

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, 29 July 2008.

PRESENT: Mr R E King (Chairman), Mr A R Bassam (Vice-Chairman), Mr A R Chell (Substitute for Mrs V J Dagger), Mr J A Davies, Mr T Gates, Mrs E Green, Mr W A Hayton, Mr C Hibberd, Mrs S V Hohler, Mr G A Horne MBE, Mr S J G Koowaree, Mr J F London, Mr T A Maddison, Mr R A Marsh, Mr J I Muckle, Mr W V Newman, DL, Mr A R Poole and Mr F Wood-Brignall

ALSO PRESENT: Mr A D Crowther, Mr G Rowe and Mr M J Vye

IN ATTENDANCE: Mrs S Thompson (Head of Planning Applications Group), Mr M Clifton (Principal Planning Officer Minerals/Waste) and Mr J Crossley (Principal Planning Officer)

UNRESTRICTED ITEMS

54. Minutes - 24 June 2008

(Item A3)

RESOLVED that the Minutes of the meeting held on 24 June 2008 are correctly recorded and that they be signed by the Chairman.

55. Dates of Meetings in 2009 (including change of date in January 2009)

(Item A4)

RESOLVED that subject to confirmation of the meeting on 21 April 2009, the dates set out in the agenda be noted.

56. Applications TM/97/1064R2, R5, R12 and TM/08/209 - (i) Variation of approved restoration and aftercare scheme together with changes to the waste types in order to accelerate the completion of Cells 1,2 and 3 and their restoration by the end of 2009 and of Cell 1A by the end of 2012; (ii) construction and operation of of a new surface water balancing pond and soakway to serve the Margetts Pit landfill surface water drainage system at Margetts Pit Landfill, Margetts Lane, Burham, Rochester; Ayles

(Item C1)

(Mr G Rowe was present for this item pursuant to Committee Procedure Rule 2.34 and spoke).

(1) Notes of the site visit held on 18 March 2008 had previously been circulated.

(2) The Head of Planning Applications Group reported comments made at Officer level by Maidstone Borough Council and Tonbridge and Malling Borough Council. She also reported very late correspondence from the Environment Agency in rebuttal of the views expressed by Jonathan Shaw, MP that it had been responsible for unnecessary delays in securing the restoration of Cells 1, 2 and 3.

She also informed the Committee of the Environment Agency's view that Mr Shaw's request for an extension of time for the restoration beyond July 2009 was unlikely to be approved by DEFRA or ratified by the European Parliament.

(3) Mr J Walrond, Ms J Critcher, Mr D Davis and Ms C Hurley addressed the Committee in opposition to the application, Mr I Broxup (Aylesford Newsprint and Dr E Slaney(Faber Maunsell) spoke in reply.

(4) Mrs S V Hohler moved, seconded by Mr A R Bassam that the recommendations of the Head of Planning Applications Group be agreed.

Carried 12 votes to 6

(5) RESOLVED that:-

- (a) Permission be granted to Application TM/08/209 for the creation of a replacement Surface Water Balancing Pond subject to the imposition of conditions requiring amongst other matters the submission of details of proposed landscaping and tree planting; a programme of archaeological investigations; and hours of working;
- (b) approval be given to the variation of the Conditions 2, 5, 7 and 12 of Permission TM/97/1064 in respect of the proposed amendments to the approved infilling, restoration and aftercare scheme, together with changes to the source of waste materials in order to accelerate the infilling and restoration of Margetts Pit Landfill; and
- (c) the applicant be reminded by Informative that all other conditions imposed under Permission TM/97/1064 remain in effect.

57. Application SE/08/621 - Variation of Conditions 14, 15, 20, 26 and 27 of Permission SE/05/2526 (cessation of existing green waste composting facility and transfer station with the development of a new transfer station, modification of the existing household waste recycling centre and improvements to landscaping of the site) at Dunbrik Household Waste Recycling Centre and Green Waste Composting Facility, Main Road, Sundridge, Sevenoaks; Darenth River Ballast Company Ltd.

(Item C2)

(1) The Head of Planning Applications Group tabled a revised final page of the report, including revisions to the recommendation.

