

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, 18 August 2009.

PRESENT: Mr R E King (Chairman), Mr R Brookbank, Mr A R Chell, Mr T Gates, Mr W A Hayton, Mr J D Kirby, Mr J F London, Mr R F Manning, Mr R A Pascoe, Mr M Robertson, Mr C P Smith and Mr A Willicombe

IN ATTENDANCE: Mr M Clifton (Team Leader - Waste Developments), Mr J Crossley (Team Leader - County Council Development) and Mr R White (Transport and Development Business Manager) and Mr G Mills, Democratic Services.

UNRESTRICTED ITEMS

53. Membership

(Item A1)

The Committee noted the appointment of Mrs Dagger and Mr Pascoe to the Committee in place of Mrs P Stockell and Mr K Pugh.

54. Minutes - 21 July 2009

(Item A4)

RESOLVED that, subject to the month of July being amended to read June in paragraph 37, the minutes are correctly recorded and that they be signed by the Chairman.

55. Site Meetings and Other Meetings

(Item A5)

- (1) The Committee were advised of the following site visits:
 - (a) Tilmanstone composting proposal, site visit will commence at 17.00 on 16 September 2009. The Public Meeting will then follow at 19.00 in Eastry Village Hall.
 - (b) Sevenoaks Quarry extension, site visit will commence at 14.00 on 8 September 2009.
- (2) Mr King emphasised the importance of as many Members as possible to attend public meetings as it is a good opportunity to listen and learn.
- (3) Discussion took place whether to change the date of the Planning Committee meeting on 6 October to 16 October 2009 as it had become apparent that as the 6th clashed with the Conservative Conference in Manchester the number of Members being able to attend the Committee meeting. It was decided that

both dates would be left open and a decision taken at the Committees meeting on 8 September 2009.

56. Application TM/09/1414 - Variation of Condition 4 of Permission TM/04/2028 to allow time for completion of quarry restoration until 30 November 2010 at Workhouse Quarry, Workhouse Road, Ryarsh; Gallagher Aggregates Ltd
(Item C1)

- (1) The views of Mrs Hohler as the Local Member were reported to the meeting.
- (2) RESOLVED that permission be granted subject to conditions covering amongst other matters; infilling and final restoration to be completed by November 2010, hours of working, vehicle number restrictions, implementation of drainage scheme approved, wheel cleaning, noise and dust controls and requiring that upon completion of restoration that reinstatement of Workhouse Road be completed in accordance with Keith Funnell drawing number RQ/L10B received with accompanying letter dated 15 November 2004 as approved on 23 December 2004.

57. Proposal CA/09/702 - New slip road linking the existing A28 Thanington Road to the existing A2 dual carriageway to provide access onto the A2 London bound from the Wincheap and Thanington Without area, including demolition of former community centre building, relocation of existing BMX track and formalisation of parking spaces for existing community centre building at A28 Thanington Road and A2 Canterbury By-pass, Thanington Without, Canterbury; KCC Major Projects
(Item D1)

- (1) Mr J Benger and Miss Differ addressed the Committee and raised a number of concerns on behalf of local residents. Mr G Cripps spoke in reply.
- (2) The Committee agreed to include as an additional informative about the installation of a Urban Traffic Management Control (UTMC) system and also requested the applicant to investigate any reasonably possible options for providing alternative off street parking facilities should these be put forward to them prior to the commencement of the development.
- (3) RESOLVED that planning permission be granted, subject to conditions, including amongst others, conditions to cover the following aspects:
 - 5 year time limit for implementation;
 - The development to be carried out in accordance with the permitted details;
 - Overall landscaping scheme to be submitted to and approved prior to the commencement of operations on site, and thereafter be fully implemented as approved within the first planting season following the completion of works;
 - Planting scheme retention and maintenance requirement for a period of not less than 5 years;
 - Tree protection measures be imposed (in accordance with British Standard 5837:2005) on trees to be retained in the locality of the development site;

