

KENT COUNTY COUNCIL

PLANNING APPLICATIONS COMMITTEE

MINUTES of A meeting of the Planning Applications Committee held in the Council Chamber, Sessions House, County Hall, Maidstone on Tuesday, 26 May 2009.

PRESENT: Mr R E King (Chairman), Mr A R Bassam (Vice-Chairman), Mr A R Chell, Mr J A Davies, Mr T Gates, Mr W A Hayton, Mrs S V Hohler, Mr G A Horne MBE, Mr S J G Koowaree, Mr J F London, Mr T A Maddison, Mr J I Muckle, Mrs P A V Stockell, Mr A R Poole and Mr F Wood-Brignall

ALSO PRESENT: Ms S J Carey

IN ATTENDANCE: Mrs S Thompson (Head of Planning Applications Group), Mr M Clifton (Team Leader - Minerals/Waste), Mr J Crossley (Team Leader - County Council Development), Mr J Wooldridge (Principal Planning Officer), Mr R White (Transport and Development Business Manager) and Mr A Tait (Democratic Services Officer)

UNRESTRICTED ITEMS

24. Minutes - 17 March 2009
(Item A3)

- (1) RESOLVED that the Minutes of the meeting held on 17 March 2009 are correctly recorded and that they be signed by the Chairman.
- (2) The Chairman thanked Mr A R Bassam and Mr F Wood-Brignall for all their work on the Committee's behalf.

25. Site Meetings and other meetings
(Item A4)

The Committee noted that the Induction Training for all Members and Substitute Members of the Committee would be held at Shorne Wood Country Park on Monday, 29 June 2009. In addition, the following dates were set aside for site visits: -

Tuesday, 14 July 2009;
Wednesday, 22 July 2009; and
Tuesday, 18 August 2009.

26. Application SH/08/963 - Amendment to Condition 10 of Permission SH/99/1003/MR69 to vary the restoration proposals shown on Drawing P2/177/8/1 (Final Restoration at Denge Pit, Kerton Road, Lydd; Cemex UK Material Ltd
(Item C1- Report by Head of Planning Applications Group)

RESOLVED that permission be granted to the application subject to conditions covering (amongst other matters) the development being carried out in accordance with the submitted plans and associated details; no works or storage of materials

infringing on the Dungeness, Romney Marsh and Rye Bay SSSI or SAC; and all other conditions attached to Permission SH/99/1003/MR69 remaining in full force and effect.

27. Application SW/09/16 - Use of land for the processing and storage of waste road materials for re-use in highways construction schemes at Land to the rear of Highways Depot, Canterbury Road, Faversham; Kent Highways Services

(Item C2- Report by Head of Planning Applications Group)

(1) Mr T Gates made a declaration of personal Interest as he had discussed related matters at a previous stage. He addressed the Committee in his capacity as local Member but took no part in the decision-making process.

(2) The Head of Planning Applications Group reported the receipt of correspondence from the Environment Agency withdrawing its concerns over providing that the draft Condition on land contamination set out in paragraph 32 of the report was agreed.

(3) The Committee agreed to set out the times of use in paragraph 28 of the report within the Conditions attached to the Permission.

(4) RESOLVED that subject to the receipt of any further views from the Environment Agency permission be granted to the application subject to Conditions including conditions covering amongst other matters the use of the site ceasing within 5 years of the date of the permission or upon the provision of an alternative facility elsewhere, whichever is the earlier; details of site restoration upon vacation of the site; the development being carried out in accordance with the permitted details; hours of operation; restrictions on the number of days a crusher can be used (maximum 70 days per annum between the hours of 0700 and 1800 Monday to Friday and 0700 and 1300 on Saturdays); installation of the storage bays; submission of a scheme of landscaping and tree planting; details of tree protection; retention and protection of parking and turning areas; details of dust suppression and control measures to reflect compliance with the relevant mitigation measures outlined in Minerals Policy Statement 2 Annex 1B with regards to dust, and subsequent implementation of the approved details; submission of further work and remediation with regards to land contamination (as set out in paragraph 32 of the report); and measures to prevent mud on the highway.

28. Proposal SH/09/122 - Change of use from part area of playing field to car park at Stelling Minnis CEP School, Bossingham Road, Stelling Minnis; Governors of Stelling Minnis CEP School

(Item D1- Report by Head of Planning Applications Group)

(1) Miss S J Carey was present for this item pursuant to Committee Procedure Rule 2.24 and spoke.

(2) RESOLVED that permission be granted to the proposal subject to Conditions including the standard time condition for it to be implemented; the introduction of native hedgerow planting around the periphery of the new parking area, which would join up with the existing hedgerow along

Bossingham Road, for the purpose of screening the car park, to accord with the Kent Downs AONB Landscape Character Assessment and Kent Downs AONB Landscape Design Handbook; the edge of the car park being a minimum distance of 1m from the inner boundary of the existing hedgerow to ensure no damage to its roots; the proposed footpath being diverted for the first 20m from Bossingham Road to avoid root damage to the existing maple tree and then diverting back to the line of the proposed footway; and wheel washing facilities being provided on site during construction to prevent the deposit of mud on the highway.

29. Proposal TM/09/1 - Replacement of boundary fencing with associated gates along Tudeley Lane at The Weald of Kent Grammar School for Girls, Tudeley Lane, Tonbridge; Governors of The Weald of Kent Grammar School for Girls and KCC Children, Families and Education
(Item D2- Report by Head of Planning Applications Group)

(1) Mr L Prebble, a local resident addressed the Committee in opposition to the Proposal. Mr T Norton (Assistant School Manager – Weald of Kent Grammar School for Girls) spoke in reply.

