

## 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 Tuesday, 2 November 2010.

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

ALSO PRESENT: Mr I S Chittenden, Mr L Christie, Mr H J Craske and Mr D S Daley

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

#### UNRESTRICTED ITEMS

**58. Minutes - 12 October 2010**  
(Item A3)

RESOLVED that the Minutes of the meeting held on 12 October 2010 are correctly recorded and that they be signed by the Chairman.

**59. Site Meetings and Other Meetings**  
(Item 5)

The Committee agreed to the postponement of the tour of permitted development sites scheduled for 16 November 2010. It also noted the arrangements for the site visit and public meeting in respect of the Hermitage Quarry, Aylesford application.

**60. Application MA/10/167 - Materials Recycling Facility and transfer station for waste recovery at SBS Recycling, Straw Mill Hill, Tovil, Maidstone; Pinden Ltd**  
(Item C1)

(1) Mr M B Robertson and Mr A R Chell both informed the Committee that they had been lobbied by objectors to the application. They both declared that they had not expressed a view on the application prior to the meeting and were able to approach it with an open mind.

(2) The Chairman declared that all Members of the Committee had been lobbied electronically by objectors to the application. All the Committee Members present were entitled to vote on the application as they had not expressed any view in response to this lobbying.

(3) Mr K Smith was not present for the whole item and therefore did not vote in its determination.

(4) Mr I S Chittenden and Mr D S Daley were present for this item subject to Committee Procedure Rule 2.24 and spoke.

(5) Five letters of objection were tabled. These were from Mr and Mrs Hackett, Mr and Mrs Bianchina, Mr and Mrs Cocks, Dr Felicity Simpson (CPRE) and Cllr Fran Wilson from Maidstone Borough Council. The Chairman delayed discussion of the application in order to enable this correspondence to be read.

(6) Mr D Mortimer (from Tovil Parish Council), Mr G Stead and Mr P Aelen from DHA Planning spoke in opposition to the application. Mr I Thompson from Environmental Scientifics Group spoke in reply on behalf of the applicants.

(7) Mr M B Robertson moved, seconded by Mr A R Chell that the application be refused permission on grounds relating to the changed character of the local area.

(8) Following discussion, Mr T Gates moved, seconded by Mr R J Lees that the question be put.

*Motion carried 11 votes to 6.*

(9) On being put to the vote, the Motion set out in (7) above was Lost by 7 votes to 9.

(10) Mr R A Pascoe moved, seconded by Mr R J Lees that the recommendations of the Head of Planning Applications Group be agreed.

*Motion carried 10 votes to 7*

(11) RESOLVED that permission be granted to the proposed materials recycling facility subject to conditions including the standard time condition; hours of operation; a limit to the annual waste throughput; limits to vehicle movements; noise restrictions; a scheme of noise monitoring; a requirement for compliance with noise restriction by the submission and implementation of noise mitigation measures (including, if necessary, appropriate measures should the adjacent site be developed for housing); dust management plan including physical dust suppression and dust monitoring scheme; drainage, a contaminated land assessment; parking arrangements; site lighting; security fencing; acoustic fencing; boundary treatment; biodiversity improvements including a bespoke bat roost; tree protection; landscaping; boundary treatment including details of materials and gradients of the bunding as well as the proposed plant species, sizes and densities; and other standard and operational conditions.

**61. Application AS/10/1010 - Extension of the timescale for the implementation of Permission AS/06/4 (Waste Transfer Station) until 8 May 2014 at Waterbrook Park, Waterbrook Avenue, Ashford; Robert Brett and Sons Ltd**  
*(Item C2)*

RESOLVED that permission be granted for the extension of the timescale for the implementation of Permission AS/06/4 until 8 May 2014 subject to conditions,

including conditions covering hours of working, including peak hour restrictions; the number of vehicle movements; landscaping and floodlighting; noise, dust and odour controls; archaeological investigations; drainage; footpath diversions; ecological mitigation; details of the low energy internal lighting to be employed in the waste transfer building; and details of the design of any heating to be employed within the waste transfer building prior to its installation which shall have regard to the BREEAM energy standards.

**62. Application GR/09/286 - Bulk aggregates Import Terminal handling up to 3 million tpa and associated infrastructure, including reinstated rail access at Northfleet Works, The Shore, Northfleet; Lafarge Cement UK**  
*(Item C3)*

(1) Mr L Christie and Mr H R Craske were present for this item subject to Committee Procedure 2.24. Mr Christie spoke. Mr Craske had to leave the meeting before he could speak and therefore submitted his views to the Democratic Services Officer who read them out.

