

KENT COUNTY COUNCIL

PLANNING APPLICATIONS COMMITTEE

MINUTES of A meeting of the Planning Applications Committee held at Council Chamber, Sessions House, County Hall, Maidstone on Wednesday, 14th March, 2018.

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

OFFICERS: Sharon Thompson (Head of Planning Applications Group), Paul Hopkins (Principal Planning Officer), Jim Wooldridge (Principal Planning Officer - Mineral Developments), Helen Edwards (Planning Officer), Sally Bengé (Strategic Transport and Development Planning) and Andrew Tait (Democratic Services Officer)

UNRESTRICTED ITEMS

5. Minutes - 7 February 2018.

(Item. A3)

RESOLVED that the Minutes of the meeting held on 7 February 2018 are correctly recorded and that they be signed by the Chairman.

6. Site Meetings and Other Meetings.

(Item. A4)

(1) The Committee noted that the meeting would be followed by a training session on the Education Commissioning Plan.

Note: The first part of this session was delivered after the meeting, with the second part being arranged to follow the next meeting of the Committee.

(2) The arrangements for the site visit on Monday, 19 March 2018 were confirmed in respect of the Wilmington Academy and Wilmington Girls' Grammar School applications.

7. General Matters.

(Item. B1)

(1) The Head of Planning Applications Group informed the Committee of the publication of draft revisions to the National Planning Policy Framework (NPPF) and briefly outlined the salient points. She said that the revisions had a strong housing theme, to deliver on the Government's view that "this country needs radical, lasting reform that will allow more housing to be built." The consultation period was due to finish on 10 May 2018 with publication of the final version expected in the Summer.

(2) The Committee agreed to receive a summary report at its next meeting on the implications of the draft revised NPPF for its work.

(3) The Democratic Services Officer referred to a case law update provided by the County Council's Legal team which had been sent to all Members of the Committee and trained substitutes. This update had set out the implications of two recent Supreme Court cases: *Dover District Council v CPRE Kent (2017)* and *Steer, R v Shepway District Council (2018)*. He drew attention to the most significant implication of these cases which was that the Committee had a legal duty to provide reasons for its decision that could be clearly understood. This was particularly important whenever the Committee took a decision that had not been recommended by the Officers.

8. Application SW/18/500195 (KCC/SW/0004/2018) - Section 73 application to vary conditions 1 and 6 of Permission SW/15/502632 (the phased extraction of brickearth over 4 summer campaigns) to allow for an extended period of working and amended restoration scheme at Orchard Farm, School Lane, Iwade; Weinberger Limited.
(Item. C1)

(1) Mr J Wright informed the Committee that although he owned property in the vicinity of the permitted mineral working at Paradise Farm between Hartlip and Newington, this permission would not be affected by any decision taken on the application under consideration. He was therefore able to approach its determination with a clear mind.

(2) RESOLVED that permission be granted to the application subject to conditions, including conditions covering the cessation of brickearth extraction by 31 October 2020; the removal of all brickearth stockpiled at the site and the completion of restoration by 31 May 2022; the restoration of the site in accordance with the proposed revised restoration scheme; the requirement for a further road condition survey within 6 months; and the re-imposition of the conditions imposed on Permission SW/15/502632 with such amendments as are necessary to reflect the above changes and the approvals given pursuant to the permission.

9. Proposal Y/18/0061/SH (KCC/SH/0343/2017) - Renewal of temporary permission for the "Sharman Block" modular building, erection of 2.2m and 2.4m fencing within the site and new pedestrian access onto Bowen Road on part of the former Pent Valley School adjoining Bowen Road, Folkestone; GEN 2 on behalf of KCC.
(Item. D1)

(1) The Head of Planning Applications Group tabled revised recommendations which made the granting of permission subject to no new material planning issues being raised by Shepway DC at its Committee meeting on 20 March 2018 and also required the removal of the gate to Bowen Road if the proposed use were to cease.

(2) The Head of Planning Applications Group informed the Committee that Shepway DC's Planning Committee was due to consider the application at its meeting on 20 March 2018. She had received a copy of the published Officer's report, which had recommended the removal of the gate to Bowen Road if the proposed use were to cease. The amendments to her recommendations set out in (1) above had been made in consequence.

(3) Mr Joe McNeil, a local resident addressed the Committee in opposition to the application. Mr David Adams (Area Education Officer – South Kent) spoke in reply.

(4) Mr J Wright moved, seconded by Mr C Simkins that the revised recommendations of the Head of Planning Applications Group be agreed.

Tied 6 votes to 6 with 1 abstention.

(5) In accordance with Committee Procedure Rule 2.26 (2) the Chairman declared that he was using his casting vote for the motion.

(6) RESOLVED that subject to no new material issues being raised by Shepway DC at its Committee meeting on 20 March 2018:-

- (a) permission be granted to the proposal subject to conditions, including conditions covering the removal of the Sharman Block from the site on or before 31 March 2023 and the land being reinstated to its former use as part of the school grounds; the development being carried out in accordance with the permitted details; the approved gate onto Bowen Road opening away from the Highway; access to the former Pent Valley School not being permitted via the new gate on Bowen Road, which shall serve the Sharman Block PRU only; and the removal of the gate if the proposed use ceases; and
- (b) the applicants be notified by Informative that they should ensure that all necessary highway approvals and consents are obtained.

10. Matters dealt with under delegated powers.
(Item. E1)

RESOLVED to note matters dealt with under 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).