

PLANNING APPLICATIONS COMMITTEE

MINUTES of a meeting of the Planning Applications Committee held in the Council Chamber, Sessions House, County Hall, Maidstone on Wednesday, 18 November 2015.

PRESENT: Mr J A Davies (Chairman), Mr C P Smith (Vice-Chairman), Mr M J Angell, Mr M Baldock, Mr R H Bird (Substitute for Mr I S Chittenden), Mr L Burgess, Mr N J D Chard, Mr T Gates, Mr P M Harman, Mr T A Maddison, Mr R J Parry, Mrs E D Rowbotham, Mr T L Shonk, Mr C Simkins, Mrs P A V Stockell, Mr A Terry and Mr J N Wedgbury

IN ATTENDANCE: Mrs S Thompson (Head of Planning Applications Group), Mr J Crossley (Principal Planning Officer - County Council Development), Mr A Pigott (Strategic Transport and Development Planner) and Mr A Tait (Democratic Services Officer)

UNRESTRICTED ITEMS

61. Minutes - 21 October 2015

(Item A3)

RESOLVED that subject to the clarification in Minute 57 (1) that Mr Baldock is a Member of Swale Borough Council, the Minutes of the meeting held on 21 October 2015 are correctly recorded and that they be signed by the Chairman.

62. Site Meetings and Other Meetings

(Item A4)

The Committee noted that the training session on Design Matters and the implications of the recent Kelton vs Wiltshire Council judgement was to be held following the Committee meeting.

63. A review of delegated powers to Head of Planning Applications Group to reflect Government expectation for timely planning decisions to deliver sustainable development

(Item B1)

(1) The Head of Planning Applications Group presented a review of the powers delegated to her by the Committee in the light of the Government's expectation for timely planning decisions to deliver sustainable development.

(2) In agreeing the proposed delegation arrangements, the Committee made three amendments. These were a clarification in section 4 that a decision would be taken by the Committee on any matter referred by the Local Member with the agreement of the Committee Chairman; the substitution of "group" for "party" in section 5; and clarification that all decisions to refuse applications given in section 5 would be reported to the Committee, including the reason that (exceptionally) it had

been impractical to consult the Chairman, Vice-Chairman and Lead Spokesperson for each political group.

(3) RESOLVED that approval be given to the revised officer delegations set out in Appendix 2 of the report as amended and appended to these Minutes.

64. Proposal GR/15/20150893 (KCC/GR/0287/2015) - New building to accommodate 8 classrooms, new studio hall, staff room, ICT suite, group room, plant room and associated storage and WC facilities, a new hard play area with access ramps and steps and new car park at Singlewell Primary School, Mackenzie Way, Gravesend; KCC Property and Infrastructure
(Item D1)

(1) The Committee amended the proposed conditions by requiring ongoing monitoring and review of the updated Travel Plan condition on an annual basis; and the provision and permanent retention of car parking, cycle parking and circulatory routes. It also added an Informative that the applicants should explore the potential for solar panels at the site to support the environmental performance of this community development.

(2) The Committee decided to augment the updated Travel Plan condition through the inclusion of an expectation of engagement with school parents and the local community over parking behaviour and a review of the need for additional on-site parking as school rolls increased.

(3) On being put to the vote, the revised recommendations of the Head of Planning Applications Group were carried by 15 votes to 2.

(4) RESOLVED that:-

- (a) permission be granted to the proposal subject to condition, 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; a scheme of landscaping, including hard surfacing, its implementation and maintenance; the submission of a Tree Protection Plan; no tree removal taking place during the bird breeding season; the submission of an updated Travel Plan prior to occupation of the site, and its ongoing monitoring and review on an annual basis thereafter. It is expected that development of the updated Travel Plan will take place through engagement with school parents and the local community and that it will include (amongst other matters) measures to promote safer and more considerate parking by parents associated with the school and a review of the need for additional on-site parking as school rolls increase; the provision and permanent retention of car parking, cycle parking and circulatory routes; measures to address any land contamination; the implementation of archaeological field evaluation works and any subsequent safeguarding measures; hours of working during construction being restricted to between 0800 and 1800 on Mondays to Fridays and between 0900 and 1300 on Saturdays, with no operations on Sundays and Bank Holidays; a construction management strategy, including access, lorry routing, parking and circulation within the site for contractor's vehicles and other

vehicles related to construction and development vehicles; and measures to prevent mud and debris being taken onto the public highway; and

