

## 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, County Hall, Maidstone on Wednesday, 9 December 2015.

PRESENT: Mr J A Davies (Chairman), Mr C P Smith (Vice-Chairman), Mr M J Angell, Mr M Baldock, Mr D L Brazier (Substitute for Mr N J D Chard), Mrs P Brivio, Mr T Gates, Mr T A Maddison, Mr S C Manion, Mr B Neaves (Substitute for Mr A Terry), Mr R J Parry, Mrs E D Rowbotham, Mr T L Shonk, Mr C Simkins, Mr M E Whybrow (Substitute for Mr P M Harman) and Mr J N Wedgbury

IN ATTENDANCE: Mrs S Thompson (Head of Planning Applications Group), Mr M Clifton (Principal Planning Officer - Waste Developments), Mr J Crossley (Principal Planning Officer - County Council Development), Mr J Wooldridge (Principal Planning Officer - Mineral Developments), Mr A Pigott (Strategic Transport and Development Planner) and Mr A Tait (Democratic Services Officer)

#### UNRESTRICTED ITEMS

**66. Minutes - 18 November 2015**

*(Item A3)*

RESOLVED that the Minutes of the meeting held on 18 November 2015 are correctly recorded and that they be signed by the Chairman.

**67. Site Meetings and Other Meetings**

*(Item A4)*

The Committee noted the provisional date of Wednesday, 10 February 2016 for a site visit to Forest Farm in Cranbrook.

**68. Application AS/15/206 (KCC/AS/0040/2015) - Extraction of sand from Burleigh Farm with conveyor to a plant site in Charing Quarry, use of existing weighbridge and access on Hook Lane together with restoration to nature conservation at the lower vertical level with further public access at Charing Quarry/Burleigh Farm, Hook Lane, Charing, Ashford; Brett Aggregates Ltd, Mr T R Hills, Mrs P J Hills and Mr S R Hills**

*(Item C1)*

(1) Mr C Simkins informed the Committee that he wished to address the Committee in his capacity as the Local Member. Having done so, he took no further part in the decision making process for this application.

(2) Mr J N Wedgbury informed the Committee that he was a Member of Ashford BC which had commented on the application. He had not, however, participated in any of the Borough Council's discussions of this application and was able to approach its determination with a fresh mind.

(3) Correspondence from five local residents which had initially been sent to the Local Member, Mr C Simkins was tabled and read by the Committee Members prior to commencement of the consideration of this application.

(4) Councillor Mrs Jill Leyland (Charing PC) and Mr Terry Whitehead (a local resident) addressed the Committee in opposition to the application. Mrs Jenny Owen from Jennifer Owen Associates Ltd spoke in reply on behalf of the applicants.

(5) Mr J N Wedgbury moved, seconded by Mr T A Maddison that the recommendations of the Head of Planning Applications Group be agreed.

(6) Pursuant to Committee Procedure 2.26 (4), one third of the voting Members present required that the way all Members cast their vote should be recorded in the Minutes.

(7) The Chairman put the motion in (4) above to the vote when the voting was as follows:

For (8)

Mr D L Brazier, Mrs P Brivio, Mr J A Davies, Mr T Gates, Mr T A Maddison, Mr S C Manion, Mr C P Smith, Mr J N Wedgbury.

Against (6)

Mr M J Angell, Mr M Baldock, Mr B Neaves, Mrs E D Rowbotham, Mr T L Shonk, Mr M E Whybrow.

(8) RESOLVED that:-

- (a) permission be granted to the application for the extraction of sand from Burleigh Farm with conveyor to a plant site in Charing Quarry, use of the existing weighbridge and access on Hook Lane, together with restoration to nature conservation at the lower vertical level with further public access at Charing Quarry / Burleigh Farm, Hook Lane, Charing, Kent subject to the prior satisfactory conclusion of a legal agreement to secure the Heads of Terms as set out in Appendix 2 of the report and to conditions, including conditions covering the extraction and restoration of the Burleigh Farm extension and the restoration of those parts of Charing Quarry and land between the two affected by the development within 15 years of the date of commercial mineral extraction; notification of the date of commercial sand extraction; the completion of all restoration not affected by the proposed development in Charing Quarry (East and West) by the end of 2017; the submission, approval and implementation of detailed landscape planting, restoration and aftercare schemes; proposals for post-restoration access arrangements on Hook Lane to reflect the intended after use; noise and vibration limits and associated monitoring; Noise Management Plan(s) for the development and operational phases (including the provision of continual updates and measures to minimise the impact of HGV reversing alarms); Dust

