

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 Wednesday, 8 November 2017.

PRESENT: Mr R A Marsh (Chairman), Mr R A Pascoe (Vice-Chairman), Mr I S Chittenden, Mr P C Cooper, Miss E Dawson, Mr P M Harman, Mr B H Lewis, Mr H Rayner, Mr C Simkins and Mr J Wright

ALSO PRESENT: Mr R W Gough, Mr S Holden and Dr L Sullivan

IN ATTENDANCE: Mrs S Thompson (Head of Planning Applications Group), Mrs A Hopkins (Principal Planning Officer), Mr P Hopkins (Principal Planning Officer), Mr J Wooldridge (Principal Planning Officer - Mineral Developments), Mr D Joyner (Transport & Safety Policy Manager) and Mr A Tait (Democratic Services Officer)

UNRESTRICTED ITEMS

50. Minutes - 11 October 2017
(Item A3)

RESOLVED that the Minutes of the meeting held on 11 October 2017 are correctly recorded and that they be signed by the Chairman.

51. Mr Ken Gregory
(Item)

The Committee stood for a minute's silence in memory of Mr Ken Gregory.

52. Site Meetings and Other Meetings
(Item A4)

The Committee noted that the training session on the Education Commissioning Plan scheduled for the afternoon of 17 January 2018 was confirmed.

53. Application TM/17/2264 (KCC/TM/0224/2017) - Section 73 application to vary Condition 14 of Permission TM/12/983 to allow out of hours vehicle movements associated with the importation of waste materials arising from road projects at Ham Hill Quarry, Snodland; Tarmac Ltd
(Item C1)

(1) The Head of Planning Applications Group reported correspondence from Birling PC in support of the proposed variation of conditions.

(2) RESOLVED that in order to minimise disturbance from operations and avoidance of nuisance to the local community, permission be granted to the variation of Condition 14 of Permission TM/12/983 to read:

“All operations associated with the Aggregate Recycling Facility shall only take place between the following hours:

“Mondays to Fridays: 08:00 hours to 18:00 hours; Saturdays: 08:00 Hours to 13:00 hours; and Sundays and Public Holidays: No operations with the exception of essential maintenance and then only between 08:00 hours and 18:00 hours.

“Vehicles associated with the importation of waste materials arising from road projects may enter or leave the site and deposit their loads outside of these hours.”

The condition shall be subject to a further limit of 35 HGV loads per night in association with the out-of-hours importation of road planings; noise monitoring of the out-of-hours importation of road planings being carried out every three months to demonstrate compliance with the noise limits in place and details being submitted in writing to the County Planning Authority; and all other conditions imposed on Permission TM/12/983 being repeated with the same wording except Conditions 2 and 17 which have been discharged following the submission of details of a noise attenuation barrier and a noise monitoring scheme.

54. Application TM/17/2090 (KCC/TM/0195/2017) - Operation of an aggregate recycling facility for a temporary period of five years within the existing processing plant area at Wrotham Quarry, Trottiscliffe Road, Addington; Ferns Group
(Item C2)

(1) The Chairman informed the Committee of correspondence from the Local Member, Mrs S V Hohler in support of the recommendations.

(2) On being put to the vote, the recommendations of the Head of Planning Applications Group were carried by 7 votes to 0 with 2 abstentions.

(3) RESOLVED that permission be refused on the following grounds:-

(a) The proposal constitutes major development in the context of the Kent Downs Area of Outstanding Natural Beauty (AONB). The County Planning Authority considers that there is no specific need for the development that is in the public interest, that there is scope to develop the waste use outside the designated area and that whilst any detrimental effects on the environment or landscape

are limited and may be capable of being mitigated to an acceptable degree there are no exceptional circumstances that would outweigh the presumption to refuse major development in the AONB as set out in paragraph 116 of the National Planning Policy Framework. The proposed development is therefore contrary to Policy DM2 of the Kent Minerals and Waste Local Plan (2016), Policies CP1 and CP7 of the Tonbridge and Malling Core Strategy (2007), Policy SQ1 of Tonbridge & Malling Managing Development and the Environment Development Plan Document (2010), Policies MMP2, SD1 and SD3 of the Kent Downs AONB Management Plan and paragraphs 115 and 116 of the National Planning Policy Framework. On the basis that the development is contrary to the above policies it would also be contrary to the requirements of Policies CSM1, CSM8, CSW1 and DM1 of the Kent Minerals and Waste Local Plan;

