmful development within the Conservation Area and/or against development which would harm the setting of a listed building.
13. Thanet District Council has objected to the development by virtue of its siting, scale, materials and design which would detract from the special character of the Conservation Area, and therefore in its view would be contrary to Thanet Local Plan Policy HE4. In addition, it considers that the development would detract from the setting of the adjacent listed buildings and be detrimental to the character and appearance of neighbouring Grade II listed buildings. Initially the County's own Conservation Architect raised conservation concerns regarding the proposal. In light of these comments, discussions took place with the applicant to explore ways to address the concerns raised. In particular, the applicant was asked to consider whether it was feasible to reduce the size of the kiosk, to sink it into the ground or locate it further away from the road.
14. Following consideration, the applicant has confirmed that it is not feasible to locate the kiosk below ground due to technical constraints. The applicant explained that in order to provide a suitable environment for the control panel, Southern Water would need to construct a water tight basement, large enough to accommodate the control panel,

Concrete plinth and kiosk to house the motor control centre, Public Open Space, Cliff Terrace, Margate – TH/07/1441

space for personnel to work and access arrangements. The basement would also need heating and ventilation to meet Health and Safety requirements. Not only would this sterilise a greater area of land (albeit underground), it would still require an above ground ventilation stack.

15. Southern Water Services considered placing the panel in the pumping station shaft above the wet well (refer to drawing C1.3). However, the risk of flooding of the panel from the wet well below was considered to be unacceptable. It also raised logistical problems in terms of the space available and need for heating and air handling requirements. The applicant also considered placing the control panel below ground and using a system of counter weights to lift it to ground level for the purposes of maintenance etc. This option was dismissed on practicality grounds. Furthermore, the operation and maintenance of such a system would present unacceptable technical and health and safety considerations to operational staff.
16. The size of the kiosk is at its minimum. It has been designed to have minimal negative impacts on the amenity of the area in terms of its siting and choice of materials and colour scheme, The exact siting of the kiosk in the south west corner of the open space was chosen to ensure that it does not obstruct views of the coastline from surrounding properties, the open space or public walkways. The choice of dark green colour is thought to be the least intrusive in amenity terms and the most appropriate considering the location within public open space.
17. In light of the further consideration of design options, the Council's Conservation Officer has reconsidered the proposal and raises no objection. Thanet DC has informally reconsidered the proposal and maintains its objection, but *'appreciates that the applicant has looked into ways that the impacts of the scheme can be reduced and has addressed these issues to some extent'*.
18. The proposed kiosk is likely to have some impact on the character of the Margate Conservation Area and setting of the listed buildings. It is proposed in an area of mainly Georgian terraces, which have a special group value. The terraces benefit from uninterrupted sea views. In preference such an installation should be located underground to be less visible in the street scene. However, this is not practicable in this case for the reasons set out above. I therefore accept the necessity of siting it above ground. Given the nature of the works, it is important that the motor control centre is sited near the new sewerage facilities. This severely limits the options available for the kiosk. The chosen location for the kiosk on the edge of the open space is screened from the west by an approximately 2m rendered high wall and is further separated from Paragon Court by an access road and knee high wall. It is some 50m from 14-15 Cliff Terrace and separated by the public highway and a parking area. The kiosk has been lowered down into the ground as much as possible and lined up with the knee high wall marking the boundary of the open space to minimise the impact. The dark green finish has also been chosen to minimise the visual intrusion in the street scene.
19. Whilst I acknowledge the introduction of modern infrastructure equipment is not desirable in such a location, the benefits of the improved wastewater treatment must be balanced against such impacts. I am satisfied that the Applicant has demonstrated that no other reasonable alternative solution exists and that the proposed solution has sought to minimise its impact.

Flooding

20. Policy NR9 in the Kent and Medway Structure Plan requires support for development that would reduce the risk from flooding, including flooding from surface run-off. Moreover, Margate is identified in the Waste Local Plan as one of the catchment areas for which new or enhanced sewerage works would be necessary.

Concrete plinth and kiosk to house the motor control centre, Public Open Space, Cliff Terrace, Margate – TH/07/1441

21. The planning application for the kiosk is part of a bigger scheme, which seeks to enhance the quality of the environment and reduce the risk of flash flooding and pollution of groundwater. The kiosk is an important component of the wastewater infrastructure scheme, which is required to prevent the uncontrolled flow of wastewater from the Ethelbert Road CSO. Flooding can have far reaching effects on people by damaging property and restricting the potential and success of regeneration of the area.
22. The proposed area is designated in the Thanet Local Plan as an Area Of Special Action Policy H10, which is part of the wider Margate regeneration strategy. One of the objectives of this designation is to support refurbishment of property together with environmental improvements. It is considered that the improvements to the sewerage system in the area are extremely important in achieving these and the wider regeneration objectives for Margate.

Public Open Space

23. Whilst, the proposed development is on public open space protected by Policy SR10, due to its limited size, siting on the edge of the open space and sympathetic dark green finish it is considered that the development would not significantly compromise the principle of the openness of the space

Access

24. The Divisional Transportation Manager raised a concern about infringing upon the public highway. The applicant confirmed that no part of the proposal would overhang the public highway. The kiosk opens onto the area of grassy public open space. Should members be minded to permit this development, I would suggest securing that detail by a condition to make sure that the building does not open onto, encroach or overhang the public highway.

Conclusion

25. This area of Margate has been subject to a number of properties being flooded in the event of heavy rainfall. It is also an area covered by Policy H10 of the Local Plan, which seeks the regeneration and improvement of this part of Margate. In order to bring investment into such areas the repeat flooding events need to be addressed. The infrastructure improvements, which result in the need for a small roadside kiosk, are designed to prevent such events happening in the future.
26. There is a limited scope for repositioning the kiosk and it needs to be placed where the services are most needed. Under the above circumstances, I consider that significant weight should be given to the primary need to protect public health and support the regeneration of Margate. Any potential harm to the special character and appearance of the historic environment has been minimised by way of siting and the external finish of the kiosk.
27. The resulting kiosk has to be accessible and cannot for the reasons explained above be located underground. I am satisfied that the alternative options for the kiosk have been appropriately considered. I accept that the siting of the kiosk is within the Conservation Area and that there are a number of listed buildings in the vicinity. However, on balance I am satisfied that the need to address flooding and potential water pollution issues and the benefits and contribution to the regeneration of the area outweighs the minor impact upon the Conservation Area and Listed Buildings.

Item C1

Concrete plinth and kiosk to house the motor control centre, Public Open Space, Cliff Terrace, Margate – TH/07/1441

28. Subject to any further views received by the Committee Meeting, I RECOMMEND that PERMISSION BE GRANTED SUBJECT to conditions, including conditions covering:

- Standard time condition for it to be implemented
- No part of the building should open onto, encroach or overhang the public highway
- The development to be carried out in accordance with the permitted details

Case Officer –Anna Michalska-Dober

01622 696979

Background documents –See section heading

Variation of condition (iii) of planning permission AS/87/802 and condition (1) of planning permission AS/02/645 to allow the continued operation of the existing rail aggregate terminal for a further temporary period pending the conclusion of matters to allow granting of permission for a permanent facility at the site. Sevington Railhead, Waterbrook Park, Ashford. – AS/07/1973.

A report by Head of Planning Applications Group to Planning Applications Committee on 15th January 2008.

Variation of condition (iii) of planning permission AS/87/802 and condition (1) of planning permission AS/02/645 to allow the continued operation of the existing rail aggregate terminal for a further temporary period of up to 3 years and subsequent delay in restoring the site, pending the conclusion of matters to allow granting of a separate permission (AS/06/4 & AS/06/5) for a permanent facility and its subsequent full implementation, Sevington Railhead, Waterbrook Park, Waterbrook Avenue, Sevington, Ashford, Kent.

Recommendation: Permission be granted subject to conditions.

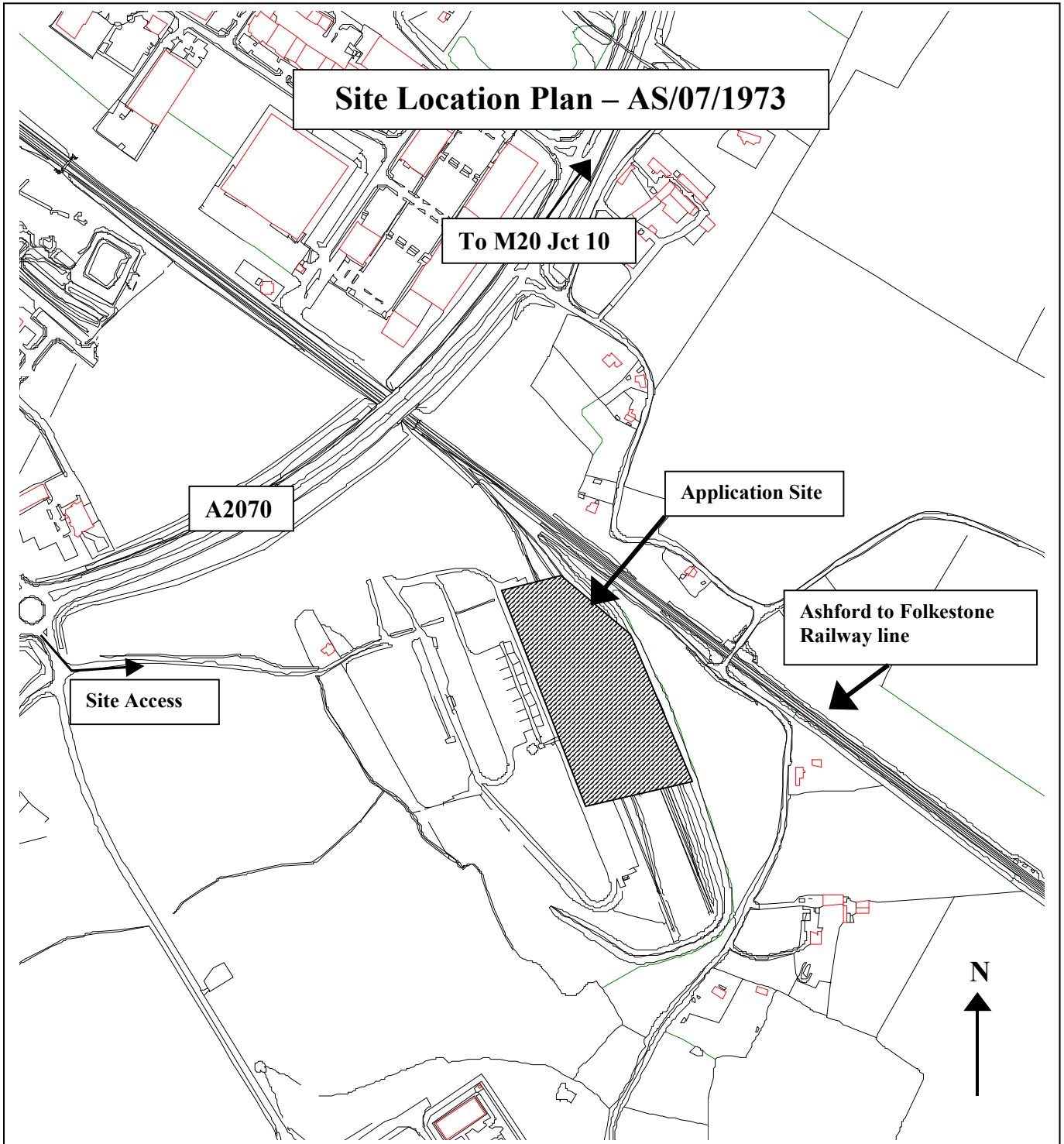
Local Member: Mr C. Findlay and Mr S.J. Koowaree

Unrestricted

The Site and Background

1. Sevington Railhead lies some 3 miles to the South East of Ashford Town Centre, South of Junction 10 of the M20 and immediately south of the Ashford – Folkestone railway line and Channel Tunnel Rail Link (CTRL). It extends to some 18ha and was originally granted temporary planning permission in 1987 (Ref. AS/87/802) for a bulk materials railhead associated with the construction of the Channel Tunnel. It was also included in the CTRL Act 1996 and was subsequently used to supply materials for the construction of the CTRL.
2. Since the original permission a further application (ref. AS/02/645) to extend the use of the site was granted in July 2002, which allowed the importation and distribution of aggregates into the general market for a temporary period. In August 2006 a further application was submitted (Ref. AS/06/1749) to extend this temporary period until 31 December 2007, with subsequent restoration of the site by July 2008. This application remains undetermined and shall on satisfactory conclusion of application AS/07/1973 would be withdrawn.
3. Last February following a site visit Members of the Planning Applications Committee resolved to grant two separate permissions (AS/06/4 & AS/06/5) to Robert Brett and Sons Ltd (Bretts) for the expansion and permanent retention of the existing Sevington Rail Aggregate Importation facility, together with the associated development of a waste recycling/transfer facility. The resolution was made subject to the satisfactory completion of a Legal Agreement in order to secure amongst other matters the cessation of similar existing facilities operated by Bretts at their nearby site at Conningbrook Quarry, which would effectively be replaced by those at Sevington.

