

## KENT COUNTY COUNCIL

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### PLANNING APPLICATIONS COMMITTEE

MINUTES of a meeting of the Planning Applications Committee held at Sessions House, County Hall, Maidstone on Tuesday, 20 June 2006.

PRESENT: Mr R E King (Chairman), Mr A R Chell (substitute for Mr A R Bassam), Mrs V J Dagger, Mr J A Davies, Dr M R Eddy (substitute for Mr J I Muckle), Mr J B O Fullarton, Mr T Gates, Mrs E Green, Mr C Hibberd (substitute for Mrs P A V Stockell), Mr G A Horne (substitute for Mr J F London), Mr S J G Koowaree, Mr T A Maddison, Mr R F Manning, Mr R A Marsh, Mr W V Newman, Mr A R Poole and Ms B J Simpson.

OTHER MEMBERS: Mrs T Dean and Mr C J Law.

OFFICERS: The Head of Planning Applications Group, Mr B J Murphy (with Mr J Crossley and Mrs A Hopkins); and the Democratic Services Officer, Mr A Tait.

#### UNRESTRICTED ITEMS

##### **43. Membership**

- (1) The Committee noted the appointment of Mrs S V Hohler and Mr J F London in place of Mr G A Horne and Mr F Wood-Brignall.
- (2) The Committee accepted the Chairman's offer to write on its behalf to Mr M R Bassam wishing him a speedy recovery.

##### **44. Minutes**

*(Item A3)*

- (1) A letter from Barton Willmore was tabled requesting the inclusion of an additional Minute Paragraph 34 (a) (e) (vi).
- (2) RESOLVED that the Minutes of the meeting held on 18 May 2006 are correctly recorded and that they be signed by the Chairman.

##### **45. Site Meetings and Other Meetings**

*(Item A4)*

The Committee agreed to visit St Edmunds' Catholic School, Dover on Tuesday, 27 June 2006.

##### **46. Application TM/06/762 – Development of a fully enclosed composting facility within the confines of the previously excavated area at Blaise Farm Quarry, Offham, West Malling; New Earth Solutions Ltd**

*(Item C1 – Report by Head of Planning Applications Group)*

*(Mrs T Dean was present for this item pursuant to Committee Procedure Rule 2.24 and spoke)*

- (1) The Head of Planning Applications Group reported the views of Tonbridge and Malling Borough Council raising no objection to the application.

- (2) Notes of the site visit held on 8 June 2006 were tabled.
- (3) The Head of Planning Applications Group undertook to amend Clause 2(ii) and (iii) of the Draft Heads of Terms for Section 106 Agreement (set out in Appendix 3 of the report) in consultation with the local Member. He also undertook to give further consideration as to whether Clause 3 of the Draft Heads of Terms should be amended to prevent the use of the A228 to the south of the site.
- (4) RESOLVED that the application be referred to the Secretary of State as a departure from the development plan and that subject to her giving no direction to the contrary and the prior satisfactory conclusion of a legal agreement to secure the Heads of Terms given in Appendix 3 permission be granted to the application subject to conditions covering amongst other matters the date for implementation (3 years); duration of the permission being 20 years from the commencement of commercial composting operations; removal of the facility at the end of the permitted time period or if abandoned for a specified period; waste types; waste sources; HGV movement restrictions; surfacing of access roads and hardstanding areas; avoidance of mud on roads (including wheels/chassis cleaning details); noise and dust controls; hours of operation; lighting details (to minimise visual impacts); details of waste storage (eg., facilities for rejects); details of internal haul road (eg., surfacing and related matters); details of surface water and foul drainage; details of materials and colours for buildings and plant; soil handling and storage; and restoration scheme for the site (to accord with the principles set out in Option A or B in paragraph 17 of the report as appropriate).

