

## KENT COUNTY COUNCIL

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### PLANNING APPLICATIONS COMMITTEE

MINUTES of a meeting of the Planning Applications Committee held in the Council Chamber - Sessions House on Wednesday, 15 May 2019.

PRESENT: Mr R A Marsh (Chairman), Mr R A Pascoe (Vice-Chairman), Mrs R Binks, Mr I S Chittenden, 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

IN ATTENDANCE: Mrs S Thompson (Head of Planning Applications Group), Mr P Hopkins (Principal Planning Officer), Mrs H Edwards (Planning Officer), Mrs S Bengé (Transport and Development Manager) and Mr A Tait (Democratic Services Officer)

#### UNRESTRICTED ITEMS

##### **17. Minutes - 6 March 2019**

*(Item A3)*

RESOLVED that the Minutes of the meeting held on 6 March 2019 are correctly recorded and that they be signed by the Chairman.

##### **18. Proposal 19/00063 (KCC/CA/0003/2019) - Demolition of existing school buildings and replacement with a part two storey, part three storey teaching block with interlinked Sports Hall together with new Multi Use Games Area (MUGA), landscaping and associated ancillary works at Simon Langton Girls' Grammar School, Old Dover Road, Canterbury ; KCC and Kier Construction (Southern)**

*(Item D1)*

(1) Mr I S Chittenden reported the views of Ida Linfield, the Local Member who supported the proposal whilst raising concerns over the Construction Management Plan.

(2) In agreeing the recommendations of the Head of Planning Applications Group, the Committee specified that the Construction Management Plan needed to include emergency escape routes and arrangements for the handling of asbestos. It also agreed that plant species suitable for bee pollination should be incorporated within the landscape scheme.

(3) The Committee added an Informative advising that the applicants should further consider the environmental and economic benefits of solar panels as well as further consideration of the installation of electric charging points.

(4) RESOLVED that:-

- (a) permission be granted to the proposal subject to conditions, including conditions covering the standard 3 year time limit; the development being carried out in accordance with the permitted details; the

submission and approval of details of all construction materials to be used externally; the provision and permanent retention of the vehicle parking spaces as shown on the submitted plans prior to the occupation of the school and their retention thereafter; the provision and permanent retention of vehicle loading/unloading and turning facilities, as shown in the submitted plans, prior to the occupation of the new buildings; the provision and permanent retention of secure, covered cycle parking facilities prior to the occupation of the building, in accordance with details to be submitted and approved by the County Planning Authority; the submission of a detailed review of the School Travel Plan incorporating measures to encourage sustainable transport; the implementation of the submitted Construction Management Plan, including emergency escape routes for pupils and arrangements for the handling of asbestos for the duration of the construction activities on site; works only being carried out on site between the hours of 0800 to 1800 on Mondays to Fridays, 0900 to 1300 on Saturdays, with no operations on Sundays or public holidays; the submission and approval of a detailed surface water drainage scheme; the submission of a verification report covering this scheme for approval by the Lead Local Flood Authority; no infiltration of surface water drainage into the ground taking place other than with the written approval of the County Planning Authority and such infiltration only being used in those areas where there would be no unacceptable risk to controlled waters or ground stability; the development not commencing until a scheme to connect the building to foul and surface water drainage systems has been submitted and approved by the County Planning Authority; the Landscape scheme set out in the Landscape Submission being implemented, including plant species suitable for bee pollination, within the first available planting season once the development is occupied; the replacement of any plants or trees that die within the first 5 years; no development taking place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written specification and timetable to be approved in writing by the County Planning Authority; no demolition of the original school taking place until an Historic Building Record (basic photographic survey) has been made to record the building for social and communal interest; the submission, prior to the commencement of development, of a Biodiversity Method Statement for the protection of badgers and hedgehogs for approval by the County Planning Authority; the submission of a bat and badger sensitive lighting scheme for approval by the County Planning Authority; the submission of an Ecological Design Strategy prior to the commencement of the development for approval by the County Planning Authority, relating to the retention and protection of existing habitats, the creation of semi-natural habitats and ecological enhancement measures; the submission for approval of a Landscape and Ecology Management Plan to cover the ongoing maintenance of the landscape and ecological areas; no development commencing until a remediation strategy to deal with risks associated with contamination of the site has been submitted to the County Planning Authority and approved in writing; no occupation of the new building taking place

until a verification report has been submitted and approved in writing by the County Planning Authority, demonstrating the completion and effectiveness of the remediation works; no further development taking place until a remediation strategy has been agreed with the County Planning Authority in the event that contamination not previously identified is found to be present; and no piling or penetrative foundation methods being used on site without the prior written consent of the County Planning Authority; and

