

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, 18 May 2016.

PRESENT: Mr J A Davies (Chairman), Mr C P Smith (Vice-Chairman), Mr M J Angell, Mr M Baldock, Mrs P Brivio, Mr N J D Chard, Mr I S Chittenden, Mr A D Crowther (Substitute for Mr L Burgess), Mr T Gates, Mr P M Harman, Mr T A Maddison, Mrs E D Rowbotham, Mr T L Shonk, Mr C Simkins, Mrs P A V Stockell, Mr A Terry and Mr J N Wedgbury

ALSO PRESENT: Mr M C Dance and Mr M J Harrison

IN ATTENDANCE: Mr J Crossley (Principal Planning Officer - County Council Development), Mr D Joyner (Transport & Safety Policy Manager), Mr A Tait (Democratic Services Officer), Mrs S Thompson (Head of Planning Applications Group) and Mr J Wooldridge (Principal Planning Officer - Mineral Developments)

UNRESTRICTED ITEMS

19. Minutes - 9 March 2016
(Item A3)

RESOLVED that the Minutes of the meeting held on 9 March 2016 are correctly recorded and that they be signed by the Chairman.

20. Site Meetings and Other Meetings
(Item A4)

The Committee noted that its training session on the Kent Minerals and Waste Local Plan would take place after the meeting.

21. General Matters
(Item B1)

The Head of Planning Applications Group informed the Committee that work had now commenced on the construction of the Sustainable Energy Plant at Kemsley Paper Mill, Sittingbourne (Minute 2011/33).

22. **Applications SW/16/500694 (KCC/SW/0002/2016) and SW/16/500698 (KCC/SW/0003/2016) - (i) Extension of period of time allowed for waste disposal by 10 years, allowing operations to continue until 31 December 2025, plus an additional 12 months for final restoration and the establishment of afteruses; and (ii) storage of clay for the duration of workings on Land to the north at Norwood Quarry and Landfill Site, Lower Road, Minster-on-Sea; FCC Environment (UK) Ltd**
(Item C1)

RESOLVED that:-

- (a) permission be granted to the extension of the period of time allowed for waste disposal by 10 years, allowing operations to continue until 31 December 2025, plus an additional 12 months for final restoration and the establishment of afteruses subject to:-
- (i) conditions, including conditions covering the importation, treatment and landfill of boiler ash, air pollution control residues (APCRs) and incinerator bottom ash (IBA) ceasing by 31 December 2025 and restoration of the site being completed by 31 December 2026; the recommendations within the updated Ecological Assessment being implemented; and the re-imposition of conditions previously imposed on Permission SW/14/501576 (updated and amended as necessary) including the development being carried out in accordance with the approved details; no extraction taking place below 35m AOD; only boiler ash, APCR's and IBA from the Allington EfW Facility being received on site; hours of operation being restricted to landfilling between 0700 and 1800 on Mondays to Fridays and 0700 to 1300 on Saturdays, clay extraction between 0730 and 1800 on Mondays to Fridays and between 0730 and 1300 on Saturdays, storage mounds between 0800 and 1800 hours on Mondays to Fridays and between 0800 and 1300 hours on Saturdays, with no operations on Sundays or Bank Holidays; no more than a combined total of 200 HGV movements (100 in / 100 out) per day; measures to prevent mud and debris on the public highway; boiler ash and APCR's only entering the site in HGVs (tankers) dedicated to transporting such wastes with all loaded, open backed vehicles being sheeted; the maintenance of visibility splays at the site entrance; noise controls for normal and temporary operations; measures to control dust; a programme of archaeological work; soil storage and handling; the submission of annual progress reports; and landscaping, restoration and aftercare being implemented as approved; and
- (ii) Informatives advising the applicant of the need to maintain public access to the public right of way; and to update the ecological assessments prior to commencing final restoration in order to ensure that protected species continue to be safeguarded; and

