

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, 9 October 2019.

PRESENT: Mr R A Marsh (Chairman), Mr R A Pascoe (Vice-Chairman), Mr P Bartlett (Substitute for Mr C Simkins), Mrs R Binks, Mr A Booth, Mr D L Brazier (Substitute for Mr P C Cooper), Mr J Burden, Mr I S Chittenden, Ms S Hamilton (Substitute for Mr M D Payne), Mr P M Harman, Mr H Rayner, Mrs P A V Stockell and Mr J Wright

ALSO PRESENT: Mr D S Daley

IN ATTENDANCE: Mr J Wooldridge (Principal Planning Officer - Mineral Developments), Mr P Hopkins (Principal Planning Officer), Mr D Payne (Planning Consultant), Ms M Green (Principal Planning Officer), Mr D Joyner (Transport & Development Manager) and Mr A Tait (Democratic Services Officer)

UNRESTRICTED ITEMS

43. Minutes - 11 September 2019

(Item A3)

RESOLVED that the Minutes of the meeting held on 11 September 2019 are correctly recorded and that they be signed by the Chairman.

44. General Matters

(Item B1)

The Committee noted that Mrs Sharon Thompson, Head of Planning Applications Group had sent her apologies as she was representing the County Council at the Kent Minerals and Waste Local Plan Public Inquiry.

45. Application KCC/AS/0056/2019 - Amendment to site layout provided for by Permission AS/12/518 (involving demolition of an existing shed, alterations to weigh-bridges, repositioning the shear and altering the surface water drainage system, fencing and boundary treatment and landscaping) and the erection of a replacement End of Life Vehicle shed, associated storage tanks, additional boundary fencing and new non-ferrous metal storage/reception building at European Metal Recycling Ltd, Eclipse Business Park, Brunswick Road, Ashford; European Metal Recycling Ltd

(Item C1)

(1) Mr P Bartlett informed the Committee that he would be addressing the Committee in his capacity as Local Member but would not participate in the determination of the application.

(2) Cllr Brian Heyes and Mr Vernon Seagar (Godinton Residential Community) addressed the Committee in opposition to the application. Mr Tom Robinson (JLL) spoke in reply on behalf of the applicants.

(3) Mr R A Pascoe moved, seconded by Mr J Burden that permission be granted and that the applicant be required to undertake further noise monitoring in a manner agreed by the County Planning Authority to demonstrate that the noise condition is being met.

Lost 5 votes to 6

(4) Mr A Booth moved, seconded by Mr P M Harman that consideration of the application be deferred to enable the applicant to undertake noise monitoring of the existing facility to demonstrate whether the proposed (retrospective) development is acceptable in terms of noise impact; that the results of that monitoring be submitted to KCC in support of the application to supplement the modelled noise information that has already been provided; and for the application to be reported back to Committee.

Carried 9 votes to 2.

(5) RESOLVED that consideration of the application be deferred to enable the applicant to undertake noise monitoring of the existing facility to demonstrate whether the proposed (retrospective) development is acceptable in terms of noise impact; that the results of that monitoring be submitted to KCC in support of the application to supplement the modelled noise information that has already been provided; and for the application to be reported back to Committee.

46. Proposal AS/19/705 (KCC/AS/0088/2019) - 2 FE primary School at Chilmington Green, Ashford; KCC (Gen2)

(Item D1)

(1) Mr P Bartlett informed the Committee that he was a Member of Ashford BC which had commented on the proposal. He had taken no part in its discussions of the proposal and was able to approach the determination of the application with a fresh mind.

(2) The Principal Planning Officer reported comments received from the Local Member, Mr C Simkins in support of the proposal.

(3) In agreeing the recommendations of the Head of Planning Applications Group, the Committee added Informatives encouraging the School to make the sports hall available for community use and to increase the number of cycling spaces in order to encourage sustainable transport.