**47. Application AS/06/243 – New tertiary wastewater treatment facilities and new sludge digestion and drying facilities built alongside the existing treatment facilities at Ashford Wastewater Treatment Works and Sludge Recycling Centre, Canterbury Road, Ashford; Southern Water Ltd**  
*(Item C2 – Report by Head of Planning Applications Group)*

- (1) The Head of Planning Application Group reported correspondence from Mrs E Tweed, the Local Member maintaining her concerns.
- (2) RESOLVED that permission be granted to the application subject to conditions covering amongst other matters the time limit; details of materials; hours of operation for vehicle movements; pre and post operation noise level surveys; submission of a travel plan; submission of a site management plan; submission of a code of construction practice; submission of an Odour Management Plan and its prior approval; limits to the number of HGVs accessing the site during peak periods; mitigation measures for ecological interests; and landscaping details.

**48. Application CA/06/523 – Application for a Certificate of Lawfulness for an existing use for a concrete and skip business and sorting, separation and re-use of inert and semi-inert waste materials, with associated storage, plant, machinery and parking at Kemberland Wood, Fox Hill, Herne Bay Road, Sturry; M Thomas**  
*(Item C3 – Report by Head of Planning Applications Group)*

The Committee noted that the application had been withdrawn.

**49. Proposal SH/06/408 – New 0.5 FE primary school for Seabrook CE Primary School with associated playing field, parking and turning facilities, access road and new level games pitch at Land off Eversley Road, Seabrook, Hythe; KCC Children, Families and Education**  
*(Item D1 – Report by Head of Planning Applications Group)*

(1) The Chairman agreed to write to the Education and School Improvement Portfolio Holder on the need to take traffic implications into account during consideration of school reorganisation proposals.

(2) RESOLVED that the proposal be referred to the Secretary of State as a departure from the development plan and that subject to her giving no direction to the contrary 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 external materials being submitted; details of external lighting; details of levels of the sports pitch; a Community Use Agreement for the level games pitch; a soil survey to include stabilisation of land; a scheme for the investigation and recording of contaminated land; protection of ground water; a scheme of landscaping, its implementation and maintenance; a Habitat Management Plan; protection of nesting birds; traffic management measures for construction traffic; details of parking for site personnel; the provision and retention of visibility splays; the provision of school keep clear markings; provision of dropped kerbs and tactile paving; provision and retention of car parking, cycle parking and turning area as indicated in paragraphs 14 and 15 of the report; widening of the footway/cycle way and changes to the gradient of the access road; preparation, implementation and ongoing review of a Revised School Travel Plan; and hours of working during construction.

**50. Proposal TH/25/904 – Provision of a new strategic dual carriageway and associated works (East Kent Access Phase 2) at Minster, Cliffsend and Richborough; KCC Highways**  
*(Item D2 – Report by Head of Planning Applications Group)*

(1) Correspondence from Cliffsend Parish Council was tabled reiterating the Parish Council's concerns.

(2) The Head of Planning Applications Group reported correspondence from a resident of Way Hill requesting a more direct route from Monkton to the Lord of the Manor Roundabout.

(3) Mr G Stone (a local resident) and Mr J Sampson addressed the Committee in opposition to the proposal. Mr G Cripps from KCC Highways spoke in reply.

(4) The Committee asked for the following issues to be further considered:-

- (a) the details of the proposals for the new junction at Lord of the Manor;
- (b) the need to introduce traffic calming measures;
- (c) the need for noise mitigation measures;
- (d) the need to protect listed buildings;
- (e) details of hours of construction;
- (f) details of the scheme at Way and Wayborough; and
- (g) the possibility of using potential landfill capacity in Boundary Road for the disposal of construction waste.

