

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 Wednesday, 20 January 2016.

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

ALSO PRESENT: Miss S J Carey and Mrs J Whittle.

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

UNRESTRICTED ITEMS

1. Minutes - 9 December 2015
(Item A3)

RESOLVED that the Minutes of the meeting held on 9 December 2015 are correctly recorded and that they be signed by the Chairman.

2. Site Meetings and Other Meetings
(Item A4)

The Committee agreed to hold a site visit to Forest Farm in Cranbrook immediately after the Committee meeting on Wednesday, 10 February 2016.

3. Application CA/15/2375 (KCC/CA/0351/29015) - Section 73 application for the minor material amendment of Permission CA/13/2209 to delete the limitation to Canterbury DC in Condition (8) (ii) and to amend the hours of operation in Condition 11 at Plots D and E, Lakesview Business Park, Hersden; Ling UK Holdings.
(Item C1)

(1) The Head of Planning Applications Group reported that Canterbury CC had raised no objection to the application.

(2) The Committee voted by 4 votes to 10 with 4 abstentions not to consider the proposed amendments to Conditions (8) and (11) separately.

(3) On being put to the vote, the recommendations of the Head of Planning

Applications Group were agreed by 14 votes to 4.

- (4) RESOLVED that permission be granted to the application subject to the re-imposition of all conditions previously imposed on Permission CA/13/2209 updated and amended as necessary, with Condition (8) being amended to allow domestic ("black bag") waste to be received from areas both within and from outside Canterbury District; and Condition (11) being amended to allow operations on a Saturday afternoon up to 1700 hours on any Saturday following a Public / Bank Holiday.

**4. Applications MA/14/727 (KCC/MA/009/2014) and MA/93/660/R22 and 24 - (i) Importation of clay/soil to stabilise the northern face of the sand workings as part of the revised scheme of restoration and aftercare pursuant to Conditions 22 and 24 of Permission MA/93/660; and (ii) Scheme of restoration and aftercare pursuant to Conditions 22 and 24 of Permission MA/93/660 as amended by Permission MA/00/1990 at Chilston Sandpit, Sandway Road, Sandway, Maidstone; Mr R Body
(Item C2)**

(1) Mr A Chiva addressed the Committee on behalf of Harrietsham PC and local residents. Mr E Przyjemski (DHA Planning) spoke in reply on behalf of the applicants.

(2) Mrs J Whittle was present for this item pursuant to Committee Procedure Rule 2.27 and spoke.

(3) Mr M Baldock moved, seconded by Mr T A Maddison that consideration of this application be deferred pending a Members' site visit.
Lost 8 votes to 10.

(4) Mr N J D Chard moved seconded by Mr C P Smith that the recommendations of the Head of Planning Applications Group be agreed.

(5) The Committee agreed by 11 votes to 4 with 3 abstentions to include the Informative set out in (7) (c) below.

(6) On being put to the vote, the recommendations of the Head of Planning Applications Group were carried as amended by 12 votes to 6.

(7) RESOLVED that:

- (a) permission be granted to the application for the importation of clay / soil to stabilise the northern face of the sandpit workings as part of the revision scheme of restoration and aftercare pursuant to conditions 22 & 24 of Permission MA/93/660 subject to conditions including conditions covering the development being implemented as proposed (e.g. only clay / soils being imported); the importation and associated stabilisation works being completed within 18 months of commencement; the locations and design of the site office, welfare facilities and wheel cleaning facilities being approved by KCC prior to being implemented; the restoration and aftercare provided for by

Permission MA/93/660/R22&24 being implemented as proposed for 5 years; the ecological mitigation and enhancement measures being undertaken as proposed; the aftercare reporting including a review of the success of the ecological mitigation measures to enable remedial measures as necessary; HGV movements only taking place between 0900 and 1500 hours on Mondays to Fridays (with no Bank / Public Holiday movements); no more than 25 HGV loads (50 movements) per day; the submission, approval and implementation of a detailed transport management plan (to include a 20mph speed limit in East Street for HGVs associated with the development); Before and After road condition surveys taking place (with any damage or defect being made good on completion of development); notification of contact details at the site entrance; hours of operation on site being restricted to those provided for by Permission MA/93/660 (i.e. between 0700 and 1800 hours on Mondays to Fridays and between 0700 and 1300 hours on Saturdays with no operations on Sundays or Bank / Public Holidays); noise limits (i.e. $55\text{dB}_{\text{LAeq,1hr free field}}$ at any noise sensitive property for normal operations and up to $70\text{dB}_{\text{LAeq,1hr free field}}$ for up to 8 weeks a year at any noise sensitive property to facilitate essential site restoration work); the approval and implementation of a Dust Management Plan; the production of a method statement for approval in writing for the construction of the temporary soil bund to prevent incursion onto the HS1 line; and the removal of the temporary soil bund on completion of operations;

