

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 Tuesday, 12 April 2011.

PRESENT: Mr R E King (Chairman), Mr J F London (Vice-Chairman), Mr R Brookbank, Mrs V J Dagger, Mr J A Davies, Mr T Gates, Mr W A Hayton, Mr C Hibberd, Mr P J Homewood, 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 A T Willicombe

ALSO PRESENT: Mr H J Craske

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 G Wild (Director of Governance and Law), Mr R White (Transport and Development Business Manager) Mr A Tait (Democratic Services Officer)

UNRESTRICTED ITEMS

27. Membership *(Item 2)*

The Committee noted the appointment of Mr W A Hayton in place of Mr J A Davies.

28. Minutes - 15 March 2011 *(Item A4)*

RESOLVED that the Minutes of the meeting held on 15 March 2011 are correctly recorded and that they be signed by the Chairman.

29. Site Meetings and Other Meetings *(Item A5)*

The Committee was reminded that it would hold a training session on Waste Planning Considerations on the afternoon of 12 April 2011. It also agreed to hold a tour of permitted development sites on a date to be determined.

30. Recorded Voting at Planning Applications Committee meetings and related issues *(Item B1)*

RESOLVED to:-

- (a) note the Director of Law and Governance's advice that the votes of each individual Committee Member should be recorded on those occasions when the Head of Planning Applications Group's recommendation to grant permission or refuse an application is overturned; and

- (b) agree that this advice be reported to Selection and Member Services Committee and (subject to that Committee's agreement) to the County Council for proposed adoption into the Constitution.

31. Application GR/10/1127 - Temporary tunnelling logistics facility at Northfleet Works, The Shore, Northfleet; Crossrail Ltd
(Item C1)

- (1) Mr T Gates made a Declaration of Personal Interest as his son was employed by Atkins (the planning consultants for the application).
- (2) Mr R J Lees informed the Committee that he was a Member of Swanscombe and Greenhithe Town Council, which had been consulted on the application. He was not, however, a Member of its Planning Committee and had at no stage taken part in any discussion of the application. He was therefore able to consider the application with a fresh mind.
- (3) Mr H J Craske was present for this item pursuant to Committee Procedure Rule 2.24 and spoke.
- (4) RESOLVED that permission be granted to the application subject to conditions, including conditions covering a 5-year temporary planning permission and removal of plant, materials and buildings at the end of this period; the site to only be used for receiving, processing and storing excavated material arising from the London Crossrail tunnelling activities and for the construction and distribution of tunnel segments for the London Crossrail project; no more than 688 HGV movements (344 in and 344 out) per day; an HGV management plan; travel plan; access from footpath NU42 via The Shore and The Creek by foot and cycle; water-tight load compartments for HGVs when transporting wet excavated materials; use of wheel wash; all excavated materials being transported from the site by river (apart from any contaminated materials that could potentially arrive at the site and need to be removed to a suitable disposal site by road, or unless otherwise agreed, or if a further planning permission is obtained); no HGV movements outside normal working hours (i.e. between 07.00 and 19.00 hours Monday to Friday and 07.00 and 14.00 hours on Saturdays) unless it has been demonstrated that impacts associated with HGVs outside these hours is acceptable; excavated materials only being imported to the site once the rail link is reinstated and available for use unless approval is first obtained from the County Council; noise; vibration; dust; air quality; compliance with the relevant parts of the Crossrail Construction Code (including a complaints system to address environmental and lorry routing issues); no development taking place until a "Section 61 consent" has been obtained under the Control of Pollution Act and any consent being complied with thereafter (unless formally varied under that process); groundwater protection; potential contamination of the site; a foul and surface water management scheme; protection of the public sewer and public water supply main; a flood risk management plan; biodiversity management (e.g. for black

redstarts and bats); a lighting scheme; an archaeological watching brief; protection of the listed war memorial and lighthouse; a detailed scheme for footpath NU42 (including cycle access); ground stability (cliffs and tunnels); and limiting the height of cranes and structures on 42 Wharf to 20m unless otherwise approved by the County Council.

