

## 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 Wednesday, 9 September 2015.

PRESENT: Mr J A Davies (Chairman), Mr C P Smith (Vice-Chairman), Mr M J Angell, Mr M Baldock, Mrs P Brivio, Mr L Burgess, Mr N J D Chard, Mr I S Chittenden, Mr T Gates, Mr P M Harman, Mr T A Maddison, Mr S C Manion, Mr R J Parry, Mrs E D Rowbotham, Mr T L Shonk, Mr C Simkins, Mrs P A V Stockell, Mr A Terry and Mr J N Wedgbury

ALSO PRESENT: Mr M A C Balfour

IN ATTENDANCE: Mrs S Thompson (Head of Planning Applications Group), Mr M Clifton (Principal Planning Officer - Waste Developments), Mr J Wooldridge (Principal Planning Officer - Mineral Developments), Ms S Benge (Strategic Transport and Development Planning) and Mr A Tait (Democratic Services Officer)

#### UNRESTRICTED ITEMS

**48. Minutes - 15 July 2015**  
(Item A3)

RESOLVED that the Minutes of the meeting held on 15 July 2015 are correctly recorded and that they be signed by the Chairman.

**49. Dates of meetings in 2016**  
(Item A4)

The Committee agreed the following dates for Committee meetings in 2016:-

Wednesday, 20 January 2016	Wednesday, 13 July 2016
Wednesday, 10 February 2016	Wednesday, 10 August 2016 (provisional)
Wednesday, 9 March 2016	Wednesday, 14 September 2016
Wednesday, 13 April 2016	Wednesday, 19 October 2016
Wednesday, 18 May 2016	Wednesday, 16 November 2016
Wednesday, 8 June 2016	Wednesday, 7 December 2016

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

The Committee agreed to visit Hermitage Quarry in Ditton during the afternoon of Wednesday, 21 October 2015 as part of its training programme of visits to permitted development sites.

## **51. General Matters**

*(Item B1)*

The Head of Planning Applications Group agreed to circulate the new Guidance on unauthorised development in the Metropolitan Green Belt to all Members of the Committee.

## **52. Application SW/15/500348 (KCC/SW/0010/2015) - Installation of an advanced thermal conversion and energy facility at Land off Barge Way, Kemsley Fields Business Park, Kemsley; 4Evergreen Technologies Ltd**

*(Item C1)*

(1) Mr M Baldock informed the Committee that he was a Member of Swale BC's Planning Committee which had considered this application as a statutory consultee. He had not taken part in the discussion or voted on the Borough Council's response to the consultation and was consequently able to approach the determination of this application with a fresh mind.

(2) The Committee agreed to strengthen the landscaping condition and to add two Informatives. These are set out in (5) below.

(3) On being put to the vote, the recommendations of the Head of Planning Applications Group were carried as amended in (2) above by 17 votes to 2.

(4) Mr M Baldock and Mr L Burgess asked pursuant to Committee Procedure Rule 2.26 (3) that their votes against the decision of the Committee be recorded.

(5) RESOLVED that subject to the satisfactory completion of a Legal Agreement to secure the translocation of protected species from the site to an offsite receptor site:-

- (a) permission be granted to the Application subject to conditions, including conditions covering the restriction of tonnages to 48,000 per annum; a restriction on daily vehicle movements to 20 per day; the submission of details of parking for site personnel, operatives and visitors; the provision of vehicle parking and turning space details; precautions to guard against the deposit of mud and similar substances on the public highway; the access details being completed prior to the commencement of operations; deliveries being restricted to 0700-1900 on Mondays to Fridays and 0730-1730 on Saturdays and Sundays; construction operations taking place between the hours of 0700-1900 on Mondays to Fridays and 0730-1730 on Saturdays and Sundays; the submission of a remediation strategy if contamination is found present at the site; dust mitigation measures being secured as set out in section 6.1.2 of the Dust Assessment received on 13 April 2015 and included in the Construction Environmental Management Plan; noise limit restrictions; all materials being handled within an enclosed building; the installation of a 1.8m high noise barrier along the southern site boundary before the beginning of the operation of the proposed facility; a 2m high noise barrier surrounding the site boundary for the duration of the construction works; the submission of a revised landscaping scheme to include the boundary of the site onto Barge Way and the proposed Biodiversity Area, including the use of native species and the provision of maintenance for a minimum of five

years; and the results of reptile monitoring being submitted to the Local Planning Authority as set out in the revised *Reptile & Amphibian Method Statement* received on 12 June 2015; and

- (b) the applicants be advised by Informative that:-
  - (i) in preparing details to satisfy the landscaping condition, they should explore the potential for a landscaping strip adjacent to Barge Way; and
  - (ii) they should explore the opportunity for use of local labour and apprenticeships in construction and operation of the development.

