

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, 5 February 2020.

PRESENT: Mr R A Marsh (Chairman), Mrs R Binks, Mr A Booth, Mr D L Brazier (Substitute for Mr M A C Balfour), Mr J Burden, Mr I S Chittenden, Mr P C Cooper, Mr P M Harman, Mr J P McInroy (Substitute for Mr R A Pascoe), Mr H Rayner, Mr C Simkins, Mr I Thomas (Substitute for Mrs P A V Stockell) and Mr J Wright

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

1. Minutes - 4 December 2019

(Item A3)

RESOLVED that the Minutes of the meeting held on 4 December 2019 are correctly recorded and that they be signed by the Chairman.

2. General Matters

(Item B1)

The Head of Planning Applications Group informed the Committee that following the consideration and referral of the Dover Grammar School for Boys application (DOV/19/01120 / KCC/DO/0195/2019), the Secretary of State had decided that the former Dover Grammar School for Boys building was not of listable quality. The Committee's decision to grant permission for the demolition of existing buildings and the erection of a new teaching block (Minute 19/61) had therefore been confirmed.

3. Application TW/19/1343 (KCC/TW/0093/2019) - Replacement processing plant and ancillary office and welfare buildings involving variation of Condition xvii of Permission TW/79/353 and the submission of details pursuant to Conditions iii (b), xiv, xv, xvi, xviii and xxii of Permission TW/79/753 at Stonecastle Farm Quarry, Whetsted Road, Five Oak Green, Tonbridge; Tarmac Ltd

(Item C1)

(1) Representations from the Local Member, Ms S Hamilton had previously been circulated to the Committee.

(2) The Head of Planning Applications Group reported the receipt of late correspondence requesting that consideration of the application be deferred. She stated that, having considered these representations, she did not consider that there were any grounds to amend the report or its recommendations.

(3) Mr A Chilvers, Mr S Gledhill and Mrs C Mackonochie addressed the Committee in opposition to the application. Mr M Pendock and Mr A Bate (Tarmac Ltd) spoke in reply.

(4) The Committee decided to amend the lighting condition in order to specify that it would be designed to minimise light spill. It also added two Informatives. The first of these advised to effectively comply with the condition regarding the requirement to maintain the access road in good order so as to minimise noise and dust impact. The second advised that the applicant should explore the potential for the provision of a 3-phase electric power supply to the plant site to replace the permitted diesel generators and install and use such a power supply as soon as reasonably possible.

(5) On being put to the vote, the recommendations of the Head of Planning Applications Group were unanimously agreed as amended in (4) above.

(6) RESOLVED that:-

- (a) permission be granted to the application subject to conditions, including conditions covering the re-imposition of the conditions imposed on Permission TW/79/753 (amended or deleted as necessary to reflect subsequent approvals or what is now permitted); the rated output of the processing plant being restricted to no more than 20 tonnes per hour; processed material stockpiles being restricted to no more than 6m in height; external lighting being designed to minimise light spill and only being used when necessary and as proposed; a new landscape, restoration and aftercare scheme for the plant site, stockpiling areas, access road, silt lagoon and clean water lagoon being submitted to the County Planning Authority for approval within 6 months of the date of the permission being given; a 52dBLAeq, 1hr, free-field noise limit for operations at the plant site; a 70dB(A) LAeq 1h, (free field) noise limit for up to 8 weeks in a year for restoration and plant construction operations; operations (including the use of generators) being restricted to the daytime period only (i.e. the permitted hours of use); no use of the processing plant on Saturdays (unless agreed beforehand in writing by the County Planning Authority); mobile plant used at the site employing white noise reversing alarms (rather than “bleepers”); the implementation of the new Dust Attenuation Scheme; the implementation of the Flood Evacuation Plan; the applicant seeking to ensure that the weighbridge and welfare offices are positioned 1.2m above ground level; access / egress to the A228 from Whetsted Road whereby HGVs leaving the site turn left onto Whetsted Road and left again (also Whetsted Road), heading north on the A228 before navigating on their final routing at the southern end of the East Peckham by-pass, and traffic arriving at the site turns right into the site from Whetsted Road; the existing area of scrub at the tip of the clean water lagoon and a strip of vegetation to the west of the proposed development area not being removed unless this takes place in accordance with an appropriate ecological mitigation strategy which is first submitted to and approved in writing by the County Planning Authority; and no waste materials being imported onto the site; and

- (b) the applicants be advised by Informative that:
- (i) they should coordinate silt and vegetation clearance works with the Environment Agency to ensure that the flow of water is maintained in surface water channels whilst minimising impact on biodiversity and maintaining connectivity;
 - (ii) they should engage positively with the local community and respond appropriately to any concerns that are raised by local residents about any noise, dust / air quality or other issues that may arise once operations resume at the quarry;
 - (iii) they should continue to engage with the local community through the Stonecastle Farm Quarry Liaison Group;
 - (iv) they should effectively with the condition regarding the requirement to maintain the access road in good order so as to minimise noise and dust impact; and
 - (v) they should explore the potential for the provision of a 3-phase electric power supply to the plant site to replace the permitted diesel generators and install and use such a power supply as soon as reasonably possible.