32. Application SW/10/1436 - Variation of Conditions 12 (hours of delivery), 20 (vehicle movements), 22 (compostable waste tonnage), 26 (Materials Recycling Facility waste tonnage) and 28 (secondary aggregate recycling) of Permission SW/05/1392 at Countrystyle Recycling Site, Iwade, Sittingbourne; Countrystyle Recycling Ltd
(Item C2)

(1) Mr A T Willicombe informed the Committee that he was a Member of Swale Borough Council, which had considered the application. He had taken no part in the Borough Council's discussions of the application and was therefore able to consider it with a fresh mind.

(2) Mr S Plumb (Chairman of Iwade Parish Council) addressed the meeting in opposition to the application. Mr C Trousdell from Countrystyle Recycling spoke in reply.

(3) RESOLVED that permission be granted for the proposed variations to Conditions 12, 20, 22 and 26 of planning permission SW/05/1392, and that they shall now read as follows:

- (a) Condition 12: "Waste deliveries and transportation of materials off site shall only take place between the following hours; 05.30 – 20.00 hours Monday to Sunday and Public Holidays (excluding Christmas Day, Boxing Day and new Years Day). No operations other than the processing of compostable material within the in vessel system and processing of materials within the MRF building shall take place outside these hours except for essential plant maintenance up to 23.00 hours between Monday and Saturdays only."
- (b) Condition 20: "No more than a combined total of 210 vehicle movements (105 in/105 out) associated with the operations hereby permitted shall enter or leave the site in any one day."
- (c) Condition 22: "The maximum throughput of compostable waste shall not exceed 45,000 tonnes per annum."
- (d) Condition 26: "The maximum throughput of the Materials Recycling Facility (MRF) shall not exceed 110,000 tonnes per annum."

33. Application SW/10/444 - Sustainable Energy Plant to serve Kemsley Paper Mill at Land to the North East of Kemsley Paper Mill, Kemsley, Sittingbourne; St Regis Paper Company Ltd and E.ON Energy from Waste Ltd
(Item C3)

(1) Mr A T Willicombe informed the Committee that he was a Member of Swale Borough Council, which had considered the application. He had taken no part in the Borough Council's discussions of the application and was therefore able to consider it with a fresh mind. In addition, he was acquainted with some of the objectors as they were also Members of Swale Borough Council. However, his relationship with them was not one which could be described as a close association.

(2) The Head of Planning Applications Group informed the Committee of two very recently published documents from the Department of Communities and Local Government. These were "Planning for Growth", which advised planning authorities that supporting sustainable economic growth and employment was now a material planning consideration. The second was Planning Policy Statement 10, which advised Planning Authorities to incorporate the new waste hierarchy (Prevention, Preparation for Re-use, recycling, other forms of Recovery, Disposal) into its decision making – including the use of waste as a fuel.

(3) Mr S Plumb (Chairman of Iwade Parish Council addressed the Committee in opposition to the application. Mr G Seager from UNITE spoke in support. Mr W Fauve-Walker from St Regis Paper Ltd spoke in reply.

(4) In agreeing the recommendations of the Head of Planning Applications Group, the Committee included a condition requiring details of design to ensure that the tipping bunker could be completely emptied in the event of a shut down. It also added an Informative giving its view that the applicants should seek to transport as much waste material as possible by rail and water.

(2) RESOLVED that:-

- (a) subject to the satisfactory completion of a legal agreement to secure the Draft Heads of Terms as set out in Appendix 2 of the report, permission be granted to the application subject to conditions, including conditions covering hours of working; vehicle movements; noise restrictions; ground contamination; flood risk; fuel storage; surface water discharge; archaeology; lighting; ecology; alternative users of power generation; landscape planting and construction materials; an investigation of alternative use of rail and waste sources and details of design to ensure that the tipping bunker can be completely emptied in the event of a shut down; and
- (b) the applicants be informed by Informative of the Committee's view that they should seek to transport as much waste material as possible by rail and water.

34. County matter applications 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 (None);
- (b) consultations on applications submitted by District Councils and Government Departments (None);
- (c) County Council developments;
- (d) Screening opinions under Environmental Impact Assessment Regulations 1999; and
- (e) Scoping opinions under Environmental Impact Assessment Regulations 1999 (None).