

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 Wednesday, 10 April 2013.

PRESENT: Mr J Davies (Chairman), Mr C P Smith (Vice-Chairman), Mr R E Brookbank, Mr A R Chell, Mr I S Chittenden, Mr T Gates, Mr B 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 R A Marsh

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

UNRESTRICTED ITEMS

21. Minutes - 13 March 2013

(Item A3)

RESOLVED that the Minutes of the meeting held on 13 March 2013 are correctly recorded and that they be signed by the Chairman.

22. Site Meetings and Other Meetings

(Item A4)

(1) The Committee noted that its provisional additional meeting on 18 April 2013 would not take place. This was because there were now no urgent School Basic Needs applications needing to be considered by the Committee before its next meeting in June and because the applicants for the only other application which might have been considered had very recently provided additional technical and legal information to the Planners that needed further consideration.

23. Oaken Wood Public Inquiry

(Item B1)

The Head of Planning Applications Group informed the Committee that the Public Inquiry into the proposed westerly extension to Hermitage Quarry, Aylesford (Minutes 2011/37 and 2012/69) had ended and that the Planning Inspector had concluded his report, which had been forwarded to the Secretary of State for Communities and Local Government for his decision. This report remained confidential pending a final decision by the Secretary of State.

24. Application CA/13/18 (KCC/CA/0426/2012) - Change of use to a facility handling domestic and source-separated food waste (in addition to its present functions) at Plots D and E, Lakesview Business Park, Hersden; Ling (UK) Holdings Limited
(Item C1)

(1) Mr J A Davies informed the Committee that he had received correspondence from Julian Brazier, MP and from Sir Roger Gale, MP in respect of the application. He was acquainted with Julian Brazier, MP but this was not a close personal association. He was therefore to approach the determination of the application with a fresh mind.

(2) Mr C Hibberd informed the Committee that he was acquainted with Sir Roger Gale, MP. This was not a close personal association and he had not discussed the application with him. He was therefore able to approach the determination of the application with a fresh mind.

(3) Mr R A Marsh was present for this item pursuant to Committee Procedure Rule 2.27 and spoke.

(4) Mr Huw Edwards from Barton Willmore addressed the Committee (with the agreement of the Chairman) as a representative of all the businesses on the estate. Mr George Wilson and Mrs Georgina Glover (Westbere PC) also addressed the Committee in opposition to the application. Mr Mike Goddard (Goddard Planning Consultancy) spoke in reply on behalf of the applicants

(5) The Chairman informed the Committee that both Julian Brazier, MP and Sir Roger Gale, MP had written to him in his capacity as Chairman of the Committee and had asked him bring the views they had expressed to the Committee's attention. The Chairman then read their letters to the meeting.

(6) The Head of Planning Applications Group reported additional correspondence dated 6 April 2013 from residents of Upstreet opposing the application. She advised that the correspondence did not raise any additional issues to those raised in the report.

(6) Mr W A Hayton moved, seconded by Mr C P Smith that the recommendations of the Head of Planning Applications Group be agreed.

Carried 9 votes to 8.

(7) RESOLVED that:-

- (a) permission be granted to the application subject to conditions including conditions covering the existing conditions on the 2010 permission (or details approved pursuant thereto) being carried forward as appropriate (except where amended by those below); waste types and quantities; the installation and use of an odour suppression system; the closure of the automatic fast action fabric inner doors of the waste transfer building at all times except to allow vehicles to enter and leave the building (or for emergency maintenance when such repairs cannot be undertaken when the building contains no waste); waste being stored within the waste transfer building for no more than 48 hours and,

wherever possible, not after 12:00 hours on Saturdays or at any time on Sundays; hours of use; noise from the entire development being limited to 52dB L_{Ar,T} (free field) when measured at any residential property; the implementation of measures to control vermin and pests (e.g. flies); no more than 324 HGV movements (162 in / 162 out) per day associated with all waste management operations at the site; the proposed foul water arrangements being implemented as proposed; and the requirement for a further landscaping scheme to be submitted, approved and implemented in the event that Canterbury City Council is unable to secure any necessary re-planting and consolidated planting in accordance with the planning permission it granted for the larger site; and

- (b) the Applicants be advised by Informative that in accordance with Government policy and associated guidance, detailed controls in respect of odour vermin/ pests will be matters for the Environment Agency under the terms of the Environmental Permit.