**53. Application TM/14/4075 (KCC/TM/0378/2014) - Extension to existing quarry to extract silica sand and to infill the void with inert waste at Wrotham Quarry, Addington, West Malling; Ferns Group**  
(Item C2)

(1) Mr M A C Balfour was present for this item pursuant to Committee Procedure Rule 2.27 and spoke. He informed the Committee that his nephew owned one of the nearby properties but that this did not constitute an Interest on his part.

(2) The Head of Planning Applications Group reported the views of Mrs S V Hohler, the Local Member raising no objection to the application.

(3) The Head of Planning Applications Group referred to paragraph 80 of the report and updated the Committee by informing it that officers at Essex CC had advised that silica sand was no longer dried at Martells Quarry in Ardleigh.

(4) RESOLVED that:-

- (a) permission be granted to the application subject to conditions, including conditions covering the duration of the permission and removal of plant (restoration to be completed by the end of 2035); at least 70% of silica sand sales being washed, graded and dried each year; only inert waste being used for infilling; restoration (including the existing plant site); aftercare for a period of 5 years; landscape mitigation, as proposed by the applicant together with the measures recommended by KCC's Landscape Officer; the hedgerow between the proposed extension area and Woodgate House being maintained at a height of at least 2m; the removal of permitted development rights; all soil bunds being properly formed, seeded and maintained; no new lighting being installed unless approved beforehand by KCC; noise limits of 55dB LAeq, 1h, freefield at any noise sensitive property for normal operations and of 70dB LAeq, 1hr, freefield for up to 8 weeks in any 12 month period for essential site preparation and restoration work; no tonal reversing alarms being used in the proposed extension area; the implementation of air quality and dust mitigation proposed by the applicant; hours of working being restricted to 0700 to 1800 hours on Mondays to Fridays and to 0700 to 1300 hours on Saturdays for the processing plant, access road and ancillary activities and to 0700 to 1800 hours on

Mondays to Fridays for the proposed extension area with no operations on Saturday after 1300 hours, Sundays or Bank/ Public Holidays; the construction and use of the proposed vehicle tunnel under Addington Lane (including its detailed design); Addington Lane only being used to transport sand from the proposed extension area to the plant site during construction of the vehicle tunnel and when the sand ramp in the extension area is being removed (and then by only by 1 vehicle at a time and between 0900 and 1500 hours); a traffic management plan for Addington Lane (for when the vehicle tunnel is constructed and when the road is used to transport materials from the proposed extension area to the existing quarry); Addington Lane being surveyed before and after its use (to identify any damage caused by the proposed development so that it can be rectified); the restriction of HGV movements to 112 HGV per day (56 in/ 56 out) expressed as a daily average in any one week (as currently), with records being maintained by the operator; HGVs only using the Ford Lane access to enter and leave the site; measures to prevent mud and debris on the highway; HGVs being sheeted; depth of working (at least 2m above groundwater); Groundwater protection (including the detailed matters requested by the Environment Agency and South East Water); no extraction taking place (with the exception of that related to the construction of the vehicle tunnel) within 10m of the boundary of the proposed extension area; the implementation of the ecological mitigation proposed by the applicant and the measures recommended by KCC's Biodiversity Officer; the implementation of a programme of archaeological work in accordance with a written specification and timetable that has first been submitted to and approved by KCC; the toe of the screen bund to the east of the proposed extraction area being no less than 60m from Woodgate House; the diversion of public footpaths MR164 and MR165 before any soil stripping or excavation takes place (with the exception of that related to the vehicle tunnel) and their reinstatement on completion of restoration; appropriate soil handling and storage; details of fencing associated with the proposed extension area; the implementation of a programme of archaeological work in accordance with a written specification and timetable that has first been submitted to and approved by KCC; the toe of the screen bund to the east of the proposed extraction area being no less than 60m from Woodgate House; the diversion of public footpaths MR164 and MR165 before any soil stripping or excavation takes place (with the exception of that related to the vehicle tunnel) and their reinstatement on completion of restoration; appropriate soil handling and storage; and details of fencing associated with the proposed extension area; and

(b) the applicants be notified by Informative that:-

(i) they are encouraged to engage with the local community (e.g. the local parish councils), to consider the establishment of a local liaison group and to respond positively to reasonable requests for assistance with local projects; and

- (ii) they should use their best endeavours to secure the implementation of an extension to the footpath required by the existing Section 106 Agreement to Ford Lane and to have this registered as a definitive public right of way.

**54. 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 (Environment Impact Assessment) Regulations 2011; and
- (d) Scoping Opinions under the Town and Country Planning (Environment Impact Assessment) Regulations 2011 (None).