- The development shall be carried out strictly in accordance with the various ecological mitigation measures detailed within the Environmental Report;
- Traffic monitoring strategy;
- Traffic signal operation protocol;
- Construction management plan;
- Surface water drainage, ground contamination and oil & chemical storage details;
- Programme of archaeological works;
- Construction environmental management plan demonstrating measures to mitigate the risk of contamination of surface waters on the River Stour;
- Details of contractors compound;
- Dust suppression measures and controls to limit mud/debris on the highway;
- Hours of construction be limited to between 0700 and 1900 Monday to Saturday, and no operations shall take place on Sundays and Bank Holidays, except as may be agreed in writing by the County Planning Authority in liaison with the City Council as a result of a clearly demonstrated need to work outside of the 'standard' working hours during construction operations;
- Removal of all plant and equipment and restoration of site following completion of works.

(4) An INFORMATIVE be placed on any decision notice to require the applicant to fully investigate any reasonably possible compensatory parking measure put forward to them prior to the commencement of the development. Also, to require the applicant to investigate the scope for installing a UTMC in Canterbury.

58. Proposal CA/09/680 - Partial demolition of existing school buildings and alterations and extension to form a multi-use sports arena and activity hall, and creation of additional car parking spaces at Herne Bay High School, Bullockstone Road, Herne Bay; Kent Local Education Partnership 1.

(Item D2)

(1) The views of Mr D Hirst and Mrs J Law as the Local County Members were reported to the meeting. Mr Hirst supported the application subject to the provision of parking spaces in the High School grounds and the highway improvements as described in the Officer report. He noted that the pavement to Greenhill East is not continuous from the main school entrance. Mrs Law considered that unless all the highway matters are dealt with under this application then she was not minded to accept this application as footway improvements along both lengths of Bullockstone Road where none exist should be included as a matter of course.

(2) The views of the Lawn Tennis Association were reported to the meeting. The Lawn Tennis Association formally object to the proposals on the basis of the loss of tennis facilities at the High School site.

(3) During the course of discussion on this item Mr King proposed and Mr Hayton seconded that the application be approved subject to the premises being closed on a Saturday at 23:00 hours and not 24:00 hours as proposed in the report.

(2) RESOLVED that subject to the satisfactory resolution of outstanding highway improvements, that planning permission be granted, subject to conditions, including amongst others, conditions to cover the following aspects:

- Standard time limit ;
- The development to be carried out in accordance with the permitted details;
- Full details of all external materials to be submitted to and approved prior to the commencement of operations;
- Details of mechanical ventilation measures be submitted for approval;
- Site levels and finished floor levels shall be submitted to and approved prior to any works commencing;
- School travel plan be updated prior to first occupation of development to take account of the new sports complex;
- Parking to be made available out of school hours within the site in connection with the sports centre use;
- Adequate measures be taken to ensure that vehicles leaving the site engaged in the construction work do not deposit mud or other debris on the public highway;
- Construction works only take place between the hours of 08:00 to 18:00 Monday to Fridays; 09:00 to 13:00 Saturdays; and no working on Sundays or Bank Holidays;
- Landscaping scheme to be submitted to and approved prior to the commencement of operations on site, and thereafter be fully implemented as approved within the first planting season following the completion of works;
- Programme of archaeological evaluation;
- Surface water drainage scheme be submitted for approval by the County Planning Authority in liaison with Environment Agency and Canterbury City Council;
- Land contamination;
- Fuel, oil and chemical storage measures;
- Submission of a Community Use Scheme and Sports Development Plan to be approved in writing by the County Planning Authority in conjunction with Sport England;
- Details of external lighting to be approved by County Planning Authority;
- Control of mud and debris on highway in connection with construction activities;
- Coach turning facilities made available at all times on site;
- Coaches leaving site do so in a forward gear and park off site in designated coach parking;
- Sports hall to be marked out for intended multi-use;
- Internal layout designed in accordance with Sport England Guidance Notes;
- Implementation of new car park prior to bringing the sports complex into use by the community;

