

PLANNING APPLICATIONS COMMITTEE

MINUTES of a meeting of the Planning Applications Committee held in the Council Chamber, Sessions House, County Hall, Maidstone on Tuesday, 6 November 2012.

PRESENT: Mr J A Davies (Chairman), Mr C P Smith (Vice-Chairman), Mr R E Brookbank, Mr A R Chell, Mr I S Chittenden, Mr T Gates, Mr W A Hayton, Mr C Hibberd, Mr P J Homewood, Mr J D Kirby, Mr J F London, Mr S C Manion, Mr R F Manning, Mr R J Parry, Mrs P A V Stockell, Mrs E M Tweed and Mr A T Willicombe

ALSO PRESENT: Mr J N Wedgbury

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

UNRESTRICTED ITEMS

59. Membership *(Item 2)*

The Committee noted the appointment of Mr I S Chittenden.

60. Minutes - 9 October 2012 *(Item A4)*

RESOLVED that the Minutes of the meeting held on 9 October 2012 are correctly recorded and that they be signed by the Chairman.

61. Application TM/12/983 (KCC/TM/0075/2012) - Aggregate Recycling Facility and Concrete Batching Plant, together with amendments to the currently approved quarry restoration plans at Ham Hill Quarry, Snodland; Tarmac Ltd *(Item C1)*

(1) Mr C P Smith informed the Committee that he was a Member of Tonbridge and Malling Borough Council. He had not considered the application in that capacity and was able to approach its determination with a fresh mind.

(2) Mr R Woolley from Jacobs, the County Council's Noise, Dust and Odour Consultant was present for this item to explain his professional views and to answer Members' questions, particularly in respect of Noise.

(3) The Head of Planning Applications Group reported that Tonbridge and Malling Borough Council had maintained its objection to the application and had also recommended that if permission were granted all operational and storage facilities should be maintained in the south east corner of the site.

(4) Mr M Balfour addressed the Committee in his capacity as a local Borough Councillor from the neighbouring ward of Birling and also on behalf of the Local Member, Mrs S V Hohler who was unable to attend the meeting. He spoke in opposition to the application, as did Mr D Chiddention, a local resident. Mr S Chaffe from Matthews and Son spoke in reply on behalf of the applicants.

(5) The Head of Planning Applications Group reported the views of Mrs S V Hohler, the Local Member in opposition to the application.

(6) Mrs P A V Stockell moved, seconded by Mrs E M Tweed that night time working at the site should be for a trial period of two years.

Carried by 9 votes to 6 with 1 abstention

(7) The Head of Planning Applications Group assured the Committee that the proposed noise monitoring would enable the effects of night-time working and the need or otherwise for additional acoustic attenuation to be assessed. It would also provide a basis for considering any future proposed extension to the 2-year temporary night-time working period.

(8) On being put to the vote, the recommendations of the Head of Planning Applications Group were carried (as amended) with no opposition.

(9) RESOLVED that:-

- (a) permission be granted to the application subject conditions, including conditions covering a 5 year implementation period; the development being carried out in accordance with the permitted details; a limit of 100,000 tonnes per annum being stored and processed within the aggregate recycling facility; a limit of 30,000 cubic metres of concrete production per annum associated with the concrete batching plant; details/specification of the acoustic fence being submitted for approval; erection of the acoustic fence prior to the commencement of development and its maintenance in perpetuity for the life of the permitted operations; ecological mitigation being implemented (as detailed in the application) when constructing the acoustic fence; day-time noise from site operations being limited to 55 dB LAeq, 1 hr; night-time working being permitted for a trial period of two years with night-time noise from site operations being limited to 50 dB LAm_{ax}; all vehicles on site using broadband reversing alarms during night-time periods; no audible tano/PA system being used during night-time periods; a scheme of noise monitoring; the hours of working for processing and sale of materials associated with the aggregate recycling facility being 08:00 to 18:00 hours on Mondays to Fridays, 08:00 to 13:00 hours on Saturdays, and no operations (except for essential maintenance and then only between 08:00 to 18:00 hours) taking place on Sundays and Bank Holidays; the hours of working of the concrete batching plant being 07:00 to 18:00 hours on Mondays to Fridays, 07:00 to 13:00 hours on Saturdays, and no operations (except for essential maintenance and then only between 08:00 and 18:00 hours) taking place on Sundays and Bank Holidays; the removal of the remaining indigenous sand reserves and restoration being completed

within 18 months from the implementation of the development (in accordance with the revised restoration scheme); the height of material stockpiles being restricted to no more than 6m above the quarry floor and no vehicles, machinery, plant or equipment being operated on top of the stockpiles; the retention, maintenance and management of the restored landscape areas for the life of the development; a formal 5 year aftercare period for the restored landscaped areas; dust mitigation measures; measures to control mud and debris being tracked out of the site; details of any site lighting being submitted for approval; and details of the concrete batching plant being submitted for approval;