25. Application SE/12/2790 (KCC/SE/0298/2012) Replacement waste transfer station and household waste recycling centre at Dunbrik Household Waste Recycling Centre, Main Road, Sundridge, Sevenoaks; Darenth River Ballast Company
(Item C2)

(1) Mr R J Parry informed the Committee that he had been lobbied as the Local Member by a number of constituents about the application. He had not, however, debated the merits of the application with them and he remained in a position to approach its determination with a fresh mind.

(2) Mr R J Parry left the meeting before this item was considered. The Chairman had previously agreed to his request to formally move an amendment to the Head of Planning Applications Group's recommendations. This amendment was seconded by Mr C P Smith. The proposed amendment asked the Committee to include a condition prohibiting lorry movements during the morning and evening rush hours in order to mitigate the increased congestion on the A25. It also sought to ensure that all noisy "house keeping" activities took place in the morning rather than in the evening after the site had closed to the public.

Motion Lost

(3) RESOLVED that the application be referred to the Secretary of State for Communities and Local Government and that subject to him giving no direction to the contrary permission be granted to the application subject to the prior satisfactory conclusion of a Section 106 Legal Agreement to secure the draft Heads of Terms set out in Appendix A of the report and to conditions, including conditions covering the development being commenced within 5 years; the development being carried out in accordance with the submitted plans and any approved pursuant to the conditions set out below; the submission of details of the final colour finish to the building; the submission of details of all fencing and boundary treatment including any retaining walls; the submission for approval of a final landscape strategy and planting specification; the submission for approval of the final car park layout; the submission of details of the proposed dust and odour suppression system and

associated management practices; tree protection measures during construction; the foul and surface water drainage scheme shall be implemented as proposed; the implementation of the recommendations set out with the Geo-environmental Investigation report, including recommended gas protection measures; the external lighting being implemented as proposed; the implementation of the mitigation and enhancement measures proposed with in the Ecological Evaluation and Impact Assessment; details of measures to be taken during construction if contamination not previously identified is found on site; precautions to guard against the deposit of mud on the highway during the construction period; controls on the hours of operation during the construction period; controls on the hours of operation of both the Waste Transfer Station (WTS) and the Household Waste recycling Centre (HWRC) to those applied for (as set out in paragraph 19 of the report); the entrance to the site being secured outside operational hours; all external lighting being extinguished outside the hours of operation (with the exception of low level security lighting or during any repair or maintenance); controls on the total combined waste throughput (to a maximum of 120,000tpa); only those wastes specified within the planning application (namely municipal wastes, household waste and commercial / industrial waste) being received, deposited, stored or managed on site; all waste associated with the WTS being loaded, unloaded, sorted and stored within the building; the external doors and shutters within the building being closed outside the opening hours; no waste being stored outside except within the HWRC; all biodegradable/ putrescible waste being removed within 48 hours of arrival on site; controls on the overall number of HGV movements to those applied for (256 HGV movements per day -128 in / 128 out); the waste catchment for the WTS being restricted to Sevenoaks District, unless otherwise agreed by the County Council; records of all HGV movements and details of quantities and sources of all waste handled at the site being maintained for a period of 3 years and made available on request; all loaded, open backed HGVs leaving the site being sheeted or netted; only those vehicles and storage containers ancillary to the development being stored within the site; all vehicles, plant and machinery operated on site being maintained in accordance with the manufacturer's specification at all times, with effective silencers being fitted and used; the hard surfacing on site being maintained in a good state of repair, kept clean and free of mud and other debris; no plant, equipment or associated materials (including waste containers and skips) being stored outside the developed area of the WTS / HWRC; unauthorised material deposited on site being removed to an authorised waste disposal facility within 48 hours; restriction of permitted development rights; the terms of the planning permission being made known to any person(s) given responsibility for the management of the site; all uses and operations associated with Permissions SE/91/1958, SE/94/113, SE/03/902 and SE/03/1180 (*i.e. the Green Waste Composting Facility*) shall permanently cease upon implementation of this permission and shall not recommence thereafter; all uses and operations associated with Permissions SE/90/1302 and SE/12/2342 (*i.e. the existing waste transfer station and household waste recycling centre*) shall permanently cease within 14 days of the first importation of waste to the new WTS and shall not recommence thereafter; all existing built development, structures, plant, equipment and waste within the red line area being removed from site; all land outside the final area of the WTS and HWRC (but within the red line area of the development hereby permitted) not being used except as may be permitted by

a subsequent valid planning permission; and within 12 months of the first importation of waste to the new facilities (except as may be permitted by a subsequent valid planning permission) the applicant submitting a scheme for the demolition and remediation of the existing waste transfer building and other land outside the final developed area of the WTS and HWRC (and thereafter this scheme being implemented as approved).

