

## KENT COUNTY COUNCIL

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### PLANNING APPLICATIONS COMMITTEE

MINUTES of a meeting of the Planning Applications Committee held in the Council Chamber - Sessions House on Wednesday, 11 July 2018.

PRESENT: Mr R A Marsh (Chairman), Mr R A Pascoe (Vice-Chairman), Mrs R Binks, Mr A Booth, Mr I S Chittenden, Mr A Cook (Substitute for Mr M D Payne), Mr P M Harman, Mr B H Lewis, Mr J P McInroy (Substitute for Mr P C Cooper), Mr H Rayner, Mr C Simkins, Mrs P A V Stockell and Mr J Wright

ALSO PRESENT: Mrs A D Allen, MBE

IN ATTENDANCE: Mrs S Thompson (Head of Planning Applications Group), Mrs A Hopkins (Principal Planning Officer), Mr P Hopkins (Principal Planning Officer), Mr D Joyner (Transport & Development Manager) and Mr A Tait (Democratic Services Officer)

#### UNRESTRICTED ITEMS

##### **24. Minutes - 13 June 2018**

*(Item A3)*

RESOLVED that the Minutes of the meeting held on 13 June 2018 are correctly recorded and that they be signed by the Chairman.

##### **25. Site Meetings and Other Meetings**

*(Item A4)*

The Committee was advised that there would be a training visit to Ridham Dock on Tuesday, 24 July 2018.

##### **26. General Matters**

*(Item B1)*

The Head of Planning Applications Group advised that the revised National Planning Policy Framework was due to be published by the end of July 2018, although it was possible that there would be a delay until the Autumn. Until the revised NPPF was published, all her reports on planning applications would therefore refer to both the current *and* emerging NPPF policies.

##### **27. Application DO/18/0034 (KCC/DO/0339/2017) - Wood recycling to produce biofuel together with ancillary power production at former KCC Waste Transfer Station, Fernfield Lane, Hawkinge; Flisher Energy Ltd**

*(Item C1)*

(1) Mr R A Pascoe informed the Committee that he chaired the Hawkinge PC Planning Committee which had commented on this application. He would therefore not take part in the decision-making process for this item.

(2) The Head of Planning Applications Group informed the Committee of recent comments from the Local Members, Mr G Lymer and Miss S J Carey in support of the application.

(3) On being put to the vote, the recommendations of the Head of Planning Applications Group were unanimously agreed.

(4) RESOLVED that:-

- (a) permission be granted to the application subject to conditions, including conditions covering the development being carried out in accordance with the approved plans; waste wood awaiting processing being stored only in the area identified on the plans; no additional containers being brought on site; no more than 20,000 tonnes of wood waste per annum being brought onto the site; the shredder only being located as shown on the layout drawing 324/101 rev A; a noise limit of 112dBA as set out in Table 4.1 of the Noise report; the shredder and other external plant operating only between 0730 to 1630 on Mondays to Fridays, 0800 to 1300 on Saturdays with none of these activities taking place on Sundays or Bank Holidays; details of the acoustic qualities of the barrier and its long-term maintenance plan being submitted for approval prior to its installation; the submission of a detailed landscaping scheme; the maintenance of the approved planting scheme; a limit of 7 HGV movements per day; use of the private access for the import and export of wood, including operation of the gates; the areas identified for parking, turning and manoeuvring being kept available for such use; and the storage of oils, fuels and lubricants being appropriately contained to prevent spillage and impact on groundwater; and
- (b) the applicants be advised by Informative of the matters for inclusion the landscaping scheme and of the need for them to remind drivers visiting the site by using the private road that pedestrians have the right of way.

**28. Proposal SE/18/01521/KCCRG3 (KCC/SE/0075/2018) - Erection of a two storey extension to the existing school to provide accommodation for an additional Form of Entry (1FE to 2FE), relocation of existing mobile classroom and the provision of a further temporary classroom (for 12 months), 18no additional car parking spaces, new hard court playground (including MUGA), associated landscaping and ancillary works at Seal Church of England Primary School, Zambra Way, Seal, Sevenoaks, TN15 0DJ**

*(Item D1)*

- (1) The Head of Planning Applications Group reported correspondence from Seal PC commenting on the report and requesting an additional condition. She also reported the receipt of three late representations in support of the proposal and the comments of the Local Member, Mr R W Gough, also in support.
- (2) During discussion of the item, the Committee requested a future training session on the effectiveness of School Travel Plans.