- (b) the applicants be advised, by Informative that a Site Liaison Committee should be established in accordance with the general terms which the applicant has proposed; and
- (c) the applicants be requested to re-paint Public Right of Way MR75A crossing markings immediately outside their site as soon as they are reasonably able to do so (in consultation with the landowner as necessary).

62. Application AS/12/518 (KCC/AS/0095/2012) Scrap metal storage and processing facility, including End of Life Vehicle facility at Eclipse Business Park, Cobbs Wood Industrial Estate, Ashford; European Metal Recycling Ltd
(Item C2)

- (1) Mrs E M Tweed addressed the Committee as the Local Member. She took no further part in the decision making process for this application.
- (2) Mr J N Wedgbury was present for this item pursuant to Committee Procedure Rule 2.27 and spoke. He informed the Committee that he was the Vice-Chairman of Ashford Borough Council's Planning Committee but was speaking on this occasion in his capacity as a Local Member from the adjoining ward.
- (3) The Committee agreed that if permission were granted, there would be no deliveries before 7.00 am.
- (4) On being put to the vote, there were 6 votes for and 6 votes against the amended recommendations of the Head of Planning Applications Group.
- (5) Pursuant to Committee Procedure Rule 2.26 (2), the Chairman immediately declared that he was using his casting vote in favour of the recommendations as amended.
- (6) RESOLVED that permission be granted to the application subject to conditions, including conditions covering a 5 year implementation period; the development being carried out in accordance with the permitted details; a maximum throughput of 60,000 tonnes of ferrous and 10,000 tonnes of non-ferrous metals per year; details/specification of external materials of site fencing (including details of the front false building façade) being submitted for prior approval; the erection of all site fencing prior to the commencement of

any operations and the maintenance of this fencing in a good state of repair for the perpetuity of the development; tree protection measures during the construction of the development; details of the landscaping scheme (including new tree and shrub planting) being submitted for approval prior to the commencement of any operations (landscape planting being undertaken thereafter within the first planting season following the first operation of the site and being maintained for a period of not less than 5 years); the hours of operation being 07:00 to 18:00 hours on Mondays to Fridays and 07:00 to 13:00 hours on Saturdays with no working on Saturday afternoon, Sundays, Bank and Public Holidays and no vehicle deliveries taking place before 07:00 hours on any day); the hours of construction being 07:00 to 18:00 hours on Mondays to Fridays and 07:00 to 13:00 hours on Saturdays with no working on Saturday afternoon, Sundays, Bank and Public Holidays; the height of material stockpiles and skip storage being restricted to no more than 6m above ground level, and plant and machinery being operated from ground level rather than from stockpiles; details of a remediation strategy to deal with risks associated with contamination being submitted for prior approval; no piling or foundation designs using penetrative methods taking place other than with the prior approval of the Waste Planning Authority; the maximum number of operational vehicle movements associated with the metal recycling facility being limited to 200 per day (200 in / 200 out); provision being made within the site for construction vehicles parking, loading, off-loading and manoeuvring space during construction activities; details of on-site parking and turning space for personnel/operatives/visitors being submitted for prior approval; details of surface water drainage to be submitted for prior approval; measures to prevent mud and debris being deposited on the highway; a requirement to provide 3 cycle spaces within the site prior to first operations; new access being provided in accordance with the details submitted prior to the first use of the development and being maintained in perpetuity thereafter for the life of the development; a restriction on the rating noise level emanating from the facility on nearby noise sensitive residential properties when assessed in accordance with BS:4142 to no more than the existing background noise level; details of a lighting scheme being submitted for prior approval; and materials being stored and handled in those areas proposed.

63. Application DO/12/664 (KCC/DO/0292/2012) - Section 73 application to vary Condition 9 of Permission DO/03/477 for the variation of hours of operation to allow vehicle movements related to Local Authority waste collection services on Bank and Public Holidays at Richborough Hall, Ramsgate Road, Richborough, Sandwich: Thanet Waste Services
(Item C3)

- (1) Mr W A Hayton and Mr J D Kirby informed the Committee that they were both Members of Thanet District Council. Mr S C Manion informed the Committee that he was a Member of Dover District Council. None of them had considered the application in their District Council capacities, and they were all able to approach its determination with a fresh mind.
- (2) RESOLVED that permission be granted for the variation of Condition 9 of Permission DO/03/477 as set out in paragraph 11 of the report, and that a condition covering the maintenance of the reptile habitat be added to the

Permission.

