

KENT COUNTY COUNCIL

PLANNING APPLICATIONS COMMITTEE

MINUTES of a meeting of the Planning Applications Committee held at Sessions House, County Hall, Maidstone on Tuesday, 9 October 2007.

PRESENT: Mr R E King (Chairman), Mr A R Bassam (Vice-Chairman), Mr J Curwood (substitute for Mrs S V Hohler), Mrs V J Dagger, Mr J A Davies, Mr T Gates, Mrs E Green, Mr C Hibberd, Mr G A Horne, MBE, Mr S J G Koowaree, Mr J F London, Mr T A Maddison, Mr R A Marsh, Mr J I Muckle, Mr W V Newman, Mr A R Poole, and Mr F Wood-Brignall.

OTHER MEMBERS: Dr T R Robinson

OFFICERS: The Head of Planning Applications Group, Mrs S Thompson (with Mr J Crossley); the Development Planning Manager, Mr A Ash; and the Democratic Services Officer, Mr A Tait.

UNRESTRICTED ITEMS

79. Minutes
(Item A3)

RESOLVED that the Minutes of the meeting held on 11 September 2007 are correctly recorded and that they be signed by the Chairman.

80. Clarification of Minute 07/74 in respect of Saturday use of all weather pitch and multi-use games area at Hugh Christie Technology College, White Cottage Road, Tonbridge
(Item A4 – Report by Head of Democratic Services)

(1) Mr R A Marsh moved, seconded by Mr T A Maddison that the decision on Saturday use recorded in Minutes 07/74 be confirmed.

Carried 14 votes to 2

(2) RESOLVED that the decision on Saturday use recorded in Minute 07/74 be confirmed.

81. Site Meetings and Other Meetings
(A5)

The Committee agreed to visit Skinners School, Tonbridge on Tuesday, 6 November 2007 and Dungeness on Monday, 12 November 2007.

82. Proposal DO/07/651 – Retention and renewal of a mobile classroom at Goodnestone CE Primary School, The Street, Goodnestone; KCC Children, Families and Education.

(Item D1 – Report by Head of Planning Applications Group)

(1) Mr G A Horne moved, seconded by Mr A R Poole that the recommendations of the Head of Planning Applications Group be agreed, subject to the temporary permission being for 2 years.

(2) Mr J I Muckle moved, seconded by Mr T A Maddison as an amendment that permission be granted for a temporary period of three years, commencing at the expiry of the previous permission in November 2006.

Amendment Carried 13 votes to 2

(3) Mr J F L London moved, seconded by Mr W V Newman as an amendment that the recommendation of the Head of Planning Applications Group for a three year temporary permission from the grant of planning permission be agreed.

Amendment Lost 4 votes to 8

(4) On being put to the vote, the substantive motion as amended by Mr Muckle and Mr Maddison was carried by 14 votes to 3.

(5) The Chairman also agreed that the Chairman should write to the relevant Cabinet Portfolio holder to express the Committee's concern at the number of retrospective planning applications received from LEA schools.

(6) RESOLVED that:-

(a) permission be granted to the proposal subject to the imposition of a condition requiring the building to be removed and the site restored within 3 years of the expiry of the previous planning permission in November 2006;

(b) the applicant be advised by informative that planning permission is granted for a continued period to enable the preparation of a scheme to provide more suitable permanent accommodation at the school. It is considered that the continued siting of the mobile building fails to enhance the character or appearance of the Conservation Area; and

(c) the Chairman write to the relevant Cabinet Portfolio Holder on the Committee's behalf to express its concern at the number of retrospective planning applications received from LEA Schools.

83. Proposal SW/07/902 – Creation of a children's centre within existing redundant space and minor internal works including the erection of a canopy in front of Cedar Block at Grove Park Primary School, Hilton Drive, Sittingbourne; KCC Children, Families and Education.

(Item D2 – Report by Head of Planning Applications Group)

RESOLVED that permission be granted to the proposal subject to conditions including the standard time limit; the development being carried out in accordance with the permitted details; details of the materials to be used to construct the canopy and buggy store; hours of use being restricted to 0800 to 1800 Monday to Friday; and implementation and ongoing review of a Green Travel Plan for the Centre.

84. Proposal SH/07/746 – Temporary positioning of a steel storage container at The Harvey Grammar School Sports Fields, Cherry Garden Avenue, Folkestone; Governors of The Harvey Grammar School and KCC Children, Families and Education.

(Item D3 – Report by Head of Planning Applications Group)

(1) Mr W Grudgings addressed the Committee in opposition to the proposal. He had previously provided supporting documents which were tabled. Mr S Hunnisett, Premises Manager of The Harvey Grammar School spoke in reply.