Item No. C2
Variation of conditions to allow continuous use of existing rail
aggregate terminal pending conclusion of matters to allow
granting of permanent facility under AS/06/4 & 5. Sevington
Railhead, Waterbrook Park, Ashford. – AS/07/1973



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Variation of conditions to allow continuous use of existing rail aggregate terminal pending conclusion of matters to allow granting of permanent facility under AS/06/4 & 5. Sevington Railhead, Waterbrook Park, Ashford. – AS/07/1973

Proposal

4. Pending the completion of the Legal Agreement to be attached to the permanent permissions granted to Bretts referred to in paragraph (3) above, which would allow them be formally issued, Bretts have submitted a further application (Ref. AS/07/1973) which is the subject of this report. This application seeks a further extension of time pursuant to condition (1) of planning permission AS/02/645 to operate the existing railhead for a period of up to 3 years from when the permissions for the permanent retention of the existing railhead and associated waste transfer/recycling have been formally granted. In the event that the permissions are not then implemented provision is made in the application pursuant to condition (iii) of planning permission (Ref. AS/87/802) for the restoration of the site.
5. In support of their proposal Bretts draw attention to what have been unforeseen difficulties in completing the Legal Agreement following the resolution by Members to grant permission for the permanent aggregate and waste facilities. Furthermore it is estimated that the development and commissioning of the site for permanent use will take some 18 to 24 months. Bretts assert that the site is already identified as being of strategic importance by virtue of its designation under current development plan policies and which has been endorsed in the resolution taken by Members to grant permission for a permanent facility at the site. In their opinion the continued operation of the existing aggregate depot pending the completion of the permanent facility represents the most sustainable way of maintaining the supply of aggregates to Ashford.

6. National, Regional and Development Plan Policy

Minerals

Minerals Policy Statement 1 (MPS1) ' Planning and Minerals 'gives recognition to the essential role minerals play in the nation's prosperity and quality of life and the need therefore to ensure an adequate supply of material to provide the infrastructure, buildings and goods that society, industry and the economy needs. With this principle in mind it advises that mineral planning authorities should therefore aim to provide a framework for meeting such needs whilst seeking to avoid any detrimental effects on the environment through appropriate mitigation. Particular emphasis is given towards the need to safeguard existing, planned and potential rail heads and associated storage, handling and processing facilities for the bulk transport by rail, of aggregates including recycled, secondary materials.

Development Plan Policy

Kent and Medway Structure Plan July 2006

Policy TP15: Requires development to be well related to the primary route network.

Item No. C2

Variation of conditions to allow continuous use of existing rail aggregate terminal pending conclusion of matters to allow granting of permanent facility under AS/06/4 & 5. Sevington Railhead, Waterbrook Park, Ashford. – AS/07/1973

- Policy EN1:** Seeks to protect and enhance Kent's countryside for its own sake
- Policy EN3:** Requires Kent's landscape and wildlife habitats to be protected, conserved and enhanced.
- Policy EN8:** Aims to protect conserve and enhance wildlife habitat and species, especially through long term management and habitat creation schemes.
- Policy MN1:** Supports proposals for the provision of minerals through recycling, the use of secondary materials and the facilitation of imports.
- Policy MN3:** Sets criteria for assessing proposals for minerals including associated plant, buildings and minerals recycling facilities.
- Policy MN4:** Seeks to protect and safeguard existing marine and rail depots.

Kent Minerals Local Plan for Construction Aggregates December 1993 (saved policies)

- Policy CA1:** Requires that proposals for Rail Depots should have no adverse impact on the road network and avoid residential areas.
- Policy CA3:** Proposals for depots to receive aggregates requires that they do not adversely affect local features of identified importance and can be operated consistent with the criteria set out in Policies CA16 to 26.
- Policy CA4:** Identifies Sevington as being suitable in principle as an import point for construction aggregates.
- Policies CA16 to CA23:**
Set out the operational criteria against which proposals for minerals will be considered.

The Core Minerals Strategy Development Plan Document Primary Mineral Development Control Policies Development Plan Document Construction Aggregates Development Plan Document

In November 2006 following pre-submission public participation with the community and other stakeholders on the preferred options, the County Council formally submitted these documents to the Secretary of State for independent examination. Once adopted the documents, which constitute Development Plan Documents (DPD), will form the Kent Development Framework and also become a part of the Kent Development Plan. Their draft policies seek to develop the Government's objectives for minerals planning. As these documents progress towards formal adoption the extent to which they represent a material consideration will gain in weight. Consistent with the objectives of the existing development plan policies, and having regard to this application, proposed Policy CA9 of the Construction Aggregates DPD makes specific reference to the application site in so far as it recognises this relates to an existing site for the importation of construction

Variation of conditions to allow continuous use of existing rail aggregate terminal pending conclusion of matters to allow granting of permanent facility under AS/06/4 & 5. Sevington Railhead, Waterbrook Park, Ashford. – AS/07/1973

aggregates and which will therefore need to be protected from development that would prejudice its continued operation.

Ashford Borough Local Plan

Under Policy S14 Waterbrook Park is proposed primarily for warehousing and distribution uses (B8) and also suitable for light general employment uses (B1 and B2), whilst S14 (f) specifically seeks to retain the existing railhead and avoid prejudicing opportunities for its future use.

7. Consultations

Ashford Borough Council: - Raise no objection, on the grounds that all other conditions imposed on permission AS/02/645 are adhered to.

Sevington and Mersham Parish Council:– Raise concerns over the continued detrimental impacts from noise, dust and light pollution and would wish to see safeguards implemented if the use of this site is to continue.

Environment Agency: Raise no objection subject to the imposition of conditions

Union Property: Raises no comment on this application.

Highways Agency: Has sought clarification over the potential cumulative impacts from additional traffic that would be generated by this proposal in the context of the two applications for a permanent rail aggregate depot at the site having not yet been implemented, together with applications submitted to Ashford Borough Council for employment development on the remainder of the Waterbrook Park site. Under the circumstances until such times as further information is provided confirming the position considers the application should be refused.

Public Rights Of Way: Have not commented on the current application, however in recognition of the need to divert a public Right of Way which currently crosses the site in connection with the applications for the permanent facility they raised no objection to the previous application (Ref. AS/07/1749) subject to the condition that no additional development affecting the route of byway AE350 should occur until a diversion order is confirmed and a new route is provided and certified. The minimum width of any path diverted shall be 4 metres whose surface shall either remain as grass where they fall outside the immediate development area or surfaced with a type 1 material and finished with a limestone topping or similar where they fall within it.

Local Members

The two local Members Mr Findlay and Mr Koowaree were notified of the applications on 24 October 2007. To date I have not received any written comments from them.

Variation of conditions to allow continuous use of existing rail aggregate terminal pending conclusion of matters to allow granting of permanent facility under AS/06/4 & 5. Sevington Railhead, Waterbrook Park, Ashford. – AS/07/1973

8. Representations

The applications were advertised in the local press and notices posted on site. In accordance with neighbourhood notification procedures I also wrote to 11 properties in the surrounding area. As a result I have received representations from 3 local residents objecting to the applications on the grounds that the development would result in an unacceptable impact in terms of;

- Noise, dust and light pollution
- The site becoming permanently established
- There is no longer a need for the site given that the use for which permission was previously granted has now ceased

Discussion

9. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the development plan unless material considerations indicate otherwise.
10. In addition to the saved policies of the Minerals and Waste Local Plans account should also be taken of the emerging Development Plan Policies. The operational area of the site is identified under the saved policies of the Kent Minerals Local Plan for Construction Aggregates as being suitable in principle for use as an import point for construction aggregates.
11. The site is also shown in the Greater Ashford Development Framework (GADAF) for mixed employment use. This together with the Borough Council Core Strategy identifies alternative development to that in the current Borough Local Plan in terms of the proposed density and form of development.
12. Also of relevance to this application are the broader implications of the GADAF which represents a 30 year Master Plan and which seeks to direct the comprehensive growth of Ashford leading to the expansion of the town by adding a further 31,000 homes to the existing housing stock. To achieve such growth will require a significant volume of construction materials.

Main Determining Issues

13. Given that the principle of such development at this site has already been established via existing development plan policies and where clearly there will be a future need for such facilities if the longer term growth aspirations of Ashford are to be realised, in the light of consultee comments and representations received, I consider the main determining issues fall under the following categories;
 - Need
 - Public Rights of Way
 - Noise, dust and light pollution

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- Traffic Impacts

Need

14. The application has been made in order to allow Bretts to continue to import aggregates and distribute them from the site into the local market pending the completion of the legal agreement for the permanent re-development of the site. In my opinion there are sound planning reasons for allowing the operation of the site to continue under these circumstances where there is clearly a local demand. For example materials have recently been supplied from the site to complete new Junction 10A improvements of the M20.

Noise / Light Pollution

15. Notwithstanding the objections which have been raised I am mindful that they are similar to those which were raised on the applications for the permanent facilities and when it was considered they could be satisfactorily mitigated via the use of appropriate conditions. The current application does not seek any additional activities above those already occurring at the site. Any existing impacts on the local environment will be further mitigated as the permanent facility is developed which proposes additional noise, dust and landscaping mitigation measures. On balance whilst accepting that the existing site will continue to have an impact pending the development of the permanent facility, I do not consider this outweighs the benefits that would derive from enabling local supplies to be made from the site and which would otherwise have to be imported elsewhere by road.

Public Rights of Way

16. Currently the railhead is obstructing the restricted byway AE350 and as such is an obstruction under the Highways Act 1980. This would normally lead to an objection from Public Rights Of Way (PROW), however as a resolution has already been made to grant planning permission for the development and permanent retention of the facility subject to the completion of a Section 106 Agreement, PROW are reasonably certain this development will therefore go ahead. As such they recommend proposals to formally divert the byway which forms part of the permanent proposal, should be expedited as soon as possible. Accordingly, in the event of permission being granted I would recommend that an informative be included which reminds the applicant that no further development as proposed under the terms of planning applications AS/07/ 4 & 5 for the establishment of a permanent facility at the site shall take place until such times as a formal diversion of Byway AE350 has taken place. Furthermore I would also recommend the applicant be informed to expedite such proceedings as soon as possible.

Traffic

17. With regard to the concerns expressed by the Highways Agency (H.A.) over the potential cumulative impacts from traffic, I am mindful that when Members resolved to grant permission for the permanent facilities at the site this was subject amongst other matters to the imposition of a condition restricting heavy goods vehicle movements to and from the site during peak hours. This requirement arose out of advice from the H.A. as a solution to Bretts otherwise having to make a financial contribution towards

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substantive highway improvements. I am also mindful that when fully implemented and generating traffic the permanent facility will not only replace certain elements of Bretts' existing operations at their site at Conningbrook, Ashford but will also replace the existing temporary facility currently operating at Sevington. The question of cumulative impacts from these developments does not therefore arise. With regard to the applications submitted to Ashford Borough Council in respect of the development of the remainder of the Waterbrook Park site, they have confirmed that the applicant GSE have appealed against their non-determination. It is therefore likely that a public inquiry will be held to hear the appeal and therefore any future decision by the Secretary of State is not likely for some considerable time. With regard to the concerns raised by the H.A. over the cumulative traffic impacts from the GSE applications in the context of this current application, I do not consider this warrants any delay in Members making a decision given that traffic impacts and appropriate mitigation will be amongst those issues taken into consideration by the Secretary of State in determining the outcome of the appeal. However, I am mindful of the clarification sought by the Highways Agency over the potential cumulative effects from traffic in the context of other applications currently undetermined relating to the site, which I have since provided to them and understand this has overcome their concerns. Any permission granted will therefore need to be appropriately worded, whilst making provision for any further delays which may be encountered preventing the completion of the Legal Agreement to be attached to the permission for the permanent development of the site, to ensure it prevents the operation of the site taking place concurrently with the permanent facility.

