

KENT COUNTY COUNCIL

PLANNING APPLICATIONS COMMITTEE

MINUTES of a meeting of the Planning Applications Committee held at Sessions House, County Hall, Maidstone on Tuesday, 13 February 2007.

PRESENT: Mr R E King (Chairman), Mr A R Bassam (Vice-Chairman), Mr J A Davies, Mr J B O Fullarton, Mr T Gates, Mrs E Green, Mrs S V Hohler, Mr G A Horne, 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 Mrs P A V Stockell.

OTHER MEMBERS: Mr M J Angell and Mr D Smyth.

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

UNRESTRICTED ITEMS

15. Minutes

RESOLVED that the Minutes of the meeting held on 17 January 2007 are correctly recorded and that they be signed by the Chairman.

16. Site Meetings and Other Meetings (Item A3)

(1) The Committee agreed that the site visit to the Composting plant at Lydden, Nr Dover would be postponed to Monday, 26 March 2007.

17. Applications AS/06/04 and 05 – (i) Permanent retention of existing railhead and importation of aggregate and demolition and construction waste together with associated processing plant including crushing and screening plant, concrete batching plant and storage silos for hot roadstone; (ii) construction and operation of a waste transfer station at Sevington Railhead, Waterbrook Park, Ashford; Robert Brett and Sons Ltd.

(Item C1 - Report by Head of Planning Applications Group)

RESOLVED that subject to the satisfactory completion of a legal agreement to secure the Heads of Terms as set out in Appendix 4 of the report, permission be granted to the application subject to conditions including hours of working, including peak hour restrictions; number of vehicle movements; landscaping and floodlighting; noise, dust and odour controls; archaeological investigation; drainage; footpath diversions; and ecological mitigation.

18. Proposal AS/06/2071 – Detached three storey block of 36 extra care apartments for the elderly with associated communal facilities together with access from Eastern Avenue, car parking and landscaping at Land at Hopkins Field, Eastern Avenue, Ashford; KCC Adult Services and Housing 21
(Item D1 – Report by Head of Planning Applications Group)

(1) The Acting Head of Planning Applications Group informed the Committee that the figure for surplus spoil removal set out in paragraph 33 of the report should read “4,500 cubic metres”.

(2) The Acting Head of Planning Applications Group agreed to investigate whether more space could be created by removing an obsolete substation as suggested by a resident from Eastern Avenue.

(3) RESOLVED that:-

- (a) 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; tree protection and methodology for working in close proximity to trees; implementation of a comprehensive scheme of both hard and soft landscaping and boundary treatment, and maintenance of planting; details of retaining walls; finished floor levels, and site levels and contours; external lighting; ecological surveys and mitigation measures; hours of working during spoil removal and construction; measures to prevent mud and debris being taken onto the public highway; contractors compound, temporary site accommodation and vehicle parking; provision of and safeguarding of access and car parking and turning areas; drainage; and the development only being used for the purpose set out in the application as Extra Care Accommodation; and
- (b) the applicant be advised by informative that account should be taken of the comments made by the Environment Agency relating to drainage, water conservation, and storage of fuel, oil & chemicals.

19. Proposal SH/06/1287 – Demolition of existing buildings and erection of a detached three storey block of 39 extra care apartments for the elderly and a two-storey block of 7 supported apartments for people with learning difficulties, with associated communal facilities together with car parking and landscaping at Whitegates, Hythe; KCC Adult Services and Housing 21
(Item D2 – Report by Head of Planning Applications Group)

(1) Correspondence from Mrs P Cooper, Mrs J Hannah, Mrs P Hutchinson (local residents) was tabled together with the views of Mr C J Capon (local Member), Shepway District Council and Hythe Town Council.

(2) Mrs D Maskell addressed the Committee on behalf of Hythe Town Council, Mrs P Hutchinson spoke in objection, Mr C Raynesford of Calforseaden spoke in reply on behalf of the applicants.

(3) The Acting Head of Planning Applications Group informed the Committee that according to the provisions of PPS 25, the application would be referred to GOSE if the Environment Agency maintained its objection.

(4) On being put to the vote, the recommendations of the Acting Head of Planning Applications Group were carried by 10 votes to 6.

(5) RESOLVED that:-

- (a) subject to the submission of an acceptable tree protection plan, and to the withdrawal of its objection by the Environment Agency, permission be granted to the proposal subject to conditions including the standard time condition; submission of details of materials; submission of a detailed landscaping scheme, including fencing details, and boundary treatment; provision of cycle parking; hours of use for construction; measures to minimise dust disturbance; measures to ensure mud is not deposited on the highway; programme of archaeological work needed; a permanent unobstructed route from the ground floor to the second floor being provided for residents to be used should flooding occur; and the development being constructed strictly in accordance with approved plans; and
- (b) it be noted that in the event that the Environment Agency maintains its objection, the application will be referred to GOSE for its determination.

20. Proposal TH/06/1300 – Demolition of existing building and erection of a two storey detached building comprising 7 supported apartments for people with mental health issues, with communal space together with access and car parking at former Tram Shed and part of rear garden of Westbrook House, 150 Canterbury Road, Margate; KCC Adult Services and Housing 21
(Item D3 – Report by Head of Planning Applications Group)

(1) Mr J B O Fullarton made a declaration of personal interest as a Mental Health Manager with the NHS Trust. He took no part in the decision-making process.