- (b) The proposal constitutes inappropriate development which by definition is harmful to the Green Belt. The County Planning Authority considers that there are no Very Special Circumstances that would outweigh the in-principle harm to the Green Belt by virtue of inappropriateness and the policy presumption to refuse the development in this instance. The proposed development is therefore contrary to Policy DM4 of the Kent Minerals and Waste Local Plan (2016), Policy CP3 of the Tonbridge and Malling Borough Core Strategy (2007) and paragraphs 87 and 88 of the National Planning Policy Framework. On the basis that the development is contrary to the above policies it would also be contrary to the requirements of Policies CSM1, CSM8, CSW1 and DM1 of the Kent Minerals and Waste Local Plan; and
- (c) The application fails to demonstrate the potential extent and significance of amenity impacts resulting from noise and/or dust that could be generated by the proposed use and does not adequately address the in-combination / cumulative impacts with the surrounding quarry operations to enable a proper assessment of the acceptability of the development in terms local amenity and local levels of tranquillity. On the basis of these deficiencies, the proposed development is contrary to Policies DM11 and DM12 of the Kent Minerals and Waste Local Plan, Policy CP24 of the Tonbridge & Malling Core Strategy, Policy SQ4 of the Tonbridge & Malling Managing Development and the Environment Development Plan Document and paragraphs 109, 115, 116, 118, 120 and 123 of the National Planning Policy Framework. On the basis that the development is contrary to the above policies it would also be contrary to the requirements of Policies CSM1, CSM8, CSW1 and DM1 of the Kent Minerals and Waste Local Plan.

55. Proposal GR/17/674 (KCC/GR/0165/2017) - 2FE primary school with associated access and infrastructure on Land at St George's CE School, Meadow Road, Gravesend; KCC Property and Infrastructure Support
(Item D1)

- (1) Mr R W Gough and Dr L Sullivan were present for this item pursuant to Committee Procedure Rule 2.27 and spoke.
- (2) The Head of Planning Applications Group informed the Committee of the content of correspondence received from Mr S Mochrie-Cox, the Local Borough Councillor.
- (3) Mr S Mochrie-Cox addressed the Committee in objection to the proposal. Mr Paul Mew (Paul Mew Associates) spoke in reply.
- (4) During discussion of this item, the Committee agreed to amend the recommendations as follows:-
 - (a) An additional condition specifying that the areas identified on the submitted drawings for drop off/pick up areas (along both sides of the school access road and within the main car parking area, which combined provide space for 31 vehicles) shall be made available for use by parents/guardians at morning and afternoon peak school times and shall not be closed off or access restricted;
 - (b) An addition to the Travel Plan condition explaining that the effectiveness of the parent and visitor pick up/drop off facilities incorporated into the development shall be annually reviewed as part of the School Travel Plan;
 - (c) An additional Informative stating that in order to ensure the effectiveness of the drop off/pick up facility, the School shall put in and maintain appropriate site management arrangements to ensure that traffic flow is not impeded.
- (5) On being put to the vote, the revised recommendations were agreed by 7 votes to 2.
- (6) Mr B Lewis requested pursuant to Committee Procedure Rule 2.26 (3) that his vote against the proposal be recorded.
- (7) RESOLVED that:-
 - (a) the application be referred to the Secretary of State for Communities and Local Government in respect of the objection from Sport England, and that subject to his decision, permission be granted to the proposal subject to conditions, including conditions covering the standard 5 year time limit for implementation; the development being carried out in accordance with the permitted details; the development being carried out using the external materials and colour finishes specified within the planning application documents unless otherwise agreed; roof plant being

installed as shown on the submitted drawings unless otherwise agreed; external lighting being provided in accordance with the submitted details unless otherwise agreed; boundary and internal fencing being provided in accordance with the submitted details unless otherwise agreed; a landscaping scheme being provided, including additional tree planting, soft landscaping, hard surfacing, and ecological enhancements in accordance with the submitted details unless otherwise agreed; tree protection methods, as shown on the submitted drawings being adopted to protect boundary hedgerows and those trees which are to be retained; the development according with the recommendations and precautionary mitigation methods detailed within the submitted ecological surveys/reports; no tree removal during the bird breeding season; the submission and approval of further details of community use relating to use of the indoor and outdoor facilities, including hours of use; use of the floodlighting being limited to between the hours of 0800 and 2200 on Mondays to Fridays, and between 0900 and 1900 on Saturdays, Sundays and Bank Holidays; the extinguishing of lighting when the pitch is not in use or within 15 minutes of its last use; lighting being installed in accordance with approved details, and checked for compliance on site prior to first use; the lighting levels not exceeding those specified within the application; the submission and approval of full details of the off-site highway works (which would need to be agreed under a Section 278/Section 38 Agreement with KCC Highways) prior to commencement of the development, including visibility splays; completion of the approved off-site highway works prior to expansion in school roll to over 210 pupils (over 1FE); the areas identified on the submitted drawings for drop off/pick up areas (along both sides of the school access road and within the main car parking area, which combined provide space for 31 vehicles) shall be made available for use by parents/guardians at morning and afternoon peak school times and shall not be closed off or access restricted; the submission and approval of a Travel Plan within six months of occupation, and its ongoing monitoring and review thereafter, including annual monitoring of the onsite car parking arrangement to allow the balance of staff parking and dropping off spaces to be adjusted if necessary and a review of car parking associated with community use. The effectiveness of the parent and visitor pick up/drop off facilities incorporated into the development shall be annually reviewed as part of the School Travel Plan; the provision and retention of car parking, access (vehicular and pedestrian), pick up/drop off, circulatory routes and turning areas prior to the occupation of phase 1 of the development; the submission and approval of details of the secure and weatherproof cycle and scooter parking and its subsequent provision prior to occupation; the submission and approval of a detailed Sustainable Surface Water Drainage Scheme and subsequent details of the implementation, maintenance and management of the approved Scheme; no infiltration of surface water drainage into the ground other than with the approval of the County Planning Authority; measures to control development should land contamination be identified; the implementation of archaeological field evaluation works and

