

## 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, County Hall, Maidstone on Tuesday, 11 May 2010.

PRESENT: Mr R E King (Chairman), Mr R Brookbank, Mr A R Chell, Mr T Gates, Mr W A Hayton, Mr C Hibberd, Mr G A Horne MBE, Mr J D Kirby, Mr R J Lees, Mr R F Manning, Mr R J Parry, Mr R A Pascoe, Mr M Robertson, Mr C P Smith and Mr A Willicombe

IN ATTENDANCE: Mrs S Thompson (Head of Planning Applications Group), Mr M Clifton (Team Leader - Waste Developments), Mr J Crossley (Team Leader - County Council Development), Mr J Wooldridge (Team Leader - Mineral Developments), Mr R White (Transport and Development Business Manager) and Mr A Tait (Democratic Services Officer)

#### UNRESTRICTED ITEMS

##### **28. Minutes - 13 April 2010**

*(Item A3)*

RESOLVED that the Minutes of the meeting held on 16 April 2010 are correctly recorded and that they be signed by the Chairman.

##### **29. Site Meetings and Other Meetings**

*(Item A4)*

The Committee noted that there would be a training session following its meeting on 15 June 2010 and that there would be site visits to two East Kent education establishments on 27 July 2010. A tour of permitted development sites was provisionally scheduled to take place in October 2010.

##### **30. Application SW/09/894 - Small scale biomass power plant within an existing and extended building for the generation of renewable energy from low grade waste wood at Ridham Dock Road, Iwade, Sittingbourne; Countrystyle Recycling Ltd**

*(Item C1)*

(1) The Head of Planning Applications Group reported the views of Swale Borough Council raising no objection subject to conditions and also from the local Member, Mr M J Whiting supporting the recommendations but expressing concern over the monitoring of the site. Mr Whiting also drew attention to the reference made in the report to him being the adjoining Member as opposed to the joint member for the Swale Central Division with Mr Willicombe and asked that this be corrected for the record.

(2) The Committee agreed to the inclusion of an Informative to the Environment Agency to advise of its view that the control of pollution mechanisms to be employed should be examined against the Best Available techniques.

(3) RESOLVED that:-

- (a) permission be granted to the application subject to conditions, including conditions covering annual waste throughput; vehicle numbers; construction methods and timings; noise levels; a noise monitoring scheme; methodology for the classification of bottom ash; habitat enhancement including a water vole protection plan; the submission of a strategy for the recovery of waste heat; and a program of archaeological works; and
- (b) the Environment Agency be advised by Informative of the Committee's view that the control of pollution mechanisms should be measured against the standards of the Best Practical Environmental Option.

**31. Application TW/10/33 - Temporary drilling site with temporary road access. Drilling of well bores to evaluate hydrocarbon potential. Conduct of a well test to establish performance. Return to agricultural use at Bidborough Well Site, Judd Wood Farm, Gate Farm Road, Bidborough; Midmar Energy UK Ltd**

*(Item C2)*

(1) The Head of Planning Applications Group reported the views of the local Member, Mr J A Davies in support of the application.

(2) Mrs D Park and Mr D Cure (the local Tonbridge and Malling Borough Councillor) addressed the Committee in opposition to the application. Mr P Silk from Midmar Energy spoke in reply.

(3) Mr W A Hayton moved, seconded by Mr R A Pascoe that the recommendations of the Head of Planning Applications Group be agreed.

(4) The Head of Planning Applications Group advised the Committee that it could not agree the application subject to an alternative route. The application under consideration had to be either permitted or refused.

(5) Mr J D Kirby moved, seconded by Mr R A Pascoe that the question be put.  
*Carried by 8 votes to 6.*

(6) On being put to the vote, the motion set out in (3) above was carried by 12 votes to 3.