Management Plan(s) for the development and operational phases (including the provision of continual updates); non-tonal reversing alarms for all plant and machinery employed on site; no more than 110 HGV movements (55 in / 55 out) associated with the transportation of sand each day; hours of operation being restricted to between 07:00 and 18:00 hours on Mondays to Fridays and between 07:00 and 13:00 hours on Saturdays with no operations (other than emergency maintenance and monitoring) on Saturdays after 13:00 hours or on Sundays and on Bank/ Public Holidays (with works associated with the construction of the conveyor tunnel being restricted to the same hours); all sand extracted at Burleigh Farm being transported by conveyor to Charing Quarry; the provision of construction vehicle loading / unloading and turning facilities, parking facilities for site personnel and visitors and wheel washing facilities prior to commencement of work on site and for the duration of the operation of the quarry; the provision of the vehicle parking spaces and turning space for the residents of Tile Lodge Cottages prior to the quarry being brought into use and the permanent retention of the car park thereafter; the use of a bound surface for the first 6 metres of the access from the edge of the highway for the parking area to Tile Lodge Cottages; the submission, approval and implementation of detailed proposals for the design of the conveyor tunnel and associated works; a 3m stand-off being maintained between the base of the quarry and the maximum height of groundwater; monthly groundwater level and quality monitoring with the results being submitted to the County Council and South East Water; details of the arrangements for maintaining the flow of the ephemeral stream during operations and once restored; appropriate storage of fuel, oil and any chemicals; the safeguarding of Network Rail property and apparatus; the extraction boundaries not exceeding those proposed in the applicants' Geotechnical Assessment (including an 8m stand-off being maintained either side of the ephemeral stream crossing the Burleigh Farm extension area); the implementation of all the proposed ecological avoidance and mitigation measures and the submission, approval and implementation of detailed strategies informed by further survey work; the submission, approval and implementation of a programme of archaeological work; the erection of fencing to ensure that plant, machinery and vehicles associated with the development do not adversely affect Burleigh Chapel and the land and historic interest associated with it; the submission, approval and implementation of a scheme to provide public access to Burleigh Chapel and details of an appropriate interpretation board; the submission, approval and implementation of arrangements for the maintenance of Footpath AW12A during the development (including any infrastructure) and details of how it will be returned to its current condition on completion of the development; the submission, approval and implementation of details for the proposed permissive paths in Charing Quarry (East and West), including the timing of their availability and any surfacing and associated infrastructure; and measures to ensure that soils are stripped, handled, stored and replaced in accordance with best practice;

- (b) permission be granted for the variation of conditions (ii), (vi) and (vii) of Permission AS/83/290, conditions 2 and 4 of Permission AS/90/1702, conditions 2, 3 and 12 of Permission AS/00/742 and conditions 2 and 3 of Permission AS/10/1352 to allow the restoration required by these permissions to be delayed and amended to facilitate the development hereby granted subject to additional conditions that would only provide for the delays and amendments to those Permissions if this Permission is implemented; and
- (c) the applicants be advised by Informative of the need for Land drainage consent; a footpath diversion order(s); a Section 278 Agreement for the works associated with the conveyor tunnel and traffic management relating to those works; and Listed building and/or other consent from Ashford Borough Council for the proposed remediation and maintenance works to Burleigh Chapel and any and fencing to protect or enclose it.

**69. Application TW/15/508499 (KCC/TW/0341/2015) -Section 73 application to vary Condition 3 of Permission TW/15/504981 to allow the consented anaerobic digester to also process chicken manure from other Fridays' farms at Knoxbridge Farm, Cranbrook Road, Frittenden; Friday's Ltd and Rika Biofuels (Item C2)**

(1) The Head of Planning Applications Group advised the Committee of correspondence from Tunbridge Wells BC raising no objection to the Application.

(2) In agreeing the recommendations of the Head of Planning Applications Group, the Committee inserted the applicant's name into the Condition in order to reinforce the point that the chicken manure arisings could only be imported from their own operations.

(3) RESOLVED that permission be granted to the variation of Condition (3) of Permission TW/15/504981 subject to the re-imposition of all conditions previously imposed on that Permission and to the following condition:-

*"The development hereby permitted shall only accept chicken manure arisings produced from the applicants' (Fridays Ltd) own chicken farming activities and no other waste arisings shall be imported to the site from elsewhere."*

**70. Proposal TH/15/845 (KCC/TH/0271/2015) - New building to accommodate six new classrooms, a new playground and additional car parking at Birchington Primary School, Park Lane, Birchington; KCC Property and Infrastructure Support (Item D1)**

(1) The Head of Planning Applications Group informed the Committee of the views of the Local Member, Mr R Latchford in support of the Proposal.

(2) The Head of Planning Applications Group informed the Committee of correspondence from Councillor Julie Francis from Birchington TC suggesting that the proposed entrance and exit arrangements be reversed. The reasons for not agreeing to this suggestion were explained and agreed by the Committee.

(3) 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; the submission of the scheme of landscaping and tree planting, including details of the protection of the hedgerow adjacent to the proposed playground during construction and planting of the new hedgerow; provision of the playground and boundary fencing prior to first use of the playground; the provision and permanent retention of the car parking, drop off/pick up and turning/loading/unloading areas as shown on the submitted plans; submission of a management plan for the drop off/pick up area; the submission of further details of the new access point on Park Lane, including associated works/infrastructure, and subsequent provision prior to occupation of the development; the submission of an updated Travel Plan within 6 months of the date of occupation; the development being undertaken in accordance with the recommendations of the Ecological Scoping Survey; the provision of bird and bat boxes; 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 of a Construction Management Strategy, including the location of site compounds and operative/visitors parking, details of site security and safety measures, lorry waiting and wheel washing facilities, and details of any construction accesses and management of the site access to avoid peak school times; and measures to prevent mud and debris being taken onto the public highway; and

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

- (i) they should register the School Travel Plan with Kent County Council through the "Jambusters" website;
- (ii) their attention is drawn to the letter from Highways and Transportation in which it is noted that it is their responsibility to ensure that all necessary highway approvals and consents are obtained; and
- (iii) their attention is drawn to the letter from the Environment Agency in which advice and guidance is provided with regard to contaminated land and waste.

**71. County 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 Impact Assessment) Regulations 2011; and
- (d) Scoping Opinions under the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (None).