**4. Proposal SE/19/3123 (KCC/SE/0239/2019) - Erection of single storey activity hall on existing car park and relocation of 11 parking spaces within the site at Riverhead Infants School, Worships Hill, Riverhead, Sevenoaks ;
Governors of Riverhead Infants School**

(Item D1)

(1) The Head of Planning Applications Group reported correspondence from the Local Member, Mr N J D Chard which included a suggestion that a Local Liaison Group be set up to meet on a regular basis in order to improve dialogue between the School and the local community with an invitation being extended to the local County and Borough Councillors and Members of the two Parish Councils. The Committee agreed to add an Informative to this effect.

(2) Mr Martin Denton addressed the Committee in opposition to the application. Mr Michael Mamalis (GAD Architecture) spoke in reply on behalf of the applicants.

(3) The Committee decided to strengthen the landscaping condition by specifying that replacement trees should be planted. It also added an Informative asking the applicants to consider the provision of passive infrastructure, including accessibility to an adequate electrical supply and ducting to enable the installation of electric car charging points.

(4) On being put to the vote, the recommendations of the Head of Planning Applications Group were unanimously agreed as amended in (1) and (3) above.

(5) RESOLVED that:-

- (a) permission be granted to the proposal subject to conditions, including conditions covering the standard 3 year time limit; the development be

carried out in accordance with the permitted details; the submission for approval of details of external materials; measures to protect existing trees during construction, including those set out in the Arboricultural Method and Impact Statement; the submission for approval of a preliminary risk assessment, site investigation, options appraisal and remediation strategy and a verification plan and report to meet Environment Agency requirements concerning the potential for historic land contamination and the protection of controlled waters; the restriction of infiltration of surface water drainage into the ground and restriction of piling or any other foundation designs using penetrative methods to address comments raised by the Environment Agency in respect of unforeseen contamination found during development; the submission of a Construction Management Plan; construction hours being limited to between 0800 and 1800 on Mondays to Fridays and 0900 to 1300 on Saturdays with no work on Sundays or Bank Holidays; measures to control dust during construction; the provision and permanent retention of relocated vehicle car parking spaces prior to occupation of the site; the annual review of the School Travel Plan via Jambusters; the submission of external lighting details; the submission of details of ecological enhancements within 6 months of works commencing; the submission of details of the proposed landscape planting, including replacement trees, native species and those species suitable for bee pollination where appropriate; the submission of details of the archaeological field evaluation works specification and timetable prior to the commencement of the development; hours of use for the proposed hall during School term time being limited to between 0750 and 1815 on Mondays to Fridays, 0900 to 1400 hours on Saturdays with no use on Sundays or Bank Holidays (except for: access for cleaners and staff between 0630 and 2000 on Mondays to Fridays, 0750 to 2100 on Mondays to Fridays on no more than 12 occasions per year during School term time, 0700 to 1800 on Saturdays and 0700 to 1600 on no more than 1 occasion per year during School term time, 0900 to 1400 on no more than 2 occasions per year during School term time; hours of use outside of the hall outside of School term time being limited to 0900 to 1600 on Mondays to Fridays with no use on Saturdays, Sundays and Bank Holidays; and a requirement for the drop off/pick up loop and all of the 43 parking spaces within the site to be used in connection with the use of the activity hall, including the breakfast and afterschool club during school term time and for the community use of the activity hall during School Term time and outside of School Term time; and

- (b) the applicant be advised by Informative :-
- (i) of advice from the County Council's Ecology Advice Service concerning the timing of works outside of the bird breeding season;
 - (ii) of the need to consult the relevant water companies in respect of the restriction of drainage systems for the infiltration of surface water to the ground;

- (iii) of the advice from Transport Planning that the two spaces accessed off the drop off loop should be allocated so that members of staff are not entering the area unnecessarily;
- (i) that the School is encouraged as part of the development to consider the provision of passive infrastructure, including accessibility to an adequate electrical supply and ducting, to enable the installation of electric car charging points to be installed when needed; and
- (iv) that the School is requested to establish a Local Liaison Group comprising Members from the two local Parish Councils, representative(s) from the School, the local District Councillor and the local County Councillor to meet on a regular basis in order to improve the dialogue between the School and the local community.

5. Matters dealt with under Delegated Powers

(Item E1)

(1) The Head of Planning Applications Group reported an Urgent Decision taken under Sections 10.15 and 10.16 of Part 2 of the Constitution. This was an **application from Robert Body Haulage for urgent activity at Borough Green Landfill to facilitate the M20 Road Works in February and March 2020.**

(2) Following discussions with the relevant KCC Local Member (Mr H Rayner) and the Chairman of the Planning Applications Group (Mr R A Marsh), the Head of Planning Applications Group had used her delegated powers to agree that Borough Green Landfill could open to allow the proposed works on those days and times referred to enable the request set out below:

“Robert Body Haulage Limited has been approached by the company that are doing the M20 road improvements at the moment. They have lane closures in place over four weekends in February and March 2020 where they need to dig out the old carriage way and lay the new Type 1 Sub-base on a Saturday, so they can put the tarmac down on the Sunday. I have been in touch with other local landfill sites and they have the same working hours as us, 07.00 HRS to 13.00 HRS on a Saturday. With works taking place at junction 4 and on the M26 slip road, we are the closest landfill site to the works as you know.