- (b) permission be granted for the storage of clay for the duration of workings subject to:-
- (i) conditions, including conditions covering amongst other matters the storage of clay ceasing and the site being restored to agriculture on or before 31 December 2026; the development being carried out and completed in accordance with the details contained within the application; no external lighting without prior approval; hours of operation for the clay storage operations being 0800 to 1700 on Mondays to Fridays with no operations on Saturdays, Sundays and Bank Holidays; the only access to the site being through the main quarry and landfill site; noise from normal operations on site being restricted to the specific limits previously permitted; noise from temporary operations not exceeding 70dB_{L_{Aeq,1hr}} at any noise sensitive property (and only for up to 8 weeks in any 12 month period); the mitigation measures set out within the dust assessment being implemented; the recommendations within the updated Ecological Assessment being complied with; the archaeological requirements set out within the application being complied with; soil storage and handling requirements; tree protection measures; the site being fenced; and the submission of final restoration and aftercare schemes for prior approval; and
 - (ii) an Informative advising the applicant of the need to maintain public access to the public right of way.

23. Proposal CA/15/02596/K3F (KCC/CA/0375/2015) - Two storey extension, temporary classroom, demolition of the former Ladesfield care home to facilitate a new access road and on-site parking at Joy Lane Primary School, Joy Lane, Whitstable; KCC Property and infrastructure Support
(Item D1)

(1) Mr M C Dance and Mr M J Harrison were present for this item pursuant to Committee Procedure Rule 2.27 and spoke.

(2) Mr Mark Barnes and Mr Adam Roake addressed the Committee in opposition to the proposal. Mr Simon Moon from DHA Transport spoke in reply on behalf of the applicants.

(3) Issues of a legal nature having been raised during discussion of this item, the Chairman advised that these could not be taken into account in determining the proposal.

(4) Mr P M Harman moved, seconded by Mr M Baldock that consideration of this item be deferred in order to enable further consideration to be given to the proposed informal one way system and the timing of the opening and closure of the school gates. The intervening period should be used for a Members' site visit.

Lost 4 votes to 13.

(5) Following a brief adjournment, Mr M J Angell moved, seconded by Mr J N Wedgbury that the recommendations of the Head of Planning Applications Group be agreed subject to the following:-

- The Construction Management Plan being strengthened by “to make best use of the former Ladesfield Care Home site in order to minimise the impact on local amenity.”
- The Traffic Management Plan and School Travel Plan being combined with the following amendments: “to include specific details of the management of the school gate closure. This Plan will be reviewed after 6 months of the occupation of the development and annually thereafter, with the results being submitted in writing to the Local Planning Authority and published on the School’s website.”
- An additional Informative strongly encouraging the applicants to explore the opportunities for the provision of photovoltaic panels at this site.
- In addition, the Chairman be requested to write to the Cabinet Member for Education and Health Reform to express the Committee’s view that prior to disposal of the Ladesfield Care Home site, the Cabinet Member should be satisfied that the site is not required for future educational needs.

Carried 14 votes to 2 with 1 abstention

(6) RESOLVED that:-

- (a) permission be granted to the proposal subject to conditions, including conditions covering the standard 5 year time limit; the development being carried out in accordance with the permitted details; the submission and approval of details of all construction materials to be used externally; hours of working during construction being restricted to between 0800 and 1800 on Mondays to Fridays and between 0900 and 1300 on Saturdays, with no operations on Sundays or Bank Holidays; the submission of a Construction Management Plan to provide details of the routing of construction and delivery vehicles to and from the site, the timing of deliveries to avoid school peak times, the location of parking and turning areas for construction and delivery vehicles and for site personnel and visitors, the provision of wheel washing facilities, details of a site access point for construction, temporary traffic management and signage, and to make best use of the former Ladesfield Care Home site in order to minimise the impact on local amenity; the recommendations set out in the Ecological Appraisal being implemented; the submission of details and specifications of the new access road, and their approval in writing prior to occupation of the extension; the completion and maintenance of the access shown on the plans prior to the occupation of the extension; the provision and permanent retention of the vehicle parking spaces prior to the occupation of the extension; the provision and permanent retention of the cycle parking facilities prior to the occupation of the extension; the provision and permanent retention of the vehicle loading/unloading and turning facilities prior to the occupation of the extension; the submission of a revised School Travel Plan prior to occupation of the extension to include specific details of the management of the school gate closure. This Plan will be reviewed after 6 months of the occupation of the

