

KENT COUNTY COUNCIL

PLANNING APPLICATIONS COMMITTEE

MINUTES of a meeting of the Planning Applications Committee held at Sessions House, County Hall, Maidstone on Tuesday, 16 May 2006.

PRESENT: Mr R E King (Chairman), Mr A R Bassam (Vice-Chairman), Mr A R Chell (substitute for Mrs V J Dagger), Mr J A Davies, Mr J B O Fullarton, Mr T Gates, Mrs E Green, Mr S J G Koowaree, Mr T A Maddison, Mr R F Manning, Mr R A Marsh, Mr J I Muckle, Mr W V Newman, Mr A R Poole, Ms B J Simpson, Mrs P A V Stockell, Mr R Tolputt (substitute for Mr G A Horne) and Mr F Wood-Brignall.

OTHER MEMBERS: Mr A D Crowther, Mrs V J Dagger, Mr D S Daley and Mr M J Fittock.

OFFICERS: The Head of Planning Applications Group, Mr B J Murphy (with Mr J Crossley and Mrs A Hopkins); the Transportation Manager, Mr R Dines; and the Democratic Services Officer, Mr A Tait.

UNRESTRICTED ITEMS

30. Minutes
(Item A2)

RESOLVED that the Minutes of the meeting held on 11 April 2006 are correctly recorded and that they be signed by the Chairman.

31. Site Meetings and Other Meetings
(Item A3)

The Committee agreed to visit Blaise Farm, Offham on Thursday, 8 June 2006 and Conways Waste Facility, Dartford on Tuesday, 20 June 2006.

32. Planning Applications Group Business Plan
(Item B1 – Report by Head of Planning Applications Group)

RESOLVED that the report be endorsed

33. Application SH/05/53/R2 & R5 – Details submitted pursuant to Condition 5 of Permission SH/05/53: Code of Construction Practice which refers to the matters that are required to be covered, details of the mitigation and management of construction at New Romney and Greatstone-on-Sea Waste Water Treatment Scheme; Southern Water
(Item C1 – Report by Head of Planning Applications Group)

(1) The Head of Planning Applications Group reported the receipt of correspondence from Lydd Town Council raising no objection to the application.

(2) Correspondence from New Romney Town Council raising no objection to the application was tabled.

(3) Mr J Mott, a local resident spoke in opposition to the application. Mr R Tedman from Four Delivery spoke in reply.

(4) RESOLVED that:-

- (a) approval be given to the proposed amendments to the Construction and Traffic Management Plan subject to conditions including the submission of a highway condition survey; the full reinstatement of the highway should damage occur during construction; maintaining accessibility to Public Rights of Way at all times; and all other details within the Code of Construction Practice remaining the same; and
- (b) the applicant be advised that all staff working on site must be made aware of the importance and fragility of the adjoining designated site to ensure that accidental damage does not occur and that road closures should only be used as a last resort.

34. Application TM/03/2563 – Development of new factory to manufacture aerated concrete products with outside storage, parking, new access and associated facilities at Ightham Sandpit, Borough Green Road, Ightham, Sevenoaks
(Item C2 – Report by Head of Planning Applications Group)

(Mrs V J Dagger was present for this item pursuant to Committee Procedure Rule 2.24 and spoke)

(1) The Chairman vacated the Chair for this item and left the Chamber on the grounds that he had on many occasions in the past expressed his views on the Borough Green Bypass. Mr A R Bassam chaired this item in his absence.

(2) The following correspondence was tabled: letters of support from Mrs S Murray, Mr D Evans, Borough Green Traffic Action Group, Mr G Darby, Mr R Poulter, Platt Parish Council, Mrs S Martin, Mr C Willsher, Mr J McWilliam, Mr and Mrs C Brown, Mr A Sayer, Mr and Mrs S Rayner; letters of opposition from Mr M Coffin, Mr P Gillin, Mrs G Bowden, Mr D Elvidge; correspondence from the applicants, H & H Celcon and their Planning Consultants, Barton Willmore.

(3) The Head of Planning Applications Group reported further correspondence from English Nature confirming that discussions and surveys relating to Refusal ground (v) on page C2.10 of the report were ongoing.

(4) The Head of Planning Applications Group informed the Committee that Tonbridge & Malling Borough Council had stressed that the comments attributed to their Head of Development Control were inaccurate and that the Borough Council's view on the application remained as stated.

(5) The following people addressed the Committee:-

- (a) Mr M Taylor and Mr J McWilliam from Borough Green Action Group (in support);
- (b) Mr P Gillin from Keep Boroughs Green (in opposition);
- (c) Mr R Searle from Platt Parish Council (in support);
- (d) Mr H Rayner from Wrotham Parish Council (in opposition);
- (e) Mr C Willsher from Borough Green Parish Council (in support);
- (f) Mrs G Bowden from Ightham Parish Council (in opposition); and
- (g) Mr S Brittle from H & H Celcon (in reply).