I have attached the dates, times, locations and estimated tonnage for your consideration.

1 Bottom of M26 C/B on slip 08/02/20: 20 loads muck away and 360t Type 1 sub-base Dig 06:00-13:00 T1 10:00-16:00;

2 Bottom of Jct 4 C/B on slip 15/02/20: 35 loads muck away and 640t Type 1 sub-base Dig 06:00-18:00 T1 10:00-21:00;

3A Bottom of Jct 4 L/B off slip 29/02/20: 25 loads muck away and 460t Type 1 sub-base Dig 06:00-15:00 T1 15:00-23:00

3B Bottom of Jct 4 L/B off slip 07/03/20: 26 loads muck away and 480t Type 1 sub-base Dig 06:00-15:00 T1 10:00-18:00

We are Sourcing the Type 1 sub-base from Hanson's at Allington"

(3) In coming to the decision to grant the request, all concerned had given considerable weight to the desirability of securing a solution to the waste disposal needs associated with the M20 roadworks, the lack of available alternatives and the fact that it would not otherwise have been possible to secure any formal planning permission in time to facilitate the proposed operations.

(4) For the avoidance of doubt, the approval only related to those operations necessary for the stated works. The additional hours were not permitted to be used for the receipt of other waste or other operations not directly associated with what had been proposed. The approval was also given on the understanding that HGVs would be routed to and from the site via that part of Wrotham Road (A227) to the north of the site access, the A20 (north of the M20), the M26 and M20.

(5) 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;
- (d) Scoping Opinions under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (None); and
- (e) The Urgent decision taken under Sections 10.15 and 1016 of Part 2 of the Constitution as set out in (1) to (4) above.

6. KCC Response to Consultations

(Item F1)

(1) Mr J Burden informed the Committee that as Leader of Gravesham BC, he would not participate in any discussion of KCC's response to Gravesham BC's Local Validation List (Item F5).

(2) RESOLVED to note Kent County Council's responses to the following consultations:-

- (a) Application 19/00025/AS Location - Land between railway line and Willesborough Road, Kennington, Kent. Proposal - 'Hybrid planning application seeking: outline planning permission (all matters reserved except for points of access) for up to 437 dwellings; formal and informal open space incorporating SuDS; and associated services, infrastructure and groundworks; and (ii) full planning permission for the erection of 288 dwellings; the creation of serviced plot of land to facilitate the delivery by Kent County Council of a two-form entry primary school with

associated outdoor space and vehicle parking; a new Bowls Centre including a clubhouse of 292 sq m, ancillary buildings and a bowling green; a local centre to provide 280 sq m of A1 (retail), 180 sq m of A1 (retail foodstore) , 100 sqm A3 (café), 75 sq m A5 (takeaway), 190 sq m D2 (gym/fitness studio space), open space incorporating SuDS; vehicle parking; and associated services, structural landscaping, infrastructure and groundworks. ****Subject to an Environmental Impact Assessment****;

- (b) Tonbridge and Malling Borough Local Plan - Additional Information Consultation;
- (c) Canterbury District Local Plan Review - Draft Sustainability Appraisal and Strategic Environmental Assessment Scoping Report;
- (d) Ash Parish Council Neighbourhood Development Plan - Regulation 14;
- (e) Gravesham Borough Council Local Validation List (Local List) of Validation Requirements for Planning Applications;
- (f) Folkestone & Hythe District Council - Core Strategy Review Submission Draft 2019 Consultation – Proposed Amendments;
- (g) Folkestone & Hythe Core Strategy Review Submission Draft 2019 consultation on Revised Housing Requirement;
- (h) Application SE/19/02616 for 850 homes at Stonehouse Park, Broke Hill Golf Course, Halstead, Sevenoaks;
- (i) Application TM/13/01535/OAEA (Phase 3, Kings Hill). The application includes details of a Landscape Strategy pursuant to Condition 23 (partial discharge), Landscaping Scheme pursuant to Condition 24 (partial discharge) and details of external lighting pursuant to Condition 33 (partial discharge) of the same Consent; and
- (j) Application SE/19/05000/HYB Location - DSTL Fort Halstead Crow Drive Halstead Sevenoaks KENT TN14 7BU Proposal - Hybrid application comprising, in outline: development of business space (use classes B1a/b/c) of up to 27,659 sq m GEA; works within the X enclave relating to energetic testing operations, including fencing, access, car parking; development of up to 750 residential dwellings; development of a mixed use village centre (use classes A1/A3/A4/A5/B1a/D1/D2); primary school; change of use of Fort Area and bunkers to Historic Interpretation Centre (use class D1) with workshop space and; associated landscaping, works and infrastructure. In detail: demolition of existing buildings; change of use and works including extension and associated alterations to buildings Q13 and Q14 including landscaping and public realm, and primary and secondary accesses to the site.