(2) In permitting the proposal, the Committee also agreed that the applicants should consider whether the location of the container could be adjusted to improve the view, but that this must not result in the container being located any nearer to the neighbouring properties. The Committee also agreed that space between the container and the wall should not be used for additional storage.

(3) RESOLVED that:

- (a) permission be granted to the proposal subject to conditions including conditions covering the standard time condition; the storage container being permitted for a time period of two years only; the development being carried out in accordance with the permitted plans; a scheme of landscaping being submitted; and no storage taking place between the container and the wall; and
- (b) the applicants be requested to consider whether the location of the container could be adjusted to improve the view (subject to it not being sited any nearer to adjoining properties).

85. County Matters dealt with under Delegated Powers

(Items E1-E6 – Reports by Head of Planning Applications Group)

RESOLVED to note reports on items dealt with under delegated powers since the last meeting relating to:-

- (a) County matter applications;
- (b) consultations on applications submitted by District Councils or Government Departments;
- (c) County Council developments;
- (d) detailed submissions under Channel Tunnel Rail Link Act 1996 (None);
- (e) screening opinions under Environmental Impact Assessment Regulations 1999; and
- (f) scoping opinions under Environmental Impact Assessment Regulations 1999 (None).

KENT COUNTY COUNCIL

PLANNING APPLICATIONS COMMITTEE

MINUTES of a meeting of the Planning Applications Committee held at Sessions House, County Hall, Maidstone on Tuesday, 6 November 2007.

PRESENT: Mr R E King (Chairman), Mr A R Bassam (Vice-Chairman), Mrs V J Dagger, Mr J A Davies, Mr J B O Fullarton, Mr T Gates, Mrs E Green, Mr C Hibberd, Mrs S V Hohler, Mr G A Horne, MBE, Mr S J G Koowaree, Mr J F London, Mr R A Marsh, Mr J I Muckle, Mr W V Newman, Mr A R Poole and Mr F Wood-Brignall.

OTHER MEMBERS: Mr R J Parry

OFFICERS: The Head of Planning Applications Group, Mrs S Thompson (with Mr M Clifton, Mr J Crossley and Mr J Wooldridge); the Development Planning Manager, Mr A Ash; and the Democratic Services Officer, Mr A Tait.

UNRESTRICTED ITEMS

86. Minutes
(Item A3)

RESOLVED that the Minutes of the meeting held on 9 October 2007 are correctly recorded and that they be signed by the Chairman.

87. Site Meetings and Other Meetings
(Item A5)

The Committee noted the arrangements for the site visit to Dungeness on 12 November 2007 and the training session on Heritage and Archaeology on 26 November 2007.

88. Planning Applications Group Business Plan 2007/08 – Half Year Progress Report
(Item B1 – Report by Head of Planning Applications Group)

RESOLVED that the half year progress against the current Business Plan be noted and that a further update report be given to the Committee in February.

89. Applications TM/07/512, TM/07/3001 and TM/07/3100 – (i) northern extension of existing quarry; (ii) additional time for duration of soil blending operations; and (iii) additional time for sand extraction and backfilling at Borough Green Sand Pit, Platt Industrial Estate, St Mary's Platt, Borough Green; Borough Green Sand Pits Ltd.
(Item C1 – Report by Head of Planning Applications Group)

(1) Mrs V J Dagger made a declaration of personal interest as she was representing the views of her constituents. She addressed the Committee in her capacity as local Member but took no part in the decision-making process.

(2) On being put to the vote, the recommendations of the Head of Planning Applications Group were carried by 12 votes to 2.

(3) RESOLVED that:-

- (a) subject to the prior satisfactory conclusion of a legal agreement to secure the Heads of Terms given in Appendix 7 of the report and the applicants meeting the County Council's reasonable legal costs associated with this agreement, permission be granted to Application TM/07/512 for the northern extension of the existing sand quarry and restoration to agriculture, amenity and woodland using imported inert waste materials, subject to conditions covering amongst other matters duration of the permission (until 31 December 2018); requirement for annual progress reports; maximum depth of extraction (68m AOD); wastes being restricted to those types set out in the application; hours of operation; noise limits; dust controls; lighting (to minimise visual impacts); vehicle movement restrictions (60 per day – 30 in/30 out); use of existing site access only; measures to minimise mud, dust and other debris being deposited on the highway (including vehicle sheeting); landscape planting and long term maintenance; protection of existing trees; removal of permitted development rights; more detailed working, restoration and aftercare schemes; surface water drainage; appropriate soil handling and storage; ecology; and archaeology and historic landscape;
- (b) in respect of Application TM/07/3101, permission be partially granted to vary Condition 1 of Permission TM/05/1672 to relax the time limit for soil blending operations to continue only in the final location on the site plan beyond 2008 to 31 August 2018 in order to meet the revised quarry restoration timescales proposed in Application TM/07/512 (above), subject to conditions covering amongst other matters a limit on operations until sand reserves are exhausted or the end of 2015 (whichever is the sooner); and existing conditions being replicated or amended as necessary;
- (c) permission be granted to part of Application TM/07/3100 to vary Condition 3 of Permission TM/98/1843/MR100, as amended by Permission TM/05/1173, to further relax the time limit for sand extraction and restoration by backfilling, to provide an amended timetable for implementation of restoration pursuant to Condition 2 of Permission TM/98/1843/MR100 subject to conditions covering amongst other matters duration of the Permission (until 31 December 2018); sand extraction being completed in the existing area before extraction commences in the proposed northern extension; and existing conditions being replicated or amended as necessary; and
- (d) permission be granted to part of Application TM/07/3100 to depart from the requirement of Condition 2 of Permission TM/98/1843/MR100 and for the amendment of the details of site buildings and associated facilities pursuant to Condition 21 of Permission TM/98/1843/MR100.

