

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, 16 November 2016.

PRESENT: Mr J A Davies (Chairman), Mr C P Smith (Vice-Chairman), Mr M J Angell, Mr M Baldock, Mr D L Brazier, Mrs P Brivio, Mr N J D Chard, Mr I S Chittenden, Mr P M Harman, 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, Mr A Terry and Mr J N Wedgbury

ALSO PRESENT: Mr B J Sweetland and Mr N S Thandi

IN ATTENDANCE: Mrs S Thompson (Head of Planning Applications Group), Mr M Clifton (Principal Planning Officer - Waste Developments), Mr P Hopkins (Principal Planning Officer), Mrs A Hopkins (Principal Planning Officer), Mr D Joyner (Transport & Safety Policy Manager) and Mr A Tait (Democratic Services Officer)

UNRESTRICTED ITEMS

50. Minutes - 19 October 2016

(Item A3)

RESOLVED that the Minutes of the meeting held on 19 October 2016 are correctly recorded and that they be signed by the Chairman.

51. Site Meetings and Other Meetings

(Item A4)

(1) The Head of Planning Applications Group notified the Committee that she was considering whether there was a need for a Members' site visit to Paradise Farm, Hartlip in respect of the application for brickearth extraction. Mr Baldock requested that consideration be given to the possibility of holding a public meeting.

(2) The Committee noted that there was still no definitive date for the site tour in respect of the proposed school developments in Wilmington as she had not yet received the detailed mitigation measures in respect of the access arrangements.

52. Application GR/15/1192 (KCC/GR/0387/2015) - Improvement and enhancement of existing waste transfer site by erection of a replacement building to provide covered work area and ancillary site improvements together with retrospective provision for trommel, picking station and wall at Unit 4, Apex Business Park, Queen's Farm Road, Shorne; RS Skips Ltd

(Item C1)

(1) The Chairman informed the Committee that he had met Mr S Gallagher from the Gallagher Group on a number of occasions. This did not constitute a close

personal relationship. He had not discussed this or any other planning application with Mr Gallagher.

(2) Mr B J Sweetland and Mr N S Thandi were present for this item pursuant to Committee Procedure Rule 2.27 and spoke.

(3) Mr Robin Theobald (Shorne PC) and Mr John Grey (Higham PC) addressed the Committee in opposition to the application. Ms Angela Watts (SLR Consulting) spoke in reply on behalf of the applicants.

(4) Mr T A Maddison moved, seconded by Mrs E D Rowbotham that the recommendations of the Head of Planning Applications Group be agreed subject to the cladding on the building being a shade of green to be agreed by the Head of Planning Applications Group.

(5) The mover and seconder of the above motion agreed to accept amendments to the proposed Informative which set out that the forum's terms of reference should enable the local community to raise operational concerns with R S Skips. The forum should meet every six months with invitations being sent to the landowner and other operators from the industrial estate as well as the Parish Councils, local community groups and the two Local Members.

(6) On being put to the vote, the motion set out above was carried by 14 votes to 2 with 2 abstentions.

(7) RESOLVED that:-

- (a) permission be granted to the application subject to conditions, including conditions covering the operation being carried out in accordance with the approved drawings and submitted documents; a restriction on HGV movements to a daily maximum of 74; hours of operation being 0700 to 1800 on Mondays to Fridays, 0700 to 1330 on Saturdays with no working on Sundays and Bank Holidays; the restriction of noise levels at the nearest residential buildings at the Queens Farm complex and neighbouring industrial properties to 42dB $L_{AR,1hr}$ (as outlined in paragraph 81 of the original report); the restriction of vibration levels at neighbouring industrial properties (as set out in paragraph 83 of the original report); the maintenance of plant and equipment; the submission of a Dust Management Plan for all stages of waste handling and for vehicles leaving the site, including wheel and chassis cleaning and containment of waste loads (lorry sheeting); the submission of an Odour Management Plan assessing risk, proposing mitigation and detailing actions to address nuisance; the submission of a Scheme detailing the proposed materials to be used on the building, including the use of green cladding (with the shade being agreed by the Head of Planning Applications Group); the submission of a lorry routeing scheme (reflecting the information in the Transport Assessment), including reference to the vehicle tracking data; an Archaeological watching brief (if significant groundworks are required for the construction of the building); and a Contaminated Land watching brief (if significant groundworks are required for the construction of the building); and

- (b) the operator be encouraged by Informative to set up a forum for dialogue with the local community. This forum's terms of reference should enable the local community to raise operational concerns with R S Skips. The forum should meet every six months with invitations being sent to the landowner and other operators from the industrial estate as well as the Parish Councils, local community groups and the two Local Members.