(3) Hours of use of internal facilities of new sports centre be limited to - Mondays to Fridays: 08:00 to 23:00 hours, Saturdays: 08:00 to 23:00 hours, Sundays and Bank Holidays 08:00 to 22:30 hours;

59. Proposal AS/09/460 - Victoria Way Initial Phase. Single carriageway (2-way) with footways between the existing Leacon Road and Victoria Road , Ashford; Kent Highways Services
(Item D3)

(1) Mr Wolna of National Grid Property addressed the Committee on behalf of the Company and said it did not object to the application as such but did object to the lack of provision of a second access point to the company's land in Victoria Way thus affecting its future development potential. Mr Watson of Jacobs spoke in reply.

(2) RESOLVED that planning permission be granted subject to conditions, including conditions covering the following:

- 5-year time limit to commence the scheme, given the extra time that is typically required to complete all the statutory procedures for major development proposals;
- details of the carriageway design and all finished surfaces, including the kerb lines; dropped kerbs; tactile paving, pedestrian crossings and vehicle crossovers;
- details of all structures, signage and other street furniture; including seating; litter bins; bollards; cycle racks; pedestrian signage and bus shelters;
- details of all lighting and CCTV elements;
- details of further noise mitigation measures;
- details of landscaping (including tree and hedge protection during the installation);
- details of surface drainage; including prevention of discharges to the highway; and details of the underground storage system for discharge to the River (at a rate 4 litres per second per hectare) and of flood pathways under the proposed road;
- details of Victoria Square (including dimensions, materials, street furniture, public art and other materials);
- details of the finished road and site levels;
- details of each of the proposed access points to adjacent development sites prior to the construction of such accesses.
- the provision and maintenance of visibility splays;
- the widths and design details of the Public Rights of Way;
- submission of a Waste Management Plan;
- submission of a Management and Maintenance Strategy;
- submission of a Code of Construction Practice;
- provisions for contractor's parking, deliveries, off-loading and turning;
- submission of a full highway and public realm Safety Audit;
- implementation of a programme of archaeological work;
- recommendations of the habitat survey to be carried forward, and a long term habitat mitigation strategy to be submitted,
- measures to prevent groundwater contamination;
- precautions to prevent the deposit of mud on the public highway;
- a sustainability statement for construction materials;
- the implementation of all details to be submitted.

(3) It was further agreed that the applicants be advised of the need to investigate the following aspects:

- the scope for using renewable energy sources for the proposed lighting, such as solar power;
- the scope for minimising the extent of any street works by the Utility companies and ensuring the quality of any associated restoration work;
- the use of porous paving surfaces and Sustainable Urban Drainage Systems generally on this scheme;
- the habitat survey recommendations to be carried forward, such as the impact of lighting on bats.

60. Proposal AS/09/102 - Twelve 1-bed supported apartments at Ashford Disabilities Opportunity Service, St Stephen's Walk, Ashford; Kent Adult Social Services.

(Item D4)

RESOLVED that permission be granted, subject to conditions, including the following:

- standard time conditions for an outline permission;
- the submission of reserved matters relating to scale, design and landscaping;
- the development to be carried out in accordance with the permitted layout and access arrangements;
- no development to occur on site unless suitable alternate community services are provided, as set out in the statement received from Kent Adult Social Services;
- the height of the building not to exceed 10 metres;
- measures to be taken if contamination not previously identified on site is found;
- tree protection measures;
- details of all hard landscaping including fencing proposed on site;
- details of foul and surface water drainage;
- hours of operation during construction;
- dust suppression measures;
- measures to ensure no mud is deposited on the public highway;
- no external lighting to be installed without prior approval;
- the provision of vehicle parking spaces prior to first occupation;
- the provision of cycle parking; and
- the use of the building be restricted solely for the use applied for.

