

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, 11 October 2011.

PRESENT: Mr J A Davies (Chairman), Mr C P Smith (Vice-Chairman), Mr R E Brookbank, Mr A R Chell, Mrs V J Dagger, Mr T Gates, Mr W A Hayton, Mr C Hibberd, Mr P J Homewood, Mr R E King, Mr J D Kirby, Mr R J Lees, Mr J F London, Mr R F Manning, Mr R J Parry, Mr R A Pascoe, Mr M B Robertson and Mr A T Willicombe

ALSO PRESENT: Mrs S V Hohler

IN ATTENDANCE: Mrs S Thompson (Head of Planning Applications Group), Mr M Clifton (Team Leader - Waste Developments), Mr J Crossley (Team Leader - County Council Development), Mr J Wooldridge (Team Leader - Mineral Developments), Mr R White (Development Planning Manager) and Mr A Tait (Democratic Services Officer)

UNRESTRICTED ITEMS

51. Minutes - 6 September 2011

(Item A3)

(1) The Head of Planning Applications Group reported the outcome of the planning appeal by Pinden Ltd against the decision of the Committee to refuse permission for the proposed materials recycling facility and transfer station at Straw Mill Hill, Tovil (Minute 61/1010). The Inspector had confirmed the Committee's decision for refusal.

(2) RESOLVED that the Minutes of the meeting held on 6 September 2011 are correctly recorded and that they be signed by the Chairman.

52. Site Meetings and Other Meetings

(Item A4)

The Committee noted that comments made by Members at the draft National Planning Policy Framework training session on 6 September 2011 had been taken into account by Cabinet in its response to the draft.

53. Applications TM/10/3056 and TM/09/3231/R5 - (i) Installation of renewable electricity generating equipment with associated alterations to the design of part of the consented southern composting hall with additional car parking spaces and (ii) details pursuant to Condition 5 (working programme, design and layout, etc) of Permission TM/09/3231/R5 at Blaise Farm Composting Facility, Kings Hill, West Malling; (i) New Earth Solutions (Kent) Ltd and William Riddle and (ii) New Earth Solutions Group Lt

(Item C1)

(1) Mrs S V Hohler was present for this item pursuant to Committee Procedure 2.24 and spoke.

(2) In agreeing the Head of Planning Applications Group's recommendations, the Committee amended the final proposed condition for Application TM/09/3056 to read that all material transfer between the waste reception halls and energy building "must" (rather than "should") be undertaken via fully enclosed infrastructure linked to the odour control system.

(3) The Committee also amended the condition proposed for Application TM/09/3231/R5 as set out in paragraph (4) below.

(4) RESOLVED that:-

- (a) permission be granted to Application TM/10/3056 subject to conditions, including conditions covering a 5 year implementation period; the development being carried out in accordance with the permitted details; the movement of oversize biomass from the Composting Facility to the proposed electricity generating installation, the delivery of ancillary supplies and collections of process outputs being confined to between 07:00 to 18:00 Monday to Friday, 07:00 to 13:00 on Saturdays, no movements on Sundays, 07:00 to 17:30 on Bank and Public Holidays, and no movements on 25 and 26 December and 1 January; the external colour treatment of the exhaust stack being 'brown-green' (RAL 6008) with the construction materials of the new energy building matching the existing one; details of surface water drainage being agreed prior to commencement; the operation being time-limited to the life of the site as stipulated for the main Composting Facility (i.e. 20 years from first commercial composting operations in 2008); the site being restored as part of the details approved for the main Composting Facility in Permission TM/09/3231; the pyrolysis plant operating with only the waste imported to the site pursuant to the existing Composting Facility (as covered by Permission TM/09/3231); the combined numbers of site HGV movements being restricted to those detailed in the main Composting Facility Permission (TM/09/3231); appropriate measures to guard against mud and debris being tracked to the public highway; noise levels not exceeding those provided for by Condition 24 of the composting Permission (TM/09/3231); and with the exception of any material that has first been treated in the composting process, all material transfer between the waste reception halls and energy building must be undertaken via fully enclosed infrastructure linked to the odour control system; and
- (b) approval be given in respect of Application TM/09/3231/R5 subject to a condition requiring that the transfer of all waste materials between the waste reception buildings and phase 1 and phase 2 composting halls must take place via fully enclosed infrastructure linked to the odour control system unless it is not possible to transfer waste through the western phase 1 composting hall because it is full.

