

KENT COUNTY COUNCIL

PLANNING APPLICATIONS COMMITTEE

MINUTES of a meeting of the Planning Applications Committee held in the Online on Wednesday, 4 November 2020.

PRESENT: Mr R A Marsh (Chairman), Mr R A Pascoe (Vice-Chairman), Mr M A C Balfour, Mrs R Binks, Mr A H T Bowles, Mr J Burden, Mr I S Chittenden, Mr P M Harman, Mr H Rayner, Mr C Simkins and Mr J Wright

ALSO PRESENT: Mr M Whiting

IN ATTENDANCE: Mrs S Thompson (Head of Planning Applications), Mr J Wooldridge (Principal Planning Officer - Mineral Developments), Mr J Bickle (Senior Planning Officer), Mrs S Bengel (Transport and Development Manager) and Mr A Tait (Democratic Services Officer)

UNRESTRICTED ITEMS

45. Minutes - 16 September 2020

(Item A3)

RESOLVED that the Minutes of the meeting held on 16 September 2020 are correctly recorded and that they be signed by the Chairman.

46. Site Meetings and Other Meetings

(Item A4)

The Committee discussed the possibility of visiting the Covers Farm, Westerham site. The Head of Planning Applications advised that the applicants were preparing additional information. A site visit would therefore be premature at this point. The Clerk to the Committee advised that the most recent Covid-19 restrictions provided by the Government would not permit a site visit to take place as such an event was not within its guidelines. Furthermore, KCC's own policy for staff was that officers should not risk physical contact unless it was absolutely essential. This meant that any site visit would be limited to Members only, which KCC Standards Note 4 strongly advised against.

47. General Matters

(Item B1)

(1) The Chairman drew the Committee's attention to a Virtual meeting involving the Cabinet Member for Environment, two Local Members and representatives from Oare Parish Council and *Uproar*, a local action group to discuss local concerns over the enforcement of planning conditions at the waste management site at Oare Creek, Faversham (Minute 19/31). He asked for confirmation that the determination of planning applications was exclusively the remit of the Committee.

(2) The Clerk to the Committee confirmed that the Committee had the exclusive remit to determine planning applications on behalf of the County Council.

(3) The Head of Planning Applications informed the Committee that the Virtual meeting which she had attended had focussed exclusively on planning enforcement matters. It had not sought to change the planning permission or to discuss matters that fell within the Committee's remit. She added that, partly as a result of the concerns raised, the County Council was looking to recruit additional resources for its enforcement function, which would include this particular site.

(4) The Head of Planning Applications then informed the Committee that KCC's response to the Consultation on the Government Planning White Paper had included many of the points made during the Committee's training session on this subject. The response had also stressed the knowledge and experience on planning matters that Planning Committee Members possessed and that this should not be lost in the reforms. The consultation response would be reported formally to the next meeting of the Committee.

48. Application SW/20/500833 (KCC/SW/0254/2019) - Continued operation of Ridham Biomass Plant with minor variations to allow: export of shredded wood waste; a 4,600 tpa increase in throughput; and an increase in stockpile heights at MVV Environment Ridham, Ridham Dock, Iwade; MVV Environmental Ridham Ltd
(Item C1)

(1) Mr M Whiting was present for this item as the Local Member and addressed the Committee.

(2) The Head of Planning Applications recommended a revision to the conditions attached to the draft permission. This was that records of the dates and times of HGV movements and their loads were to be maintained by the operator and made available to the County Planning Authority on request. She also recommended that the Informative be strengthened so that the applicant was strongly encouraged to make every endeavour to use the private road to the Sheppey Way and the A249 junction. Both of these recommendations were accepted by the Committee.

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

(4) RESOLVED that:-

- (a) permission be granted to the application subject to conditions, including conditions covering the maximum throughput of fuel material through the Biomass Plant not exceeding 181,800 tonnes per annum; stockpile heights not exceeding 7 metres in height during an outage or on Bank Holiday weekends or 5 metres in height at all other times, with the amount of material stored being reduced to 5m or less over the subsequent 7 working days; a maximum limit on exports of wood during an outage of 2,500 tonnes per week until the Facility is operational; no HGV movements associated with the export of wood occurring during the network peak period (0730 to 0930 and 1630 to 1830 daily); records of the date and times of HGV movements and their loads being maintained by the operator and made available to the County Planning Authority on request; the

Traffic Management Plan being updated and reviewed annually to ensure it continues to be effective; and the re-imposition of conditions previously imposed on Permissions SW/10/774 and SW/12/1132 (updated where relevant to reflect current practices and any details previously approved pursuant to the permissions); and

- (b) the applicant be strongly encouraged by Informative to make every endeavour to use the private road to the Sheppey Way and the A249 junction adjacent to the Sheppey Bridge as a primary point of access rather than as a secondary route.

49. Matters dealt with under delegated powers

(Item E1)

(1) Mr J Burden informed the Committee that he was the Leader of Gravesham BC. He had, however not participated in any discussion of the Borough Council's consultation response to the applications involving the schools in his Borough reported in Item E2.

(2) 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; and
- (d) Scoping Opinions under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (None).

50. KCC Response to Consultations

(Item F1)

(1) In response to a point made by Mr Rayner, the Head of Planning Applications informed the Committee that the Inspectors for the Examination in Public of the Tonbridge and Malling Local Plan had written to the Borough Council indicating that they had serious concerns in relation to how the Borough Council had satisfied the Plan's legal compliance test. The Inspectors would provide a more detailed letter in due course. Once this had been received, the County Planning Authority would be in a position to consider how much weight should be attributed to the emerging Local Plan in decision making.

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

- (a) Kent Downs Area of Outstanding Natural Beauty (AONB) Draft Management Plan;
- (b) Canterbury City Council Issues Consultation Regulation 18;
- (c) Boughton Monchelsea Neighbourhood Plan Regulation 16; and

(d) Egerton Neighbourhood Plan Regulation 14.