61. Proposal GR/09/440 - A2 Activity Park Scheme consisting of an outdoor activity park including car parking, pavilion and associated buildings, cycle tracks, footpaths, boundary treatments and landscaping on the A2 Corridor and adjacent agricultural land at land between the new A2 Watling Street from the Pepper Hill Junction to the Marling Cross Junction, Gravesend; Kent Highways Services.

(Item D5)

(1) Mrs K Van Beveren addressed the Committee and raised a number of objections to the application on behalf of some local residents.

(2) The views of Mr M Snelling as a Local County Member and Leader of Gravesham Borough Council were reported to the meeting, together with further

views from Gravesham Borough Council arguing that the proposed development did not constitute appropriate development in the Green Belt issues and therefore needed to be justified by very special circumstances. Mr Snelling supported the application provided there were appropriate safeguards put in place regarding nearby resident amenities. Mr L Christie and Mr H Craske also attended the meeting as Local County Members. Both expressed their general support for the application but also brought to the attention of the Committee some concerns which had been made known to them by local residents and which they asked the Committee to note in its consideration of this application. Mr L Tricker spoke in reply and Mr Crossley provided further advice on a number of planning points which had been raised.

(3) During the course of debate, the view of Members was that the application should be approved subject to some changes to the list of conditions as follows:-

- deletion of the 'subject to' relating to the Highway Agency in favour of an extra condition requiring the submission of a Travel Plan and Parking Management Strategy;
- adjustment of the first condition relating to external lighting to refer to details of the pavilion and car park security lighting only;
- addition of a condition prohibiting any external lighting within the Activity Park other than security and car park lighting; and
- addition of a condition prohibiting the use of the proposed pavilion and ancillary buildings for privately hired functions.

(4) RESOLVED that permission be granted subject to conditions, covering:

- a 5 year time limit for implementation;
- the submission of a Travel Plan and Parking Management Strategy
- the development to be carried out in accordance with the permitted details;
- no 'major weekend events' to be held on site until such time as an application for such events is submitted to and permitted by the County Planning Authority;
- the submission of details of all materials to be used externally for the pavilion and ancillary buildings, and design details of the ancillary buildings;
- the submission of details of all external security lighting of the pavilion and car park;
- no lighting of the existing parks cycle/footpath or bridle way without approval;
- all external lighting within the Activity Park is prohibited other than security lights and car park lighting;
- all lighting on site, except security lighting, to be extinguished by 10pm, or 15 minutes after last use of the facility if earlier;
- details of CCTV;
- a scheme of hard and soft landscaping, its implementation and maintenance, and details of earth works and land contours;
- measures to protect trees to be retained;
- details of fencing, gates and means of enclosure, including colour finishes;
- contaminated land assessment;
- control of surface water drainage;
- limit on noise levels from public address/tannoy systems;
- details of foundation design/below ground excavations;
- implementation of a programme of archaeological work;
- development to accord with the recommendations made in the submitted Ecological Scoping Survey;
- protection of nesting birds;

- identified ecological enhancements to be incorporated into the scheme;
- the provision of car parking and access prior to occupation;
- the provision of overflow parking, should in be required;
- restrictions on hours of use of the Core Activity Park, and the pavilion and car park;
- hours of working during construction;
- construction code of practice to include measures to prevent dust etc during construction, prevention of the deposition of mud on the local highway network and details of construction methodology;
- the use of the proposed pavilion and ancillary building for privately hired functions to be prohibited;

62. Proposal SW/09/513 - New detached single storey timber clad dining hall with ramped access, playground extension and pond at lower Halstow Primary School, School Lane, Lower Halstow; Governors of Lower Halstow Primary School
(Item D6)

RESOLVED that permission be granted subject to the imposition of conditions, including:

- the standard time limit;
- the development to be carried out in accordance with the permitted details;
- the development to be constructed using the materials set out in the drawings received.

63. County matter applications
(Item E1)

RESOLVED to note matters 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 (None).