Conclusion

18. Members have previously resolved to grant permission for the permanent retention of the Sevington railhead subject to the satisfactory completion of a Section 106 Agreement. As such this application represents a purely temporary measure to allow for the continued use of the existing Railhead in its current form pending the completion of the s106 Agreement to be attached to the permanent permissions which when implemented will allow the establishment of a modern facility with appropriate mitigation measures built in to ensure its impact in the local environment is kept to a minimum.
19. The site represents an important strategic location in terms of providing the key facilities necessary to meet the future demand for aggregates in the area and is already recognised in both existing and emerging development plan policies as needing to be safeguarded from future development. Most recently the site has been used for the supply of materials to the M20 Junction 10A improvements. In my view there are sound planning grounds for allowing the retention of the existing facility as a local source of supply for aggregates given the ongoing planned growth of Ashford. I am satisfied that provided similar conditions are imposed to those under permission AS/02/645 controlling operations, there are no overriding objections to the proposal which would be consistent with the relevant development plan policies against which this type of development should be considered. Accordingly I recommend that permission is granted subject to the imposition of appropriate conditions .

Recommendation

21. I RECOMMEND that;

Item No. C2

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(A) PERMISSION BE GRANTED to Planning Application AS/07/1973 to vary condition (1) of Planning Permission AS/02/645 for the retention and operation of the existing rail aggregate importation facility at Sevington Railhead, Waterbrook Park, Sevington for a period of 3 years from the date of this permission or 3 years from the date of a permission granted under applications AS/06/4 & AS/06/5 for the development of a permanent rail aggregate and associated Waste Transfer/Recycling facility at the site, whichever is the later, or on completion of the development proposed under applications AS/06/4 & AS/06/5 whichever is the earlier of the dates, SUBJECT TO the following condition;

(1) No additional development affecting the route of Public Right of Way AE350 shall take place under the terms of this or any permission until such times as it has been formally diverted.

(B) PERMISSION BE GRANTED to Planning Application AS/07/1973 pursuant to condition (iii) of Planning Permission AS/87/802 to vary the condition which shall now read; 'In the event that the development proposed under applications AS/06/4 & AS/06/5 have either not been consented or have not been implemented, the site shall be restored within 6 months of the development hereby granted'

Informatives

1. The minimum width of any diverted path crossing the site shall be 4 metres whose surface shall either remain as grass where they fall outside the immediate development area or surfaced with a type 1 material and finished with a limestone topping or similar where they fall within it.
2. All other conditions imposed under planning permission AS/02/645 remain in effect.

Case Officer – Shaun Whyman

Tel no. 01622 221055

Background Documents - see section heading
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SECTION D
DEVELOPMENT TO BE CARRIED OUT BY THE COUNTY COUNCIL

Background Documents: the deposited documents; views and representations received as referred to in the reports and included in the development proposals dossier for each case; and other documents as might be additionally indicated.

Item D1

Construction of a roundabout with single carriageway approach roads at junction of Swale Way and Ridham Avenue, Kemsley, Sittingbourne – SW/07/1032

A report by Head of Planning Applications Group to Planning Applications Committee on 15 January 2008.

Application by Kent Highway Services on behalf of Kent County Council for the construction of a roundabout with single carriageway approach roads including surface water drainage system, environmental mitigation measures, highway lighting, footways and combined cycleway, together with any necessary diversion of statutory orders at land in the vicinity of roundabout at junction of Swale Way and Ridham Avenue, Kemsley, Sittingbourne (Ref: SW/07/1032)

Recommendation: Permission be granted subject to conditions.

Local Member(s): Mrs B. Simpson & Mr R. Truelove

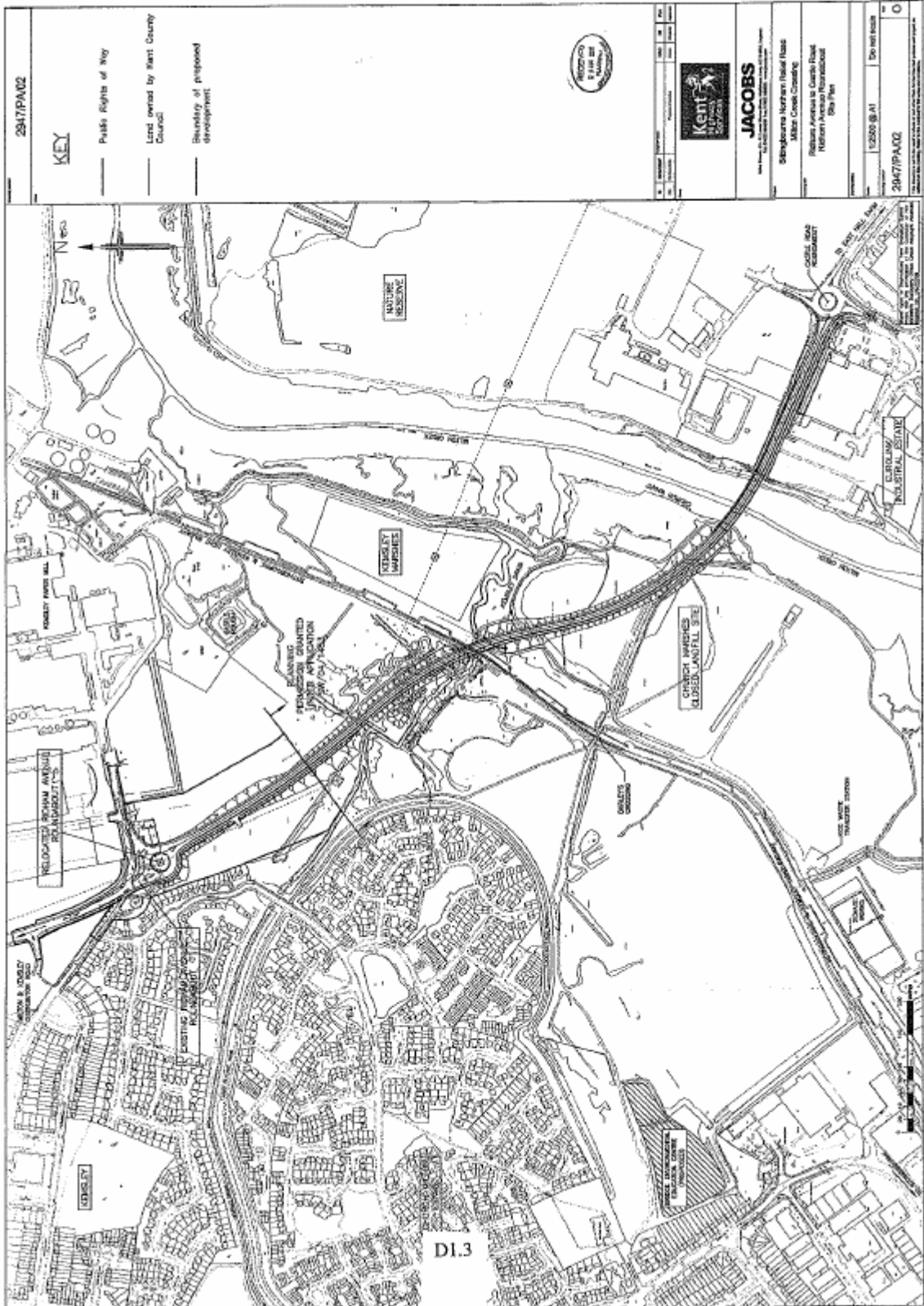
Classification: Unrestricted

Site and background

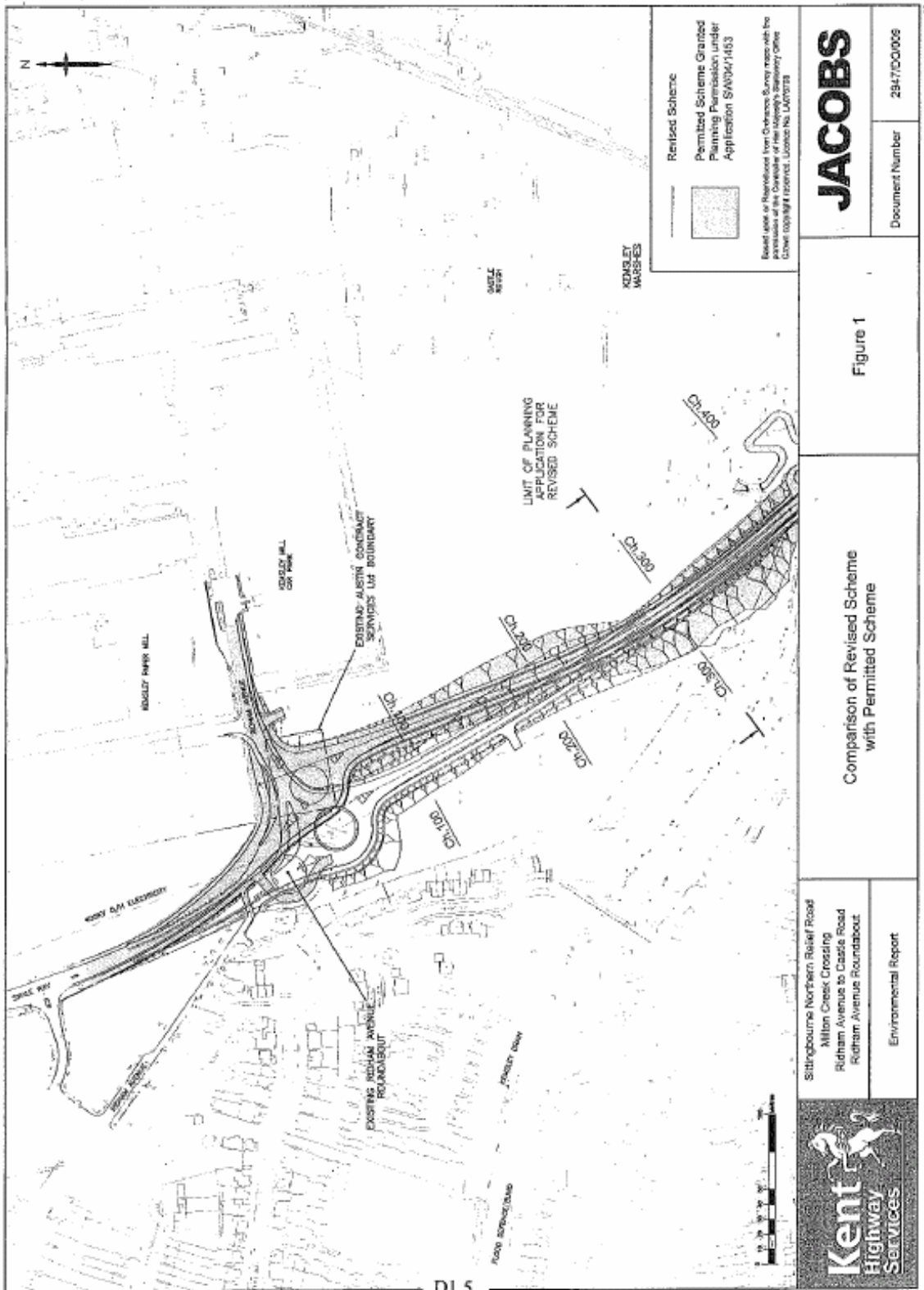
1. Sittingbourne is at the eastern end of the Kent element of the Thames Gateway growth initiative. It is an area of commercial and housing growth and essential town centre regeneration. Sittingbourne is based around a linear development, straddling the A2 that runs east-west. The A2 High Street is pedestrianised and traffic is diverted onto two parallel routes to the north of the High Street.
2. Sittingbourne Northern Relief Road (SNRR) was granted planning permission in September 2006, following the application being recommended for permission at Planning Application Committee in July 2006 (under ref: SW/04/1453). The approved section of the Relief Road runs from the Ridham Avenue roundabout in Kemsley, to the Castle Road roundabout on the Eurolink Industrial Estate in Sittingbourne. The road would form a link between developer funded sections, and ultimately could result in a road that stretches from the A249 Trunk Road, around the eastern outskirts of Sittingbourne, to join the A2 near Bapchild. The section of the SNRR from the A249 to Ridham Avenue has been completed as part of the Kemsley Fields development and opened in Spring 2005. A short section from Castle Road, in Eurolink, was constructed in 2000, and has been continued eastwards in 2005 as part of the East Hall Farm development. The remaining middle section from Ridham Avenue, across Milton Creek, to Castle Road, is being promoted by Kent County Council and forms the section of the SNRR approved in September 2006.
3. The original planning application (SW/04/1453) was amended from its original alignment following expressions of concern, particularly from residents closest to the route alignment. Two alternative routes were identified, known as Route A and Route B. Route A shifted the route to the boundary of Church Marshes Country Park and Route B was similar but also relocated the roundabout at Ridham Avenue to give benefits to residents of Recreation Way in addition to those on the Church Milton Estate. Following

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D1.5

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consultation, the local and statutory environmental organisations were generally neutral on either of the two alternative routes. However, the public response was in favour of Route B, whereas the private sector land interests were in favour of Route A. On consideration of all the factors, the County Council sought approval for Route B.