(2) Correspondence from Mr and Mrs Fusco was table together with a response from Mr James Amos of Calforseaden.

(3) Mr A Fusco (a local resident) addressed the Committee in opposition to the proposal, Mr J Amos of Calforseaden spoke in reply.

(4) The Committee agreed the recommendations of the Acting Head of Planning Applications Group subject to the provision of extra screening to mitigate the effects of the loss of the Tram Shed and to a request to the applicants to prevent members of staff from smoking on the fire escape balcony opposite 146 Canterbury Road.

(5) RESOLVED that:-

- (a) permission be granted to the proposal subject to the imposition of conditions including the standard time restrictions; the development being carried out in accordance with the approved plans; a programme of building recording; a programme of archaeological work; the submission of a landscape scheme for approval, including additional screening to mitigate the effects of the loss of the tramshed; the re-use of the cobbled entrance and tram tracks within the general landscaping; a boundary wall to be provided to 1.8m in height; the submission of a further ground contamination report(s) and completion of remedial work; hours of operation during construction and demolition; a programme for the control of construction traffic and access; details of the contractors' compound; incorporation of dust suppression measures;

measures to ensure no mud is deposited on the public highway; details of all works within the public highway, including the permanent closure of the existing vehicle access to the tram shed site from Canterbury Road; details of the pedestrian access arrangements proposed; the submission of an external lighting scheme; the provision of car parking spaces prior to the first occupation; and; details of cycle parking and bin store; and

- (b) the applicant be advised by informative of the concerns raised about loss of amenity and privacy, including members of staff smoking on the fire escape balcony opposite 146 Canterbury Road, and the need to provide strong boundary screening to the eastern boundary through hard and soft landscaping.

21. Proposal AS/06/2179 – Two-storey detached building comprising 7 supported apartments for people with learning difficulty, with communal space together with car parking and landscaping at Land to the north of Westchurch House, Godfrey Walk, Ashford; KCC Adult Services and Housing 21
(Item D4 – Report by Head of Planning Applications Group)

(Mrs M J Angell and Mr D Smyth were present for this item pursuant to Committee Procedure Rule 2.24 and spoke)

(1) The Acting Head of Planning Applications Group reported the further views of Ashford BC and informed the Committee that the second grounds for refusal, set out in paragraph 64 of the report had been resolved satisfactorily.

(2) RESOLVED that permission be refused on the grounds that the Flood Risk Assessment accompanying the application fails to demonstrate that the proposed development would be safe, without increasing flood risk elsewhere. Under the circumstances, the development of the site as proposed within a high risk flood zone would be contrary to the guidance set out in Planning Policy Statement 25, Policy NR10 of the Kent and Medway Structure Plan 2006, Policy CF3 of the Ashford Borough Local Plan 2000, Policy CS19 of the Ashford Borough Council Local Development Framework Core Strategy (November 2006), and the advice contained in the Ashford Borough Local Development Framework Core Strategy Document: Strategic Flood Risk Assessment (SFRA) (October 2006).

22. Proposal SH/06/1386 - Reinstatement of brick piers, railings and new gates to surround cycle enclosure at St Eanswythe CE (Aided) Primary School, Church Street, Folkestone; Governors of Eanswythe Primary School and KCC Children, Families and Education.

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

(1) Correspondence from the Bayle Residents' Association was tabled.

(2) RESOLVED that planning permission be granted to the proposal subject to conditions requiring the replanting of the magnolia tree in St Mary & Eanswythe Churchyard; and the development being carried out in accordance with the approved plans.

23. Proposal DO/06/1424 – Retrospective application for the relocation of earth mound and slide, including ancillary works on landscaping and fencing at Cartwright and Kelsey Primary School, School Road, Ash, nr Canterbury;

Governors of Cartwright and Kelsey Primary School and KCC Children, Families and Education.

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

(1) Correspondence from Sue Chantler, Chairman of Governors at Cartwright and Kelsey (CE Aided) Primary School was tabled.

(2) RESOLVED that permission be refused on the following grounds:-

- (a) the earth mound and slide, along with the proposed ancillary works including landscaping and fencing, would have a detrimental impact on the adjoining residential properties due to its scale and massing, contrary to Policy QL1 of the Kent and Medway Structure Plan; and
- (b) the retrospective development would be detrimental to visual amenity, which would affect the neighbouring residents' enjoyment of their homes from an inappropriately sited development in close proximity to their boundary, contrary to Policies CF1 & DD1 of the Adopted Local Plan.

24. Proposal SE/06/2478 – Ten-bay performing art and drama mobile classroom at The Bradbourne School, Bradbourne Vale Road, Sevenoaks; Governors of The Bradbourne School and KCC Children, Families and Education.

(Item D7 – Report by Head of Planning Applications Group)

RESOLVED that consideration of this matter be deferred pending a Members' site visit.

25. County Matters dealt with under Delegated Powers

(Item 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 1996 (None);
- (e) screening opinions under Environmental Impact Assessment Regulations 1999 (None); and
- (f) scoping opinions under Environmental Impact Assessment Regulations 1999 (None).