(2) In agreeing the revised recommendations, the Committee asked for the applicants to be reminded of the need for the misting facility to be properly utilised at all times and of the need to ensure that there was no traffic backlog onto Junction 5 of the A25;

(3) RESOLVED that:-

- (a) subject to the existing Section 106 Agreement being amended by a supplementary Section 106 Agreement to ensure that its obligations are maintained, permission be granted to the variations to Conditions 14, 15, 20, 26 and 27 of Permission SE/05/2526 subject to Conditions

26 and 27 being further amended to only allow repairs and maintenance which can only be carried out when the premises are closed for business to be undertaken between 0700 and 2200 hours and for no audible devices to be employed outside the normal working hours unless specifically required to meet health and safety requirements; and

- (b) the applicants be reminded by Informative of the need for the misting facility to be properly utilised at all times and of the need to ensure that there is no traffic backlog onto Junction 5 of the A25.

58. Applications AS/08/733 and AS/08/821 - Variation of Condition 5 of Permission AS/90/608 and variation of Condition 6 of Permission AS/90/1602 to allow working out of hours on up to 60 occasions for a temporary period until 31 December 2011 at Hothfield Works, Watery Lane, Westwell, Ashford; Tarmac Ltd.
(Item C3)

RESOLVED that permission be granted to both Applications AS/08/773 and AS/08/821 subject to the imposition of conditions on both decision notices including (amongst other matters) the variation to the Condition being discontinued on or before 31 July 2011 and, upon expiry, the hours of operation reverting to those set out in Permissions AS/97/90 & 310; 60 additional working hour periods per annum not being exceeded at the Hothfield Works site; no more than one asphalt plant and associated shovel operating outside of normal working hours; the frequency of HGV movements leaving the site during the night being restricted to those set out in the application; no more than 40 HGVs in total leaving the site during any 8-hour period of out of hours working; no articulated lorries being used on site between the hours of 1800 and 0600 unless agreed in writing by the County Planning Authority; the additional working hour periods not being used in conjunction with the normal working hours to operate the site continuously for more than 10 consecutive days; the applicants giving prior written notification of their intention to use any additional working hour periods to the County Planning Authority, the Borough Planning Authority and the Parish Council; and the code of practice for HGV drivers included with the application being adhered to and made known to all drivers attending the site.

59. Proposal CA/08/516 - Beach volleyball facility with floodlighting and an associated storage building, and floodlighting to two adjacent tennis courts at the Victoria Memorial Recreation Ground, Knight Avenue, Canterbury; Governors of Canterbury Campus and KCC Children, Families and Education.
(Item D1)

(Mr M J Vye was present for this item pursuant to Committee Procedure Rule 2.24 and spoke)

(1) Mrs I Linfield, Mr Hammick and Mr J Flanagan addressed the Committee in opposition to the Proposal. Mr T Freeman of Trevor May Contractors Ltd spoke in reply.

(2) The Head of Planning Applications Group agreed to the inclusion of a condition to ensure that noise levels remained within the limits normally deemed acceptable by the County Planning Authority.

(3) RESOLVED that :-

permission be granted to the Proposal subject to conditions including conditions covering the standard time limit; submission of a scheme of landscaping and tree planting; tree protection and clearance of the site outside of bird breeding seasons; submission of details relating to the colour finish of the fencing, lighting columns and storage hut; the floodlighting being installed in accordance with the submitted details; light levels not exceeding those stated within the planning application; the use being restricted solely to the uses applied for; hours of use; restriction of number of major events per annum; car parking on campus to be available during hours of use; the applicant consulting and agreeing with Kent Highway Services and the City Council prior to holding any major events in order that access arrangements can be made. Those arrangements to be implemented in accordance with the approved drawings; controls over hours of working during construction; measures to prevent the deposit of mud on the highway; and a standard noise condition.

60. Proposal GR/08/154 - Demolition of existing school buildings and construction of new two storey school building, the laying out of playing fields, multi-use games area, hard play area and courts, car parking and landscaping at Thamesview School, Thong Lane, Gravesend; Land Securities Trillium and KCC Children, Families and Education.

(Item D2)

(Ms C J Cribbon was present for this item pursuant to Committee Procedure Rule 2.24 and spoke).

(1) Correspondence from Mrs M Newell, the local Member was tabled. Within this correspondence she had declared a Personal Interest as Vice-Chairman of Governors at Thamesview School.