4. Route B was therefore granted permission in September 2006. The 1.5 km single carriageway road from Ridham Avenue to Castle Way would be 7.3 m wide with 1.0 m wide margin strips. The carriageway would be kerbed, with a combined footway and cycleway along the full length of the western side, and a verge along the eastern side. The road would have a 40mph speed limit, bituminous low noise surfacing, street lighting, a drainage system, and a 40m single span bridge which would take the road across the Sittingbourne and Kemsley Light Railway with a clearance of 4m above the sleepers, and a three span curved bridge 101m long which would cross Milton Creek. An existing business adjacent to Ridham Avenue would be required to relocate to new premises. Earth mounding, a physical noise barrier and planting would be used to mitigate the traffic noise and visual impacts on properties closest to the road. The development was subject to Environmental Impact Assessment and therefore an Environment Statement accompanied the original application.
5. It is predicted that the scheme would reduce traffic flows in central Sittingbourne by 15% (and by about 30% when the SNRR is connected through to the A2), thus enabling town centre improvements to occur. Heavy lorry traffic in residential tracts of Sittingbourne would be reduced, and access to new housing developments, environmental and leisure facilities, and employment sites would be improved.

Proposal

6. This application has been submitted by Kent Highway Services on behalf of Kent County Council, and proposes an amendment to the approved Route B. The application proposes the construction of a roundabout, with single carriageway approach roads, including surface water drainage system, environmental mitigation measures, highway lighting, footways and combined cycleway together with any necessary diversion of statutory undertakers apparatus. The key aspect of the proposal is the relocation of the roundabout at the junction of Ridham Avenue and Swale Way, which in turn necessitates a minor realignment of the carriageway for a stretch of approximately 500m.
7. The amended application proposes the relocation of the roundabout so that it would be centred upon an overhead electricity pylon. The applicant advises that this alignment would avoid critical land take from Kemsley Paper Mill, minimise the loss of stacking space for HGV's entering the Mill, lessen the impact upon internal access arrangements and reduce land take from potential development land to the south. A segregated bypass lane to the roundabout is proposed, which would further assist HGV's entering the Mill, and in particular aid the free and safe traffic operation of the roundabout.
8. The currently approved layout of the roundabout was strongly opposed by Kemsley Mill and other commercial landowners as they considered that their current and future operational and development aspirations were being prejudiced. The objections were maintained throughout the determination of the previous planning application, and have been made in response to the Statutory Orders that were published in February 2007. The normal process would now be for the Secretary of State to instruct a Public Inquiry to be held. At the Inquiry the County Council would present evidence to try and

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convince the Inspector appointed by the Secretary of State of the merits of the Scheme. Whilst that could be pursued, the applicant states that there are several aspects that have been considered in view of the continued and sustained objections. The applicant summarises these as follows:

- Kemsley Mill is a long standing, major employer and contributor to the economy of the town;
- A key purpose of the scheme is to support existing businesses and future regeneration;
- The scheme (as approved) reduces the length of storage available for in-bound HGV's on the approach to the entrance to the mill;
- The scheme (as approved) takes land from that designated in the Local Plan for possible future paper making;
- The scheme (as approved) encroaches onto land that the owner is seeking to have designated in the Local Plan for commercial development;
- The route of the Relief Road in this area particularly is long established and pre-dates residential development in the immediate area and particularly Recreation Way;
- Owners of the adjacent houses would have acquired the properties in the knowledge of the proposals for the Relief Road;

The availability of compulsory powers of acquisition is a powerful facility available to local authorities. Compulsory Purchase Orders are not confirmed lightly and there is stringent scrutiny where there are statutory objections. As part of this process at Inquiry, an inspector would be expected to explore with the County Council and objectors if there was an alternative solution. In view of the sustained objections from the commercial and industrial landowners, the applicant has developed a 'compromise' solution, which is the subject of this application.

9. The applicant advises that the amended application layout:
 - Avoids landtake from the site identified for a future paper making mill;
 - Maximises the length of road available for the storage of HGV's entering the Mill;
 - Keeps the basic alignment of the Relief Road route on the east side of the overhead electric power line to try and maintain distance from the houses in Recreation Way (a key reason for the basic route choice);
 - Reduces the landtake where the Mill has commercial development aspirations;
10. The amended scheme would commence with a realignment of the last 120metre section of the Milton and Kemsley Distributor Road (opened Spring 2005) as it approaches the new roundabout on Ridham Avenue. The existing roundabout would be removed and a new roundabout constructed to the south east, centred around an existing overhead electricity pylon. Compared to the permitted scheme, the revision proposed would relocate the Ridham Avenue roundabout 35metres south-westwards, closer to residential properties. The land required from the Old Dairy Site, occupied by a haulage business, would be reduced although demolition of the main building would still be required. The alignment of the road would be similarly shifted by 35m south-westwards at the roundabout, which then reduces in distance until it rejoins the alignment of the permitted scheme. The proposed amendment would affect approximately a 500metre stretch of the Relief Road.
11. To mitigate the noise and visual effects of traffic, an earth bund would be provided along the west side of the Relief Road, continuing around the back of the roundabout. A noise fence would be placed along the top of the bund, and the area between the bund/noise

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fence and properties in Recreation Way, immediately behind the roundabout, would be planted to give an enhanced visual and softer screen. The Relief Road would introduce a source of noise for local residents that does not currently exist. However, predicted noise levels would be below the 68 dB(A) noise level, the level set by legislation at which noise insulation would be offered, and the increase that would result from relocation of the roundabout would be 3dB(A), which is the minimum increase that it is considered can be discerned.

12. This application was not subject to Environmental Impact Assessment. However, the application was accompanied by an Environmental Report (which references the original Environmental Statement submitted with the full SNRR application, a copy of which was provided on CD Rom), a Flood Risk Assessment, a Supporting Statement and a Design and Access Statement.

Reduced copies of the submitted drawings showing the site layout and access are attached.

Planning Policy

13. The Development Plan Policies summarised below are relevant to the consideration of the application:

(i) **The Kent & Medway Structure Plan: Adopted 2006:**

Policy SS1 - The strategic development requirements of this plan should be met in a manner that provides for balanced and timely residential employment, retail and leisure development, and brings forward community facilities and infrastructure when they are needed, whilst at the same time conserving and enhancing the quality of Kent's environment.

Policy SW1 - Within the Thames Gateway part of the Swale measures to support economic regeneration and diversification at Sittingbourne and Sheerness/Queenborough will be pursued. Provision of the A249 Second Swale Crossing and the Sittingbourne Northern Relief Road (linking the A249 to the S2 to the east) are prime requirements for this.

Policy SP1 - Seeks to conserve and enhance Kent's environment and ensure a sustainable pattern of development.

Policy EN1 - Kent's countryside will be protected, conserved and enhanced for its own sake. Development in the countryside should seek to maintain or enhance it.

Policy EN3 - Kent's landscape and wildlife habitats will be protected, conserved and enhanced. Where a need for development in the countryside is justified, important features and characteristics will be retained. Proposals should reflect the need for conservation, reinforcement, restoration or creation of

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countryside character and provide for the appropriate management of important features and the wider landscape.

Policy EN5 – The primary objective of designating Special Landscape Areas is the protection, conservation and enhancement of the quality of their landscapes, whilst having regard to the need to facilitate the social and economic well-being of the communities situated within them.

Policy EN7 - Development which would materially harm the scientific or nature conservation interests of County and/or Local Wildlife designations will not be permitted unless there is a need which outweighs the local conservation interest, and adverse impacts can be adequately compensated.

Policy EN8 - Wildlife habitats and species will be protected, conserved and enhanced. Development likely to have an adverse effect, directly, indirectly or cumulatively, on important habitats or species, will not be permitted unless the adverse impact on an important nature conservation resource can be adequately mitigated and/or compensated.

Policy QL1 – All development should be well designed and be of high quality. Developments should respond positively to the scale, layout, pattern and character of their local surroundings.

Policy QL12- Community Services, including schools and education provision, will be provided as long as there is a demonstrable need for them.

Policy QL15 – Local Development Documents will make provision for sport, informal and formal recreation facilities, taking account of the potential for dual use and/or joint provision. All major new formal recreation and sports facilities should be designed to avoid nuisance from traffic, noise and lighting.

Policy TP2 – Proposals for enhancing the transport network in Kent and Medway will be assessed according to their social, transport, economic and environmental effects, with specific regard to a number of criteria.

Policy TP4 - The programmed major transport schemes listed in the Plan (which includes the 'Sittingbourne Northern Distributor Road' (sections between Ridham Avenue and East Hall Farm)) will be promoted and land required for their construction safeguarded.

Policy NR5 – The quality of Kent's environment will be conserved and enhanced. This will include the visual, ecological, geological, historic and water environments, air quality, noise and levels of tranquillity and light intrusion.

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Policy NR10 -Development will be planned to avoid the risk of flooding. Where development is necessary in areas at risk of flooding it should be designed and controlled to mitigate the impact of flood risk.

(ii) The adopted (2000) **Swale Borough Local Plan** (Policies agreed by the Secretary of State to be further saved beyond 27 September 2007):

Policy G1 - Outlines general considerations for all development proposals.

Policy E9 - Outlines criteria for development proposals which are located on land outside the defined built up area boundaries.

Policy E14 - Seeks long term protection for Special Landscape

Policy E23 - Development appropriate to a location within the coastal zone will be required to protect, and where appropriate, enhance the landscape, environmental quality, wildlife habitat and recreational opportunities of the coast, acknowledging those natural processes such as flooding, erosion and sea level rise which influence the zone.

Policy E24 - Development will not be permitted within areas at risk from fluvial or tidal flooding unless it is otherwise acceptable to the Local Planning Authority in the context of the other relevant policies in the Plan, and suitable mitigation measures are incorporated regarding flood containment and public safety.

Policy E28 - Seeks long term protection of Ramsar Sites, Special Protection Areas, Special Areas of Conservation, National Nature Reserves and Sites of Special Scientific Interest.

Policy E29 - Seeks to protect, amongst other things, sites of Nature Conservation Interest.

Policy R3 - Seeks to retain and protect areas of open space for formal and informal recreation purposes. Only in exceptional circumstances will development be permitted which results in a loss of open space. In such cases a suitable replacement will be required if the loss results in a local deficiency of open space.

Policy SS4 - Seeks to grant planning permission for developments which seek to enhance and complement the industrial and maritime heritage, the recreational potential and the wildlife interest of Milton Creek and the surrounding area.

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Consultations

14. **Swale Borough Council:** raises no objection, subject to the imposition of relevant conditions from the Kent County Council decision in respect of SW/04/1453 dated 14 September 2006.

Divisional Transport Manager: no comments received to date.

The County Council's Noise/Dust/Odour Consultant: comments as follows:

“The applicant has submitted a revised layout of the permitted Sittingbourne Northern Relief Road. The spatial relocation of the roundabout is relatively minor and the impacts in terms of noise, vibration and air quality would be expected to be in a similar league to those previously reported.

The movement of the roundabout will not lead to a significant increase in noise levels over the previously permitted Scheme, however it should be noted that both of the Schemes do lead to severe and substantial adverse noise impacts, due to the low baseline noise levels currently enjoyed by the properties in Recreation Way.

In terms of air quality, the predicted concentrations of the pollutants at all adjacent residential properties in the vicinity of the realigned roundabout are significantly within the relevant Objectives. The Environmental Report states that the impact at the majority of locations in the study area is minor; however it states that the spatial relocation of Ridham Avenue Roundabout is considered to have a substantial impact on a few houses located close by in Recreation Way. I can see no reason why these properties are identified as experiencing a substantial impact and conclude that the impacts are likely to be lower than those stated at 133 & 157 Recreation Way. The impacts will be minor at all properties in the vicinity of the proposed roundabout.”

