

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, 20 July 2022.

PRESENT: Mr A Booth (Vice-Chairman), Mr C Beart, Mrs R Binks, Mr I S Chittenden, Mr D Crow-Brown, Mr P M Harman, Mr H Rayner, Mr O Richardson and Mr A Weatherhead

IN ATTENDANCE: Mrs S Thompson (Head of Planning Applications), Ms M Green (Principal Planning Officer), Paul Hopkins (Principal Planning Officer), David Barton (Senior Transport Development Planner), Angela Coull (Principal Transport and Development Planner), Nagla Stevens (Principal Solicitor, Invicta Law), Emily Kennedy (Democratic Services Officer)

UNRESTRICTED ITEMS

9. Apologies

(Item)

Apologies were received from Ms J Meade, Mr P Cole, Mr M Dendor and Mr C Simkins for whom Mr A Weatherhead was present.

10. Minutes - 15 June 2022

(Item A3)

RESOLVED that the minutes of the meeting held on 15 June 2022 were correctly recorded and that they be signed by the Chair.

11. General Matters

(Item B1)

Sharon Thompson, Head of Planning Applications reported that following the referral of Application TM/21/1269 (KCC/TM/0090/2021) - Installation of a ground mounted solar photovoltaic (PV) array and associated infrastructure at Land at Offham Landfill Site, Teston Road, Offham; Infinis Solar Developments Ltd, the Secretary of State for Levelling Up, Housing and Communities had decided not to call in the application for determination. Therefore, planning permission would be granted.

12. SE/22/645 Re-cladding of existing sports hall, demolition of swimming pool building and ancillary building, and erection of single storey replacement sports and changing room facilities extension at Broomhill Bank School (Northern Site), Rowhill Road, Swanley, Kent BR8 7RP (KCC/SE/0036/2022)

(Item D1)

1) Paul Hopkins, Principal Planning Officer outlined the report and read the statement from the local Member, Mr P Cole.

2) During discussion of the application, Members agreed the addition of informatives (as detailed below at Informatives 3 and 4) relating to the landscaping scheme and the potential for heat source pumps.

3) On being put to the vote, Mr Chittenden proposed, the Chair seconded and Members RESOLVED that:

a) Permission be granted subject to the imposition of conditions covering (amongst other matters) the following:

1. The standard three year time limit;

2. The development to be carried out in accordance with the permitted details;

3. Within 3 months of the date of the decision, details of the external materials, including colour finishes, in accordance with those set out within the application shall be submitted for the approval of the County Planning Authority, and the development shall thereafter be carried out using the approved external materials;

4. The use of the development hereby permitted shall be for school use and purposes only and shall not be made available for use by the general public;

5. The measures set out in the Construction Management Strategy dated June 2022 shall be strictly adhered to for the duration of construction operations;

6. Within 3 months of the date of this decision, details of a scheme of landscaping shall be submitted for the written approval of the County Planning Authority, and such scheme shall detail all landscaping and boundary treatments including retained or additional landscaping, and shall thereafter be implemented as approved within the first planting season following completion of the works;

7. In the event of any trees, shrubs and hedges included in the landscaping scheme, approved pursuant to condition (6) above, or any replacement trees, shrubs or hedges being removed, destroyed or dying or dead within 5 years of the planting, they shall be replaced within 12 months in the same places by large nursery stock of the same species;

8. The development hereby permitted shall be carried out in such a manner as to avoid damage to any existing trees/hedges, including their root system, to be retained as part of the landscaping scheme by providing/installing tree protection;

9. Within 3 months of works commencing within the site, an ecological enhancement plan shall be submitted for the approval of the County Planning Authority, and must demonstrate how the site will be enhanced to benefit biodiversity and thereafter be implemented as approved;

10. Within 3 months of date of this decision, details of any new additional external lighting and hours of lighting operation, including the lighting of access areas, and lighting on the buildings hereby permitted, shall be submitted for the written approval of the County Planning Authority, and thereafter be implemented as approved. The external lighting scheme must adhere to the Bat Conservation Trust's 'Bats and Artificial Lighting in the UK' guidance;

b) the applicant be advised by Informative that:

1. Advice that planning permission does not convey any approval to carry out work on or affecting a public highway and that engagement with KCC Highways and Transportation would be required at an early stage.