26. Application AS/12/622 (KCC/AS/0153/2012) Change of use from a skip depot with construction of a new building, portacabin and weighbridge at Woodleas Farm, Goldwell Lane, Aldington; R H Butler Ltd (Skiophire)
(Item C3)

RESOLVED that permission be granted to the application subject to conditions covering the standard time limit; the development being carried out strictly in accordance with the approved details; hours of operation being 0800 to 1730 on Mondays to Fridays and 0800 to 1300 on Saturdays; types and throughput of materials; the area set aside for storage; manoeuvring and parking areas being safeguarded for such purposes; a height restriction on stockpiles and skip storage; a noise levels restriction on vehicle movements; measures to avoid mud and debris on the public highway; prior to commencement of development: details of a scheme of ecological enhancements outlined in the ecology report, together with their longer term management; specific details of the fencing to be installed, including measures to ensure that the existing hedge screening is protected during its erection; and details of a surface water management scheme for the site.

27. Proposal SE/13/132 (KCC/SE/0439/2012) - Demolition of existing swimming pool and erection of a new building to accommodate 3 additional classrooms with associated welfare facilities and extension to existing school hall at Otford Primary School, High Street, Otford; KCC Property and Infrastructure
(Item D1)

(1) A copy of a letter from Mr J Edwards-Winser had been sent to all Members of the Committee with the agenda papers.

(2) The Head of Planning Applications Group reported additional correspondence from residents of Warham Road opposing the proposal and objecting in particular to the proposed height of the new building, and its compatibility with the Conservation Area.

(3) Mr Martin Whitehead (Otford Parish Council), Mr Rod Shelton (Otford Society and Chairman of Otford Parish Plan) and Mr John Edwards-Winser (Local District Councillor) addressed the Committee in opposition to the proposal. Mr Jay Neil (KCC Property and Infrastructure) spoke in reply.

(4) The Chairman moved, seconded by Mr A T Willicombe that the Head of Planning Applications Group's recommended condition requiring a revised Travel Plan be amplified by a requirement for initiatives to be developed in liaison with the Parish Council and its Parish Plan Team, and targets for its implementation for its implementation and ongoing review.

Motion carried

- (5) On being put to the vote, the revised recommendations of the Head of Planning Applications Group were carried by 12 votes to 1
- (6) RESOLVED that 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; the submission of details of all materials to be used externally; details of all external lighting; details of an archaeological watching brief; the submission of a scheme for the disposal of foul and surface waters; land contamination; the submission of a revised School Travel Plan within 6 months of the date of this permission, with initiatives to be developed in liaison with the Parish Council and its Parish Plan Team, and targets for its implementation and ongoing review; tree protection measures; 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 the provision of access, parking and circulation within the site for contractor's and other vehicles related to construction and demolition operations; details of the use of Warham Road; local consultation on the management of the site access to avoid peak school times; pre- construction and post-construction road condition surveys, and the making good of any damage; and measures to prevent mud and debris being taken onto the public highway.

28. Proposal TH/13/104 (KCC/TH/0036/2013) - Mobile building to the north of Saxon House at The Foreland School, Lanthorne Road, Broadstairs; KCC Property and Infrastructure
(Item D2)

RESOLVED that permission be granted to the proposal subject to conditions, including conditions covering the mobile classroom being removed from the site by no later than 30 September 2015; the building being positioned 5.7 metres from the boundary; the building being finished in light green; details of the covered link being submitted for approval; obscure film being applied to the windows on the northern elevation of the building; hours of working during construction being restricted to between the hours of 0800 and 1800 Mondays to Fridays and between the hours of 0900 and 1300 on Saturdays, with no operations on Sundays or Bank Holidays; provision for parking of the contractor's vehicles within the site; and measures being taken to ensure that the public highway is kept clean of mud and debris occasioned by the works.

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