

## 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, 13 October 2021.

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

ALSO PRESENT: Mr R W Gough

IN ATTENDANCE: Mrs S Thompson (Head of Planning Applications), Mrs A Hopkins (Principal Planning Officer), Ms A Short (Planning Officer), Mr A Millard (Senior Development Planner), Ms N Stevens (Invicta Law) and Mr A Tait (Democratic Services Officer)

#### UNRESTRICTED ITEMS

##### **31. Minutes - 2 September 2021**

*(Item A3)*

RESOLVED that the Minutes of the meeting held on 2 September 2021 are correctly recorded and that they be signed by the Chairman.

##### **32. Application SE/21/1639 (KCC/SE/0102/2021) - Section 73 Application to amend Condition 2 of Permission SE/18/293 to regularise minor changes to the layout of the agricultural waste digester facility and to seek permission for the installation of a biogas storage facility at Court Lodge Farm, Stack Road, Horton Kirby, Dartford; Oncoland Ltd**

*(Item C1)*

- (1) Mr R W Gough was present for this item as the Local Member and addressed the meeting.
- (2) The Head of Planning Applications Group informed the Committee of correspondence from the Council's Landscape Advisors giving their view that there would be no adverse landscape impacts arising out of the application.
- (3) The Head of Planning Applications Group agreed to write to Horton Kirby and South Darent PC in respect of their concerns regarding traffic and landscaping and the Committee's remit in respect of the waste related traffic associated with the application.
- (4) The Committee agreed that traffic volumes associated with the waste digester facility should be monitored.

(5) The Committee agreed to include Informatives advising the applicants to satisfy themselves on the need for any variation to the Environmental Permit regulated by the Environment Agency and any permit/process regulated by the Health and Safety Executive, and that the species/size of any replacement trees should be agreed in writing by the County Planning Authority prior to planting.

(6) In response to points made by Members of the Committee, the Head of Planning Applications Group confirmed that the Conditions imposed would be worded as instructions (with the additional condition set out in (4) above, as was the usual practice).

(7) On being put to the vote, the recommendations of the Head of Planning Applications Group were carried unanimously subject to (4) and (5) above.

(8) RESOLVED that:-

- (a) permission be granted to the application subject to conditions, including conditions covering the development commencing no later than 3 years after the date of the planning permission; the development being carried out in accordance with the submitted details; the Site Management Plan being approved and implemented as approved; only waste arising from the farm estate being processed at the facility; surface and foul water drainage being carried out in accordance with the submitted details of the attenuation pond; lighting being implemented in accordance with approved details in order to minimise light spill; vehicle movements avoiding peak traffic periods and taking the route identified and detailed in the planning application with the traffic volume associated with the development being monitored and the figures being provided to the County Planning Authority upon request; and landscaping being implemented and thereafter maintained in accordance with the submitted scheme;
- (b) any Informatives still relevant from Permission SE/18/293 being carried forward within this planning permission. This includes Informatives relating to the expiry date of the decision notice and adhering to the conditions; a reminder that it is an offence to damage, remove or destroy the nests of wild birds which are in use; and minimising noise from mechanical apparatus at the site; and
- (c) the applicants be reminded by Informative that:-
  - (i) they need to satisfy themselves for the need for any variation to the Environmental Permit regulated by the Environment Agency and a permit/process regulated by the Health and Safety Executive; and
  - (ii) in the event of any tree dying or becoming diseased they shall be replaced, the species to be agreed in writing by the Waste Planning Authority prior to planting as required by condition, and there is an expectation that the species will be replaced on a like for like basis of a similar maturity to that lost.

**33. Application SW/21/503467 (KCC/SW/0081/2021) - Change of use from storage of empty skips and associated plant to storage and processing of waste within an existing barn at Cleve Hill Farm, Cleve Hill, Graveney; K&S Services South East Ltd**