- (b) the applicants be advised by Informative that:-
- (i) they need to ensure that all necessary highway approvals and consents are obtained;
  - (ii) they need to ensure that works to trees are carried out outside of the breeding bird season and, if this is not possible, that an ecologist examines the site prior to works commencing;
  - (iii) the Environment Agency refers the applicant to the guidance document "*Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention*";
  - (iv) the Environment Agency advises that there should be no surface water discharge by SuDS on land impacted by contamination or on land previously identified as being contaminated;
  - (v) contaminated soil that either is or must be disposed of, is waste, and that its handling, transport, treatment and disposal is subject to waste management legislation; and
  - (vi) they should give further consideration as part of the detailed design to installing photovoltaic panels on the roof of the building to enhance its energy efficiency, and should further consider the potential for electric charging points.

**19. Proposal 19/00247 (KCC/SE/0014/2019) - Alteration to existing fencing and gates to remove existing 1.2m high staves and replace with 1.5m high matching staves and installation of staves to existing gates at Ide Hill Primary School, Sundridge Road, Ide Hill; Governors of Ide Hill Primary School**

*(Item D2)*

- (1) The Head of Planning Applications Group reported correspondence from the Local Member, Mr N J D Chard in support of the proposal.
- (2) RESOLVED that:-
  - (a) permission be granted to the proposal subject to conditions, including conditions covering the standard 3-year timescale for commencement of the development; the development being in accordance with the submitted details; and the protection of existing trees and hedgerows

along the southern and eastern site elevations within the application area; and

- (b) the applicants be advised by Informative:-
  - (i) of the advice from KCC Highways and Transportation and KCC Public Rights of Way; and
  - (ii) that they should establish the need or otherwise for Listed Building Consent with Sevenoaks DC.

## **20. Matters dealt with under delegated powers**

*(Item E)*

(1) A supplementary report E5: *County Matter Proposals agreed pursuant to the Urgent Matter Procedure under Delegated Powers* had previously been published and circulated to all Members of the Committee.

(2) The Head of Planning Applications Group reported an urgent decision taken under Section 1.7 of Appendix 2 Part 3 of the Constitution (Item E5). This was to **extend where necessary the operating hours of the KCC Contracted Waste Transfer Stations and final disposal infrastructure for a period of 3 months**. This was a part of KCC's Brexit Contingency Arrangements to provide the certainty that the Borough Councils as the Waste Collection Authorities were seeking from the County Council as Waste Disposal Authority. The commencement of the 3-month period would be notified in writing by the Waste Planning Authority. The extent of any extended hours was not clear at this time and would be dictated by individual circumstances at each site as affected by Brexit traffic congestion.

(3) The decision related to a request by the County Council as Waste Disposal Authority which sought to ensure that the County Council had effective contingency arrangements in place to manage kerbside collected household waste in the event of traffic related congestion arising from Brexit affecting the ability to manage household waste into and out of the waste transfer and the third-party disposal sites.

(4) The request envisaged that, in practice, there should be no greater number of movements than currently permitted and that these movements would be stretched over a longer working day. In the event of no congestion there would be no need for any out of hours working.

(5) The request was linked to the following Kent Waste Transfer Station sites:

- (i) Dover Waste Transfer Station (Whitfield);
- (ii) Ashford Waste Transfer Station (Brunswick Road);
- (iii) Tunbridge Wells Transfer Station (North Farm);
- (iv) Sevenoaks Waste Transfer Station (Dunbrik);
- (v) Sittingbourne Waste Transfer Station (Church Marshes); and
- (vi) Pepperhill Waste Transfer Station (Southfleet).

