

## 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, 16 March 2022.

PRESENT: Mr A Booth (Vice-Chairman in the Chair), Mrs R Binks, Mr I S Chittenden, Mr P Cole, Mr D Crow-Brown, Mr M Dendor, Mr P M Harman, Ms J Meade, Mr H Rayner, Mr O Richardson and Mr C Simkins

IN ATTENDANCE: Mrs S Thompson (Head of Planning Applications), Mrs A Hopkins (Principal Planning Officer), Mr P Hopkins (Principal Planning Officer), Mrs H Edwards (Senior Planning Officer), Mr C Finch (Senior Projects Officer - CAIP East Kent), Ms N Stevens (Invicta Law) and Mr A Tait (Democratic Services Officer)

#### UNRESTRICTED ITEMS

##### **14. Minutes - 9 February 2022**

*(Item A3)*

RESOLVED that the Minutes of the meeting held on 8 February 2022 are correctly recorded and that they be signed by the Chairman.

##### **15. Application DO/21/00781 (KCC/DO/0105/2021 - The installation of machinery comprising a dust extraction system and flue, fuel stores, pellet stores, hoppers, Stela Dryer, a sound attenuated shipping container and 2 low carbon electrical production units, an additional boundary enclosure, and an increase in the quantity of wood waste to be imported/exported and number of HGV movements (part retrospective) at Flisher Energy, Fernfield Lane, Hawkinge; Flisher Energy Ltd**

*(Item C1)*

- (1) The Head of Planning Applications Group reported additional correspondence from the applicants in respect of the need for the application.
- (2) During discussion of the application, the Committee agreed that the timescale for the conditions relating to the submission of the 3 m high barrier to the south of the site and details of the timber enclosure for the bag filter fan were to be submitted within 1 month of the date of the planning permission.
- (3) On being put to the vote, the recommendations of the Head of Planning Applications Group were unanimously agreed as amended in (2) above.
- (4) RESOLVED that permission be granted to the application subject to conditions, including conditions covering the development being carried out in accordance with the submitted documents; the submission within one month of the permission of details of the 3-metre-high barrier to the south of the site; the submission within one month of the permission of details of the timber enclosure for the bag filter fan; no more than 25,000 tonnes per annum of

waste wood being imported and no more than 20,000 tonnes per annum of wood fuel being exported; noise rating limits from the site being measured at sensitive receptors in accordance with BS4142 as set out in the table in the recommendations on page 25 (C1.21) of the report, with the noise output limits from the shredder being 112dBA; the location of the shredder being secured during operation; hours of operation for use of the shredder and screener being restricted to 0700 to 1630 on Mondays to Fridays, 0800 to 1300 on Saturdays with no operations taking place on Sundays or Bank Holidays; limit on the storage location for waste wood awaiting processing; the safeguarding of parking and turning areas; no additional lighting being installed; the storage of oils, fuels and lubricants; no more than 20 HGV movements per day, access to be via Pavilion Road, with hours of operation being restricted to 0800 to 1700 on Mondays to Fridays, 1000 to 1200 on Saturdays, with no operations on Sundays and Bank Holidays; the submission of a detailed landscaping scheme; any trees or shrubs that become diseased or die within 5 years of planting being replaced within the next planting season with species to be agreed by the County Planning Authority; the maintenance of the surface and foul water drainage system; no infiltration of surface water into the ground taking place without prior written consent; and compliance with the dust management plan.

**16. Proposal 21/60738/COUNTY (KCC/SW/0213/2021) - Construction of highway improvements to the A249 Grovehurst Road junction to replace the existing 'dumbbell' junction arrangement with a new gyratory and ancillary works at A249 Grovehurst Road Junction, Sittingbourne; KCC Major Capital Programmes (Highways)**

*(Item D1)*

(1) The Head of Planning Applications Group advised in respect of paragraph 64 of the report, that since its publication, she had become aware that there would be some vegetation clearance on the approach to the junction and on the south bound slip road. It was, nevertheless considered that the residential property would still be enclosed by the existing tree cover outside of the highway boundaries.

(2) During discussion of this item, the Committee agreed to the amendment of Condition 11 in order to ensure that the junction was operational throughout the construction period. It therefore specified that a Verification Report pertaining to the water drainage system was to be submitted for approval by the County Planning Authority within 3 months of completion of the junction.

(3) The Committee added an additional condition specifying that the full landscaping and planting details were to be submitted for approval to the County Planning Authority and implemented as approved within the first planting season following completion of the development.

(4) The Committee added two Informatives. The first strongly encouraged the applicant, when preparing details of the landscaping scheme, to include tree species of a substantial size to minimise landscape impact, as well as shrubs that included berries to support ecological diversity. The second strongly encouraged the applicant to explore the potential for an electric warning system for northbound traffic to identify fog and/or incidents in the vicinity of the Sheppey Crossing.

(5) On being put to the vote, the recommendations of the Head of Planning Applications Group were unanimously agreed as amended in (2) to (4) above.