64. Proposal MA/12/1272 (KCC/MA/0199/2012) - New teaching block and associated car parking and multi use games areas at St Augustine's Academy, Oakwood Park, Maidstone; KCC Property and Infrastructure
(Item D1)

(1) Mr I S Chittenden and Mrs P A V Stockell informed the Committee that they were Members of Maidstone Borough Council. Neither of them had considered the proposal in that capacity and they were both able to approach its determination with a fresh mind.

(2) Mr D Brown, a local resident addressed the Committee in opposition to the proposal. Ms K Lidington from DHA Planning spoke in reply on behalf of the applicants.

(3) The Committee agreed by 9 votes to 4 that the hours of use of the multi-use games areas (MUGA) would be limited to 0800 to 2100 on Mondays to Saturdays and 0800 to 1800 on Sundays and Bank Holidays.

(2) RESOLVED that permission be granted to the proposal subject to conditions, including conditions covering the standard 5 year time limit; the development being carried out in accordance with the permitted details; the submission of details of all materials to be used externally; a scheme of landscaping, including hard surfacing, its implementation and maintenance; measures to protect those trees to be retained; no tree removal taking place during the bird breeding season; the development according with the recommendations of the ecology survey; a programme of archaeological works; "Secured by Design" principles being achieved; a BREEAM rating of 'Very Good' being achieved; a revised School Travel Plan, including a regularly monitored action plan for reducing car-borne trips to school by sixth formers; a community use agreement relating to the multi-use games areas (MUGAs), including hours of use being limited to 0800 to 2100 on Mondays to Saturdays and 0800 to 1800 on Sundays and Bank Holidays; details of foul and surface water drainage; a 2 metre high noise barrier being provided prior to first use of the MUGAs; baffles or louvres being fitted to the floodlights or lanterns to reduce the impact if required; hours of working during construction and demolition being restricted to between 0800 and 1800 on Mondays to Fridays and between the hours of 0900 and 1300 on Saturdays, with no operations on Sundays and Bank Holidays; a construction management plan, including access, parking and circulation within the site for contractors and other vehicles related to construction and demolition operations; measures to prevent mud and debris being taken onto the public highway; and measures to prevent dust nuisance during the demolition phase.

65. Proposal SE/12/243 (KCC/SE/0243/2012) - Two-storey extension, single-storey toilet block, and extension to existing canopy at Fordcombe CEP School, The Green, Fordcombe, Tunbridge Wells; Governors of Fordcombe CEP School
(Item D2)

- (1) Mr R E Brookbank informed the Committee that he was a Member of Sevenoaks District Council. He had not considered the proposal in that capacity and was able to approach its determination with a fresh mind.
- (2) The Committee noted the views of Mr P W A Lake, the Local Member in support of the proposal.
- (3) RESOLVED that permission be granted to the proposal subject to conditions, including conditions covering the 5 year standard time limit; the development being completed in accordance with approved plans; the prior approval of external materials; and tree protection.

66. Proposal SE/12/2144 (KCC/SE/0255/2012) - Construction of a car park within a woodland area at St Lawrence Primary School, Church Road, Seal; Governors of St Lawrence Primary School
(Item D3)

- (1) The Committee noted the views of Mr N J D Chard, the Local Member in support of the proposal.
- (2) The Head of Planning Applications Group informed the Committee of the views of Kent Highways Services on the revised layout. They had advised that a 21m vision splays would be required to the north. The Committee agreed to strengthen the appropriate condition accordingly.
- (3) RESOLVED that:-
 - (a) permission be granted to the proposal subject to conditions, including conditions covering the development being implemented within 5 years; the development being carried out in accordance with the permitted details; tree protection measures for those mature trees to be retained; the delivery and ongoing maintenance of the landscape scheme; the implementation of biodiversity enhancement measures; measures to prevent mud and other debris being deposited on the public highway during construction; and the continued maintenance of the vision splays, including the 21m to the north as recommended by Kent Highways Services; and
 - (b) the applicant be notified by Informative of advice on what action should be taken if protected species are found during development.

67. 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 or Government Departments (None);
- (c) County Council developments;
- (d) Screening opinions under the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (None);
- (e) Scoping opinions under the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (None).