(2) The Head of Planning Applications Group asked the Committee to note the following amendments to the report:-

- Paragraph 3, page 51 - "vineyard" not "vinyard";
- Paragraph 6, page 52 - "18 trains per week" not "per annum";
- Paragraph 8, page 52 - Aspden's Kiln (Scheduled Ancient Monument) is not actually within the Northfleet Works site (it is just off the site);
- Paragraph 14, page 54 - "9,000 tonnes" not "9 tonnes" (in stockpiles);
- Paragraph 15, page 54 - "conveyors and hoppers" not "conveyor sand hoppers"; and
- Paragraph 42, page 61 - 3rd bullet point should read "13,500 HGV movements" not "13,599".

(3) The Head of Planning Applications Group referred to paragraph 81 of the report and asked the Committee to include the implementation of a travel plan within the conditions in order to assist in seeking sustainable transport objectives.

(4) In agreeing the recommendations of the Head of Planning Applications Group, the Committee agreed to the inclusion of a condition requiring measures to prevent mud and debris on the highway (e.g. sheeting of loaded HGVs

(5) RESOLVED that permission be granted to the application subject to the prior satisfactory conclusion of a legal agreement to secure the Heads of Terms given in Appendix 3 of the report and to conditions, including conditions covering a 5 year time limit to implement the permission; a maximum of 3 million tonnes per annum of imports; the prior approval of various details (including conveyors, gatehouse / security lodge, weighbridge, parking arrangements, external construction materials and fencing); the prior approval of a Code of Construction Practice (relating to air quality, noise, vibration, geotechnics and soil contamination and waste); crushed rock only being stored outside the enclosed aggregate storage building exceptionally in the event of plant / equipment failure or unless otherwise agreed; protection of Port of London Authority radar equipment; the prior approval of a Tunnels Report (dealing with current condition, repairs / remedial measures,

monitoring, maintenance and management of road and rail access tunnels and cliffs above their portals); hours of use (ship, barge and rail arrival, departure, loading and unloading and HGV movements being permitted 24 hours a day 7 days a week with all other activities restricted to between 0700 and 1800 hours Monday to Friday, 0700 and 1300 hours on Saturdays with no working on Saturday afternoons, Sundays, Bank and Public Holidays unless the prior written approval of the County Council has been obtained to depart from these hours); measures to prevent mud and debris on the highway (e.g. sheeting of loaded HGVs); no more than 1.2 million tonnes of materials being exported by road each year; the implementation of a travel plan; safeguarding of the Fastrack route; HGVs entering and leaving via Thames Way (A226) and only using The Shore, Granby Road and Crete Hall Road unless delivering locally, in emergencies or otherwise agreed beforehand); no more than 200 HGV movements between 0700 and 1000 hours and 1600 and 1900 hours in any one day; no more than 13,500 HGV movements in any one calendar month; rights of way being kept free of obstruction and available for use unless formal replacements are provided; the rating noise level not exceeding the background noise level by more than 3dB; measures being employed to minimise noise impacts of vehicles, railway locomotives and wagons, ships and barges, plant, machinery and other equipment; reversing vehicles and plant not emitting warning noise that is audible at noise sensitive properties; no commercial operations taking place until a dust management plan has been submitted and approved; the implementation of flood risk and water protection measures; the submission and approval of a foul and surface water management scheme; the submission, approval and implementation of a contaminated land assessment scheme; archaeology; ecological mitigation, compensation and enhancement; a landscaping scheme; and no external lighting until an appropriate scheme has been submitted and approved.

**63. Proposal AS/10/1211 - Proven 15kw wind turbine on a 15m mast in the school playing field at Aldington Primary School, Roman Road, Aldington; Governors of Aldington Primary School**  
*(Item D1)*

RESOLVED that subject to the views of Jacobs (Noise) permission be granted to the proposal subject to conditions, including conditions covering the standard time condition for implementation; the development being completed in accordance with the approved plans; ecology advice being sought in the event of dead bats being found around the turbine; maximum night and day noise limits; and a consultant being employed to measure the noise impacts in the event of complaints being received relating to noise.

**64. 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 (None).