

KENT COUNTY COUNCIL

PLANNING APPLICATIONS COMMITTEE

MINUTES of a meeting of the Planning Applications Committee held in the Online on Wednesday, 10 June 2020.

PRESENT: Mr R A Marsh (Chairman), Mr R A Pascoe (Vice-Chairman), Mr M A C Balfour, Mrs R Binks, Mr A Booth, Mr A H T Bowles, Mr J Burden, Mr I S Chittenden, Mr P C Cooper, Mr P M Harman, Mr H Rayner, Mr C Simkins and Mr J Wright

ALSO PRESENT: Dr L Sullivan

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

UNRESTRICTED ITEMS

22. Chairman's Opening Remarks

(Item)

The Chairman opened the meeting by setting out the manner in which he intended to conduct the Committee's business so that the meeting could deal with the challenges posed by its Virtual nature in the most efficient way practical. He explained that, in order to help the smooth running of the meeting, he would formally move the recommendations of the Head of Planning Applications Group prior to the consideration of each application. This did not in any way imply any intention on his part to indicate his views on the application.

23. Minutes - 27 May 2020

(Item A3)

(1) Mr J Burden asked the Committee to note that he had attempted to participate in the meeting but had not been able to do so for technical reasons. He had nevertheless observed it in its entirety.

(2) RESOLVED that the Minutes of the meeting held on 27 May 2020 are correctly recorded and that they be signed by the Chairman.

24. Site Meetings and Other Meetings

(Item A4)

The Head of Planning Applications Group informed the Committee that arrangements for a site visit to Covers Farm in Westerham were still being considered in the light of Government advice.

25. Application TM/19/1779 (KCC/TM/0152/2019) - Variation of Condition 7 of Permission TM/14/2728 to allow for a combined total of up to 240 HGV

movements per day (120 in / 120 out) to take place associated with all operations and uses at the site (including landfill, recycling and restoration) at Borough Green Quarry, Wrotham Road, Borough Green; Robert Body Haulage Ltd

(Item C1)

(1) Mr M A C Balfour informed the Committee that he had been an LEA – appointed Governor at Grange Park School which was affected by the application. This was neither a Disclosable Pecuniary Interest nor an Other Significant Interest and he was able to approach the determination of the application with an open mind.

(2) Mr H Rayner informed the Committee that although he was a Member of Wrotham PC which had strongly objected to the application, he would be participating as a Member of the Committee. He had previously written to Democratic Services to explain that he had excused himself from all Parish Council discussions on this matter and was therefore able to approach the determination of the application with an open mind.

(3) The Clerk to the meeting read out a joint written representation received from Wrotham, Borough Green and Platt Parish Councils together with additional comments from Borough Green PC. He then read out a reply on behalf of the applicants from Mr David Maher of Barton Willmore.

(4) Mr H Rayner asked the Committee to defer consideration of the application as Wrotham School had not been consulted on the application and because he believed there were inaccuracies in the report relating to vehicular access during peak school hours which were sufficiently significant to make this course of action essential.

(5) The Clerk advised that, as the Chairman had already formally moved the recommendations, the Committee would need to vote on them. Should the Committee wish to defer consideration of the application, it would need to vote against the original motion. If it did so, it would be open to Mr Rayner to propose a deferment.

(6) On being put to the vote, the recommendations of the Head of Planning Applications Group were carried by 7 votes to 6.

(7) RESOLVED that:-

(a) permission be granted to the application to vary Condition 7 of Permission TM/14/2728 to read:

“HGV movements associated with the quarry restoration, landfill and recycling operations shall, together, not exceed 240 HGV movements per day (120 in / 120 out);”

□

(b) all other conditions previously imposed on Permission TM/14/2728 be re-imposed (updated where relevant to reflect current practices). These extant conditions cover operations ceasing by 21 February 2042 or upon the completion of restoration of the quarry; the cessation of all earlier recycling operations permitted on site; hours of operation being 0700 and 1800 hours on Mondays to Fridays and between 0700 and

1300 hours on Saturdays; no HGVs leaving the site during peak school travel times (term time 0800 to 0845 and 1500 to 1545 on Mondays to Fridays during term time); wheels and chassis cleaning; HGVs being sheeted / covered; a 10mph speed limit on the haul road; the implementation of the approved dust control scheme; noise controls (55dBLAeq.1hr daily and 70dBLAeq.1hr for temporary operations, when measured at any noise sensitive property); maintenance of a noise attenuation bund; operation of the recycling plant and equipment within the void (below 70 metres above ordnance datum (AOD)); crushing and soil screening operations not taking place simultaneously; records of all HGV movements being maintained; all HGVs associated with the restoration, landfill and recycling operations making a left turn out of and a right turn into the site (i.e. all HGVs being routed to the north via the A227 Wrotham Road);and

- (c) the applicant be advised by Informative that separate approvals are required from the Highway Authority for any works affecting publicly owned highway land.

26. Proposal GR/20/156 (KCC/GR/0019/2020) - Demolition of existing single storey teaching block and erection of detached two storey teaching block with single storey activity studio, car park extension and associated landscaping works at Mayfield Grammar School, Pelham Road, Gravesend; KCC
(Item D1)

(1) Mr J Burden informed the Committee that he was the Local Member and also the Leader of Gravesham BC which had given its views on the Proposal. He had excused himself from all discussions of the Proposal by the Borough Council and was therefore able to approach its determination with an open mind.