any subsequent archaeological investigations; hours of working during construction and demolition being restricted to between 0800 and 1800 on Mondays to Fridays and between the hours of 0900 and 1300 on Saturdays, with no operations on Sundays and Bank Holidays; the submission and approval of a construction management strategy prior to the commencement of each phase of the development, including details of the location of site compounds and operative/visitors parking, details of site security and safety measures, lorry waiting and wheel washing facilities, details of how the site access would be managed to avoid conflict with peak school times, and details of any construction accesses; and

- (b) the applicants be advised by Informative that:-
- (i) their attention is drawn to the letter from Highways and Transportation in which it is noted that it is the responsibility of the applicant to ensure that all necessary highway approvals and consents where required are obtained, including a Traffic Regulation Order;
 - (ii) their attention is drawn to the letter from the Environment Agency in which advice is provided with regard to the disposal of waste material;
 - (iii) Gravesham BC has advised that the applicant should discuss Crime Prevention through Environmental Design (CPTED), Secured By Design (Schools) and BREEAM requirements with Kent Police; and
 - (iv) to ensure the effectiveness of the drop off/pick up facility, the School shall put in and maintain appropriate site management arrangements to ensure that traffic flow is not impeded.

56. Proposal TW/17/3344 (KCC/TW/0271/2017) - Section 73 application to vary Condition 15 of Permission TW/12/1442 relating to traffic calming measures for the new Benenden Primary School at Land south of Rolvenden Road, Benenden; KCC Property and Infrastructure Support (Item D2)

(1) Mr S Holden was present for this item pursuant to Committee Procedure Rule 2.27 and spoke.

(2) The Head of Planning Applications Group reported correspondence from Benenden PC requesting that the speed limit be reduced to 20 mph. It was advised that this was not a matter for consideration as part of the application which only sought to vary the timing of the traffic calming measures.

(3) RESOLVED that:-

- (a) in order to secure the provision of off-site traffic calming measures ahead of the first opening of the new Primary School, permission be granted to the variation of Condition 15 of Permission TW/12/1442 to read:-

“Before the first occupation of the new Primary School, a scheme of off-site traffic calming measures (as outlined in "Supplementary Transport Report" dated July 2012 reference JSL/T0155 and on "proposed Traffic Calming Scheme" drawing number T0155/01 Revision P1, or other such scheme of works substantially to the same effect which has first been approved in writing by the Highway Authority) shall be implemented, subject [as necessary] to a Traffic Regulation Order, Safety Audit, and the prior approval of a scheme which shall first be submitted to and approved by the County Planning Authority in consultation with the Highway Authority. Thereafter the approved off-site traffic calming measures shall be maintained in perpetuity for the life of the development hereby permitted”; and

- (b) all other relevant conditions on Permission TW/12/1442 be restated except in so far as the wording of certain conditions takes account of the details that have already been submitted and approved.

57. Proposal TW/12/1442 R14 - Code of Construction Practice pursuant to Condition 14 of Permission TW/12/1442 for the new Benenden Primary School at Land south of Rolvenden Road, Benenden; KCC Property and Infrastructure Support
(Item D3)

(1) Mr S Holden was present for this item pursuant to Committee Procedure Rule 2.27 and spoke.

(2) The Head of Planning Applications Group informed the Committee that no further views had been received and that an amended Code of Construction Practice had been received which addressed the matters raised by the Highway Authority. The recommendation was amended accordingly.

(2) RESOLVED that approval be given to the details of the Code of Construction Practice subject to a condition requiring the submission of a further Code of Construction Practice for approval by the County Planning Authority for the main contract before the commencement of the construction of the school building and related works.

58. 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 2017; and
- (d) Scoping Opinions under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (None).