

PLANNING APPLICATIONS COMMITTEE

MINUTES of a meeting of the Planning Applications Committee held in the Council Chamber, Sessions House, County Hall, Maidstone on Tuesday, 6 December 2011.

PRESENT: Mr J A Davies (Chairman), Mr C P Smith (Vice-Chairman), Mr R E Brookbank, Mr A R Chell, Mr T Gates, Mr W A Hayton, Mr C Hibberd, Mr P J Homewood, Mr J D Kirby, Mr S J G Koowaree (Substitute for Mr M B Robertson), Mr R F Manning, Mr R J Parry, Mr K Smith (Substitute for Mr J F London) and Mr A T Willicombe

ALSO PRESENT: Mr L B Ridings, MBE

IN ATTENDANCE: Mrs S Thompson (Head of Planning Applications Group), Mr J Crossley (Team Leader - County Council Development), Mr R Maloney (Minerals Technical Adviser), Mr R White (Development Planning Manager) and Mr A Tait (Democratic Services Officer)

UNRESTRICTED ITEMS

63. Membership (Item 2)

The Committee noted the appointment of Mr S C Manion in place of Mr R E King.

64. Minutes - 8 November 2011 (Item A4)

RESOLVED that the Minutes of the meeting held on 8 November 2011 are correctly recorded and that they be signed by the Chairman.

65. Site Meetings and Other Meetings (Item A5)

(1) The Committee noted that the site visit in respect of the Dungeness shingle recycling operation would take place at 3pm on Tuesday, 17 January 2012. This would be followed by a public meeting at Lydd Community Hall commencing at 6.30pm.

(2) The Head of Planning Applications Group provided each Member of the Committee with the DCLG's plain English Guide to the Localism Act. It was agreed that there would be a short presentation to Members on the planning implications of the Act following the Committee meeting on Tuesday, 14 February 2012.

66. Application DO/11/339 (KCC/DO/0069/2011) - Temporary change of use of agricultural land to allow drilling of an exploratory borehole at land adjacent to A257 Sandwich Road, north of Woodnesborough; Coastal Oil and Gas Ltd (Item C1)

(1) Mr K Smith informed the Committee that he was acquainted with some of the people who had corresponded about the application. None of these acquaintanceships was a close association. He was therefore able to approach the application with a fresh mind.

(2) Mr R J Parry made a declaration of Personal Interest in that the company which employed him was located near to the site of the application.

(3) Mr L B Ridings was present for this item pursuant to Committee Procedure Rule 2.21 and spoke.

(4) The Head of Planning Applications Group informed the Committee of three late representations from local residents in objection to the application.

(5) The Head of Planning Applications Group explained to the Committee that Planning Policy MPS1 stated that an application of this nature should be considered on its own merits, which should not include any hypothetical future proposal for development of the oil or gas resource.

(6) Mr Andrew Ogden from CPRE addressed the Committee in a personal capacity. He spoke in opposition to the application, as did Mrs Rosemary Rechter from "Deal With It". Mr Gerwyn Williams (Chief Executive Officer – Coastal Oil and Gas Ltd) spoke in reply.

(7) RESOLVED that:-

- (a) permission be granted to the application subject to Conditions including Conditions covering the development being carried out in accordance with the submitted plans and any approved pursuant to the conditions set out below; operations commencing within 5 years; the applicant providing written confirmation of the start date on site; the temporary use once commenced on site ceasing within 12 weeks, unless otherwise agreed in writing by the County Planning Authority; use of the borehole being restricted to obtaining core samples only; all structures and materials being removed from site within two weeks of the cessation of operations; the prior submission and approval of a scheme and timetable for the reinstatement of the site, including the replacement of any topsoil and re-seeding; the prior submission and approval of external lighting details; the implementation of the recommendations set out within the Ecological Scoping and Phase 1 Habitat Survey; a control on night-time noise to ensure it does not exceed the background noise levels; all liquid and solid waste generated by the proposed operation being captured and stored until it can be disposed of within an appropriately licensed waste disposal facility; the maintenance of sight lines at the access from the A257; the provision of vehicle parking on site; a restriction on HGV movements to avoid peak travel times; measures to ensure that mud and debris is not tracked onto the highway; the borehole being drilled in accordance with the principles of the methodology received; the borehole being completely backfilled and sealed in accordance with the principles of the methodology received; geological survey information obtained from the core samples (excluding any commercially sensitive data) being

made available to the County Planning Authority; and copy of decision and approved documents being available on site; and

- (b) the applicant be advised by way of Informatives (amongst other matters) of:-
 - (i) the views of the Environment Agency and the Health and Safety Executive; and
 - (ii) the Committee's recommendation that (as agreed) during the set up and decommissioning periods of the site, the applicant should route large delivery vehicles via the A265 outside the identified peak travel times.