(2) The Head of Planning Applications Group informed the Committee that the Memorandum of Understanding between KCC Children, Young People and Education and KCC Highways, Transportation and Waste had been received after publication of the report and that the recommendations needed to be revised to reflect this. The Head of Planning Applications also advised that a further representation had been received which included comments relating to cycle parking provision and querying whether there was sufficient road width for heavy goods vehicles to turn into the construction access when other vehicles were parked on the Street.

(3) The Clerk to the meeting read out representations from Mr Alastair Thrush (a local resident) and the response on behalf of the applicants from Mr Matthew Blythin (DHA).

(4) Dr L Sullivan (Local Member) was present for this item and addressed the Committee.

(5) During discussion of this item, the Committee agreed to an additional Condition and three Informatives to the recommendations. The extra Condition specified that the upper floor glazing in the elevation facing properties in The Avenue was to be opaque. The Informatives strongly encouraged the applicant to explore the potential for incorporating photo voltaic panels and other renewable energy features

into the scheme; encouraged the applicant to explore the potential for the relocation of the air conditioning unit or measures to minimise its acoustic impact; and encouraged the applicant to explore the potential to make provision for construction traffic on site.

(6) On being put to the vote, the recommendations of the Head of Planning Applications Group, as amended in (2) and (5) above were carried by 8 votes to 3.

(7) RESOLVED that:-

- (a) the application be referred to the Secretary of State for Housing, Communities and Local Government, and subject to his decision and to the signed Memorandum of Understanding between KCC Children, Young People and Education and KCC Highways, Transportation and Waste (which has now been received and ensures that the costs of the felling and stump removal of the highway tree required to be removed for construction purposes, as well as the full CAVAT value of the tree to be removed will be paid by the applicant), permission be granted to the Proposal subject to conditions, including conditions covering the standard 3-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; the existing temporary classrooms on the tennis courts being removed from the site and the land returned to its former use within 3 months of the occupation of the new classrooms building; the existing temporary parking arrangements being retained until the approved car park is available to use; the provision and permanent retention of the vehicle parking spaces as shown on the submitted plans within 3 months of the demolition of the existing annex building and their retention thereafter; the approved parking being used for staff and visitor parking only and being retained for such use; two electric vehicle parking spaces being provided on site within 3 months of the occupation of the new building, with passive provision for two further spaces being provided within the approved car park and being retained and kept available for electric car use only thereafter; the submission of a detailed review of the School Travel Plan incorporating measures to encourage sustainable transport; the implementation of the submitted Construction Method Statement for the duration of the construction activities on site (including details of demolition measures to ensure that mammals and their young are not killed during demolition); works only being carried out on site between the hours of 0800 to 1800 on Mondays to Fridays, 0900 to 1300 on Saturdays, with no operations on Sundays or public holidays; the access gates from The Avenue only being used post-construction for emergency access purposes and not for pupil or staff access at school drop off or pick up times; four trees (one replacement and three additional) being planted in The Avenue during the first planting season following occupation of the new building, in accordance with a specification to be agreed in writing with the County Council's Highway's Arboriculture Department, with any of these trees that die or are removed within 5 years of planting being replaced; the submission of a Bat Mitigation Strategy prior to the commencement of demolition works; the submission for approval by the County Planning Authority of details of any lighting scheme, including hours of use, level of

illumination and ongoing control over any new lighting on site in order to protect foraging and commuting bats; the demonstration prior to the completion of the development that the ecological enhancements detailed in the "*Habitat Creation and Management Plan*" have been incorporated into the site, with the features then being managed in accordance with the plan; compliance with the submitted sustainable surface water drainage scheme; the submission of a verification report covering this scheme being approved in consultation with the Lead Local Flood Authority; no infiltration of surface water drainage taking place into the ground other than with the written approval of the County Planning Authority, and only being used in those areas where there would be no unacceptable risk to controlled waters or ground stability; the programme of archaeological works being carried out in accordance with the submitted and approved Written Scheme of Investigation; a watching brief being carried out by a suitably qualified consultant during demolition and foundation works in order to protect underlying groundwater resources; 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 County Planning Authority; piling or any other penetrative foundation designs not being permitted without the written approval of the County Planning Authority; (prior to the commencement of development) the protection and retention of all trees on site within the vicinity of the development not shown to be removed within the planning application; and the upper floor glazing in the elevation facing properties in The Avenue being opaque; and

- (b) the applicants be advised by Informative that:-
- (i) they should ensure that all necessary highway approvals and consents are obtained;
 - (ii) they should ensure that works to trees are carried out outside of the breeding bird season (mid-March to end of August inclusive) and, if this is not possible, that an ecologist examines the site prior to works commencing;
 - (iii) the development should take account of the Bat Conservation Trust's "*Bats and Lighting in the UK*" guidance;
 - (iv) only clean uncontaminated water should drain to the surface water drainage system. Appropriate pollution control methods should be used for drainage from access roads and car parking areas to prevent hydrocarbons from entering the surface water system;
 - (v) they should register the School Travel Plan with Kent County Council through the "*Jambusters*" website;
 - (vi) the demand for cycle parking provision should be monitored with any requirement for additional spaces being met;
 - (vii) they are strongly encouraged to explore the potential for incorporating photo voltaic panels and other renewable energy features into the scheme;

- (viii) they are encouraged to explore the potential for the relocation of the air conditioning unit or measures to minimise its acoustic impact; and
- (ix) they are to explore the potential to make provision for construction traffic on site.

27. Matters dealt with under delegated powers

(Items E1-E4)

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

28. KCC Responses to consultation

(Item F)

There were no reports under this heading.