2. The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act. Trees, scrub, hedgerows and buildings are likely to contain nesting birds between 1st March and 31st August inclusive. Buildings and vegetation are present on the application site and are to be assumed to contain nesting birds between the above dates, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity on site during this period and has shown it is absolutely certain that nesting birds are not present.

3. In preparing the landscaping scheme referred to in condition (6) above, the applicant is encouraged to provide species that have berry bearing fruit to improve the potential for biodiversity interests.

4. The developer is encouraged to explore the potential for heat source pumps as part of the sustainability credentials of the scheme.

13. GR/22/110 Proposed 2-form of entry expansion, involving the erection of a new freestanding 2-storey school building, new staff car park, new parent car park and drop off/pick up area, together with associated access, signage and landscaping works at Meopham School, Wrotham Road, Meopham, Gravesend, Kent DA13 0AH (KCC/GR/0014/2022)

(Item D2)

1) Mary Green, Principal Planning Officer outlined the report and read the statement from the local Member, Mr B Sweetland.

2) Further to questions and debate, Mr Beart proposed, the Chair seconded and Members RESOLVED that:

a) the application be referred to the Secretary of State for Levelling Up, Housing and Communities as a departure from the Development Plan on Green Belt grounds, and to consider the Sport England objection, and that SUBJECT TO his decision, and subject to the completion of a Memorandum of Understanding regarding the required monetary contribution for the School Travel Plan monitoring and Public Transport Capacity Improvements that permission be granted, subject to the imposition of conditions covering (amongst other matters) the following:

1. The standard 3 year time limit;

2. The development carried out in accordance with the permitted details;

3. The development to be carried out using external materials and colour finishes as specified within the planning application documents, unless otherwise agreed;

4. The submission and approval of the details of the Photovoltaic PV panels and any roof plant.
5. Details of external lighting, including times and days of operation and details of the timer and light sensor to be installed;
6. Any lighting proposals shall follow the recommendations within the Bats and Artificial Lighting in the UK document produced by the Bat Conservation Trust and Institution of Lighting Professionals;
7. Prior to and during construction works the precautionary mitigation for dormouse, badgers and breeding birds within the Preliminary Ecological Appraisal (Sevenoaks Environmental Consultancy. April 2021) shall be implemented as detailed;
8. Prior to and during construction works the habitat creation and reptile mitigation works within the Additional Ecological Assessment (Sevenoaks Environmental Consultancy. May 2022) shall be implemented as detailed;
9. On completion of the reptile mitigation works detailed in condition 7 (above) the grasslands must be managed as detailed in the Proposed Enhancement and Mitigation Plan within the Additional Ecological Assessment (Sevenoaks Environmental Consultancy. May 2022) shall be implemented as detailed;
10. An Impact Assessment and Conservation Payment Certificate signed by Natural England shall be submitted to the County Planning Authority for written approval. No works can commence on site until the applicant has received the full District Level Licence;
11. Measures to protect the existing trees during construction;
12. The implementation and maintenance of the Landscaping Scheme,
13. No tree removal during the bird breeding season;
14. No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of archaeological field evaluation works in accordance with a Written Scheme of Investigation and timetable which has been submitted to and approved in writing by the County Planning Authority and following on from the evaluation, any safeguarding measures to ensure preservation in situ of important archaeological remains and/or further archaeological investigation and recording in accordance with a Written Scheme of Investigation and timetable which has been submitted to and approved in writing by the County Planning Authority;
15. No development shall take place until a Construction Management Plan, including lorry routing, access, parking, construction vehicle loading/unloading and circulation within the site for contractors and other vehicles related to construction operations, measures to prevent mud and debris being taken onto the public highway, the erect of heras fencing adjacent to the retained reptile habitat, has been submitted for approval and thereafter shall be implemented as approved;

