

## 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 Friday, 24 January 2014.

PRESENT: Mr J A Davies (Chairman), Mr C P Smith (Vice-Chairman), Mr M J Angell, Mr M Baldock, Mr M A C Balfour, Mr C W Caller (Substitute for Mrs P Brivio), Mr T Gates, Mr M Heale, Mr P M Harman, Mr P J Homewood, Mr T A Maddison, Mr S C Manion, Mr R J Parry, Mrs E D Rowbotham, Mr T L Shonk, Mr C Simkins, Mr A Terry and Mr J N Wedgbury

IN ATTENDANCE: Mrs S Thompson (Head of Planning Applications Group), Mr M Clifton (Principal Planning Officer - Waste Developments), Mr J Crossley (Principal Planning Officer - County Council Development), Mr H Burchill (Senior Planning Officer), Mr P Rosevear (Senior Transportation Engineer) and Mr A Tait (Democratic Services Officer)

ALSO PRESENT: Mr R Mansfield (Jacobs)

### UNRESTRICTED ITEMS

#### **1. Minutes - 11 December 2013**

*(Item 4)*

RESOLVED that the Minutes of the meeting held on 11 December 2013 are correctly recorded and that they be signed by the Chairman.

#### **2. Site Meetings and Other Meetings**

*(Item A4)*

(1) The Committee agreed that its training on Landscape and Biodiversity had been postponed to 12 February 2014.

(2) The Committee was also advised of a visit to the site of the proposed replacement school at Tunstall on Tuesday, 25 March 2014.

(3) Mr M Baldock asked for a site visit in respect of a future planning application for brickearth working in Hartlip.

#### **3. Application SH/11/381 (KCC/SH/0381/2011) - Shingle recycling for the purpose of flood defence at Dungeness Borrow Pit, Dungeness, Romney Marsh; EDF Nuclear Generation Ltd and Environment Agency**

*(Item C1)*

(1) Correspondence from the Local Member, Mr D Baker opposing the application and setting out an alternative proposal had been circulated to Members of the Committee and was also tabled on the day.

(2) The Head of Planning Applications Group referred to very recent correspondence received from local residents seeking further information on the proposed HGV movements and hours of working. They also referred to a meeting of New Romney TC's Planning and Environment Committee meeting on 25 September 2013 at which many additional concerns were noted that did not feature in the committee report and where it was resolved that the Environment Agency be requested to review the proposed planning application as a matter of urgency and thereafter report back to their committee. It was noted that the E.A. had not yet responded to their concerns as requested.

(3) The Head of Planning Applications Group also reported very recent correspondence received from objectors stating firstly that the operation would have more significant effects and greater impacts than the applicants' suggest on this fragile Natura 2000 site which is protected by the Habitats Regulations and the Authority's own planning policies, where the site is internationally important for its physiographical, flora and fauna; and secondly that no detailed cost assessment had been undertaken.

(4) Mr Tony Hills addressed the Committee on behalf of the Town Councils of Lydd and New Romney in opposition to the application. Mrs Pat Brazier from Camber PC spoke in support. Mr Martin Ingham (Dungeness Residents Association) and Mr Ken Thomas (Dungeness Fishermen's Association) spoke in opposition to the application. Mr Terry Preston (Defend Our Coast Association) spoke in support. Mr Andrew Pearce (Environment Agency) spoke in reply on behalf of the applicants.

(5) On being put to the vote, the recommendations of the Head of Planning Applications Group were carried by 13 votes to 4 with 1 abstention.

(6) Mr J M Wedgbury requested, pursuant to Committee Procedure Rule 2.26 (3) that his vote in support of the recommendations be recorded.

(7) RESOLVED that subject to the satisfactory completion (within 6 months of the resolution - unless otherwise agreed by the Head of Planning Applications Group) of a Legal Agreement to secure the Draft Heads of Terms (as set out in Appendix D of the report) permission be granted to the application subject to conditions, including conditions covering shingle recycling ceasing after 12 years; the development being carried out as permitted; restrictions on the annual volumes of shingle (as set out in paragraphs 14 and 17 of the report); a restriction on hours of operation to between 0800 and 1600 hours on Mondays to Fridays only, with no working at weekends; a requirement that no operations take place outside of the period of October to March; daily vehicle numbers in Year 1 being restricted to 70 daily vehicle movements (i.e. 35in/35out) (which would reduce in year 2 and from year 3 thereafter); all vehicles, fencing and welfare facilities being removed from site upon completion of extraction operations in March each year; vehicles travelling in a convoy at a speed restriction of no more than 10mph; Warning signs being erected warning pedestrians of shingle vehicles operating in the area; measures being in place to ensure no vehicle and pedestrian conflict (and being monitored thereafter); vibration at the closest residential premises to Dungeness Road not exceeding a VDV<sub>day</sub> of 0.4 ms<sup>-1.75</sup> when measured and assessed in accordance with BS 6472; noise emanating from all plant associated with the shingle extraction and vehicles using the haul road not

resulting in an increase in ambient noise level of 3 dB or more at any residential property (the applicant demonstrating that this condition is achieved through onsite measurements within one month of operation, and monitoring being undertaken every 3 months thereafter, with the methodology for such monitoring being agreed with the Minerals Planning Authority); the total combined number of HGVs accessing or leaving the site being restricted to a maximum of nine movements in any one hour between 08:00 and 16:00 hours; the applicants carrying out a pre and post survey of the Dungeness Estate Road each year, and making good any repairs; a temporary shingle bund being constructed when operating within 210m of property A1; working areas and site compounds being maintained at all times; and extracted areas being left undisturbed following the extraction in the winter months to allow them to naturally replenish;