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(6) Mr A R Chell moved, seconded by Mr R Tolputt that the recommendation contained in paragraphs 36 to 39 of the report be agreed.

Lost 12 votes to 4

(7) The Head of Planning Applications Group recommended to the Committee that if it was minded to approve the application it should do so subject to the caveats and conditions set out in (9) below.

(8) Mr J I Muckle moved, seconded by Mr J A Davies the motion set out in (9) below.

Carried 12 votes to 4.

(9) RESOLVED that for the reasons set out in (e) below the application be referred to the Secretary of State as a departure from the Development Plan and that, subject to her giving no direction to the contrary, permission be granted to the application subject to, inter alia:-

- (a) prior completion of a tripartite section 106 Agreement to make provision for:-
 - (i) H & H Celcon funding and, in conjunction with CEMEX , making available land to enable completion of the Borough Green and Platt Bypass prior to the opening of the new factory;
 - (ii) improvement works to the White Hill roundabout;
 - (iii) various improvements on the A227 to improve road safety at Wrotham School (specifically movement of a pedestrian crossing);
 - (iv) traffic calming measures on the A25 between Dark Hill roundabout and the A25/A20 junction (to be agreed in consultation with the Divisional Transportation Manager);
 - (v) H & H Celcon meeting KCC's reasonable legal costs associated with the agreement;
- (b) the applicants providing within three months (or such longer period as may be agreed) of this Committee meeting further details to address the following outstanding matters: landscaping; ecology; groundwater; noise; and any other matters that may arise, to the satisfaction of the Head of Planning Applications Group;
- (c) the imposition of appropriate conditions including amongst other matters those covering areas recommended by Tonbridge & Malling Borough Council to control the day-to-day operation of the site, restoration works and other environment controls and in relation to the details submitted pursuant to (b) above. These include a grampian condition requiring the prior completion of the Borough Green Bypass before the opening of the new factory;
- (d) the Head of Planning Applications Group be given delegated authority to determine whether any of the matters set out in (c) above are more correctly covered by way of legal agreement as opposed to conditions, including any further matters which may need to be conditioned following further discussions with the applicant; and
- (e) the very special circumstances that exist to override the presumption against inappropriate development include:-

- (i) the landscape character and nature of land at this particular location does not contribute to AONB designation;
- (ii) land at the bottom of the Downs Escarpment has a legacy of industrial development associated with mineral working, paper manufacture and associated industry – this land is located on the periphery of this zone. From within the better parts of the AONB and the higher ground, the impact of the development would not be highly visible;
- (iii) the proposed development would generate significant employment (during construction and ongoing) which would add to the vibrancy of a sustainable local community and reduce reliance on out-commuting from the County;
- (iv) the provision of funding for the construction of the remainder of the Borough Green and Platt Bypass via a Section 106 Agreement would provide significant environmental and quality of life benefits to a large number of residents within Borough Green and Platt; and
- (v) the offer by the Applicants to fund the completion of the Borough Green and Platt Bypass represents the only realistic possibility of being able to secure the complete funding (via developer contributions) in accordance with emerging Policy TP7 of the Kent and Medway Structure Plan.

35. Applications TM/06/806 and MA/06/457 – Continuation of development without compliance with Condition 5 of Permissions TM/98/1428 and MA/98/1212 and submission of details pursuant to Conditions 3,11 and 13 in respect of minor amendments to the approved plant site layout, amendment to the phasing of landscaping, and relaxation of the requirement for the full implementation of the approved landscaping and restoration scheme prior to the importation of waste materials at Allington Quarry, Laverstoke Road, Allington, Maidstone; Kent Enviropower Ltd
(Item C3 – Report by Head of Planning Applications Group)

- (1) The Head of Planning Application Group reported that Mid Kent Water had withdrawn its objection to the application.
- (2) RESOLVED that:-
 - (a) approval be given to the details submitted pursuant to Conditions 3, 11 and 13 of Permissions TM/98/1428 and MA/98/1212 for amendments to the approved plant site layout; phasing of the approved landscaping and restoration scheme; and the relaxation of the requirement for its full implementation prior to the importation of waste to the site; and
 - (b) permission be granted to Applications TM/06/806 and MA/06/357 for the continuation of the development without complying with Condition 5 of Permissions TM/98/1428 & MA/98/1212.

36. Proposal MA/06/118 – Construction of all weather football pitch with associated fencing and floodlighting at Maplesden Noakes School, Buckland Road, Maidstone; Governors of Maplesden Noakes School and KCC Children, Families and Education

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

(Mr D S Daley was present for this item pursuant to Committee Procedure Rule 2.24 and spoke)

- (1) The Head of Planning Applications Group reported the views of Mr J Curwood (one of the two local Members) supporting the proposed development.
- (2) Mrs D Goacher and Dr J White addressed the Committee in opposition to the proposal. Mr J Matthews from GDM spoke in reply.
- (3) Mr T A Maddison moved, seconded by Mr A R Poole that the recommendations of the Head of Planning Application Group in paragraphs 36 and 37 of the report be agreed subject to the hours of use set out in (4) below.

