

## 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, 14 February 2012.

PRESENT: Mr J A Davies (Chairman), Mr C P Smith (Vice-Chairman), Mr R E Brookbank, Mr A R Chell, Mr T Gates, Mr W A Hayton, Mr C Hibberd, Mr P J Homewood, Mr J D Kirby, Mr R J Lees, Mr J F London, Mr S C Manion, Mr R F Manning, Mr R J Parry, Mr R A Pascoe, Mr M B Robertson and Mr A T Willicombe

ALSO PRESENT: Mr M J Whiting

IN ATTENDANCE: Mrs S Thompson (Head of Planning Applications Group), Mr J Crossley (Team Leader - County Council Development), Mr J Moat (Planning Officer), Mr R White (Development Planning Manager) and Mr A Tait (Democratic Services Officer)

#### UNRESTRICTED ITEMS

##### **6. Minutes - 17 January 2012**

*(Item 4)*

RESOLVED that the Minutes of the meeting held on 17 January 2012 are correctly recorded and that they be signed by the Chairman.

##### **7. Site Meetings and Other Meetings**

*(Item A4)*

(1) The Committee noted that it would receive training on the implications of the Localism Act following the meeting.

(2) The Committee also agreed to hold a site meeting concerning the Cryalls Lane, Sittingbourne planning application on Wednesday, 4 April 2012 and a site visit on Tuesday, 10 April 2012 at the land off Pluckley Road, Charing that was the subject of a sand extraction and processing application.

##### **8. Proposal SH/11/969 (KCC/SH/0418/2011) - Change of use from A2 to D1 within Use Classes Order to provide educational facility for up to 20 students at 106 Cheriton Road, Folkestone; KCC Property Group**

*(Item D1)*

(1) In agreeing the recommendations of the Head of Planning Applications Group, the Committee clarified that the limit on the number of students would be 20.

(2) RESOLVED that permission be granted to the application subject to conditions, including conditions covering a 5 year implementation period; the permitted change of use being only the change of use applied for; no external changes being made to the appearance of the building; the facility only being

occupied during normal school hours and term time, with no use during evenings and weekends; a limit on the number of students to a maximum of 20; and no amplified music being played within the premises.

**9. Proposal TH/11/587 (KCC/TH/0257/2011) - Artificial sports pitch and 4-court Multi-Use Games Area with floodlighting and grass cycle circuit and cycle challenges on existing sports field adjacent to Ursuline College for use by Ursuline College at King Ethelbert School, Canterbury Road, Birchington; Governors of Ursuline College**  
*(Item D2)*

(1) Mr C Hibberd informed the Committee that he was the Local Member in the neighbouring constituency and that his wife had been a member of Ursuline College's Governing Body until five years earlier. This did not constitute a personal or prejudicial interest and he was also able to approach the determination of this application with a fresh mind.

(2) The Committee noted that the first word of line four of paragraph 24 of the report should read "Countryside."

(3) RESOLVED that:-

- (a) subject to the conclusion of the agreement set out in the report between Ursuline College and Kent County Council Highways and Transportation regarding the transfer of funds for any required highway improvement works to the A28, permission be granted to the proposal subject to conditions, including conditions covering a 3 year time limit for implementation; the development being carried out in accordance with the permitted details; fencing and surfacing being installed in accordance with the submitted details; precise details of the cycle sports challenges being submitted; the protection of those trees which are being retained; the precautionary approach with regard to the clearance of undergrowth in order to safeguard reptiles being adhered to; the conclusions and recommendations made within the submitted Ecological Survey Report being adhered to; hours of use during out of school hours being restricted to between 1800 and 2100 Mondays to Fridays, and between 0900 and 1900 on Saturdays, Sundays & Bank Holidays; the site being vacated within 15 minutes of its last use; the site being secured when not in use; all lighting on site being extinguished by 2100 on Mondays to Fridays, 1900 on Saturdays, Sundays and Bank Holidays, or 15 minutes after last use of the facility if this is earlier; the extinguishment of lighting when the pitch/MUGA is not in use; the level of use of the facilities according with the submitted details; lighting being installed in accordance with the approved details, and checked for compliance on site; lighting levels not exceeding those specified within the application; no further lighting being installed without planning permission; the acoustic barrier being erected in accordance with the submitted details prior to first use of the facility, and being retained and maintained thereafter; the Ursuline College Site Parking and Management Strategy being adhered to; parking being available during out of school hours for use associated with the school

and wider community use; the submission of a sustainable surface water drainage scheme; the implementation of a programme of archaeological work, in accordance with a written specification and timetable; details of foundations and below ground excavations being submitted for consideration prior to commencement of the development; hours of working during construction being restricted to between 0800 and 1800 Mondays to Fridays and 0900 and 1300 on Saturdays, with no operations on Sundays and Bank Holidays; measures to prevent mud and debris on the highway; and the submission of a Construction Management Strategy; and

- (b) the applicant be advised by Informative that:-
- (i) account should be taken of the Environment Agency's advice relating to drainage and soakaways; and
  - (ii) Ursuline College should adhere to the terms detailed within their statement dated 22 November 2011 and their subsequent agreement with Kent County Council Highways and Transportation, to provide a £6000 contribution to Kent County Council Highways and Transportation prior to the facility being used for wider community use.

