

KENT COUNTY COUNCIL

PLANNING APPLICATIONS COMMITTEE

MINUTES of a meeting of the Planning Applications Committee held in the Council Chamber, Sessions House, County Hall, Maidstone on Wednesday, 9 April 2014.

PRESENT: Mr J A Davies (Chairman), Mr M J Angell, Mr M Baldock, Mr M A C Balfour, Mr R H Bird (Substitute for Mr I S Chittenden), Mrs P Brivio, Mr L Burgess, Mrs M E Crabtree (Substitute for Mr C P Smith), Mr T Gates, Mrs S V Hohler (Substitute for Mr P J Homewood), Mr T A Maddison, Mr S C Manion, Mr R J Parry, Mrs E D Rowbotham, Mr T L Shonk, Mr C Simkins, Mrs P A V Stockell (Substitute for Mr J N Wedgbury), Mr A Terry and Mr M E Whybrow (Substitute for Mr P M Harman)

ALSO PRESENT: Mr P M Hill, OBE

IN ATTENDANCE: Mrs S Thompson (Head of Planning Applications Group), Mr J Crossley (Principal Planning Officer - County Council Development), Mr J Wooldridge (Principal Planning Officer - Mineral Developments), Mr C Nwanosike (Strategic Transport and Development Manager), Mrs V Clothier (Senior Solicitor) and Mr A Tait (Democratic Services Officer)

UNRESTRICTED ITEMS

24. Membership

The Committee noted that Mr L Burgess had replaced Mr M Heale.

25. Minutes
(Item A3)

RESOLVED that the Minutes of the meetings held on 12 March 2014 and 25 March 2014 are correctly recorded and that they be signed by the Chairman.

26. Site Meetings and Other Meetings
(Item A4)

The Committee noted that it would hold a local meeting at Tunstall Village Hall on Wednesday, 9 April 2014 and that there would be a site visit to Glebe Farm, Shadoxhurst on Wednesday, 14 May 2014.

27. Application MA/13/2191 (KCC/MA/0363/2013) - Improvement of existing waste management facility to include use of adjacent industrial unit land, construction of two steel framed buildings to facilitate recovery and recycling of waste material, weighbridge, office, parking and revised boundary treatment at Units 6,13,14 and Adjacent Unit, Detling Aerodrome Industrial Estate, Detling; Pinden Ltd
(Item C1)

RESOLVED that:-

- (a) permission be granted to the application subject to conditions, including conditions covering the development being commenced within 3 years; the development being carried out in accordance with the submitted plans and details and any approved pursuant to the following conditions; the submission for approval of a final landscape and planting specification, in accordance with the principles detailed in the landscape masterplan received with the application; the submission for approval of a foul and surface water drainage scheme; the submission for approval of details of all external lighting; the submission for approval of details of any external storage outside the proposed pre-sort area; tree protection measures during construction; the implementation of the mitigation and enhancement measures proposed within the Ecological Appraisal; measures to be taken during construction if contamination not previously identified is found on site; precautions to guard against the deposit of mud on the highway during the construction period; the buildings being finished in green; the sorting and processing buildings being constructed using the insulated cladding set out within the application; the proposed 3m high concrete retaining walls being erected and retained on site; the recommended improvements to the signage on the A249; controls on the hours of operation of the waste management facility to those applied for (0600 – 1800 hours on Mondays to Fridays, 0700 – 1700 hours on Saturdays, and no operations on Sundays and Public Holidays); the noise from the development at the closest noise sensitive properties not exceeding the predicted levels set out within the noise assessment; the entrance to the site being secured outside operational hours; all external lighting being extinguished outside of the permitted hours of operation (with the exception of low level security lighting or during any repair or maintenance); controls on the total combined waste throughput (to a maximum of 75,000tpa); only those wastes specified within the planning application, namely commercial and industrial waste (mainly skip waste) being received, deposited, stored or managed on site; no crushing of materials to take place on site; all biodegradable/ putrescible waste being removed within 48 hours of arrival on site; controls on the overall number of HGV movements to those applied for (265 HGV movements per day); records of all HGV movements and details of quantities of all waste handled at the site being maintained for a period of 3 years and being made available on request; all loaded, open backed HGVs entering or leaving the site being sheeted or netted; only vehicles, storage containers and skips that are ancillary to the development being stored within the site; all vehicles, plant and machinery operated on site being maintained in accordance with the manufacturer's specification at all times and being fitted with and using effective silencers; the mitigation measures set out with the dust and odour assessment received with the application being implemented and maintained on site; the hard surfacing on site being maintained in a good state of repair, kept clean and free of mud and other debris; measures to prevent the deposit of mud or other debris on the highway; unauthorised material deposited on site being removed to an authorised waste disposal facility within 48 hours; restrictions on stockpile heights