The County Council's Lighting Consultant: comments as follows:

“It is County Council policy that all roundabouts shall be lit in order to reduce the number of night time accidents. The lighting proposed makes use of flat glass lanterns in order to minimise the impact of light spill outside of the scheme boundary. These lanterns provide a much more controlled distribution of light output than conventional bowl luminaires and give no light above the horizontal.....

I am therefore of the opinion that planning should not be disallowed on lighting grounds.”

The County Council's Landscaping Consultant: comment as follows:

“The submitted plans and reports appear to be thorough and represent the impact of the proposed roundabout scheme on the adjacent properties and landscape, and demonstrate that effective mitigation measures that can be undertaken.

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At present the views from houses along Recreation Way and Walsby Drive are dominated by Kemsley Paper Mill, electricity pylons to the north, with some open views to the north east and east. Vehicles using the existing roundabout are visible from these properties due to the low bund and lack of any landscaping.

The revised proposals would move the roundabout to the east, which will affect more properties along Recreation Way, but the proposed scheme is shown as being further away from the housing estate boundary than the existing scheme. In this wider space a comprehensive landscape scheme and environmental barrier have been proposed which in the long term (Year 15) will reduce all visual impact to moderate levels.”

Natural England: comments as follows:

“We assume this proposal is also taking into account the mitigation measures agreed during the consultation period for the Relief Road and request that Kent Wildlife Trust are also consulted on this application. We have no further comments to make.”

The Kent Wildlife Trust: no comments received to date.

The County Council’s Biodiversity Officer: raises no objection to the proposal but offers advice and guidance with regards to protected species. In addition, it is requested that the granting of approval be subject to a condition that ensures that any mitigation which has been agreed for the full SNRR application be continued to cover this amendment.

The Environment Agency: raises no objection to the proposed relocation of the roundabout, but would wish their previous comments on the SNRR application to be referred to with regard to minimising the environmental impact of the project.

Lower Medway Internal Drainage Board: raises no objection to the proposal provided that certain criteria are met.

National Grid: states that based on the information provided it is concluded that the risk is ‘moderate’. Therefore network plan(s) and general guidance was provided in order that any risk can be managed successfully.

EDF energy networks: has no objection to the proposal, providing their rights regarding access and maintenance to any of their cables within the area are maintained at all times.

Local Member

15. The local County Members, Mrs B. Simpson and Mr R. Truelove, were notified of the application on the 29 August 2007.

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Publicity and Representations

16. The application was publicised by advertisement in a local newspaper, the posting of 5 site notices, and the individual notification of 34 nearby properties. Two letters of representation have been received to date, and the points of concern and objection are summarised below. However, it should be noted that the letters of representation are not from local residents, but from local businesses/land owners:

- An acceptable alternative route for the SNRR exists which does not necessitate the use of land owned by local businesses;
- The northern part of the land to the South of Ridham Avenue lies within the built up area boundary for Sittingbourne and, therefore, has development potential;
- Situated adjacent to the main employment location for Sittingbourne and within the Thames gateway growth area, the land has considerable development potential;
- The land forms part of a site that is being promoted in the Swale Borough Local Plan First Review for employment purposes in the context of a shortfall of employment land identified by Swale Borough Council Economic Development Department;
- The re-alignment of the road, compared with the alignment identified in the adopted Local Plan, would result in the sterilisation of more than 3.6 hectares of land of employment development potential;
- The application would necessitate the removal of the business which presently operates from the 'Old Dairy' site which would severely prejudice the operation of the existing business;
- The route as now proposed necessitates the removal of a perfectly acceptable section of road and existing roundabout. This roundabout and the northern section of the SNRR was constructed and funded by Kemsley Fields Ltd. The cost of these works is considered to be considerable and would be unnecessary if an alternative alignment were to be adopted. These additional costs would undoubtedly be met from the public purse, to which local companies contribute, and it is therefore considered that these additional costs are unnecessary;

It should be noted that both of the letters of representation state that objections would be withdrawn if liabilities regarding the funding of certain elements of the road were resolved to the company's satisfaction.

Discussion

17. In considering this proposal regard must be had to the Development Plan policies outlined in paragraph (13) above. Section 38(6) of the 2004 Planning and Compulsory Purchase Act states that applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. Therefore, this proposal needs to be considered in the context of the Development Plan Policies, Government Guidance and other material planning considerations arising from consultation and publicity. Issues of particular relevance include impact upon residential and local amenity, environmental implications and land ownership.

18. As detailed earlier in this report, Sittingbourne Northern Relief Road (SNRR) was granted planning approval in September 2006 (app ref: SW/04/1453). The application was recommended for approval by Members at Planning Applications Committee in July

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2006. At that time, the principle of the SNRR was considered, along with planning considerations such as planning policy, environmental effects, ecological impacts, location/alignment, landscape and visual impacts, heritage and policy, water quality, drainage, flood risk, noise, vibration, air quality, lighting and construction issues. All of these issues were discussed within the previous committee report, and were deemed to be acceptable. Therefore, this report will not readdress any of these issues unless they are material to the proposed change in the alignment.

Residential and Local Amenity

19. This application proposes a minor amendment to the approved alignment of the SNRR. As detailed in paragraph 10 of this report, the proposed revision would locate the Ridham Avenue roundabout 35 metres south westwards, closer to residential properties, when compared to the approved scheme. Therefore, there is a potential for increased noise, light, and air pollution at the closest residential properties when compared with the levels deemed to be acceptable in approving the original alignment. However, it should be noted that the approved route moved the existing roundabout further away from residential properties. Although this proposed amendment would move the roundabout back towards properties in Recreation Way, the distance between properties and the roundabout would be similar to that that already exists. The roundabout would, however, be located further south than the existing, so has the potential to impact upon properties that at the moment are perhaps not so adversely affected.
20. Kent and Medway Structure Plan Policy NR5 seeks to conserve and enhance the quality of Kent's environment, including noise and levels of tranquillity, and light intrusion. Therefore, development proposals must seek to minimise levels of pollution, and be deemed to be acceptable in terms of impact upon local and residential amenity. This application was accompanied by an Environmental Report, which was based upon the Environmental Statement (ES) submitted with the previous application. The Report addresses the issues covered within the ES (for example air quality, cultural heritage, ecology and nature conservation, landscape, visual impact, traffic noise and vibrations, water quality and drainage and lighting) and amplifies and/or amends the previous conclusions to address the proposed amendment. This document was sent to consultation with relevant consultees, none of which have raised objection or expressed concern over the implications of the revised alignment. In addition, it is important to note that no letters of representation have been received from local residents.
21. In addition, to mitigate noise and visual effects of traffic, the applicant proposes to erect an earth bund along the western side of the Relief Road which would continue around the back of the roundabout. A noise fence would be placed along the top of the bund, and the area between the bund/noise fence and properties in Recreation Way, immediately behind the roundabout would be planted to give an enhanced visual and softer screen. The applicant advises that the increase in noise resulting from the relocation of the roundabout would be 3dB(A), and that predicted noise levels would remain under the levels set by legislation at which point noise insulation would be offered to local residents.
22. Due to the mitigation proposed, and the lack of objection or concern from statutory consultees/relevant consultants, and local residents, I consider that the proposed realignment is acceptable in terms of impacts upon local residential amenity, especially in terms of light, air and noise pollution.

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Environmental Concerns

23. The application site for the SNRR, as a whole, is a sensitive location being within a Site of Nature Conservation Interest, a Local Landscape Area and a Special Landscape Area. Although some elements of the Relief Road are adjacent to (approx. 400 metres) a Special Protection Area, a Site of Special Scientific Interest and a Ramsar Site, the proposed amendment is located at the least sensitive part of the route in terms of ecological interests. The ES submitted with the permitted application considered the impacts upon these designated sites, and in addition, addressed the affects that the development would have upon European Protected Species and nationally and internationally important bird populations. The Environmental Report submitted with this application supplements the Environmental Statement to address the environmental implications that the proposed revision could have. Natural England, the Kent Wildlife Trust and the County Council's Biodiversity Officer were all consulted on the proposed realignment, and no adverse comments have been received to date. The Environmental Report also concludes that:

‘the spatial relocation of the Ridham Avenue Roundabout is considered to be minor in biodiversity terms. The magnitude of the impact on nearby sensitive receptors remains as originally assessed as reported in the submitted ES.’

24. In light of the above, I cannot see any reason why the proposed realignment should be refused on the grounds of environmental concerns. Subject to the imposition of conditions to ensure that the mitigation measures approved under the previous planning application (which included the site affected by the re-alignment) are adhered to, I do not consider that the proposed development would have a detrimental effect on the local environment or biodiversity interests.

Location/land ownership

25. As detailed in paragraph 8 of this report, the approved layout of the roundabout was strongly opposed by Kemsley Mill and other commercial landowners as they considered that their current and future operational and development aspirations were being prejudiced. The amendment proposed has been submitted in response to the sustained objections from the commercial and industrial landowners to Compulsory Purchase Orders. As detailed in paragraph 9, the amended application layout seeks to:

- Avoid landtake from the site identified for a future paper making mill;
- Maximise the length of road available for the storage of HGV's entering the Mill;
- Keep the basic alignment of the Relief Road route on the east side of the overhead electric power line to try and maintain distance from the houses in Recreation Way (a key reason for the basic route choice);
- Reduce the landtake where the Mill has commercial development aspirations.

26. The proposed amended scheme would commence with the realignment of the last 120metre section of the Milton and Kemsley Distributor Road (which was privately funded). The existing roundabout would be removed and a new roundabout constructed to the south east, reducing land required from the Old Dairy Site, although demolition of the main building would still be required. The amended route would be closer to properties in Recreation Way, and further away from local businesses. The area of land required would be reduced, and the gap between the road and local properties would be narrowed, reducing the amount of 'sterilised' land.

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27. I understand the concerns raised by local businesses, and am aware that the road scheme would have some detrimental impact on their operations. However, the scheme as approved would have a greater impact on business interests than the proposed realignment. The amended scheme moves the road closer to properties in Recreation Way, to the benefit of local businesses and landowners, whilst maintaining an acceptable distance between the development and local properties. In my opinion, to move the road any further towards Recreation Way would have an unacceptable impact on local residential amenity.
28. Therefore, on balance, I consider the realigned route to be an acceptable compromise in weighing the amenity of local residents against local business needs. In addition, objection based on the grounds of land ownership, and cost implications of the SNRR would be dealt with under the Highway Orders process in terms of compensation or other means of resolution. This issue is therefore outside the remit of the planning application process.

Conclusion

29. The principle of the Sittingbourne Northern Relief Road, in the context of Planning Policy, was discussed within the Committee Report for the SNRR, and the subsequent granting of planning approval in 2006 confirmed that the scheme was acceptable in terms of its impacts and wider implications. The amended alignment proposed does not differ widely from the approved scheme, and its impacts upon residential and local amenity, and its environmental implications are not significantly different from that of the approved route. However, the realignment reduces landtake from local businesses in an effort to overcome objection to the Compulsory Purchase Orders. Therefore, I see no reason to refuse the realigned route on planning and environmental grounds.
30. In summary, I consider that this proposal would not have a significantly detrimental effect on the amenity of local residents, should Members be minded to permit, subject to the conditions outlined below. In my view it would not give rise to any significant material harm and is in accordance with the general thrust of relevant Development Plan Policies. There are no material planning considerations that indicate that the conclusion should be made otherwise. However, I recommend that the development be carried out in strict accordance with the conditions of the full Sittingbourne Northern Relief Road consent, (SW/04/1453) and that various conditions be placed on any planning permission, including those outlined below.

Recommendation

31. I RECOMMEND that PLANNING PERMISSION BE GRANTED SUBJECT TO conditions, including conditions covering:
- the development to be commenced by 14 September 2009 (to accord with the main consent);
 - the development to be carried out in accordance with the permitted details;
 - the development to be carried out in strict accordance with the conditions of consent for planning application SW/04/1453 issued 14 September 2006;

Case officer – Mary Green	01622 221066
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Item D1

Construction of a roundabout with single carriageway approach roads at junction of Swale Way and Ridham Avenue, Kemsley, Sittingbourne – SW/07/1032

Background documents - See section heading & Planning Applications Committee Report D1 for the Committee Meeting held on 18 July 2006.