(6) RESOLVED that:-

- (a) permission be granted to the proposal subject to conditions, including conditions covering the development commencing within 3 years of the date of the permission; the development being carried out in accordance with the submitted detail; the development being constructed and opened to traffic in accordance with the Systra drawing no. 109617-dwg-101-01 Rev P05 (Proposed General Layout Arrangement) to ensure that the A249 continues to be an effective part of the national system of routes for through traffic in accordance with Section 10 of the Highways Act; a revised Construction Environment Management Plan (CEMP) being submitted to the County Planning Authority for written approval prior to the commencement of the development with the development being carried out in accordance with this document - The CEMP is to include (in addition to matters already covered) details of the scale, timing and mitigation of all construction related aspects of the development and shall include (but not be limited to): the routing of construction and delivery vehicles to and from the site, parking and turning areas for construction and delivery vehicles and site personnel; the timing of deliveries; the provision of wheel washing facilities, details of the general approach to temporary traffic management and signage, working hours including arrangements for working outside of normal hours, a plan for proposed erosion and sediment control measures within the detailed drainage section, the modelling of construction scenarios for the southbound off slip, potential mitigation measures for fugitive dust emissions during construction (as set out in table 24 of the revised Air Quality Report), mitigation measures to manage the effects of construction noise during night time periods (as set out in the revised Noise Report), and the reassessment of potential construction vibration impacts for residential receptors once final construction methodology and equipment is confirmed; the submission of a Stage 1 and 2 Road Safety Audit for approval by the County Planning Authority prior to the commencement of the development, and in consultation with the Highway Authority; prior to the commencement of development, the submission for approval by the County Planning Authority of details of the proposed roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining structures, service routes, surface water outfall, embankments, visibility splays, accesses, carriageway gradients, crossings, cycle paths and street furniture, with the development being laid out and constructed in accordance with these approved details; no further development being carried out if, during development, contamination not previously identified is found to be present at the site until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the County Planning Authority; no drainage systems for the infiltration of surface water to the ground taking place other than with the written approval of the County Planning Authority; no development taking place until a scheme of archaeological field evaluation has been submitted to and approved in writing by the County

Planning Authority; a sustainable surface water drainage scheme being submitted to and approved in writing by the County Planning Authority prior to the commencement of development - this drainage scheme is to be based upon the submitted Drainage Strategy and Flood Risk Assessment with addendum (Systra October 2021), demonstrating that the surface water generated by this development can be accommodated and disposed of without increase to flood risk on or off site; a Verification Report pertaining to the surface water drainage system to be submitted to and approved in writing by the County Planning Authority within 3 months of completion of the junction within 3 months of completion of the junction pertaining to the surface water drainage system; no development commencing until a further ecological survey for water voles has been undertaken to confirm if water voles are present and, if so, identifies any necessary mitigation measures; no development commencing until a method statement for the protection of reptiles during site clearance and construction works has been submitted to and approved by the County Planning Authority – this method statement is to also provide details of the reptile receptor site, with the works being carried out in accordance with the approved details; the method statement for the protection of reptiles during site clearance and construction works being reviewed to ensure that the suitability of the reptile receptor site is sufficient to accommodate all the translocated reptiles and, if not, all translocation work is to cease until such time as a suitable alternative site has been secured following the submission of details to the County Planning Authority and their approval in writing; the submission prior to commencement of development of a Construction Environmental Management Plan for Biodiversity (CEMP: Biodiversity) for written approval by the County Planning Authority; the submission for written approval by the County Planning Authority within 6 months of planning permission being granted of an Ecological Design Strategy (EDS) to address the delivery of Biodiversity Net Gain for the site; the submission for written approval by the County Planning Authority of an Ecology and Landscape Management Plan (ELMP) prior to completion of the development; the development being carried out in accordance with the Preliminary Lighting Impact Assessment, with a further assessment of the lighting design's potential impacts being undertaken by the project ecologist and submitted for written approval by the County Planning Authority if any amendments to the lighting design are required; and the temporary Staff Welfare Compound on Bramblefield Lane/ Sheppey Way being restored to its former condition within 3 months of the completion of the works; and the submission for approval by the County Planning Authority of full landscaping and planting details to be implemented as approved within the first planting season following completion of the development; and

- (b) the applicants be advised by Informative that:-
  - (i) only clean uncontaminated water should drain into the surface water system:

- (ii) they should discuss construction options with the Highways Authority to ensure that the most appropriate construction option is chosen for the southbound off slip based on discussion and modelling, as required by the condition for the revised CEMP;
- (iii) they should ensure that all necessary highway approvals and consents are obtained;
- (iv) those proposing works affecting the public highway are required to enter into an agreement with the Strategic Highway Authority (National Highways);
- (v) they are strongly encouraged, when preparing details of the landscaping scheme, to include tree species of a substantial size to minimise landscape impact, as well as shrubs that include berries to support ecological diversity; and
- (vi) they are strongly encouraged to explore the potential for an electric warning system for northbound traffic to identify fog and/or incidents in the vicinity of the Sheppey Crossing.

## **17. 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 (None);
- (b) County Council developments;
- (c) Screening opinions under the Town and Country Planning (Environmental Impact Assessments) Regulations 2017; and
- (d) Scoping opinions under the Town and Country Planning (Environmental Impact Assessments) Regulations 2017 (None).

## **18. KCC Response to Consultations**

*(Item F1)*

(1) The Committee noted that the response on the EIA Scoping Opinion for the proposed development at Ebbsfleet Central had been made to the Ebbsfleet Development Corporation.

(2) RESOLVED to note Kent County Council's response to the following Consultations:-

- (a) EIA Scoping Opinion for a proposed development at Ebbsfleet Central, Ebbsfleet Valley, Kent (Ref: EDC/22/0005):
- (b) Birchington Neighbourhood Plan (2021-2031) Consultation Draft - Regulation 16

- (c) Thanet Local Plan Update – Engagement (Discussion Papers and Evidence Base Documents); and
- (d) Land north and south of New Dover Road, Canterbury, extending north to Canterbury-Dover railway line, west to Nackington Road and south to A2 ('Mountfield Park' – South Canterbury) (Application Reference: CA/16/00600)