

## PLANNING APPLICATIONS COMMITTEE

MINUTES of a meeting of the Planning Applications Committee held in the Darent Room, Sessions House, County Hall, Maidstone on Tuesday, 13 April 2010.

PRESENT: Mr R E King (Chairman), Mr J F London (Vice-Chairman), Mr R Brookbank, Mr A R Chell, Mr T Gates, Mr C Hibberd, Mr G A Horne MBE, Mr J D Kirby, Mr R J Lees, Mr R A Pascoe, Mr M Robertson, Mr C P Smith, Mr K Smith and Mr A Willicombe

IN ATTENDANCE: Mrs S Thompson (Head of Planning Applications Group), Mr J Crossley (Team Leader - County Council Development), Mr J Wooldridge (Team Leader - Mineral Developments), Mr P Hopkins (Principal Planning Officer), Mr J Moat (Planning Officer), Mr R White (Transport and Development Business Manager) and Mr A Tait (Democratic Services Officer)

### UNRESTRICTED ITEMS

#### **20. Minutes - 16 March 2010**

*(Item 4)*

RESOLVED that the Minutes of the meeting held on 16 March 2010 are correctly recorded and that they be signed by the Chairman.

#### **21. Site Meetings and Other Meetings**

*(Item A4)*

The Committee noted that the site visit to Straw Mill Lane, Tovil would be held that afternoon following the meeting and that there would be no site visit or training session following the May Committee meeting.

#### **22. Applications TM/09/3231-3236 - Variation of Condition 1 of Permission TM/08/3353 to allow waste to be sourced from the following local authority areas (in addition to Kent and Medway) at New Earth Composting Plant, Blaise Farm Quarry, Kings Hill, West Malling; New Earth Solutions Group Ltd.**

*(Item C1)*

(1) On being put to the vote, the recommendations of the Head of Planning Applications Group were carried by 11 votes to 2 with 1 abstention.

(2) RESOLVED that:-

- (a) permission be granted to Applications TM/09/3232 (to allow waste to be sourced from Kent, Medway and Surrey) and TM/09/3233 (to allow waste to be sourced from Kent, Medway, Surrey, East Sussex, West Sussex and Brighton and Hove) subject to the prior completion of a modified Section 106 Agreement (Unilateral Undertaking) repeating the existing obligations contained in the latest legal agreement relating to a liaison group, HGV routing and restoration; and to the conditions imposed on Permission

TM/08/3353 (dated 25 August 2009) as amended by Permission TM/09/2661 (dated 11 January 2010) being repeated;

- (b) permission be partially granted to Application TM/09/3231 (to allow waste to be sourced from Kent, Medway, Surrey, East Sussex, West Sussex, Brighton & Hove, all London Boroughs, Thurrock, Essex and Southend) subject to the prior completion of a modified Section 106 Agreement (Unilateral Undertaking) repeating the existing obligations contained in the latest legal agreement relating to a liaison group, HGV routing and restoration and:-
  - (i) the waste catchment area being limited to:-
    - Kent, Medway, Surrey, East Sussex, West Sussex, Brighton & Hove for the life of the facility;
    - LB Bromley and LB Bexley for a temporary period until 31 December 2015; and
    - Essex for a temporary period until 31 March 2014 and additionally limited to no more than 10,000tpa; and
  - (ii) the other conditions imposed on Permission TM/08/3353 (dated 25 August 2009) as amended by Permission TM/09/2661 (dated 11 January 2010) being repeated; and
- (c) permission be refused in respect of Applications TM/09/3234 (to allow waste to be sourced from Kent, Medway, Surrey, East Sussex, West Sussex, LB Bromley, LB Bexley, Thurrock and Essex), TM/09/3235 (to allow waste to be sourced from Kent, Medway, Surrey, East Sussex, West Sussex, Brighton and Hove, LB Bromley, LB Bexley and Thurrock) and TM/09/3236 (to allow waste to be sourced from Kent, Medway, Surrey, East Sussex, LB Bromley, LB Bexley and Thurrock) because the importation of waste from outside the South East region would be contrary to South East Plan Policies W3 and W4 as it would fail one or more of the "tests" set out in these policies and in the Plan's supporting text and could also prejudice the ability of the South East region to meet the targets for diversion from landfill and recycling and composting set out in Policies W5 and W6 of the Plan or discourage the provision of new facilities in London and the East of England. There are no material planning considerations of sufficient strength to overcome these grounds for refusal.