*(Item C2)*

- (1) The Head of Planning Applications Group informed the Committee of late representations complaining that the operators were carrying out activities in advance of the application being determined. This included vehicles using Cleve Hill Lane to access the site and the farmyard.
- (2) The Head of Planning Applications Group said that the operators had confirmed that activity was taking place in conformity with the permission granted to them by Swale BC and that no vehicles were using Cleve Hill Lane. If a loaded skip was brought on site outside of operating hours, the waste remained in the skip and was transported to the disposal site the following day.
- (3) The Committee agreed to combine the conditions concerning use of the building and travel through Graveney at peak school travel times into a single condition.
- (4) On being put to the vote, the recommendations of the Head of Planning Applications Group were carried unanimously as amended in (3) above.
- (5) RESOLVED that permission be granted to the application subject to conditions, including conditions covering the development being implemented within 3 years of the permission; a maximum throughput of 4,000 tonnes per year; use of the building being restricted to the purpose applied for; hours of operation including use of the building and the movement of commercial vehicles being limited to between 0800 and 1730 on Mondays to Fridays with no operations on Saturdays, Sundays or Bank Holidays, with any traffic movements associated with the site not taking place in Graveney Village on School Term Days between 0830 and 0930 or between 1445 and 1600; no more than 30 heavy goods vehicle movements per day (15 in / 15 out); records of all HGV movements being maintained and made available on request to the Waste Planning Authority; access being limited to the road serving the London Array Substation (i.e. not via Cleve Hill); all loaded, open backed HGVs being sheeted, netted or otherwise covered; no waste being delivered to site by members of the general public. no activity associated with the development taking place outside the building; only skip waste being received; roller shutter doors being kept closed unless vehicles are entering or leaving the building; any incidental putrescible waste (including food waste) being removed from site to an authorised waste disposal facility within 48 hours; no crushing, mechanical screening or shredding of waste taking place; no fires or burning of materials; no waste being imported until the concrete pad and associated sealed drainage system are installed; all imported waste being deposited on the sealed concrete pad within the building; drainage from the concrete pad being captured within an underground storage tank, which is to be emptied and maintained on a regular basis; all vehicles, plant and machinery being regularly serviced, with engine covers closed and efficient silencers fitted to exhausts. all fuel, oil or chemicals being stored in accordance with Government Guidance; no external lighting or floodlighting

being installed (except for low-level security lighting); and restrictions on permitted development rights.

### **34. Matters dealt with under delegated powers**

*(Item E1)*

RESOLVED to note matters dealt with under delegated powers since the meeting on 16 June 2021 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).

### **35. KCC Responses to Consultations**

*(Item F1)*

(1) Members of the Committee commented on KCC response to the Tunbridge Wells Borough Local Plan 2021 Pre-Submission Local Plan (Regulation 19 and on the Application by River Oak Strategic Partners Limited (“the Applicant”) for an Order granting Development Consent for the reopening and development of Manston Airport in Kent.

(2) In response to comments made during discussion of this item, the Clerk to the Committee advised the Committee that the KCC Responses to Consultations items were for information only and that the Committee’s Terms of Reference provided no remit to seek to amend the response in advance of it being finalised.

(3) RESOLVED to note Kent County Council’s responses to the following Consultations:-

- (a) Stone Neighbourhood Plan 2020-2035 – Regulation 16;
- (b) Land at Court Lodge, Pound Lane, Kingsnorth Proposal - Construction of up to 1000 new homes (C3), local centre comprising retail uses (up to 450 sqm A1-A5) flexible office space (up to 350 sqm B1) and community facilities including a primary school (2.4ha), a combined community hall and site management suite (up to 650 sqm D1). New means of vehicular accesses onto Pound Lane, Long Length, Magpie Hall Road, new pedestrian and cycle routes laying out of green infrastructure, including allotment gardens and areas of ecological habitats. Drainage infrastructure, earthworks and ancillary infrastructure;
- (c) Brenchley and Matfield Neighbourhood Plan (2020-2038) - Regulation 14 Consultation

- (d) Tunbridge Wells Borough Local Plan 2021 Pre Submission Local Plan (Regulation 19);
- (e) Canterbury District Local Plan - draft vision and options for the district;
- (f) Re-determination of the Application by RiverOak Strategic Partners Limited ("the Applicant") for an Order granting Development Consent for the reopening and development of Manston Airport in Kent;
- (g) EIA Scoping Opinion for a proposed development at Land South and South East Mascalls Court Road, Paddock Wood, Tonbridge, Kent [application reference: 21/02129/EIASCO];
- (h) Re: Tenterden Neighbourhood Plan 2013–2030 Pre-Submission Draft (Regulation 14); and
- (i) Re: Egerton Neighbourhood Plan 2021-2040, April 2021.