for pre and post processed materials and skips (of not more than 4m); all sorting and processing taking place inside the buildings, with the exception of operations in the pre-sort area; the removal of permitted development rights; and the terms of the planning permission being made known to any person(s) given responsibility for the management of the site; and

- (b) the applicant be advised by Informative of:-
- (i) the need for precautionary measures if protected species are encountered during the course of the development; and
 - (ii) the protection afforded to breeding birds should works be required to trees or shrubs on site between 1st March and 31st August.

28. Proposal TW/14/288 (KCC/TW/0002/2014) - Revised application for the proposed erection of a new teaching building and revised parking layout including an additional 9 car parking spaces and other external alterations at Southborough CEP School, Broomhill Bank Road, Tunbridge Wells; KCC Property and Infrastructure
(Item D1)

(1) Mrs M E Crabtree advised the Committee that she was the Deputy Cabinet Member for Education and Health Reform. She left the meeting room and took no part in the decision-making for this item.

(2) In agreeing the recommendations of the Head of Planning Applications Group, the Committee included an additional Informative, advising that the drop-off area would need to be properly managed to ensure that parents did not use it for short-term parking.

(3) The Chairman informed the Committee that he would write to the school setting out the views expressed by the majority of the Committee Members that they would like to see the allotments retained and that the school should deal effectively with surface water drain-off.

(4) RESOLVED that:-

- (a) the application be referred to the Secretary of State for Communities and Local Government and that subject to his 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; the submission of details of all materials to be used externally; the provision and permanent retention of the car parking, drop-off and turning/loading/unloading areas as shown on the submitted plans; tree protection measures and the development being undertaken in accordance with the

recommendations of the Tree Survey; the development being undertaken in accordance with the recommendations of the Ecological Scoping Survey; the submission of a precautionary working method statement with regard to badgers prior to the commencement of the development; control of surface water drainage and infiltration into the ground; the submission of further details with regard to land contamination; provision of the replacement playing field prior to occupation of the teaching block; hours of working during construction and demolition being restricted to between 0800 and 1800 on Mondays to Fridays and between the hours of 0900 and 1300 on Saturdays, with no operations on Sundays and Bank Holidays; the submission of a Construction Management Strategy, including the location of site compounds and operative/visitors parking, details of site security and safety measures, lorry waiting and wheel washing facilities, and details of any construction accesses & management of the site access to avoid peak school times; and measures to prevent mud and debris being taken onto the public highway; and

- (b) the applicant be advised by Informative that:-
 - (i) the potential for biodiversity enhancement opportunities should be further explored; and
 - (ii) the drop-off area needs to be properly managed to ensure that parents do not use it for short-term parking.

29. Proposal TW/13/03873 (KCC/TW/0374/2013) - Extension to accommodate a 1 f.e school, including a 2 classroom extension at first floor level, storage and additional toilet plus outreach room and toilet facilities on the ground floor level, and 2 additional parking spaces at St Mary's CEP School, Pearse Place, Lamberhurst; KCC Property and Infrastructure Support
(Item D2)

(5) Mrs M E Crabtree had already advised the Committee that she was the Deputy Cabinet Member for Education and Health Reform. She remained outside the meeting room and took no part in the decision-making for this item.

(2) The Head of Planning Applications Group reported correspondence from the Local Member, Mr A J King fully supporting the proposal.