(7) RESOLVED that permission be granted to the application subject to the prior completion of a Section 106 Agreement to secure HGV routing / management arrangements and to conditions, including conditions covering a 5 year implementation period; the development being carried out in accordance with the permitted details; prior notification of the start date being given for each phase of operations; a baseline soil analysis being used as the soil quality target for restoration; the hours of working being restricted to those applied for; ecological mitigation; seeding of earth bunds; noise limits; an archaeological watching brief;

measures to prevent mud and debris being tracked onto the public highway; the submission of detailed site access arrangements (and implementation as approved); the floodlighting being switched off when not required for the safe operation of the site; the submission of a detailed site restoration scheme (including planting between the site and the Public Right Of Way); site restoration within 12 months of commencement of the construction phase, unless otherwise agreed in writing by the County Planning Authority; and the submission of a 5 year aftercare scheme.

**32. Proposal TM/10/185 - Artificial grass sports pitch with perimeter ball-stop fencing, floodlights, pedestrian spectators area and pathway at Hayesbrook School, Brook Street, Tonbridge; Governors of Hayesbrook School**

*(Item D1)*

(1) Mr R J Lees informed the Committee that he was a Governor of a School which was entering into a partnership with Hayesbrook School. He took no part in the decision making process for this item.

(2) Mr D Wharrier and Ms L Thompson (local residents) addressed the Committee in opposition to the proposal. Mr N Blackburn, Head Teacher of Hayesbrook School spoke in reply.

(3) Mr C P Smith moved, seconded by Mr W A Hayton that the recommendations of the Head of Planning Applications be agreed.

(4) Mr G A Horne moved, seconded by Mr R A Pascoe as an amendment that community use of the site cease at 1pm on Sundays and Bank Holidays.

(5) On being informed that the consequence of passing the amendment would be that the development would not take place, the amendment was withdrawn with the agreement of the Committee.

(6) On being put to the vote, the motion set out in (3) above was carried with no opposition.

(7) RESOLVED that:-

- (a) permission be granted to the proposal as amended subject to conditions, including conditions covering the standard 3 year time limit for implementation; the submission of a landscaping scheme, including around the perimeter fencing; the submission of a Community Use Scheme, to include details of pricing policy, hours of use, access by non-School users, management responsibilities and a review mechanism; the installation of the floodlights being in accordance with the submitted specifications, with inspection by a qualified lighting engineer being completed prior to use in order to ensure compliance with the submitted and approved specifications, and the incorporation of automatic time controls; the use of the artificial turf pitch being restricted to the hours of 0800 to 2130 on Mondays to Fridays and 0900 to 1700 on Saturdays, Sundays and Bank Holidays, with the site being vacated within 30 minutes beyond these times; the floodlights being extinguished by 2130 hours Monday to Friday and by 1700 hours on Saturdays, Sundays and Bank Holidays; the floodlights only being activated when the artificial

pitch is in use; the use of the vehicle parking areas being managed to avoid use of the overflow playground parking area (unless the main parking areas are fully occupied); the use of the artificial sports pitch being restricted solely to the uses applied for; and development being carried out in accordance with the permitted details; and

- (b) the applicants be advised of the comments of the Environment Agency that under the terms of the Water Resources Act 1991 and the Land Drainage Byelaws, the prior written consent of the Environment Agency will be required for the construction of the headwall for the proposed drainage scheme, in addition to planning permission.

**33. Proposal TM/10/127 - Removal of existing modular building and replacement with a new modular building at St Stephen's Primary School, Royal Rise, Tonbridge; Governors of St Stephen's School and KCC Property Group**

*(Item D2)*

(1) Mr M Daynes, a local resident addressed the Committee in opposition to aspects of the application.

(2) RESOLVED that permission be granted to the proposal subject to conditions including the standard time condition; the development being carried out in accordance with the permitted plans; the building being removed and the site reinstated within a 5 year period; a restriction of site hours to between 0800 hours and 1800 hours Monday to Friday and a requirement for access for activities carried out outside of normal school term time to be via the main school site entrance via Royal Rise.