- (3) In agreeing the recommendations of the Head of Planning Applications Group, the Committee agreed to amend the native species landscaping condition to specify the inclusion of berry-bearing trees and bushes.
- (4) RESOLVED that:-
- (a) the application be referred to the Secretary of State for Housing, Communities and Local Government, and that subject to his decision, 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 submission for approval of details of all construction materials to be used externally; the first floor windows on the eastern end elevation being obscure glazed as shown on drawing number XXZZDRA050007 Rev P01 and retained as such to avoid overlooking neighbouring properties; details of the roof plant being submitted for approval in writing prior to the commencement of the permanent development; all temporary classrooms being permanently removed from the site within 3 months of occupation of the school extension, with the land being reinstated as part of the playing field/informal play space; the submission and written approval of a revised and updated School Travel Plan within 6 months of occupation of the extension, and its ongoing monitoring review thereafter for a period of 5 years; the off-site parking facility being provided for parent drop off and pick up facilities prior to 1 September 2019, or upon completion and occupation of the extension, whichever is the later, to mitigate for the expansion of Seal Primary School from 1FE to 2FE; the submission of a Construction Management Plan, providing details of, amongst other matters, no traffic movements including deliveries, occurring in Zambra Way and Ash Platt Road during school start and finish times, the location of parking and turning areas for construction and delivery vehicles, site personnel and visitors, the provision of wheel washing facilities and hours of construction; the ecological enhancements recommended in the Ecological Appraisal being implemented; a detailed reptile and amphibian mitigation strategy being submitted prior to commencement of the development; a bat emergence survey and any details of mitigation being submitted prior to commencement of the development; the provision and permanent retention of the vehicle and cycle parking facilities prior to the occupation of the school; the submission for written approval of a fully detailed sustainable surface water drainage scheme for the site prior to commencement of the permanent development, and its on-going maintenance prior to occupation of the extension; the submission and approval of a maintenance manual for the sustainable drainage scheme prior to occupation of the extension; no development of the permanent extension commencing until a remediation strategy to deal with risks associated with contamination of the site has been submitted to the County Planning Authority and approved in writing; if during development, contamination not previously identified is found to be present, no further development shall take place until a remediation strategy has been agreed with the County Planning Authority; no piling or penetrative foundation methods being used on site without the prior

written consent of the County Planning Authority; the submission of a native species landscape scheme including berry-bearing trees and shrubs, together with details of its maintenance scheme to ensure the establishment of the planting and its management to benefit biodiversity; all trees and hedges in close proximity to the proposed development that are to be retained being fenced off with protective fencing prior to commencement of the permanent development, as set out in the Arboricultural Impact Assessment and maintained for the duration of the building works; and any lighting of the MUGA not being permitted without the written consent of the County Planning Authority; 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) Seal Primary School should pursue, as a matter of importance, the reduction of the speed limit to 30mph where the current 40mph speed limit exists on the A25 at Seal Hollow Road; the introduction of a pedestrian phase at the Seal Hollow traffic lights; and the inclusion of Seal Primary School within the ‘Safer School Zone’ programme in the interests of the safety of their pupils and to encourage more sustainable modes of transport;
  - (iii) they need to ensure that all necessary highway approvals and consents are obtained;
  - (iv) the development should take account of the Bat Conservation Trust’s ‘Bats and Lighting in the UK’ guidance;
  - (v) the need to ensure that works to trees are carried out outside of the breeding bird season and, if this is not possible, that an ecologist should examine the site prior to works commencing; and
  - (vi) in developing the planting scheme referred to in the landscaping condition above, species should be selected to provide suitable species with berries and be chosen to maximise potential for biodiversity and wildlife

**29. Proposal SE/18/01520/KCCRG3 (KCC/SE/0076/2018) - Extension to existing car park to include 5 parking spaces, reconfiguration of existing parking layout, resurfacing and upgrade of existing footpath at Seal Recreation Ground Car Park, High Street, Seal, Sevenoaks**  
*(Item D2)*

- (1) The Head of Planning Applications Group informed the Committee of correspondence from the Local Member, Mr R W Gough in support of the proposal and from Seal PC.

(2) 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 *Keep Clear* markings on the A25 (shown on drawing number XX00DRA050017 Rev P03) being provided prior to the use of the car park following the extension and resurfacing works; the updated recommendations within the Ecological Constraints and Mitigation Strategy (to include the whole construction footpath) being submitted for written approval by the County Planning Authority and implemented prior to commencement of the development; and no work commencing until the trees and hedges that are to be retained (marked in the Arboricultural Impact Assessment) are protected from construction, with such protection being maintained for the duration of the works; and
- (b) the applicants be advised by Informative to ensure that all necessary highway approvals and consents are obtained.