development and annually thereafter, with the results being submitted in writing to the Local Planning Authority and published on the School's website; the submission of a Traffic Management Plan for written approval prior to the occupation of the extension to include specific details of the management of the school gate closure. This Plan will be reviewed after 6 months of the occupation of the development and annually thereafter, with the results being submitted in writing to the Local Planning Authority and published on the School's website; the submission of a fully detailed sustainable surface water drainage scheme for the site prior to commencement of development, and the written approval of such a scheme and its on-going maintenance prior to occupation of the extension; the submission of a native species landscape scheme and details of a maintenance scheme for such landscaping; the recommendations within the Arboricultural Impact Assessment being carried out in order to protect those trees to be retained; and the removal of the temporary classroom within 3 months of the occupation of the permitted extension; and

- (b) the applicants be advised by Informative that:-
- (i) they should register the School Travel Plan with Kent County Council through the "Jambusters" website;
 - (ii) they should ensure that all necessary highway approvals and consents are obtained;
 - (iii) they should ensure that works to trees are carried out outside of the breeding bird season and, if this is not possible, an ecologist should examine the site prior to works commencing;
 - (iv) they must use a precautionary approach when removing features with bat roosting potential in the former Ladesfield Care Home;
 - (v) there must be no disturbance to the surface of or obstruction of the use of the Public Right of Way, CW56; and
 - (vi) they are strongly encouraged to explore the opportunities for the provision of photovoltaic panels at this site; and
- (c) the Chairman be requested to write to the Cabinet Member for Education and Health Reform to express the Committee's view that prior to disposal of the Ladesfield Care Home site, the Cabinet Member should be satisfied that the site is not required for future educational needs.

24. Proposal CA/16/00145 (KCC/CA/0032/2015) - Variation of Condition 11 (hours of usage) of Permission CA/14/174 at Simon Langton Grammar School for Boys, Langton Lane, Canterbury; Governors of Simon Langton Grammar School for Boys
(Item D2)

(1) Mr J N Wedgbury moved, seconded by Mr I S Chittenden that permission be refused due to the unreasonable impact on landscape and amenity in respect of noise and light pollution as set out in Policies BE1 and BE2 of the Canterbury District Local Plan 2006 and saved policies 2009 and the Emerging Policy LB2 in the Canterbury District Local Plan Publication Draft June 2014.

Lost 4-9 with 2 Abstentions

(2) On being put to the vote, the recommendations of the Head of Planning Applications Group were carried by 11 votes to 4.

(3) RESOLVED that permission be granted to the proposal subject to conditions, including conditions covering controls on the hours of use of the artificial turf pitch (ATP) to 0900 to 2200 on Mondays to Fridays, 0900 to 2100 on Saturdays and 0900 to 1800 on Sundays and Bank Holidays (as already permitted); controls on the hours of use for the multi-use games area (MUGA) to 0900 to 2100 on Mondays to Fridays, 0900 to 2000 on Saturdays and 0900 to 1800 on Sundays and Bank Holidays; the lights being turned off when not in use within the permitted hours and/or within 15 minutes of the last use; no use of amplified music and loudspeakers or public address systems taking place; the Community Use Agreement being updated and submitted prior to the extension of hours; implementation of the bat survey report recommendations; erection of the "black opaque material" along the northern and western fence line of the ATP prior to the extension of hours; erection of the "black opaque material" along the western boundary of the MUGA prior to its refurbishment; the black opaque material being fit for the intended use, securely attached and maintained and replaced as necessary during the temporary period; the planting of additional native tree and shrub species to bolster the existing tree/hedgeline along the western and northern boundary of the site; the provision of detailed specifications and management for planting; the opaque material being maintained for a minimum of 5 years and until evidence has been provided that the hedgerow has reached sufficient height and thickness to justify its removal; the submission and implementation of bat activity monitoring (using the same method as submitted) during Year 1 of operation with the opaque material as well as monitoring of bat activity both prior to and after removal of the opaque material; and details being submitted for approval and installation of hoods, cowls, louvres and shields on the existing lighting and that proposed for the MUGA.