53. Application SH/0803/2016 (KCC/SH/0187/2016) - Section 73 application to vary existing conditions 2,7,8,9,11 and 12 of Permission SH/04/1475 to accommodate changes to the site layout, hours of operation and vehicle movements, increase the throughput of waste, clarification of the types of waste and removal of conditions 4 and 6 relating to noise monitoring and landscaping at Ross Depot, Military Road, Folkestone; Veolia ES (UK) Ltd
(Item C2)

- (1) Correspondence from Mr David Pettenden, a local resident had previously been circulated to all Members of the Committee.
- (2) On being put to the vote, the recommendations of the Head of Planning Applications Group were agreed by 12 votes to 5.
- (3) RESOLVED that permission be granted to the application subject to conditions, including conditions covering the development being carried out in accordance with the approved details; operating hours on site being 0600 to 1800 hours on Mondays to Fridays, including Bank Holidays and the Saturday following Christmas and 0600 to 1300 hours on Saturdays and Sundays with no operations on Christmas Day or Boxing Day; no waste collection vehicles leaving the site before 0500 hours on Mondays to Fridays, including Bank Holidays and on Saturday mornings and no waste vehicles leaving the site on Christmas Day or Boxing Day; no more than a combined total of 108 HGVs entering and leaving the site each day; all vehicles entering and leaving the site in a forward motion; a maximum waste throughput of up to 25,000 tonnes per annum; waste types only including mixed recyclates, glass and food waste for recovery excluding black bag waste or residual waste; the removal of Permitted Development Rights; the restriction on the use of the waste building to that permitted; dust control measures; measures to prevent mud and debris being taken onto the public highway; the submission for approval of details of the close boarded fence; increased use of the atomiser; and the terms of the permission being displayed at the site office.

54. Proposal DA/16/1306 (KCC/DA/0212/2016) - Demolition of existing prefabricated canteen building and erection of two storey extension providing 8 classrooms, group rooms and a hall, and an additional 18 on site car parking spaces at The Brent Primary School, London Road, Stone; KCC Property and Infrastructure Support
(Item D1)

- (1) The Head of Planning Applications Group informed the Committee that the figure for additional onsite car parking spaces set out in the report should read "18" rather than "19".

(2) Mr C P Smith reported the views of Mrs P T Cole in support of the Proposal.

(3) Mr T A Maddison had previously informed the Committee that he would not participate in the decision-making on this item as he had already made his views known. He had already left the meeting, but had given his written views objecting to the proposal to the Head of Planning Applications Group, who reported them to the Committee.

(4) In agreeing the recommendations of the Head of Planning Applications Group, the Committee decided to strengthen the updated Travel Plan condition in order to ensure that its content were made available on the School's website.

(5) 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; a scheme of landscaping, including native tree planting, ecological enhancement measures, and hard surfacing, its implementation and maintenance; no tree removal taking place during the bird breeding season; the submission of an updated Travel Plan prior to occupation, and its ongoing monitoring and review thereafter. This updated Travel Plan is to be available on the school's website and will include measures to manage and monitor the onsite drop off area, to encourage and promote sustainable transport options, including the possibility of introducing staggered school start and end times, and to set out SMART targets (specific, measurable, achievable, realistic and timely) amongst other matters; the provision (prior to occupation) and retention of car parking, drop off area and circulatory routes; the implementation of archaeological field evaluation works and any subsequent archaeological investigations; 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 for approval 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, details of how the site access would be managed to avoid peak school times, and measures to prevent mud and debris being taken onto the public highway; and

(b) the applicants be advised by Informative that:-

(i) with regard to the requirement to prepare and submit a (revised/amended) School Travel Plan, they should register with Kent County Council's Travel Plan Management system 'Jambusters';

- (ii) their attention is drawn to the letter from the Environment Agency in which advice and guidance is provided with regard to foul and surface water drainage; and
- (iii) their attention is drawn to the letter from Public Rights of Way which contains general informatives with regard to works adjacent to and/or on a Public Right of Way. They are 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.

55. Proposal AS/16/1148 (KCC/AS/0204/2016) - Permeable tarmac playground and trim trail area at Charing CE Primary School, School Road, Charing; Governors of Charing CE Primary School

(Item D2)

(1) Mr C Simkins informed the Committee that he was the Local Member for this proposal. He had not given his views on the proposal and was able to approach its determination with a fresh mind.

(2) Mr Tylden Reed from Charing PC addressed the Committee in support of the proposal.

(3) The Committee agreed that the text of Mr Tylden's contribution should be sent to the Secretary of State as part of the County Planning Authority's submission on this proposal. It also agreed to ask the Chairman to write separately on its behalf to the Secretary of State in respect of the delay in implementation caused by Sport England's objections to this and similar applications.

(4) RESOLVED that:-

- (a) the proposal 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; hours of working during construction 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; construction traffic/deliveries minimising conflict with traffic and pedestrians at the beginning and end of the school day; and the submission for approval of a scheme of landscaping, including the provision of replacement trees of native species in an appropriate location, its implementation and maintenance;
- (b) Mr Reed's contribution be included in the County Planning Authority's submission to the Secretary of State; and
- (c) The Chairman be requested to write on the Committee's behalf to the Secretary of State in respect of the delay in implementation caused by Sport England's objections to this and similar applications.

56. Matters dealt with under delegated powers

(Item E1)

RESOLVED that subject to the deletion of Permission CA/16/1822 (Swalecliffe Junior School) from the list of County Council developments, the following matters dealt with under delegated powers since the last meeting be noted:-

- (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).