(3) RESOLVED that:-

- (a) permission be granted to the proposal subject to conditions, including conditions covering the 5 year time limit; the development being carried out in accordance with the submitted details; the implementation of the School Travel Plan actions with the submission of a revised travel plan within 6 months of the date of the permission and subsequent annual review; the provision and retention of 2 additional vehicle parking spaces before the premises are occupied; the provision of the additional cycle parking shelter; the submission prior to construction works of details of the proposed means of foul and surface water sewerage

disposal for approval by the Planning Authority in consultation with Southern Water; tree protection measures in accordance with the submitted Tree Protection Plan; biodiversity measures concerning the removal of vegetation and protection of breeding birds; the restriction of construction hours to between 0800 and 1800 on Mondays to Fridays, 0900 and 1300 on Saturdays with no operations on Sundays and Bank Holidays; the restriction on construction vehicles delivering materials to between the hours of 0800 to 0900 and 1445 to 1545 on Mondays to Fridays; and

- (b) the applicant be advised by Informative that:-
- (i) they should contact Kent Highways Services in respect of manoeuvrability within the car park, procuring the necessary highway approval and consent and establishing the limits of the highway boundary in order to progress these aspects of the works prior to commencement on site;
 - (ii) assistance in the production of a revised Travel Plan can be obtained from Kent Highway Services' Travel Planning Team. The revised Plan should include clear action and target dates with measureable travel mode shift targets, detailing those with responsibility for taking it forward. It should include monitoring and annual review. Discussion with the local community is encouraged with regard to the community's suggestions for parking and school travel issues, making use of the www.jambusterstpms.co.uk and www.responsibleparking.co.uk websites;
 - (iii) discussion with the local community is encouraged in respect of school travel issues;
 - (iv) general advice is given regarding tree protection measures during construction and in order to ensure that the necessary approvals are sought from Tunbridge Wells BC in respect of works to the tree located outside the site in the Conservation Area; and
 - (v) general advice is available from the Environment Agency with regard to consents and Southern Water with regard to site drainage and foul and surface water connection.

30. Proposal AS/13/1452 (KCC/AS/0379/2013) - Demolition of one and two storey care home with pitched roof and construction of an extra care building of 1,2 and 3 storeys containing 41 flats and associated communal and community facilities at Land at Little Hill, Wayside, St Michael's, Tenterden; Galliford Try Investments Ltd and KCC Adult Services
(Item D3)

(1) Mr M J Angell advised the Committee that he had taken part in the development of this proposal in his former capacity as Deputy Cabinet Member for Education. In order to avoid the perception of pre-determination, he took no part in the decision making for this item.

(2) The Head of Planning Applications Group tabled a Supplementary Information report.

(3) Mr P M Hill was present for this item pursuant to Committee Procedure Rule 2.27 and spoke.

(4) Mrs J Crickmore-Porter (Tenterden TC), Mrs S Maxwell-Scott and Mr R Evans addressed the Committee in opposition to the proposal. Mr M Leader (West Kent Housing Association) spoke in reply on behalf of the applicants.

(5) On being put to the vote, the recommendations of the Head of Planning Applications Group were carried by 13 votes to 4 with 1 abstention.

(6) Mr M Baldock requested pursuant to Committee Procedure 2.26 (3) that his vote against the motion be recorded.

(7) RESOLVED that:-

(a) permission be granted to the proposal subject to conditions, including conditions covering the standard 3 year time limit for implementation; the development being carried out in accordance with the permitted details; the development to be used for extra care accommodation only; the submission of details of all materials to be used externally; the submission of details of external lighting; the provision of access, car parking, turning and circulatory space prior to first occupation, and their subsequent retention; the submission of a detailed landscaping scheme, to include replacement tree planting, and boundary treatments which contribute positively to the landscape character, local amenity, and benefit wildlife; tree protection measures, and the development being undertaken in accordance with the recommendations of the Tree Survey; the development being undertaken in accordance with the recommendations of the Ecological Scoping Survey, including ecological enhancements; the submission of an updated bat emergence survey and updated mitigation strategy/method statement for Bats prior to the commencement of the development; the development meeting the Code for Sustainable Homes Level 3 and a CO² reduction of 9.2% as set out in the Energy Strategy report accompanying the application; hours of working during construction and demolition being restricted to between 0800 and 1800 Mondays to Fridays and between the hours of 0900 and 1300 on Saturdays, with no operations on Sundays and Bank Holidays; the submission of a construction management strategy, including access, parking and circulation within the site for contractors and other vehicles related to construction and demolition operations; and measures to prevent mud and debris being taken onto the public highway; and