(4) RESOLVED that:-

- (a) permission be granted to the proposal subject to conditions, including conditions covering a 3 year time limit for implementation; the development being carried out in accordance with the permitted details; the submission and approval of details of all materials to be used externally, including details of joinery, colour finishes, depth of reveals, and details of the jointing of the cladding panels; the submission and approval of details of all external lighting, including hours of operation; the submission and approval of a scheme of landscaping, including details of tree planting, soft landscaping,

fencing and hard surfacing; the submission and approval of a School Travel Plan within six months of occupation, and its ongoing monitoring and review thereafter; the provision and retention of car parking, access and circulation space, including 5 electric vehicle charging bays, prior to first occupation of the school; the provision and retention of covered cycle parking prior to first occupation of the school; the provision and retention of vehicle and pedestrian accesses and visibility splays prior to first occupation of the school; all gates opening away from the highway; the development meeting the sustainable design standards set out in the application documents to meet a BREEAM or equivalent standard of 'very good'; no tree or hedge removal taking place during the bird breeding season; the development being undertaken in accordance with the submitted badger mitigation proposals; no works commencing within the 30 metre buffer zone around the badger sett until a walkover survey has been undertaken and its results submitted and approved, together with details of any further required mitigation; the development being undertaken in accordance with the submitted reptile mitigation proposals; the submission of details of biodiversity enhancement measures within 6 months of the commencement of the development; no development taking place over the Public Right of Way until confirmation of its diversion or extinguishment and certification of the new route; the submission and approval of a written specification and timetable for the implementation of a phased programme of archaeological work, to be undertaken prior to commencement of the development; the submission and approval of a detailed Sustainable Surface Water Drainage Scheme prior to the commencement of the development (other than works associated with the installation of the foundations); the submission and approval of a verification report prior to occupation of the development (or within an agreed timeframe); the development ceasing if contamination not previously identified is found to be present at the site; the submission and approval of a Construction Management Strategy, including the hours of working, location of the site compound and operative parking, wheel washing/cleaning facilities, lorry routing and waiting details, and details of the construction access and management of the site access; and

- (b) the applicants be advised by Informative that:-
- (i) they should prepare and submit their revised/amended School Travel Plan with Kent County Council's 'Jambusters' Travel Plan Management system;
 - (ii) their attention is drawn to the letter from Public Rights of Way which contains general information in respect of works adjacent to and/or on a Public Right of Way;
 - (iii) they are encouraged to make the sports hall available for community use; and
 - (iv) they should seek to increase the number of cycling spaces available in order to encourage sustainable transport.

47. Proposal 19/502955 (KCC/MA/0110/2019) - Sports Hall extension to provide shower and changing facilities and a classroom/conference room at Maidstone Grammar School for Girls, Buckland Road, Maidstone; Governors of Maidstone Grammar School for Girls

(Item D2)

(1) The Principal Planning Officer drew attention to correspondence from Dr Brian White in respect of the proposal which had previously been circulated to all Members of the Committee.

(2) The Principal Planning Officer asked the Committee to note that the community use condition set out in the recommendations should be amended to specify that there should be no community use during school hours. He also asked the Committee to amend the School Travel Plan condition so that it was to be submitted within 6 months of the permission and to add an additional Informative that the updated School Travel should be submitted via the "Jambusters" website. These amendments were agreed.

(3) In agreeing the recommendations, the Committee specified that the Construction Management Plan was to include vehicle parking on site.

(4) RESOLVED that:-

(a) permission be granted to the proposal subject to conditions, including conditions covering the standard 3 year time limit for implementation; the development being carried out in accordance with the permitted details; the submission of a scheme to deal with the risks associated with contamination of the site in order to address the comments made by the Environment Agency; the submission of a Construction Management Plan including parking for construction related vehicles on site; the submission of a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation prior to occupation of the development; the retention/maintenance of at least 50 car parking spaces being kept available for use of the development outside of school times; no drainage systems for the infiltration of surface water drainage into the ground being permitted other than with the express written consent of the County Planning Authority; measures to deal with unexpected contamination found to be present during development at the site; no piling or any other foundation designs using penetrative methods being permitted other than with the express written consent of the County Planning Authority; hours of construction being limited to between the hours of 0800 and 1800 on Mondays to Fridays and between 0900 and 1300 on Saturdays; tree protection during construction works; hours of use of the development being between the hours of 0800 and 2200; no external community use of the development during school hours (i.e. between 0800 and 1700 on Mondays to Fridays during term time); the submission of details of external materials; the submission of details of external lighting, including bat sensitive lighting in relation to the site boundaries; and the submission of an updated School Travel Plan within 6 months of the date of the permission; and