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Item D2**Pedestrian entrances, pupil waiting area and car park modifications. The Grammar School for Girls Wilmington, Dartford – DA/07/1120**

A report by Head of Planning Applications Group to Planning Applications Committee on 15 January 2008.

DA/07/1120 – Formation of two pedestrian entrances, pupil waiting area and car park modifications (including extension of existing car park at the north-west corner of The Grange school site) associated with School Travel Plan. The Grammar School for Girls Wilmington, Wilmington Grange, Parsons Lane, Dartford.

Recommendation: Permission be granted, subject to conditions.

Local Members: Mrs A. Allen

Classification: Unrestricted

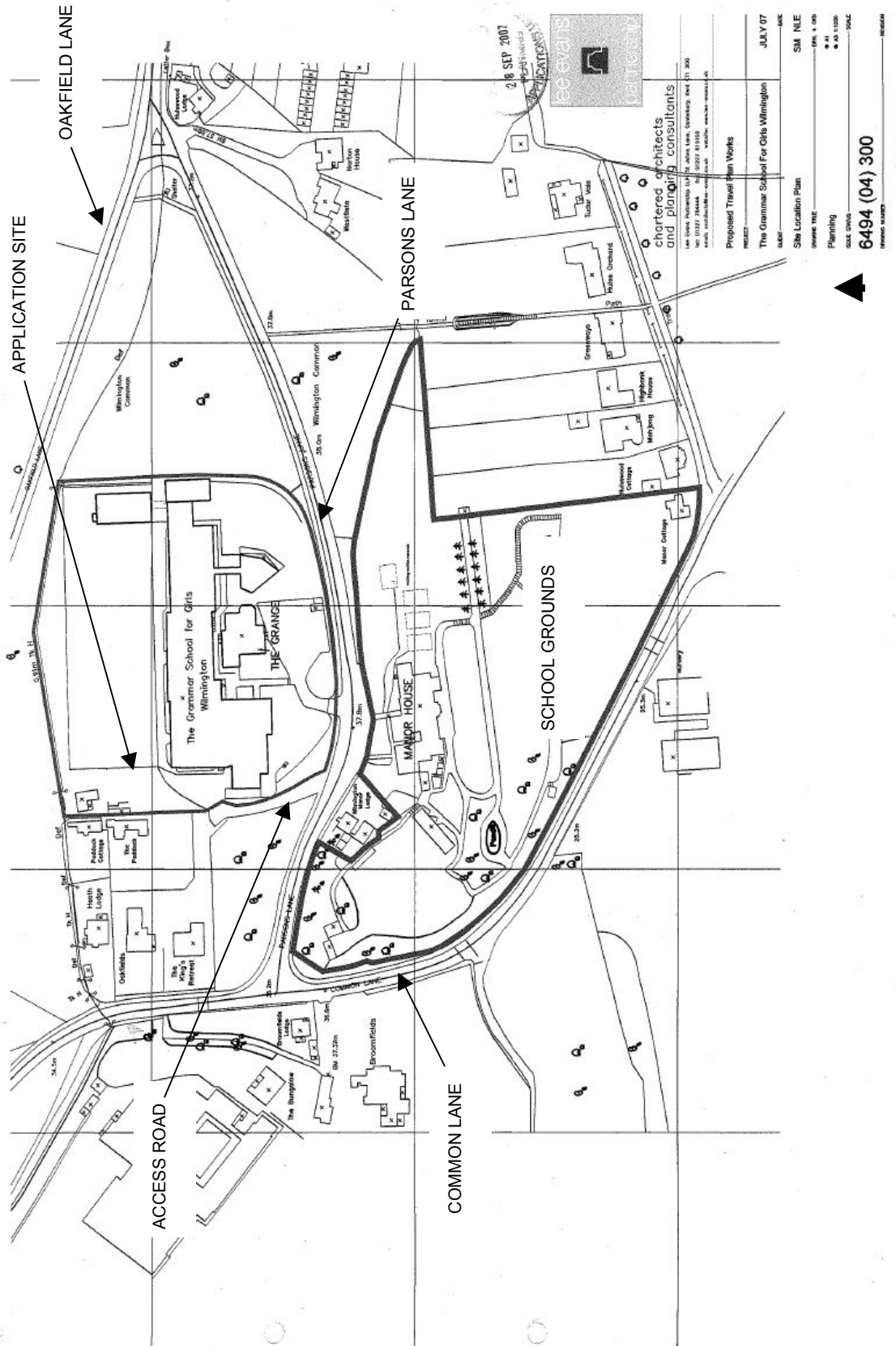
Site

1. The application site is located within the grounds of The Grammar School for Girls Wilmington. The Grammar School is located on a campus that is split to the north and south of Parsons Lane, on the edge of the village of Wilmington, approximately 200m south of the A2, and 2km south-west of Dartford town centre.
2. The application site forms part of the land associated with The Grange school building and campus north of Parsons Lane. The site includes land to the south of the school buildings, fronting the public highway, as well as an area toward the north-west corner of the grounds, to the rear of an existing school car park in front of a disused school cottage. The land identified for development in the application forms part of the general landscaped amenity space available to the school.
3. The nearest residential property is located to the north of Parsons Lane immediately to the west of the school grounds and application site. There is also a property positioned south of Parsons Lane, adjacent to the Manor House school campus, directly opposite the privately owned access road that serves the school's rear entrance and car park, amongst a number of residential properties.
4. The school grounds are positioned within the Metropolitan Green Belt as set out with the Dartford Borough Local Plan 1995 Proposals Map.

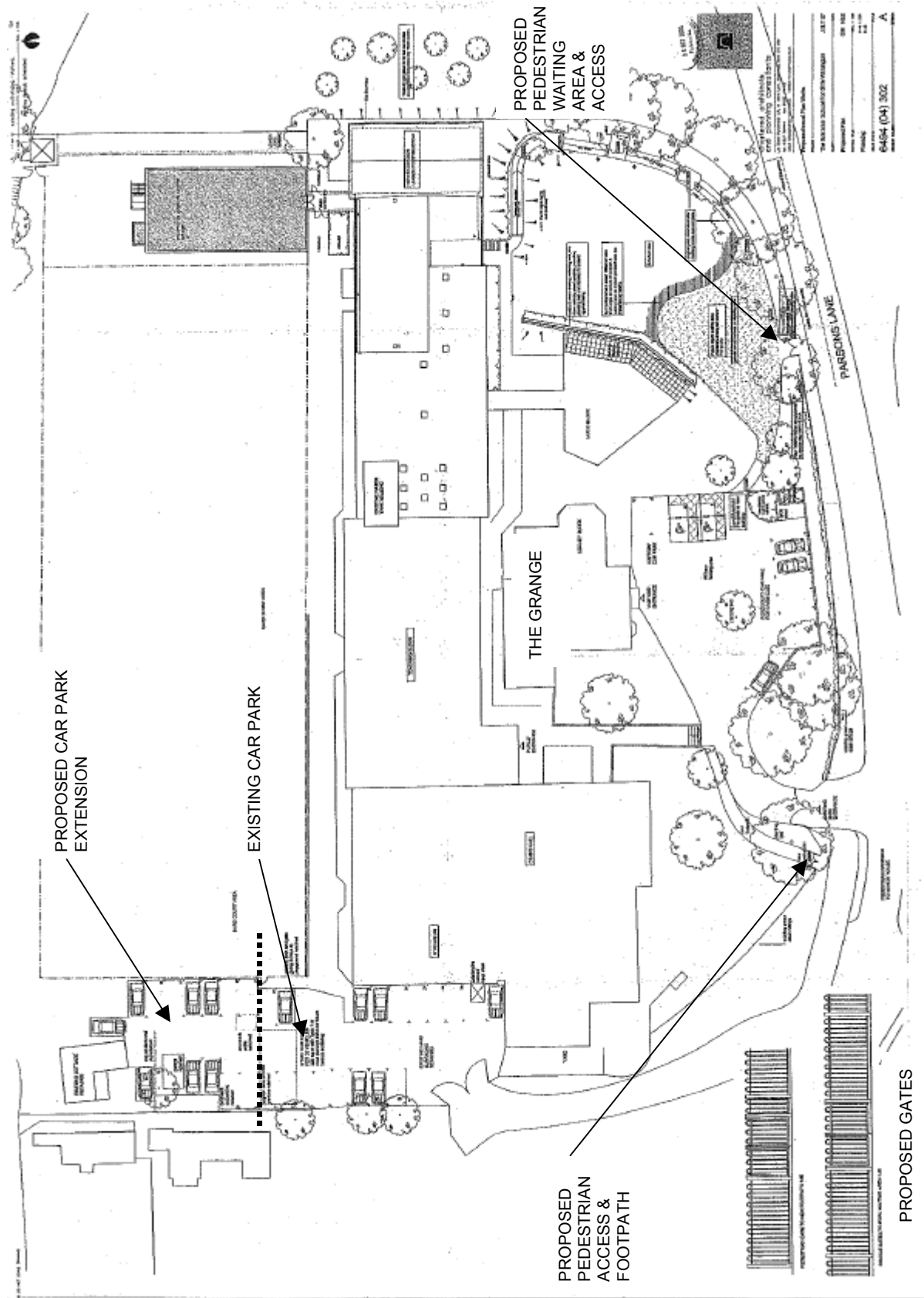
Background

5. The Grammar School for Girls Wilmington is a Foundation School that presently has 747 pupils between the ages of 11 and 18 years attending the site. The School employs 53 teaching staff and 29 support staff, as well as ancillary employees, on a full and part time basis.
6. The recent planning history for the school includes permission to construct an 8-classroom extension to an existing school block within The Grange campus (planning reference – DA/06/330). This development has recently been completed, improving existing accommodation and replacing mobile buildings that were accommodated within the school grounds.

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**Pedestrian entrances, pupil waiting area and car park modifications.
The Grammar School for Girls Wilmington – DA/07/1120**



**Pedestrian entrances, pupil waiting area and car park modifications.
The Grammar School for Girls Wilmington – DA/07/1120**

7. The application proposes the formation of two new pedestrian entrances from The Grange site onto Parsons Lane. One immediately to the west of the main vehicular access onto Parsons Lane, and the second opposite the existing bus and coach parking, toward the eastern end of the school grounds. The application also includes the creation of a pupil waiting area adjacent to the proposed eastern pedestrian entrance, in addition to revisions to the layout of the car park on the forecourt to the south of The Grange school building, and an extension to a second car parking area to the north-west of the school buildings at the rear of the site. The development work is being brought forward in response to a number of objectives identified by a Travel Plan recently prepared by the School.
8. The proposed pedestrian access arrangements involve the removal of existing green steel railing panels and replacement with gates in a matching style, as well as the formation of new internal footpaths that would link the access points to existing pedestrian routes within the grounds.
9. The pupil waiting area would create a hard standing of 225m² of bound gravel to the south-east of the campus, fronting Parsons Lane. This space would be made available to pupils attending the site, at the beginning and end of the school day. The arrangement would allow the pupils to wait inside the school grounds away from the public highway until such time as they are in a position to leave the area on the buses provided.
10. The amendments that are proposed to the forecourt car-parking area would reduce the number of marked vehicles parking spaces from 20 down to 12. Providing visitor and disabled bays near the front entrance, and allowing easier movement for pedestrians moving through the forecourt area between different parts of the site.
11. The changes to the car park to the north-west of the campus would involve extending the existing arrangements from 18 to 30 spaces. In part to compensate for the loss of spaces on the forecourt, and to provide additional onsite parking facilities. The development work would involve extending the existing car park north, resulting in minor changes to the site levels. The car parking area would be finished with Type 1 road planings, to be completed with a tarmac finish in the future (subject to the availability of funding).

Development Plan Policies

12. The Development Plan Policies summarised below are relevant to consideration of the application.

(i) **The adopted Kent and Medway Structure Plan 2006:**

Policy SP1	Seeks to protect and enhance the environment and achieve a sustainable pattern and form of development.
Policy SS2	Identifies the extent of the Metropolitan Green Belt, and requires a general presumption against inappropriate development.
Policy EN1	Development in the countryside should seek to maintain or enhance it.

