

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, 9 February 2022.

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 M Dendor, Mr H Rayner, Mr O Richardson and Mr C Simkins

IN ATTENDANCE: Mrs S Thompson (Head of Planning Applications), Mr P Hopkins (Principal Planning Officer), Ms H Mallett (Senior Planning Officer), Mr D Joyner (Transport & Development Manager), Ms N Stevens (Invicta Law) and Mr A Tait (Democratic Services Officer)

UNRESTRICTED ITEMS

9. Minutes - 12 January 2022

(Item A3)

RESOLVED that the Minutes of the meeting held on 12 January 2022 are correctly recorded and that they be signed by the Chairman.

10. Site Meetings and Other Meetings

(Item A4)

The Committee noted that there would be a training session on *New legislative changes relating to energy in buildings* following the meeting.

11. Proposal MA/21/504154 (KCC/MA/0168/2021) - Construction of a service road route for HGV and other vehicle deliveries with concrete apron, associated lighting, fencing, and landscaping, re-siting of part of the existing barn, and the relocation of two storage containers at Newnham Court Farm, Bearsted Road, Weaving, Maidstone; KCC Strategic and Corporate Services *(Item D1)*

(1) Mr Simon Cook (a local resident) addressed the Committee in opposition to the proposal. Mr Barry Stiff (KCC Major Capital Programme Team, Highways, Transportation & Waste) and Mr William Cassell (WSP Consulting) spoke in reply on behalf of the applicants.

(2) Following discussion of the proposal, the Committee agreed to the following amendments to the recommendations:-

(a) The insertion of an additional condition specifying that where open drainage gullies are proposed these should support biodiversity objectives.

(b) The implementation of the recommended noise mitigation measures as set out in the noise assessment technical note also including measures to minimise noise

when delivering to or leaving the site by switching off vehicle engines when static or parked as far as reasonably practicable.

(c) Limitation of access to HGVs via the HGV route to be between 0730 and 2000 hours on Mondays to Saturdays by the use of locked gates outside of these hours, with no HGV access on Sundays and Bank Holidays.

(d) The submission of further details of proposed lighting, including hours of lighting use, which should have regard to the location of nearby residential property and biodiversity matters, including use of red filters as appropriate and be directed onto the location where needed.

(e) An additional Informative advising the applicants that in preparing the required maintenance arrangements as part of the landscaping scheme condition, such arrangements are to provide maintenance to create a wildflower meadow. The maintenance schedule is to ensure that the extent of the meadow is appropriately recorded and demarcated and that the meadow area is cut in the autumn (ideally in October and November) in line with the maintenance of the wildflower meadow either side of Newnham Court Way.

(f) An additional Informative advising the applicants that they are strongly encouraged in implementing the landscaping scheme, to explore the potential for native trees within the hedgerow to enhance landscape and biodiversity and to mitigate for the trees lost by the development.

(3) On being put to the vote, the recommendations of the Head of Planning Applications as amended in (2) above were carried by 8 votes to 0 with 2 abstentions.

(4) RESOLVED that:-

(a) permission be granted to the proposal subject to conditions, including conditions covering the standard 3 year time limit; the development being carried out in accordance with the permitted details; the submission of a scheme to deal with the risks associated with contamination including a site investigation scheme and detailed assessment of the risk to receptors; an options appraisal and remediation strategy giving full details of the remediation measures required and how they would be undertaken together with the submission of a verification plan providing details of the data that would be collected to demonstrate that the works set out in the remediation strategy are complete and identifying any requirements for longer term monitoring of pollution linkages maintenance and arrangements for contingency action; the Submission of a verification report demonstrating completion of the works set out in the approved remediation strategy; measures to address contamination if it is found during development and has not previously been identified at the site; measures recommended within the Phase 1 Preliminary Risk Assessment including an unexploded ordnance watching brief during any intrusive works on site and a ground investigation to include a risk assessment of possible contamination linkages and remedial measures if required; infiltration of surface water drainage; implementation of the

recommended noise mitigation measures as set out in the Noise Assessment Technical Note, including measures to minimise noise when delivering to or leaving the site by switching off vehicle engines when static or parked as far as reasonably practicable; the submission of a construction environmental management plan prior to construction commencing, including details of hours of construction operation; details of any construction compound arrangements; dust and noise mitigation during construction; the submission of maintenance arrangements as part of a landscaping scheme; a requirement for the landscaping scheme to be implemented as approved and for the hedge/flowering lawn to be established within a year of the development being implemented; the submission of further details of the proposed lighting, which should have regard to the location of nearby residential property and biodiversity matters, including use of red filters as appropriate and be directed onto the location where needed; the limitation of access to HGVs via the HGV route to between 0730 to 2000 hours on Mondays to Saturdays by use of locked gates outside of these hours, with no HGV access on Sundays or Bank Holidays; the implementation of the Ecological Addendum Technical Note ecological recommendations regarding the timing of works and ecological supervision and use of temporary badger exclusion fencing; tree protection measures for those trees to be retained; the removal of the 2 relocated containers within 3 years of the date of the decision; the proposed concrete apron only being used for access and turning space, it being kept clear for that use and not being used for loading or unloading of any goods; and where open drainage gullies are proposed these should support biodiversity objectives; and

- (b) the Applicants being advised by Informative:-
- (i) that the Environment Agency advises that only clean uncontaminated water should drain directly to the surface water system and that there should be no discharge to land impacted by contamination or land previously identified as being contaminated and no discharge to made ground and no direct discharge to groundwater;
 - (ii) that the updating of drainage information previously submitted in relation to condition 10 (regarding details of the sustainable surface water drainage scheme) of Permission MA/20/500047/RVAR must take account of the additional road area;
 - (iii) that the works should only take place as part of the main scheme (Permission MA/20/500047) by KCC and not separate to it;
 - (iv) of the need for the submission of the additional landscape planting requirements within the permitted MA/20/500047 scheme;
 - (v) that in preparing the required maintenance arrangements as part of the landscaping scheme condition, such arrangements are to

provide maintenance to create a wildflower meadow. The maintenance schedule is to ensure that the extent of the meadow is appropriately recorded and demarcated and that the meadow area is cut in the autumn (ideally in October and November) in line with the maintenance of the wildflower meadow either side of Newnham Court Way; and

- (vi) that they are strongly encouraged in implementing the landscaping scheme, to explore the potential for native trees within the hedgerow to enhance landscape and biodiversity and to mitigate for the trees lost by the development.

12. 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 Assessments) Regulations 2017; and
- (d) Scoping opinions under the Town and Country Planning (Environmental Impact Assessments) Regulations 2017 (None).

13. KCC Response to Consultations

(Item F1)

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

- (a) Brenchley and Matfield Neighbourhood Plan (2020 – 2038) – Regulation 16 Consultation;
- (b) Future Hoo Consultation 2021: Second Round; and
- (c) Outline application MBC/18/504836 for development at Binbury Park, Binbury Lane, Detling.