**34. Proposal DO/09/477 - Outline application for a 40 bed extra care sheltered development for the elderly including 20 1-bed apartments, 20 2-bed apartments, residents' communal areas and staff facilities at Cornfields Residential Care Centre, Cranleigh Drive, Whitfield, Dover; Kent Adult Social Services**

*(Item D3)*

(1) The Head of Planning Applications Group reported the views of the local Member, Mr B R Cope.

(2) RESOLVED that permission be granted to the proposal subject to conditions, including conditions covering the standard time limit; the standard outline planning conditions relating to the reserved matters of scale appearance and landscaping details; the protection of trees and vegetation during construction; controls over hours and days of construction activity; the inclusion of a footpath leading to the front entrance in the detailed design; and the development being carried out in accordance with the permitted details.

**35. Proposal SH/10/141 - Replacement of a wooden fence with a 1.8 metre high metal fence at Lyminge CEP School, Church Road, Lyminge, Folkestone; Governors of Lyminge CEP School and KCC Children, Families and Education**  
*(Item D4)*

RESOLVED that permission be granted to the proposal subject to conditions, including conditions covering the standard time limit; and the development being carried out in accordance with the submitted details, plans and specifications.

**36. Proposal SW/09/1215 - One form of entry. primary school to be developed in one phase with all external facilities including playgrounds, sports field and parking at open ground situated to the north of the B2231, Leysdown Road, close to the junction with Warden Bay Road, Leysdown on Sea, Sheerness; KCC Children, Families and Education.**  
*(Item D5)*

(1) Correspondence from Leysdown Parish Council and Mr and Mrs Wigglesworth (local residents) was tabled.

(2) RESOLVED that permission be granted to the proposal subject to conditions, including conditions covering a 5 year implementation period; the development being carried out in accordance with the permitted details; external materials to be agreed in writing by the County Planning Authority; specification and colour treatment of all fencing to be agreed in writing by the County Planning Authority; submission of a landscaping scheme and implementation within the first planting season following construction activities; measures to prevent mud and debris being tracked out onto the public highway; parking being made available on site for construction operatives and construction vehicles during construction works; vehicle and cycle parking (as proposed in the application) being provided prior to the first occupation of school; vehicular and pedestrian site entrance and exits being provided in accordance with approved details (including required visibility splays) prior to first occupation of the school; the provision of off-site highway works prior to first occupation of the school; the submission of a Travel Plan (including an implementation programme) prior to first occupation of the school; any clearance of vegetation taking place outside the bird breeding season (mid March to August inclusive) unless an ecologist is present; the implementation of biodiversity enhancement measures; hours of construction being limited to between the hours of 0800 to 1800 Monday to Friday and 0900 to 1300 on Saturday with no operations taking place on Sundays, Bank and Public Holidays; no external lighting being installed on the Multi Use Games Area without the prior written planning permission of the County Planning Authority; and an archaeological watching brief.

**37. Proposal SW/10/333 - Three mobile classrooms at The Westlands School, Westlands Avenue, Sittingbourne; KCC Children, Families and Education**  
*(Item D6)*

- (1) The Head of Planning Applications Group reported correspondence from Swale Borough Council raising no objection to the proposal subject to the building being orientated in the direction proposed.
- (2) RESOLVED that permission be granted to the proposal subject to conditions, including conditions requiring the mobile classrooms to be removed from the site no later than 5 years from the date of this permission; a restriction on the teaching usage of the mobile classrooms to subjects which do not involve amplified music; and requiring the orientation of the buildings to accord with the plans submitted, with no rear windows facing the boundary on Westlands Avenue.

### **38. County 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) consultations on applications submitted by District Councils and Government Departments;
- (c) County Council developments;
- (d) Screening opinions under Environmental Impact Assessment Regulations 1999; and
- (e) Scoping opinions under Environmental Impact Assessment Regulations 1999 (None).