**23. Application TW/10/33 - Temporary drilling site with temporary road access. Drilling of well bores to establish hydrocarbon potential. Conduct of a well test to establish performance. Return to agricultural use upon termination at Bidborough Well Site, Judd Wood Farm, Gate Farm Road, Bidborough; Midmar Energy UK Ltd**  
(Item C2)

- (1) The Head of Planning Applications Group reported the comments of the local Member, Mr J A Davies raising no objection to the application.

(2) Mr G A Horne moved, seconded by Mr C P Smith that consideration of this Application be deferred pending consultation with Tonbridge and Malling Borough Council (particularly with regard to access to the site).

*Carried by 8 votes to 4*

(3) RESOLVED that consideration of this Application be deferred pending consultation with Tonbridge and Malling Borough Council (particularly with regard to access to the site).

**24. Proposal AS/10/20 - Cable stay footbridge over the M20 Motorway to the east of Junction 9 between Eureka Leisure Park and Warren Retail Park, Ashford; KCC Highways Services**

*(Item D1)*

(1) The Head of Planning Applications Group reported the response from Ashford Borough Council raising no objection to the Proposal subject to various conditions.

(2) RESOLVED that:-

- (a) permission be granted to the Proposal subject to conditions, including conditions covering the standard time limit: the development being carried out in accordance with the permitted details; details of all materials, finishes, signage and lighting; submission for approval of details, implementation and subsequent maintenance of landscaping proposals; no works commencing until a construction method is submitted and approved, with the construction thereafter being carried out in accordance with the approved method statement; no works commencing (other than site clearance) until structural and earthworks technical approvals and approvals for all relevant departures from the standards within the Design Manual for Roads and Bridges have been given; no works commencing (other than site clearance) until a method statement for maintenance of the works has been submitted and approved; no works commencing (other than site clearance) until the applicant has demonstrated that safe and satisfactory access can be provided for the purposes of maintaining the development in accordance with the method statement for maintenance of the works; submission for approval of a method for piling foundations; submission for approval of a scheme for compensatory flood storage; drainage; ground contamination; a water vole survey, protection and mitigation plan; other outstanding protected species surveys, mitigation, monitoring and management, as appropriate; biodiversity enhancement, monitoring and management, as appropriate; submission for approval of specifications and implementation of a programme of archaeological work; measures being implemented to control dust and to prevent mud and debris being taken onto the public highway; details of the site compound and temporary accommodation for contractors; and details of parking for contractors' vehicles; and

- (b) the applicant be advised by Informative that account should be taken of the Environment Agency's advice relating to the diversion of Bockhanger Dyke; and of the need for licences in respect of protected species and fish, and fuel, oil and chemical storage.

**25. Proposal TM/09/3102 - Extension of the existing car park at Woodlands Infant School, Higham School Lane, Tonbridge; Governors of Woodlands Infant School and KCC Property Group**

*(Item D2)*

RESOLVED that permission be granted to the proposal subject to Conditions including conditions requiring ecological inspection prior to removal of any trees at the site; installation of tree protection measures prior to works commencing for those trees that are to be retained at the site; and replacement planting and maintenance being carried out.

**26. Proposal DO/09/1189 - Movement of existing gates to entrance of campsite by approximately 6 metres into premises and painted green at Kearsney Campsite, Kearsney Avenue, Dover; KCC Youth Services**

*(Item D3)*

RESOLVED that permission be granted to the proposal subject to conditions, including conditions covering the standard time limit; the development being carried out in accordance with the permitted details; materials being fitted to the gates' hinges, leading edges, locking and closing to reduce the noise of the gates opening and closing; and the gates being painted in a green colour to be agreed

**27. County 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) consultations on applications submitted by District Councils and Government Departments;
- (c) County Council developments;
- (d) Screening opinions under Environmental Impact Assessment Regulations 1999; and
- (e) Scoping opinions under Environmental Impact Assessment Regulations 1999.