(b) the applicants be advised by Informative:-

- (i) that they should ensure that the community use agreement for the existing sports hall contains adequate arrangements to respond to complaints or concerns resulting from community use of the facility;
- (ii) of general highway approval matters; and
- (iii) that they should prepare and submit their revised/amended School Travel Plan via Kent County Council's 'Jambusters' Travel Plan Management system.

48. Proposal MA/19/503387 (KCC/MA/0107/2019 - 2 FE expansion involving: a) erection of a new freestanding 3 storey teaching block; b) single-storey extension of existing dining area; c) additional 22 car parking spaces; and d) associated landscaping works at Maplesden Noakes School, Buckland Road, Maidstone; KCC Infrastructure
(Item D3)

(1) Mr D S Daley was present for this item pursuant to Committee Procedure Rule 2.27 and spoke. He particularly stressed his concerns over the absence of parking restrictions in the vicinity of the application site.

(2) The Principal Planning Officer drew attention to correspondence from Dr Brian White in respect of the proposal which had previously been circulated to all Members of the Committee.

(3) The Principal Planning Officer advised the Committee that the applicants had agreed to install PV panels. This necessitated an additional condition requiring the submission of details and that they be installed when the development was constructed, and the deletion of the relevant recommended Informative.

(4) The Committee agreed to the Principal Planning Officer's request to amend the native planting condition to include species suitable for bee pollination.

(5) RESOLVED that:-

- (a) permission be granted to the proposal subject to conditions, including conditions the standard 3 year time limit for implementation; the development being carried out in accordance with the permitted details; submission of details of external materials; measures to protect existing trees during construction, including those set out in the Arboricultural Method and Impact Statement; submission and approval of a Verification Report pertaining to the surface water drainage system to address matters raised by KCC Sustainable Drainage; restriction of infiltration of surface water drainage into the ground and restriction of piling or any other foundation designs using penetrative methods to address comments raised by the Environment Agency; submission of a Construction Management Plan and Strategy including parking for construction related vehicles on site; submission of a Dust Management Plan during construction; submission of a Construction Logistics Plan; provision prior to occupation of vehicle car parking spaces and their

permanent retention; provision prior to occupation of vehicle loading and unloading and turning areas and their permanent retention; provision prior to occupation of covered secure cycle parking spaces and their permanent retention; inclusion of 3 electric vehicle parking bays within the new parking spaces provided and inclusion of the air quality mitigation measures proposed in the application; construction hours being limited to between 0800 and 1800 on Mondays to Fridays and between 0900 and 1300 on Saturdays with no work on Sunday or Bank Holidays; submission of an updated school travel plan within 6 months of occupation of the building with annual review via the “Jambuster” system thereafter; submission of a bat sensitive lighting plan for the site boundaries; submission of external lighting details; submission of an ecological enhancement plan; submission of details of proposed planting to include native species and species suitable for bee pollination; and; submission of details of PV panels to be installed when the development is constructed; and

- (b) the applicants be advised by Informative on:-
 - (i) the timing of works to protect nesting birds;
 - (ii) the need for the developer to consult South East Water regarding water supply;
 - (iii) cleaning the existing soakaway system; and
 - (iv) works to tree T41 should they be required.

49. 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).

50. KCC responses to consultations

(Item F1)

RESOLVED to note Kent County Council’s responses to the following consultations:-

- (a) Maidstone BC Local Plan review;
- (b) Maidstone BC Community Infrastructure Levy Regulation 123 List review; and

(c) Lamberhurst Neighbourhood Plan.