16. Hours of working during construction to be restricted to between the hours of 0800 and 1800 Monday to Friday and between the hours of 0900 and 1300 on Saturdays, with no operations on Sundays and Bank Holidays;
17. A minimum of 10% of the new staff parking spaces (excluding the drop-off / pick-up spaces) shall be provided with Electric Vehicle charging points. In addition, a further 20% of the new spaces (excluding the drop-off / pick-up spaces) shall be provided with passive service i.e. ducting / cabling only). Details and location of these shall be submitted and approved by the County Planning Authority prior to first occupation of the new buildings;
18. The annual review of the School Travel;
19. Travel Surveys of both staff and pupils to be undertaken annually in accordance with the submitted School Travel Plan (via the Jambusters website) and compared to the targets given. Any further mitigating measures, if the targets are not met, to be submitted to and approved by the County Planning Authority. Any identified shortfall in the bus services to be appropriately addressed in accordance with the submitted MOU regarding provision of bus services;
20. The Car Park Management Plan is to be monitored and reviewed annually as part of the annual School Travel Plan review;
21. The revised internal road layout and bus stopping / turning area to be completed prior to first occupation;
22. The proposed drop-off / pick-up area as shown on the submitted plans to be completed and fully operational prior to first occupation of the new buildings;
23. The submitted Car Park Management Plan to be reviewed annually in coordination with other on-site operators and any amendments to be submitted and approved by the County Planning Authority;
24. The car parking spaces as shown on the submitted drawings shall be provided prior to first occupation and shall thereafter be maintained for that sole purpose;
25. A minimum of 20 secure and weatherproof cycle parking spaces shall be provided prior to first occupation in accordance with details to be submitted to and approved by the County Planning Authority and shall be maintained thereafter, and with an area safeguarded on the site to allow for the future addition of further cycling parking, if required. The number of cycle parking spaces shall be reviewed annually alongside the School Travel Plan and the number of spaces increased if necessary;
26. If, during development, contamination not previously identified is found to be present at the site then no further development unless otherwise agreed in writing with the County Planning Authority shall be carried out until a remediation strategy detailing how this contamination would be dealt with has been submitted to and approved in writing by the County Planning Authority. The remediation strategy shall be implemented as approved;

27. No infiltration of surface water drainage into the ground is permitted other than with the written approval of the County Planning Authority. The development shall be carried out in accordance with the approved details;

28. Development shall not begin in any phase until a detailed sustainable surface water drainage scheme for the site has been submitted to and approved in writing by the County Planning Authority. The detailed drainage scheme shall be based upon the Flood Risk Assessment prepared by CTP dated 13 January 2022 and shall demonstrate that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100 year storm) can be accommodated and disposed of without increase to flood risk on or off-site;

29. No building on any phase (or within an agreed implementation schedule) of the development hereby permitted shall be occupied until a Verification Report, pertaining to the surface water drainage system, and prepared by a suitably competent person, has been submitted to and approved by the County Planning Authority. The Report shall demonstrate that the drainage system constructed is consistent with that which was approved. The Report shall contain information and evidence (including photographs) of details and locations of inlets, outlets and control structures; landscape plans; full as built drawings; information pertinent to the installation of those items identified on the critical drainage assets drawing; and the submission of an operation and maintenance manual for the sustainable drainage scheme as constructed;

30. Before the first use/occupation of the development hereby permitted, details regarding the proposed community use of the School's indoor sports facilities and school hall, shall be submitted to and approved in writing by the County Planning Authority, including type of use, hours of use, management of access by non-school users and use of the on-site car parking; and

31. The removal of the temporary modular buildings related to the 2FE expansion.

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

RESOLVED to note matters dealt with under delegated powers since the meeting on 15 June 2022 relating to:-

- E1 County matter applications
- E2 County Council developments
- E3 Screening Opinions under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017
- E4 Scoping Opinions under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017

15. Paddock Wood Neighbourhood Plan (2022-2038) - Regulation 14 Consultation
(Item F1)

RESOLVED to note Kent County Council's response to the Regulation 14 Consultation on Paddock Wood Neighbourhood Plan (2022-2038).

- (a) **FIELD**
- (b) **FIELD_TITLE**