**10. Proposal GR/11/961 (KCC/GR/0437/2011) - Change of use of the Chestnut Room in The Visitors Centre to permit dual use for both educational activities and functions at Shorne Woods Country Park, Brewer Road, Shorne; KCC Country Parks**  
*(Item D3)*

- (1) The Committee noted correspondence from the Local Member, Mr M V Snelling raising no objection to the proposal.
- (2) 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; the uses of the Chestnut Room being solely for those applied for, with no other uses taking place unless otherwise agreed in writing by the County Planning Authority; and hours of use of the Chestnut Room being limited to 0800 to 2200 hours seven days a week (including Bank/Public Holidays).

**11. Proposal SW/11/1451 (KCC/SW/0410/2011) - Retention of single and double classroom buildings and temporary PTA store at Tunstall CE (Aided) School, Tunstall Road, Tunstall, Sittingbourne; Governors of Tunstall CE (Aided) School**  
*(Item D4)*

- (1) Mr A T Willicombe informed the Committee that he was a Member of Swale Borough Council but had taken no part in its discussions of the proposal. In addition, he was the Local Member and was acquainted in that capacity with a number of his

constituents who had corresponded with the Planners on this matter. None of these acquaintanceships constituted a close personal relationship and he was therefore able to approach the determination of this proposal with a fresh mind.

(2) Mr M J Whiting was present for this item pursuant to Committee Procedure Rule 2.24 and spoke.

(3) Correspondence from Mr D Nutting (Chairman of the Tunstall Village Memorial Hall Management Committee) and from Mrs A Spicer and Mr and Mrs J Mills (local residents) had been circulated to all Members of the Committee before the meeting. In addition, photographs provided by Mrs Mills were placed on display in the Council Chamber and were referred to in the Head of Planning Applications Group's presentation to the Committee.

(4) Mr F Panton (Chairman of Tunstall Parish Council) and Mr D Nutting (Chairman of the Tunstall Village Memorial Hall Management Committee) addressed the Committee in objection to the proposal. Mr B MacQuarrie (KCC Capital Strategy Manager – Business, Strategy and Support) spoke in reply.

(5) The Committee agreed that the Chairman should write to the Cabinet Portfolio holder for Education, Learning and Skills in the terms set out in (6) (c) below.

(6) RESOLVED that:-

- (a) a temporary permission be granted to the proposal for a period of no longer than 2 years subject to conditions, including conditions covering the development being completed in accordance with the approved plans; the mobile units being repainted in dark green within 6 months; and the submission of evidence of a strategy for a permanent solution within 6 months;
- (b) the applicants be encouraged by an Informative to reconvene the car parking working group; and
- (c) the Chairman write to the Cabinet Portfolio Holder for Education, Learning and Skills to urge him to:-
  - (i) strongly support the bid by the County Council and the Canterbury Diocesan Board of Education for funding for new accommodation to address the harm that is being caused to the Tunstall Conservation Area from the existing mobile accommodation on the site;
  - (ii) take active measures to minimise the impact of school traffic on the locality including the immediate review and subsequent implementation of the School's Travel Plan; and
  - (iii) actively support the preparation and submission to the Planning Authority of a Strategy for a permanent solution to the planning issues raised on the site.

**12. Proposal TW/10/4051/R16 & R23 - Details of site fencing, gates and railings, hard surfaces and acoustic fencing for the development of Site 2 pursuant to Permission TW/10/4051 for the redevelopment of the Skinners Academy, Blackhurst Lane, Tunbridge Wells; KCC Building Schools for the Future and Academies Team**

*(Item D5)*

(1) The Chairman informed the Committee that he was involved with the Skinners Academy in his capacity as the local Member. He had also previously expressed a view on the substantive application. He therefore vacated the Chair and took no part in the decision-making process for this item.

(2) The Vice-Chairman, Mr C P Smith chaired the meeting for this item.

(3) On being put to the vote, the recommendations of the Head of Planning Applications Group were carried by 12 votes to 2 with 1 abstention.

(4) RESOLVED that:-

(a) approval be given to the details of fencing, gates and railings (Condition 16 (c)), details and specifications of hard surfaces (Condition 16 (e)) and details of acoustic fencing (Condition 23) pursuant to Permission TW/10/4051 for the redevelopment of The Skinners Kent Academy, permitted on 30 March 2011; and

(b) the applicants be advised by way of Informative of:-

(i) their existing requirement, under the terms of Condition (38) of permission TW/10/4051 to carry out any works in proximity to existing trees strictly in accordance with the requirements of British Standard 5837:2005 'Trees in Relation to Construction'; and

(ii) the views received from residents relating to landscape planting, and that they be advised to take these into account when designing the landscaping and boundary treatment scheme for Site 2, as required by Condition (16) of Permission TW/10/4051.

**13. 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 or Governments Departments (None);

(c) County Council developments;

- (d) Screening opinions under Environmental Impact Assessment Regulations 1999; and
- (e) Scoping opinions under Environmental Impact Regulations 1999 (None).