

## 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, 4 November 2008.

PRESENT: Mr A R Bassam (Vice-Chairman, in the Chair), Mrs V J Dagger, Mr J A Davies, Mr T Gates, Ms A Harrison (Substitute for Mrs E Green), Mr W A Hayton, Mrs S V Hohler, Mr S J G Koowaree, Mrs J Law (Substitute for Mr R E King), Mr J F London, Mr T A Maddison, Mr J I Muckle, Mr W V Newman, DL, Mr A R Poole, Mrs P A V Stockell and Mr F Wood-Brignall.

ALSO PRESENT: Mr R W Gough.

IN ATTENDANCE: Mrs S Thompson (Head of Planning Applications Group), Mr J Crossley (Principal Planning Officer), Mr R White (Transport and Development Business Manager) and Mr A Tait (Democratic Services Officer).

#### UNRESTRICTED ITEMS

**81. Minutes - 7 October 2008**  
*(Item A3)*

RESOLVED that the Minutes of the meeting held on 7 October 2008 are correctly recorded and that they be signed by the Chairman.

**82. Site Meetings and Other Meetings**  
*(Item A4)*

The Committee agreed to postpone the training session scheduled for 19 November 2008 and also to visit Cornwallis School, Boughton Monchelsea, Maidstone on Tuesday, 9 December 2008.

**83. Proposal SE/08/1896 - Extension of existing hard paved car park with alteration to the line of the existing western boundary fence and widening of the entrance drive at Lullingstone County Park, Kingfisher Bridge, Castle Road, Eynsford, Dartford; KCC Environment and Regeneration.**  
*(Item D1- Report by Head of Planning Applications Group)*

(1) Mr R W Gough was present for this item pursuant to Committee Procedure Rule 2.24 and spoke.

(2) The Head of Planning Applications Group reported the receipt of additional representations from Eynsford Parish Council, The Eynsford Village Society and from Dr C J Harris in opposition to the Proposal.

(3) The following people addressed the Committee in opposition to the Proposal: Dr C J Harris as a representative of Eynsford Parish Council and also in a personal capacity; Mr W Croydon on behalf of Shoreham Parish Council; and Mr

R Inniss as a representative of the Shoreham Society. Mr G Dear, Head of the KCC Country Parks Team spoke in reply.

- (4) RESOLVED that the application be referred to the Secretary of State for Communities and Local Government, and that subject to her decision 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; no development taking place until the applicant has submitted further details of the proposed specification and colour treatment of the proposed car park surface treatment; no external lighting being installed at the site; vehicle and pedestrian entrance gates being powder - coated black; no development taking place until the applicant has submitted further details of a proposed landscaping scheme and a programme of maintenance for a period of not less than 5 years; landscape planting being implemented within the first available planting season following completion of the development; all trees to be retained on site being afforded protection during construction operations in accordance with the current British Standard; no development taking place until the applicant has submitted a method statement for the translocation of slow worms within the site; no development taking place until the applicant has secured the implementation of a programme of archaeological works; and adequate measures being taken to ensure that vehicles leaving the site whilst engaged in the construction works do not deposit mud or debris on the public highway.

**84. Proposal TH/08/788 - Multi-use games area with floodlighting and access path at Birchington CE Primary School, Park Lane, Birchington; Governors of Birchington CE Primary School and KCC Children, Families and Education.**  
*(Item D2- Report by Head of Planning Applications Group)*

(1) Mr M Gray addressed the Committee in opposition to the Proposal. Mr T Freeman from Trevor May Contractors spoke in reply.

(2) Mr T A Maddison moved, seconded by Mr S J G Koowaree that the recommendations of the Head of Planning Applications Group be agreed subject to no use of the multi-use games area being permitted on Sundays after 1400 hours.

(3) Mr J A Davies moved, seconded by Mrs J Law as an amendment that no use of the multi-use games area be permitted on Sundays or Bank Holidays.  
*Amendment Lost by 3 votes to 11.*

(4) On being put to the vote, the substantive motion was carried by 10 votes to 4.

(5) 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; hours of use for the multi-use games area (MUGA) being restricted to between the hours of 0800 and 2100 Monday to Friday, 1000 and 1700 on Saturdays and Bank Holidays, and 1000 and 1400 on Sundays; erection of a 2m acoustic fence to the rear of properties in Sewell Close; details of the

design and materials of the 2m acoustic fence; floodlighting only being used outside of daylight hours and between the hours of 1500 and 2100 Monday to Friday, and 1500 and 17:00 on Saturdays and Bank Holidays; and the floodlighting being completely extinguished when the MUGA is not in use.