90. Application SH/06/1219 – Variation of Conditions 2, 3 and 13 and deletion of Condition 15 of Permission SH/98/332 for the extraction of sand and gravel at Allens Bank, off Dennes Lane, Lydd; Robert Brett and Sons Ltd.
(Item C2 – Report by Head of Planning Applications Group)

- (1) Mr F Wood-Brignall made a declaration of personal interest as he had previously given his views on the application. He addressed the Committee in his capacity as local Member but took no part in the decision-making process.
- (2) Correspondence from Lydd Town Council maintaining its objection was tabled.
- (3) The Committee agreed to the inclusion of an Informative to indicate that it would wish the operation to be concluded within 10 years of the granting of permission.
- (4) RESOLVED that:-
 - (a) permission be granted to the variation of Conditions 2, 3) and 13 and to the deletion of Condition 15 of Permission SH/98/322 subject to extraction of sand and gravel from the site taking place over a period of 10 years; the Scheme of Work providing for extraction to take place over 10 separate phases together with their progressive restoration upon the completion of extraction in each successive phase using imported inert waste materials; there being no restriction on where the extracted materials are subsequently exported; and to conditions including conditions requiring the progressive working and restoration of the site being carried out strictly in accordance with the application details as indicated on drawing no. AB/200 rev A. submitted with the letter from Davies Planning dated 30 March 2007; operations ceasing within 10 years from the date of the recommencement of sand extraction, and the site being restored within a further 12 months in accordance with the 'Further Revised Restorations & Landscape Assessment' undertaken on behalf of Brett Aggregates Ltd by Keith Funnell Associates dated February 2007 which accompanied the letter from Davies Planning dated 30 March 2007; written notice being given to the County Planning Authority at least 14 days prior to the recommencement of sand extraction at the site; and details of the proposed tree planting and seed mixes including those areas of the site to be reinstated as acid grassland being submitted to the County Planning Authority for approval within 3 months of the date of this Permission; and
 - (b) the applicant be advised of the following Informatives:-
 - (i) attention is drawn to the requirements of EDF Energy, Natural England and Network Rail as set out in their letters attached to this Application;
 - (ii) all other Conditions imposed on Permission SH/98/322 remain in effect; and
 - (iii) the Committee would wish to see the completion of operations within 10 years of the granting of permission.

- 91. Proposal SE/07/2536 – Replacement of boundary fencing from chestnut paling fence to 1.8m high green weld-mesh fence at Seal CE Primary School and Zambra Way, Seal, Sevenoaks; Governors of Seal CE Primary School and KCC Children, Families and Education**
(Item D1 – Report by Head of Planning Applications Group)

RESOLVED that permission be granted to the proposal subject to conditions, including conditions covering the standard time limit; the development being carried out in accordance with the permitted details; and the development being carried out in such a way as to avoid the removal of existing trees and shrubs.

- 92. Proposal DO/07/994 – Retention and renewal of consent for a four classroom mobile building with library, toilet and staff facilities at The Downs CE Primary School, Owen Square, Walmer; Governors of The Downs CE Primary School and KCC Children, Families and Education**
(Item D2 – Report by Head of Planning Applications Group)

RESOLVED that:-

- (a) permission be granted to the proposal subject to conditions including conditions covering the removal of the mobile building by 30 November 2010 and reinstatement of the land to its former use; and the development being carried out in accordance with the permitted plans; and
- (b) the applicant be advised by Informative that:-
 - (i) the further period of retention of three years is on the proviso that urgent progress will be made with regard to the development of a scheme to provide appropriate permanent teaching accommodation at the earliest opportunity; and
 - (ii) the Managing Director of Children, Families and Education is strongly advised to include this school in the Modernisation Programme for replacement of temporary accommodation.