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- Policy QL1 Seeks all development be well designed and of high quality that respond positively to the local character. Development, which would be detrimental to the built environment, amenity, function and character of settlements or the countryside, will not be permitted.
- Policy TP3 Local Planning Authorities should ensure that development sites are well served by public transport, walking and cycling.
- Policy TP19 Seeks development proposals to comply with the respective vehicle parking policies.

(ii) The adopted Dartford Borough Local Plan 1995:

- Policy S4 Presumption against inappropriate development in the Metropolitan Green Belt, protection of the countryside and enhancement of its amenity and recreation value.
- Policy GB2 Presumption against inappropriate development in the Green Belt.
- Policy T23 Seeks the provision of off-street parking and appropriate rear access.
- Policy C1 Requires development in the countryside to be considered against the following factors: the nature of the proposed use and its appropriateness to a rural location; impact on the rural landscape; contribution the development would make to rural employment.
- Policy C2 Seeks development in the countryside to be sensitively designed and sited, and any adverse impact minimised.
- Policy B1 Seeks development that is appropriate for its location, of a high standard of design, respects the amenity of adjoining properties, has appropriate parking provision, adequate access to the road network, and protects groundwater.
- Policy CF3 Seeks to support the provision of educational facilities and infrastructure, taking account of location, the amenity of nearby properties, design, anticipated traffic generation and adequacy of access, and car parking provision.

Consultations

13. **Dartford Borough Council** – raises no objection to the proposal

Wilmington Parish Council – raises no objection, and welcomes the provision of on site facilities for staff and visitors, which is addressing an obvious need.

The Divisional Transportation Manager – raises no highway objections to the proposal.

Local Members

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14. The Local County Member for Wilmington Mrs A. Allen was notified of the application on 30 October 2007.

Views received from Mrs Allen read as follows:

'I am pleased to support this application and welcome the proposals. I am pleased to note that the plans are sensitive to the rural setting and aspects of Parsons Lane and Wilmington, and will have no negative impact on their immediate neighbours and surroundings.'

Publicity

15. The application was publicised through the posting of a site notice and the notification of 6 neighbouring properties.

Representations

16. 1 letter of representation objecting to the proposal has been received from a local resident. The main points raised in relation to this application can be summarised as follows:

- Raises concern that the Travel Plan received in support of the application was prepared in consultation with staff, pupils and parents only, and not neighbouring properties and other road users, and therefore does not portray an entirely accurate picture.
- Identifies the pupil waiting area as a positive aspect of the application, provided that it is used by pupils of the Girls Grammar School only, and not designated as a collection point for other schools in the area.
- Raises concern about the potential impact of the proposed pedestrian access and increased use of the vehicular access on the entrance to the residential property directly opposite on Parsons Lane.
- Considers that the private access road that serves the rear access to the school grounds along with a number of private dwellings is not suitable for the increased traffic proposed.
- Considers the proposed pedestrian access would create a bottleneck of traffic and pedestrians at a point where the vehicle access to residential property and the private access road meet join Parson's Lane. Is concerned that the new pedestrian access would generate a problem with parents attempting to deliver their children as close to the access point as possible, potentially generating increase highway safety and traffic congestion.
- Questions whether the new access point would be better positioned opposite the existing pedestrian crossing to encourage pupils to cross Parson's Lane more safely?
- Points out that delivery vehicles use the existing private access road and potentially struggle to obtain an adequate turning circle. Questions if there are adequate sight lines for the access road?
- Highlights existing highway issues experienced as a result of traffic associated with the school, including inconsiderate parking and parents waiting at peak times. Identifies that vehicles park on the area of grass adjacent to Parsons Lane and often have to reverse back out onto Parsons Lane causing a conflict with other road users.
- Considers that the proposed changes are likely to make the Lane more congested and hazardous, and encourages the school to consider redesigning the access

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arrangements to the site to a safer or more considerate form. Suggests that if the access to the school was to be redesigned arrangements to allow buses to pull off Parsons Lane separating them and the pupils from the public highway could be provided.

Discussion

17. In considering this proposal regard must be had to the Development Plan Policies outlined in paragraph (12) above. Section 38(6) of the Planning and Compulsory Purchase Act (2004) states that applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. Therefore, this proposal needs to be considered in the context of the Development Plan Policies, Government Guidance and other material planning considerations arising from consultation and publicity.

Siting

18. The application site lies within the Metropolitan Green Belt. The aim of Green Belt policy is to prevent urban sprawl by maintaining the openness of the countryside. Kent and Medway Structure Plan Policy SS2, and Dartford Local Plan Policy GB2 set out a general presumption against inappropriate development within the designated Green Belt area. Planning Policy Guidance 2 sets out that the question of whether a development of this nature is inappropriate is down to the extent of the work and whether the development would conflict with the openness of the Green Belt and the purposes of including land in it. Given the scale and nature of the development proposed by this application, the work is not considered to be inappropriate in terms of the Green Belt Policies. Moreover, the proposal would continue to preserve the openness of the area, and would not prejudice the implementation of the Development Plan Policies in place.
19. In my opinion the development work proposed would not have a significant impact on the rural character or appearance of the local environment. The development would mainly be two dimensional in character extending existing hard surfacing within the school grounds. This work is being proposed to ease congestion around the site, by improving parking facilities and aiding pedestrian access and flow around the grounds and on the public highway at peak times.
20. The position of the car park extension to the north-west of the school grounds would move the existing parking arrangements in this locality closer to the site boundary immediately adjacent to residential property. However, the application proposes to retain the existing boundary screening to the west of the car park, along with an existing brick outbuilding and garage that are positioned immediately on the boundary, and that would form a barrier between the majority of the spaces proposed and residential property. Given the type of use that the car parking area would accommodate, primarily for the benefit of teaching staff at the school, movements in association with the car park are tidal and limited in number. I therefore do not consider that the proposed car park extension would have a significant impact on the amenities of the adjacent residential property.
21. Therefore, subject to consideration of highway matters below, and taking account of the views received from Dartford Borough Council, I consider that the siting of the

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development work proposed is appropriate in the context of the Development Plan, and would have minimal impact on the rural landscape.

Highway considerations

22. The reason the proposed development has been brought forward is as a result of objectives identified in a Travel Plan recently prepared by the School. The changes proposed are part of an ongoing commitment by the School to addressing the travel implications of the site. Whilst the proposed changes are not expected to solve the traffic problems and congestion that exist around the site at peak times, the application is proposed in an attempt to ease some of these issues.
23. One letter of objection has been received from a neighbouring property concerning the development work proposed. The letter raises a number of points concerning issues surrounding highway safety and traffic generated by the school site. I draw Members attention to the points set out in paragraph (16) above.
24. Concern is raised by the neighbouring resident that the new pedestrian access proposed to the west of the school grounds, adjacent to the main vehicle access, would increase activity and congestion at a sensitive location on Parsons Lane. A privately owned access road that serves the School's rear access, along with adjoining residential property, joins Parsons Lane to the west of the proposed pedestrian access point, with access to a residential property opposite. The concern raised by the resident is that the provision of an access in this locality would create a bottleneck and potentially increase congestion due to vehicles dropping pupils off as close to the new arrangements as possible.
25. The Divisional Transportation Manager has commented on the position of new pedestrian access. He advises that the prime purpose of the route is to provide linkage between the two school sites, and that if the route was not provided in the position identified there would be a strong possibility that the students would use the vehicular access as a pedestrian route. That would, in his opinion, be the worse case scenario. He comments further that the existing congestion problems surrounding the school are not unlike those experienced around the County, and that the peak congestion is generally only short term.
26. I would point out that the traffic associated with the school that causes congestion on Parsons Lane at peak times already exists; the proposed development would not increase the movements to and from the school site. The provision of a pedestrian access point adjoining the main vehicular access would appear to have been brought forward for highway safety reasons, to separate pedestrians from the vehicle access road. At present the existing driveway doubles as both pedestrian and vehicle access point to the site. In my opinion the provision of the pedestrian access in the position shown is unlikely to substantially change the existing situation, albeit improving pedestrian safety. Visitors would still enter the site in the same general position off Parsons Lane. Further to this, the provision of a second pedestrian access point and pupil waiting area to the east would potentially serve to draw existing use away from this locality by providing an alternate option for visitors. The pedestrian waiting area would also provide facilities that would allow pupils to wait at the beginning and, more importantly, at the end of the school day off the public highway until such time as they are able to depart from the area. This arrangement would potentially reduce congestion on the pedestrian footways adjoining the highway and in turn improving highway safety.

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Taking account of the comments received from the Transportation Manager, I would not raise a planning objection to the pedestrian access arrangements in the locations shown.

27. The letter received from a nearby resident also raises an objection to the increased use of the private access road that serves the rear vehicle entrance to the school site. The rear entrance allows access to an existing car park to the north-west of the school buildings and a delivery point for the School. I note these provisions already exist and the School has an established use of this access route. The proposed car park extension would increase the capacity of this rear car park to compensate for the reduction of spaces within the forecourt area in front of the The Grange, and to increase the overall capacity of the off-street car parking provision. The car park extension proposed would allow for an increase in marked parking spaces in this area from 18 to 30 spaces. The changes proposed would effectively result in 12 additional vehicles using the access road each day.
28. I note the local residents concerns over existing traffic problems and the operational problems potentially experienced by delivery vehicles entering the site. However, these uses are already established and I am unable to justify changes to these arrangements through the current application. It is purely the increase in vehicle use resulting from the changes in the car parking arrangements proposed that needs to be considered in the context of the current application. Given that the Divisional Transportation Manager has not raised objection to the application, and has commented further that he is satisfied that the access to the proposed extended car park is adequate for the purpose, I would not raise a planning objection to this aspect of the application. As indicated above, the movements associated with this car park would not be significant in number and would be tidal in nature, with primarily teaching staff using the facilities.
29. The letter received from the local resident also suggests that the School consider redesigning the main vehicular access to allow buses and coaches attending the site to be accommodated off the public highway. I note the suggestion, however, this would extend well beyond the scope of the proposed arrangements and I can only consider the acceptability of the proposals as set out with the application.
30. Further to the above, the Divisional Transportation Manager has commented on points raised by the nearby resident concerning the preparation of the Travel Plan and the existing issue of vehicle parking on and around Parsons Lane. At this stage, I would note that it is not the content of the Travel Plan that is being considered within this application. The document was provided by way of supporting information as background to the proposals. The Transportation Manager advises that a company or organisation that occupies a property regularly prepare Travel Plans. The plans should reflect the occupiers and their visitors' needs and how the impact of their travel arrangements can be reduced. He advises that he is not aware of a Travel Plan ever having involved the wider community, and suggests that consultation with neighbours of the schools should take a different forum. Concerning the issue of vehicles parking on and around the public highway, the Divisional Transportation Manager comments, that this issue is generally dealt with by the Borough Council, however given the transient nature of the problem, compliance and enforcement can be a problem. He advises that in this instance, given the parking demand in the area, the problems identified would be difficult to resolve without the introduction of waiting restrictions and regular enforcement. He suggests that the provision of additional on site parking within the school grounds should help to ease the on street-parking situation in the area.

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Conclusion

31. The proposed development would provide for improved pedestrian access and waiting arrangements, as well as increasing the overall provision of off-street vehicle parking at the Grammar School. The development is being brought forward following completion of the latest draft of the Travel Plan for the school and is proposed to ease some of the travel issues surrounding the site. The proposals, by virtue of their scale and nature, are not considered to be inappropriate development within the Green Belt. I consider that the proposed development respects the rural character and appearance of the area, and is likely to improve the existing arrangements on site to the benefit of the School and in turn nearby residents. Given the Divisional Transportation Manager's views on the proposal, I am satisfied that the development as proposed is appropriate in highway terms. I therefore consider that the application accords with the relevant policies within the Development Plan and that there are no material planning considerations that indicate otherwise. Subject to the imposition of conditions set out below, I would recommend that planning permission be granted.

Recommendation

32. I RECOMMEND that PERMISSION BE GRANTED SUBJECT TO the imposition of conditions, including the following:

- the standard time limit,
- the development to be carried out in accordance with the permitted details.

Case officer – James Bickle	01622 221068
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Background documents - See section heading
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E1 COUNTY MATTER APPLICATIONS AND DETAILS PURSUANT PERMITTED/APPROVED UNDER DELEGATED POWERS - MEMBERS' INFORMATION

Since the last meeting of the Committee, the following matters have been determined by me under delegated powers:-

Background Documents - The deposited documents.