**30. Proposal SW/18/502/753 (KCC/SW/0077/2018) - Retrospective application for erection of a 2.3m high 57m long fence along one boundary of the sports field at Newington CEP School, School Lane, Newington; Governors of Newington CEP School**  
*(Item D3)*

- (1) The Head of Planning Applications Group reported the views of the Local Member, Mr M Whiting.
- (2) The Committee asked for its disappointment over the retrospective nature of the proposal to be minuted.
- (3) The Head of Planning Applications Group tabled revised recommendations which were agreed.
- (4) RESOLVED that permission be granted to the proposal subject to a condition requiring the maintenance of the area between the new fence and the boundary of the adjoining properties so that the grass and other vegetation is regularly cut in accordance with details provided by the School.

**31. Proposal DA/18/659 (KCC/DA/0088/2018) - Temporary application for retention of 3 modular classrooms (permitted under DA/17/1626), provision of a further 3 modular classrooms to accommodate the September 2018 allocation of pupils and 42 additional car parking spaces at Wilmington Academy, Common Lane, Wilmington; KCC Property and Infrastructure Support**  
*(Item D4)*

- (1) The Head of Planning Applications Group tabled an amendment to the report. This consisted of an amended version of the table on the impact on Year 7 and Year 7-11 capacity in Dartford and replaced the table in paragraph 39 of the report.

(2) Mrs A D Allen was present for this item pursuant to Committee Procedure Rule 2.27 and spoke.

(3) The Head of Planning Applications Group informed the Committee of correspondence from the County Council's Biodiversity Officer stating that she was satisfied with the findings of the Ecological Report confirming that bats were not using the London plane tree.

(4) Mrs Marion Charlton, a local resident addressed the Committee in support of the proposal.

(5) The Committee agreed that the proposed condition on details of replacement tree planting would reference a need to include London planes.

(6) On being put to the vote, the recommendations of the Head of Planning Applications Group (as amended in (5) above) were carried by 9 votes to 2 with 1 abstention.

(7) RESOLVED that:-

(a) permission be granted to the proposal subject to conditions, including conditions covering the development being carried out in accordance with the permitted details; the modular buildings being removed from site and the land reinstated as playing field on or before 1 September 2019; the installation of the modular classrooms being undertaken outside of school operating hours; the 42 space car park being completed and operational prior to first occupation of the additional 3 modular classrooms; the onsite drop-off/pick-up area, bus parking/pick-up area, and car parking being available for use during school operation hours; and the submission of details of replacement tree planting including London planes; and

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

(i) the Academy should maintain their previously cut back vegetation lines to avoid future growth overhanging the carriageway and footway/footpaths to facilitate pedestrian movement and reduce the likelihood of large vehicles overrunning the Common Lane footway;

(ii) they should liaise with the Parish Council regarding the provision of benches in the local area made from the wood of the removed tree;

(iii) the Education Authority's attention is drawn to the comments expressed by Dartford Borough Council that they are keen to work with KCC Education regarding the provision of school places in the Borough and have always sought to do so. The Borough Council request that any further expansion of schools (whether temporary or permanent) are discussed with the Borough Council at an early stage, so that the planning matters such

expansions may lead to can be fully considered before the offer of places is prejudiced.

**32. Proposal DA/18/39 (KCC/DA/0353/2017)- Three storey teaching block to accommodate additional two Forms of Entry, provision of additional 18 car parking spaces, playground and games court and associated landscaping and ancillary highways works spaces at Wilmington Academy, Common Lane, Wilmington; KCC Property and Infrastructure Support**  
*(Item D5)*

(1) The Head of Planning Applications Group tabled an amendment to the report. This consisted of an amended version of the table on the impact on Year 7 and Year 7-11 capacity in Dartford and replaced the table in in paragraph 38 of the report.

(2) The Head of Planning Applications Group informed the Committee of an amendment within paragraph 66 of the report, where the relevant sentences were to be changed to: "This application proposes 300 additional pupils, which equates to two classes. Using the Borough Council's parking standards, this application would generate a need for 25 additional parking spaces. The 18 spaces proposed are considered adequate to accommodate the additional staff. Should the car parking proposed under application reference KCC/DA/0088/2018 (the temporary proposal - Item D4 on these papers) be granted planning permission, 42 car parking spaces would be provided on site in lieu of the 18 proposed here. That would be of significant benefit in terms of providing onsite car parking to ease existing overspill onto local roads"

(3) Mrs A D Allen was present for this item pursuant to Committee Procedure Rule 2.27 and spoke. She asked the Committee to note that she was including a statement from *Wilmington Safer Streets* and drew attention to that organisations acknowledgement of the work undertaken by all concerned to bring safety to the streets of Wilmington.

