

## 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 November 2024.

PRESENT: Mr P Cole (Chair), Mr H Rayner (Vice-Chairman), Mrs R Binks, Mr A Booth, Miss S J Carey, Mr I S Chittenden, Mr D Crow-Brown, Mr M Dendor, Ms J Hawkins, Ms J Meade and Mr O Richardson

IN ATTENDANCE: Mrs S Thompson (Head of Planning Applications Group), Ms Tamboo (Principal Solicitor), Mr J Bickle (Principal Planning Officer) and Mr J Clapson (Democratic Services Officer)

#### UNRESTRICTED ITEMS

##### **1. Election of Chairman**

*(Item A1)*

Mr Rayner, Vice-Chair, opened the meeting and conducted the election of the Chair.

Miss Carey proposed, Mr Crow-Brown seconded and Members agreed that Mr Cole be elected Chair of the Committee for the remainder of the municipal year.

##### **2. Apologies**

*(Item A2)*

Apologies were received from Mr Simkins.

##### **3. Declarations of Interest**

*(Item A3)*

Mr Crow-Brown declared an interest in item C1 - Proposed installation, operation and decommissioning of ground mounted solar photovoltaic (PV) array with associated infrastructure and biodiversity enhancement at Weatherlees Hill Wastewater Treatment Works, Jutes Lane, Weatherlees Hill, Ramsgate, Kent, CT12 5DJ. He advised that he was the local member for the area and confirmed that he would consider the evidence presented at the meeting with an open mind, before coming to an opinion on the application.

Mr Booth declared an interest in item F4 - Dover District Local Plan 2040 – Main Modifications Consultation, as he also sat on the Swale Borough Council Planning Committee.

##### **4. Minutes**

*(Item A4)*

RESOLVED that the minutes of the meeting held on 11 September 2024 were correctly recorded and that they be signed by the Chair.

## **5. Site Meetings and Other Meetings**

*(Item A5)*

There were no site visits scheduled.

## **6. General Matters**

*(Item B1)*

Mrs Thompson advised that the Council's response to the Government's consultation on a new National Planning Policy Framework (NPPF) was included in section F of the agenda pack. The new NPPF was expected to be finalised before the end of the year, and the elements that did not require primary and secondary legislation would take immediate effect. It was intended that Members would be given training on the new NPPF upon the rising of the Committee meeting in February 2025.

## **7. C1 - Proposed installation, operation and decommissioning of ground mounted solar photovoltaic (PV) array with associated infrastructure and biodiversity enhancement at Weatherlees Hill Wastewater Treatment Works, Jutes Lane, Weatherlees Hill, Ramsgate, Kent, CT12 5DJ – TH/24/401 (KCC/TH/0041/2024)**

*(Item C1)*

- 1) Mr Bickle, Principal Planning Officer outlined the report.
- 2) It was proposed by Chair and seconded by the Vice Chair:

That the officer's recommendation be adopted, namely:

*That PERMISSION BE GRANTED, SUBJECT TO:*

*the imposition of conditions covering (amongst other matters) the following:*

### Statutory Biodiversity Net Gain Condition

- *BNG – the statutory condition requiring a Biodiversity Gain Plan demonstrating a minimum of 10% net gain to be approved prior to commencement.*

### Timescales

- *Commencement of development within 3 years;*
- *The use shall cease no later than 30 years from the 'date of energisation' and the development restored thereafter within 6 months;*
- *'Date of energisation' to be provided to the Local Planning Authority in writing within 28 days of energisation;*

### Approved Plans

- *Development to be carried out in accordance with approved drawings;*

### Prior to commencement

- *Submission of an archaeological watching brief for approved and its implementation during construction;*
- *Submission of a pre commencement survey and review of the ecological mitigation measures;*

- *Submission of a Construction Environmental Management Plan (CEMP), including provision of an Ecological Clerk of Works for the construction period;*
- *Submission of a Construction Traffic Management Plan;*
- *Submission of a detailed sustainable surface water drainage plan based on the submitted Flood Risk Assessment;*

