

## KENT COUNTY COUNCIL

### PLANNING APPLICATIONS COMMITTEE

MINUTES of A meeting of the Planning Applications Committee held at Council Chamber, Sessions House, County Hall, Maidstone on Wednesday, 15th March, 2017.

PRESENT: Mr J A Davies (Chairman), Mr C P Smith (Vice-Chairman), Mr M J Angell, Mr D L Brazier, Mrs P Brivio, Mr L Burgess, Mr I S Chittenden, Mr P M Harman, Mr T A Maddison, Mr S C Manion, Mrs E D Rowbotham, Mr T L Shonk, Mr C Simkins, Mrs P A V Stockell, Mr A Terry and Mr J N Wedgbury

OTHER MEMBERS: Mr J M Ozog

OFFICERS: Mrs S Thompson (Head of Planning Applications Group), Mr M Clifton (Principal Planning Officer - Waste Developments), Mr P Hopkins (Principal Planning Officer), Mr D Joyner (Transport & Safety Policy Manager) and Mr A Tait (Democratic Services Officer)

#### UNRESTRICTED ITEMS

**12. Minutes - 8 February 2017.**  
(Item. A3)

RESOLVED that the Minutes of the meeting held on 8 February 2017 are correctly recorded and that they be signed by the Chairman.

**13. General Matters.**  
(Item. B1)

(1) The Democratic Services Officer informed the Committee that a Selection and Member Services Committee had considered a report from the Member Development Steering Group on 1 March 2017. This report had included a supplementary report on training for Planning Application Committee Members which had been written in the light of the comments made at the meeting of the Committee on 8 February 2017 (Minute 17/8). Selection and Member Services Committee had agreed to note the report to inform the development of Member Training. The Chairman of the Member Development Steering Group had indicated that all Members were most welcome to attend its meetings.

(2) The Head of Planning Applications Group informed the Committee that she had received a pre-action protocol letter in respect of the Committee's decision in respect of the proposed anaerobic digestion facility at Forest Farm, Benenden (Minute 17/4) which represented the first formal stage in a judicial review process to challenge the County Council's decision. The letter alleged that KCC had erred in Law by not giving precise and clear reasons in its Screening Opinion why it considered the application did not need to be accompanied by an Environmental Impact Assessment. Following a detailed rebuttal response, the claimant had decided not to pursue the case any further.

(3) The Head of Planning Applications Group reported that she would be meeting a senior representative of Sport England shortly before the Committee's next meeting and would report on the outcome.

(4) The Head of Planning Applications Group referred to documentation in respect of the intended Wheelabrator Kemsley Generating Station upgrade which had previously been sent to Members of the Committee by the applicant. She explained that Members had previously granted permission for the Sustainable Energy Plant in 2012 when it was felt that in allowing an alternative form of energy to be supplied to the adjoining Kemsley Paper Mill would help safeguard some 800 employee's jobs at the Mill. She went on to explain that this latest power upgrade proposal would be submitted to the Planning Inspectorate and ultimately determined by the Secretary of State on the basis that it would exceed the power output threshold above which it then became a Nationally Significant Infrastructure Project (NSIP); in which case the County Council's role was that of a statutory consultee. She reported that public consultation meetings would be taking place on 23, 24 and 25 March. Committee Members would be able to attend these meetings unaccompanied by a Planning Officer because it would not be in the County Council's remit to determine the application.

(5) The Head of Planning Applications Committee reported that the Cabinet Member for Environment and Transportation had taken an Urgent decision to enable the County Council to uplift its planning fees by 20% in July 2017 in response to an invitation to do so issued by the Department for Communities and Local Government. This would enable the Planning Applications Group to combat pressures on the service and to continue to process applications in good time.

**14. Application KCC/SH/0005/2017 - Extension to existing Composting Facility along with variation of conditions to Permission SH/14/751 in respect of the inclusion of Bank Holiday deliveries of waste, removal of restriction on sources of material, increase in waste throughput, utilisation of processed material on other surrounding farms and increase in current restriction on vehicle movements at Hope Farm, Crete Road East, Folkestone; J Taylor and Son.**

*(Item. C1)*

(1) Mr S C Manion informed the Committee that he was a Member of Hawkinge TC. He had not, taken part in that Authority's discussions on this application and was able to approach its determination with an open mind.

(2) RESOLVED that permission be granted to the proposed extension to the permitted development footprint, to the proposed variations to Conditions 6, 8, and 12 and to the removal of conditions 7 and 10 of Permission SH/14/751 subject to conditions, including conditions covering the hours of operation being restricted to 0700 to 1800 hours on Mondays to Fridays and 0700 to 1500 hours on Saturdays and Public/Bank Holidays with no operations on Sundays; the maximum volume of green waste throughput not exceeding 35,000 tonnes per annum; green waste vehicle movements being limited to a maximum of 40 (20 in and 20 out) movements per day; prior approval of the details of the proposed tree planting along the north eastern and southern boundaries of the site; prior approval of the details of an area to be created and managed as unimproved chalk grassland; the prior submission and approval of details

of any external lighting before being introduced at the site; the re-imposition of all other conditions attached to Permission SH/14/751.

**15. Proposal DA/17/34 (KCC/DA/0324/2016) - Installation of fourteen 6 metre high removable poles to which ball stop netting is attached at Dartford Science and Technology College, Heath Lane, Dartford; Governors of Dartford Science and Technology College.**

*(Item. D1)*

(1) Mr T A Maddison informed the Committee that his daughter in law was a Governor at Dartford Science and Technology and that his granddaughter was one of its pupils. He had not discussed the proposal with either of them. He did not have an Other Significant Interest and was able to approach the determination of the application with an open mind.

(2) Mr J M Ozog was present for this item pursuant to Committee Procedure Rule 2.24 and spoke.

(3) Correspondence from a local resident, Mr Jack O'Sullivan had been sent to all Members of the Committee prior to the meeting.

(4) An amendment to the recommendations of the Head of Planning Group by Mr P M Harman requiring the poles to be taken down at the end of each day fell due to the lack of a seconder.

(5) In agreeing the recommendations of the Head of Planning Applications Group, the Committee added an Informative encouraging both Dartford Science and Technology College and Dartford FC to develop a Good Neighbour Policy in order to minimise the impact of their sporting activities on local residents, including the possible establishment of a Liaison Group.

(6) RESOLVED that:-

(a) retrospective permission be granted to the proposal subject to conditions, including conditions covering the development according with the submitted details; the netting being lowered and secured when the pitches are not in use; and the poles and netting being completely removed and put into secure onsite storage from the second weekend in June, and not replaced on site until the first weekend in September; and

(b) Dartford Science and Technology College and Dartford FC be encouraged by Informative to develop a Good Neighbour Policy in order to minimise the impact of their sporting activities on local residents, including the possible establishment of a Liaison Group.

**16. 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.