Carried unanimously

(4) RESOLVED that:

- (a) permission be granted to the proposal subject to conditions including the development being carried out strictly in accordance with the approved plans; the submission and implementation of a landscaping scheme; the hours of use of the pitch and floodlights being limited to 0800 to 2130 on weekdays, 0900 to 1800 on Saturdays and 0930 to 1400 on Sundays and Bank Holidays; the floodlights being extinguished when not required for all or part of the pitch and operated at the proposed Lux level at all times; an archaeological watching brief being carried out prior to commencement of operations; and details of surface materials for the proposed pitch being submitted prior to work being commenced; and
- (b) the applicant be informed of the need to ensure that the existing drainage systems are well maintained and of sufficient capacity to cope with any additional flow or loading that may occur as a result of this proposal.

37. Proposal TW/06/365 – Demolition of part of E Block and construction of a multi-purpose hall with associated changing accommodation and 1st floor classroom, alteration to existing car park, creation of bus turning point and temporary site access at Mascalls School, Maidstone Road, Paddock Wood; Governors of Mascalls School and KCC Children, Families and Education

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

RESOLVED that subject to the further views of the Environment Agency and the submission of additional drawings regarding the temporary access, permission be granted to the proposal subject to conditions including the standard time condition; the development being carried out in accordance with the approved plans; the submission and prior approval of samples of external materials; the submission of a landscaping scheme prior to commencement of the development; the installation of signs to warn of the construction access; and controls over hours of use of the construction access and delivery of materials.

- 38. Proposal DA/05/768 – Two storey extension to existing school building comprising facing brick external walls and pitched tiled roof to match the existing roof and provision of additional classroom facilities. Internal rationalisation of existing building and external ramparts to improve DDA provisions at Sedley’s CE Primary School, Church Street, Southfleet; KCC Children, Families and Education**

(Item D3 – 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; external materials being submitted for approval; details of joinery being submitted for approval; hours of working during construction; recommendations of the protected species survey being followed; a programme of archaeological work and building recording; sheds being removed upon completion of the of the extension; and details of reinstatement boundary treatment.

- 39. Proposal SW/06/218 – Retrospective application for the installation of CCTV poles and cameras at Minster-in-Sheppey Primary School, Brecon Chase, Minster-on-Sea, Sheerness; Governors of Minster-in-Sheppey Primary School and KCC Children, Families and Education**

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

(Mr A D Crowther was present for this item pursuant to Committee Procedure Rule 2.24 and spoke)

(1) Mr E Birchmore, a local resident addressed the Committee in opposition to the proposal. Mrs G Williams, Chairman of Governors of Minster-in Sheppey Primary School spoke in reply.

(2) RESOLVED that permission be granted to the proposal subject to a condition requiring that the cameras will only be repositioned with the written approval of the County Planning Authority.

- 40. Proposal SW/06/351 – Retrospective application for the levelling of existing school playing field at Minster-in-Sheppey Primary School, Brecon Chase, Minster-on-Sea, Sheerness; Governors of Minster-in-Sheppey Primary School and KCC Children, Families and Education**

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

(Mr A D Crowther was present for this item pursuant to Committee Procedure Rule 2.24 and spoke)

(1) Mr E Birchmore, a local resident addressed the Committee in opposition to the proposal. Mrs G Williams, Chairman of Governors of Minster-in Sheppey Primary School spoke in reply.

(2) In agreeing to the Head of Planning Applications Group’s recommendations, the Committee stressed that the boundary scheme should comprise a hedge with mature plants.

(3) RESOLVED that permission be granted to the proposal subject to the imposition of conditions, including the submission of a landscaping and boundary scheme (to comprise a hedge with mature plants); and the timing of community use.

41. Proposal SE/03/2186/R7 – Details of external lighting pursuant to Condition 7 of Permission SE/03/2186 for a new arts and media centre, additional car parking, bus and drop off laybys at Hextable School, Egerton Avenue, Hextable; Governors of Hextable School and KCC Children, Families and Education

(Item D6 – Report by Head of Planning Applications Group)

- (1) Mr T A Maddison made a declaration of personal interest as a friend of one of the objectors and took no part in the debate or the decision.
- (2) The Head of Planning Applications Group reported the views of Mr M J Fittock, the local Member.
- (3) Miss N Avis, a local resident addressed the Committee in opposition to the proposal. Mr R Whistler, Principal of Hextable Dance spoke in reply.
- (4) RESOLVED that the details of the external lighting be approved as amended and amplified in the report.

42. County Matters Dealt with under Delegated Powers

(Items E1-6 – 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 Matters applications;
- (b) consultations on applications submitted by District Councils or Government Departments;
- (c) County Council developments;
- (d) detailed submissions under the 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).