(5) RESOLVED that:-

- (a) the proposal be referred to the Secretary of State as a departure from the development plan and that subject to her giving no direction to the contrary permission be granted to the proposal subject to conditions, including conditions covering the standard time condition; the submission of details (including external materials) of all proposed structures including bridges, roundabouts, walls/fencing/railings, gates, traffic signage, paving schemes and all hardened surfaces (including pedestrian/cycle routes) and highway lighting; the submission of long sections and typical cross sections for the proposed scheme; the submission of details of all new agricultural accesses and the treatment of all redundant lengths of carriageway; the submission of details of all drainage proposals (including the Pegwell Bay outfall pipe, drainage lagoons and all culverting) and water pollution control devices; the submission of details of the contractor's access and compound(s); the submission and implementation of measures to protect existing trees to be retained during construction; the submission and implementation of a scheme of landscaping (including all new planting and earth bunding) and a programme for its maintenance; the submission of details of all landfill of surplus spoil arising from the construction project (including aquifer protection measures); controls over the hours of construction activity and the routing of construction traffic; controls over the handling of excavated material (including the storage of topsoil); controls to suppress the generation of dust and prevent the deposit of mud on the public highway; the submission of specifications for prior archaeological field evaluation works, and details of all below ground foundation design; the provision of protective fencing of the Sandwich Bay to Hacklinge Marshes Site of Special Scientific Interest; the submission of detailed management plans for the mitigation for all protected species, including water voles, and a detailed mitigation strategy for reptiles; and the submission of a survey of protected moth species at Pegwell Bay, in advance of any works in that survey area, together with any necessary mitigation proposals; and
- (b) the applicants be advised of the need to liaise further with the Head of Planning Applications Group to ensure the optimum solution for spoil disposal associated with this scheme in the light of local circumstances; the request of Dover District Council regarding proposed traffic management arrangements; the need to progress traffic calming proposals for the sections of the existing A299 and A256 to be relieved of through traffic to enable their introduction immediately on completion of the new road; the concerns of Manston Parish Council and the local Members regarding the design capacity of the proposed Lord of the Manor Junction; the advice of the Environment Agency regarding the need for a waste management licence, a water abstraction licence, a dewatering transfer licence, a surface water discharge consent, the timing of works affecting Pegwell Bay and the need for a detailed management study, etc; the advice of Southern Water regarding the prevention of risk of contamination of the public water supply; the advice of the Biodiversity Officer regarding the need for a mitigation plan and DEFRA licence to disturb bats, the need for an updated survey of otters, the need to avoid any disturbance to known badger setts, the need to retain invertebrate habitat and the need for details of wildlife habitat enhancement; the advice of the Biodiversity Officer and Kent

Wildlife Trust regarding the appointment on an on-site ecologist; the advice of English Heritage regarding the impacts on the scheduled monuments and the need for Scheduled Ancient Monument consent; and the advice of the Public Rights of Way Officer regarding the diversion of Public Footpaths.

- 51. Proposal CA/06/1364 – New two storey teaching block, increased parking provision, replacement and additional playground areas and removal of existing mobile classroom at Reculver CE Primary School, Hillborough, Herne Bay; KCC Children, Families and Education**  
*(Item D3 – Report by Head of Planning Applications Group)*

RESOLVED that:-

- (a) permission be granted to the proposals subject to conditions including the standard time condition; the submission of details of all external materials; the submission of a landscaping scheme including tree protection measures during construction; details of windows; details of the temporary construction access being submitted prior to commencement of operations; the submission of a scheme for the disposal of foul and surface waters; the need for any surface waters on hard standings to be passed through appropriate pollution prevention measures; and the identification of contaminated land; and
- (b) the applicant be advised of the benefits of biodiversity and enhancement, and that the contractors be advised on the potential for roosting bats.

- 52. Proposal CA/06/469 – Single storey nursery building on land at rear of the existing school building at Herne Bay Infant School, Stanley Road, Herne Bay, Governors of Herne Bay Infant School and KCC Children, Families and Education**  
*(Item D4 – Report by Head of Planning Applications Group)*

*(Mr C J Law was present for this item pursuant to Committee Procedure Rule 2.24 and spoke).*

RESOLVED that consideration of this matter be deferred pending a Members' site visit.

- 53. County Matters Dealt with under Delegated Powers**  
*(Items E1-6 – Reports by Head of Planning Applications Group)*

RESOLVED to note reports on items dealt with under delegated powers since the last meeting relating to:-

- (a) County Matters applications;
- (b) consultations on applications submitted by District Councils or Government Departments;
- (c) County Council developments;
- (d) detailed submissions under the Channel Tunnel Rail Link Act 1996 (*None*);
- (e) screening opinions under Environmental Impact Assessment Regulations 1999; and
- (f) scoping opinions under Environmental Impact Assessment Regulations 1999 (*None*).