#### Construction controls

- *No construction shall take place during the wintering bird season (October to March inclusive);*
- *Construction shall take place between 07:00 and 20:00 hours Monday to Friday and between 07:00 and 16:00 hours on Saturdays;*
- *The development shall be carried out in such a manner to avoid damage to any existing trees/hedges, including the provision of proposed buffer zones;*

#### Prior to energisation / first operation

- *Prior to energisation an updated final version of the Habitat Management Plan shall be submitted for approval and implemented thereafter;*
- *Submission of a verification report confirming implementation of SUDS;*
- *Unless updated by the Biodiversity Gain Plan, completion of the landscape planting set out in the application within the first planting season following energisation;*

#### Operational controls

- *Removal of permitted development rights;*
- *No external lighting shall be erected without the prior written approval;*
- *Repairs and maintenance shall take place between 07:00 and 18:00 hours Monday to Saturday;*
- *The landscape planting implemented shall be maintained and any plants/trees which die, are removed or become seriously damaged or diseased shall be replaced within the next planting season;*

#### Decommissioning and restoration

- *6 months prior to the completion of the 30 year energisation period a Decommissioning and Restoration Method Statement shall be submitted for written approval;*
- *No decommissioning work to take place until a method statement for the protection of biodiversity during the decommissioning works has been approved;*
- *If electricity generation ceases for 6 months, or if construction works commence then cease for a period in excess of 6 months prior to being completed, all development and fixtures shall be removed and the site restored in accordance with a scheme to be agreed in written with the County Planning Authority; and*
- *Following decommissioning the site shall be restored to the agricultural use and condition prior to the development commencing;*

*I FURTHER RECOMMEND that MEMBERS ENDORSE the decision that the County Planning Authority adopts the shadow Habitat Regulations Assessment dated 11 January 2024 in satisfying the County Council's obligations under The Conservation of Habitats and Species Regulations (2017).*

- 3) Following questions and debate it was agreed that the following additions be made to the motion:

Condition:

- a. A new condition be added to the 'Prior commencement' conditions that required submission of details about the fencing, including the colour.

Informative:

- a. The applicant should explore the potential for a local liaison group with the Parish Council and interested stakeholders.

4) Upon being put to the vote, the amended motion was declared CARRIED.

## **8. E1 - County matter applications**

*(Item E1)*

RESOLVED to note matters dealt with under delegated powers since the meeting on 11 September 2024 relating to:

E1 County matter applications.

## **9. E2 - County Council developments**

*(Item E2)*

RESOLVED to note matters dealt with under delegated powers since the meeting on 11 September 2024 relating to:

E2 County Council developments.

## **10. E3 - Screening opinions under Town and Country Planning (Environmental Impact Assessment) Regulations 2017**

*(Item E3)*

RESOLVED to note matters dealt with under delegated powers since the meeting on 11 September 2024 relating to:

E3 - Screening opinions under Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

## **11. E4 - Scoping opinions under Town and Country Planning (Environmental Impact Assessment) Regulations 2017**

*(Item E4)*

RESOLVED to note matters dealt with under delegated powers since the meeting on 11 September 2024 relating to:

Scoping opinions under Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

## **12. F1 - Proposed reforms to the National Planning Policy Framework and other changes to the planning system**

*(Item F1)*

RESOLVED to note Kent County Council's response to:

Proposed reforms to the National Planning Policy Framework and other changes to the planning system.

**13. F2 - Public Consultation on New Evidence Base Documents – Tunbridge Wells Borough Council Local Plan**  
*(Item F2)*

RESOLVED to note Kent County Council's response to:

Tunbridge Wells Borough Council Local Plan

**14. F3 - Consultation on planning application 21/503906/EIOUT - Outline application for a proposed development at land to the West of Teynham, London Road, Teynham**  
*(Item F3)*

RESOLVED to note Kent County Council's response to:

Outline application for a proposed development at land to the West of Teynham, London Road, Teynham

**15. F4 - Consultation on planning application 21/503914/EIOUT - Outline application with all matters reserved for a proposed development at land south and east of Sittingbourne**  
*(Item F4)*

RESOLVED to note Kent County Council's response to:

Outline application with all matters reserved for a proposed development at land south and east of Sittingbourne

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