- (b) the applicants be advised by Informative that:-
 - (i) they should register the School travel Plan with Kent County Council through the “Jambusters” website;
 - (ii) their attention is drawn to the letter from KCC Highways and Transportation in which it is noted that it is their responsibility to ensure that all necessary highway approvals and consents are obtained;
 - (iii) their attention is drawn to the letter from the Environment Agency in which advice and guidance is provided with regard to surface water drainage; and
 - (iv) they should explore the potential for solar panels at this site to support the environmental performance of this community development.

65. County 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) County Council developments;
- (c) Screening Opinions under the Town and Country Planning (Environmental Impact Assessment) Regulations 2011; and
- (d) Scoping Opinions under the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (None).

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**DELEGATED POWERS TO HEAD OF PLANNING APPLICATIONS
AS AGREED BY PLANNING APPLICATIONS COMMITTEE 18th NOVEMBER 2015**

Decisions to be taken by the Planning Applications Committee
1. The determination of any application not delegated to officers as set out below or which relate to land or buildings managed by the Director of Environment Planning and Enforcement or to which there are material planning objections - except where representations are received that could otherwise be considered material planning objections but in the opinion of the Head of Planning Applications are not relevant in a particular case.
2. Any actions which might give rise to liability to pay compensation.
3. Responses to Government advice or consultations of particular relevance to the operation of the Development Management service by the Planning Applications Committee.
4. Any matter referred to the Committee by officers or by the local member with the agreement of the request of the Committee Chairman.

Decisions normally to be taken by Head of Planning Applications Group
1. To determine any application (including details submitted under condition and non-material amendments) for which there has been no relevant planning objection raised by consultees or as a result of publicity, or where representations are received that could otherwise be considered material planning objections but in the opinion of the Head of Planning Applications are not relevant in a particular case.
2. To determine an application for a Certificate of Lawfulness of Existing Use or Development (CLEUD)
3. To determine a screening* or scoping opinion pursuant to the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (as amended) or any subsequent order amending, revoking and re-enacting these regulations.
<i>*Local Planning Authorities are required under the Regulations to adopt a Screening Opinion within 3 weeks of receipt of the request, unless a longer period is agreed in writing, for example, if additional information is required.</i>
4. To determine an Appropriate Assessment application pursuant to The Conservation of Habitats and Species Regulations 2010 (as amended) or any subsequent order amending, revoking and re-enacting these regulations, where Natural England has advised the County Council that it is satisfied that the proposal will not affect the conservation objectives of the designated site or that the mitigation measures proposed are acceptable.

5. To refuse applications and to not approve details submitted under conditions where such submissions meet any of the following criteria:

- The proposal does not accord with the Development Plan and there are no overriding material reasons for granting permission or approving the details;
- Insufficient detail or information has been submitted to:
 - (i) enable proper consideration of an application for planning permission; or
 - (ii) satisfy the terms of a condition or conditions, in the case of an application to discharge a condition or conditions; or
 - (iii) enable technical issues raised by consultees to be resolved, either to determine an application for permission or to discharge a condition or conditions;
- The applicant has not agreed a reasonable extension of time to otherwise allow, within the required timescale:
 - (i) proper consideration of any further information submitted; or
 - (ii) completion of a legal agreement; or
 - (iii) resolution of any other outstanding matters;
- The applicant has failed to complete a legal agreement upon which a resolution by the Planning Applications Committee to grant planning permission is dependent within 6 months of such a resolution being made;
- The application is retrospective and is aimed at rectifying a breach of planning control against which Enforcement proceedings including Court prosecutions have already been instigated;
- The application is a repeat application within 12 months of a previous refusal or withdrawal and does not address the grounds of refusal or concerns raised by the earlier proposal.

Such decisions in relation to 5 above will only be issued following consultation with the Chairman, Vice Chairman and Lead Spokesperson for each political group prior to a decision being taken unless reasons of urgency make this impracticable. The consultation period shall usually be 2 working days.

Any decision taken in respect of 5 above is to be reported to the Committee, including the reason that (exceptionally) it had been impractical to consult the Chairman, Vice-Chairman and Lead Spokesperson for each political group.