(b) the applicant be advised by Informatives that:-

- (i) their attention is drawn to the letter from Public Rights of Way which contains general Informatives regarding works adjacent to and/or on a Public Right of Way. It is also advised that “the granting of planning permission confers on the developer no other permission or consent or right to close or divert any Public Right of Way at any time without the express permission of the Highways Authority”;
- (ii) their attention is drawn to the letter from Highways and Transportation in which it is noted that planning permission does not convey any approval for construction of the required vehicular crossing, or any other works within the highway for which a statutory licence must be obtained. Applicants should contact Kent County Council - Highways and Transportation in order to obtain the necessary application pack;
- (iii) account should be taken of the Environment Agency’s advice relating to water conservation and construction/demolition waste.

31. Proposal TW/13/03828 (KCC/TW/0381/2013) - Demolition of existing single storey with pitch roof nursing home and construction of extra care building of 2 and 3 storeys containing 48 flats and associated communal facilities at Bowles Lodge, All Saints Road, Hawkhurst; Galliford Try Investments Ltd and KCC Adult Services
(Item D4)

(1) Mr M J Angell advised the Committee that he had taken part in the development of this proposal in his former capacity as Deputy Cabinet Member for Education. In order to avoid the perception of pre-determination, he took no part in the decision making for this item.

(2) The Head of Planning Applications Group tabled a Supplementary Information report.

(3) Mr K Brown (Hawkhurst PC) addressed the Committee in opposition to the application. Mr M Leader (West Kent Housing Association) spoke in reply on behalf of the applicants.

(4) On being put to the vote, the recommendations of the Head of Planning Applications Group were carried by 13 votes to 4.

(5) Mr M Baldock requested pursuant to Committee Procedure Rule 2.26 (3) that his vote against the motion be recorded.

(6) RESOLVED that:-

- (a) permission be granted to the proposal subject to conditions, including conditions covering the standard limit for implementation; the development be carried out in accordance with submitted details; the submission of details of the final root protection zones, tree protection plan, detailed arboriculture implications assessment and method statement; the provision of detailed drainage details prior to

commencement; the submission of details of PV panels prior to commencement; the submission of a revised roof plan prior to commencement; the submission of a revised landscaping plan, including amendments to the planting at the east, west and southern elevations and incorporating planning of the retaining wall; the submission, approval and maintenance of details of visibility splays at the access; the submission of a Construction Management Plan; the submission of details of retaining walling and fencing details prior to construction; the submission of external lighting details; the submission of details of external building materials; the restriction of demolition and construction working hours to between 0800 and 1800 on Mondays to Fridays and between 0800 and 1300 on Saturdays with no work on Sundays and Public Holidays; the implementation of the Enhancement and Ecological Mitigation Strategy; the removal of tiles from the building in accordance with the Enhancement and Ecological Mitigation Strategy; and the implementation of biodiversity measures concerning the removal of vegetation and protection of breeding birds; and

- (b) the applicant be advised by Informatives covering:-
 - (i) the need to ensure that all necessary highway approvals and consents are obtained where required and that the limits of the highway boundary are clearly established. The applicant is advised to contact Kent Highways Services in order to progress this aspect of the works prior to commencement;
 - (ii) biodiversity, tree protection, crime prevention advice
 - (ii) the need to work with those directly affected by the proposals in order to address good neighbour issues throughout the duration of the demolition and construction phases of the development and following occupation of the development.

32. County 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) County Council developments;
- (c) Screening opinions under the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (None); and
- (d) Scoping opinions under the Town and Country Planning (Environmental Impact Assessment) Regulations (None).