- 93. Proposal SW/07/1069 – Retrospective application to retain a 1.2m high fence on top of the existing boundary wall at Minster College, Minster Road, Minster-on-Sea, Sheerness; Governors of Minster College and KCC Children, Families and Education**
(Item D3 – Report by Head of Planning Applications Group)

RESOLVED that:-

- (a) permission be refused on the grounds that by virtue of its scale, massing and bulk, and the visual appearance of the chosen colour scheme, the fence would have an overbearing visual impact to the detriment of both the street scene and residential properties along Parsonage Chase, contrary to Structure Plan Policy QL1 and Local Plan Policy G1; and
- (b) given the retrospective nature of the application, urgent steps be taken to remove the timber boarded fence, and that this case be reported to Regulation Committee at the next available date.

94. Proposal SE/07/1914 – Demolition of Garage Cottages and erection of new two storey teaching block, extension to existing Knoll Block and erection of four new single storey residential blocks, plus associated hard landscaping works at Valence School, Westerham Road, Westerham; KCC Children, Families and Education.

(Item D4 – Report by Head of Planning Applications Group)

(Mr R J Parry was present for this item and spoke pursuant to Committee Procedure Rule 2.24).

- (1) The Head of Planning Applications Group reported correspondence from Sevenoaks District Council maintaining its objection to the proposal, and the views of Westerham Parish Council and Natural England raising no objections.
- (2) On being put to the vote the recommendations of the Head of the Planning Applications Group were carried unanimously.
- (3) RESOLVED that:-
 - (a) the application be referred to the Secretary of State for Communities and Local Government and that subject to her decision and satisfactory resolution of the outstanding issues on contamination and ecology, permission be granted to the proposal subject to conditions, including conditions covering the standard time limit, the development being carried out in accordance with permitted details; external materials; submission for approval of details and implementation and subsequent maintenance of landscaping proposals; submission for approval of details and implementation of proposed woodland management; implementation of appropriate tree protection measures; external lighting specifications being agreed; submission for approval of specifications and implementation of programmes of archaeological work and building recording before development takes place; submission for approval of details of foul and surface water drainage; measures to deal with ground contamination; ecological/protected species mitigation, monitoring and management; biodiversity enhancement, monitoring and management, as appropriate; and measures to prevent mud and debris being taken onto the public highway; and
 - (b) the applicant be advised by Informative that account should be taken of the Environment Agency's advice relating to drainage, groundwater protection and in how to deal with contaminants.

95. Proposal DA/07/672 – Single storey modular building for use as a Children's Centre at Knockhall Community Primary School, Eynsford Road, Greenhithe; KCC Children, Families and Education.

(Item D5 – Report by Head of Planning Applications Group)

- (1) Correspondence from Swanscombe and Greenhithe Town Council was tabled maintaining its objection to the proposal and requesting a Members' site visit.
- (2) RESOLVED that permission be granted to the proposal subject to conditions, including conditions covering the standard time limit for implementation; sample of the render; the fencing being finished in green to match the existing fencing;

protection of trees during construction; replacement trees if any are removed; and the development being carried out in accordance with the permitted details.

- 96. Proposal AS/07/1395 – Single storey modular building for use as a Children’s Centre, car parking to existing school to be designated to Children’s Centre and spaces lost by development to be re-provided on school hard play; hard play to be re-provided on soft landscaping at East Stour Primary School, Earlsworth Road, Willesborough; KCC Children, Families and Education.**
(Item D6 – Report by Head of Planning Applications Group)

RESOLVED that permission be granted to the proposal subject to conditions, including conditions covering the standard time limit; the development being carried out in accordance with the permitted details, details of external materials being submitted; details of a scheme of landscaping being submitted; details of cycle parking; details confirming that the development will achieve a sustainable and energy efficient building; details of foul and surface water drainage; replacement car parking being provided prior to commencement of use of the Centre; details of anti-climb measures/ barriers being submitted and installed on the building; hours of use for the Children’s Centre being restricted to 0800 to 1800 Monday to Friday; the use of the building being restricted specifically to use as a Children’s Centre only; and submission, implementation and ongoing review of a Travel Plan for the Children’s Centre.

- 85. County Matters dealt with under Delegated Powers**
(Items E1-E6 – Reports by Head of Planning Applications Group)

RESOLVED to note reports on items dealt with under delegated powers since the last meeting relating to:-

- (g) County matter applications;
- (h) consultations on applications submitted by District Councils or Government Departments;
- (i) County Council developments;
- (j) detailed submissions under Channel Tunnel Rail Link Act 1996 (None);
- (k) screening opinions under Environmental Impact Assessment Regulations 1999; and
- (l) scoping opinions under Environmental Impact Assessment Regulations 1999 (None).