25. Proposal CA/15/2379 (KCC/CA/0320/2015) - Single storey extension for three classrooms with on-site parking and relocation of hard play area at Hoath Primary School, School Lane, Hoath, Canterbury; KCC Property and Infrastructure Support
(Item D3)

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 5 year 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 details of the roof material; a scheme of landscaping, including details of species, source, location of saplings to be planted together with mitigation and visual impact information, hard surfacing, its implementation and maintenance, which references the Canterbury Landscape and Biodiversity Appraisal; measures to protect those trees to be retained; no tree removal taking place during the bird breeding season; the provision and permanent retention of vehicle parking spaces; the provision and permanent retention of vehicle loading/unloading and turning facilities; the completion and maintenance of the access of the drop off facility; the installation of drop-off gates to open away from the highway and to be set back a minimum of 5 metres; the provision and maintenance of the visibility splays with no obstructions over 0.6 metres above the carriageway level within the splays; hours of working during construction being restricted to between the hours of 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; measures to prevent mud and debris being taken onto the public highway; the submission of a construction management plan, including access, parking and circulation within the site for contractors and other vehicles related to construction operations; and the submission of a revised School Travel Plan; and
- (b) the School be advised by Informative that the revised Travel Plan should be registered with the County Council's new School Travel Plan website 'Jambusters' to assist with its updating, monitoring and future review.

26. Proposal SE/16/141 (KCC/SE/0007/2016) - Demolition of existing main school building and construction of a replacement school building at Sevenoaks Primary School, Bradbourne Park Road, Sevenoaks; KCC Property and Infrastructure Support; and Education Funding Agency
(Item D4)

(1) In agreeing the recommendations of the Head of Planning Applications Group, the Committee agreed to amend the School Travel Plan condition so that it would be reviewed after 6 months and annually thereafter, with the results being submitted in writing to the Local Planning Authority and published on the School's website. It also added an additional Informative strongly encouraging the applicants to explore the opportunities for the provision of photovoltaic panels at this site.

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 external lighting, including hours of operation; the erection of tree protection fencing prior to commencement of the development to ensure that existing trees will be adequately protected; the submission of a detailed scheme of landscaping and tree planting to not only require the provision of amenity planting in close proximity to the proposed building, but also to detail how the site will be reinstated following demolition of the existing school building; no tree removal taking place during the bird breeding season; the submission of the results of an additional bat emergence survey prior to demolition of the main school building; the submission of an updated badger survey and any required mitigation prior to the commencement of the development; the submission of a Biodiversity Management Plan (ecological enhancements for the site); the submission of an updated Travel Plan prior to occupation, to be reviewed after 6 months and annually thereafter, with the results being submitted in writing to the Local Planning Authority and published on the School's website; the provision and retention of 4 car parking bays (57 total on site), and the reopening and retention of the onsite pick-up/drop-off area; the submission of a detailed Sustainable Surface Water Drainage Scheme; the submission of details of the implementation, maintenance and management of the Sustainable Surface Water Drainage Scheme; the control of surface water drainage into the ground (there should be no discharge to ground within a Source Protection Zone); measures to address any land contamination; 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 access, lorry routing, parking and circulation within the site for contractor's 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 applicants be advised by Informative that:-
 - (i) they should submit the revised and amended School Travel Plan for registration with Kent County Council's Travel Plan Management system "Jambusters";
 - (ii) their attention is drawn to the letter from Highways and Transportation in which it is advised that parking bay 28 should not be marked as a disabled space as it would block car parking spaces 26 & 27;
 - (iii) their attention is drawn to the letter from the Environment Agency in which advice and guidance is provided with regard to surface water drainage and

waste; and

- (iv) any external lighting on site should adhere to the Bat Conservation Trust's Guidance, and that the Construction Management Plan should include measures to protect land suitable for reptile habitat within the site; and
- (v) they are strongly encouraged to explore the opportunities for the provision of photovoltaic panels at this site.

27. 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; and
- (d) Scoping Opinions under the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (None).