

KENT COUNTY COUNCIL

PLANNING APPLICATIONS COMMITTEE

MINUTES of a meeting of the Planning Applications Committee held in the Online on Wednesday, 9 December 2020.

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

IN ATTENDANCE: Mrs S Thompson (Head of Planning Applications), Mr J Wooldridge (Principal Planning Officer - Mineral Developments), Mr C Finch (Senior Projects Officer - CAIP East Kent) and Mr A Tait (Democratic Services Officer)

UNRESTRICTED ITEMS

51. Minutes - 4 November 2020

(Item A3)

RESOLVED that the Minutes of the meeting held on 4 November 2020 are correctly recorded and that they be signed by the Chairman.

52. Site Meetings and Other Meetings

(Item A4)

The Head of Planning Applications briefly informed the Committee that it was still not possible for the Committee to undertake a site visit to Covers Farm, Westerham in the light of the current Covid-19 pandemic.

53. General Matters

(Item B1)

The Head of Planning Applications informed the Committee of the consultation by the Ministry of Housing, Communities and Local Government on *Supporting Housing Delivery and Public Service Infrastructure*. The Committee agreed to hold an informal briefing in January 2021, to which the Cabinet Member for Economic Development would be invited, with the aim of improving understanding of the issues involved and contributing to the response.

54. Application SW/20/500291 (KCC/SW/0008/2020 - Construction and operation of an Incinerator Bottom Ash (IBA) recycling facility at Plot 6B, Ridham Dock Estate, Iwade; Fortis IBA Ltd

(Item C1)

(1) The Head of Planning Applications presented a revision to her recommendations whereby they would not be subject to any late objections by Natural England to the application or to KCC's Habitat Regulations Assessment which were incapable of being satisfactorily resolved by the Head of Planning Applications following the meeting. This was agreed.

(2) In unanimously agreeing the revised recommendations, the Committee included an additional Informative encouraging the use of waterborne transportation wherever possible.

(3) RESOLVED that:-

- (a) permission be granted to the application subject to conditions, including conditions covering the prior approval and implementation of a Construction Environmental Management Plan (CEMP) to address potential adverse impacts during the construction phase (including those relating to highways, noise and air quality / dust); a Travel Plan (to promote HGV movements outside the peak periods); no HGVs associated with the delivery of Incinerator Bottom Ash Aggregate (IBA) to the site entering or leaving the site on weekdays between 0730 and 0930 hours and between 1630 and 1830 hours other than from the Kemsley Sustainable Energy Plant (SEP); no more than 6 HGVs associated with the delivery of IBA Aggregate (IBAA) or metals from the site entering or leaving the site (i.e. 6 in / 6 out) on weekdays between 0700 and 0930 hours and none between 1630 and 18:30 hours (excluding those taking IBAA to Ridham Dock for export by barge); all HGVs entering and leaving the site via the Western Access Route prior to the completion and opening of the Grovehurst Junction improvements unless delivering IBA to the site from the Kemsley SEP; no more than 310,000 tonnes of IBAA and metals being exported by road from the site in any 12 month period; no more than 165,500 tonnes of IBA being imported to the site by road from sources other than the Kemsley SEP in any 12 month period; records being kept and made available to KCC to demonstrate compliance with the above restrictions; the surfacing of the site access being maintained in a good state of repair and kept clean and free of mud and other materials at all times; measures being taken to ensure that vehicles leaving the site do not deposit mud or other materials on the public highway (including by use of wheel and chassis cleaning equipment as necessary); all loaded, open backed vehicles entering or leaving the site being properly enclosed or sheeted; measures to minimise air quality (including dust) impact; no piling works between November and February (inclusive) (or piling works only being carried out between the months of March to October (to avoid the core winter period of November to February)), if piling is necessary at all; lighting being installed, used and maintained in accordance with the applicant's lighting design strategy to avoid light spillage onto adjoining areas to ensure that any light spillage does not exceed 0.5 Lux; the removal of permitted development rights to ensure that no additional buildings, plant or machinery are erected or installed on site unless approved beforehand by KCC; the prior approval by KCC of all ancillary buildings; the removal of all IBA, IBAA, metals or other materials, buildings, plant and machinery from the site within 2 years of the permanent cessation of the IBA Recycling Facility; the operational layout of the site being as proposed; stockpile heights of IBA and IBAA being restricted to no more than 10m; the processing plant being coloured and maintained in light grey; the implementation of a remediation strategy in the scenario in which unexpected

contamination is encountered during development of the site; no surface, process or foul water being discharged from the site; and a flood evacuation plan; and

- (b) the applicants be advised by Informative that:-
- (i) for the purposes of the highway restrictions which refer to the Kemsley Sustainable Energy Plant (SEP), this shall be taken to be the consented K3 SEP and any permissions that may be granted for the K3 SEP expansion and Wheelabrator Kemsley North (WKN) via the current DCO process;
 - (ii) the Travel Plan must include sufficient detail regarding how it will be implemented and its effectiveness monitored and contain details of the mechanisms to be used to review the Plan and introduce amended and / or new actions to achieve the stated intentions if monitoring suggests its intentions are not being achieved;
 - (iii) in accordance with Government Guidance, detailed controls in respect of emissions will be matters for the Environment Agency under the terms of the Environmental Permit and that any new development at the site and / or changes in operational procedures must be in accordance with the Environmental Permit; and
 - (iv) they are encouraged to use waterborne transport wherever possible.

55. 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 2017; and
- (d) Scoping Opinions under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (None).

56. KCC Response to Consultations

(Item F2)

(1) Mr J Burden asked the Committee to note that although he supported KCC's response to the Planning for the Future White Paper (Item F2) in respect of its comments in response to Question 8(a), he nevertheless considered as a Member of Gravesham BC agreed with the housing requirements in his Borough.

(2) Mr A H T Bowles asked the Committee to note his opposition to the housing requirements in the Borough of Swale.

(3) The Committee recorded its appreciation for the work of Sarah Platts in preparing an excellent and comprehensive response to the consultation.

(4) RESOLVED:-

- (a) to note Kent County Council's responses to the following consultations:-
 - (i) Outline Application at Former Broke Hill Golf Course, Stonehouse Park, Sevenoaks Road, Halstead;
 - (ii) Response to the *Planning for the Future* White Paper;
 - (iii) Otham Parish Neighbourhood Plan 2020 to 2035 – Regulation 16 Consultation; and
 - (iv) Boughton Aluph and Eastwell Parishes' Neighbourhood Plan 2013 to 2030 – Regulation 16 Consultation; and
- (b) that Sarah Platts be thanked for preparing an excellent and comprehensive response to the consultation on *the Planning for the Future* White Paper.