54. Application AS/11/256 - Variation of Conditions 2 and 7 of Permission AS/10/1010 to allow for a minor re-alignment to the approved site access intended to serve the Waste Transfer Station at Waterbrook Park, Water Avenue, Sevington, Ashford; Robert Brett and Sons Ltd
(Item C2)

RESOLVED that permission be granted for a variation to Conditions (2) and (7) of Permission AS/10/1010. Accordingly these Conditions shall now read:-

- (a) Condition (2): "The development hereby permitted shall be carried out and completed in all respects strictly in accordance with the details submitted with the application and applications AS/06/4 and AS/10/10 together with those further details to be submitted for approval.

Reason; For the avoidance of doubt and to maintain control over the site"; and

- (b) Condition (7): "The detailed access improvements including those necessary to upgrade Waterbrook Avenue to adoptable standards and which makes provision for footways/cycleways as shown on the Cannon Consulting Engineers ' Phase 1 Location Plan Detail' drawing no. WB/P1/TS/1001 Rev D, shall be constructed before the completion of the development.

Reason; In the interest of highway safety pursuant to policy W22 of the Kent Waste Local Plan March 1998."

55. Proposal AS/11/994 - 1 FE Primary School including school building, outdoor recreational and learning areas, planted and hard surfaced areas (including pedestrian and vehicular access and parking) at Goat Lees School site between Hurst Road and Guernsey Way, Kennington, Ashford; KCC Capital and Premises
(Item D1)

(1) The Head of Planning Applications Group reported correspondence from the Engineering Services Officer of Ashford Borough Council raising concerns about the parking provisions within the Proposal.

(2) In agreeing the Head of Planning Applications Group's recommendations, the Committee asked for an additional Informative relating to parental traffic. This is set out in (3) below).

(3) RESOLVED that subject to the applicant making a contribution to the Ashford Carbon Fund (as referred to in paragraph 38 of the report):-

- (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 the design of any outbuildings and structures; the submission of all materials to be used externally; details of all external lighting; a scheme of landscaping, including ecological enhancement measures,

the green roof, and hard surfacing (including car parking and access areas), its implementation and maintenance; measures to protect those trees which are to be retained; details of fencing, gates, walls, the refuse enclosure, and other means of enclosure, including heights and colour finishes; no tree removal taking place during the bird breeding season; the development according with the recommendations of the ecological surveys; a BREEAM rating of "Very Good" being achieved; the submission of a detailed surface water drainage scheme; land contamination; the provision of access, car parking, pick-up/drop-off, circulatory space, and cycle parking prior to first occupation, and their subsequent retention; ongoing monitoring and review of the School Travel Plan; no floodlighting being erected on the site without the written permission of the County Planning Authority; hours of working during construction and demolition being restricted to between 0800 and 1800 Monday to Friday and between the hours of 0900 and 1300 on Saturdays with no operations on Sundays and Bank Holidays; a construction management strategy, including access, parking and circulation within the site for contractors 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) account should be taken of the Environment Agency's advice relating to drainage and the storage of fuel, oil and chemicals;
 - (ii) their attention is drawn to the letter from KCC Public Rights of Way, which contains general informatives with regard to works adjacent to and/or on a Public Right of Way. It is 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";
 - (iii) any new vehicular and pedestrian access onto the public highway might need to be subject to a Section 278 Highway Agreement with Kent Highway Services; and
 - (iv) the Planning Applications Committee was concerned about the potential impact of the parents' traffic on the local environment. The dropping off facility as shown on Drawing 718/006/01 Rev F is an integral part of the development, and close management by the School and its Governing Body is required to avoid serious congestion. The use of the drop off facility should be reviewed as part of the regular review of the Travel Plan, and walking buses should be explored and promoted by the School as part of the Travel Plan.

56. 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) consultations on applications submitted by District Councils and Government departments (None);
- (c) County Council developments;
- (d) Screening opinions under Environmental Impact Assessment Regulations 1999; and
- (e) Scoping opinions under Environmental Impact Assessment Regulations 1999.