- | | |
|----------------------------------|---|
| AS/03/1834/R15 | Details of close boarded fence – The receipt, handling and transfer of category A, B & C wastes.
Waste Transfer Station, Leacon Road, Ashford |
| AS/07/1986 | Retrospective planning permission for development of a wastewater treatment works to meet new Environment Agency consents.
Reading Street Wastewater Treatment Works, Old Barrack Farm, Acton Lane, Tenterden |
| AS/06/24/RC | Amendment to sludge recycling centre layout.
Ashford Wastewater Treatment Works and Sludge Recycling Centre, Canterbury Road, Ashford |
| DA/06/417/R4, R5
R6, R7 & R21 | Discharge of conditions 4 (implementation scheme), 5 (acoustic barrier), 6 (dust monitoring scheme), 7 (noise monitoring scheme) and 21 (road sweeper details) of planning permission DA/06/417 -
Application for use of land for screening, crushing and processing of aggregate, construction and demolition waste and concrete together with open space storage of these materials.
FM Conway Ltd, Rochester Way, Dartford |
| SW/05/77/R2 | Request to amend the approved site layout pursuant to condition (2) of SW/05/77, to reflect the current site layout including a revised location of the site weighbridge and office to increase the current height of the waste transfer building roller shutter doors.
Units 5, 6 and 7 West Lane, Sittingbourne |
| SW/05/374 | River dredgings disposal into lagoons. Natural drainage to dry out dredgings. Restoration to pasture agriculture.
Rushenden Marshes Dredgings Disposal Site, Rushenden, Isle of Sheppey |
| TM/03/2785/R25 | Details of an archaeological watching brief pursuant to condition (25) of planning permission TM/03/2785.
Hermitage Quarry, Hermitage Lane, Aylesford |

E2 CONSULTATIONS ON APPLICATIONS SUBMITTED BY DISTRICT COUNCILS OR GOVERNMENT DEPARTMENTS DEALT WITH UNDER DELEGATED POWERS - MEMBERS' INFORMATION

Since the last meeting of the Committee, I have considered the following applications and - decided not to submit any strategic planning objections:-

Background Documents - The deposited documents.

DO/07/1365	Installation of replacement windows to flats 1 – 31 Barnesende Court, Millwall Place, Sandwich
GR/07/990	Construction of a disabled access ramp and steps The Lodge, Northfleet Cemetery, Springhead Road, Northfleet
MA/07/2510	Advertisement consent for the installation of a non-illuminated wall mounted billboard. 10-11 High Street, Maidstone.
SH/07/1213	Erection of two storey medical surgery and 12 residential units comprising 2 two storey blocks of flats and a pair of semi-detached cottages together with associated car parking Park Street Car Park & Turks Removals, Park Street, Lydd
SH/07/1494	Variation of condition 1 of planning permission SH/07/1494 to allow continued use of land as a Sunday market for a further 2 years Land at Guildhall Street & Sandgate Road, Folkestone
SH/07/1562	Variation of condition 1 of planning permission SH/07/990 to allow use of land as a street market on Saturdays and Thursdays for a further 2 years Land at Guildhall Street & Sandgate Road, Folkestone
TH/07/1710	Renewal of previous planning permission TH/06/878 for the use of building as a library for a further 3 years 53-55 High Street, Margate
TH/07/1621	Removal of condition 12 (f) of OL/TH/05/672 requiring the provision of a controlled crossing point on the alignment of the public footpath TR26 Land off New Haine Road, Ramsgate

**E3 COUNTY COUNCIL DEVELOPMENT APPLICATIONS AND DETAILS
PURSUANT PERMITTED/APPROVED UNDER DELEGATED POWERS
MEMBERS' INFORMATION**

Since the last meeting of the Committee, the following matters have been determined by me under delegated powers:-

Background Documents – The deposited documents.

AS/04/1708/RB	Amendment to roofing to incorporate ventilation fans. The North School, Essella Road, Ashford
AS/04/1708/R8A	Amendment to proposed external lighting details. The North School, Essella Road, Ashford
AS/05/1525/R8	Protected species survey pursuant to condition (8). The North School Youth Club, Essella Road, Ashford
AS/06/1046/R8	Amendment to approved landscaping details – Provision of new buildings for school. Goldwyn Community Special School, Godinton Lane, Great Chart, Ashford
AS/06/1046/R17	Details of external lighting – Provision of new buildings for school. Goldwyn Community Special School, Godinton Lane, Great Chart, Ashford
AS/06/1422/R19	Details of a scheme for the disposal of foul and surface waters. Land adjacent to Henwood Industrial Estate, Ashford
AS/07/1614/R4	Details of landscaping scheme pursuant to condition (4) of planning permission AS/07/1614 – Installation of a storage container. Aldington Primary School, Roman Road, Aldington, Ashford
CA/07/743/R5	Details of external materials pursuant to planning permission reference CA/07/743 for a sixth form building. Chaucer Technology School, Spring Lane, Canterbury
CA/07/743/R6	Details of external lighting pursuant to planning permission reference CA/07/743 for a sixth form building. Chaucer Technology School, Spring Lane, Canterbury
CA/07/743/R7	Details of a scheme of landscape work pursuant to planning permission reference CA/07/743 for a sixth form building. Chaucer Technology School, Spring Lane, Canterbury
CA/07/1544	New memorial/sensory garden including pergola and deck structure. St Stephens Junior School, Hales Drive, Canterbury
CA/07/743/R3	Details of a scheme for the disposal of foul and surface waters pursuant to condition (3) of planning permission reference CA/07/743 for a sixth form building. Chaucer Technology School, Spring Lane, Canterbury

CA/07/1338	Installation of a temporary single storey portakabin building for three years as a temporary teaching facility. Diocesan and Payne Smith Church of England Primary School, Broad Street, Canterbury
DA/06/856/R3&R11	Details Of All Proposed Structures, Including The Cut And Cover Box Structure Under The Avenue, Walls, Railings, Fences, Traffic Signage, Paving Schemes, All Hardened Surfaces, Highway Lighting And Street Furniture – Kent Thameside Fastrack, Everard’s Link Phase 2. Land Immediately North Of The Railway Line Between Station Road And The Avenue, Greenhithe
DA/06/856/R7	Details of surface water drainage – Kent Thameside Fastrack, Everard’s Link Phase 2. Land Immediately North Of the Railway Line Between Station Road And The Avenue, Greenhithe
DA/06/856/R8	Details of a scheme to deal with contamination – Kent Thameside Fastrack, Everard’s Link Phase 2. Land Immediately North Of The Railway Line Between Station Road And The Avenue, Greenhithe
DA/06/856/R6	Reserved details – Specification for an Archaeological Watching Brief Kent Thameside Fastrack, Everard’s Link Phase 2. Land immediately north of the railway line between Station Road and The Avenue, Greenhithe.
DA/07/831	Single storey modular building for use as a community Children’s Centre, including the installation of two canopies, external storage fencing and hard surfacing. Maypole Primary School, Franklin Road Dartford.
DA/07/1104	New sixth form teaching area at first floor level above existing workshop area in the Gwyn Building. Dartford Grammar School, West Hill, Dartford
DO/07/1257	Single storey front extension for new family room facility, staff room extension and additional parking. Guston Church of England Primary School, Burgoyne Heights, Guston, Dover
DO/07/1373	Retention and continued use of jackles unit as an environmental science laboratory, group teaching and after school club. Sibertswold C of E Primary School, Coldred Road, Shepherdswell, Dover
DO/07/1239	Extension to existing car park. Langdon Primary School, East Langdon, Dover.
DO/07/1287	Proposed detached building for 8 new classrooms and an office. Archers Court School, Melbourne Avenue, Dover.
MA/07/1506/R	Amendment to external elevations of temporary storage building. Advisory Service Kent, Shepway Centre, Oxford Road, Maidstone

SE/07/3225	To demolish a single 'mobile' classroom and construct a detached 2 classroom block. St Thomas' Catholic Primary School, South Park, Sevenoaks
SE/07/3135	New open-sided walkway to link the main school building with the science block to follow the route of the existing footpath. The Bradbourne School, Bradbourne Vale Road, Sevenoaks
SE/06/1276/R4	Details pursuant - Details of nature trail route and tree protection measures. Valence School, Westerham Road, Westerha
SE/07/3286	Single storey conservatory. Leigh Community Primary School, The Green, Leigh, Tonbridge.
SH/07/1423	Open timber playground shelter on new hard paving area. Saltwood Church of England (Aided) Primary School, Grange Road, Saltwood, Hythe
SW/05/1540/R7	Details of school travel plan pursuant to condition (7) of planning permission SW/05/1540 – Erection of a sessional nursery. Newington Primary School, School Lane, Newington, Sittingbourne
SW/07/770/R3	Details of external materials pursuant to condition 3 of planning permission SW/07/770 Highsted Grammar School, Highsted Road, Sittingbourne
SW/07/902/R4	Details of buggy store pursuant to condition (4) of planning permission SW/07/902 for a childrens centre. Grove Park Primary School, Hilton Drive, Sittingbourne
SW/07/1266	Extension and refurbishment of existing unused classrooms to create a childrens centre including impact absorbent play area, car parking expansion and associated fencing. Woodgrove primary School, Johnson Road, Sittingbourne
TH/07/1438	Construction of a single storey modular building for use as a community childrens centre, including the installation of two canopies, external storage units, fencing and hard surfacing. Birchington Primary School, Park Lane, Birchington
TH/07/1552	Replacement of a two bay mobile classroom with a three bay mobile Classroom. Northdown Primary School, Tenterden Way, Margate
TH/07/1566	New building to accommodate school dining hall, kitchen, resource room, office, care suite and associated WCS and store rooms. Demolition of existing HORSAs building and construction of new gas/electric meter kiosk. Salmestone Primary School, College Road, Margate
TH/07/1699	New ball stop chain link fence to sports field and Manston Road boundary. St. Gregory's Catholic Primary School, Nash Road, Margate

TM/04/3358/RA	Amended details – Amendment to car park design and detailing – Demolition of existing school buildings and provision of new school Buildings together with car parking areas, landscaping and temporary mobile classrooms. Holmesdale Technology College, Malling Road, Snodland
TM/06/2454/R	Amended window and entrance steps to proposed single storey extension to provide additional classroom and WC for disabled use Wouldham C of E Primary School, Wouldham, Rochester
TW/07/3585	Refurbishment and extension of existing unused classrooms to create a Children’s Centre including the installation of two canopies and an external impact absorbent play area. Cranbrook Primary School, Carriers Road, Cranbrook.

E4 DETAILED SUBMISSIONS UNDER CHANNEL TUNNEL RAIL LINK ACT 1996

Since the last meeting of the Committee, the following matters have been determined/responded to by me under delegated powers:-

Background Documents – The deposited documents.

None

E5 TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 1999 – SCREENING OPINIONS ADOPTED UNDER DELEGATED POWERS

Background Documents –

- *The deposited documents.*
- *Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999.*
- *DETR Circular 02/99 – Environmental Impact Assessment.*

(a) Since the last meeting of the Committee the following screening opinions have been adopted under delegated powers that the proposed development does not constitute EIA development and the development proposal does not need to be accompanied by an Environmental Statement:-

AS/07/TEMP/0080	Installation of floodlighting and associated works. Highworth Grammar School for Girls, Quantock Drive, Ashford
TM/07/TEMP/0072	Removal of condition 14 of planning permission TM/06/762 at New Earth Composting Plant, Blaise Farm Quarry, Kings Hill, West Malling

MA/07/TEMP/0062 Provision of temporary accommodation comprising 8 classrooms, 5 practical rooms, 1 conference room, 1 dining room, 1 ante room, 96 additional car parking spaces and new rear pedestrian access at New Line Learning Academy, formerly Oldborough Manor Community School, Boughton Lane, Loose, Maidstone.

- (b) Since the last meeting of the Committee the following screening opinions have been adopted under delegated powers that the proposed development does constitute EIA development and the development proposal does need to be accompanied by an Environmental Statement:-

SE/07/TEMP/0032/MR58 Application for determination of new conditions under first periodic review.
Land at Sevenoaks Quarry, Bat and Ball Road, Sevenoaks

E6 TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 1999 – SCOPING OPINIONS ADOPTED UNDER DELEGATED POWERS

- (b) Since the last meeting of the Committee the following scoping opinions have been adopted under delegated powers.

Background Documents -

- *The deposited documents.*
- *Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999.*
- *DETR Circular 02/99 - Environmental Impact Assessment.*

None

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