(2) In the light of concerns raised by Mr Prebble over the lack of detail within the report on the gates, the Head of Planning Applications Group recommended an additional Condition requiring the detail of the design of the gates to be to the satisfaction of the County Planning Authority.

(3) RESOLVED that permission be granted to the proposal subject to Conditions including Conditions covering the standard time limit; the development being carried out in accordance with the permitted details; tree protection and methodology for working in close proximity to trees; and the detail of the design of the gates being to the satisfaction of the County Planning Authority.

30. Proposal DA/09/193 - New academy, re-provision of outdoor playing pitches, new 6 court multi-use games area, 159 car parking spaces, drop-off zone, landscaping and associated ancillary works at Longfield Academy, Main Road, Longfield; KCC Children, Families and Education
(Item D3- Report by Head of Planning Applications Group)

(1) Mr A R Bassam made a declaration of Personal Interest as the former Chairman of Governors of the Axton Chase School. He took no part in the decision-making process.

(2) Mr T A Maddison and Mr J I Muckle explained that they both knew Dr Howard Storate, MP who had objected to the Proposal. They did not declare an Interest as Dr Storate had objected in his capacity as a Member of Parliament.

(3) A letter from Mr P Ramsey dated 12 May 2009 had previously been circulated to all Members of the Committee together with correspondence from Mr C Anderson dated 19 May 2009, which appended letters from Synergy Planning and Property Consultants dated 20 March 2009 and 16 April 2009.

- (4) The Head of Planning Applications Group reported late correspondence from Southfleet Parish Council, a local resident in Essex Drive and further correspondence from and on behalf of local residents in Main Road.
- (5) Mr P Ramsey, a local resident and Mr A Street from Synergy (on behalf of Mr G Anderson, a local resident) spoke in opposition to the Proposal. Mr J Thatham of Jestico and Whiles and Mr F Green, Chief Executive – Leigh Academies spoke in reply.
- (6) On being put to the vote, the recommendations of the Head of Planning Applications Group were carried by 11 votes to 1 with 1 Abstention.
- (7) RESOLVED that the application be referred to the Secretary of State for Communities and Local Government as a departure from the Development Plan and that subject to her decision permission be granted to the proposal subject to conditions, including conditions covering the standard time limit; the development being carried out in accordance with the permitted details; the submission of details of all materials to be used externally; details of all external lighting; a scheme of landscaping, including hard surfacing, its implementation and maintenance; provision of a landscaped buffer zone adjacent to the eastern car parking area; measures to protect those trees to be retained; a habitat/biodiversity enhancement strategy, including monitoring and management; protection of badgers from construction activities; submission of protected species surveys and subsequent mitigation; no tree removal during the bird breeding season; the development according with the recommendations of the ecological survey; details of fencing, gates and means of enclosure, including colour finishes; archaeological works; “Secured by Design” principles being adopted; a BREEAM rating of ‘Very Good’ being achieved; the playing field being provided and marked out as shown on the proposed site plan; the submission of a playing field improvement scheme; details of the protective fencing to be erected around the existing playing field during construction; protection and future retention of playing fields; a community use agreement relating to use of the indoor and outdoor facilities, including hours of use; implementation and ongoing review of a revised School Travel Plan; the development being carried out in accordance with the Flood Risk Assessment; further works with regards to contaminated land; noise restrictions on fixed plant; no flood lighting being erected on the multi-use games area, or elsewhere on the site without the written permission of the County Planning Authority; hours of working during construction and demolition being restricted to between 0800 and 1800 Monday to Friday and between the hours of 0900 and 1300 on Saturdays, with no operations on Sundays and Bank Holidays; the provision of a construction management plan, including access, parking and circulation within the site for contractors’ and other vehicles related to construction and demolition operations; and measures to prevent mud and debris being taken onto the public highway.

31. Proposal SW/09/286 - Renewal of planning consent for existing mobile classroom at Tunstall CE (Aided) Primary School, Tunstall, Sittingbourne; Governors of Tunstall CE (Aided) Primary School
(Item D4- Report by Head of Planning Applications Group)

(1) Mr D Nutting, Chairman of the Tunstall Village Memorial Hall Committee spoke in opposition to the Proposal.

(2) The Head of Planning Applications Group reported correspondence from Tunstall CE Aided School setting out its progress in respect of its School Travel Plan and its efforts to implement the proposed actions within the Plan including explaining to parents that it did not own the adjoining Tunstall Village Memorial Hall car park.

(3) The Committee agreed to strengthen the Informative set out in the Head of Planning Applications Group's recommendations by stressing the need for the School Travel Plan to be fully implemented.

(4) RESOLVED that:-

(a) temporary permission be granted to the proposal subject to Conditions, including conditions covering the consent being temporary for period of 3 years from the date of the permission; and removal of the classroom unit from the site at the expiration of the 3 year period and the subsequent restoration of the site thereafter; and

(b) Informatives be added to the decision notice advising the applicants that the County Planning Authority would wish to see urgent action taken to resolve the temporary classroom accommodation at Tunstall Primary School during the three-year timescale of the permission, requesting that the applicant keeps all interested parties regularly appraised of the progress in bringing a scheme forward, and that as part of the process of preparing a School Travel Plan (for implementation in full), the School engage with the local community in an attempt to address any concerns over the traffic generated by the use.

32. County matters dealt with under delegated powers
(Items E1-E6 – Reports by Head of Planning Applications Group)

(1) Mr J F London made a declaration of Interest in respect of Permission SE/08/3170. He took no part in any discussion of this matter, which in any case did not require any decision on the Committee's part other than to note that Permission had been granted.

(2) RESOLVED to note matters 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) Screening opinions under Environmental Impact Assessment Regulations 1999; and
- (e) Scoping opinions under Environmental Impact Assessment Regulations 1999.