

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 Tuesday, 17 February 2009.

PRESENT: Mr R E King (Chairman), Mr A R Bassam (Vice-Chairman), Mr A R Chell, Mr J A Davies, Mr T Gates, Mrs E Green, Mr W A Hayton, Mr G A Horne MBE, Mr S J G Koowaree, Mr J F London, Mr T A Maddison, Mr J I Muckle, Mr W V Newman, DL, Mrs P A V Stockell and Mr F Wood-Brignall

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

UNRESTRICTED ITEMS

7. Membership

The Committee noted the appointment of Mr A R Chell in place of Mr C Hibberd.

8. Minutes - 22 January 2009 (Item A3)

RESOLVED that the Minutes of the meeting held on 22 January 2009 are correctly recorded and that they be signed by the Chairman.

9. Application TM/08/3715 - Variation of Condition 6 of Permission TM/06/2171 to allow additional vehicle (HGV) movements to and from the site (an increase from 110 to 182 movements per day) at Borough Green Quarry, Wrotham Road, Borough Green; Cemex UK Materials Ltd (Item C1- Report by Head of Planning Applications Group)

(1) Correspondence from Mrs V J Dagger, the local Member was tabled.

(2) The Head of Planning Applications Group informed the Committee of two Planning Policies that should have been specifically referenced in the report. These were: Policy C3 of the emerging South East Plan and Policy EN4 of the Kent and Medway Structure Plan (2006).

(3) The Head of Planning Applications Group reported the further comments of Wrotham Parish Council and Borough Green Parish Council together with the comments of the South East England Regional Assembly. The latter raised no objection subject to the Highways Authority and Highways Agency being satisfied with the proposal and to the imposition of Air Quality and Noise Mitigation measures. She also reported that Tonbridge and Malling Borough Council had not commented on the proposal.

(4) Mr M Taylor from Borough Green Parish Council, Mr H Rayner from Wrotham Parish Council and Mr R Saunders from Keep Boroughs Green addressed the Committee in opposition to the Application. Mr A Scott from Cemex spoke in reply on behalf of the applicants.

(5) RESOLVED that:-

(a) permission be granted to the application subject to all other conditions and informatives attached to Permission TM/06/2171 being repeated (with minor amendments as necessary) and to Conditions (5) and (6) of Permission TM/06/2171 being reworded as follows:-

“Condition 5: Unless otherwise agreed beforehand in writing by the County Planning Authority, HGVs associated with the quarry restoration, landfill and recycling operations shall not leave the site during school term time at Wrotham School between the hours of 0800 and 0845 and 1500 and 1545 Monday to Friday. In addition, the operator shall use its best endeavours to prevent HGVs arriving at the site during these periods. For the purposes of this condition “best endeavours” shall include the operator informing its customers of the above restrictions, requesting that they comply with them and only allowing HGVs to exceptionally enter the site during these hours when not to do so would lead to HGVs parking or queuing on Wrotham Road whilst waiting to enter the site.” *(The reasons for this condition are the interests of both highway safety and local amenity and the avoidance of unnecessary conflict with other road users at the start and end of the school day.)*

“Condition 6: HGV movements associated with the quarry restoration, landfill and recycling operations shall, together, not exceed 182 HGV movements per day (91 in / 91 out).” *(The reason for this Condition is to limit the total number of HGV movements associated with operations at the site in the interests of highway safety and local amenity; and pursuant to Kent and Medway Structure Plan Policies TP15, WM2 and MN2 and Kent Waste Local Plan Policies W18 and W22.); and*

(b) the applicant be invited to submit further applications to amend the requirements of conditions attached to Permissions TM/93/305 and TM/01/1205/MR86, as amended by Permissions TM/08/2981 and TM/08/3175, to provide consistency with the restrictions set out in Condition 5 (as amended in paragraph (a) above.)

10. Proposal TH/08/1366 - First floor extension to provide accommodation at St Crispin's Primary School, St Crispin's Road, Westgate-on-Sea; Governors of St Crispin's Primary School and KCC Children, Families and Education
(Item D1- 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; details and samples of the external materials in accordance with those indicated in the application being submitted to

and approved by the County Planning Authority prior to the development being commenced, and the development subsequently being carried out using the approved materials; no trees, shrubs and hedges being lopped, topped or removed as a result of the development, and all necessary measures being undertaken to ensure their protection before, during and after construction; and control over the hours of construction.

11. Proposal MA/08/2186 - Demolition of existing school buildings, erection of new Academy, re-provision of outdoor playing pitches, new four court multi-use games area, car parking spaces, bicycle spaces, strategic landscaping works and associated circulatory access roads at Cornwallis Academy, Hubbards Lane, Maidstone; KCC Children, Families and Education
(Item D2- Report by Head of Planning Applications Group)

(1) Mrs P A V Stockell made a declaration of personal interest as she had previously given her views on the proposal at a meeting of Maidstone Borough Council. She gave her views as the local Member but took no part in the decision-making.