(4) The Head of Planning Applications Group informed the Committee of correspondence from the County Council's Biodiversity Officer requiring an additional condition specifying precautionary measures for reptiles and the submission and approval of external lighting to minimise the disturbance to bats and the submission for approval of a biodiversity management plan. This was agreed.

(5) The Committee agreed to the Head of Planning Applications Group's request to delete the proposed condition for the completion of off-site highways works prior to the expansion of the school role to over 210 pupils.

(6) Mr Derek Hunnisett addressed the Committee as the local Borough Councillor and Chairman of Wilmington PC. He spoke in opposition to the proposal. Mr Ian Watts (Area Education Officer and Mr Simon Moon (DHA Highways) spoke in reply.

(7) On being put to the vote, the recommendations of the Head of Planning Applications Group (amended in (4) and (5) above) were carried by 6 votes to 5 with 1 abstention.

(8) RESOLVED that the application be referred to the Secretary of State for Housing, Communities and Local Government as a departure from the Development Plan on Green Belt grounds, and subject to his decision and to a Memorandum of Understanding regarding the required monetary contribution to ensure monitoring of the Travel Plan:-

(a) permission be granted to the proposal subject to conditions, conditions, including conditions covering the standard 5 year time limit for implementation; the development being carried out in accordance with the permitted details; the submission and approval of details of all materials to be used externally; the submission of a landscaping scheme, including additional tree planting, soft landscaping, hard surfacing, and ecological enhancements; tree protection methods, as shown on the submitted drawings, being adopted to protect those trees to be retained; no tree removal taking place during the bird breeding season; the development not being implemented until assurance regarding the implementation of the Wilmington Grammar School for Girls (WGSB) (KCC/DA/0002/2018) development, specifically the coach park and footpath link, is provided; completion of the off-site infrastructure shown on the submitted plans (Drawing 11231T-03), subject to a Stage 1 safety audit and the inclusion of any recommendations within the audit, within 6 months of the occupation of the extension; provision of new poles and globes at the zebra crossing at the Academy/ WGSB exit on to Common Lane to match the brightness of those at the new crossing recently installed by KCC Highways further along Common Lane; the submission and approval of an updated Travel Plan within six months of occupation, authorised by the school management team as a specific school policy, and the monitoring and auditing of the Travel Plan for a period of 5 years, within which there are to be annual updates, with funding secured for KCC Highways (MoU) to ensure adequate resourcing to audit and oversee this process; the provision and retention of car parking prior to the occupation; access to the drop off loops and bus parking areas within the school site being maintained; the submission and approval of a detailed Sustainable Surface Water Drainage Scheme and of subsequent details of the implementation, maintenance and management of the approved Scheme; no infiltration of surface water drainage into the ground other than with the approval of the County Planning Authority; measures to control development should land contamination be identified; 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 and approval of a construction management strategy prior to the commencement of the development, including details of the location of site compounds and operative/visitor parking, details of site security and safety measures, lorry waiting and wheel washing facilities, details of how the site access is to be managed to avoid conflict with peak school times, and details of any construction accesses; precautionary measures for reptiles being carried out; the submission and approval of external lighting to ensure that the disturbance to bats is minimised; and the submission and approval of a biodiversity management plan; and

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



- (i) the Academy should maintain its previously cut back vegetation lines in order to avoid future growth overhanging the carriageway and footway/footpaths, to facilitate pedestrian movement and to reduce the likelihood of large vehicles overrunning the Common Lane footway; and
- (ii) their attention is drawn to the letter from the Environment Agency in which advice is provided with regard to the disposal of waste material;

**33. Proposal DA/18/94/CPO (KCC/DA/0002/2018) - Erection of two storey teaching block and sports hall with roof top MUGA to accommodate an additional Form of Entry (4FE to 5FE), provision of a drop-off loop for 6 buses, 12 additional car park spaces, rearrangement of existing hard surfaced games court together with temporary games court during construction works, associated landscaping, upgraded footpath link and ancillary highways works at Wilmington Grammar School for Girls, Parsons Lane, Wilmington.**

*(Item D6)*

(1) The Head of Planning Applications Group tabled an amendment to the report. This consisted of an amended version of the table on the impact on Year 7 and Year 7-11 capacity in Dartford and replaced the table in in paragraph 37 of the report.