**4. Application DA/13/1491 (KCC/DA/0226/2013) - Temporary consent (5 years) for the operation of a construction and recycling facility for concrete and road base planings and ancillary plant storage areas, reception weighbridge office and parking at Eastern Quarry, off Watling Street, Swanscombe; OCL Regeneration**  
*(Item C2)*

RESOLVED that permission be granted to the application subject to conditions, including conditions covering the standard time limit for implementation (3 years from the date of decision); the operation ceasing no later than 5 years from the date of the permission; the development being carried out set out in the approved plans; hours of operation being restricted to 0600 and 1800 on Mondays to Fridays and 0600 to 1200 on Saturdays with no operating hours on Sundays or Bank Holidays, with essential deliveries of waste awaiting recycling at night time; the number of vehicle movements being restricted to no more than 10 HGV movements per day (5 in and 5 out), 8 car movements from staff vehicles (4 in and 4 out) and 1 LGV per day; a limit on the annual throughput to 40,000 tonnes per annum; the submission of a detailed surface water drainage scheme to accommodate mitigation of potential impacts on groundwater; the retention of parking spaces for vehicles and covered cycle spaces; the safeguarding of vehicle turning areas; the provision of loading/unloading and turning space for construction vehicles within the site during the construction period; stockpile heights being limited to 6m; parking for visitors and staff on site during construction; a detailed scheme of wheel wash facilities for the construction period (including methods for washing the underside of vehicles; details of any surface alterations with an agreed timescale for restoration prior to the use ceasing; and the sheeting of all vehicles delivering waste and exporting processed material.

**5. Proposal CA/13/2232 (KCC/CA/0322/2013) - Two classroom extension at Joy Lane Primary School, Joy Lane, Whitstable; KCC Property and Infrastructure Services**  
*(Item D1)*

(1) The Head of Planning Applications Group reported the receipt of correspondence from Mrs J Law, the local City Councillor, raising concern on behalf of local residents to the proposal on access and transport grounds.

(2) RESOLVED that permission be granted to the proposal subject to conditions, including conditions covering the standard time limit for commencement of the

development (3yrs); the development being carried out in accordance with the permitted details; details of external materials being submitted for prior approval; details of external lighting being submitted for prior approval; protection of those trees to be retained during construction works; the submission of an updated School Travel Plan prior to occupation, including targets for reduced car usage and initiatives to highlight to parents/carers the impact of inappropriate parking and general highway safety issues; hours of working during construction and demolition being restricted to between 0800 and 1800 Mondays to Fridays and between the hours of 0900 and 1300 on Saturdays, with no operations on Sundays and Bank Holidays; the submission of a construction management strategy, including access, parking and circulation within the site for contractors and other vehicles related to construction and demolition operations; and the measures to be employed to prevent mud and debris being taken onto the public highway as a result of construction activity.

**6. Proposal TW/13/2659 (KCC/TW/0278/2013) - Single storey classroom building, reception block, extension to staff and hall facilities, and additional car parking at St Mark's CE Primary School, Ramslye Road, Tunbridge Wells; KCC Education and Learning Services**  
*(Item D2)*

RESOLVED that the proposal be referred to the Secretary of State for Communities and Local Government and that subject to his decision, permission be granted to the proposal subject to conditions, including conditions covering the standard time limit for commencing the proposed development; the development being carried out in accordance with the permitted details; the submission of details of all construction materials to be used externally; the submission of a scheme of landscaping, including details of species, source, location of saplings to be planted as well as the mitigation and visual impact information to be provided, and the implementation and maintenance of hard surfacing; the submission of a Tree Protection Plan and an Arboricultural Method Statement; the planting of replacement trees for the ones lost as a result of the development; the submission of measures to protect those trees that are to be retained; the submission of details of the slope around the new netball court; the submission of mitigation measures for potentially roosting, foraging and commuting bats; external lighting being designed to have minimal impact on any bats; investigation of the creation of additional habitat features around the northern and western site boundaries; the proposed development according with the recommendations of the ecology survey; no tree removal taking place during the bird breeding season; parking and turning provision being provided as shown on the submitted drawings; the submission of details of hard standing areas around the side gates; the submission of details of cycle and scooter parking; the submission of a revised School Travel Plan; 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 and Bank Holidays; the measures to be taken to prevent mud and debris being taken onto the public highway; and the submission of a Construction Management Plan, including access, parking and circulation within the site for contractors and other vehicles related to construction operations.

## **7. 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) County Council developments;
- (c) Screening opinions under the Town and Country Planning (Environmental Impact Assessment) regulations 2011; and
- (d) Scoping opinions under the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (None).