**85. Proposal MA/08/1700 - Demolition of existing school buildings, erection of new academy, including a new 6 court sports hall, vocational centre (indicative footprint only), re-provision of outdoor playing pitches, new 6 court multi-use games area, 153 car parking spaces, 150 bicycle spaces, strategic landscaping works and associated circulatory access roads at the New Line Learning Academy, Boughton Lane, Loose, Maidstone; KCC Children, Families and Education.**

*(Item D3- Report by Head of Planning Applications Group)*

(1) The Head of Planning Applications Group reported additional correspondence from the Landscape Officer and from the KCC Ecological Team.

(2) 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; the submission of details of all materials to be used externally; the submission of details of door and window reveals; details of all external lighting; a scheme of landscaping, including hard surfacing, its implementation and maintenance; measures to protect those trees to be retained; an Arboricultural Method Statement; a bat survey being undertaken prior to demolition of the existing school buildings; a habitat/biodiversity enhancement strategy, including monitoring and management; protection of badgers from construction activities; no tree removal during the bird breeding season; the development according with the recommendations of the ecological survey; contractor site briefing; details of fencing, gates and means of enclosure, including colour finishes; archaeological works; "Secured by Design" principles being adopted; a BREEAM rating of 'Very Good' being achieved; the playing field being provided and marked out as shown on the site plan; a community use agreement relating to use of the indoor and outdoor facilities, including hours of use; implementation of offsite highway improvements and measures before September 2009, including provision of traffic signals at the Boughton Lane/Loose Road junction; the preparation, submission for approval, implementation and ongoing review of a revised School Travel Plan; details of foul and surface water drainage; control of discharge of foul/contaminated drainage; no flood lighting being erected on the multi-use games area, or elsewhere on the site, without the written permission of the County Planning Authority; hours of working during construction and demolition being restricted to between 0800 and 1800 Monday to Friday and between the hours of 0900 and 1300 on Saturdays, with no operations on Sundays and Bank Holidays; a construction management plan, including access, parking and circulation within the site for contractor's and other vehicles related to construction and

demolition operations; a road condition survey; and measures to prevent mud and debris being taken onto the public highway; and

- (b) the applicants be advised of the following by Informative:-
- (i) it is recommended that Sport England be consulted by the applicant to ensure that the proposed sporting facilities are designed to satisfactory technical standards. Attention is also drawn to the relevant Sport England Guidance Notes providing technical advice on the appropriate standards for the sports facilities.
  - (ii) account should be taken of the comments made by the Environment Agency relating to drainage, contamination, and storage of fuel, oil & chemicals;
  - (iii) account should be taken of the comments made by Maidstone Borough Council relating to construction activities; and
  - (iv) the applicant should ensure that further consents regarding works to TPO trees and/or protected species are not required from other Authorities.

**86. Proposal SW/07/1184 - Single storey modular building for use as a Children's Centre including a canopied entrance, external storage units, fencing, landscaping, hard surfacing and car parking at Land to the corner of Rushenden Road and First Avenue, Queensborough; KCC Children, Families and Education.**

*(Item D4- Report by Head of Planning Applications Group)*

(1) Ms A Harrison addressed the Committee in her capacity of local Member. She took no part in the decision making.

(2) The Head of Planning Applications Group tabled an extract from Annex D of Planning Policy Statement 25 (PPS 25), setting out the Flood Zones and Flood Risk Vulnerability Classification in relation to the "Sequential" and "Exception" Tests.

(3) Mrs S V Hohler moved, seconded by Mr J F London that the approach set out in paragraph (4) below be adopted.

*Carried Unanimously*

(4) RESOLVED that the Head of Planning Applications Group be requested to facilitate negotiations between the applicants and the Environment Agency with the aim of resolving the latter's objections, and that if the objection is withdrawn, she be given delegated powers to approve the Proposal or (if the objection is not withdrawn) to refer the proposal to the Secretary of State for Communities and Local Government for her determination in accordance with the provisions set out in PPS 25.

**87. County matter applications dealt with under delegated powers**  
*(Items E1- E5- 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 (None);
- (c) County Council developments;
- (d) screening opinions under Environmental Impact Assessment Regulations 1999; and
- (e) scoping opinions under Environmental Impact Assessment Regulations 1999 (None).