(2) Mrs A D Allen was present for this item pursuant to Committee Procedure 2.27 and spoke.

(3) The Head of Planning Applications Group asked the Committee to include an additional recommended condition requiring that details of any external lighting to be submitted for approval. This was agreed.

(4) On being put to the vote, the recommendations of the Head of Planning Applications Group (as amended in (3) above) were carried by 9 votes to 2.

(5) RESOLVED that the application be referred to the Secretary of State for Housing, Communities and Local Government as a departure from the Development Plan on Green Belt grounds, and that subject to his decision and to a Memorandum of Understanding regarding the required monetary contribution to ensure monitoring of the Travel Plan:-

- (a) permission be granted to the proposal subject to conditions, including conditions covering the standard 5 year time limit for implementation; the development being carried out in accordance with the permitted details; the submission and approval of details of all materials to be used externally; the submission of a landscaping scheme, including additional tree planting, soft landscaping, hard surfacing, and ecological enhancements; tree protection methods, as shown on the submitted drawings, being adopted to protect those trees to be retained; Tree T8 (Scots Pine) being cut down and removed in sections to protect the potential for bats to be roosting within it; the submission of a bat mitigation strategy for written approval prior to the removal of any trees on site; the development being carried out in accordance with the reptile mitigation strategy as set out in the Preliminary Ecological Appraisal (PEA) and that a fingertip search for reptiles be undertaken upon completion of the vegetation clearance; any

widening of the footpath on site being undertaken in accordance with the precautionary reptile mitigation strategy set out in the PEA; completion of the on-site infrastructure (footpath link) shown on the submitted plan (drawing number 11231T-03) prior to the commencement of the construction works relating to the new building, and its permanent retention thereafter; completion of the off-site infrastructure shown on the submitted plans (Drawing 11231T-03), subject to a Stage 1 safety audit, with the inclusion of any recommendations within 6 months of the occupation of the extension; the provision of new poles and globes at the zebra crossing at the Academy/ Wilmington Grammar School for Girls (WGSB) exit on to Common Lane to match the brightness of those at the new crossing recently installed by KCC Highways further along Common Lane; the submission and approval of an updated Travel Plan within six months of occupation, its authorisation by the school management team as a specific school policy, and its monitoring and auditing for a period of 5 years, within which time there will be annual updates with funding secured for KCC Highways (MoU) to ensure adequate resourcing to audit and oversee this process; the provision and permanent retention of the 6 coach bays and 12 parking spaces shown on the submitted plans within 6 months of the occupation of the building; access to the drop off loops and bus parking areas within the school site being maintained; measures to prevent the discharge of surface water onto the highway; the submission of a fully detailed sustainable surface water drainage scheme for the site prior to commencement of the development, together with the written approval of such a scheme and its on-going maintenance prior to occupation of the extension; the submission and approval of a maintenance manual for the sustainable drainage scheme prior to occupation of the extension; no infiltration of surface water drainage into the ground other than with the approval of the County Planning Authority; no further development taking place if, during development, contamination not previously identified is found to be present, until a remediation strategy has been agreed with the Council; no piling or penetrative foundation methods being used on site without prior the written consent of the County Planning Authority; hours of working during construction and demolition being restricted to between 0800 and 1800 on Mondays to Friday and between the hours of 0900 and 1300 on Saturdays, with no operations on Sundays and Bank Holidays; the submission and approval of a construction management strategy prior to the commencement of the development, including details of the location of site compounds and operative/visitors parking, details of site security and safety measures, lorry waiting and wheel washing facilities, details of how the site access is to be managed in order to avoid conflict with peak school times, details of any construction accesses, hours of construction, and compliance with the Phasing Strategy; the rooftop MUGA not being lit without the prior written consent of the County Planning Authority; and details of any external lighting being submitted for approval; and

- (b) the applicant be advised by Informative that:-
- (i) Wilmington Grammar School for Girls should maintain their previously cut back vegetation lines to avoid future growth overhanging the carriageway and footway/footpaths to facilitate pedestrian movement and reduce the likelihood of large vehicles overrunning the Common Lane footway;

- (ii) they should register the School Travel Plan with Kent County Council of the School Travel Plan through the “Jambusters” website ;
- (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; and
- (iv) they should be aware of the Bat Conservation Trust’s guidance with regard to lighting on site.

### **34. 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 Assessment) Regulations 2017 (None); and
- (d) Scoping Opinions under the Town and Country Planning (Environmental Impact Assessment Regulations 2017 (None).