(6) The request was also related to the following third-party Final Disposal Points:

- (i) Allington Waste to Energy Plant, Maidstone;

- (ii) Blaise Farm, West Malling, Tonbridge and Malling;
- (iii) Countrystyle, Sittingbourne;
- (iv) Ling, Hersden, Canterbury;
- (v) Veolia, Hersden, Canterbury;
- (vi) Smurfit Kappa, Snodland, Tonbridge & Malling;
- (vii) Thanet Waste Services, Sandwich; and
- (viii) Viridor Materials Recycling Plant, Crayford (out of area).

(7) The views of the Local Members and of the Chairman of the Planning Applications Committee (Mr Marsh) had been sought in accordance with the Urgent Matter procedure. Three responses were received. No objection from Mr Marsh and Mr Chard (Dunbrik Waste Transfer Site). Mr Bartlett (Ashford Waste Transfer Station) agreed with the approach and drew attention to the proximity of Viburnum Close and Juniper Close to the Cobbs Wood Recycling Centre in Ashford. He asked whether a press notice would be issued.

(8) In respect of Mr Bartlett's comments, the Head of Planning Applications Group considered that the route taken by vehicles accessing and leaving the Transfer Station avoided the need to go near Viburnum Close and Juniper Close. The approved route was one that was closely monitored for adherence by Providers' vehicles using vehicle tracking information. She also considered that there should be no need for a press release regarding the out of hours operation as there should be no effect on the public. This was true for all of the sites except for Dunbrik where it was intended to deliver a polite notice to local residents due to their proximity of the Transfer Station; It was envisaged that any out of hours operations would be kept to a minimum for that site. Any communications regarding kerbside collection disruption should come from the Waste Collection Authorities directly to their residents. KCC Waste Management would communicate with the public via social media and press outlets in the event that any HWRC service was altered or disrupted, as was the normal arrangement.

(9) The request was agreed on this basis subject to:-

- (a) any extended hours only being initiated in the event of significant delay caused to the local or wider primary highway networks or other delaying influences arising from Brexit;
- (b) this fall-back position providing emergency operational control to the Waste Collection and Waste Disposal Authorities, with any additional operating hours being kept to the absolute minimum. In the event of no significant highway delays, there would be no extended operating periods;
- (c) the Waste Management Authority seeking to implement whatever mitigation was reasonably possible to keep disturbance to a minimum in order to minimise any potential disturbance to residents. The Waste Management Authority carefully monitoring any additional hours being worked and using any pertinent data, information or representation to build in mitigation measures where required;
- (d) these emergency controls being in place for a period of 3 months, commencing by written notification from the Waste Planning Authority;
- (e) formal planning applications being made for the variance of the planning conditions in the event of a further extended period of additional hours

of working being operationally required, based upon operational experience of Brexit; and

- (f) records being kept of any out of hours working and being submitted to the Planning Authority within one week of the out of hours working taking place.
- (10) 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;
  - (d) Scoping Opinions under the Town and Country Planning (Environmental Impact Assessment) regulations 2017; and
  - (e) the urgent decisions taken under Section 1.7 of Appendix 2 Part 3 of the Constitution as set out in (2) to (9) above.

## **21. KCC response to consultations**

*(Item F)*

RESOLVED to note Kent County Council's response to the following consultations:-

- (a) Item F1: Draft Folkestone and Hythe Core Strategy Review 2019;
- (b) Item F2: Application DO/12/00440 - Western Heights and Farthingloe, Dover;
- (c) Item F3: Canterbury CC Community Infrastructure Levy
- (d) Item F4: Application CA/17/01383/OUT - Outline application (with all matters reserved) for the development of up to 650 houses and associated community infrastructure comprising primary school, community building, public car park and associated amenity space, access, parking and landscaping, and detailed/full application for the construction of part of the Sturry Link Road and a local road from the Sturry Link Road to Shalloak Road; and
- (e) Item F5: Response to Scoping request for land at Westgate on Sea.