- (b) approval be given for the scheme of restoration and aftercare pursuant to Conditions 22 & 24 of Permission MA/93/660 as amended by Permission MA/00/1990 subject to conditions including conditions covering the existing conditions of Permission MA/93/660 being complied with as necessary (e.g. operations only taking place between 0700 and 1800 hours on Mondays to Fridays and between 0700 and 1300 hours on Saturdays with no operations on Sundays or Bank / Public Holidays); the restoration scheme being implemented as proposed and completed within 18 months of the date of commencement of the importation and associated stabilisation works provided for by Permission MA/14/727; the aftercare scheme being implemented as proposed for 5 years; the ecological mitigation and enhancement measures being undertaken as proposed; the aftercare reporting including a review of the success of the ecological mitigation to enable remedial measures as necessary; noise limits (i.e. $55\text{dB}_{\text{LAeq,1hr free field}}$ at any noise sensitive property for normal operations and up to $70\text{dB}_{\text{LAeq,1hr free field}}$ for up to 8 weeks a year at any noise sensitive property to facilitate essential site restoration work); and compliance with the Dust Management Plan required by Permission MA/14/727; and
- (c) the applicant be advised by Informative that he should use his best endeavours to obtain the required Protected Species Licence as soon as possible and carry out the stabilisation works to the northern face of the sandpit workings as a priority when implementing the development.

5. Applications SH/08/124/ R2, R14 to R17 and R34 and KCC/SH/0095/2015 - (i) Details pursuant to Conditions 12, 14 to 17 and 34 of Permission SH/08/124;

and (ii) Section 73 application to vary Condition 10 (badger mitigation) of Permission SH/08/124 at Land at Otterpool Quarry, Ashford Road, Sellindge; Countrystyle Recycling Ltd
(Item C3)

(1) Miss S J Carey was present for this item pursuant to Committee Procedure 2.27 and spoke.

(2) The Head of Planning Applications Group advised the Committee of correspondence from Sellindge PC raising concerns that the mitigation measures set out in the Proposals would be compromised by the current unauthorised use of the site together with the unauthorised use of the Airport Café as lorry parks.

(3) The Head of Planning Applications Group asked the Committee to include two Informatives in her recommendations. This was agreed as set out in (4) below.

(4) RESOLVED that:-

a) approval be given to the details submitted pursuant to conditions (12) (14-17) and (34) of Permission SH/08/124, and

b) permission be granted to the amendment of the wording of Condition 10 of Permission SH/08/124 to read as follows:-

“Prior to any construction activities commencing on site the badger mitigation measures, at both the construction stage and post construction, shall be carried out in accordance with those recommendations set out in the Martin Newcombe’s letter dated 18th August 2014 and SLR’s letter dated 10th November 2010, which amongst other matters, limits construction activities to outside the period of January to June (inclusive) in order to avoid the period in which badgers rear their young”; and

(c) the applicants be advised by Informative that they need to obtain:-

(i) a badger licence under the Protection of Badgers Act 1992 prior to any construction works commencing on site; and

(ii) a Land Drainage Consent from the County Council’s Land Drainage advisor prior to the implementation of the drainage works.

6. Proposal 15/509370/COUNTY (KCC/SW/0365/2015) - Two storey extension, relocated pedestrian access, reconfigured car park and two new MUGAs at West Minster Primary School, St George’s Avenue, Sheerness; KCC Property and Infrastructure Support
(Item D1)

RESOLVED that:-

(a) permission be granted to the proposal subject to conditions including

conditions covering the standard 5 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; hours of working during construction being restricted to between the hours of 0800 and 1800 on Mondays to Fridays and between the hours of 0900 and 1300 on Saturdays, with no operations on Sundays or Bank Holidays; the submission of a School Travel Plan prior to occupation of the extension and its ongoing review; the submission of a Construction Management Plan providing details of methods and hours of working to avoid peak school times, location of site compounds, location of operative/visitor parking on site, details of on-site provision to accommodate operatives and construction vehicles loading, off-loading and turning, details of site security and safety measures, lorry waiting and wheel cleaning facilities, and details of any construction access; the provision of the on-site parking areas prior to occupation of the extension and their retention thereafter; the provision of cycle parking prior to the occupation of the extension and retention thereafter; the submission for approval in writing of details for the ecological buffer zone, how it would be protected, the location of replacement bat boxes; the implementation of the recommendations set out in the Ecological Appraisal; work being carried out in accordance with the Arboricultural Report with the new trees being of a native species; the submission for written approval of details for a scheme of flood resistance and resilience measures as set out in the Flood Risk Assessment; and the submission for written approval of a fully detailed sustainable surface water drainage scheme for the site and its ongoing maintenance; 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) they should ensure that all necessary highway approvals and consents are obtained; and
 - (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.

7. 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).