67. Proposal TM/11/2523 (KCC/TM/0393/2011) - 18 new caravan pitches and redevelopment of 8 pitches at Gypsy and Traveller Site, Coldharbour Lane, Aylesford; KCC Gypsy and Traveller Unit
(Item D1)

(1) Mr J D Kirby and Mr S J G Koowaree made declarations of Personal Interest as Members of the Gypsy and Traveller Advisory Board. They did not speak and took no part in the decision making for this item.

(2) Mr C P Smith informed the Committee that he was a Member of Tonbridge and Malling BC. He had not, however, taken part in any considerations of the proposal in that capacity and was therefore able to approach it with a fresh mind.

(3) In agreeing the Head of Planning Applications Group's recommendations, the Committee asked for an additional Informative advising the applicants that it would not be permissible to develop the original permission (TM/09/1900) as well as the one here proposed.

(4) 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 amenity units being built using the specified materials; the submission of details of the design of the static units (should they be provided); the submission of the colour finish and fence specification; the 3 metre high acoustic barrier being provided prior to occupation of the development and thereafter retained and maintained at all times; noise monitoring being undertaken upon completion of the construction, to demonstrate that noise levels at Plot 13 are within those predicted, i.e. 51 dB $L_{Aeq\ 16\ hr}$ during the day time (NEC A) and 47 dB $L_{Aeq\ 8\ hr}$ at night (lower NEC B boundary noise level). Should these noise levels not be achieved, further mitigation being employed to achieve such noise levels, e.g. the installation of the western barrier return; details of all external lighting, including that to the public footpath; a scheme of landscaping, including details of ecological

enhancement measures, planting to the northern boundary to screen the acoustic barrier (as far as this would be practicable), the provision of a hedgerow behind plots 7-12, maintenance details for the swale, hard surfacing, its implementation and maintenance for no less than 3 years; measures to protect those trees which are to be retained; no tree removal taking place during the bird breeding season unless supervised by an experienced ecologist; the development according with the recommendations of the ecological surveys and strategies; the submission and implementation of a detailed mitigation strategy/method statement, incorporating all necessary avoidance and mitigation measures, timing of works and long term habitat management measures; the submission of a detailed surface water drainage scheme; the submission of a scheme to deal with the risks associated with land contamination; hours of working during construction and demolition being restricted to between 0800 and 1800 Monday to Friday and between 0900 and 1300 on Saturdays, with no operations on Sundays and Bank Holidays; a construction management strategy, 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; and

(b) the applicants be advised by Informative that:-

- (i) account should be taken of the Environment Agency's advice relating to drainage and the storage of fuel, oil and chemicals;
- (ii) they should seek advice from their ecologist to ensure that the type and positioning of bollard lighting to the public footpath is sensitive to the requirements of roosting, commuting and foraging bats;
- (iii) they must ensure that there is adequate school provision in the area to accommodate any educational need created by expanding the Coldharbour site;
- (iv) they should be fully satisfied that all Crime and Disorder issues have been taken into account and that the detailed design reflects good practice;
- (v) a letting and allocations plan must be secured in order to manage the occupancy of the site, so that it provides for locally generated need for Gypsy and Traveller accommodation and meets identified requirements in Tonbridge and Malling; and
- (vi) the development hereby permitted cannot be implemented in conjunction with the previous planning permission for the redevelopment of the site (TM/09/1900).

68. Proposal SH/11/911 (KCC/SH/0369/2011) - Variation of opening hours at New Romney Children's Centre, Craythorne Lane, New Romney; KCC Children's Services

(Item D2)

- (1) The Committee noted correspondence from the Local Member, Mrs C Waters raising no objection to the proposal.
- (2) Mrs K Knight, Mr J Cooper and Mr D Gatterby addressed the Committee as local service users in support of the proposal. Ms E Hamilton, the Children's Centre Manager spoke in reply.
- (3) In agreeing the recommendations of the Head of Planning Applications Group, the Committee specified that the closing time for the Children's Centre should be 10pm on those days when the opening hours were to be extended.
- (4) RESOLVED that permission be granted to the proposal subject to conditions including conditions covering the hours of use and a closing time of 10pm for the Children's Centre on no more than 6 evenings during a calendar year; the hours of use being varied to include Saturdays between 09.00 and 16.00hrs; and the re-imposition of all other relevant conditions of the earlier planning consent.

69. Proposal TW/11/3044 (KCC TW/0421/2011) - Demolition of modern extension and construction of replacement extension to form house master's accommodation at Cranbrook School, Waterloo Road, Cranbrook; Governors of Cranbrook School

(Item D3)

- (1) Mr R F Manning, the Local Member declared his support for the application before leaving the meeting.
- (2) 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; the external materials used being in accordance with those specified within the application; the replacement tree planting being completed within the first planting season following completion of the development; precautions to prevent the deposit of mud on the highway; and controls on the hours of operation during construction work.

70. Matters dealt with under delegated powers

(Item E1)

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 (None);
- (c) County Council developments;
- (d) Screening opinions under Environmental Impact Assessment Regulations 1999; and
- (e) Scoping opinions under Environmental Impact Assessment Regulations 1999 (None).