(2) The Head of Planning Applications Group reported that Sport England had withdrawn its objection.

(3) Mr Lee spoke in opposition to the Proposal. Mr D Stewart of Lee Evans Consultants spoke in reply.

(4) In agreeing the Head of Planning Applications Group's recommendations, the Committee asked for the comments of Ms Cribbon to be considered, particularly in respect of her suggestion that double fencing should be implemented instead of the proposed bunding.

(5) RESOLVED that:-

(a) 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 being used externally; details of all external lighting; details of CCTV; a scheme of landscaping, its implementation and maintenance; measures to protect trees being retained; details of fencing, gates and means of enclosure, including colour finishes; details of the land contouring, including site sections; no floodlighting to the MUGA without the submission of a full planning application; noise from plant not

exceeding +3dB; specification for an acoustic barrier to the northern boundary, adjacent to the MUGA and service area; further survey work to investigate possible noise implication from the car park, and any required mitigation; contaminated land; details of surface water drainage; the development to accord with the recommendations made in the submitted Ecological Scoping Survey; revision of the School Travel Plan; details of works being carried out in the public highway; details of community use, including hours of use; hours of working during construction; details of how construction vehicle movements would be safely separated from the existing community centre car park movements, and associated pedestrian movements; details of a construction method statement; and prevention of the deposition of mud on the local highway network; and

(b) the applicants be informed by Informative of Gravesham Borough Council's advice of the need to take care where the outlets of the ventilation ducts are located in respect of all musical rooms or that they should be appropriately baffled.

- 61. Proposal SW/07/1271 - Single storey modular building for use as a community children's centre, including new pedestrian and vehicular access to Warden Bay Road, car park, hard surfacing, canopy, external storage units and fencing at Corner of Leysdown Road and Warren Road, Sheerness; KCC Children, Families and Education.**
(Item D3)

(1) The Head of Planning Applications Group reported that a satisfactory revised parking layout had now been received.

(2) RESOLVED that permission be granted to the proposal subject to the imposition of conditions including the standard time limit; the development being carried out in accordance with the permitted details; details of cycle parking; details of external lighting; details of the canopy; security fencing being weldmesh with a dark colour finish; car parking being provided prior to commencement of use of the Centre; the overflow parking area proposed being protected by grass protection mesh; hours of use for the Children's Centre being restricted to 0800 to 1800 Monday to Friday; the use of the building being restricted specifically to use as a Children's Centre only; and submission, implementation and ongoing review of a Travel Plan for the Children's Centre.

- 62. Deferred Items**
(Item)

The Committee deferred consideration of Agenda Items D4 and D5 at the request of the applicants concerned.

- 63. Proposal TH/08/384 - Single storey modular building on existing school car park and public car park for use as a children's centre, including the installation of canopies, external storage, fencing and external impact absorbent play areas, plus the demolition of a derelict chapel and creation of a new car park at Priory Infants School, Cannon Road, Ramsgate; KCC Children, Families and Education.**
(Item D6)

- (1) Mrs E Green and Mr A R Poole made declarations of Personal Interest. Mrs Green addressed the Committee as the local Member but neither of them took part in the decision making.
- (2) RESOLVED that permission be granted to the Proposal subject to the imposition of conditions including the standard time limit; the development being carried out in accordance with the permitted details; implementation of a programme of building recording; implementation of an archaeological watching brief; submission of details of a scheme of landscaping; submission of details of cycle parking; details of a gate to secure the proposed school car park; no external lighting being installed on site without prior approval; conditions as recommended by the Environment Agency relating to contamination and mitigation measures; the provision of adequate wheel washing facilities during construction; all construction vehicles and plant being stored on site; hours of use for the Children's Centre being restricted to 0800 to 1800 Monday to Friday; the use of the building being restricted specifically to use as a Children's Centre only; and submission, implementation and ongoing review of a Travel Plan for the Children's Centre.

64. County Matters dealt with under delegated powers

(Item E1)

(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 (None);
- (c) County Council developments;
- (d) detailed submissions under Channel Tunnel Rail Link Act 1996 (None)
- (e) Screening opinions under Environment Impact Assessment Regulations 1999; and
- (f) Scoping opinions under Environment Impact Assessment Regulations 1999 (None).