(2) Mrs S Thompson, Head of Planning Applications Group declared an interest as the Chair of the Parent Forum of Cornwallis School and as a parent of a pupil at the School. She therefore did not advise the Committee on the proposal. The Principal Planning Officer, Mr J Crossley acted as the Lead Officer for this item.

(3) Correspondence from Coxheath Parish Council, Linton Parish Council and from Mr M Stevens, Clerk to Linton Parish Council was tabled.

(4) The Transport and Development Business Manager advised that a crash remedial scheme for the A229/ Heath Road crossroad had been designed and had been proposed for construction in 2010/11. He also advised that cycling strategies were likely to be developed in the near future. These schemes and strategies were, however, independent of the proposal under discussion.

(5) In agreeing to permit the proposal, the Committee agreed to include an Informative to advise of its view that the crash remedial scheme and cycling strategies should be progressed at the same time as the permitted development took place.

(6) 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, including the submission of details of door and window reveals; details of all external lighting; rating noise level from the plant not exceeding the existing LA90 when measured at the nearest residential property; 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; 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 proposed site plan; a community use agreement relating to use of the indoor and outdoor facilities, including hours of use and nature of use; the provision of car parking, cycle parking, access and turning areas; details of cycle parking design and phased implementation; promotion of a Traffic Regulation Order and a contribution of £2000 if successful; preparation, submission for approval, implementation and ongoing review of a revised School Travel Plan; provision of visibility splays, including improvements to the visibility splays at the sites exit; details of foul and surface water drainage; control of discharge of foul/contaminated drainage; survey work regarding land contamination; no floodlighting 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; the development being carried out in accordance with the submitted construction management plan; and measures to prevent mud and debris being taken onto the public highway; and

- (b) the applicants be advised of the following informatives:
 - (i) Sport England should 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 Informatives made by Maidstone Borough Council; and
 - (iv) the view of the Committee that the proposed crash remedial scheme and cycling strategies should be progressed at the same time as the permitted development takes place.

12. Proposal TM/08/3656 - Demolition of a conservatory and construction of a single storey extension and sun canopy at Ditton Infant School, Pear Tree Avenue, Ditton, Aylesford; Governors of Ditton Infant School and KCC Children, Families and Education
(Item D3- Report by Head of Planning Applications Group)

- (1) Correspondence from the local Member, Mr G Rowe in support of the proposal was tabled.

(2) Mr P Lambert, a local resident from Pear Tree Avenue addressed the Committee in opposition to the proposal. Mrs S Stafford, Deputy Head Teacher and Early Years Co-ordinator of Ditton Infant School spoke in reply as the applicant.

(3) RESOLVED that permission be granted to the proposal subject to conditions including conditions covering the development being commenced within 3 years from the date of permission; and the development being carried out in accordance with the permitted details.

- 13. Proposal SW/08/733 - Four classroom extension block, additional parking at the front of the school, repositioning of two temporary classrooms onto the playing field during construction works and internal remodelling and roof adaptations within the existing school building to provide pre-school facilities within the main school at Bapchild and Tonge Primary School, School Lane, Bapchild, Sittingbourne; Governors of Bapchild and Tonge Primary School and KCC Children, Families and Education**
(Item D4- 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; a groundwater protection condition; removal of all mobile classrooms prior to the first occupation of the development; the recommendations set out in the Tree Impact Assessment Report being adhered to; foundation design; external materials; a landscaping scheme; tree protection measures; details of car parking surface treatment and a construction method statement; details of construction access and temporary accommodation; and the preparation and submission of School Travel Plan prior to first occupation of new classroom block.

- 14. Proposal SW/08/1323 - Renewal of planning consent for existing two classroom mobile unit at Tunstall CE (Aided) Primary School, Tunstall, Sittingbourne; Rochester Diocesan Board of Education and KCC Children, Families and Education**
(Item D5- Report by Head of Planning Applications Group)

RESOLVED that:-

- (a) permission be granted to the proposal for a temporary period of 3 years from the date of permission subject to conditions including conditions covering removal of the classroom unit from site at the expiration of the 3 year period and the subsequent restoration of the site thereafter; and the development being carried out in accordance with the permitted details; and
- (b) the applicants be advised by Informative that the County Planning Authority would wish to see urgent action taken to resolve the temporary classroom accommodation at Tunstall Primary School during the three-year temporary consent timescale.

15. County Matters dealt with under delegated powers
(Items 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) Screening opinions under Environmental Impact Assessment Regulations 1999; and
- (e) Scoping opinions under Environmental Impact Assessment Regulations 1999.

16. Channel Tunnel Rail Link Award

(1) The Head of Planning Applications Group reported that the Channel Tunnel Rail Link Planning Forum (a partnership of the local authorities directly affected by the rail link and Union Railways and its planning advisors) had received the Royal Town Planning Institute's national award for planning excellence for their work on the Channel Tunnel Rail Link.

(2) RESOLVED that the Planning Applications Group be congratulated on the receipt of this prestigious award.